

Penshurst West junior club through his son David. To his wife Lesley and the family we pay our respects.

- The Mayor, Councillor Kevin Greene expressed his condolences on the passing of Mrs. Mary Fallon an Oatley resident who passed away early this morning aged 92 years old. Her and her husband Brian (deceased) raised 7 children in the local area who have all made significant contributions to the local community. She had 22 grandchildren and 20 great grandchildren. To the family we pass on our condolences.

Note: The meeting observed a moment's silence.

PROCEDURAL MOTION

ORDER OF BUSINESS

RESOLVED: Councillor Tegg and Councillor Katris

That, in accordance with Clause 7.5 of Council's Code of Meeting Practice, Council alter the Order of Business of this meeting to allow for the following items to be considered prior to all other items on the agenda;

- **CCL077-21 / ENV046-21** - Report of the Environment and Planning Committee Meeting held on 11 October 2021 (PP2019/0003 - Planning Proposal for 143-149 Boundary Road and 689-691 Forest Road, Peakhurst).
- **CCL077-21 / ENV048-21** - Report of the Environment and Planning Committee Meeting held on 11 October 2021 (Adoption of Georges River Council Local Infrastructure Contributions Plan 2021 - Section 7.11 and Section 7.12).
- **CCL079-21 / ASS035-21** Interim Solutions to Cater for Off-Road Biking Activities during the Summer Period 2021/2022.
- **QWN043-21 - NM046-21** Managing Risks to Community Safety – Kogarah War Memorial Pool.

Record of Voting:

For the Motion: Unanimous

Note: Due to disclosing a Significant Non-Pecuniary interest in the following items (ENV046-21 and ENV047-21), Councillor Payor left the meeting at 7.51pm.

COMMITTEE REPORTS

CCL077-21 Report of the Environment and Planning Committee Meeting held on 11 October 2021
(Report by Executive Services Officer)

ENV046-21 PP2019/0003 - Planning Proposal for 143-149 Boundary Road and 689-691 Forest Road, Peakhurst

Note: Councillor Payor disclosed a Significant Non-Pecuniary interest in this item and did

not participate in the discussion and voting on this item.

RESOLVED: Councillor Hindi and Councillor Katris

- (a) That Council endorse the Planning Proposal (PP2019/0003) to amend *Hurstville Local Environmental Plan 2012* (or if gazetted the *Georges River Local Environmental Plan*), in relation to 143-149 Boundary Road and 689-691 Forest Road, to:
- i. Amend the Land Zoning (LZN) Map to rezone the Site from R2 – Low Density Residential to B1 – Neighbourhood Centre
 - ii. Amend the Height of Buildings (HOB) Map to increase the height from 9m to part 12m and part 15m
 - iii. Amend the Floor Space Ratio (FSR) Map to increase the maximum FSR from 0.6:1 to part 1.5:1 and part 1.7:1
 - iv. Amend the Minimum Lot Size (LSZ) Map to no minimum lot size.
- (b) That Council endorse the Planning Proposal to be forwarded to the Minister for Planning and Public Places for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
- (c) That the Planning Proposal be placed on public exhibition in accordance with the conditions of any Gateway Determination issued by the Department of Planning, Industry and Environment.
- (d) That Council resolve to prepare an amendment to the Hurstville Development Control Plan No. 1 (“HDCP No.1”), or the Georges River DCP if effective, at the proponent’s cost, to run concurrently with an amendment to the Hurstville LEP 2012 (or if gazetted the Georges River Local Environmental Plan), to reflect site specific provisions for any future development of the site. The amendment to the relevant DCP is to facilitate access from Boundary Road through 143 Boundary Road to 691 Forest Road.
- (e) That the amendment to the relevant development control plan be placed on public exhibition in accordance with the *Environmental Planning and Assessment Act* and its Regulation.

Record of Voting:

For the Motion: Unanimous

CCL077-21 Report of the Environment and Planning Committee Meeting held on 11 October 2021
(Report by Executive Services Officer)

ENV047-21 Voluntary Planning Agreement Offer for 143-149 Boundary Road and 689 Forest Road, Peakhurst
(Report by Executive Strategic Planner)

Note: Councillor Payor disclosed a Significant Non-Pecuniary interest in this item and did not participate in the discussion and voting on this item.

RESOLVED: Councillor Hindi and Councillor Katris

- (a) That Council accept and endorse the letter of offer dated 29 June 2021 from Mr John Ronald Rider (Landowner) to enter into a Voluntary Planning Agreement (VPA offer)

(Attachment 1) in association with the Planning Proposal PP2019/0003 for 143-149 Boundary Road and 689-691 Forest Road, Peakhurst which seeks to amend the zoning and planning controls for the land under *Hurstville Local Environmental Plan 2012* (or if gazetted the *Georges River Local Environmental Plan*). The key terms of the VPA offer are as follows:

- a. the VPA offer relates to sites at 143-149 Boundary Road and 689 Forest Road, Peakhurst;
 - b. the Landowner will pay a monetary contribution of \$900,000 to Council towards:
 - i. improved pedestrian and cycle connections from the site to nearby open space and Riverwood commercial centre
 - ii. improvements to the library facilities at Penshurst Library;
 - c. the contribution amount will be recalculated and indexed from the date of the VPA offer to the date of payment and the contribution will be paid in three instalments;
 - d. the public benefits are over and above the usual section 7.11, 7.12 and 7.24 contributions applicable to the development;
 - e. an unconditional bank guarantee will be provided as security for the monetary contributions and the VPA will be registered on the title of the land;
 - f. the Landowner agrees to pay Council's reasonable costs of preparing, negotiating, executing, registering, and stamping the VPA; and
 - g. the Landowner agrees to include such other clauses from Council's VPA template in Council's *Planning Agreement Policy* as relevant to this offer.
- (b) That Council delegate authority to the General Manager to prepare and finalise the specific terms of the Voluntary Planning Agreement to reflect the terms of the VPA offer and to subsequently exhibit the VPA, in conjunction with the Planning Proposal, in accordance with the Environmental Planning and Assessment Act 1979.
- (c) That Council delegate authority to General Manager to:
- a. Authorise any minor changes to the Voluntary Planning Agreement following public exhibition, provided that those changes do not diminish the value or nature of the public benefits to be delivered as identified in (a) above; and
 - b. Subsequently enter into the Voluntary Planning Agreement on behalf of Council.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Payor returned to the meeting at 7.55pm.

CCL077-21 Report of the Environment and Planning Committee Meeting held on 11 October 2021
(Report by Executive Services Officer)

ENV048-21 Adoption of Georges River Council Local Infrastructure Contributions