



IRF24/1407

## Plan finalisation report – PP-2023-811

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Georges River LEP 2021 (Amendment No. 7) Georges  
River Local Government Area

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# Acknowledgment of Country

The Department of Planning and Environment acknowledges the Traditional Owners and Custodians of the land on which we live and work and pays respect to Elders past, present and future.

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# 1 Introduction

## Overview

### 1.1.1 Name of draft LEP

Georges River Local Environmental Plan 2021 (Amendment No. 7).

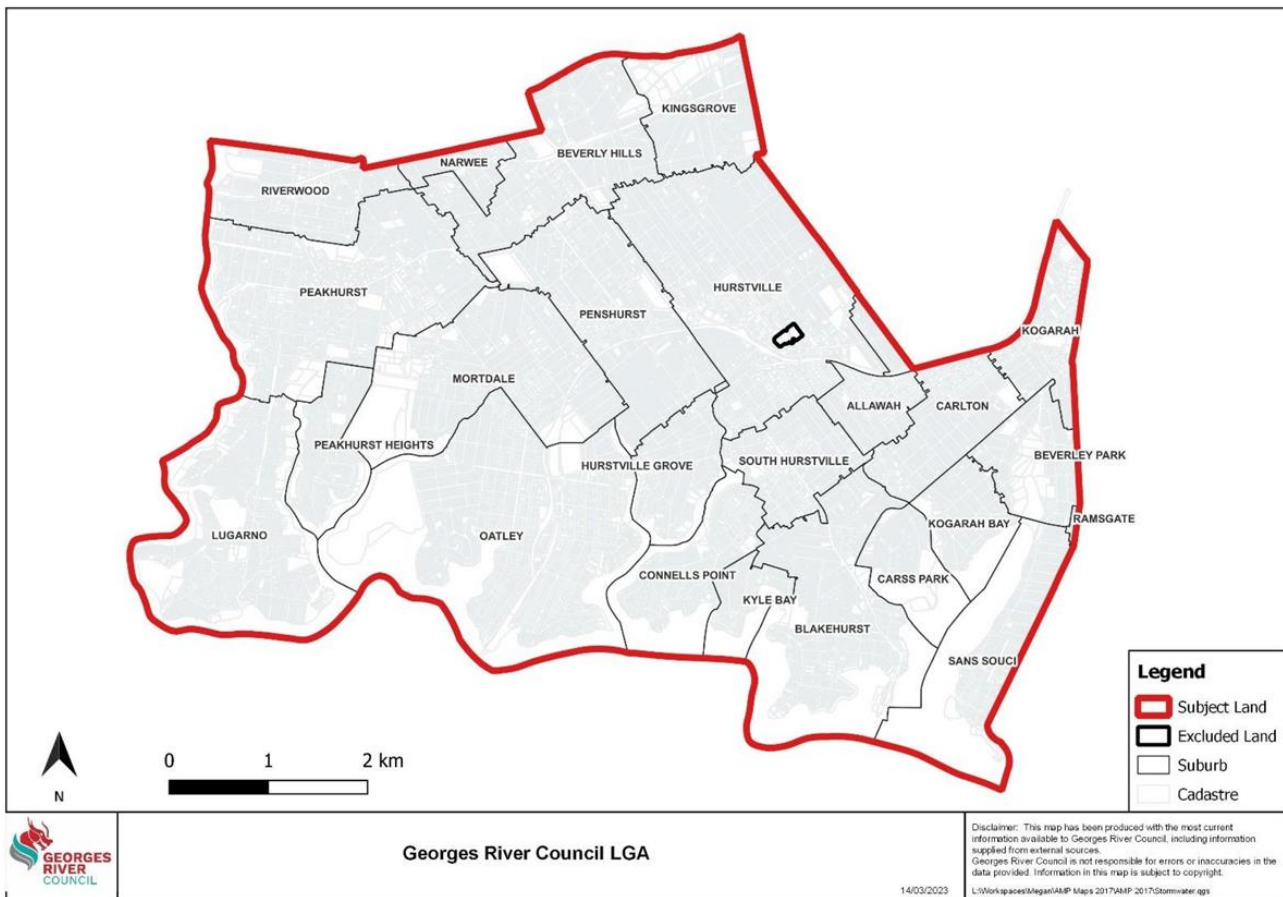
The planning proposal seeks to make a number of housekeeping amendments which relate to the entire Georges River Local Government Area (LGA).

### 1.1.2 Site description

The planning proposal applies to all land within the Georges River LGA (refer to Figure 1). The Georges River LGA is located approximately 13km south-west of the Sydney CBD. A summary of the site description is provided in the below table.

**Table 1 Site description**

Site Description	The planning proposal ( <b>Attachment A</b> ) applies to all land within the Georges River LGA.
Type	Area
Council	Georges River Council
LGA	Georges River



**Figure 1 Subject area of the planning proposal outlined in red (Planning Proposal, 2023)**

### 1.1.3 Purpose of plan

The planning proposal seeks to amend the Georges River Local Environmental Plan 2021 (GRLEP 2021) to respond to a range of administrative and housekeeping issues to the instrument and accompanying mapping which have arisen since its commencement in October 2021.

### 1.1.4 State electorate and local member

The site falls within the Kogarah, Oatley and Rockdale state electorates. Chris Minns MP is the State Member for Kogarah, Mark Coure MP is the State Member for Oatley, and Stephen Kamper MP is the State Member for Rockdale.

The site falls within the Banks, Barton and Cook federal electorates. David Coleman MP is the Federal Member for Banks, Linda Burney MP is the Federal Member for Barton, and Simon Kennedy MP is the Federal Member for Cook.

To the team's knowledge, none of the above MPs have made any written representations regarding the proposal. There are no donations or gifts to disclose, and a political donation disclosure is not required. There have been no meetings or communications with registered lobbyists with respect to this proposal.

## 2 Gateway determination and alterations

The Gateway determination issued on 25/10/2023 (**Attachment B**) determined that the proposal should proceed subject to conditions. Council has met all the Gateway determination conditions.

The Gateway determination was altered (**Attachment D**) on 1/02/2024 to:

- amend the timeframe for the LEP to be completed.

The Gateway determination (as altered) required the proposal to be finalised by 25/07/2024.

## 3 Public exhibition and post-exhibition changes

In accordance with the Gateway determination, the proposal was publicly exhibited by Council from 6/12/2023 to 26/01/2024, as required by the *Environmental Planning and Assessment Act 1979*.

No public meeting was held following public exhibition.

### Submissions during exhibition

#### 3.1.1 Submissions objecting to and/or raising issues about the proposal

There was one community submission received from an individual. A copy of the submission is provided at **Attachment E**.

The submission was neutral and provided commentary on the planning proposal. Comments in the submission include:

- recognises that one of the amendments relates to an additional permitted use of residential flat buildings in certain zones
- raises concern that previous LEP amendments, relating to land acquisition and relevant road widening, have reduced the size of the individual's property and therefore subsequent ability to develop in accordance with the new additional permitted use (APU)
- notes that given the previous LEP amendment in relation to the reference road widening has been finalised, that Council consider increasing the maximum height of building and maximum floor space ratio to enable the property owner to develop the site to its potential.

It is considered that the submission is not relevant to the scope of the planning proposal and proposed housekeeping amendments. Any request for site specific increases to height and floor space ratio should be pursued through a separate planning proposal.

Council has adequately addressed submissions in the post exhibition report.

