Land Use Segregation and Mixing through Zoning Controls in Greater Sydney

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ABSTRACT

Zoning is a universal form of development control which articulates the spatial allocation of land use through a set of legally enforceable texts and maps. A common criticism of the Australian urban landscape is the segregation of home from work and other activities, with various social, economic and environmental problems arising. Operating on a functionalist approach of classification and separation, land use zoning is often considered to both create and perpetuate this situation. Mixed use is often proposed as an alternative. Zoning regulations divide land into conceptual districts (‘zones’) of similar form, function and character. In New South Wales, conventional practice catalogues for each zone the possible uses of land into three distinct categories of permissibility; namely, ‘permitted without consent’, ‘permitted with consent’, or ‘prohibited’. Through a literature review, survey of planners based in Greater Sydney, and analysis of current zoning controls, this thesis re-examines the links between zoning and the segregation of land uses. A comparative analysis of land use tables in 40 zoning regulations across 33 local government areas in Greater Sydney is used to evaluate the extent to which current zoning controls enable a mixing of residential and commercial (or activity-based) land uses.
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CHAPTER 1: INTRODUCTION

Zoning is a universal form of development control which articulates the proposed spatial allocation of land use within a particular area. Through a set of legally enforceable provisions and maps, zoning regulations divide land into discrete districts (‘zones’) of similar form, function and character. With new zones created and new land use definitions invented from time to time, zoning controls are evolving over time. More importantly, as previous research (Tsamoglou 1992; Watson 1991) shows, the approach to zoning is also slowly changing over time. Therefore, land use zoning is, and will continue to be a topic that is relevant, current and fundamental to the planning profession.

The Greater Sydney region has a long history of land use zoning - nearly 85 years since the first ‘residential district’ was proclaimed and 60 years since the County of Cumberland Planning Scheme was made. Today, zoning is still a fundamental element of planner’s toolbox. This thesis will revisit zoning in the Greater Sydney region.

1.1 Problem setting

A common criticism of the Australian urban landscape is the segregation of home from work and other activities. In particular, land use segregation is considered to be a contributing factor in unsustainable travel patterns. Travel in Greater Sydney is heavily dependent on cars. The 2007 Household Travel Survey released by NSW Transport and Infrastructure (Transport Data Centre 2009) shows that, in Greater Sydney, 67% of the trips to work, 66% of trips to shopping, and 62% of trips to social or recreation are made by private vehicles. Land use segregation seems to be partly responsible for various social and economic problems, including reduced vitality, impacts on public health and fitness, and social inequality.

Traditionally, the purpose of zoning was to spatially separate ‘incompatible’ land uses. By eliminating the undesirable external effects that arise from uncontrolled urban land use, zoning is perceived to improve the public health and living conditions. Although the notion of land use incompatibility originated from our past experiences with the noise and smoke which noxious industries generated, previous zoning controls often reflected an extended interpretation of land use incompatibility by also separating
residential areas from employment and retail centres. Accordingly, land use zoning is often considered to create and perpetuate the segregation of home from work and other activities.

1.2 Aims and purposes
The core research aim of this thesis is to re-examine the links between zoning and the segregation of land uses in Greater Sydney, with the specific objectives to:

- establish a conceptual framework and outline the major debates about zoning;
- canvass the views of professional planners on the compatibility of residential and commercial (or activity-based) land uses;
- evaluate the extent to which current zoning controls in Greater Sydney enables a mixing of residential and commercial (or activity-based) land uses;
- make recommendations for improved planning practice.

1.3 Methodology
The research for this thesis consisted of a combination of the following:

- literature review;
- mail-survey of planners on their opinions about the mixing of land uses in commercial centres and residential suburbs;
- detailed analysis of current zoning controls.

The following primary data sources were utilised:

- 23 survey responses from planners based in Greater Sydney;
- results of a zone-by-zone analysis of current zoning controls in 40 local environmental plans across 33 local government areas in Greater Sydney.

The following secondary data sources were utilised:

- scholarly journal articles and books;
- NSW Government’s publications and planning circulars.

Further details about the methodology and operationalisation of the mail-survey and analysis of current zoning controls are provided in Chapter 3 and 4.
1.4 The study area

While different organisations often apply different boundaries for Greater Sydney, for the purpose of this study, the region of Greater Sydney refers to the 17 local government areas (LGAs) in ‘Sydney Outer’ and 21 LGAs in ‘Sydney Inner’ following the classification of Department of Local Government. Figure 1.1 shows the physical boundary of the study area.

![Figure 1.1 Greater Sydney - the study area](source)

1.5 Significance of the research

Land use zoning is often considered responsible for both creating and perpetuating the segregation of home from work and other activities. However, through a detailed analysis of land use tables in 40 local environmental plans (LEPs) across 33 LGAs, this thesis finds that the current zoning controls in Greater Sydney actually permits (with consent) a significant amount of land use mixing to be carried out. This finding is considered significant for two reasons; firstly, it challenges the conventional understandings about zoning and its links to land use segregation; secondly, it highlights the necessity to identify the genuine barriers which constrain the realisation of a mixed-use built environment.
1.6 Limitations of the research
Analysis in this thesis was wholly based on the land use table of LEPs. Nevertheless, planning instruments, such as LEPs, are complex documents and must be read as a whole (Farrier & Stein 2006). There is a possibility for the land use table to contain a permitted use which does not comply with other provisions of the instruments (e.g. specified development standards). However, analysis in this thesis did not take situations like this into account.

Moreover, in relation to the mail-survey of planners, the sample size was kept to a small number due to constraints in time and resources. This might restrict the reliability of the data.

1.7 Structure of this thesis
Chapter 2 Conceptual Framework
The aim of Chapter 2 is to establish a conceptual framework for the thesis. It begins by formulating a theoretical understanding of zoning, and follows by an outline of the major debates from the literature regarding limitations of zoning as a planning tool. The links between zoning and segregation of land uses are then examined from a theoretical perspective. A brief overview of the evolution of zoning regulations in Greater Sydney is also provided.

Chapter 3 Views of planners on compatibility of land uses
The aim of Chapter 3 is to canvass the views of planners on the compatibility of residential and commercial (or activity-based) land uses. An analysis of survey results is provided. It begins by explicating the methodology and operationalisation of the mail-survey, followed by a summary of the survey responses. The views of planners on the mixing of land uses in commercial centres and residential suburbs are analysed separately.

Chapter 4 Current zoning controls and segregation of land uses
The aim of Chapter 4 is to evaluate the extent to which current zoning controls in Greater Sydney enables a mixing of residential and commercial (or activity-based) land uses. Detailed analysis of current zoning controls is provided. The Chapter begins by explicating the methodology and operationalisation of the analysis,
followed by a summary of results regarding the number of residential, business and mixed use zones, and the permissibility of alternative land uses in the zones.

**Chapter 5 Summary and discussion**

The aim of Chapter 5 is to summarise the research findings and make recommendations for improved planning practice. It begins by summarising the research results into six key findings, followed by a discussion of their relevance and implications to planners. Recommendations for improved planning practice are then made. Suggested topics are indicated at the end for future research.
CHAPTER 2 CONCEPTUAL FRAMEWORK

This Chapter attempts to establish a theoretical understanding of zoning. A review of literature was undertaken to outline the major debates about zoning, and examine the links between zoning and segregation of land uses from a theoretical perspective. A brief overview of the evolution of zoning regulations in Greater Sydney is also provided.

2.1 What is zoning?

Zoning is a universal form of development control. It may be defined as the practice of dividing a land area into districts within which only specified activities may take place (Ervin et. al. 1977). Zoning may also be considered as the main legal instrument for the control and ordering of the production and of the appropriation of the built environment (Luciana Corrêa do Lago 2006).

Zoning, as with other regulatory tools of planners, explains to all landowners the extent of their property rights by indicating to them the development potential of their landholding (Stein 2008). For a zoning regulation to operate and achieve its purpose, it must consist of three components; a zoning map, a land use table, and a list of definitions. Figure 2.1 outlines the links between the three components.

Figure 2.1  Links between the three components

Source: the author.
Chapter 2: Conceptual framework

Zoning regulations divide land into discrete districts of similar form, function and character. Through distinctive colouring or edging on a zoning map, different land of the relevant local area is allocated to different zones (Farrier & Stein 2006). In theory, it is possible to give each parcel of land its own zone. However, as a matter of practicality, similar parcels are usually grouped into generic zone (Stein 2008).

Zoning regulations establish, in advance of applications for development permission, the permissibility of land use in each zone (Reps 1974). Through a table, zoning regulations specify what may or may not be developed in each zone.

In New South Wales (NSW), conventional practice catalogues, for each zone, the possible uses of land into three distinct categories of permissibility; namely, ‘permitted without consent’, ‘permitted with consent’, or ‘prohibited’. The pattern was established in the County of Cumberland Planning Scheme 1951, and had been followed in other major planning schemes made under the first planning legislation - Part XIIA of the Local Government Act 1919 (Wilcox 1967). The Environmental Planning and Assessment Act 1979 adopted the term ‘threefold classification’ (Part 4 Division 1) for these three categories.

2.2 Major debates about zoning

This section outlines the major debates from the literature about zoning and its limitations as a planning tool. While the main focus is to examine the complexity and rigidity in zoning, a number of other issues are also briefly outlined.

a) It is complicated

To operate, a zoning regulation only needs to consist of three components; firstly, a map showing spatial boundary of the zones; secondly, a table identifying the permitted or prohibited uses in the zone; and thirdly, a list of definitions specifying the exact meaning for each land use.

Although the structure of zoning is not inherently complex, zoning regulations are often considered complicated in practice. The literature review finds that the complexity in zoning may be interpreted in a number of ways. For instance, Elliott (2008) mentions the large number of zones and ‘pages and pages’ of narrowly defined
uses contained in a single zoning regulation. Mant (2006) also refers to the physical length of schemes; but his emphasis is on the layering of special provisions over the standard zone provisions. Furthermore, Kelly & Smith (2008) highlight the complexity of legal interpretation in characterisation of development.

**What makes zoning complicated?**

A large part of the complexity in zoning relates to characterisation of activities as distinct land uses. Zoning regulations often provide ‘minute’ distinctions between the purposes for which different zones can be developed (Farrier & Stein 2006). However, as industrial and business activities change, specific definitions can soon become obsolete. Starke (1966) describes this as the ‘inevitable drawback’ in any zoning system. Furthermore, as characterisation of development is crucial to legal permissibility of a proposal, classification issues in zoning often leads to legal conflict (Kelly & Smith 2008).

The complexity may also be related to the desire to address every eventuality by zoning. Booth (1996) links the complexity in land use regulation to over-elaboration and refinement of the regulations for the sake of providing a rule for every circumstance. Even though the intention is to create a greater degree of certainty, in practice, over-elaboration seems to generate greater uncertainty due to the increase in difficulty to see which rules apply in a given circumstance.

Furthermore, zoning regulations can become complicated over time. In responding to the changing needs of the community, zoning controls are evolving over time. Mant (2006) states that zoning schemes become a complex document when numerous ‘spot rezonings’ add to the length and complexity of the zoning scheme.

Nonetheless, Bull (2007) appreciates that complexity in land use planning is important for creating places of ‘distinct character and function’. Commenting on the attempt of the NSW Government to standardise and limit the business zone hierarchy across the State, Bull (2007) highlights the importance of having planning controls tailored and differentiated for different types of centres and employment lands.
b) It is rigid
Zoning is often criticised for its rigidity and inflexibility. As reviews of zoning involve significant legal and political procedures, one major criticism of zoning is its unresponsiveness to short-term changes in the community (Stein 2008). Furthermore, Staley & Claeys (2005) criticise the conservative and inflexible nature of zoning for discouraging innovation. They argue that, as innovations can only be adopted if they were anticipated in the zoning plan or a political majority can be convinced to support the proposal, for developers the fastest and cheapest route to success is just proposing what is anticipated in the plan. Nevertheless, writing from an American perspective, Cullingworth & Caves (2003) point out that it is the certainty and security provided in zoning which draws enormous popular appeal to protectionist home owners (i.e. ‘exclusionary zoning’).

What makes zoning rigid?
Land use regulation is intrinsic to the market in urban development. Dawkins (1996) highlights the fundamental role of land use regulation in confining the definition of property rights and development potential. Similarly, Stein (2008) highlights the central role of zoning controls in creating the economic forces behind land pricing.

Rigidity in land use regulation is necessary to provide certainty and predictability for the market. Friedman (2002) argues that, in order to carry out their primary function as an economic stabiliser, zoning is designed to be rigidly consistent and permanent, and hence, is likely to be too rigid during times of change. Similarly, Stein (2008) states that, as an economic regulator, it is necessary for zoning control to freeze the allocation of land uses in time.

The tension between certainty and flexibility
A number of authors consider the pursuit of certainty and predictability to be the underlying concerns of land use regulation (Alfasi 2006; Booth 1996; Lai 1997; and Ong et al., 2004). On the other hand, it is also recognised extensively that there are genuine needs and constant pressures to inject more flexibility into the system (Alfasi 2006; Booth 1996; Staley & Claeys 2005; Tsamoglou 1992; and Watson 1991). Apparently, certainty and flexibility are two opposing objectives which cannot be achieved concurrently. Elliott (2008) describes the ‘dance’ between flexibility and predictability as the most constant theme in the history of zoning.
In relation to flexibility in zoning, Faludi (1985) suggests that planning authorities must ‘bridge the gap’ between its perception of the situation at ‘plan-making time’ and at ‘development time’. He highlights the importance for planners to recognise that their plan is just one of a number of inputs into the development process.

Walton (1997), however, has a very different view on discretionary planning. She considers that it is neither practical nor reasonable to wait until an application is lodged to determine what will be required, and claims that the absence of clear controls is unhelpful to both the applicants and the consent authorities.

**Flexibility in conventional zoning in NSW**

Nevertheless, a number of authors recognise the degree of flexibility allowed in the zoning system in NSW. In his early analysis of flexibility in Australian zoning, Faludi (1985) praised the NSW zoning system for using the ‘consent’ category for innominate uses. He considers this arrangement demonstrates the principle of flexibility, since a planning authority can make up its mind when a decision is actually needed, rather than a long time in advance.

Similarly, Farrier & Stein (2006) state that the conventional ‘threefold classification’ of NSW zoning system has provided for a balance between predictability and flexibility. They consider that, through prohibiting or permitting certain purposes without consent, a degree of predictability is offered. On the other hand, through permitting a range of purposes with consent, a degree of flexibility is allowed. Farrier & Stein (2006) consider that, with the specific decisions left open until details of particular proposals are considered, this approach switches the focus from the plan itself to the project control process.

c) **Other issues about zoning**

(i) **It is passive**

As a planning tool, zoning has its limitations of being a form of regulation which is primarily preservative and preventative (Starke 1966). Zoning is designed as a means of controlling and restricting, which planning agendas are implemented, through prevention and denial (Stein 2008). Fundamentally, what it does is create a ‘zone’ and specify the permitted and prohibited uses in the zone. While zoning may dictate
what may or may not be built, it cannot actively guide what is going to be built (Friedman 2002), and when it is going to be built.

(ii) **It provides for what is present rather than what may occur**
Stein (2008) points out that, while the goals of planning are to make better places, the most usual objective of a zone in established areas is to preserve the status quo. This is particularly prominent in established residential areas. Similarly, Cullingworth & Caves (2003) recognise that, in contrast to the ideal of planning which is concerned with the long-term development of an area and the relationship between local objectives and overall community and regional goals, the reality of zoning is that it provides long term security against change. Zoning is often used to safeguard from unwelcome uses such as industry, apartments and low income housing. This highlights zoning as an exclusionary mechanism.

(iii) **It focuses on legal interpretation rather than planning merits**
Kelly & Smith (2008) claim that, because zoning provisions affect the legal permissibility of a proposal, much energy often goes into trying to squeeze proposals into definitions of ‘permissible’ or ‘prohibited’ development, rather than assessing proposals on their merits.

Stein (2008) also has a similar viewpoint. He raises that, when a development is considered in a zone, the focus of investigation is usually on the legal issues arising under a planning scheme, rather than the planning merits of what is proposed. He thinks this demonstrates the difficulty in using the legal system, which requires precision, to control conceptually complicated goals such as quality of life.

(iv) **It trades the humanity and richness of the living city for conceptual simplicity**
Operating on a functionalist approach of classification and separation, zoning is considered to be the major expression of ‘rationalist urbanism’. Luciana Corrêa do Lago (2006) describes zoning as the main legal instrument for the ‘control and ordering’ of the production and of the ‘appropriation’ of the built environment.

Alexander (1988) considers the rationalist approach of regarding the city as a tree-like structure is actually trading the humanity and richness of the living city for conceptual
simplicity. He considers modern attempts to create cities, as artificially based on a single hierarchy of urban cores, to be unsuccessful from a human point of view.

(v) **It is place-blind**
Healey (1999) describes the traditional ‘command and control’ approach of spatial planning and land use regulation as ‘place-blind’, for a lack of emphasis on the qualities of places.

Sharing a similar viewpoint to Healey, Mant (2000, 2006a, 2006b) criticises the format of planning controls based on standard land use zones for resulting in ‘everywhere looking somewhat the same as everywhere else’. Owing to the ‘place-blind’ nature of traditional land use zoning, Mant (2000, 2006a, 2006b) and Untaru (2002) advocated place-based zoning to be a more ‘place-responsive’ alternative under which each locality is recognised as a unique configuration. This underpinned the experiment at Warringah Council, with a place-based local environmental plan.

(vi) **It adds to the cost of development**
Zoning regulations are often considered to increase the costs of development. One of the reason is that zoning can delay land conversion and generate short-run transaction costs for landowners and developers (Ervin *et. al.* 1977). Furthermore, by limiting development to some fraction of the total land supply, zoning creates land rents for owners of parcels earmarked for development. Mills (1989) therefore considers that the contemporary zoning practice is suboptimal from an economic standpoint.

Through interviewing 17 real estate developers, Coiacetto (2000) finds that zoning slows down the development process and adds to the costs of development, and the zoning-based system makes existing zoned land difficult and costly to acquire. Moreover, Coiacetto’s study also suggests that, due to the uncertainties and incalculable costs associated with the process of rezoning land, most developers still prefer to develop zoned land, rather than attempting to rezone land.
2.3 Mixing and segregation of land uses through zoning
This section examines the links between zoning and segregation of land uses from a theoretical perspective. The evolution of zoning regulations in Greater Sydney is also broadly outlined.

a) The philosophy of land use segregation
Traditionally, one purpose of zoning was to spatially separate ‘incompatible’ land uses. Land use incompatibility is an abstract concept involving a degree of subjectivity which is difficult to articulate. Basically, two land uses are considered ‘incompatible’ if locating them in close proximity will generate significant undesirable effects such as pollution, noise, traffic, and aesthetic disamenities (Ervin et. al. 1977). By keeping incompatible uses separated, zoning regulation is seen to reduce hazards to public health and safety, and improve the living and working conditions (Hirt 2007).

Even without planning or zoning, common law has insured that the ensuing activities are not a ‘nuisance’ to adjoining landowners (Stein 2008). Through the law of nuisance, any individuals may take civil action against those causing certain forms of harm (Farrier & Stein 2006). Zoning institutionalises the common law of nuisance and keeps incompatible uses separated (Haar & Hayden 1989).

Siegan (2005), commenting on the land use patterns of Houston (which is a non-zoned city), finds that economic forces tend to make for a separation of uses even without zoning. Business, residential, and industrial uses each tend to locate in certain areas. Siegan’s (2005) study of Houston suggests that zoning may not be a decisive factor in this process.

Segregation of home from work and other activities
It is commonly agreed in the literature that the notion of land use incompatibility originated from our past experiences with the noise and smoke which noxious industries generated. For instance, Starke (1966) recognises industrial uses in a residential area as an example of ‘undesirable mixing’ of land uses, which zoning is trying to prevent. Similarly, Alexander (1988) states that, even though he doubts the soundness of separation in principle, it is easy to see the bad conditions at the
beginning of the nineteenth century underpinning planners’ actions to locate dirty factories outside the residential areas.

Although the notion of land use incompatibility originated from our past experiences with noxious industries, previous zoning controls often reflected an extended interpretation of land use incompatibility by also separating residential areas from employment and retail centres. Hirt (2007) notes that business and retail uses are often excluded from residential areas. Wilcox (1967), in his comments about the limitations of building control, implies that placing factories and shops amongst cottages may lead to ‘disharmonious proximity’.

b) Single-use, mixed-use and predominant-use zoning

Given that development control authorities do not have discretion to approve land uses that are ‘prohibited’ in a zone, zoning regulation broadly limits what may or may not be developed in each zone. Depending on the number of permissible uses in each zone, the approach of zoning can be broadly divided into ‘single-use’ and ‘mixed use’ zoning. While ‘single-use’ zoning refers to the approach by which zoning regulation limits the land use permissibility to only one use per zone, ‘mixed-use’ zoning allows a range of uses to be approved at the discretion of the development control authorities.

Comparing the German and American approaches in land use planning, Hirt (2007) highlights the potential to promote a mix of land uses in American cities by overhauling the ‘single-use’ approach in residential zones, and permitting other land uses which are relatively compatible with residential uses. Godschalk (2007) describes Hirt’s approach as ‘predominant-uses mixed with others’.

Godschalk (2007) however considers the whole concept of ‘predominant-use’ zoning to be ‘slippery and vague’. In particular, he points out the difficulty for planners to assure citizens that an adjacent business use, such as a service station or hotel, will not undermine the housing values or bring other problems. Furthermore, Mant (2006b) considers allowing a range of land uses in a zone to be problematic if there is no effective way of limiting the number of a particular permitted use that can be built in a zone. He highlights the tendency is for the highest and best use to predominate.
c) Evolution of zoning regulations in Greater Sydney

In NSW, the approach to zoning is slowly changing over time (Tsamoglou 1992; Watson 1991). The Greater Sydney region has a long history of land use zoning. From proclamation of residential districts to introduction of the LEP Template, the evolution of zoning regulation in NSW can be broadly divided into five stages.

(i) Residential district proclamations (LG Act 1919 s.309)

The beginnings of land use zoning in Greater Sydney can be traced back to the 1920s, when the Local Government Act 1919 (LG Act) introduced a primitive form of zoning to prohibit certain activities from the proclaimed residential districts.

