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Department's Ref: PP_GRIVE_001_00

30 June 2020

Ms Amanda Harvey
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Ms Harvey,

**Request to draft and finalise: *Georges River Local Environmental Plan 2020*
(PP_GRIVE_001_00)**

I write to advise that the Georges River Local Planning Panel, at its meeting held on 25 and 26 June 2020, considered a report on the Outcomes of Public Exhibition and Finalisation of Georges River Local Environmental Plan 2020 and Addendum Report and resolved:

1. (a) *That the Local Planning Panel notes the written and oral submissions received during the public exhibition and the public meeting held on 25 and 26 June 2020 of the Planning Proposal (PP2019/0004) for the Georges River Local Environmental Plan 2020.*
- (b) *That the Local Planning Panel endorses the following variations to the Planning Proposal in response to the issues raised by written and oral submissions received during public exhibition and the public meeting held on 25 and 26 June 2020 in accordance with Section 3.35 of the Environmental Planning and Assessment Act 1979:*
 - a. *Additions to Clause 1.2 Aims of Plan to insert an aim relating to the protection, maintenance and improvement of waterway health;*
 - b. *Amendments to the objectives of the R2 Low Density Residential zone to insert separate objectives relating to a landscaped setting and urban design and built form;*
 - c. *Amendments to the objectives of the R3 Medium Density Residential zone to insert separate objectives relating to a landscaped setting and urban design and built form;*

- d. *Addition to the objectives of the IN2 Light Industrial zone to insert an objective to encourage repair, reuse, recycling, remanufacturing and reprocessing of waste;*
- e. *Amendments to Clause 5.1 Relevant acquisition authority and the associated Land Reservation Acquisition Map which gives effect to the removal of the land identified as Lots 15, 16, 17, 18, 19 & 20, Section 4 in Deposited Plan 12082 known as Nos. 11 to 21 (inclusive) Monaro Avenue, Kingsgrove;*
- f. *Amendments to Clause 6.6 Riparian lands and waterways to replace references to watercourses with waterways and insert a clause – Aboriginal cultural heritage values of waterways;*
- g. *Amendments to Clause 6.7 Foreshore Scenic Protection Area, including:*
 - I. *Insert the words avoids and minimises disturbances on flora and fauna and inserts the word enhancement of native vegetation and habitat;*
 - II. *Retention of the existing Foreshore Scenic Protection Area as identified by the Hurstville Local Environmental Plan 2012 Foreshore Scenic Protection Area Map; and*
 - III. *The addition of the proposed Foreshore Scenic Protection Area as exhibited by the Planning Proposal Map entitled “Foreshore Scenic Protection Area Map” and shown in pink shading.*
- h. *Amendments to Clause 6.11 Design excellence to:*
 - I. *Amend the waste clause to encourage the management and minimisation of waste;*
 - II. *Delete sub clause 3(b) requiring the development to be reviewed by an urban designer or a registered architect appointed from an independent panel as nominated by Georges River Council.*
- i. *Amendments to Clause 6.13 Landscaped areas in certain residential and environmental protection zones to increase the minimum landscaped area requirements for dual occupancies (non-FSPA) to 25% and dual occupancies (FSPA) to 30% and to ensure new developments are accompanied by increased planting and vegetation;*
- j. *Addition of a new local provision – Clause 6.19 Tree protection and landscaping in Zones R2 and R3 subject to the following amendments:*

Clause 6.19 Tree protection and landscaping in Zones R2 and R3

- (1) *The objective of this clause is to ensure any development undertaken on land in the R2 Low Density Residential and the R3 Medium Density*

Residential zones maintains and enhances the landscaped character of the neighbourhood and contributes to the tree canopy of the local government area.

- (2) Before granting development consent to development on land to which this clause applies, the consent authority must consider the following —*
 - (a) the extent to which the development integrates to protect existing trees, natural landscape feature (such as rock, outcrops, remnant bushland and natural watercourses) and a well-designed landscaped setting (such as new trees, shrubs and lawns and usable open space areas); and*
 - (b) an assessment of the current health, condition and structure of the tree(s) on the land; and*
 - (c) an assessment of the contribution made by the existing tree(s) on the land to the natural landscape or local character of the locality including environmental, heritage, cultural and amenity factors; and*
 - (d) the extent to which the design of the development minimises or avoids potential conflict between trees, landscape features and structures on site and on any neighbouring property, including the affectation on existing tree canopies and root systems; and*
 - (e) the building construction methods will minimise the impact on trees and their root systems on site and on any neighbouring property; and*
 - (f) existing trees on the site and any adjoining land can be retained with Tree Protection Zone (TPZ) being 12 x trunk diameter (DBH) when measured at 1.4 metres from ground level. (this is the calculation of the TPZ area),*
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied:*
 - (a) where there are no trees on a site, one locally endemic tree reaching a mature height of 8 metres or greater is capable of being planted,*
 - (b) when one tree is proposed to be removed, two or more advanced locally endemic species (45L pot size or greater) shall be planted or, the payment of an offset fee (per tree) calculated by an endorsed method of valuation (e.g. Thyer Method of Valuation),*
 - (c) the site has deep soil planting areas and landscaped areas to allow for replanting of replacement trees and the creation of a landscape setting;*