### Advice from agencies

In accordance with the Gateway determination, Council was required to consult with agencies listed below in Table 2 who have provided the following feedback.

**Table 2 Advice from public authorities**

Agency	Advice provided	Council response
Transport for NSW (TfNSW)	<ul style="list-style-type: none"> <li>Confirmed that it has acquired Lots 8-10 DP1268938, King Georges Road, Penshurst for road widening purposes and these are currently owned by TfNSW.</li> <li>Noted that the existing SP2 Infrastructure (Classified Road) zoning is proposed to be retained.</li> <li>TfNSW therefore has no objections to the proposed removal of the GRLEP 2021 Land Reservation Acquisition (LRA) map as it applies to these land parcels.</li> </ul>	The comments from TfNSW are acknowledged.
Heritage NSW	<ul style="list-style-type: none"> <li>Heritage NSW encourages amendments to environmental planning instruments which provide for greater heritage protection, provided that all necessary due diligence, assessments and notifications have been undertaken.</li> <li>Prior to finalisation of the PP, Council should be satisfied that this is the case</li> </ul>	<p>The comments from Heritage NSW are acknowledged.</p> <p>Council notified all affected owners however no submissions were received from any affected heritage owners. Council is satisfied that all necessary due diligence, assessments and notifications have been undertaken.</p>
Georges River Council – Property Team	<ul style="list-style-type: none"> <li>Council consulted with this stakeholder in accordance with the Gateway determination. No formal response was provided by Council's Property Team.</li> </ul>	No response required.

Council has adequately addressed submissions in the post exhibition report (**Attachment F**).

## Post-exhibition changes

On 11 March 2024, Council's Environment and Planning (E&P) Committee resolved to proceed with the planning proposal with no post-exhibition changes (**Attachment G**).

Council confirmed on 3 June 2024 that proposed subclause 6.13(5c) was included in the planning proposal due to an administrative error and requested the planning proposal proceed with the following post-exhibition change:

- Remove proposed amendment to Clause 6.13 Development in Zones E1 and MU1, being proposed clause (5C):  
*Development consent must not be granted for the erection of a building on land identified as "Area 7" on the Floor Space Ratio Map unless the consent authority is satisfied that the ground floor area is used for purposes other than residential accommodation.*

The Department has reviewed the post exhibition change and considers it to be justified as this aligns with the removal of proposed changes to the minimum non-residential FSR in the E2 Commercial Centre zone, required as a condition of the Gateway Determination.

The final draft Instrument contains minor text and mapping alterations that are the result of the legal drafting process. A summary of the post exhibition proposal, including those alterations made as part of final drafting, is provided in the table below.

Any changes made during the drafting process generally reflect the intent of the exhibited planning proposal.

**Table 3 Instrument Only Amendments (excluding Part 5 Environmental heritage)**

Clause 4.4A Exceptions to floor space ratio — certain residential accommodation									
Proposed Amendment	<p>Amend Clause 4.4A(2) and 4.4A(4) to simplify the formula for calculating the maximum floor space ratio.</p> <table> <tr> <th>Site area</th><th>Maximum floor space ratio</th></tr> <tr> <td>not more than 650 square metres</td><td><del><math>\frac{[\text{site area} \times 0.55]}{\text{site area}}</math></del> 0.55:1</td></tr> </table> <p>(2) The maximum floor space ratio for a dwelling house on land identified as “Area 1” on the Floor Space Ratio Map must not exceed the maximum floor space ratio specified in the table to this subclause.</p> <table> <tr> <th>Site area</th><th>Maximum floor space ratio</th></tr> <tr> <td>not more than 1,000 square metres</td><td><del><math>\frac{[\text{site area} \times 0.6]}{\text{site area}}</math></del> 0.6:1</td></tr> </table> <p>(4) The maximum floor space ratio for a dual occupancy must not exceed the maximum floor space ratio specified in the table to this subclause.</p> <p>NB: The change results in <u>no</u> additional FSR.</p>	Site area	Maximum floor space ratio	not more than 650 square metres	<del><math>\frac{[\text{site area} \times 0.55]}{\text{site area}}</math></del> 0.55:1	Site area	Maximum floor space ratio	not more than 1,000 square metres	<del><math>\frac{[\text{site area} \times 0.6]}{\text{site area}}</math></del> 0.6:1
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Clause 5.22 Special flood considerations									
Proposed Amendment	<p>Insert new clause as below.</p> <p><b>5.22 Special flood considerations</b></p> <p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> <li>(a) to enable the safe occupation and evacuation of people subject to flooding,</li> <li>(b) to ensure development on land is compatible with the land’s flood behaviour in the event of a flood,</li> <li>(c) to avoid adverse or cumulative impacts on flood behaviour,</li> <li>(d) to protect the operational capacity of emergency response facilities and critical infrastructure during flood events,</li> <li>(e) to avoid adverse effects of hazardous development on the environment during flood events.</li> </ul> <p>(2) This clause applies to—</p>								



- (a) for sensitive and hazardous development—land between the flood planning area and the probable maximum flood, and
- (b) for development that is not sensitive and hazardous development—land the consent authority considers to be land that, in the event of a flood, may—
  - (i) cause a particular risk to life, and
  - (ii) require the evacuation of people or other safety considerations
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered whether the development—
  - (a) will affect the safe occupation and efficient evacuation of people in the event of a flood, and
  - (b) incorporates appropriate measures to manage risk to life in the event of a flood, and
  - (c) will adversely affect the environment in the event of a flood.
- (4) A word or expression used in this clause has the same meaning as it has in the Considering Flooding in Land Use Planning Guideline unless it is otherwise defined in this clause.

(5) In this clause—

*Considering Flooding in Land Use Planning Guideline*—see clause 5.21(5).

*flood planning area*—see clause 5.21(5).

*Flood Risk Management Manual*—see clause 5.21(5).

*probable maximum flood* has the same meaning as in the Flood Risk Management Manual.

*sensitive and hazardous development means development for the following purposes—*

- (a) boarding houses,
- (b) caravan parks,
- (c) correctional centres,
- (d) early education and care facilities,
- (e) eco-tourist facilities,
- (f) educational establishments,
- (g) emergency services facilities,
- (h) group homes,
- (i) hazardous industries,
- (j) hazardous storage establishments,
- (k) hospitals,
- (l) hostels,
- (m) information and education facilities,
- (n) respite day care centres,
- (o) seniors housing,
- (p) sewerage systems,
- (q) tourist and visitor accommodation,
- (r) water supply systems.

### Clause 6.3 Stormwater Management

Proposed  
Amendment

Amend Clause 6.3 to align with Council's *Stormwater Management Policy*.

- (2) In deciding whether to grant development consent for development, the consent authority must be satisfied that the development—

...

- (b) includes, ~~if practicable~~ if required by the **Georges River Stormwater Management Policy**, on-site stormwater detention or retention to minimise stormwater runoff volumes and reduce the

development's reliance on mains water, groundwater or river water, and...

(3) **In this clause—**

**Georges River Stormwater Management Policy** means the Georges River Stormwater Management Policy published by the Council on 18 December 2023.

### Clause 6.11 Environmental Sustainability

Proposed  
Amendment

Amend Clause 6.11 by deleting the application of the clause to development that involves a change of use of an existing building.