Section 309 of the LG Act 1919 enabled Local Government to create ‘residential districts’ and apply prohibition of particular types of activity within such districts. This represented the earliest form of statutory planning in NSW. Some councils (e.g. Ku-ring-gai Council) further divided the whole, or a substantial part, of the council’s area as residential districts, and excluded from each area all unwanted activities. As a planning mechanism, section 309 was superseded by Part XIIA of the LG Act 1919 (as amended in 1945), in which more sophisticated and flexible methods were provided (Wilcox 1967).

(ii) County of Cumberland Planning Scheme

The County of Cumberland Planning Scheme was prepared by the Cumberland County Council in 1948, and adopted by the NSW Parliament in 1951. It was the first attempt of metropolitan planning in Greater Sydney.

Under the County Scheme, all land within the County region was ‘zoned’ for specific uses. Winston (1957) describes the ‘Living Area’ zone, which was the main residential zone (another was the ‘Living Area (Restricted)’ zone), as the area where ‘most of our home life takes place’. It included the already established ‘residential districts’, but with a wider meaning because of the growing understanding that a satisfactory home life depends also on the convenient location of schools, shops and open spaces, as well as having reasonable roads, water supply and sewerage.

Nevertheless, in reflecting his experience with the County Scheme, Winston (1957) acknowledges the difficulty arising from community concerns with regard to the
possibility of undesirable developments in close proximity to their homes. He concludes that the newer and more flexible kind of planning control would demand a higher level of technical and administrative skill for its successful operation.

The role of County of Cumberland Planning Scheme was to establish a broad framework for local councils to prepare their individual planning schemes under Part XIIA of the LG Act (Watson 1991). As individual local schemes gradually came into force, the County Scheme was replaced piecemeal (Starke 1966).

(iii) Planning scheme ordinances (LG Act 1919 Part XIIA)
A new Part XIIA, bearing the title ‘Town and Country Planning Schemes’, was inserted into the LG Act in 1945. The new provisions provided the legal framework for local councils to prepare and enforce their own planning instruments, the ‘planning scheme ordinances’ (PSOs). These schemes followed the restrictive formula derived from the Town and Country Planning Act 1932 of Britain (Kelly & Smith 2008) and adopted standard techniques of land use control such as zoning.

PSOs tended to adopt six basic zone classifications to distinguish the main categories of land use. These classifications were ‘non-urban’, ‘residential’, ‘business’, ‘industrial’, ‘special uses’, and ‘open space’. Each classification might also be differentiated into further subcategories; for example, distinct residential subcategories may be provided for high-density residential development (Starke 1966).

With the Environmental Planning and Assessment Act 1979 (EP&A Act), which came into force in 1980, PSOs become ‘deemed environmental planning instruments’. While most of the PSOs have now been replaced by local environmental plans, on 19 September 2009, there were at least five PSOs in force in Greater Sydney. Further details are provided in Chapter 4.

(iv) Local environmental plans (EP&A Act 1979)
Local environmental plans (LEPs) are local planning instruments made under the EP&A Act 1979. They are environmental planning instruments (EPIs) prepared by Local Government and signed off by the Minister. When the EP&A Act 1979 first came into force in 1980, it was somewhat unspecific in relation to the form and content of LEPs (Tsamoglou 1992). However, early LEPs tended to follow the ‘tried
and trusted’ procedures (Watson 1991), and adopted land use tables similar to preceding PSOs (Farrier & Stein 2006).

The policy emphasis soon turned to providing more flexible land use planning. One of the policies in the 1980s was the preparation of ‘bare-boned’ LEPs (Kelly & Smith 2008) and transfer of detailed design standards to non-statutory development control plans (Tsamoglou 1992). Some LEPs, such as the Wagga Wagga LEP 1985 and the Goulburn LEP 1990, even went further and abandoned the category of prohibited development altogether. Farrier & Stein (2006) describes this change represented a shift of focus away from how the purpose of the development should be defined, to the impact of the development on the environment.

Despite the broadened scope of LEPs compared to the preceding PSOs, zoning and development standards remain as the cornerstone of local planning in NSW (Kelly & Smith 2008). A comparison analysis of current zoning control across 40 LEPs is provided in Chapter 4.

(v) Standard instrument for LEPs
To improve efficiency, consistency, and better public understanding of the planning system, in 2006, the NSW Government introduced a ‘template’ which councils must use as the basis for preparing a new LEP for their local area (Department of Planning 2006a). The Standard Instrument (Local Environmental Plans) Order was gazetted on 31 March 2006.

The LEP template contains 34 standard zones from which council will select in preparing their LEPs. The template has also mandated some permitted or prohibited uses in certain zones. In addition to the mandated uses, councils will need to determine whether to permit (with or without consent) or prohibit the other land uses which are defined in the dictionary (Department of Planning 2006b).

On 19 September 2009, two principal and four other LEPs in Greater Sydney were written in the template format. It is expected that each council in NSW will have a new principal LEP prepared in line with the template within two to five years (Department of Planning 2006a).
CHAPTER 3: VIEWS OF PLANNERS ON THE COMPATIBILITY OF LAND USES

A survey of planners based in Greater Sydney was conducted to canvass their views on the compatibility of residential and commercial (or activity-based) land uses. The mail-survey was carried out in August and September 2009, with the approval of the Faculty’s Human Research Ethics Advisory Panel (HREAP). Invitations to participate (which comprises a covering letter, a project information statement, a four-paged questionnaire, and a pre-addressed envelope with stamp) were sent to 50 planners with both the public and private backgrounds. A copy of HREAP’s decision letter and project information statement is provided in Appendix 1.

3.1 Methodology

a) The questionnaire

The questionnaire consisted of eight questions which addressed the opinions on the mixing of land uses in commercial centres and residential suburbs. In particular, the respondents were asked to rate, on a scale from 1 to 5, the levels of suitability of various residential land uses in the commercial centres; and likewise for a number of commercial (or activity-based) land uses in the residential suburbs.

The scenarios mentioned in the questionnaire were purposefully written in broad and general wording (e.g. ‘corner shops’ in ‘low-density suburbs’). The questions were structured in a way which enables clear comparison between ‘town and city centres’ and ‘neighbourhood centres’, and between ‘low-density suburbs’ and ‘medium-density suburbs’. A copy of the questionnaire is provided in Appendix 2.

b) The possible participants

A sample of 50 Greater Sydney-based planners was selected as possible participants for this survey. Among the 50 possible participants, 25 were ‘Directors of Environment & Planning’ (or equivalent) of Local Government in the Greater Sydney Region. The other 25 were ‘contact persons’ (on the Planning Institute of Australia’s Consultants Directory) of professional consultancy firms based in Greater Sydney. A complete list of the 50 possible participants is given in Appendix 3.
While the sample size was clearly not large enough to represent the entire planning profession, the survey drew some meaningful insights into the thinking of planners about compatibility of residential and commercial (or activity-based) land uses. The survey results, together with the literature review in Chapter 2, would form the theoretical basis in the analysis of current zoning controls in Chapter 4.

c) Respondent information

By 17 September 2009, 23 completed questionnaires had been received which generated a response rate of 46%. The responses were completed by a relatively experienced group. More than three-quarter (78%) of respondents had 16 or more years of experience in the planning field. It is particularly noteworthy that 43% of respondents had over 25 years of experience. Figure 3.1 shows a full break-down in percentage.

![Figure 3.1 Respondents’ years of experience in the field](source: the author.)

<table>
<thead>
<tr>
<th>Experience</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Over 25 years</td>
<td>10</td>
<td>43.5%</td>
</tr>
<tr>
<td>16 to 25 years</td>
<td>8</td>
<td>34.8%</td>
</tr>
<tr>
<td>5 to 15 years</td>
<td>3</td>
<td>13.0%</td>
</tr>
<tr>
<td>Under 5 years</td>
<td>2</td>
<td>8.7%</td>
</tr>
</tbody>
</table>

It is also noteworthy that the responses were evenly spread across the public and private sectors. As Figure 3.2 shows, in the last five years 65% of respondents had been practising in Local Government, and 56% had been practising in professional consultancy.

![Figure 3.2 Respondents’ workplaces in the last 5 years](source: the author.)

<table>
<thead>
<tr>
<th>Workplace</th>
<th>Number</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Government</td>
<td>15*</td>
<td>65.2%</td>
</tr>
<tr>
<td>Professional consultancy</td>
<td>13*</td>
<td>56.5%</td>
</tr>
</tbody>
</table>

*Note: there are 5 respondents who have been practising in both sectors.*
3.2 Mixing of land uses in commercial centres

This section presents a summary of responses on Question 1 to 4 of the questionnaire, which asked for opinions about the mixing of land uses in commercial centres. A complete report of all responses is provided in Appendix 4 for further details.

a) General attitudes towards mixing

The vast majority (82% to 91%) of respondents considered securing a mix of land uses in commercial centres to be necessary and desirable. Figure 3.3 shows a full break-down of responses. However, in interpreting the data, it is necessary to note that the results did not differentiate between a mix of multiple commercial (or activity-based) uses, and a mix which also involves residential or other uses.

<table>
<thead>
<tr>
<th></th>
<th>Town and city centres [Q.1]</th>
<th>Neighbourhood centres [Q.3]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>21 (91.3%)</td>
<td>19 (82.6%)</td>
</tr>
<tr>
<td>No</td>
<td>0 (0.0%)</td>
<td>2 (8.7%)</td>
</tr>
<tr>
<td>No Opinion</td>
<td>2 (8.7%)</td>
<td>2 (8.7%)</td>
</tr>
</tbody>
</table>

Source: author.

For those who felt positive about mixing land uses in commercial centres, a follow-up question was asked to canvass their views on what were the benefits of mixing. An extensive range of answers were received. Frequently-mentioned responses included improved vitality and business viability, community mix and interaction, crime reduction, trip reduction, more efficient use of infrastructure, and better access to services. A full list of all mentioned factors is given in Appendix 4.
b) **Opinions on specific residential land uses**

Question 2 and 4 asked the respondents to rate, on a scale from 1 to 5, the levels of suitability of five specific residential land uses in commercial centres. The following is a summary of responses. Comparison between ‘town and city centres’ and ‘neighbourhood centres’ are provided for each category.

(i) **Townhouses or villas**

‘Townhouses or villas’ are residential land uses in medium-density form. As Figure 3.4 shows, only 21% of respondents considered ‘townhouses or villas’ to be ‘suitable’ (‘definitely suitable’ or ‘generally suitable’) in ‘town and city centres’; in contrast to 56% who considered them ‘unsuitable’ (‘definitely not suitable’ or ‘generally not suitable’). The views of respondents however turned the opposite in ‘neighbourhood centres’, with the percentage considering ‘townhouses or villas’ to be ‘suitable’ increased to 56%; and the percentage considering them ‘unsuitable’ dropped to 21%.

![Figure 3.4 Do you consider ‘townhouses or villas’ suitable in the following places? [Q. 2a & 4a]](image)

<table>
<thead>
<tr>
<th></th>
<th>Town and city centres</th>
<th>Neighbourhood centres</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Definitely Suitable</strong></td>
<td>2 (8.7%)</td>
<td>4 (17.4%)</td>
</tr>
<tr>
<td><strong>Generally Suitable</strong></td>
<td>3 (13.0%)</td>
<td>9 (39.1%)</td>
</tr>
<tr>
<td><strong>Maybe Suitable</strong></td>
<td>5 (21.7%)</td>
<td>3 (13.0%)</td>
</tr>
<tr>
<td><strong>Generally Not Suitable</strong></td>
<td>11 (47.8%)</td>
<td>4 (17.4%)</td>
</tr>
<tr>
<td><strong>Definitely Not Suitable</strong></td>
<td>2 (8.7%)</td>
<td>1 (4.3%)</td>
</tr>
<tr>
<td><strong>No Opinion</strong></td>
<td>0 (0.0%)</td>
<td>2 (8.7%)</td>
</tr>
</tbody>
</table>

*Source: author.*
(ii) Residential flat buildings
Comparing to ‘townhouses or villas’, ‘residential flat buildings’ are residential land uses in higher density. ‘Residential flat buildings’ in commercial centres are often attached to, or located above other land uses (e.g. shops or restaurants), and become part of a mixed-use development. This may vary in form, scale and density, ranging from traditional shop-top housing to contemporary high-rise complex.

Figure 3.5 shows the responses for ‘residential flat buildings’ that are part of a mixed-use development. There were varied results between ‘town and city centres’ and ‘neighbourhood centres’. While 86% of respondents considered such development to be ‘suitable’ in ‘town and city centres’, only 52% considered the same for ‘neighbourhood centres’. Similarly, while none of the respondents rated them ‘unsuitable’ in ‘town and city centres’, a small percentage (17%) provided this rating in ‘neighbourhood centres’.

<table>
<thead>
<tr>
<th></th>
<th>Town and city centres [Q.2b]</th>
<th>Neighbourhood centres [Q.4b]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definitely Suitable</td>
<td>13 (56.5%)</td>
<td>6 (26.1%)</td>
</tr>
<tr>
<td>Generally Suitable</td>
<td>7 (30.4%)</td>
<td>6 (26.1%)</td>
</tr>
<tr>
<td>Maybe Suitable</td>
<td>3 (13.0%)</td>
<td>6 (26.1%)</td>
</tr>
<tr>
<td>Generally Not Suitable</td>
<td>0 (0.0%)</td>
<td>3 (13.0%)</td>
</tr>
<tr>
<td>Definitely Not Suitable</td>
<td>0 (0.0%)</td>
<td>1 (4.3%)</td>
</tr>
<tr>
<td>No Opinion</td>
<td>0 (0.0%)</td>
<td>1 (4.3%)</td>
</tr>
</tbody>
</table>

Source: author.
Figure 3.6 shows the responses for ‘residential flat buildings’ that are not part of a mixed-use development. Again, there were varied results between ‘town and city centres’ and ‘neighbourhood centres’. While 43% of respondents considered such development to be ‘suitable’ in ‘town and city centres’, only 30% considered the same for ‘neighbourhood centres’. Similarly, while 26% rated them ‘unsuitable’ in ‘town and city centres’, 43% provided this rating in ‘neighbourhood centres’.

![Figure 3.6](image)

<table>
<thead>
<tr>
<th></th>
<th>Town and city centres</th>
<th>Neighbourhood centres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definitely Suitable</td>
<td>3 (13.0%)</td>
<td>1 (4.3%)</td>
</tr>
<tr>
<td>Generally Suitable</td>
<td>7 (30.4%)</td>
<td>6 (26.1%)</td>
</tr>
<tr>
<td>Maybe Suitable</td>
<td>7 (30.4%)</td>
<td>5 (21.7%)</td>
</tr>
<tr>
<td>Generally Not Suitable</td>
<td>5 (21.7%)</td>
<td>6 (26.1%)</td>
</tr>
<tr>
<td>Definitely Not Suitable</td>
<td>1 (4.3%)</td>
<td>4 (17.4%)</td>
</tr>
<tr>
<td>No Opinion</td>
<td>0 (0.0%)</td>
<td>1 (4.3%)</td>
</tr>
</tbody>
</table>

Source: author.

The above results illustrate a far higher percentage of respondents considering ‘residential flat buildings’ to be ‘suitable’ in commercial centres, if they are part of a mixed-use development. In particular, none of the respondents rated such development as ‘unsuitable’ (neither ‘definitely’ nor ‘generally suitable’) in ‘town and city centres’. This perhaps explains why most of the existing ‘residential flat buildings’ in commercial centres are attached to, or located above other land uses.
(iii) Serviced apartments

The questionnaire also asked for opinions about the suitability of ‘serviced apartments’ in commercial centres. Again, responses were differentiated between those which are part of a mixed-use development (Figure 3.7), and those which are not (Figure 3.8). Similar to the results for ‘residential flat buildings’, the responses were highly divergent across ‘town and city centres’ and ‘neighbourhood centres’. To illustrate, while 86% of respondents considered ‘serviced apartments’ being part of a mixed-use development to be ‘suitable’ in ‘town and city centres’, only 34% considered the same for ‘neighbourhood centres’. Correspondingly, while 47% of respondents considered ‘serviced apartments’ not being part of a mixed-use development to be ‘suitable’ in ‘town and city centres’, only 17% rated that for ‘neighbourhood centres’.

Figure 3.7 Do you consider ‘serviced apartments (being part of mixed-use developments)’ suitable in the following places? [Q. 2d & 4d]

<table>
<thead>
<tr>
<th></th>
<th>Town and city centres</th>
<th>Neighbourhood centres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definitely Suitable</td>
<td>11 (47.8%)</td>
<td>4 (17.4%)</td>
</tr>
<tr>
<td>Generally Suitable</td>
<td>9 (39.1%)</td>
<td>4 (17.4%)</td>
</tr>
<tr>
<td>Maybe Suitable</td>
<td>3 (13.0%)</td>
<td>4 (17.4%)</td>
</tr>
<tr>
<td>Generally Not Suitable</td>
<td>0 (0.0%)</td>
<td>9 (39.1%)</td>
</tr>
<tr>
<td>Definitely Not Suitable</td>
<td>0 (0.0%)</td>
<td>1 (4.3%)</td>
</tr>
<tr>
<td>No Opinion</td>
<td>0 (0.0%)</td>
<td>1 (4.3%)</td>
</tr>
</tbody>
</table>

Source: author.
c) Other comments about mixing of land uses in commercial centres

Question 8 of the questionnaire asked the respondents to add anything they wished about the compatibility between residential and commercial land uses. Some respondents used this opportunity to further articulate their views about the mixing of land uses in commercial centres. Some of the key comments are highlighted here.

(i) Specific context, character and function of the centres

A few responses [Respondent 3; 12; 18; 23] opined that considerations of the specific context and circumstances are critical in determining the range of suitable uses in commercial centres. In particular, one respondent [Respondent 3] stated that the suitability of uses is dependent on exact function and scale of centres, and their short, medium & longer term growth strategies. To illustrate this, the respondent highlighted that the range of uses for an employment destination will be different to a residential origin centre.
(ii) Fragmentation of land ownership and its implications on future uses of land
In addition, a few responses [Respondent 3; 19] highlighted the implications of strata subdivision and its consequent multiple ownership on future developments. One respondent [Respondent 19] opined that once a site is developed for residential use and strata subdivided into units, the site will generally never be able to be developed for commercial use.

3.3 Mixing of land uses in residential suburbs
This section presents a summary of responses on Question 5 to 7 of the questionnaire, which asked for opinions about the mixing of land uses in residential suburbs. Once again, Appendix 4 can be referred to for a complete report of all responses.

a) General attitudes towards mixing
In contrast to the high percentage (82% to 91%, as shown in Figure 3.3) for commercial centres, only 47% of respondents considered securing a mix of land uses in residential centres to be necessary and desirable. Figure 3.9 shows a full breakdown of responses. Again, in interpreting the data, it is necessary to note that the results did not differentiate between a mix of multiple residential uses, and a mix which also involves commercial (or activity-based) or other uses.

![Figure 3.9](image)

**Figure 3.9 In general do you consider securing a mix of land uses in residential suburbs to be necessary and desirable? [Q.5]**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>11 (47.8%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>10</td>
<td>(43.5%)</td>
</tr>
<tr>
<td>No Opinion</td>
<td>2</td>
<td>(8.7%)</td>
</tr>
</tbody>
</table>

Source: author.

Again, for those who felt positive about mixing land uses, a follow-up question was asked to canvass their views on what the main benefits were. Contrary to the extensive range of answers for commercial centres, responses for residential suburbs mainly concentrated on two factors; trip reduction, and better access to services.
b) Opinions on specific commercial (or activity-based) land uses

Question 6 and 7 asked the respondents to rate, on a scale from 1 to 5, the levels of suitability of seven specific commercial (or activity-based) land uses in residential suburbs. The following is a summary of responses. Comparison between ‘low-density suburbs’ and ‘medium-density suburbs’ are provided for each category.

(i) Convenience stores or corners shops

‘Convenience stores or corner shop’ is a small-scale retail outlet which sells a limited variety of goods for the day-to-day needs of local residents. Even though 43% (as shown in Figure 3.9) of the respondents did not feel positive about mixing land uses in residential suburbs, as Figure 3.10 shows, there was a very high percentage (91 to 95%) rating ‘convenience stores or corners shops’ as ‘suitable’. The results were highly similar between ‘low-density suburbs’ and ‘medium-density suburbs’.

![Figure 3.10 Do you consider ‘convenience stores or corners shops’ suitable in the following places? [Q. 6a & 7a]](image)

<table>
<thead>
<tr>
<th></th>
<th>Low-density suburbs</th>
<th>Medium-density suburbs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definitely Suitable</td>
<td>9 (39.1%)</td>
<td>10 (43.5%)</td>
</tr>
<tr>
<td>Generally Suitable</td>
<td>12 (52.2%)</td>
<td>12 (52.2%)</td>
</tr>
<tr>
<td>Maybe Suitable</td>
<td>2 (8.7%)</td>
<td>1 (4.3%)</td>
</tr>
<tr>
<td>Generally Not Suitable</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
</tr>
<tr>
<td>Definitely Not Suitable</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
</tr>
<tr>
<td>No Opinion</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
</tr>
</tbody>
</table>

Source: author.
(ii) Supermarkets
Comparing to ‘convenience stores or corners shop’, ‘supermarket’ generally occupies a larger floor area and sells a wider range of food, grocery and other household goods. In contrast to the high percentage (91% to 95%) for ‘convenience stores or corners shops’, as Figure 3.11 shows, significantly less respondents (4% to 43%) considered ‘supermarkets’ to be ‘suitable’ in residential suburbs. Even so, the responses were highly divergent across ‘low-density suburbs’ and ‘medium-density suburbs’. To illustrate, while 43% of respondents considered ‘supermarkets’ to be ‘suitable’ in ‘medium-density suburbs’, only 4% considered the same for ‘low-density suburbs’.

Figure 3.11  Do you consider ‘supermarkets’ suitable in the following places? [Q. 6b & 7b]

<table>
<thead>
<tr>
<th></th>
<th>Low-density suburbs</th>
<th>Medium-density suburbs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definitely Suitable</td>
<td>0 (0.0%)</td>
<td>1 (4.3%)</td>
</tr>
<tr>
<td>Generally Suitable</td>
<td>1 (4.3%)</td>
<td>9 (39.1%)</td>
</tr>
<tr>
<td>Maybe Suitable</td>
<td>11 (47.8%)</td>
<td>7 (30.4%)</td>
</tr>
<tr>
<td>Generally Not Suitable</td>
<td>8 (34.8%)</td>
<td>6 (26.1%)</td>
</tr>
<tr>
<td>Definitely Not Suitable</td>
<td>3 (13.0%)</td>
<td>0 (0.0%)</td>
</tr>
<tr>
<td>No Opinion</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
</tr>
</tbody>
</table>

Source: author.
(iii) Specialty stores (e.g. book shops, clothing boutiques)

‘Specialty store’ is a retail outlet which specialises in a specific type of items. Typical examples include book shops or clothing boutiques. As Figure 3.12 shows, the responses were fairly different across ‘low-density suburbs’ and ‘medium-density suburbs’. To illustrate, while 43% of respondents considered ‘specialty stores’ to be ‘suitable’ in ‘medium-density suburbs’, only 17% considered the same for ‘low-density suburbs’. Also, the results were fairly similar to that for ‘supermarkets’.