k. Additions to Schedule 1 Additional permitted uses comprising:

- l. Insert the following allotments under Item 11 Use of certain land for a place of public worship:*
 - a. 1142 Forest Road, Lugarno, being Lot 9, DP13473 (Lugarno Anglican Church);*
 - b. 3A Old Forest Road, Lugarno, being Lot 18, DP13473 (Lugarno Anglican Church);*
 - c. 3A Old Forest Road, Lugarno, being Lot 19, DP13473 (Lugarno Anglican Church); and*

- d. 20 River Road, Oatley, being Lot 2, Section 5, DP2297 (Oatley Gospel Church).
- II. Delete the following allotments under Item 11 Use of certain land for a place of public worship and rezone to SP2 Educational Establishment and Place of Public Worship:
- a. 19 Warrawee Place, Beverly Hills, being Lots 42, 43 and 44, DP13496; and
 - b. Addition of Item 13 Use of certain land for an office premise to ensure creative industries can be located within the industrial precincts at Peshurst Lane, Peshurst and Halstead Street, South Hurstville.
- (c) That the Local Planning Panel endorses the following variations to the Planning Proposal in accordance with Section 3.35 of the Environmental Planning and Assessment Act 1979:
- a. Amendment to the Land Zoning Map for 11-21 Monaro Avenue, Kingsgrove from RE1 Public Recreation to R2 Low Density Residential;
 - b. Amendment to the Lot Size Map for 11-21 Monaro Avenue, Kingsgrove to include a minimum lot size of 450sqm;
 - c. Amendment to the Height of Buildings Map for 11-21 Monaro Avenue, Kingsgrove to include a building height of 9 metres;
 - d. Amendment to the Floor Space Ratio Map for 11-21 Monaro Avenue, Kingsgrove to include a floor space ratio of 0.55:1 within Area 1;
 - e. Amendment to the Lot Size for Dual Occupancy Development Map for 11-21 Monaro Avenue, Kingsgrove to include a minimum lot size of 650sqm;
 - f. Amendment to the Height of Buildings Map for 33 Dora Street, Hurstville from 15 metres to 30 metres;
 - g. Amendment to the Floor Space Ratio Map for 360-362 Forest Road and 34 MacMahon Street, Hurstville from 3.5:1 to 6:1;
 - h. Amendment to the Floor Space Ratio Map for 12-16 and 26 Princes Highway, 60B Gray Street and 5 Rocky Point Road, Kogarah from no FSR to 2:1;
 - i. Amendment to the Lot Size for Dual Occupancy Development Map for 333-339 and 357-365 Stoney Creek Road, Kingsgrove from a 650sqm minimum lot size for dual occupancy development to no minimum lot size;
 - j. Amendment to the Lot Size Map for 2-16 Lime Kiln Road and 1041-1041C Forest Road, Lugarno from a 700sqm minimum lot size to no minimum lot size;