#### **Clause 6.11 Environmental sustainability**

- (1) The objective of this clause is to ensure that development to which this clause applies is consistent with principles of best practice environmentally sensitive design.
- (2) This clause applies to development—
  - (a) on land in the following zones—
    - (i) Zone R4 High Density Residential,
    - (ii) Zone E1 Local Centre,
    - (iii) Zone E2 Commercial Centre,
    - (iv) Zone E4 General Industrial,
    - (v) Zone MU1 Mixed Use.
    - (vi) (vii) (Repealed)
  - (b) that involves—
    - (i) the erection of a new building, or
    - ~~(ii) the change of use of an existing building, or~~
    - ~~(iii)~~ alterations or additions to an existing building that, in the opinion of the consent authority, are significant.
- (3) Development consent must not be granted to development on land to which this clause applies if the building is 1,500 square metres in gross floor area or greater unless adequate consideration has been given to the following in the design of the building—
  - (a) water demand reduction, including water efficiency, water recycling and minimisation of potable water usage,
  - (b) energy demand reduction, including energy generation, use of renewable energy and reduced reliance on mains power,
  - (c) indoor environmental quality, including daylight provision, glare control, cross ventilation and thermal comfort,
  - (d) the minimisation of surfaces that absorb and retain heat and the use of surfaces that reflect heat where possible,
  - (e) a reduction in new materials consumption and use of sustainable materials, including recycled content in concrete, sustainable timber and PVC minimisation,
  - (f) transport initiatives to reduce car dependence such as providing cycle facilities, car share and small vehicle parking spaces.

### Clause 6.12 Landscaped areas in certain residential and conservation zones

Proposed  
Amendment

Amend Clause 6.12 by:

- Adding a new sub-clause outlining that the clause only applies to the erection of a new building or additions or external alterations where there is an increase in the footprint of the building to prevent unnecessary restrictions on minor applications.
- Inserting wording to enable trees to be removed, where warranted, as part of a DA, as the current wording does not allow this.
- Inserting wording to allow natural rock formations to be considered as part of the landscaped area where these are naturally occurring on sites.
- Adding semi-detached dwellings as a development type requiring a minimum landscaped area.
- Inserting a clause that clarifies that the provisions do not apply to strata or community title subdivisions.

### Clause 6.12 Landscaped area

(1) The objectives of this clause are as follows—

- (a) to ensure adequate opportunities exist for the retention or provision of vegetation that contributes to biodiversity and enhances the tree canopy of the Georges River local government area,
- (b) to minimise urban run-off by maximising permeable areas on the sites of development,
- (c) to ensure that the visual impact of development is minimised by sufficient and appropriately located landscaping that complements the scale of buildings,
- (d) to ensure that the use of surfaces that absorb and retain heat are minimised.

~~(2) This clause applies to land in the following zones—~~

- ~~(a) Zone R2 Low Density Residential,~~
- ~~(b) Zone R3 Medium Density Residential,~~
- ~~(c) Zone R4 High Density Residential,~~
- ~~(d) Zone C2 Environmental Conservation.~~

(2) This clause applies to development involving the erection of a new building, or external alterations or additions to an existing building, resulting in an increased building footprint on land in the following zones—

- (a) Zone R2 Low Density Residential,
- (b) Zone R3 Medium Density Residential,
- (c) Zone R4 High Density Residential,
- (d) Zone E2 Environmental Conservation.

(3) Despite subclause (2), this clause does not apply to development referred to in *State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development*, clause 4.

(4) Development consent must not be granted to development on land to which the clause applies unless the consent authority is satisfied that the development—

- (a) allows for the establishment of appropriate plantings—
  - (i) that are of a scale and density commensurate with the height, bulk and scale of the buildings to which the development relates, and
  - (ii) that will maintain and enhance the streetscape and the desired future character of the locality, and
- (b) maintains privacy between dwellings, and
- ~~(c) does not adversely impact the health, condition and structure of existing trees, tree canopies and tree root systems on the land or adjacent land, and~~
- (c) does not adversely impact the health, condition or structure of existing trees, tree canopies or tree root systems that are to be retained as part of the development on the land or adjacent land, and
- (d) enables the establishment of indigenous vegetation and habitat for native fauna, and
- (e) integrates with the existing vegetation to protect existing trees and natural landscape features such as rock outcrops, remnant bushland, habitats and natural watercourses.

(5) Development consent must not be granted to development on land to which this clause applies unless ~~a percentage of the site area consists of landscaped areas that is at least~~ at least the following percentages of the site area consists of landscaped areas or natural rock outcrops—

- (a) for a dwelling house located on land outside the Foreshore Scenic Protection Area—20% of the site area, or
- (b) for a dwelling house located on land within the Foreshore Scenic Protection Area—25% of the site area, or
- (c) for a dual occupancy ~~or semi-detached dwelling~~ located on land outside the Foreshore Scenic Protection Area—25% of the site area, or

- (d) for a dual occupancy **or semi-detached dwelling** located on land within the Foreshore Scenic Protection Area—30% of the site area, or
- (e) for development in Zone R3 Medium Density Residential—20% of the site area, or
- (f) for development in Zone R4 High Density Residential—10% of the site area, or
- (g) for development in Zone E2 Environmental Conservation—70% of the site area.
- (6) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle and any right of carriageway is not to be included in calculating the site area for the purposes of subclause (5).

(6a) This clause does not apply to a subdivision of land under the Community Land Development Act 2021 or the Strata Schemes Development Act 2015.

(7) In this clause—

***footprint** has the same meaning as in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, Part 9.*

***Foreshore Scenic Protection Area** means land shown on the [Foreshore Scenic Protection Area Map](#)*

**Table 4 Instrument Only Amendments – Schedule 5 Environmental Heritage**

Schedule 5 Environmental heritage – Item I3 ‘House and garden, “McWilliam House”’	
Proposed Amendment	Update the address for Item I3 to include 186 Princes Highway to align with the mapped data.
Proposed Schedule 5	<b>Item No:</b> I3 <b>Item:</b> House and garden, “McWilliam House” <b>Address:</b> <del>186</del> –188 Princes Highway <b>Suburb:</b> Beverley Park <b>Property Description:</b> Lots 5 and 6, DP 17522 <b>Significance:</b> Local
Schedule 5 Environmental heritage – Item I6 ‘Beverly Hills Railway Station Group’	
Proposed Amendment	Update the property description (Lot and DP) for Item I6 to include ‘Part of’ in the property description to align with the mapped data.
Proposed Schedule 5	<b>Item No:</b> I6 <b>Item:</b> Beverly Hills Railway Station Group <b>Address:</b> East Hills rail line <b>Suburb:</b> Beverly Hills <b>Property Description:</b> <b>Part of</b> Lot 10, DP 1211599 <b>Significance:</b> State
Schedule 5 Environmental heritage – Item I42 ‘Carlton Railway Station’	
Proposed Amendment	Update the property description (Lot and DP) for Item I42 to include ‘Part of’ in the property description to align with the mapped data.
Proposed Schedule 5	<b>Item No:</b> I42 <b>Item:</b> Carlton Railway Station <b>Address:</b> Railway Parade <b>Suburb:</b> Carlton <b>Property Description:</b> <b>Part of</b> Lot 1, DP 1138068 <b>Significance:</b> Local

**Schedule 5 Environmental heritage – Item I63 ‘Federation house “Dungog” and setting’**

Proposed Amendment	Update the property description (Lot and DP) for Item I63 to reflect the current Lot and DP.
Proposed Schedule 5	<b>Item No:</b> I63 <b>Item:</b> Federation house “Dungog” and setting <b>Address:</b> 4 Clevedon Road <b>Suburb:</b> Hurstville <b>Property Description:</b> <del>Lot 33 DP 1866</del> Lot 330, DP 1265294 <b>Significance:</b> Local