Figure 3.12 Do you consider ‘specialty stores’ suitable in the following places? [Q. 6c & 7c]

<table>
<thead>
<tr>
<th></th>
<th>Low-density suburbs</th>
<th>Medium-density suburbs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definitely Suitable</td>
<td>2 (8.7%)</td>
<td>3 (13.0%)</td>
</tr>
<tr>
<td>Generally Suitable</td>
<td>2 (8.7%)</td>
<td>7 (30.4%)</td>
</tr>
<tr>
<td>Maybe Suitable</td>
<td>8 (34.8%)</td>
<td>7 (30.4%)</td>
</tr>
<tr>
<td>Generally Not Suitable</td>
<td>9 (39.1%)</td>
<td>6 (26.1%)</td>
</tr>
<tr>
<td>Definitely Not Suitable</td>
<td>2 (8.7%)</td>
<td>0 (0.0%)</td>
</tr>
<tr>
<td>No Opinion</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
</tr>
</tbody>
</table>

Source: author.
(iv) **Restaurants or cafes**

As Figure 3.13 shows, 34% of respondents considered ‘restaurants or cafes’ to be ‘suitable’ in ‘low-density suburbs’; in contrast to 13% rating them ‘unsuitable’. One very interesting observation was the significant percentage (52%) giving a neutral rating of ‘may be suitable’. The percentage considering ‘restaurants or cafes’ to be ‘suitable’ further increased to 56% in ‘medium-density suburbs’; with the percentage considering them ‘may be suitable’ or ‘unsuitable’ dropped to 39% and 4% respectively.

![Figure 3.13 Do you consider ‘restaurants or cafes’ suitable in the following places? [Q. 6d & 7d]](image)

<table>
<thead>
<tr>
<th></th>
<th>Low-density suburbs</th>
<th>Medium-density suburbs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definitely Suitable</td>
<td>3 (13.0%)</td>
<td>6 (26.1%)</td>
</tr>
<tr>
<td>Generally Suitable</td>
<td>5 (21.7%)</td>
<td>7 (30.4%)</td>
</tr>
<tr>
<td>Maybe Suitable</td>
<td>12 (52.2%)</td>
<td>9 (39.1%)</td>
</tr>
<tr>
<td>Generally Not Suitable</td>
<td>3 (13.0%)</td>
<td>1 (4.3%)</td>
</tr>
<tr>
<td>Definitely Not Suitable</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
</tr>
<tr>
<td>No Opinion</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
</tr>
</tbody>
</table>

Source: author.
(v) Pubs or hotels

As Figure 3.14 shows, only 13% of respondents considered ‘pubs or hotels’ to be ‘suitable’ in ‘low-density suburbs’; in contrast to 56% rating them ‘unsuitable’. The views of respondents however turned the opposite in ‘medium-density suburbs’, with the percentage considering ‘pubs or hotels’ to be ‘suitable’ increased to 43%; and the percentage considering them ‘unsuitable’ dropped to 30%.

The above results illustrate that, comparing to ‘restaurants or cafes’ (34%), a far lower percentage of respondents considered ‘pubs or hotels’ (13%) to be ‘suitable’ in ‘low-density suburbs’. The margin however reduced significantly in ‘medium-density suburbs’, in which the percentage for ‘restaurants or cafes’ and ‘pubs or hotels’ were 56% and 43% respectively.

![Figure 3.14 Do you consider ‘pubs or hotels’ suitable in the following places? [Q. 6e & 7e]](image)

<table>
<thead>
<tr>
<th></th>
<th>Low-density suburbs</th>
<th>Medium-density suburbs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definitely Suitable</td>
<td>1 (4.3%)</td>
<td>3 (13.0%)</td>
</tr>
<tr>
<td>Generally Suitable</td>
<td>2 (8.7%)</td>
<td>7 (30.4%)</td>
</tr>
<tr>
<td>Maybe Suitable</td>
<td>7 (30.4%)</td>
<td>6 (26.1%)</td>
</tr>
<tr>
<td>Generally Not Suitable</td>
<td>10 (43.5%)</td>
<td>6 (26.1%)</td>
</tr>
<tr>
<td>Definitely Not Suitable</td>
<td>3 (13.0%)</td>
<td>1 (4.3%)</td>
</tr>
<tr>
<td>No Opinion</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
</tr>
</tbody>
</table>

Source: author.
(vi) Health consulting rooms and child care centres

The questionnaire also asked for opinions about the suitability of ‘health consulting rooms’ and ‘child care centres’ in residential suburbs. As Figure 3.15 shows, nearly three-quarter (73%) of respondents considered ‘health consulting rooms’ to be ‘suitable’ in ‘low-density suburbs’, in contrast to zero respondent considered them ‘unsuitable’. The percentage even increased to 86% in medium-density suburbs.

Correspondingly, as Figure 3.16 shows, the majority (82%) of respondents rated ‘child care centres’ to be ‘suitable’. The percentage was the same between ‘low-density suburbs’ and ‘medium-density suburbs’.

![Figure 3.15](image)

**Figure 3.15** Do you consider ‘health consulting rooms’ suitable in the following places? [Q. 6f & 7f]

<table>
<thead>
<tr>
<th></th>
<th><strong>Low-density suburbs</strong></th>
<th><strong>Medium-density suburbs</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Definitely Suitable</td>
<td>6 (26.1%)</td>
<td>9 (39.1%)</td>
</tr>
<tr>
<td>Generally Suitable</td>
<td>11 (47.8%)</td>
<td>11 (47.8%)</td>
</tr>
<tr>
<td>Maybe Suitable</td>
<td>6 (26.1%)</td>
<td>3 (13.0%)</td>
</tr>
<tr>
<td>Generally Not Suitable</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
</tr>
<tr>
<td>Definitely Not Suitable</td>
<td>0 (0.0%)</td>
<td>0 (0.0%)</td>
</tr>
</tbody>
</table>

**Source:** author.
c) Other comments about mixing of land uses in residential suburbs

As previously mentioned, Question 8 of the questionnaire asked the respondents to add anything they wished about the compatibility between residential and commercial land uses. Some respondents used this opportunity to further articulate their views about the mixing of land uses in residential suburbs. Some of the key comments are highlighted here.

(i) Local context, character and design of the development

Again, a few responses [Respondent 3; 12; 23] highlighted that consideration of the specific context and circumstances are critical in determining the range of suitable uses. A respondent stated that compatibility is dependent on the homogeneity of the residential areas concerned [Respondent 12]. Another respondent stated that compatibility to a large extent depends on individual site characteristics and design of
development. The respondent highlighted that non-residential uses can co-exist well if located & designed appropriately [Respondent 3]. Similarly, a respondent stated that the prevailing pattern of land subdivision will influence the impact of non-residential uses on residential uses and vice versa. This will also influence the capacity for certain uses to be established in an area [Respondent 23].

(ii) Residential amenity to be the main concerns
It was mentioned by a number of responses [Respondent 3; 5; 19; 20] that non-residential uses need to balance amenity and residential character concerns. One respondent however went further and stated that commercial uses should not have external adverse impact on the amenity, quiet environment and safety of surrounding residents [Respondent 20].

(iii) Adverse impacts of commercial land uses
Commercial land uses usually have impacts of noise, traffic, lighting and hours of operation. A few respondents highlighted that problems arise when residents expect complete peace and quietness [Respondent 7; 11; 19; 20]. In particular, a respondent pointed out that while residents want commercial facilities to be available within a reasonable distance from where they live, they do not want any immediate adverse impacts [Respondent 7].

(iii) Affect uptake in existing zoned land
In addition, a few responses [Respondent 3; 16] stated that it is preferable to focus non-residential uses just in the centres. A respondent raised that low density housing should not be mixed with commercial or retail uses as this would scatter commercial uses and result in poor uptake in zoned centres [Respondent 16].

3.4 Summary of findings
The above analysis of survey results can be summarised into three key findings as followed:

(i) The survey respondents were primarily positive about securing a mix of land uses in commercial centres; they were, however, less certain about the desirability of mixing land uses in residential suburbs.
The survey of planners showed that more than 80% of survey respondents considered it necessary and desirable to secure a mix of land uses in commercial centres, which they considered would provide various social, economic and environmental benefits. Improved vitality and business viability, community mix and interaction, crime reduction, trip reduction, more efficient use of infrastructure, and better access to services were mentioned as the main benefits. There is, however, a 50/50 split in relation to the mixing of land uses in residential suburbs. As commercial land uses usually have adverse impacts of noise, traffic, lighting and hours of operation, a few respondents stated that problems arise when residents expect complete peace and quietness. Also, a number of responses highlighted the necessity of non-residential land uses to balance the concerns in relation to amenity and residential character.

(ii) **The percentage of respondents considering ‘residential flat buildings’ to be ‘suitable’ was higher in ‘town and city centres’ than in ‘neighbourhood centres’; and the percentage was higher if the ‘residential flat buildings’ are part of a mixed-use development.**

While 86% of the respondents considered ‘residential flat buildings, that are part of a mixed-use development’ to be ‘suitable’ in ‘town and city centres’, only 52% considered the same for ‘neighbourhood centres’. Moreover, if the ‘residential flat buildings are not part of a mixed-use development’, only 43% considered them ‘suitable’ in ‘town and city centres’, and only 30% in ‘neighbourhood centres’.

(iii) **A very high percentage of respondents considered ‘convenience stores or corners shops’, ‘health consulting rooms’, and ‘child care centres’ to be ‘suitable’ in both ‘low-density’ and ‘medium-density suburbs’.**

Even though 43% of the respondents did not feel positive about mixing land uses in residential suburbs, 91 to 95% of them considered ‘convenience stores or corners shops’ to be ‘suitable’. The results were highly similar between ‘low-density suburbs’ and ‘medium-density suburbs’. Moreover, 73 to 86% of respondents considered ‘health consulting rooms’ to be ‘suitable’ in residential suburbs; and 82% rated that for ‘child care centres’.
CHAPTER 4: CURRENT ZONING CONTROLS AND SEGREGATION OF LAND USES

Land use zoning is often considered responsible for both creating and perpetuating the segregation of home from work and other activities. While the links between zoning and segregation of land uses may seem plausible from a theoretical perspective, through a detailed analysis of current zoning controls in Greater Sydney, this Chapter attempts to examine the accuracy of this presumption.

4.1 Methodology

a) Selection of zoning regulations for analysis

In NSW, zoning controls are provided through statutory-based environmental planning instruments (EPIs) made under the Environmental Planning and Assessment Act 1979 (EP&A Act). There are two types of EPIs under the current legislative framework. While ‘local environmental plans’ (LEPs) are prepared by local councils and signed off by the Minister, ‘state environmental planning policies’ (SEPPs) are prepared at State level with respect to matters of State or regional significance.

A preliminary search on the NSW legislation and local councils’ websites found 46 LEPs and 5 deemed EPIs (‘planning scheme ordinances’ under previous planning legislation) in force within Greater Sydney, that consist of a business and/or residential zone. A complete list is given in Appendix 5.

(i) LEPs that were included in this analysis

Analysis in this Chapter was limited to 40 LEPs across 33 LGAs. This included 28 principal LEPs which cover the whole, or a substantial part, of the LGA; and 12 other LEPs which apply to one or a number of precincts. The 40 LEPs are identified below, with the principal LEPs highlighted by asterisks.

- Ashfield LEP 1985*
- Auburn LEP 2000*
- Bankstown LEP 2001*
- Baulkham Hills LEP 2005*
- Blacktown LEP 1988*
- Botany LEP 1995*
- Camden LEP No 45
- Camden LEP No 46
- Campbelltown (Urban Area) LEP 2002
- Canada Bay LEP 2008*
- Canterbury LEP No 138—Canterbury Precinct
Chapter 4: Current zoning controls and segregation of land uses

- Canterbury LEP No 148—Canterbury Precinct
- Canterbury LEP No 178—Belmore–Lakemba Precinct
- Fairfield LEP 1994*
- Holroyd LEP 1991*
- Hornsby Shire LEP 1994*
- Hunter’s Hill LEP No 1*
- Hurstville LEP 1994*
- Kogarah LEP 1998*
- Lane Cove LEP 1987*
- Leichhardt LEP 2000*
- Liverpool LEP 2008*
- Manly LEP 1988*
- Marrickville LEP 2001*
- Mosman LEP 1998*
- North Sydney LEP 2001*
- Parramatta City Centre LEP 2007
- Parramatta LEP 2001*
- Penrith City Centre LEP 2008
- Penrith LEP 1998 (Urban Land)
- Pittwater LEP 1993*
- Randwick LEP 1998*
- Rockdale LEP 2000*
- South Sydney LEP 1998
- Sutherland Shire LEP 2006*
- Sydney LEP 2005
- Waverley LEP 1996*
- Waverley & Woollahra Joint LEP 1991—Bondi Junction Commercial Centre
- Willoughby LEP 1995*
- Woollahra LEP 1995*

Analysis in this Chapter was based on online publication of LEPs accessed via the NSW legislation website (NSW Government 2009) on 19 September 2009. The LEPs were current as of that date.

(ii) LEPs that were not included in this analysis
The Warringah LEP 2000 was excluded from the analysis because that LEP does not contain any ‘zone’. The Warringah LEP is a ‘place-based’ LEP in which permissibility of land uses are provided through 74 ‘localities’ and the guiding principles of development. Even though it is possible to consider each of these 74 ‘localities’ as 74 distinct ‘zones’ and broadly classify them into ‘residential’ or ‘commercial’ zones (as it was completed in Appendix 5), the long list of ‘localities’ (or ‘zones’) made comparison with other zoning controls impractical.

In addition, analysis in this Chapter did not consider any zoning regulations for the LGAs of Burwood, Ku-ring-gai, Ryde, and Strathfield. These areas currently do not have any LEP in force. Rather, their zoning regulations are provided through the
‘planning scheme ordinances’ which were the planning instruments made under previous planning legislation - Part XIIA of the *Local Government Act 1919* (as amended in 1945).

**b) Research procedures**

With 40 LEPs selected, research into their zoning controls was carried out in three stages. Figure 4.1 outlines the research procedures. Details about each stage are further explained below.

**Figure 4.1 The research procedures**

<table>
<thead>
<tr>
<th>Stage 1</th>
<th>Stage 2</th>
<th>Stage 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 local environmental plans</td>
<td>Appendix 6</td>
<td>Appendix 7</td>
</tr>
<tr>
<td>Residential zone(s)</td>
<td>24-page extract from land use tables</td>
<td>Permissibility matrix for residential land uses in business or mixed use zones</td>
</tr>
<tr>
<td>Commercial or activity-based* uses permissible</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Business zone(s)</td>
<td></td>
<td>Appendix 8</td>
</tr>
<tr>
<td>Residential land uses permissible</td>
<td></td>
<td>Permissibility matrix for commercial or activity-based* land uses in residential zones</td>
</tr>
<tr>
<td>Mixed use zone(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential land uses permissible</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Note: ‘commercial or activity-based’ land uses include ‘restaurants’, ‘pubs or hotels’, ‘shops’, ‘corner shops’, ‘child care centres’, or ‘health consulting rooms’ (or equivalent).*

**Source: the author.**

(i) **Categorisation of zones into ‘residential’, ‘business’ or ‘mixed use’**

In stage one, each individual zone of the 40 LEPs was categorised into generic classifications of ‘residential’, ‘business’, or ‘mixed use’ zones. Given that the main focus of this thesis is to examine the mixing of residential and commercial uses, zones which fall outside the ‘residential’, ‘business’, or ‘mixed use’ categories were left out from the analysis (e.g. ‘industrial’ or ‘special uses’). Analysis in section 4.2 utilises...
the data regarding the number of zones under each category to illustrate the degree to which current zoning controls impose a spatial separation of residential and business districts.

(ii) Identification of alternative land uses permissible in each zone
Each ‘residential’, ‘business’, and ‘mixed use’ zone identified in stage one was thoroughly examined in stage two. Detailed research of the land use tables was undertaken to identify, zone by zone, if residential uses are permitted in the ‘business’ (or ‘mixed use’) zones; and which commercial or activity-based uses are permitted in the ‘residential’ zones. In this Chapter, the scope of ‘commercial or activity-based uses’ was limited to six types of land uses (or equivalent); namely, ‘restaurants’, ‘pubs or hotels’, ‘shops’, ‘corner shops’, ‘child care centres’, and ‘health consulting rooms’. The research results of stage two were condensed into a 24-page document in Appendix 6.

(iii) Tabulation of data for analysis
In stage three, the results in Appendix 6 were tabulated into two land use matrices in Appendix 7 and 8 for further analysis. This enables a comparative analysis of permissibility across land use types. Analysis in section 4.3 utilises the data regarding the permissibility of alternative land uses in the zones to illustrate the degree to which current zoning controls allow a mixing of residential and commercial (or activity-based) land uses.

4.2 Number of residential, business, and mixed use zones
Zoning regulations divide land into discrete districts of similar form, function and character. Generic zoning classifications are ‘rural’, ‘residential’, ‘business’, ‘industrial’, ‘special uses’, and ‘open space’. Each classification may also be differentiated into further subcategories; for example, ‘residential’ are often divided into ‘low-density residential’ and ‘high-density residential’. Some zoning regulations also have a designated zone called ‘mixed use’ zone, which basically means residential plus commercial.

Among the 40 LEPs being studied, there are 137 residential, 118 business, and 21 mixed use zones. This represents an average of 3.43 residential, 2.95 business, and
0.53 mixed use zones per LEP. All 28 principal LEPs being studied have at least one residential and one business zone.

However, as Figure 4.2 and 4.3 show, the number of zones varies widely among individual LEPs. With nine residential zones and seven business zones, Hornsby Shire LEP 1994 has the highest number among all. In contrast, with only one residential zone and one business zone, Manly LEP 1988 and Leichhardt LEP 2000 have the lowest number of zones.

Compared to traditional ‘residential’ or ‘business’ zoning category, ‘mixed use’ zone is by far less common in Greater Sydney. The research found that ‘mixed use’ zone is used in about a quarter (13 out of 40) of LEPs being studied. Nevertheless, there is one LEP, the South Sydney LEP, which consists of seven ‘mixed use’ zones.

The above analysis regarding the number of zones under each category confirms that current zoning controls in Greater Sydney impose a spatial separation of land into residential and business districts. Nonetheless, the more important aspect of zoning is the finer-grain analysis of what are the permitted or prohibited uses in the zone.

**Figure 4.2 Number of residential, business and mixed use zones in 12 precinct LEPs**

![Chart showing number of residential, business, and mixed use zones in 12 precinct LEPs]

*Source: the author.*
### Figure 4.3: Number of residential, business and mixed use zones in 28 principal LEPs

<table>
<thead>
<tr>
<th>LEP Name</th>
<th>Residential</th>
<th>Business</th>
<th>Mixed use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hornsby Shire LEP 1994</td>
<td>7</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Baulkham Hills LEP 2005</td>
<td>10</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Mosman LEP 1998</td>
<td>5</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Willoughby LEP 1995</td>
<td>2</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Liverpool LEP 2008</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Sutherland Shire LEP 2006</td>
<td>6</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Rockdale LEP 2000</td>
<td>4</td>
<td>3</td>
<td>2</td>
</tr>
<tr>
<td>Pittwater LEP 1993</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>North Sydney LEP 2001</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Lane Cove LEP 1987</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Hunter’s Hill LEP No 1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Parramatta LEP 2001</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Canada Bay LEP 2008</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Waverley LEP 1996</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Ashfield LEP 1985</td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Randwick LEP 1998</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Fairfield LEP 1994</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Blacktown LEP 1988</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Woollahra LEP 1995</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Marrickville LEP 2001</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Holroyd LEP 1991</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Auburn LEP 2000</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Bankstown LEP 2001</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Botany LEP 1995</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Kogarah LEP 1998</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Hurstville LEP 1994</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Manly LEP 1988</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Leichhardt LEP 2000</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
</tbody>
</table>

**Source:** the author.
4.3 Permissibility of alternative land uses in the zones

Zoning regulations establish, in advance of applications for development permission, the permissibility of land use in each zone. In NSW, conventional practice catalogues for each zone the possible uses of land into three distinct categories of permissibility; namely, ‘permitted without consent’, ‘permitted with consent’, or ‘prohibited’. While the analysis in previous section confirms that current zoning controls in Greater Sydney impose a spatial separation of land into residential and business districts, a mixing of land uses is still possible if a variety of land uses are permissible, concurrently, in the same zone.

In other words, the degree to which current zoning controls allow a mixing of residential and commercial (or activity-based) land uses would depend on the finer-grain provisions concerning land use permissibility of the zones; that includes residential uses in business (or mixed use) zones, and commercial (or activity-based) uses in residential zones.

**a) Residential land uses in business and mixed use zones**

This subsection provides a summary of the research results in relation to the permissibility of residential land uses in business and mixed use zones. The complete results of the analysis are provided in Appendix 7 for further details.

As Figure 4.3 shows, residential land uses are permissible in most business and mixed use zones. Among the 118 business zones being studied, the analysis found that 95 of them (80%) have made residential the permitted uses. These include 52 zones (44%) permitting buildings used purely for residential purpose, and another 43 zones (36%) permitting residential if it is attached to or located above other permitted uses.

On the contrary, the analysis found that only 16 of the business zones (13%) have made residential the prohibited uses. Moreover, there are seven zones (5%) which prohibited residential apart from situations where the residential use is ancillary to or used in conjunction with other permitted uses.

On the other hand, among the 21 mixed use zones being studied, all of them (100%) have made residential permitted with consent. These include 19 zones (90%)
permitting buildings used purely for residential purpose, and another two zones (9%) permitting residential if it is attached to or located above other permitted uses.