- k. *Amendment to the Lot Size for Dual Occupancy Development Map for 2-16 Lime Kiln Road and 1041-1041C Forest Road, Lugarno from a 1000sqm minimum lot size for dual occupancy development to no minimum lot size;*
 - l. *Amendment to the Lot Size Map for 29A Jacques Avenue, Peakhurst from an 800sqm minimum lot size to no minimum lot size;*
 - m. *Amendment to the Lot Size for Dual Occupancy Development Map for 29A Jacques Avenue, Peakhurst from a 650sqm minimum lot size for dual occupancy development to no minimum lot size;*
 - n. *Amendment to the Floor Space Ratio Map for 29A Jacques Avenue, Peakhurst from 0.7:1 to no maximum floor space ratio;*
 - o. *Amendment to the Height of Buildings Map for 29A Jacques Avenue, Peakhurst from 9 metres to no maximum height;*
 - p. *Amendment to the Height of Buildings Map for 199 Rocky Point Road, Ramsgate from 15 metres and 21 metres to 21 metres; and*
 - q. *Amendment to the Floor Space Ratio Map for 199 Rocky Point Road, Ramsgate from 2.5:1 and 1.5:1 to 2.5:1.*
- (d) *That the Local Planning Panel endorses the amended Planning Proposal to be forwarded to the Department of Planning, Industry and Environment for gazettal in accordance with Section 3.36 of the Environmental Planning and Assessment Act 1979.*
- (e) *That the Local Planning Panel endorses the General Manager or delegate to make minor modifications to any numerical, typographical, interpretation and formatting errors, if required, in the finalisation of the Planning Proposal to be forwarded in accordance with (d) above.*
- (f) *That all persons who made a written and/or oral submission to the Planning Proposal and owners of the properties affected by the mapping errors in the Addendum report be advised of the Local Planning Panel's decision.*
2. *The Panel recommends that Council as part of the preparation of the draft Local Environmental Plan in 2021/2022, further define the role, mapped extent and zoning of Foreshore Scenic Protection Areas, in both the former Hurstville and Kogarah Local Government Areas, having regard to those properties and ridge lines visible to and from the Georges River and its tributaries, and associated environmental protection applying to those areas in order to better reflect the objectives of Clause 6.7 of the Georges River Local Environmental Plan 2020. This may include the consideration of additional environmental protection zones or modifications of the Foreshore Scenic Protection Area.*
3. *The Panel notes the existing need for additional open space in the northern portion of the Local Government Area and encourages the Council to continue to pursue and investigate all opportunities to provide such open space including the provision of*

additional land in the vicinity of Peter Low Reserve as part of the preparation of the draft Local Environmental Plan in 2021/2022.

4. *The Panel also notes and duly acknowledges the high quality of the strategy research work by Council's staff to integrate (and harmonise) the controls set out in the environmental planning instruments of the former Kogarah and Hurstville Councils. This resulted in the comprehensive analysis and reporting across a range of diverse topics including a significant amount of assessment of the community comments and submissions through the challenges of the COVID-19 pandemic. Through these efforts, the Panel's task of having a full appreciation of the community's expectations was clear and concise. Moreover, the Panel's decision to retain (and expand) the Foreshore Scenic Protection Area (FSPA) boundaries was not due to draft Georges River Local Environmental Plan 2020's recommendation being unreasonable or unfounded, but rather the Panel's ultimate interpretation that the FSPA objectives which had broadened and which was a compelling factor to require a more comprehensive assessment of the landscape, vegetation and fauna habitats to address the broader objectives of FSPA in any future review of the area's boundaries.*

In accordance with the resolution of the Georges River Local Planning Panel, Council requests that the Department of Planning, Industry and Environment draft and finalise the Georges River Local Environmental Plan 2020.

A copy of the Planning Proposal is attached and includes the following Appendices:

- Appendix 1 – Draft instrument - Georges River Local Environmental Plan 2020
- Appendix 2 – Consistency with the Greater Sydney Region Plan, South District Plan and Council's Local Strategic Planning Statement 2040
- Appendix 3 – Development standards justification
- Appendix 4 – Additional local provisions justification
- Appendix 5 – Consistency with State Environmental Planning Policies (SEPPs)
- Appendix 6 – Consistency with S9.1 Ministerial Directions
- Appendix 7 – GRLEP 2020 mapping in map sheets

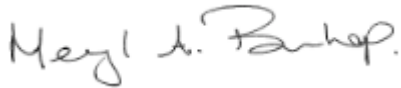
A copy of the following documents is also attached:

Attachment A	Gateway Determination and Conditions dated 10 March 2020
Attachment B	Georges River Local Planning Panel report and minutes dated 25 and 26 June 2020 endorsing the Planning Proposal for finalisation
Attachment C	Community engagement summary report
Attachment D	Summary table of submissions
Attachment E	Council response to submissions – key themes
Attachment F	Public authority submissions
Attachment G	Summary table of oral submissions received by the Georges River Local Planning Panel at meeting dated 25 and 26 June 2020
Attachment H	Map cover sheet
Attachment I	Information checklist for planning proposals
Attachment J	GRLEP 2020 mapping GIS data

Please note that copies of the attached documents have also been uploaded onto the Planning Portal website.

Should you have any queries, please do not hesitate to contact Stephanie Lum, Coordinator Strategic Planning, on 9330 9437 or Anne Qin, Strategic Planner/Urban Designer, on 9330 6266.

Yours sincerely

A handwritten signature in black ink, reading "Meryl A. Bishop". The signature is written in a cursive, flowing style.

Meryl Bishop
Director Environment and Planning

cc Mr Brendan Metcalfe