**Schedule 5 Environmental heritage – Item I66 ‘Hurstville Oval and Velodrome’**

Proposed Amendment	Update the property address for Item I66 to add 30D Dora Street to align with the mapped data. The Heritage Inventory Sheet will also be updated.
Proposed Schedule 5	<b>Item No:</b> I66 <b>Item:</b> Hurstville Oval and Velodrome <b>Address:</b> 30 <del>and 30D</del> Dora Street <b>Suburb:</b> Hurstville <b>Property Description:</b> Lot 1, DP 919317; Lot 53, DP 9355 <b>Significance:</b> Local

**Schedule 5 Environmental heritage – Item I95 ‘Group of shops’**

Proposed Amendment	Update the property address for Item I95 to be ‘255–257; 263–273 Forest Road’ and exclude 259–261 Forest Road to align with the mapped data.
Proposed Schedule 5	<b>Item No:</b> I95 <b>Item:</b> Group of shops <b>Address:</b> 255– <del>257; 263</del> –273 Forest Road <b>Suburb:</b> Hurstville <b>Property Description:</b> Lots 7 and 8, DP 10296; Lots C–G, DP 304794; Lot 1, DP 611044 <b>Significance:</b> Local

**Schedule 5 Environmental heritage – Item I116 ‘Friendly Societies’ Dispensary Building’**

Proposed Amendment	Update the property description (strata plan number) for Item I116 to delete SP 72896.
Proposed Schedule 5	<b>Item No:</b> I116 <b>Item:</b> Friendly Societies’ Dispensary Building <b>Address:</b> 17 MacMahon Street <b>Suburb:</b> Hurstville <b>Property Description:</b> SP 58631; <del>SP 67836; SP 67837; SP 72896; SP 74721; SP 79405.</del> <b>Significance:</b> Local

**Schedule 5 Environmental heritage – Item I164 ‘House and garden’**

Proposed Amendment	Update the property address for Item I164 to delete 5 Chapel Street to align with the mapped data.
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Proposed Schedule 5	<b>Item No:</b> I164 <b>Item:</b> House and garden <b>Address:</b> 3–5 Chapel Street <b>Suburb:</b> Kogarah <b>Property Description:</b> Lot 19, DP 84876 <b>Significance:</b> Local
<b>Schedule 5 Environmental heritage – Item I179 ‘Terraces, “Leah Buildings”’</b>	
Proposed Amendment	Update the property description to delete reference to superseded Lots A, B and C, DP 443736 and replace with consolidated land title, Lot 100, DP 1273679.
Proposed Schedule 5	<b>Item No:</b> I179 <b>Item:</b> Terraces, “Leah Buildings” <b>Address:</b> 24 and 22–28 Montgomery Street <b>Suburb:</b> Kogarah <b>Property Description:</b> <del>Lots A–C, DP 443736</del> ; Lot 100 DP 1273679; Lot 1 DP 917849 <b>Significance:</b> Local
<b>Schedule 5 Environmental heritage – Item I196 ‘HV Evatt Memorial Reserve’</b>	
Proposed Amendment	Update the property description (Lot and DP) for Item I196 to insert ‘Part of’ in the property description to align with the mapped data.
Proposed Schedule 5	<b>Item No:</b> I196 <b>Item:</b> HV Evatt Memorial Reserve <b>Address:</b> 71 Railway Lands <b>Suburb:</b> Kogarah <b>Property Description:</b> Part of Lot 2, DP 871296 <b>Significance:</b> Local
<b>Schedule 5 Environmental heritage – Item I205 ‘House and garden, “Hindmarsh”’</b>	
Proposed Amendment	Update the property description (Lot and DP) for Item I205 to delete reference to Lot 81, Section B, DP 1397 and replace with Part of Lot 3, DP 1265877. The Heritage Inventory Sheet will also be updated.
Proposed Schedule 5	<b>Item No:</b> I205 <b>Item:</b> House and garden, “Hindmarsh” <b>Address:</b> 2 Victoria Street <b>Suburb:</b> Kogarah <b>Property Description:</b> <del>Lot 81, Section B, DP 1397</del> Part of Lot 3, DP 1265877 <b>Significance:</b> Local
<b>Schedule 5 Environmental heritage – Item I210 ‘Kyle Bay Bowling Club’</b>	
Proposed Amendment	Update the property address for Item I210 to delete the letter ‘A’ so that the correct address reads as 12 Merriman Street to align with the mapped data. The Heritage Inventory Sheet will also be updated.

<b>Proposed Schedule 5</b>	<b>Item No:</b> I210 <b>Item:</b> Kyle Bay Bowling Club <b>Address:</b> 12A Merriman Street <b>Suburb:</b> Kyle Bay <b>Property Description:</b> Lot 10, DP 21299; Lot 12, DP 650783; Lots 9–11 and 40, Section 1, DP 7641; Lot 7316, DP 1154446 <b>Significance:</b> Local
<b>Schedule 5 Environmental heritage – Item I236 ‘Oatley Railway Station Group’</b>	
Proposed Amendment	Update the property description (Lot and DP) for Item I236 to insert ‘Part of’ to align with the mapped data.
<b>Proposed Schedule 5</b>	<b>Item No:</b> I236 <b>Item:</b> Oatley Railway Station Group <b>Address:</b> Illawarra rail line <b>Suburb:</b> Oatley <b>Property Description:</b> Lots 5 and 11 DP 803349; <b>Part of</b> Lot 14, DP 839742 <b>Significance:</b> State
<b>Schedule 5 Environmental heritage – Item I241 ‘George Fincham Pipe Organ’</b>	
Proposed Amendment	Update the property description (Lot and DP) for Item I241 to insert ‘Part of’ to align with the mapped data.
Proposed Schedule 5	<b>Item No:</b> I241 <b>Item:</b> George Fincham Pipe Organ <b>Address:</b> 1 Myall Street <b>Suburb:</b> Oatley <b>Property Description:</b> <b>Part of</b> Lot 123, DP 801645 <b>Significance:</b> Local
<b>Schedule 5 Environmental heritage – Item I261 ‘Salt Pan Creek sewage aqueduct’</b>	
Proposed Amendment	Update the property description (Lot and DP) for Item I261 to add ‘Part of Lot 7320, DP 1166325’ to align with the mapped data. Update the address to “Behind 11A Elwin Street” rather than “Behind 9 Elwin Street”.
Proposed Schedule 5	<b>Item No:</b> I261 <b>Item:</b> Salt Pan Creek sewage aqueduct <b>Address:</b> Behind <b>11A 9</b> Elwin Street <b>Suburb:</b> Peakhurst <b>Property Description:</b> <b>Part of Lot 7320, DP 1166325</b> <b>Significance:</b> Local
<b>Schedule 5 Environmental heritage – Item I266 ‘Fig tree in Pickering Park’</b>	
Proposed Amendment	Update the property description (Lot and DP) for Item I266 to add ‘Part of’ to align with the mapped data.
Proposed Schedule 5	<b>Item No:</b> I266 <b>Item:</b> Fig tree in Pickering Park <b>Address:</b> 16A Isaac Street <b>Suburb:</b> Peakhurst Heights <b>Property Description:</b> <b>Part of</b> Lot A, DP 36202 <b>Significance:</b> Local