Figure 4.3 Permissibility of residential land uses in business and mixed use zones

<table>
<thead>
<tr>
<th></th>
<th>Business zones</th>
<th>Mixed use zones</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted</td>
<td>52 (44.1%)</td>
<td>19 (90.5%)</td>
</tr>
<tr>
<td>Permitted only as MXD*</td>
<td>43 (36.4%)</td>
<td>2 (9.5%)</td>
</tr>
<tr>
<td>Prohibited except ancillary</td>
<td>7 (5.9%)</td>
<td>0 (0.0%)</td>
</tr>
<tr>
<td>Prohibited</td>
<td>16 (13.6%)</td>
<td>0 (0.0%)</td>
</tr>
</tbody>
</table>

*Note: MXD refers to mixed use developments.

Source: author.

b) Commercial or activity-based land uses in residential zones

This subsection provides a summary of the research results in relation to the permissibility of commercial or activity-based land uses in residential zones. The complete results of the analysis are provided in Appendix 8 for further details.

(i) Restaurants, pubs or hotels, and shops

As Figure 4.4 shows, ‘restaurants’, ‘pubs or hotels’, and ‘shops’ (or equivalent) are prohibited in most residential zones. Among the 137 residential zones being studied, the analysis found that only 13 zones (9%) have made ‘restaurants’ the permitted uses. The number is even lower for ‘pubs or hotels’ and ‘shops’, which are, respectively, permitted in nine (6%) and eight zones (5%) only.
Figure 4.4 Permissibility of various commercial (or activity-based) land uses in residential zones

*Note: or equivalent.

<table>
<thead>
<tr>
<th>Restaurants*</th>
<th>Pubs or hotels*</th>
<th>Shops*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted</td>
<td>13 (9.5%)</td>
<td>9 (6.6%)</td>
</tr>
<tr>
<td>Prohibited</td>
<td>124 (90.5%)</td>
<td>128 (93.4%)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Corner shops*</th>
<th>Child care centres*</th>
<th>Health consulting rooms*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permitted</td>
<td>58 (42.3%)</td>
<td>125 (91.2%)</td>
</tr>
<tr>
<td>Prohibited</td>
<td>79 (57.7%)</td>
<td>12 (8.8%)</td>
</tr>
</tbody>
</table>

Source: the author.
(ii) Corner shops
While most residential zones have made conventional ‘shops’ the prohibited uses, there is a particular form of shops - ‘corner shops’ (or equivalent) - to which land use permissibility may apply differently. As Figure 4.4 shows, among the 137 residential zones being studied, 58 of them (42%) have made ‘corner shops’ (or equivalent) the permitted uses.

‘Corner shops’ are small-scale retail outlets which sell a limited variety of goods for the day-to-day needs of local residents. They may be referred to in the zoning regulations under different labels; such as, ‘neighbourhood shops’ (Canada Bay LEP 2008), ‘general stores’ (Camden LEP No 46), ‘local shops’ (Auburn LEP 2000), ‘mixed business’ (Blacktown LEP 1988), or ‘small shops’ (Manly LEP 1988).

Alternatively, a few LEPs distinguish a special list of ‘shops’ in the Schedule. For example, in the Holroyd LEP 1991, although ‘shops’ is prohibited in Residential “D” Zone in general, exception is given to ‘those referred to in Schedule 3’ which include chemist’s shop, fruit shop, newsagent’s shop and a number of other shops. Similarly, in the Land Cove LEP 1987, ‘shops referred to in Schedule 1’ is permissible in the residential zones. These include butchers’ shops, fruit and vegetable shops, and grocery and health food shops.

(iii) Child care centres and health consulting rooms
As Figure 4.4 shows, ‘child care centres’ and ‘health consulting rooms’ (or equivalent) are permissible in most residential zones. The analysis found that these two land uses are, respectively, permitted in 125 (92%) and 99 (72%) of the 137 residential zones being studied.

4.4 Summary of findings
The above analysis of current zoning controls in Greater Sydney can be summarised into four key findings as followed:

(i) The analysis of current zoning controls confirmed that zoning regulations in Greater Sydney impose a separation of land into business and residential districts.
The analysis of current zoning controls found that all 28 principal LEPs being studied have at least one residential and one business zone. Among the 40 LEPs being studied, there are 137 residential, 118 business, and 21 mixed use zones. This represents an average of 3.43 residential, 2.95 business, and 0.53 mixed use zones per LEP. The number of zones, however, varies widely among individual LEPs.

(ii) Land use zoning in Greater Sydney is based on ‘predominant-use’ zoning, in which each zone permits predominant uses mixed with a range of other uses.

A finer-grain analysis of what are the permitted or prohibited uses in the zone found that, contrary to the common perception of zoning entrenched in ‘single-use’ zoning, land use zoning in Greater Sydney is actually based on ‘predominant-use’ zoning which allows predominant uses mixed with a range of other uses. In each zone, not only the predominant land use (e.g. ‘dwelling-houses’ in low-density residential zone) is permitted, a range of other land uses (e.g. ‘child care centres’, ‘health consulting rooms’) is also allowed at the discretion of the development control authorities. The use of ‘predominant-use’ zoning is particularly obvious in the business and mixed use zones. Nevertheless, analysis of zoning controls also found it in the residential zones, but to a smaller extent.

(iii) The analysis found that 80% of business zones and 100% of mixed use zones have made residential a permitted use.

The analysis found that 80% (n = 95) of the business zones and 100% (n = 21) of the mixed use zones have made residential a permitted use. These include 44% (n = 52) of business zones and 90% (n = 19) of mixed use zones permitting buildings used purely for residential purpose, and an additional 36% (n = 43) and 9% (n = 2) permitting residential if it is attached to or located above other permitted uses.

(iv) The analysis found that more than 90% of residential zones have made ‘shops’, ‘restaurants’, or ‘pubs or hotels’ the prohibited uses.

The analysis found that ‘health consulting rooms’ and ‘child care centres’ (or equivalent) are permitted, respectively, in 72% (n = 99) and 92% (n = 125) of the residential zones. ‘Corner shops’ (or equivalent) are permitted in 42% (n = 58) of residential zones. Nonetheless, only 5 to 9% (n = 8 to 13) of residential zones have made ‘shops’, ‘restaurants’, and ‘pubs or hotels’ (or equivalent) the permitted uses.
CHAPTER 5 SUMMARY AND DISCUSSION

This Chapter provides a summary of research findings, and discusses their relevance and significance to planners. Recommendations for improved planning practice are made. Suggested topics are indicated at the end for future research.

5.1 Summary of findings

Land use zoning is often considered responsible for both creating and perpetuating the segregation of home from work and other activities. However, through a detailed analysis of land use tables in 40 LEPs across 33 LGAs, this thesis finds that the current zoning controls in Greater Sydney actually permit (with consent) a significant amount of land use mixing to be carried out.

The key findings of this thesis may be summarised as follows:

1) The survey respondents were primarily positive about securing a mix of land uses in commercial centres; they were, however, less certain about the desirability of mixing land uses in residential suburbs.

2) The percentage of respondents considering ‘residential flat buildings’ to be ‘suitable’ was higher in ‘town and city centres’ than in ‘neighbourhood centres’; and the percentage was higher if the ‘residential flat buildings’ are part of a mixed-use development.

3) A very high percentage of respondents considered ‘convenience stores or corners shops’, ‘health consulting rooms’, and ‘child care centres’ to be ‘suitable’ in both ‘low-density’ and ‘medium-density suburbs’.

4) The analysis of current zoning controls confirmed that zoning regulations in Greater Sydney impose a separation of land into business and residential districts.

5) Land use zoning in Greater Sydney is based on ‘predominant-use’ zoning, in which each zone permits predominant uses mixed with a range of other uses. This is particularly obvious in the business and mixed use zones; and also in the residential zones, but to a smaller extent.

6) The analysis found that 80% of business zones and 100% of mixed use zones have made residential a permitted use. These include 44% of business zones
and 90% of mixed use zones permitting buildings used purely for residential purpose.

7) The analysis found that 92%, 72%, and 42% of residential zones have, respectively, made ‘child care centres’, ‘health consulting rooms’, and ‘corner shops’ the permitted uses. However, more than 90% of residential zones have made ‘shops’, ‘restaurants’, or ‘pubs or hotels’ the prohibited uses.

5.2 Significance of findings
The findings of this thesis are considered significant for two reasons; firstly, they challenge the conventional understandings about zoning and its links to land use segregation; secondly, they highlight the necessity to identify the genuine barriers which constrain the realisation of a mixed-use built environment.

(i) Zoning and its links to land use segregation
Operating on a functionalist approach of classification and separation, land use zoning is often considered to create and perpetuate the segregation of home from work and other activities. Traditionally, one purpose of zoning was to spatially separate ‘incompatible’ land uses. Although the notion of land use incompatibility originated from our past experiences with noxious industries, previous zoning controls often reflected an extended interpretation of land use incompatibility by also separating residential areas from employment and retail centres.

While an analysis regarding the number of zones under each category (i.e. ‘residential’, ‘business’, or ‘mixed use’) confirmed that zoning regulations impose a separation of land into business and residential districts, detailed analysis of the land use tables found that the current zoning controls in Greater Sydney actually permits (with consent) a significant amount of land use mixing to be carried out.

Mixing of residential and commercial (or activity-based) land uses is enabled through ‘predominant-use zoning’, in which a range of other land uses, along with the predominant-use, are permissible at the discretion of the development control authorities. This arrangement allows the authorities to undertake a finer-grained merit assessment when development is actually proposed.
Given that most business zones (and all mixed use zones) have made residential a permitted use, in general the designation of land as business zone would not prevent residential development to be developed. In contrast to the relatively flexible permissibility of residential uses in business zones, the analysis found that conventional business land uses such as ‘shops’, ‘restaurants’, and ‘pubs or hotels’ are prohibited in most residential zones. This is consistent with the survey results, which found that the respondents were primarily positive about securing a mix of land uses in commercial centres, but are less certain about the desirability of mixing land uses in residential suburbs.

(ii) Barriers which constrain the realisation of a mixed-use built environment
Despite the significant amount of land use mixing permitted under current zoning controls, the reality is that, segregation of home from work and other activities remains evident in Greater Sydney, with various social, economic and environmental problems arising.

While this thesis does not contribute to the wider debates about the benefits or disbenefits of mixed use, its findings do highlight that, if mixed use is considered necessary and desirable, further investigation is needed to identify the underlying factors that are currently constraining the realisation of a mixed-use built environment even if it is ‘permitted’ by zoning regulations. Some possible factors suggested from the literature include community perception and market inertia.

5.3 Where to from here?

a) For planning practice
Zoning, as with other regulatory tools of planners, explains to all landowners the extent of their property rights by indicating to them the development potential of their landholding (Stein 2008). Being a legitimate planning tool which holds universal recognition and involves extensive implications for the stakeholders, land use zoning, is likely to continue to be part of development control. This highlights the importance for planners to regularly anticipate changes, and update the zoning regulations in response. Strategic planning and ongoing monitoring of existing plans are essential.
Nevertheless, it is important for planners to be fully aware of the limitations of zoning as a planning tool. Zoning is different to planning. While zoning may be a fundamental element of a planner’s toolbox, as a form of development control, zoning has the limitation that it is only about permissibility of land use. Fundamentally, what it does in practice is create a ‘zone’ and specify the permitted and prohibited uses in the zone. Therefore, it is important not to overly rely on zoning. Over-elaboration and refinement of zoning regulations may just add to complexity and, hence, a greater degree of uncertainty.

b) For future research
Zoning is not static. Not only the zoning controls are evolving, the approach of zoning is also slowly changing over time. Therefore, land use zoning will continue to be a topic that is relevant, current and fundamental to the planning profession.

As mentioned, future research is needed to identify the underlying factors that are currently constraining the realisation of a mixed-use built environment even if it is ‘permitted’ by zoning regulations. Some possible reasons may be community perception and market inertia. It is recognised that what is permitted on the zoning regulations does not necessarily reflect what is built eventually. Regulation is only one of the inputs.
BIBLIOGRAPHY


Department of Planning (NSW) (2006a) NSW Planning Reforms—Standard Instrument (Local Environmental Plans) Order: Questions and Answers, the Department, Sydney.


APPENDIX 1

Copy of HREAP’s decision letter and project information statement
23 July 2009

Application No: 95042
Project Title: To Mix or Not To Mix: Land Use Zoning In The Greater Sydney Region

Attention: Danny Wiggins

Dear Windham Ko,

Thank you for your application requesting approval to conduct research involving humans. The Panel has evaluated your application and upon their recommendation, has attached the decision below.

Please be aware that approval is for a period of twelve months from the date of this letter, unless otherwise stated below.

All further information/documentation (if any) is to be submitted to FBE HREAP via Student Centre. Please submit originals plus four copies. Email submission will not be recognised.

Decision
Approved with conditions

Your application is approved; however, there are certain things you must do, before you may conduct your research. Please see below for details, and your responses will assist us in completing your file.

<table>
<thead>
<tr>
<th>Advisory comments:</th>
<th>Item</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1</td>
<td>Please be aware that the HREA Panel cannot approve surveys of participants under the age of 18. Please see your Supervisor for further direction.</td>
</tr>
<tr>
<td>2</td>
<td>2</td>
<td>We do not recommend that you use your own personal address or telephone numbers on any documents issued to participants. If possible, you should supply UNSW contact details.</td>
</tr>
<tr>
<td>3</td>
<td>3</td>
<td>Approval is granted to the applicant for a twelve month period from the date of this letter. Any approval to conduct research given to the applicant is done so on the condition that the applicant is at the date of approval: (a) a Student undertaking an approved course of study in the FBE; or (b) a member of Academic Staff in the FBE. If, at any time subsequent to the date of approval and prior to completion of the research project the applicant ceases to be either of (a) and (b) above, then any prior approval given to the applicant to conduct will be deemed to be revoked forthwith. The applicant must inform the FBE HREA Panel immediately upon any change, or possible change, to the applicant’s status that may affect any prior approval given by the Panel to the applicant to conduct research.</td>
</tr>
</tbody>
</table>
Evaluation Authority:

Michael Brand (Convener)
FBE HREA Panel

Approving Authority:

Jim Plume
Head of School
Faculty of the Built Environment
PROJECT INFORMATION STATEMENT

Date: 3 August 2009
Project Title: "To Mix or Not to Mix: Land use zoning in the Greater Sydney Region"

Approval No.: 95042

Participant selection and purpose of study
You are invited to participate in a study of planning for the mix and separation of land uses within the Greater Sydney Region. A specific purpose of the study is to examine the views of professional planners on the compatibility of residential and commercial/activity-based land uses. You were selected as a possible participant in this study because your name was identified, either on Council's website or on Planning Institute of Australia's Consultants Directory.

Description of study
If you decide to participate, please complete the attached questionnaire and return to the researcher, either by email: windham@student.unsw.edu.au or by mail to: Professor Robert Freestone, Faculty of the Built Environment, UNSW Sydney NSW 2052, Australia on or before Tuesday, 25 August 2009. The survey contains eight questions which address your opinions on the mixing of land uses in commercial centres and residential suburbs. It will take 10 or 15 minutes to complete. However, we cannot and do not guarantee or promise that you will receive any benefits from this study.

Confidentiality and disclosure of information
Any information that is obtained in connection with this study and that can be identified with you will remain confidential and will be disclosed only with your permission, or except as required by law. Findings of the research project, of which this survey forms a key part, will be submitted to the Faculty of the Built Environment, University of New South Wales, in the form of a written thesis in late October 2009.

Your consent
Your decision whether or not to participate will not prejudice your future relations with The University of New South Wales or other participating organisations.

If you have any questions, please feel free to contact Windham Ko, windham@student.unsw.edu.au. If you have any additional questions on procedures, privacy and confidentiality, thesis advisor, Dr. Danny Wiggins, (02) 4447 4036, dannywiggins@aapt.net.au; or Course Authority, Professor Robert Freestone, (02) 9385 4836, R.Freestone@unsw.edu.au will be happy to answer them.

Windham Ko

Complaints may be directed to the Ethics Secretariat, The University of New South Wales, SYDNEY 2052 AUSTRALIA (phone 9385 4234, fax 9385 6948, email: ethics.sec@unsw.edu.au)
APPENDIX 2

Copy of the questionnaire
**SURVEY OF PLANNERS**

Project Title: "To Mix or Not to Mix: Land use zoning in the Greater Sydney Region"

Researchers: Windham Ko  
Thesis Advisor: Dr. Danny Wiggins  
Course Authority: Professor Robert Freestone  
FBE HREP Approval No.: 95042

This survey forms part of an undergraduate research project within the Faculty of the Built Environment, University of New South Wales, to study planning for the mix and separation of land uses within the Greater Sydney Region. Findings of the research project, of which this survey forms a key part, will be submitted to the Faculty, in the form of a written thesis in late October 2009.

1. In general, do you consider securing a mix of land uses in town and city centres to be necessary and desirable? (please put a tick in one of the boxes)

<table>
<thead>
<tr>
<th>Yes</th>
<th>No</th>
<th>No Opinion</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

If Yes, what factors do you consider to be the main benefits? (for example, improved vitality, crime reduction, sustainability etc)

[Blank space]

2. On a scale from 1 to 5, do you consider the following land uses suitable in town and city centres? (please circle the most appropriate answer)

<table>
<thead>
<tr>
<th>Definitely Suitable</th>
<th>Generally Suitable</th>
<th>Maybe Suitable</th>
<th>Generally Not Suitable</th>
<th>Definitely Not Suitable</th>
<th>No Opinion</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

   a). Townhouses, villas
   b). Residential flat buildings (being part of MXD)*
   c). Residential flat buildings (not being part of MXD)*
   d). Serviced apartments (being part of MXD)*
   e). Serviced apartments (not being part of MXD)*

   *Note: MXD refers to mixed use developments.

If there are any non-commercial uses (residential uses in particular) other than the above which you consider Definitely Suitable or Generally Suitable in town and city centres, please identify in below.
3. In general, do you consider securing a mix of land uses in neighbourhood centres to be necessary and desirable? (please put a tick in one of the boxes)

   Yes ☐  No ☐  No Opinion ☐

If Yes, what factors do you consider to be the main benefits? (for example, improved vitality, crime reduction, sustainability etc)


4. Similarly, on a scale from 1 to 5, do you consider the following land uses suitable in neighbourhood centres? (please circle the most appropriate answer)

<table>
<thead>
<tr>
<th>Definitely Suitable</th>
<th>Generally Suitable</th>
<th>Maybe Suitable</th>
<th>Generally Not Suitable</th>
<th>Definitely Not Suitable</th>
<th>No Opinion</th>
</tr>
</thead>
</table>
   a). Townhouses, villas | 1                  | 2             | 3             | 4                      | 5          | n/o        |
   b). Residential flat buildings (being part of MXD)* | 1                  | 2             | 3             | 4                      | 5          | n/o        |
   c). Residential flat buildings (not being part of MXD)* | 1                  | 2             | 3             | 4                      | 5          | n/o        |
   d). Serviced apartments (being part of MXD)* | 1                  | 2             | 3             | 4                      | 5          | n/o        |
   e). Serviced apartments (not being part of MXD)* | 1                  | 2             | 3             | 4                      | 5          | n/o        |

*Note: MXD refers to mixed use developments.

If there are any non-commercial uses (residential uses in particular) other than the above which you consider Definitely Suitable or Generally Suitable in neighbourhood centres, please identify in below.


5. In general, do you consider securing a mix of land uses in residential suburbs to be necessary and desirable? (please put a tick in one of the boxes)

   Yes ☐  No ☐  No Opinion ☐

If Yes, what factors do you consider to be the main benefits? (for example, serving the needs of local residents, jobs closer to home, sustainability etc)


On a scale from 1 to 5, do you consider the following land uses suitable in low-density suburbs? (please circle the most appropriate answer)

<table>
<thead>
<tr>
<th></th>
<th>Definitely Suitable</th>
<th>Generally Suitable</th>
<th>Maybe Suitable</th>
<th>Generally Not Suitable</th>
<th>Definitely Not Suitable</th>
<th>No Opinion</th>
</tr>
</thead>
<tbody>
<tr>
<td>a). Convenience stores,</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>n/a</td>
</tr>
<tr>
<td>corner shops</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b). Supermarkets</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>n/a</td>
</tr>
<tr>
<td>c). Specialty stores (e.g.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>n/a</td>
</tr>
<tr>
<td>book shops; clothing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>boutiques</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d). Restaurants, cafes</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>n/a</td>
</tr>
<tr>
<td>e). Pubs, hotels</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>n/a</td>
</tr>
<tr>
<td>f). Health consulting</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>n/a</td>
</tr>
<tr>
<td>rooms</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g). Child care centres</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>n/a</td>
</tr>
</tbody>
</table>

If there are any non-residential uses (business or retail uses in particular) other than the above which you consider Definitely Suitable or Generally Suitable in low-density suburbs, please identify in below.

Similarly, on a scale from 1 to 5, do you consider the following land uses suitable in medium-density suburbs? (please circle the most appropriate answer)

<table>
<thead>
<tr>
<th></th>
<th>Definitely Suitable</th>
<th>Generally Suitable</th>
<th>Maybe Suitable</th>
<th>Generally Not Suitable</th>
<th>Definitely Not Suitable</th>
<th>No Opinion</th>
</tr>
</thead>
<tbody>
<tr>
<td>a). Convenience stores,</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>n/a</td>
</tr>
<tr>
<td>corner shops</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b). Supermarkets</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>n/a</td>
</tr>
<tr>
<td>c). Specialty stores (e.g.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>n/a</td>
</tr>
<tr>
<td>book shops; clothing</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>boutiques</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d). Restaurants, cafes</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>n/a</td>
</tr>
<tr>
<td>e). Pubs, hotels</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>n/a</td>
</tr>
<tr>
<td>f). Health consulting</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>n/a</td>
</tr>
<tr>
<td>rooms</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
g). Child care centres

If there are any **non-residential uses** (business or retail uses in particular) **other than the above** which you consider **Definitely Suitable** or **Generally Suitable** in medium-density suburbs, please identify in below.


8. Is there anything you would like to add about the **compatibility between residential and commercial land uses**?


**RESPONDENT INFORMATION**

The data about you below will assist analysis of all responses.

No. of years in the field (approximate): 

In the last 5 years, where have you been practicing? *(please put a tick in one or more of the boxes)*

- [ ] Local Government in NSW
- [ ] NSW State Government
- [ ] Local or State Government in other States (or territories)
- [ ] a professional consultancy (either as an employer or employee)
- [ ] other (e.g. academic, Federal, work overseas); please specify: 

THANK YOU for completing this survey.