Schedule 5 Environmental heritage – Item I267 ‘Fig tree in Lambert Reserve’	
Proposed Amendment	Update the property description (Lot and DP) for Item I267 to add ‘Part of’ to align with the mapped data.
Proposed Schedule 5	<b>Item No:</b> I267 <b>Item:</b> Fig tree in Lambert Reserve <b>Address:</b> 13D Whitegates Avenue <b>Suburb:</b> Peakhurst Heights <b>Property Description:</b> Part of Lot 37, DP 209573 <b>Significance:</b> Local
Schedule 5 Environmental heritage – Item I278 ‘Penshurst Railway Station Group’	
Proposed Amendment	Update the property description (Lot and DP) for Item I278 to add ‘Part of’ to align with the mapped data.
Proposed Schedule 5	<b>Item No:</b> I278 <b>Item:</b> Penshurst Railway Station Group <b>Address:</b> Illawarra rail line—corner of Laycock Road (South) and Bridge Street <b>Suburb:</b> Penshurst <b>Property Description:</b> Part of Lot 1, DP 1154260 <b>Significance:</b> Local
Schedule 5 Environmental heritage – Item I303 ‘Sans Souci Park, public baths and bathers pavilion’	
Proposed Amendment	Update Item No. I303 name to reflect the significant components of the site. The Heritage Inventory Sheet will also be updated.
Proposed Schedule 5	<b>Item No:</b> I303 <b>Item:</b> <del>Sans Souci Park, public baths and bathers pavilion</del> Sans Souci Park including public baths, Moreton Bay fig tree (adjacent to Water Street) and sandstone wall) <b>Address:</b> 521 Rocky Point Road and 10 Water Street <b>Locality:</b> Sans Souci <b>Property Description:</b> Lot 7046, DP 93515; Lot 519, DP 752056 <b>Significance:</b> Local

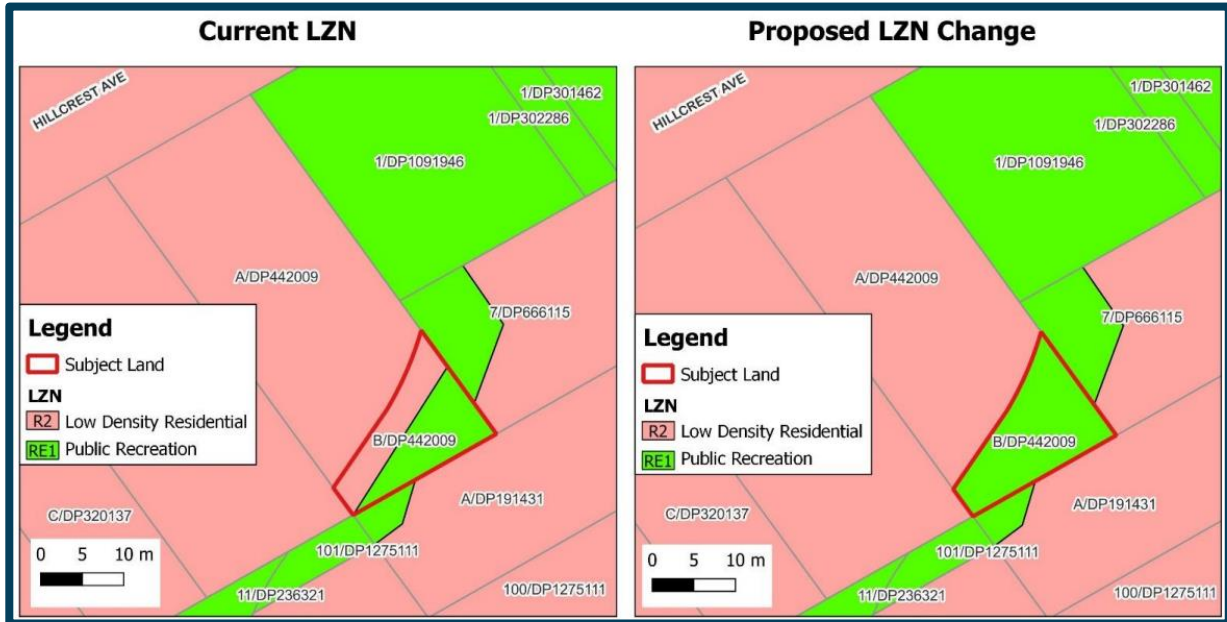
Table 5 Map only amendments

Land Zoning Map – Part of Denman Street Reserve, Part Lot B DP 442009, 54 Hillcrest Avenue, Hurstville
--



**Summary:** The subject land is owned by Council and is part of Denman Street Reserve. It is zoned part R2 Low Density Residential and part RE1 Public Recreation. The part zoned R2 Low Density Residential is proposed to be rezoned RE1 Public Recreation consistent with the current public reserve use.

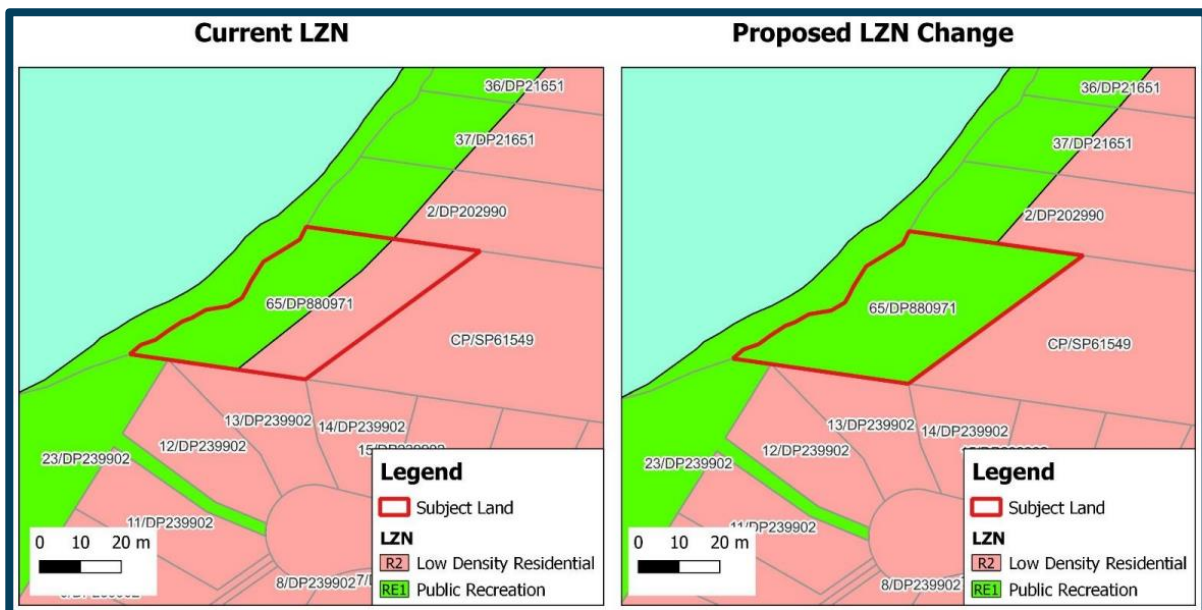
**Proposed Amendment:** Amend the Land Zoning map to rezone 54 Hillcrest Avenue, Hurstville entirely RE1 Public Recreation.



#### Land Zoning Map – Part of Salt Pan Creek Reserve, Lot 65 DP 880971, 964A Forest Road, Lugarno

**Summary:** The subject land was dedicated to Council as open space in 1998 by the creation of DP 880971, however the RE1 Public Recreation zoning only covers half the lot. The part of the lot zoned R2 Low Density Residential is proposed to be rezoned to RE1 Public Recreation in accordance with the original intention of the dedication of land for public purposes.

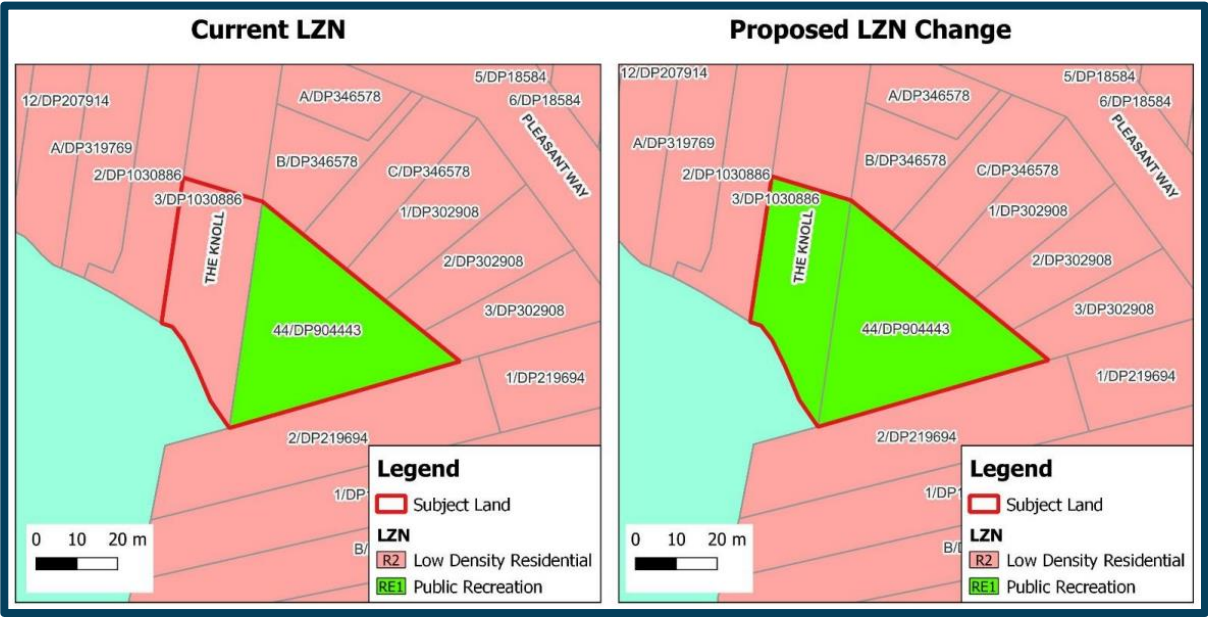
**Proposed Amendment:** Amend the Land Zoning map for 964A Forest Road, Lugarno from part R2 Low Density Residential and part RE1 Public Recreation to entirely RE1 Public Recreation.



Land Zoning Map – Part of The Knoll Reserve, The Knoll, Lugarno

**Summary:** The subject land was dedicated to Council as open space in 1998 by the creation of DP 880971, however the RE1 Public Recreation zoning only covers half the lot. The part R2 Low Density Residential zoning is proposed to be rezoned to RE1 Public Recreation in accordance with the original intention of the dedication of land for public purposes.

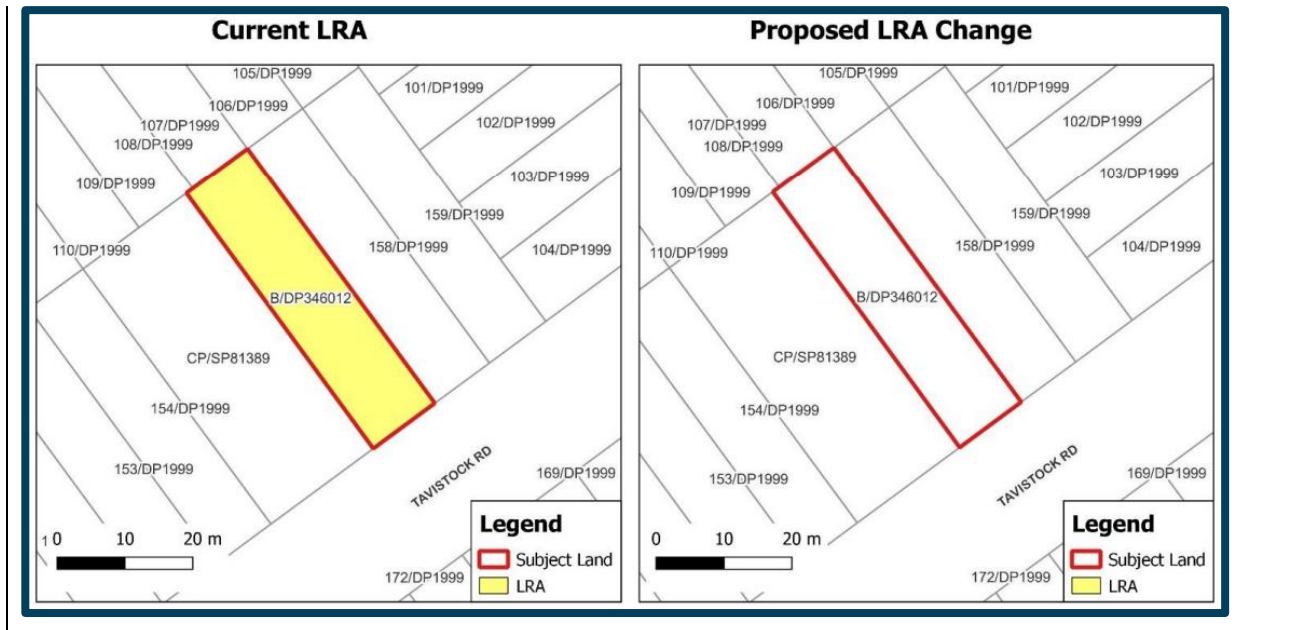
**Proposed Amendment:** Amend the Land Zoning map to rezone Part of The Knoll Reserve, The Knoll, Lugarno from R2 Low Density Residential to RE1 Public Recreation.



Land Reservation Acquisition (LRA) Map – Lot B DP 346012, 11 Tavistock Road, South Hurstville

**Summary:** The Land Reservation Acquisition (LRA) mapping layer currently applies to the subject site, however is no longer required as the land has been acquired by Council as the relevant acquisition authority. The RE1 Public Recreation zoning is retained.

**Proposed Amendment:** Amend the LRA map to remove the LRA layer from Lot B, DP 346012, 11 Tavistock Road, South Hurstville.