Please return to the researcher by email: windham@student.unsw.edu.au or by mail to:
Professor Robert Freestone, Faculty of the Built Environment, UNSW Sydney NSW 2052, Australia
on or before **Tuesday, 25 August 2009.**
APPENDIX 3

Complete list of 50 possible participants for the survey
<table>
<thead>
<tr>
<th>Local Government x 25</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>General Manager</strong></td>
</tr>
<tr>
<td>1 Mr Ken Gaiger</td>
</tr>
<tr>
<td>2 Mr John Burgess</td>
</tr>
<tr>
<td>3 Mr Ron Moore</td>
</tr>
<tr>
<td>4 Mr Pat Romano</td>
</tr>
<tr>
<td>5 Mr Paul Toel</td>
</tr>
<tr>
<td>6 Mr Jim Montague PSM</td>
</tr>
<tr>
<td>7 Mr Alan Young</td>
</tr>
<tr>
<td>8 Mrs Dave Walker</td>
</tr>
<tr>
<td>9 Mr Merr Ismay</td>
</tr>
<tr>
<td>10 Mr Robert Ball</td>
</tr>
<tr>
<td>11 Mr Victor Lampe</td>
</tr>
<tr>
<td>12 Mr John McKee</td>
</tr>
<tr>
<td>13 Mr Phil Tolhurst</td>
</tr>
<tr>
<td>14 Ms Kim Anson</td>
</tr>
<tr>
<td>15 Mr Viv May PSM</td>
</tr>
<tr>
<td>16 Ms Penny Holloway</td>
</tr>
<tr>
<td>17 Mr Alan Stoneham</td>
</tr>
<tr>
<td>18 Mr Mark Ferguson</td>
</tr>
<tr>
<td>19 Mr Ray Brownelee</td>
</tr>
<tr>
<td>20 Mr Michael Whitaker</td>
</tr>
<tr>
<td>21 Mr John Rayner</td>
</tr>
<tr>
<td>22 Mr Rik Hart</td>
</tr>
<tr>
<td>23 Mr Tony Reed</td>
</tr>
<tr>
<td>24 Mr Nick Tobin</td>
</tr>
<tr>
<td>25 Mr Gary James</td>
</tr>
</tbody>
</table>

**Professional consultancy x 25**

<table>
<thead>
<tr>
<th><strong>Contact Person</strong></th>
<th><strong>Company</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Lewis Adley</td>
<td>eSquare Planning Pty Ltd</td>
</tr>
<tr>
<td>2 Tony Blue</td>
<td>Blueprint Planning Consultants</td>
</tr>
<tr>
<td>3 Terry Byrnes</td>
<td>Byrnes &amp; Associates Pty Ltd</td>
</tr>
<tr>
<td>4 Gary Chapman</td>
<td>Chapman Planning Pty Ltd</td>
</tr>
<tr>
<td>5 Chris Young</td>
<td>Chris Young Planning</td>
</tr>
<tr>
<td>6 Sue Francis</td>
<td>City Plan Services</td>
</tr>
<tr>
<td>7 Rob Player</td>
<td>Don Fox Planning Pty Ltd</td>
</tr>
<tr>
<td>8 David Epstein</td>
<td>DREPdesign</td>
</tr>
<tr>
<td>9 Riz Hansen</td>
<td>Hansen Partnership Pty Ltd</td>
</tr>
<tr>
<td>10 Brett Brown</td>
<td>Ingham Planning</td>
</tr>
<tr>
<td>11 Julie Bindon</td>
<td>JBA Urban Planning Consultants</td>
</tr>
<tr>
<td>12 Laurie Winnacott</td>
<td>Lawrence Winnacott &amp; Associates Pty Ltd</td>
</tr>
<tr>
<td>13 Scott Lockrey</td>
<td>Lockrey Planning and Development Solutions Pty Ltd</td>
</tr>
<tr>
<td>14 Nicola Gibson</td>
<td>MG Planning</td>
</tr>
<tr>
<td>15 Greg New</td>
<td>Newplan</td>
</tr>
<tr>
<td>16 Ann Cameron</td>
<td>Calyon Pty Ltd</td>
</tr>
<tr>
<td>17 Peter Graham</td>
<td>P S Graham &amp; Associates</td>
</tr>
<tr>
<td>18 Patrick Hurley</td>
<td>PGH Environmental Planning</td>
</tr>
<tr>
<td>19 Kerry Routie</td>
<td>Planscapes</td>
</tr>
<tr>
<td>20 Alison McCabe</td>
<td>Sub Planning (NSW) Pty Ltd</td>
</tr>
<tr>
<td>21 Spiro Stavis</td>
<td>SPD Town Planners</td>
</tr>
<tr>
<td>22 Ian Stewart</td>
<td>Stewart Planning Group</td>
</tr>
<tr>
<td>23 Geoff Goodyer</td>
<td>Symons Goodyer Pty Ltd</td>
</tr>
<tr>
<td>24 Roger Franklin</td>
<td>TP Design</td>
</tr>
<tr>
<td>25 Naomi L'Oba-Brown</td>
<td>WSP Fitzwater</td>
</tr>
</tbody>
</table>
APPENDIX 4

Survey responses
SURVEY RESPONSES

Project title: Land Use Segregation and Mixing through Zoning Controls in Greater Sydney (previously known as To Mix or Not To Mix: Land use zoning in the Greater Sydney Region)

Researcher: Windham Ko

Date of analysis: 17 September 2009

Response rate: 46% (n = 23)

Q1. In general, do you consider securing a mix of land uses in town and city centres to be necessary and desirable?

<table>
<thead>
<tr>
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If Yes, what factors do you consider to be the main benefits? (for example, improved vitality, crime reduction, sustainability etc)

Improved Vitality / Presence of People
- improved vitality [Respondent 5, 6, 9, 12, 14, 20, 21, 22]
- more vibrant communities [Respondent 4]
- centre viability, diversity & vibrancy [Respondent 17]
- activity the centres outside business hours [Respondent 10]
- 24 hour use [Respondent 11]
- to ensure vitality & life outside standard business hours [Respondent 16]
- vitality & viability [Respondent 23]

Support Business / Economic Viability
- economic & social viability [Respondent 7]
- economic viability [Respondent 9]
- better economic viability for restaurants & services [Respondent 10]
- economic opportunities [Respondent 12]
- residential supports economy of businesses [Respondent 19]
- commercial viability [Respondent 20]

Community Mix / Diversity / Interaction
- population mix [Respondent 4]
- community cohesion [Respondent 4]
- diversity [Respondent 9, 12]
- verbal interaction [Respondent 11]
- improved community interaction between employment & households [Respondent 13]
- links to local community [Respondent 23]
Crime Reduction / Safety
- network opportunities potentially less crime [Respondent 4]
- increased safety, passive surveillance [Respondent 10]
- crime reduction [Respondent 11]
- improved surveillance and use of land [Respondent 13]
- safety & security of residential plus retail properties - passive surveillance [Respondent 14]
- extended hours of operation with multiple uses improve safety & amenity [Respondent 19]
- [answering Q8] Residential land uses provide for a vibrant town centre - especially at night time when some town centres feel unsafe & unused. [Respondent 22]

Sustainability
- sustainability [Respondent 5, 8, 21]

(Trip Reduction)
- environmental benefits due to everything within walking distance to shops, work, schools [Respondent 4]
- improved sustainability through reduced vehicle movements [Respondent 10]
- to encourage people to live & work locally - thereby reducing journey to work, traffic etc [Respondent 16]
- reduce need for multiple trips [Respondent 17]
- transport reductions [Respondent 11]
- transport / travel minimisation [Respondent 21]
- reduce travel distance [Respondent 23]
- focused journeys to work [Respondent 23]

(More Efficient Use of Infrastructure / Services)
- better sharing of infrastructure [Respondent 2]
- reduced transport costs [Respondent 2]
- less demand on infrastructure [Respondent 4]
- more efficient use of services [Respondent 4]
- enable integration of transport - environmental sustainability [Respondent 17]
- more sustainability use of public transport [Respondent 19]
- better use of infrastructure capacity [Respondent 19]

Better Access to Services / User Convenience
- access to wide range of services without need to travel outside local/region [Respondent 5]
- local employment [Respondent 5]
- reduce journey to work times [Respondent 6]
- people want to live in a locality where that locality is able to meet their needs be it shopping, work, relaxation [Respondent 8]
- access to services [Respondent 10]
- adequate provision of services [Respondent 14]
- user convenience [Respondent 20]
Other
- support of aged, disabled & disadvantaged [Respondent 4]
- housing affordability [Respondent 5]
- housing choice [Respondent 5, 6, 11]
- lifestyle options [Respondent 11]
- creates a character for town/city centres [Respondent 13]
- better potential for integration of land use & transport, urban character
development generally (vibrancy, urban design, opportunities, activities etc)
[Respondent 18]
- stimulus to developments [Respondent 20]
- more efficient use of land [Respondent 23]
- links between uses [Respondent 23]

Q2. On a scale from 1 to 5, do you consider the following land uses suitable in
town and city centres?

a). Townhouses, villas
(1) Definitely Suitable 2 (8.7%)
(2) Generally Suitable 3 (13.0%)
(3) Maybe Suitable 5 (21.7%)
(4) Generally Not Suitable 11 (47.8%)
(5) Definitely Not Suitable 2 (8.7%)
No Opinion 0 (0.0%)

b). Residential flat buildings (being part of MXD)
(1) Definitely Suitable 13 (56.5%)
(2) Generally Suitable 7 (30.4%)
(3) Maybe Suitable 3 (13.0%)
(4) Generally Not Suitable 0 (0.0%)
(5) Definitely Not Suitable 0 (0.0%)
No Opinion 0 (0.0%)

c). Residential flat buildings (not being part of MXD)
(1) Definitely Suitable 3 (13.0%)
(2) Generally Suitable 7 (30.4%)
(3) Maybe Suitable 7 (30.4%)
(4) Generally Not Suitable 5 (21.7%)
(5) Definitely Not Suitable 1 (4.3%)
No Opinion 0 (0.0%)

d). Serviced apartments (being part of MXD)
(1) Definitely Suitable 11 (47.8%)
(2) Generally Suitable 9 (39.1%)
(3) Maybe Suitable 3 (13.0%)
(4) Generally Not Suitable 0 (0.0%)
(5) Definitely Not Suitable 0 (0.0%)
No Opinion 0 (0.0%)

e). Serviced apartments (not being part of MXD)
(1) Definitely Suitable 4 (17.4%)
(2) Generally Suitable 7 (30.4%)
(3) Maybe Suitable 8 (34.8%)
(4) Generally Not Suitable 4 (17.4%)
If there are any non-commercial uses (residential uses in particular) other than the above which you consider Definitely Suitable or Generally Suitable in town and city centres, please identify in below.

Residential
- aged care facilities [Respondent 2]; aged persons housing [Respondent 6]; aged & disabled housing [Respondent 11]
- hostels [Respondent 4]; hostels - being part of MXD [Respondent 10]
- detached housing [Respondent 8]
- shop top housing - being part of MXD [Respondent 10]
- boarding houses - being part of MXD [Respondent 10]; boarding houses [Respondent 11]
- group homes - being part of MXD [Respondent 10]
- terrace housing [Respondent 11]

Tourist
- hotels [Respondent 4];
- motels [Respondent 7]
- tourist accommodation [Respondent 19]
- hotel / visitor or tourist accommodation [Respondent 20]

Other
- childcare facilities [Respondent 2]
- community services/facilities [Respondent 17]; community facilities [Respondent 19]
- churches [Respondent 7]; places of worship [Respondent 11, 23]
- schools [Respondent 7]; education establishments [Respondent 11]; education [Respondent 23]
- medical facilities [Respondent 7]; medical centres [Respondent 11]
- day surgeries [Respondent 11]
- hospitals [Respondent 7]
- any “light industry” that doesn’t prejudice (or detriment) the enviro, social or economic character of the area. [Respondent 13]
- shops [Respondent 7]
- restaurants [Respondent 11]
- small bars [Respondent 22]
- entertainment centres [Respondent 11]; entertainment facilities [Respondent 17]; places of entertainment [Respondent 23]
- buildings that contain adaptable floor plates ie. can be either commercial or residential depending market force [Respondent 22]
- open space [Respondent 13]
- civic uses [Respondent 23]
- community uses/open space - recreation areas [Respondent 23]
Q3. In general, do you consider securing a mix of land uses in neighbourhood centres to be necessary and desirable?

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<tr>
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<td>(8.7%)</td>
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</table>

If Yes, what factors do you consider to be the main benefits? (for example, improved vitality, crime reduction, sustainability etc)

As per in town & city centres
• as per Q1 [Respondent 9, 10, 20, 21, 22]
• as per Q1 but different scale [Respondent 4]
• as per Q1 but to a lesser degree [Respondent 14]

Improved Vitality / Presence of People
• [answering Q8] Residential (shop-top) housing can be particularly beneficial for neighbourhood & local centres - resulting in increased activity business hours. [Respondent 16]
• better vitality - mix of uses makes a centre more sustained [Respondent 23]

Support Business / Economic Viability
• economic & social viability [Respondent 7]
• supports the centre [Respondent 12]
• [answering Q8] Residential (shop-top) housing can be particularly beneficial for neighbourhood & local centres - resulting in a walkable market for restaurants / shops / cafes. [Respondent 16]
• supports local business viability [Respondent 19]

Community Mix / Diversity / Interaction
• diversity [Respondent 1]
• being connected [Respondent 1]
• sense of community [Respondent 2]

Crime Reduction / Safety
• having a mix of uses does encourage vitality, increased activity etc, which should result in a safer environment with less crime [Respondent 16]

Sustainability
• sustainability [Respondent 1, 5]
• environmental sustainability & responsibility of key decision makers i.e. consent authority [Respondent 13]

(Trip Reduction)
• reduced car usage [Respondent 2]
• sustainability - a lot of people in this type of neighbourhood need to travel out of town to meet their needs [Respondent 8]
• can help reduce need to travel to larger centres [Respondent 23]
Better Access to Services / User Convenience
- some local employment opportunities [Respondent 2]
- access to local services & shops [Respondent 5]
- convenient services [Respondent 11]
- satisfies more local demand [Respondent 23]

Other
- housing choice [Respondent 5]
- flexibility of housing [Respondent 11]
- lifestyle choice [Respondent 11]
- improves economic feasibility of sites [Respondent 19]
- could enable site redevelopment & potential to rejuvenate a centre, improve parking / servicing [Respondent 19]

Q4. On a scale from 1 to 5, do you consider the following land uses suitable in neighbourhood centres?

a). Townhouses, villas
   (1) Definitely Suitable 4 (17.4%)
   (2) Generally Suitable 9 (39.1%)
   (3) Maybe Suitable 3 (13.0%)
   (4) Generally Not Suitable 4 (17.4%)
   (5) Definitely Not Suitable 1 (4.3%)
   No Opinion 2 (8.7%)

b). Residential flat buildings (being part of MXD)
   (1) Definitely Suitable 6 (26.1%)
   (2) Generally Suitable 6 (26.1%)
   (3) Maybe Suitable 6 (26.1%)
   (4) Generally Not Suitable 3 (13.0%)
   (5) Definitely Not Suitable 1 (4.3%)
   No Opinion 1 (4.3%)

c). Residential flat buildings (not being part of MXD)
   (1) Definitely Suitable 1 (4.3%)
   (2) Generally Suitable 6 (26.1%)
   (3) Maybe Suitable 5 (21.7%)
   (4) Generally Not Suitable 6 (26.1%)
   (5) Definitely Not Suitable 4 (17.4%)
   No Opinion 1 (4.3%)

d). Serviced apartments (being part of MXD)
   (1) Definitely Suitable 4 (17.4%)
   (2) Generally Suitable 4 (17.4%)
   (3) Maybe Suitable 4 (17.4%)
   (4) Generally Not Suitable 9 (39.1%)
   (5) Definitely Not Suitable 1 (4.3%)
   No Opinion 1 (4.3%)

e). Serviced apartments (not being part of MXD)
   (1) Definitely Suitable 1 (4.3%)
   (2) Generally Suitable 3 (13.0%)
   (3) Maybe Suitable 5 (21.7%)
(4) Generally Not Suitable 10 (43.5%)
(5) Definitely Not Suitable 3 (13.0%)
No Opinion 1 (4.3%)

If there are any non-commercial uses (residential uses in particular) other than the above which you consider Definitely Suitable or Generally Suitable in neighbourhood centres, please identify in below.

As per in town & city centres
- as per Q2 [Respondent 22]
- as per Q2 depending on scale [Respondent 23]

Residential
- aged care facilities [Respondent 2]; aged care [Respondent 4]; aged accommodation [Respondent 11]; seniors housing aged persons [Respondent 14]
- hostels [Respondent 4]
- detached housing [Respondent 8]
- terrace housing [Respondent 11]
- affordable housing [Respondent 2]
- dual occupancies [Respondent 5]
- secondary dwellings [Respondent 5]

Tourist
- hotels [Respondent 4]

Other
- child care [Respondent 3]; childcare centres [Respondent 17]
- community facilities [Respondent 3, 17, 19]
- churches [Respondent 11]
- medical facilities [Respondent 7]; medical centres [Respondent 11]
- light industrial uses [Respondent 23]
- any "light industry" that doesn't prejudice (or detriment) the enviro, social or economic character of the area. [Respondent 13]
- shops [Respondent 7]
- hairdressers & like [Respondent 7]
- restaurants [Respondent 11]
- open space [Respondent 13]
Q5. In general, do you consider securing a mix of land uses in residential suburbs to be necessary and desirable?

Yes 11 (47.8%)
No 10 (43.5%)
No Opinion 2 (8.7%)

If Yes, what factors do you consider to be the main benefits? (for example, serving the needs of local residents, jobs closer to home, sustainability etc)

As per in commercial centres
• as per Q1 [Respondent 21]

Community Mix / Diversity / Interaction
• creates more diverse community [Respondent 2]
• [answering Q8] Having local shops improves communities by encouraging social interaction & exercise. [Respondent 10]

Sustainability
• sustainability [Respondent 1, 5, 23]
• ESD benefits [Respondent 9]
• less demand on infrastructure [Respondent 4]

(Trip Reduction)
• reduced dependence on car [Respondent 2]
• walk to shops, work, school [Respondent 4]
• sustainability - a lot of people in this type of neighbourhood need to travel out of town to meet their needs [Respondent 8]
• minimising car travel [Respondent 9]
• convenience level goods & services within walking distance of dwelling reduce trips [Respondent 10]

Better Access to Services / User Convenience
• convenience [Respondent 1]
• local employment [Respondent 2]
• employment [Respondent 5]
• jobs closer to home [Respondent 23]
• reduce travel times [Respondent 5]
• greater access to services [Respondent 4]
• [answering Q8] Local shops are useful for day-to-day needs and saves trips & time at shopping centres. [Respondent 10]
• meeting community needs [Respondent 17]
• serving need of local residents [Respondent 20]
• opportunity to work from home [Respondent 20]
• serving needs of local community [Respondent 22]
• serving the needs of local residents [Respondent 23]

Other
• easier to care for aged & other groups requiring support [Respondent 4]
• affordability [Respondent 5]
• vitality [Respondent 5]
• convenience level goods & services within walking distance of dwelling encourage healthier communities [Respondent 10]
• variety of housing types / costs [Respondent 20]
• securing the viability of smaller centres [Respondent 23]
• providing transport nodes [Respondent 23]

Q6. On a scale from 1 to 5, do you consider the following land uses suitable in low-density suburbs?

a). Convenience stores, corner shops
(1) Definitely Suitable 9 (39.1%)
(2) Generally Suitable 12 (52.2%)
(3) Maybe Suitable 2 (8.7%)
(4) Generally Not Suitable 0 (0.0%)
(5) Definitely Not Suitable 0 (0.0%)
No Opinion 0 (0.0%)

b). Supermarkets
(1) Definitely Suitable 0 (0.0%)
(2) Generally Suitable 11 (47.8%)
(3) Maybe Suitable 1 (4.3%)
(4) Generally Not Suitable 8 (34.8%)
(5) Definitely Not Suitable 3 (13.0%)
No Opinion 0 (0.0%)

c). Specialty stores (e.g. book shops; clothing boutiques)
(1) Definitely Suitable 2 (8.7%)
(2) Generally Suitable 2 (8.7%)
(3) Maybe Suitable 8 (34.8%)
(4) Generally Not Suitable 9 (39.1%)
(5) Definitely Not Suitable 2 (8.7%)
No Opinion 0 (0.0%)

d). Restaurants, cafes
(1) Definitely Suitable 3 (13.0%)
(2) Generally Suitable 5 (21.7%)
(3) Maybe Suitable 12 (52.2%)
(4) Generally Not Suitable 3 (13.0%)
(5) Definitely Not Suitable 0 (0.0%)
No Opinion 0 (0.0%)

e). Pubs, hotels
(1) Definitely Suitable 1 (4.3%)
(2) Generally Suitable 2 (8.7%)
(3) Maybe Suitable 7 (30.4%)
(4) Generally Not Suitable 10 (43.5%)
(5) Definitely Not Suitable 3 (13.0%)
No Opinion 0 (0.0%)

f). Health consulting rooms
(1) Definitely Suitable 6 (26.1%)
(2) Generally Suitable 11 (47.8%)
(3) Maybe Suitable 6 (26.1%)
(4) Generally Not Suitable 0 (0.0%)
(5) Definitely Not Suitable 0 (0.0%)
No Opinion 0 (0.0%)

g). Child care centres
(1) Definitely Suitable 8 (34.8%)
(2) Generally Suitable 11 (47.8%)
(3) Maybe Suitable 3 (13.0%)
(4) Generally Not Suitable 1 (4.3%)
(5) Definitely Not Suitable 0 (0.0%)
No Opinion 0 (0.0%)

If there are any non-residential uses (business or retail uses in particular) other than the above which you consider Definitely Suitable or Generally Suitable in low-density suburbs, please identify in below.

Retail
• light commercial / light retail [Respondent 13]

Business (~services) / Offices
• sporting & recreation facilities [Respondent 3]; recreation centres [Respondent 11]; recreation / sporting facilities [Respondent 20]
Business-ancillary (home-based)
- home occupations [Respondent 1]; home occupation - live on site; no employees [Respondent 19]
- home businesses - live on site but max. 3 employees [Respondent 19]

Other
- community facilities [Respondent 17, 20]
- churches [Respondent 11, 17, 20]; places of public worship [Respondent 14]
- schools [Respondent 11, 20]
- hospitals [Respondent 11]
- aged care facilities [Respondent 2]
- affordable housing [Respondent 2]
- bed & breakfast premises [Respondent 19]
- open space [Respondent 11, 13]
- outdoor spaces such as parks, reserves or beaches [Respondent 8]

Q7. On a scale from 1 to 5, do you consider the following land uses suitable in medium-density suburbs?

<table>
<thead>
<tr>
<th>a). Convenience stores, corner shops</th>
<th>b). Supermarkets</th>
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<tr>
<td>(1) Definitely Suitable 10 (43.5%)</td>
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<tr>
<td>(2) Generally Suitable 12 (52.2%)</td>
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<tr>
<td>(3) Maybe Suitable 1 (4.3%)</td>
<td>(3) Maybe Suitable 7 (30.4%)</td>
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<tr>
<td>(4) Generally Not Suitable 0 (0.0%)</td>
<td>(4) Generally Not Suitable 6 (26.1%)</td>
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<tr>
<td>(5) Definitely Not Suitable 0 (0.0%)</td>
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c). Specialty stores (e.g. book shops; clothing boutiques)

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<tr>
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<td>(3) Maybe Suitable 6 (26.1%)</td>
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<tr>
<td>(4) Generally Not Suitable 6 (26.1%)</td>
<td>(4) Generally Not Suitable 6 (26.1%)</td>
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<tr>
<td>(5) Definitely Not Suitable 0 (0.0%)</td>
<td>(5) Definitely Not Suitable 1 (4.3%)</td>
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d). Restaurants, cafes

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<td>(3) Maybe Suitable 6 (26.1%)</td>
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<tr>
<td>(4) Generally Not Suitable 1 (4.3%)</td>
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<tr>
<td>(5) Definitely Not Suitable 0 (0.0%)</td>
<td>(5) Definitely Not Suitable 1 (4.3%)</td>
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<td>No Opinion 0 (0.0%)</td>
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e). Pubs, hotels

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<td>(3) Maybe Suitable 3 (13.0%)</td>
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<td>(4) Generally Not Suitable 0 (0.0%)</td>
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f). Health consulting rooms

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<td>(5) Definitely Not Suitable 0 (0.0%)</td>
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<tr>
<td>No Opinion 0 (0.0%)</td>
<td>No Opinion 1 (4.3%)</td>
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</tbody>
</table>

g). Child care centres
If there are any non-residential uses (business or retail uses in particular) other than the above which you consider Definitely Suitable or Generally Suitable in medium-density suburbs, please identify in below.

As per in low-density suburbs
- as per Q6 [Respondent 11, 17, 19, 20]

Retail
- light commercial / light retail [Respondent 13]

Business (~services) / Offices
- offices [Respondent 4]
- local office & commercial space; eg. real estate, tax agent [Respondent 5]

Business-ancillary (home-based)
- SOHOs - small owner occupied home offices - offices on ground floor attached to dwellings above [Respondent 19]

Tourist
- backpackers accommodation [Respondent 14]

Other
- places of public worship [Respondent 14]
- education establishments [Respondent 14]
- library & other services [Respondent 4]
- some manufacturing sites [Respondent 8]
- light industry [Respondent 13]
- boarding houses [Respondent 14]
- open space [Respondent 13]
- civic & community uses including local clubs [Respondent 23]
Q8. Is there anything you would like to add about the compatibility between residential and commercial land uses?

Local context to determine compatibility
- [answering Q1 - "No opinion"] Desirable yes: but range of uses depends on exact function & scale of centres and short, medium & longer term growth strategies. Each centre is different and requires a different response - for eg. Some are employment destinations and some more characterised (at least in the metro area) as residential origin centres. [Respondent 3]
- [answering Q3 - "No opinion"] Depends on mix & circumstances of the centres. [Respondent 3]
- The compatibility will be dependent on the typology of the centres and the homogeneity of the residential centres concerned. [Respondent 12]
- [answering Q2] Advocate a case-by-case approach to land use planning in centres generally, backed up by solid understanding of specific economic & environmental influences; no one size fits all. [Respondent 18]
- [answering Q2] Depending on size & function of centres. [Respondent 23]
- Factors include the prevailing pattern of land subdivision. This will influence the impact of non-residential uses on residential uses & vice versa and will influence the capacity for certain uses to establish in an area. [Respondent 23]
- Also transport connections (both public & private) will influence the relationship between non-residential & residential uses. [Respondent 23]

Individual site/proposal/design to determine compatibility
- Compatibility to a large extent depends on individual site suitability & design of the development so that non-residential uses are suitably located with good access (public & private transport) and so they don't negatively impact on existing residential amenity arising from traffic impacts, loss of solar access, loss of privacy, noise etc. These uses can co-exist well if located & designed appropriately. [Respondent 3]
- Compatibility is not only about planning & zoning. It's about good quality design. Architecture & urban design solutions are very important in this issue. Principles for planning & design are essential and must be applied appropriately at each city/urban scale. [Respondent 4]
- Scale & intensity of uses important. [Respondent 5]

Other factors to affect compatibility
- Compatibility is often enhanced by adoption of good management plans. [Respondent 1]

Positive about mix (in addition to Q1, 3 & 5)
- Less segregation of uses should lead to better urban environments and ideally stronger communities, less traffic and a more sustainable way of life. [Respondent 2]
- It is important to have a mix of both residential & other land uses to better match the needs of the community; i.e. match the needs of more individuals. This promotes sustainability. [Respondent 7]
• [answering Q2] From a development perspective this is important to maintain "flexibility" and use of land, particularly in the current environment. [Respondent 13]

Negative about mix
• Without the appropriate zoning & local provision controls, it is difficult to manage conflicts between residential, retail & commercial land uses, particularly in these areas of transition. [Respondent 14]
• Low density housing should not be mixed with commercial / retail uses. This would scatter commercial uses, interfere with amenity and result in poor uptake in zoned centres. [Respondent 16]
• Problems arise when residents expect complete peace & quiet adjoining commercial / retail uses. Noise, odour, emissions. [Respondent 19]
• Servicing issues with trucks outside office hours can cause noise problems. [Respondent 19]
• Once a site is developed for residential use and strata subdivided into units, the site will generally never be able to be developed for commercial use. [Respondent 19]
• Large mixed developments can have internal problems for owners corporations controlling site use in favour of residential occupants over commercial owners. [Respondent 19]
• [answering Q3] In neighbourhood centres the main mix is retail & residential. Problem with residential is that strata subdivision resulting in multiple ownership future development is constrained. Neighbourhood centres tend to be smaller and this also affects viability of different uses. [Respondent 3]
• [answering Q5] Better to focus non-residential uses in centres. [Respondent 3]

Dilemma about mix
• All residents use commercial facilities & medical, shops, child care etc. and want it within a reasonable distance from where they live. They just don't want any immediate adverse impact. So transition zones & design of development are important factors. [Respondent 7]
• Commercial land uses usually have impacts of noise, traffic, lighting, hours of operation. Residential in commercial areas should accept this amenity reduction. Residential only has an expectation of lower impacts. Commercial in residential is seen as adverse or lowering amenity. [Respondent 11]
• Primary objective is to ensure a satisfactory level of residential amenity. Commercial land uses in residential areas should not have external impacts that adversely impact on the amenity / quiet environment / safety of surrounding residents. [Respondent 20]

Other
• [answering Q1 - "Yes"] Note: This doesn't mean I agree a "mixed use" zone is necessarily appropriate. [Respondent 18]
• Retain a hierarchy of centres. Provide local access to services & shops where appropriate. [Respondent 5]
• Uses such as supermarkets & shops (like bookshops) should be available in residential suburbs, but not in residential zones. [Respondent 10]
• Whether low or high density a key objective is to develop communities that offer a sense of place & connection. [Respondent 17]
• A focus on a diversity of housing can facilitate choice for varying community needs. [Respondent 17]
• If the concept of land use zoning is to be retained it needs to be more flexible & responsive to local needs. It needs to be less prescriptive & prohibitive and be more merit based eg. The introduction of Zone 10 Mixed Use in South Sydney LEP - since 1998 - would be interesting to examine the success of this or otherwise. [Respondent 21]
• Please note: one problem with this questionnaire is that it appears somewhat biased in favour of mixed use - Questions 1 & 3 ask respondents for the benefits, but not the disbenefits. [Respondent 3]
• [answering Q5 - "No"] Note: Various community uses that serve the local area are appropriate (eg. Schools, child care centres, etc). [Respondent 6]
• [answering Q5 - "No"] Mix of residential types & densities but not commercial uses. Moreover your question is too narrow. [Respondent 8]
• [answering Q5 - "No opinion"] Depends on the uses. I think only ancillary uses should be desirable (ie. a corner store or open space) which complements the resident environment. [Respondent 13]
• [answering Q2] Medium density more suitable in town centre than city centre. [Respondent 17]
• [answering Q3 - "No"] But mix of retail is important to ensure both vibrancy & viability eg. Small café can be an important attraction. [Respondent 17]
• [answering Q6 - "Supermarket = maybe suitable"] Supermarkets only suitable as part of a village or town centre - not stand alone. [Respondent 17]
• [answering Q6 - "Convenience stores, corner shops = generally suitable"] Convenience stores are now generally associated with service stations or supermarket chains. A 'corner shop' is usually independent. These are really different retail categories with different impacts. [Respondent 23]
• [answering Q3 - "No opinion"] Depends what you mean by "mix of land uses"; generally agree that shop-top housing. Local retail / services / businesses are suitable, but do not agree a "mixed use" zone is necessarily appropriate. [Respondent 18]
• [answering Q5 - "No"] Again - this is a question of degree, but I agree that residential areas can support small local shops, services, home-based businesses within the context of a primarily residential area. [Respondent 18]
APPENDIX 5

Complete list of 46 LEPs & 5 PSOs
<table>
<thead>
<tr>
<th>LGA</th>
<th>LEป</th>
<th>R#</th>
<th>Zone 2 Residential</th>
<th>B#</th>
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APPENDIX 6

Extracts of land use table
# EXTRACTS FROM LAND USE TABLES

Based on LEPs current as of 19 September 2009

| Pink | = residential zones |
| Blue | = business zones |
| Orange | = mixed use zones |

## 1. Ashfield Local Environmental Plan 1985

<table>
<thead>
<tr>
<th>Residential Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>No 2 (a) (Residential Zone)</td>
<td>child care centres; professional consulting rooms</td>
</tr>
<tr>
<td>No 2 (b) (Residential Zone)</td>
<td>child care centres; professional consulting rooms</td>
</tr>
<tr>
<td>No 2 (c) (Residential Zone)</td>
<td>child care centres; professional consulting rooms</td>
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<table>
<thead>
<tr>
<th>Commercial Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>No 3 (a) (General Business Zone)</td>
<td>dwellings used in conjunction with shops and commercial premises</td>
</tr>
<tr>
<td>No 3 (b) (Special Business Zone)</td>
<td>dwellings used in conjunction with commercial premises</td>
</tr>
<tr>
<td>No 3 (c) (Neighbourhood Business Zone)</td>
<td>dwellings attached to and used in conjunction with commercial premises</td>
</tr>
<tr>
<td>No 3 (d) (Business Park)</td>
<td>dwellings used in conjunction with industries and situated on the same land as the industries</td>
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## 2. Auburn Local Environmental Plan 2000

<table>
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<th>Residential Zone</th>
<th>Permitted Uses</th>
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<tbody>
<tr>
<td>No 2 (a) Residential (Low Density)</td>
<td>local shops; child care centres; professional consulting rooms</td>
</tr>
<tr>
<td>No 2 (b) Residential (Medium Density)</td>
<td>local shops; child care centres; professional consulting rooms</td>
</tr>
<tr>
<td>No 2 (c) Residential (Residential Flat Buildings)</td>
<td>Nil</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commercial Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>No 3 (a) Business (Retail and Office Development)</td>
<td>dwellings attached to or within a building used, or intended to be used, for other permissible uses in this zone; residential flat buildings where the buildings, but not necessarily any ancillary development, are located entirely above any other permissible uses in this zone; serviced apartments where the apartments, but not necessarily any ancillary development, are located entirely above any other permissible uses in this zone</td>
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</table>
3. **Bankstown Local Environmental Plan 2001**

**Residential Zone**

2 (a)—Residential A  
centre based child care centres; health consulting rooms

2 (b)—Residential B  
centre based child care centres; health consulting rooms

**Commercial Zone**

3 (a)—Business—CBD  
residential flat buildings; serviced apartments; dual occupancies; dwelling houses; rowhouses; villas

3 (b)—Business—Other Centres  
residential flat buildings; serviced apartments; dual occupancies; dwelling houses; rowhouses; villas

3 (c)—Business—Enterprise  
residential flat buildings*; serviced apartments*; terrace houses*; villas*

*Note: permissible on certain allotments specified in clause 50A only

4. **Baulkham Hills Local Environmental Plan 2005**

**Residential Zone**

2 (a) (Residential 2 (a) Zone)  
convenience stores

Any other development not included in item 2 or 4. [item 4: shops; commercial premises; restaurants; hotels]

2 (a1) (Residential 2 (a1) Zone)  
convenience stores

Any other development not included in item 2 or 4. [item 4: shops; commercial premises; restaurants; hotels]

2 (a2) (Residential 2 (a2) Zone)  
convenience stores

Any other development not included in item 2 or 4. [item 4: shops; commercial premises; restaurants; hotels]

2 (a3) (Residential 2 (a3) Zone)  
convenience stores

Any other development not included in item 2 or 4. [item 4: shops; commercial premises; restaurants; hotels]

2 (a4) (Residential 2 (a4) (Town Centre) Zone)  
commercial premises *in conjunction with* shop-top housing; restaurants; shops in conjunction with shop-top housing

Any other development not included in item 2 or 4. [item 4:
2 (b) (Residential 2 (b) Zone)  
convenience stores  
Any other development not included in item 2 or 4.  [item 4: shops; commercial premises; restaurants; hotels]

2 (b1) (Residential 2 (b1) Zone)  
Any other development not included in item 2 or 4.  [item 4: convenience stores; shops; commercial premises; restaurants; hotels]

2 (c) (Residential 2 (c) (Tourist Village) Zone)  
child care centres; commercial premises; convenience stores; health care premises; medical practitioners’ surgeries; restaurants; shops; hotels*

*Note: permissible as notifiable development

2 (d) (Residential 2 (d) (Protected) Zone)  
child care centres

2 (e) (Residential 2 (e) Zone)  
Nil

Commercial Zone  
Permitted Uses

3 (a) (Business 3 (a) (Retail) Zone)  
apartment buildings; town-houses; villas  
Any other development not included in item 2 or 4.  [item 4: attached dual occupancies; detached dual occupancies; dwelling-houses]

3 (b) (Business 3 (b) (Commercial) Zone)  
apartment buildings; town-houses  
Any other development not included in item 2 or 4.  [item 4: attached dual occupancies; detached dual occupancies; dwelling-houses]

3 (c) (Service Business 3 (c) Zone)  
Any other development not included in item 2 or 4.  [item 4: apartment buildings; attached dual occupancies; detached dual occupancies; dwelling-houses; town-houses; villas]

5. Blacktown Local Environmental Plan 1988

Residential Zone  
Permitted Uses

No 2 (a) (Residential “A” Zone)  
Any purpose other than a purpose included in Item 2 or 4 of the matter relating to this zone.  [item 4: shops; commercial premises; refreshment rooms; hotels]

No 2 (b) (Residential “B” Zone)  
Any purpose other than a purpose included in Item 2 or 4 of the matter relating to this zone.  [item 4: shops; commercial premises; refreshment rooms; hotels]

No 2 (c) (Residential “C” Zone)  
Any purpose other than a purpose included in Item 2 or 4 of
the matter relating to this zone. [item 4: shops; commercial premises; refreshment rooms; hotels]

<table>
<thead>
<tr>
<th>Commercial Zone</th>
<th>Permitted Uses</th>
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</thead>
<tbody>
<tr>
<td>No 3 (a) (General Business Zone)</td>
<td>Any purpose other than a purpose included in Item 2 or 4 of the matter relating to this zone. [none of the residential uses is included in item 4]</td>
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<td>No 3 (b) (Special Business Zone)</td>
<td>Any purpose other than a purpose included in Item 2 or 4 of the matter relating to this zone. [none of the residential uses is included in item 4]</td>
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<tr>
<td>No 3 (c) (Entertainment and Tourism Zone)</td>
<td>dual occupancy, dwelling-houses or medium density housing, but in each case only if the development is in conjunction with, and ancillary to, use of the land for a purpose otherwise permitted on the land by this plan*</td>
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*Note: as provided in clause 29

6. Botany Local Environmental Plan 1995

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<td>No 2 (a) Residential “A”</td>
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<td>local shops; child care centres; professional consulting rooms</td>
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<tbody>
<tr>
<td>No 3 (a) General Business</td>
<td>mixed developments; serviced apartments</td>
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<tr>
<td>No 3 (b) Business—Restricted</td>
<td>residential flat buildings</td>
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<th>Mixed Use Zone</th>
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<td>No 10 (a) Mixed Uses—Commercial/Residential</td>
<td>residential flat buildings; serviced apartments; commercial premises; convenience shops or facilities; refreshment rooms; child care centres; health care professionals</td>
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7. Camden Local Environmental Plan No 45

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<td>No 3 (e) Town Centre</td>
<td>Any purpose other than a purpose included in item 4. [item 4: dwelling-houses (other than those used in conjunction with purposes permitted in this zone)]</td>
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<tr>
<td>No 3 (f) Town Centre (Support)</td>
<td>dwelling-houses used in conjunction with purposes permitted in this zone; multi-unit housing development</td>
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### 8. Camden Local Environmental Plan No 46

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<tbody>
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<td>No 2 (a) Residential</td>
<td>Any purpose other than a purpose included in item 2 or 4. [item 4: shops; commercial premises; refreshment rooms; hotels]</td>
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<td>No 2 (b) Residential Medium Density</td>
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<td>No 2 (c) Residential Craft</td>
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<tbody>
<tr>
<td>No 3 (a) General Business</td>
<td>Any purpose other than a purpose included in item 4. [item 4: dwelling-houses (other than those used in conjunction with shops or commercial premises)]</td>
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<td>No 3 (b) Business Special</td>
<td>Any purpose other than a purpose included in item 4. [item 4: dwelling-houses (other than those used in conjunction with shops or commercial premises)]</td>
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<tr>
<td>No 3 (b1) Business Support</td>
<td>Any purpose other than a purpose included in item 4. [item 4: dwelling-houses (other than those used in conjunction with shops or commercial premises); two-dwelling development]</td>
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<td>No 3 (c) Neighbourhood Business</td>
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<td>No 3 (d) Business Automotive</td>
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### 9. Campbelltown (Urban Area) Local Environmental Plan 2002

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<td>2 (b)—Residential B Zone</td>
<td>Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone. [subclause 5]: shops; commercial premises; refreshment rooms; hotels</td>
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<tr>
<td>2 (c)—Higher Density Residential Zone</td>
<td>Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone. [subclause (5): shops; commercial premises; refreshment rooms; hotels]</td>
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<td>3 (a)—General Business Zone</td>
<td>Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone. [subclause (5): dual occupancies; dual occupancies (attached); dwelling houses; integrated housing development]</td>
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</tbody>
</table>
3 (c)—Neighbourhood Business Zone
Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone. [subclause (5): dual occupancies; dual occupancies (attached); dwelling houses]

10 (a)—Regional Comprehensive Centre Zone
Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone. [none of the residential uses is included in subclause (3) or (5)]

10 (b)—District Comprehensive Centre Zone
Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone. [none of the residential uses is included in subclause (3) or (5)]

10 (c)—Local Comprehensive Centre Zone
Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone. [none of the residential uses is included in subclause (3) or (5)]

10. Canada Bay Local Environmental Plan 2008
Residential Zone
Permitted Uses

R1 General Residential
neighbourhood shops; retail premises; business premises (other than restricted premises and timber and building supplies); office premises; child care centres

R2 Low Density Residential
child care centres; health consulting rooms

R3 Medium Density Residential
neighbourhood shops; child care centres; health consulting rooms

Commercial Zone
Permitted Uses

B1 Neighbourhood Centre
shop top housing

B3 Commercial Core
Nil

B6 Enterprise Corridor
residential flat buildings; shop top housing; serviced apartments

B7 Business Park
Nil

Mixed Use Zone
Permitted Uses

B4 Mixed Use
shop top housing; serviced apartments; retail premises; business premises; office premises; bulky goods premises; Wholesale supplies

11. Canterbury Local Environmental Plan No 138—Canterbury Precinct
Residential Zone
Permitted Uses

No 2 (a) Residential “A” Zone
local shop; child care centres; health consulting rooms
<table>
<thead>
<tr>
<th>Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>No 2 (c) Residential “C” Zone</strong></td>
<td>local shop; child care centres; health consulting rooms</td>
</tr>
<tr>
<td><strong>Commercial Zone</strong></td>
<td><strong>Permitted Uses</strong></td>
</tr>
<tr>
<td><strong>No 3 (a) General Business Zone</strong></td>
<td>dwelling(s) / multiple unit housing / town houses / villa homes with office premises or shop(s); dwelling house with factory</td>
</tr>
<tr>
<td><strong>No 3 (e) Business Office Zone</strong></td>
<td>multiple unit housing; dwelling(s) / multiple unit housing / town houses / villa homes with office premises or shop(s)</td>
</tr>
</tbody>
</table>

**12. Canterbury Local Environmental Plan No 148—Campsie Precinct**

<table>
<thead>
<tr>
<th>Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential Zone</strong></td>
<td><strong>Permitted Uses</strong></td>
</tr>
<tr>
<td><strong>No 2 (a) Residential “A” Zone</strong></td>
<td>local shop; child care centres; health consulting rooms</td>
</tr>
<tr>
<td><strong>No 2 (c) Residential “C” Zone</strong></td>
<td>local shop; child care centres; health consulting rooms</td>
</tr>
<tr>
<td><strong>Commercial Zone</strong></td>
<td><strong>Permitted Uses</strong></td>
</tr>
<tr>
<td><strong>No 3 (a) General Business Zone</strong></td>
<td>dwelling(s) / multiple unit housing / town houses / villa homes with office premises or specialised business premises or shops; dwelling house with factory</td>
</tr>
<tr>
<td><strong>No 3 (e) Business Office Zone</strong></td>
<td>multiple unit housing; dwelling(s) / multiple unit housing / town houses / villa homes with office premises or specialised business premises or shops</td>
</tr>
<tr>
<td><strong>No 3 (f) Specialised Business Zone</strong></td>
<td>dwelling(s) / multiple unit housing / town houses / villa homes with office premises or specialised business premises or shops</td>
</tr>
</tbody>
</table>