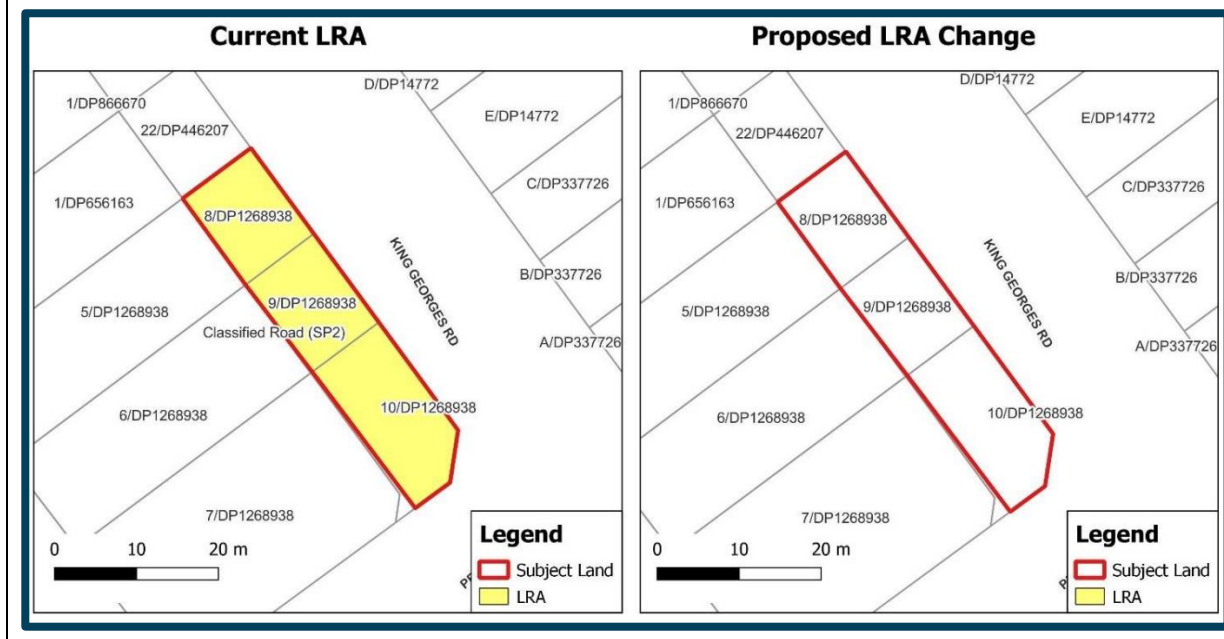


### Land Reservation Acquisition (LRA) Map – Lots 8-10 DP 1268938, 637-641 King Georges Road, Penshurst

**Summary:** The Land Reservation Acquisition (LRA) mapping layer currently applies to the subject sites, however the mapping is no longer required as the land has been acquired by Transport for NSW (TfNSW) as the relevant acquisition authority. The SP2 Infrastructure (Classified Road) zoning is retained.

**Proposed Amendment:** Amend the LRA map to remove the LRA layer from:

- Lot 8 DP 1268938, 637R King Georges Road, Penshurst;
- Lot 9 DP 1268938, 639R King Georges Road, Penshurst; and
- Lot 10 DP 1268938, 641R King Georges Road, Penshurst.

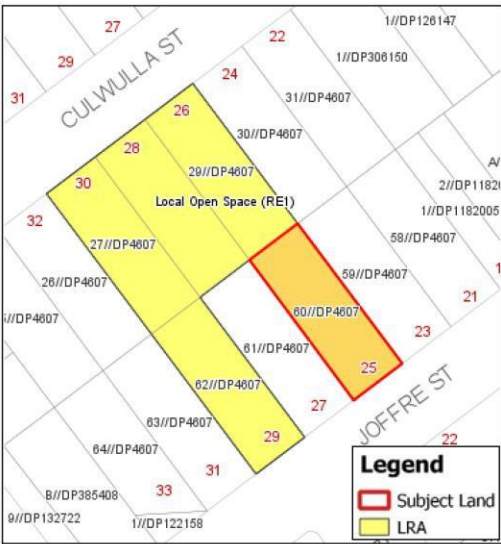


Land Reservation Acquisition (LRA) Map – Lot 60 DP 4607, 25 Joffre Street, South Hurstville

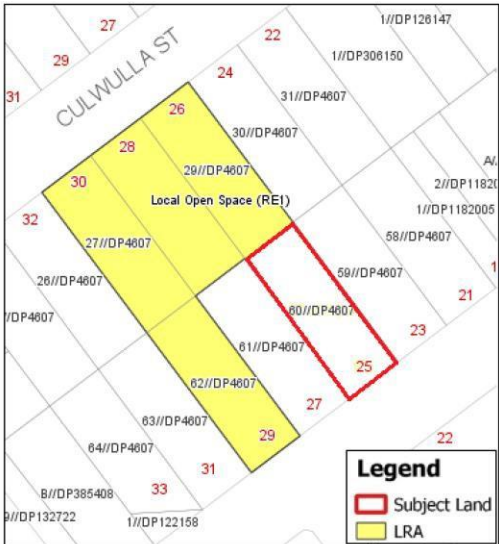
**Summary:** The Land Reservation Acquisition (LRA) mapping layer currently applies to the subject site, however the mapping is no longer required as the land has been acquired by Council as the relevant acquisition authority.

**Proposed amendment:** Amend the LRA map to remove the LRA layer from Lot 60 DP 4607, 25 Joffre Street, South Hurstville.

Current LRA



Proposed LRA Change



Land Reservation Acquisition (LRA) Map – Lot 1 DP 301901, 247 Princes Highway, Carlton

**Summary:** The Land Reservation Acquisition (LRA) mapping layer currently applies to the subject site, however the mapping is no longer required as the land has been acquired by Council as the relevant acquisition authority.

**Proposed amendment:** Amend the LRA map to remove the LRA layer from Lot 1 DP 301901, 247 Princes Highway, Carlton.

Current LRA

Proposed LRA Change



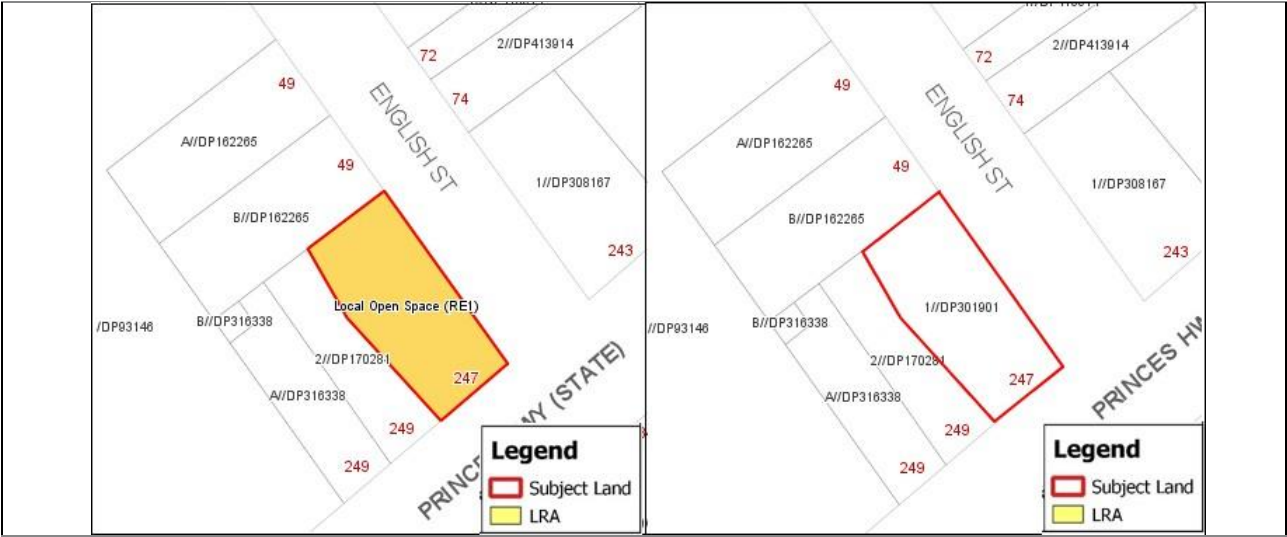


Table 6 Instrument and Map Amendments

Schedule 1 - Additional Permitted Use – Residential Flat Buildings, Roberts Lane frontage, Landmark Square site
---

**Proposed Amendment:** Amend *Clause 6.13 Development in certain business zones* and *Schedule 1 Additional permitted uses* to allow an additional permitted use for RFBs along the Roberts Lane frontage.