**13. Canterbury Local Environmental Plan No 178—Belmore–Lakemba Precinct**

<table>
<thead>
<tr>
<th>Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential Zone</strong></td>
<td><strong>Permitted Uses</strong></td>
</tr>
<tr>
<td><strong>No 2 (a) Residential “A” Zone</strong></td>
<td>local shop; child care centres; health consulting rooms</td>
</tr>
<tr>
<td><strong>No 2 (c) Residential “C” Zone</strong></td>
<td>local shop; child care centres; health consulting rooms</td>
</tr>
<tr>
<td><strong>Commercial Zone</strong></td>
<td><strong>Permitted Uses</strong></td>
</tr>
<tr>
<td><strong>No 3 (a) General Business Zone</strong></td>
<td>dwelling / multiple unit housing / town houses / villa homes with office premises or specialised business premises or shops; dwelling house with factory</td>
</tr>
<tr>
<td><strong>No 3 (e) Business Office Zone</strong></td>
<td>multiple unit housing; dwelling / multiple unit housing / town houses / villa homes with office premises or specialised business premises or shops</td>
</tr>
</tbody>
</table>
No 3 (f) Specialised Business Zone
dwelling / multiple unit housing / town houses / villa homes
with office premises or specialised business premises or shops

14. Fairfield Local Environmental Plan 1994

Residential Zone

2 (a) Residential A
Any purpose other than a purpose included in item 2 or 4.
[Item 4: shops; business premises; refreshment rooms; hotels]

2 (a1) Residential A1
Any purpose other than a purpose included in item 2 or 4.
[Item 4: shops; business premises; refreshment rooms; hotels]

2 (b) Residential B
Any purpose other than a purpose included in item 2 or 4.
[Item 4: shops; business premises; refreshment rooms; hotels]

Commercial Zone

3 (a) Sub-Regional Business Centre
Any purpose other than a purpose included in item 4. [none of the residential uses is included in item 4]

3 (b) District Business Centre
Any purpose other than a purpose included in item 4. [none of the residential uses is included in item 4]

3 (c) Local Business Centre
Any purpose other than a purpose included in item 4. [none of the residential uses is included in item 4]

15. Holroyd Local Environmental Plan 1991

Residential Zone

No 2 (a) (Residential “A” Zone)
Any purpose other than a purpose included in Item 4. [Item 4:
shops; commercial premises; refreshment rooms; hotels]

No 2 (c) (Higher Density Residential Zone)
Any purpose other than a purpose included in Item 4. [Item 4:
shops; commercial premises; refreshment rooms; hotels]

No 2 (d) (Residential “D” Zone)
Any purpose other than a purpose included in Item 4. [Item 4:
shops (other than those referred to in Schedule 3*);
commercial premises; refreshment rooms; hotels]

*Note: Chemist’s shop; confectionery shop and milk bar; fruit shop;
newsagent’s shop; smallgoods shop; take-away food shop;
tobacconist’s and hairdresser’s shop

Commercial Zone

No 3 (a) (Business General Zone)
Any purpose other than a purpose included in Item 4. [Item 4:
apartment buildings; dual occupancies; dwellings (other than a
single dwelling attached to or used in conjunction with shops
or commercial premises); integrated housing; medium density
housing; residential flat buildings (other than a residential flat
building attached to or used in conjunction with shops or

APPENDIX 6 | 8
commercial premises or otherwise permitted under clause 32)]

No 3 (b) (Neighbourhood Business Zone) Any purpose other than a purpose included in Item 4. [Item 4: apartment buildings; dual occupancies; dwellings (other than a single dwelling attached to or used in conjunction with shops or commercial premises); integrated housing; medium density housing; residential flat buildings (other than a residential flat building attached to or used in conjunction with shops or commercial premises)]

16. Hornsby Shire Local Environmental Plan 1994

<table>
<thead>
<tr>
<th>Residential Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential A (Low Density) Zone</td>
<td>child care centres</td>
</tr>
<tr>
<td>Residential AA (Low Density—Aquaculture) Zone</td>
<td>child care centres</td>
</tr>
<tr>
<td>Residential AM (Low Density—Medical Support) Zone</td>
<td>child care centres</td>
</tr>
<tr>
<td>Residential AR (Low Density—Rural Village) Zone</td>
<td>child care centres</td>
</tr>
<tr>
<td>Residential AS (Low Density—Sensitive Lands) Zone</td>
<td>child care centres</td>
</tr>
<tr>
<td>Residential AT (Low Density—Tourist Village) Zone</td>
<td>child care centres</td>
</tr>
<tr>
<td>Residential B (Medium Density) Zone</td>
<td>child care centres</td>
</tr>
<tr>
<td>Residential C (Medium/High Density) Zone</td>
<td>child care centres</td>
</tr>
<tr>
<td>Residential D (High Density) Zone</td>
<td>child care centres</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commercial Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business A (General) Zone</td>
<td>multi-unit housing</td>
</tr>
<tr>
<td>Business B (Special) Zone</td>
<td>multi-unit housing</td>
</tr>
<tr>
<td>Business C (Neighbourhood) Zone</td>
<td>multi-unit housing</td>
</tr>
<tr>
<td>Business D (Aquatic Service Centre) Zone</td>
<td>multi-unit housing</td>
</tr>
<tr>
<td>Business E (Service Centre) Zone</td>
<td>Nil</td>
</tr>
<tr>
<td>Business F (Town Centre) Zone</td>
<td>multi-unit housing</td>
</tr>
<tr>
<td>Business G (Town Centre Support) Zone</td>
<td>multi-unit housing</td>
</tr>
</tbody>
</table>

**17. Hunter’s Hill Local Environmental Plan No 1**

<table>
<thead>
<tr>
<th>Residential Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>No 2 (a1) (Residential “A1”)</td>
<td>child care centres; professional consulting rooms</td>
</tr>
<tr>
<td>No 2 (a2) (Residential “A2”)</td>
<td>child care centres; professional consulting rooms</td>
</tr>
<tr>
<td>No 2 (a3) (Residential “A3”)</td>
<td>child care centres; professional consulting rooms</td>
</tr>
<tr>
<td>No 2 (b) (Residential “B”)</td>
<td>child care centres; professional consulting rooms</td>
</tr>
<tr>
<td>No 2 (c) (Residential “C”)</td>
<td>child care centres; professional consulting rooms</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commercial Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>No 3 (a) (Business General)</td>
<td>shops with housing</td>
</tr>
<tr>
<td>No 3 (b) (Business Special)</td>
<td>shops with housing</td>
</tr>
<tr>
<td>No 3 (c) (Business Neighbourhood)</td>
<td>shops with housing</td>
</tr>
</tbody>
</table>

**18. Hurstville Local Environmental Plan 1994**

<table>
<thead>
<tr>
<th>Residential Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>No 2 (Residential Zone)</td>
<td>health consulting rooms</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commercial Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>No 3 (a) (Neighbourhood Business Zone)</td>
<td>Any purpose other than a purpose included in item 1 or 3. [item 3: dwellings (other than those attached to other buildings the use of which is permissible in the zone)]</td>
</tr>
<tr>
<td>No 3 (b) (City Centre Business Zone)</td>
<td>Any purpose other than a purpose included in item 1 or 3. [none of the residential uses is included in item 1 or 3]</td>
</tr>
<tr>
<td>No 3 (c) (Business Centre Zone)</td>
<td>Any purpose other than a purpose included in item 1 or 3. [item 3: dwellings (other than those attached to other buildings the use of which is permissible in the zone)]</td>
</tr>
</tbody>
</table>
### 19. Kogarah Local Environmental Plan 1998

<table>
<thead>
<tr>
<th>Residential Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential 2 (a)—Residential (Low Density) Zone</td>
<td>centre based child care services</td>
</tr>
<tr>
<td>Residential 2 (b)—Residential (Medium Density) Zone</td>
<td>centre based child care services</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commercial Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business 3 (a)—Business (Local Centre) Zone</td>
<td>Any development except that allowed without development consent or prohibited may be carried out only with development consent. [none of the residential uses is allowed without development consent or prohibited]</td>
</tr>
<tr>
<td>Business 3 (b)—Business (Town Centre) Zone</td>
<td>Any development except that allowed without development consent or prohibited may be carried out only with development consent. [prohibited development: dwelling houses]</td>
</tr>
</tbody>
</table>

### 20. Lane Cove Local Environmental Plan 1987

<table>
<thead>
<tr>
<th>Residential Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>No 2 (a1) (Residential “A1” Zone)</td>
<td>shops referred to in Schedule 1*; child care centres; professional consulting rooms</td>
</tr>
<tr>
<td>*Note: Butchers’ shops; fruit and vegetable shops; grocery and health food shops</td>
<td></td>
</tr>
<tr>
<td>No 2 (a2) (Residential “A2” Zone)</td>
<td>[same business uses as in No 2 (a1) (Residential “A1” Zone)]</td>
</tr>
<tr>
<td>No 2 (b) (Residential “B” Zone)</td>
<td>[same business uses as in No 2 (a1) (Residential “A1” Zone)]</td>
</tr>
<tr>
<td>No 2 (b1) (Residential “B1” Zone)</td>
<td>[same business uses as in No 2 (a1) (Residential “A1” Zone)]</td>
</tr>
<tr>
<td>No 2 (c) (Residential “C” Zone)</td>
<td>[same business uses as in No 2 (a1) (Residential “A1” Zone)]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commercial Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>No 3 (a) (Business General “A” Zone)</td>
<td>CBD Housing</td>
</tr>
<tr>
<td>No 3 (b) (Business General “B” Zone)</td>
<td>Nil</td>
</tr>
<tr>
<td>No 3 (c) (Business Neighbourhood “C” Zone)</td>
<td>Nil</td>
</tr>
</tbody>
</table>
21. Leichhardt Local Environmental Plan 2000

**Residential Zone** Permitted Uses
- local shops; child care facilities; health care premises

**Commercial Zone** Permitted Uses
- mixed residential and other development which results in a floor space ratio of a building on the land up to 1.5:1, but only if all floor space at the ground floor or street level is used for non-residential purposes*

*Note: as provided in clause 23

22. Liverpool Local Environmental Plan 2008

**Residential Zone** Permitted Uses
- **R1 General Residential** neighbourhood shops; child care centres
- **R2 Low Density Residential** child care centres; health consulting rooms
- **R3 Medium Density Residential** neighbourhood shops; child care centres
- **R4 High Density Residential** neighbourhood shops; child care centres
- **R5 Large Lot Residential** Nil

**Commercial Zone** Permitted Uses
- **B1 Neighbourhood Centre** shop top housing; serviced apartments
- **B2 Local Centre** residential flat buildings (but only as part of a mixed use development that contains a non-residential use permitted in the zone); shop top housing
- **B3 Commercial Core** Nil
- **B5 Business Development** Nil
- **B6 Enterprise Corridor** shop top housing; multi dwelling housing

**Mixed Use Zone** Permitted Uses
- **B4 Mixed Use** residential flat buildings (but only as part of a mixed use development that contains a non-residential use permitted in the zone); shop top housing; multi dwelling housing; retail premises; business premises; office premises; child care centres
23. Manly Local Environmental Plan 1988

**Residential Zone**  
No 2 Residential Zone  
Permitted Uses  
Any purpose other than a purpose included in item 2 or 4.  
[item 4: shops other than small shops; commercial premises; refreshment rooms; hotels]

**Commercial Zone**  
No 3 Business Zone  
Permitted Uses  
Any purpose other than a purpose included in item 2 or 4.  
[item 4: dwelling-houses]

24. Marrickville Local Environmental Plan 2001

**Residential Zone**  
Residential 2 (A) zone  
child care centres

Residential 2 (B) zone  
child care centres

Residential 2 (C) zone  
child care centres

**Commercial Zone**  
General Business 3 (A) zone  
Development not included in subclause (3) or (5).  
[subclause (5): dual occupancies; dwellings / multi unit housing / residential flat buildings / serviced apartments that are not attached to a permissible use]

Neighbourhood Business 3 (B) zone  
dwellings / multi unit housing attached to a permissible use

25. Mosman Local Environmental Plan 1998

**Residential Zone**  
2 (a1) Residential  
child care centres

2 (a2) Residential  
Nil

2 (a3) Residential  
child care centres

2 (b) Residential  
child care centres

2 (c) Residential  
child care centres

2 (d) Residential  
child care centres

2 (e) Residential  
child care centres

**Commercial Zone**  
Permitted Uses
<table>
<thead>
<tr>
<th>Mixed Use Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Zone</td>
<td>Permitted Uses</td>
</tr>
<tr>
<td>Residential A1 Zone</td>
<td>child care centres; resident medical practices</td>
</tr>
<tr>
<td>Residential A2 Zone</td>
<td>child care centres; resident medical practices</td>
</tr>
<tr>
<td>Residential B Zone</td>
<td>child care centres; resident medical practices</td>
</tr>
<tr>
<td>Residential C Zone</td>
<td>child care centres; resident medical practices</td>
</tr>
<tr>
<td>Residential D Zone (Neighbourhood Business)</td>
<td>shops; refreshment rooms; child care centres; professional consulting rooms</td>
</tr>
<tr>
<td>Residential F Zone (McMahons Point)</td>
<td>child care centres; resident medical practices</td>
</tr>
<tr>
<td>Residential G Zone (Cremorne Point)</td>
<td>child care centres; resident medical practices</td>
</tr>
<tr>
<td>Commercial Zone</td>
<td>Permitted Uses</td>
</tr>
<tr>
<td>Commercial Zone</td>
<td>Nil</td>
</tr>
<tr>
<td>Mixed Use Zone</td>
<td>Permitted Uses</td>
</tr>
<tr>
<td>Mixed Use Zone</td>
<td>apartment buildings; attached dwellings; duplexes; dwelling-houses; shops; commercial premises; refreshment rooms; hotels; child care centres; showrooms</td>
</tr>
</tbody>
</table>
### 27. Parramatta Local Environmental Plan 2001

<table>
<thead>
<tr>
<th>Residential Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>2A Residential Zone (Zone 2 (a))</td>
<td>local shops; centre based child care services; medical consulting rooms</td>
</tr>
<tr>
<td>2B Residential Zone (Zone 2 (b))</td>
<td>local shops; centre based child care services; medical consulting rooms</td>
</tr>
<tr>
<td>2C Residential Zone (Zone 2 (c))</td>
<td>local shops; centre based child care services; medical consulting rooms</td>
</tr>
<tr>
<td>2D Residential Zone (Zone 2 (d))</td>
<td>local shops; centre based child care services; medical consulting rooms</td>
</tr>
<tr>
<td>2E Residential Zone (Zone 2 (e))</td>
<td>local shops</td>
</tr>
</tbody>
</table>

### Commercial Zone

<table>
<thead>
<tr>
<th>Commercial Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>3A Centre Business Zone (Zone 3 (a))</td>
<td>mixed use developments; serviced apartments</td>
</tr>
<tr>
<td>3B Neighbourhood Business Zone (Zone 3 (b))</td>
<td>mixed use developments; serviced apartments</td>
</tr>
</tbody>
</table>

### Mixed Use Zone

<table>
<thead>
<tr>
<th>Mixed Use Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 Mixed Use Zone (Zone 10)</td>
<td>residential flat buildings; multi unit housing; mixed use developments; serviced apartments; dual occupancies; dwelling houses; shops; commercial premises; restaurants; hotels; centre based child care services; medical consulting rooms</td>
</tr>
</tbody>
</table>

### 28. Parramatta City Centre Local Environmental Plan 2007

<table>
<thead>
<tr>
<th>Commercial Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>B3 Commercial Core</td>
<td>Nil</td>
</tr>
<tr>
<td>B5 Business Development</td>
<td>Nil</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mixed Use Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>B4 Mixed Use</td>
<td>Any other development not otherwise specified in item 2 or 4. [item 4: dual occupancies; dwelling houses] [none of the business uses is included in item 2 or 4]</td>
</tr>
</tbody>
</table>
### 29. Penrith Local Environmental Plan 1998 (Urban Land)

<table>
<thead>
<tr>
<th>Residential Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>No 2 (a1) Residential (Urban and Landscape Protection—Emu Plains)</td>
<td>general stores; child care centres; health care consulting rooms</td>
</tr>
<tr>
<td>No 2 (a) Residential (Urban and Landscape Protection)</td>
<td>general stores; child care centres; health care consulting rooms</td>
</tr>
<tr>
<td>No 2 (b) Residential (Low Density)</td>
<td>general stores; child care centres; health care consulting rooms</td>
</tr>
<tr>
<td>No 2 (c) Residential (Low-Medium Density)</td>
<td>general stores; child care centres; health care consulting rooms</td>
</tr>
<tr>
<td>No 2 (d) Residential (Medium Density)</td>
<td>general stores; child care centres; health care consulting rooms</td>
</tr>
<tr>
<td>No 2 (e) Residential (Medium-High Density)</td>
<td>general stores; child care centres; health care consulting rooms</td>
</tr>
<tr>
<td>No 2 (r) Rural-Residential (1 Dwelling/Hectare)</td>
<td>Nil</td>
</tr>
<tr>
<td>No 2 (r1) Rural-Residential</td>
<td>Nil</td>
</tr>
<tr>
<td>Mixed Use Zone</td>
<td>Permitted Uses</td>
</tr>
<tr>
<td>No 3 (f) Mixed Uses</td>
<td>multi-unit housing; shops; general stores; commercial premises; restaurants; child care centres</td>
</tr>
<tr>
<td>No 10 (a) Mixed-Use—Residential</td>
<td>multi-unit housing; serviced apartments; dual occupancies; dwelling houses; shops; general stores; commercial premises; restaurants; child care centres; health care consulting rooms</td>
</tr>
</tbody>
</table>

### 30. Penrith City Centre Local Environmental Plan 2008

<table>
<thead>
<tr>
<th>Residential Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>R4 High Density Residential</td>
<td>neighbourhood shops (with a gross floor area not exceeding 100m²); restaurants; pubs; child care centres</td>
</tr>
<tr>
<td>Commercial Zone</td>
<td>Permitted Uses</td>
</tr>
<tr>
<td>B3 Commercial Core</td>
<td>serviced apartments</td>
</tr>
<tr>
<td>Mixed Use Zone</td>
<td>Permitted Uses</td>
</tr>
<tr>
<td>B4 Mixed Use</td>
<td>residential accommodation; residential flat buildings; multi dwelling housing; serviced apartments; shop top housing; retail premises; business premises; office premises; restaurants; pubs; child care centres; health care consulting rooms</td>
</tr>
</tbody>
</table>
31. Pittwater Local Environmental Plan 1993

### Residential Zone

| Permitted Uses                                                                                       |
|----------------------------------------------------------------======================================|
| **No 2 (a) (Residential “A”)**                                                                      |
| Any purpose other than a purpose for which development may be carried out without development consent or a purpose for which development is prohibited. [prohibited development: shops; commercial premises; refreshment rooms] |
| **No 2 (b) (Residential “B”)**                                                                      |
| Any purpose other than a purpose for which development may be carried out without development consent or a purpose for which development is prohibited. [prohibited development: shops; commercial premises] |
| **No 2 (e) (Residential “E”)**                                                                      |
| child care centres; professional consulting rooms                                                   |
| **No 2 (f) (Urban Purposes—Mixed Residential)**                                                     |
| Nil                                                                                                  |

### Commercial Zone

| Permitted Uses                                                                                       |
|----------------------------------------------------------------======================================|
| **No 3 (a) (General Business “A”)**                                                                  |
| Any purpose other than a purpose for which development may be carried out without development consent or a purpose for which development is prohibited. [prohibited development: boarding-houses / dwelling-houses / group buildings / residential flat buildings (other than those attached to shops or commercial premises); shop-top housing*] |
| *Note: as provided in clause 21O, permissible on certain allotments specified in that clause only |
| **No 3 (b2) (Service Business “B2”)**                                                                |
| dwelling-houses / group buildings / residential flat buildings used in association with purposes specified in Schedule 2; shop-top housing* |
| *Note: as provided in clause 21O, permissible on certain allotments specified in that clause only |
| **No 3 (b3) (Waterfront Business “B3”)**                                                             |
| dwelling-houses used in conjunction with purposes included under this heading                       |
| **No 3 (c) (Neighbourhood Business “C”)**                                                            |
| shop-top housing*                                                                                    |
| *Note: as provided in clause 21O, permissible on certain allotments specified in that clause only |
| **No 3 (d) (Automotive Business “D”)**                                                               |
| dwelling-houses used in conjunction with purposes included under this heading                       |
| **No 3 (e) (Office Business “E”)**                                                                  |
| Nil                                                                                                  |
### 32. Randwick Local Environmental Plan 1998

**Residential Zone**

- No 2A (Residential A Zone) child care centres; health consulting rooms
- No 2B (Residential B Zone) child care centres; health consulting rooms
- No 2C (Residential C Zone) child care centres; health consulting rooms
- No 2D (Residential D—Comprehensive Development Zone) restaurants; child care centres; health consulting rooms; business premises*; local shops*

*Note: as provided in clause 35A, permissible on certain allotments specified in that clause only

**Commercial Zone**

- No 3A (General Business Zone) Any development not included in subclause (2) or (4) requires development consent. [none of the residential uses is included in subclause (2) or (4)]
- No 3B (Local Business Zone) Any development not included in subclause (2) or (4) requires development consent. [subclause (4): dwellings / multi-unit housing (other than those attached to buildings involved in other uses which are permissible in this zone); serviced apartments]

### 33. Rockdale Local Environmental Plan 2000

**Residential Zone**

- 2 (a1)—Low Density (Restricted) Residential zone: child care centres; professional consulting rooms
- 2 (a)—Low Density Residential zone child care centres; professional consulting rooms
- 2 (b)—Villa/Townhouse Residential zone child care centres; professional consulting rooms
- 2 (c)—Residential Flat Building Residential zone child care centres; professional consulting rooms
- 2 (d)—High Density Residential zone shops (where they are only intended to serve the immediate neighbourhood); commercial premises; restaurants; child care centres; professional consulting rooms

**Commercial Zone**

- 3 (a)—General Business zone dwelling houses; mixed use premises
- 3 (b)—Highway Business zone Nil
- 3 (c)—Neighbourhood Business attached dual occupancies; detached dual occupancies;
zone
dwelling houses; mixed use premises

Mixed Use Zone

Permitted Uses

10 (a1)—Mixed Use (Railway Precinct) zone
residential flat buildings; mixed use premises; shops; commercial premises; restaurants; hotels; child care centres; professional consulting rooms; showrooms (as defined in clause 55C); flexible space (as defined in clause 55C)

10 (a)—Mixed Use zone
residential flat buildings; mixed use premises; shops (intended to serve the Wolli Creek area); commercial premises (other than public car parks within the meaning of the Local Government Act 1993); restaurants; hotels; child care centres; professional consulting rooms; bulk stores; bulky goods showrooms

34. Sutherland Shire Local Environmental Plan 2006

Residential Zone

Permitted Uses

1—Environmental Housing (Environmentally Sensitive Land)
childcare centres; residential medical practices

2—Environmental Housing (Scenic Quality)
childcare centres; residential medical practices

3—Environmental Housing (Bushland)
residential medical practices

4—Local Housing
childcare centres; residential medical practices

5—Multiple Dwelling A
childcare centres; residential medical practices

6—Multiple Dwelling B
childcare centres; residential medical practices

Commercial Zone

Permitted Uses

8—Urban Centre
residential flat buildings (but only on land identified on the map for such a purpose); shop-top housing; mixed use premises

9—Local Centre
residential flat buildings; shop-top housing; mixed use premises

10—Neighbourhood Centre
shop-top housing

Mixed Use Zone

Permitted Uses

7—Mixed Use—Kirrawee
residential flat buildings; shop-top housing; mixed use premises; shops; business premises; food shops; restaurants, hotels; childcare centres
### 35. Sydney Local Environmental Plan 2005

<table>
<thead>
<tr>
<th>Residential Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential zone</strong> - Central Sydney</td>
<td>shops (including grocery and convenience stores); refreshment rooms; pubs; hotels; child care centres; medical and dental surgeries (up to a maximum floor space area of 150 square metres)</td>
</tr>
</tbody>
</table>
| **Residential** - Ultimo-Pyrmont | retail outlets; use of premises for commercial undertakings and professional services to serve the neighbourhood; small scale restaurants  
Other uses that the consent authority is satisfied are strictly consistent with the zone objectives. |

<table>
<thead>
<tr>
<th>Commercial Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>City Centre zone</strong> - Central Sydney</td>
<td>Any development (except if it is exempt development) may be carried out, but only with development consent.</td>
</tr>
<tr>
<td><strong>City Edge zone</strong> - Central Sydney</td>
<td>Any development (except if it is exempt development) may be carried out, but only with development consent.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mixed Use Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential-Business</strong> - Ultimo-Pyrmont</td>
<td>Only uses that the consent authority is satisfied are consistent with one or more of the zone objectives are permissible in this zone.</td>
</tr>
</tbody>
</table>

### 36. South Sydney Local Environmental Plan 1998

<table>
<thead>
<tr>
<th>Residential Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
</table>
| **No 2 (a) Residential (Low Density) Zone** | child care centres; professional consulting rooms  
Any other development not included in subclause (2).  
[subclause (2): exempt development] |
| **No 2 (b) Residential (Medium Density) Zone** | local shops; child care centres; professional consulting rooms  
Any other development not included in subclause (2).  
[subclause (2): exempt development] |

<table>
<thead>
<tr>
<th>Commercial Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
</table>
| **No 3 Business Zone** | dwellings *attached to, or within a building used or intended to be used for, a land use which is permissible within the zone; multiple dwellings; serviced apartments*  
Any other development not included in subclause (2).  
[subclause (2): exempt development] |

| Mixed Use Zone | Permitted Uses |
No 10 Mixed Uses Zone

dwelling houses; local shops; shops; commercial premises
Any other development not included in subclause (2).
[subclause (2): exempt development]

No 10 (a) Mixed Uses “A” Zone

multiple dwellings; dwelling houses; local shops; restaurants;
child care centres; professional consulting rooms

No 10 (b) Mixed Uses “B” Zone

multiple dwellings; serviced apartments; dwelling houses;
shops; commercial premises; restaurants; hotels, professional
consulting rooms
Any other development not included in subclause (2).
[subclause (2): exempt development]

No 10 (c) Mixed Uses “C” Zone

dwellings attached to, or within, a building used or intended
to be used for a land use which is permissible within the zone;
multiple dwellings; serviced apartments; shops; commercial
premises; restaurants; hotels; child care centres
Any other development not included in subclause (2).
[subclause (2): exempt development]

No 10 (d) Mixed Uses “D” Zone

dwellings / multiple dwellings used in conjunction with and
attached to, or within a building used or intended to be used
for, a land use which is permissible within the zone; shops;
commercial premises; restaurants; hotels; child care centres

No 10 (e) Mixed Uses “E” Zone

multiple dwellings; serviced apartments; dwelling houses;
shops; commercial premises; restaurants; hotels; child care
centres
Any other development not included in subclause (2).
[subclause (2): home businesses]

No 11 (a) Green Square Town Centre Zone

commercial development, residential development and retail
development (each within the meaning of Division 2A of Part 4)

37.  Waverley Local Environmental Plan 1996

Residential Zone  Permitted Uses

No 2 (a) Residential—Low Density  small shops; child care centres; professional consulting rooms

No 2 (b) Residential—Medium Density  small shops; child care centres; professional consulting rooms

No 2 (c1) Residential—Medium and High Density  small shops; child care centres; professional consulting rooms

No 2 (c2) Residential—High Density  small shops; child care centres; professional consulting rooms
### Commercial Zone Permitted Uses

<table>
<thead>
<tr>
<th>No 3 (a) Business General</th>
<th>Any development not specified in Item 2 or 4. [Item 4: dual occupancies, dwelling-houses, hostels, residential flat buildings or serviced apartments (other than in mixed developments)]</th>
</tr>
</thead>
<tbody>
<tr>
<td>No 3 (b) Business Mixed</td>
<td>Any development not specified in Item 2 or 4. [Item 4: dual occupancies, dwelling-houses, hostels, residential flat buildings or serviced apartments (other than in mixed developments)]</td>
</tr>
<tr>
<td>No 3 (c) Business Neighbourhood</td>
<td>mixed developments</td>
</tr>
</tbody>
</table>

#### 38. Waverley and Woollahra Joint Local Environmental Plan 1991—Bondi Junction Commercial Centre

<table>
<thead>
<tr>
<th>Commercial Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>No 3 (a2) (Business General Zone)</td>
<td>Any purpose other than a purpose specified in Item 4 of the matter relating to this zone. [Item 4: dwelling-houses or residential flat buildings (other than mixed developments)]</td>
</tr>
<tr>
<td>No 3 (a3) (Business Secondary Zone)</td>
<td>Any purpose other than a purpose specified in Item 4 of the matter relating to this zone. [Item 4: dwelling-houses or residential flat buildings (other than mixed developments)]</td>
</tr>
<tr>
<td>No 3 (a4) (Business Special (Low Intensity) Zone)</td>
<td>Any purpose other than a purpose specified in Item 4 of the matter relating to this zone. [Item 4: serviced apartments]</td>
</tr>
<tr>
<td>No 3 (a5) (Business Special (Services) Zone)</td>
<td>Any purpose other than a purpose specified in Item 4 of the matter relating to this zone. [Item 4: dwelling-houses or residential flat buildings (other than mixed developments)]</td>
</tr>
</tbody>
</table>

#### 39. Willoughby Local Environmental Plan 1995

<table>
<thead>
<tr>
<th>Residential Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 (a) (Residential “A” Zone)</td>
<td>child care centres; professional consulting rooms</td>
</tr>
<tr>
<td>2 (a2) (Residential “A2” Scenic Protection Zone)</td>
<td>professional consulting rooms</td>
</tr>
<tr>
<td>2 (b) (Residential “B” Zone)</td>
<td>child care centres</td>
</tr>
<tr>
<td>2 (c) (Residential “C” Zone)</td>
<td>child care centres</td>
</tr>
<tr>
<td>2 (d) (Residential “D” Zone)</td>
<td>general stores of 30sqm or less in area; child care centres</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Commercial Zone</th>
<th>Permitted Uses</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 (a) (General Business Zone)</td>
<td>dwellings, or residential flat buildings, <em>attached to other</em></td>
</tr>
</tbody>
</table>
3 (b) (Special Business Zone) permitted uses; serviced apartments

3 (c3) (Chatswood Secondary Business Zone) dwellings, or residential flat buildings, attached to other permitted buildings or used in conjunction with other permitted uses

3 (d) (Neighbourhood Business Zone) dwellings, or residential flat buildings, only if attached to other permitted buildings or used in conjunction with other permitted uses

3 (e) (Restricted Office Zone) dwellings, or residential flat buildings, attached to other permitted buildings or used in conjunction with other permitted uses

3 (e2) (Business Zone) dwellings, or residential flat buildings, attached to other permitted buildings or used in conjunction with other permitted uses

40. Woollahra Local Environmental Plan 1995

Residential Zone

No 2 (a)—(Residential “A” Zone) child care centres

No 2 (b)—(Residential “B” Zone) child care centres; medical consulting rooms

Commercial Zone

No 3 (a)—(General Business “A” Zone) Any development other than development included in Item 4 or 6. [Item 6: dwelling-houses; residential flat buildings (other than mixed developments)]

No 3 (b)—(Special Business “B” Zone) Any development other than development included in Item 4 or 6. [Item 6: dwelling-houses (other than those in a heritage conservation area)]

No 3 (b1)—(Restricted Special Business “B1” Zone) dwelling-houses

No 3 (c)—(Neighbourhood Business “C” Zone) Any development other than development included in Item 4 or 6. [Item 6: dwelling-houses; residential flat buildings (other than mixed developments); serviced apartments (other than as part of a mixed development)]
APPENDIX 7

Permissibility matrix for residential land uses in business or mixed use zones
<table>
<thead>
<tr>
<th>No.</th>
<th>LEP</th>
<th>Business Zone</th>
<th>Residential uses (not MXD)</th>
<th>Residential uses (MXD)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Ashfield LEP 1985</td>
<td>No 3 (a) Business (Retail and Office Development)</td>
<td>High density eg residential flat buildings, Medium density eg town-houses, villas, Low density eg dwelling-houses, dual occp.</td>
<td>Dw. attached to located above other permitted uses, Dw. used in conjunction with other permitted uses</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Auburn LEP 2000</td>
<td>No 3 (a) Business (Retail and Office Development)</td>
<td>High density eg residential flat buildings, Medium density eg town-houses, villas, Low density eg dwelling-houses, dual occp.</td>
<td>Dw. attached to located above other permitted uses, Dw. used in conjunction with other permitted uses</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Bankstown LEP 2001</td>
<td>3 (a) Business—CBD</td>
<td>High density eg residential flat buildings, Medium density eg town-houses, villas, Low density eg dwelling-houses, dual occp.</td>
<td>Dw. attached to located above other permitted uses, Dw. used in conjunction with other permitted uses</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Baulkham Hills LEP 2005</td>
<td>3 (a) Business (Retail and Commercial Zone)</td>
<td>High density eg residential flat buildings, Medium density eg town-houses, villas, Low density eg dwelling-houses, dual occp.</td>
<td>Dw. attached to located above other permitted uses, Dw. used in conjunction with other permitted uses</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Blacktown LEP 1988</td>
<td>No 3 (a) Business (Retail and Commercial Zone)</td>
<td>High density eg residential flat buildings, Medium density eg town-houses, villas, Low density eg dwelling-houses, dual occp.</td>
<td>Dw. attached to located above other permitted uses, Dw. used in conjunction with other permitted uses</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Botany LEP 1995</td>
<td>No 3 (a) Business (Retail and Commercial Zone)</td>
<td>High density eg residential flat buildings, Medium density eg town-houses, villas, Low density eg dwelling-houses, dual occp.</td>
<td>Dw. attached to located above other permitted uses, Dw. used in conjunction with other permitted uses</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Camden LEP No 45</td>
<td>No 3 (a) Business (Retail and Commercial Zone)</td>
<td>High density eg residential flat buildings, Medium density eg town-houses, villas, Low density eg dwelling-houses, dual occp.</td>
<td>Dw. attached to located above other permitted uses, Dw. used in conjunction with other permitted uses</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Camden LEP No 46</td>
<td>No 3 (a) Business (Retail and Commercial Zone)</td>
<td>High density eg residential flat buildings, Medium density eg town-houses, villas, Low density eg dwelling-houses, dual occp.</td>
<td>Dw. attached to located above other permitted uses, Dw. used in conjunction with other permitted uses</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Campbelltown (Urban Area) LEP 2002</td>
<td>3 (a) Business (Retail and Commercial Zone)</td>
<td>High density eg residential flat buildings, Medium density eg town-houses, villas, Low density eg dwelling-houses, dual occp.</td>
<td>Dw. attached to located above other permitted uses, Dw. used in conjunction with other permitted uses</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Canada Bay LEP 2008</td>
<td>B1 Neighbourhood Centre</td>
<td>High density eg residential flat buildings, Medium density eg town-houses, villas, Low density eg dwelling-houses, dual occp.</td>
<td>Dw. attached to located above other permitted uses, Dw. used in conjunction with other permitted uses</td>
<td></td>
</tr>
</tbody>
</table>
**RESIDENTIAL LAND USES IN BUSINESS OR MIXED USE ZONES**

<table>
<thead>
<tr>
<th>No.</th>
<th>LEP</th>
<th>Business Zone</th>
<th>Residential uses (not MXD)</th>
<th>Residential uses (MXD)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>High density eg.</td>
<td>Dw. attached to/located</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>residential flat</td>
<td>other permitted uses</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>buildings</td>
<td>uses</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Medium density eg.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>townhouses, villas</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Low density eg.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>dwelling-houses,</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>dual occp.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Key:
- "√" = permitted
- "(i)" = permitted; being inorraine uses
- "(f)" = permitted; being inorraine uses (MXD)
- Orange = residential prohibited except as ancillary use.
- Green = residential prohibited except as part of a MXD.

11. Canterbury LEP No 138—Canterbury Precinct
   - No 3 (a) General Business Zone: Yes
   - No 3 (e) Business Office Zone: No
   - Notes:

12. Canterbury LEP No 148—Campsie Precinct
   - No 3 (a) General Business Zone: Yes
   - No 3 (e) Business Office Zone: No
   - No 3 (f) Specialised Business Zone: No
   - Notes:

13. Canterbury LEP No 179—Belmore—Lakemba Precinct
   - No 3 (a) General Business Zone: Yes
   - No 3 (e) Business Office Zone: No
   - No 3 (f) Specialised Business Zone: No
   - Notes:

14. Fairfield LEP 1994
   - 3 (a) Sub-Regional Business Centre: Yes
   - 3 (b) District Business Centre: Yes
   - 3 (c) Local Business Centre: Yes
   - Notes:

15. Holroyd LEP 1991
   - No 3 (a) (Business General Zone): Yes
   - No 3 (b) (Neighbourhood Business Zone): No
   - Notes:

16. Hornsby Shire LEP 1994
   - Business A (General) Zone: Yes
   - Business B (Special) Zone: Yes
   - Business C (Neighbourhood) Zone: Yes
   - Business D (Agricultural Service Centre) Zone: Yes
   - Business E (Service Centre) Zone: No
   - Business F (Town Centre) Zone: Yes
   - Business G (Town Centre Support) Zone: Yes
   - Notes:

17. Hunter’s Hill LEP No 1
   - No 3 (a) (Business General): Yes
   - No 3 (b) (Business Special): No
   - No 3 (c) (Business Neighbourhood): Yes
   - Notes:

18. Hurstville LEP 1994
   - No 3 (a) (Neighbourhood Business Zone): Yes
   - No 3 (b) (City Centre Business Zone): Yes
   - No 3 (c) (Business Centre Zone): No
   - Notes:

   - Business 3 (a)—Business (Local Centre) Zone: Yes
   - Business 3 (b)—Business (Town Centre) Zone: Yes
   - Business 3 (c)—Business (Neighbourhood) Zone: No
   - Notes:

20. Lane Cove LEP 1987
   - No 3 (a) (Business General "A" Zone): Yes
   - No 3 (b) (Business General "B" Zone): Yes
   - No 3 (c) (Business Neighbourhood "C" Zone): No
   - Notes:

21. Leichhardt LEP 2000
   - Business Zone: Yes
   - Notes:

22. Liverpool LEP 2008
   - B1 Neighbourhood Centre: Yes
   - B2 Local Centre: Yes
   - B3 Commercial Core: Yes
   - Notes:
<table>
<thead>
<tr>
<th>No.</th>
<th>LEP</th>
<th>Business Zone</th>
<th>Key:</th>
<th>Residential uses (not MXD)</th>
<th>Residential uses (MXD)</th>
<th>Notes:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>High density eg residential flat buildings</td>
<td>Medium density eg townhouses, villas</td>
<td>Low density eg dwelling-houses, dual occp.</td>
</tr>
<tr>
<td>23</td>
<td>Manly LEP 1988</td>
<td>No 3 Business Zone</td>
<td></td>
<td>√</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Marrickville LEP 2001</td>
<td>General Business 3 (A) zone</td>
<td></td>
<td>√</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Neighbourhood Business 3 (B) zone</td>
<td></td>
<td>√</td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>Mosman LEP 1998</td>
<td>3 (a) Spit Junction Town Centre</td>
<td></td>
<td>√</td>
<td>√</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 (a2) Cremorne Business</td>
<td></td>
<td>√</td>
<td>√</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 (a3) Mosman Junction Town Centre</td>
<td></td>
<td>√</td>
<td>√</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 (b) Commercial/Residential</td>
<td></td>
<td>√</td>
<td>√</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 (c) Local Business</td>
<td></td>
<td>√</td>
<td>√</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3 (d) The Spit Waterside Business</td>
<td></td>
<td>√</td>
<td>√</td>
<td></td>
</tr>
<tr>
<td>26</td>
<td>North Sydney LEP 2001</td>
<td>Commercial Zone</td>
<td></td>
<td>√</td>
<td>√</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mixed Use Zone</td>
<td></td>
<td>√</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Parramatta LEP 2001</td>
<td>3A Centre Business Zone (Zone 3 (a))</td>
<td></td>
<td>√</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>3B Neighbourhood Business Zone (Zone 3 (b))</td>
<td></td>
<td>√</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>10 Mixed Use Zone (Zone 10)</td>
<td></td>
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## RESIDENTIAL LAND USES IN BUSINESS OR MIXED USE ZONES

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<td></td>
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<td>High density eg. residential flat buildings</td>
<td>Medium density eg. town-houses, villas</td>
<td>Low density eg. dwellings-houses, dual occp.</td>
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<td>34 Sutherland Shire LEP 2006</td>
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Key:
- ~ ~ ~ permitted
- ~ ~ ~ permitted; being inominate uses
- Pink = residential completely prohibited; no exception.
- Orange = residential prohibited except as ancillary use.
- Green = residential prohibited except as part of a MXD.
APPENDIX 8

Permissibility matrix for commercial or activity-based land uses in residential zones
<table>
<thead>
<tr>
<th>No.</th>
<th>LEP</th>
<th>Residential Zone</th>
<th>Restaurants</th>
<th>Pubs, hotels</th>
<th>Shops</th>
<th>Corner shops</th>
<th>Child care centres</th>
<th>Health consulting rooms</th>
<th>Notes</th>
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<td>Ashfield LEP 1985</td>
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<td>R4 High Density Residential</td>
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</table>
| 23  | Manly LEP 1988 | No 2 Residential Zone | Restaurants: √ (l)  
Pub, hotels:  
Shops:  
Corner shops:  
Child care centres:  
Health consulting rooms: | |
| 24  | Marrickville LEP 2001 | Residential 2 (A) zone | Residential 2 (B) zone | Residential 2 (C) zone | |
| 25  | Mosman LEP 1998 | 2 (a1) Residential | 2 (a2) Residential | 2 (a3) Residential | 2 (b) Residential | 2 (c) Residential | 2 (d) Residential | 2 (e) Residential | |
| 26  | North Sydney LEP 2001 | Residential A1 Zone | Residential A2 Zone | Residential B Zone | Residential C Zone | Residential D Zone (Neighbourhood Business) | Residential F Zone (McMahons Point) | Residential G Zone (Cremorne Point) | |
| 27  | Parramatta LEP 2001 | 2A Residential Zone (Zone 2 (a)) | 2B Residential Zone (Zone 2 (b)) | 2C Residential Zone (Zone 2 (c)) | 2D Residential Zone (Zone 2 (d)) | 2E Residential Zone (Zone 2 (e)) | |
| 28  | Parramatta City Centre LEP 2007 | (W9) | | | |
| 29  | Penrith LEP 1998 (Urban Land) | No 2 (a1) Residential (Urban and Landscape Protection—Emu Plains) | No 2 (a) Residential (Urban and Landscape Protection) | No 2 (b) Residential (Low Density) | No 2 (c) Residential (Low-Medium Density) | No 2 (d) Residential (Medium Density) | No 2 (e) Residential (Medium-High Density) | No 2 (r) Rural-Residential (1 Dwelling/Hectare) | No 2 (r1) Rural-Residential | |
| 30  | Penrith City Centre LEP 2008 | R4 High Density Residential | | | |
| 31  | Pittwater LEP 1993 | No 2 (a) (Residential "A") | No 2 (b) (Residential "B") | No 2 (e) (Residential "E") | | | | | |

**KEY:**  
*A* = permitted  
*B* = permitted; being innominate uses  

4: permissible as designated development
<table>
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<th>No.</th>
<th>LEP</th>
<th>Residential Zone</th>
<th>Commercial/activity-based uses</th>
<th>Notes:</th>
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<td>Randwick LEP 1998</td>
<td>No 2A (Residential A Zone)</td>
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<td>No 2D (Residential D—Comprehensive Development Zone)</td>
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<td>Health consulting rooms: √</td>
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<td>Rockdale LEP 2000</td>
<td>2 (a½)—Low Density (Restricted) Residential zone: √</td>
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<td>6: where they are only intended to serve the immediate neighbourhood</td>
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<td>Sutherland Shire LEP 2006</td>
<td>1—Environmental Housing (Environmentally Sensitive Land): √</td>
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<td>2—Environmental Housing (Scenic Quality): √</td>
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<td>5—Multiple Dwelling A</td>
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<td>6—Multiple Dwelling B</td>
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<td>35</td>
<td>Sydney LEP 2005</td>
<td>Residential zone - Central Sydney</td>
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<td>7: other uses that are strictly consistent with the zone objectives</td>
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<td>Residential - Ultimo-Pymont</td>
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<td>No 2 (a) Residential—Low Density</td>
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<td>Waverley and Woollahra Joint LEP 1991—Bondi Junction Commercial Centre (N/A)</td>
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