#### Clause 6.13 Development in Zones E1, **E2** and MU1

- (1) The objectives of this clause are as follows—
  - (a) to promote uses that attract pedestrian traffic along ground floor street frontages,
  - (b) to maintain existing, and encourage additional, non-residential uses along ground floor street frontages,
  - (c) to strengthen the viability of existing established centres,
  - (d) to maintain opportunities for business and retail development that is suited to high exposure locations.
- (2) This clause applies to ~~land in the following zones~~ land, other than land identified as “Area D” on the Additional Permitted Uses Map, in the following zones—
  - (a) Zone E1 Local Centre,
  - (a1) Zone E2 Commercial Centre**
  - (b) Zone MU1 Mixed Use,
  - (c), (d) (Repealed)

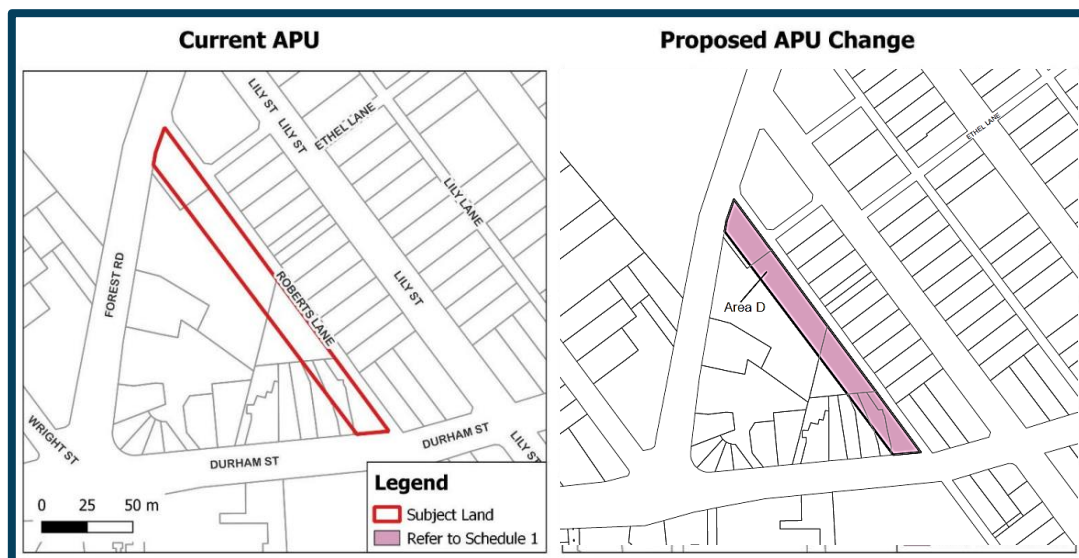
#### Schedule 1

Insert at the end of the schedule, with appropriate clause numbering—

##### Use of certain land for residential flat buildings

- (1) This clause applies to the following land identified as “Area D” on the Additional Permitted Uses Map—
  - (a) Part of Lot D, DP 391801, 108 Durham Street,
  - (b) Part of Lot C, DP 391801, 110 Durham Street,
  - (c) Part of Lot B, DP 391801, 112 Durham Street,
  - (d) Part of Lot A, DP 372835, 53 Forest Road,
  - (e) Part of Lot 1, DP 225302, 61–65 Forest Road,
  - (f) Part of Lot 1, DP 172819, 9 Roberts Lane
- (2) Development for the purposes of residential flat buildings is permitted with development consent.

#### Proposed Map Amendment:



## Schedule 1 Additional permitted uses – Use of certain land in Zone E1 Local Centre

### Proposed Map Amendment:

- Delete “Area A” on the Land Zoning Map; and
- Identify the area as “Area C” on the Additional Permitted Uses Map for certain lots within the E1 Local Centre Zone that were previously zoned B6 Enterprise Corridor.

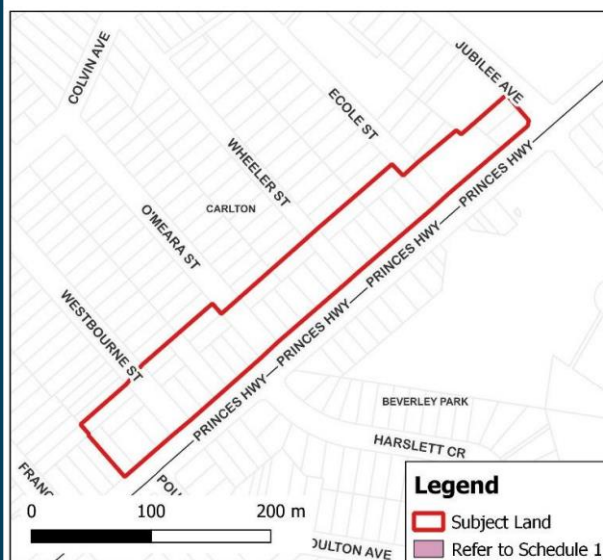
**Current LZN**



**Proposed LZN Change**



**Current APU**



**Proposed APU Change**



### Proposed Amendment: Amend Schedule 1 Use of certain land in Zone E1 by:

- 1) Deleting 'backpackers' accommodation' from the list of additional permissible uses;
- 2) Deleting the reference to the Land Zoning Map and replacing it with a reference to the Additional Permitted Uses Map; and

- 3) Replacing the reference to 'Area A' with 'Area C'.

#### 15 Use of certain land in Zone E1

- (1) This clause applies to land in Zone E1 that is identified as ~~“Area A” on the Land Zoning Map~~ Area C” on the Additional Permitted Uses Map.
- (2) Development for the following purposes is permitted with development consent—
- ~~(a) backpackers’ accommodation,~~
  - (b) storage premises,
  - (c) vehicle repair stations,
  - (d) warehouse or distribution centres,
  - (e) wholesale supplies.

### Schedule 1 – Land Reservation Acquisition (LRA), Additional Permitted Use (APU) and Land Use Zoning Maps – Lots 100 and 101 DP 1275111, 5 and 5R Denman Street, Hurstville

**Summary:** The Land Reservation Acquisition (LRA) layer currently applies to Lot 101, DP 1275111, 5R Denman Street (which is zoned RE1 Public Recreation), however is no longer required as the land has been acquired by Georges River Council as the relevant acquisition authority.

Following introduction of the new Employment Zones mapping, a minor misalignment of cadastral boundaries has also resulted in an area of unzoned land for Lot 100, DP 1275111, 5 Denman Street on the Land Zoning Map, which should be entirely zoned R2 Low Density Residential.

**Proposed Instrument Amendment:** Amend Schedule 1 Additional permitted uses to delete Lot 12, DP 236321 corresponding to 5 Denman Street, and replace it with the current Lot and DP, which is Lot 100, DP 1275111.

#### Schedule 1 Additional permitted uses

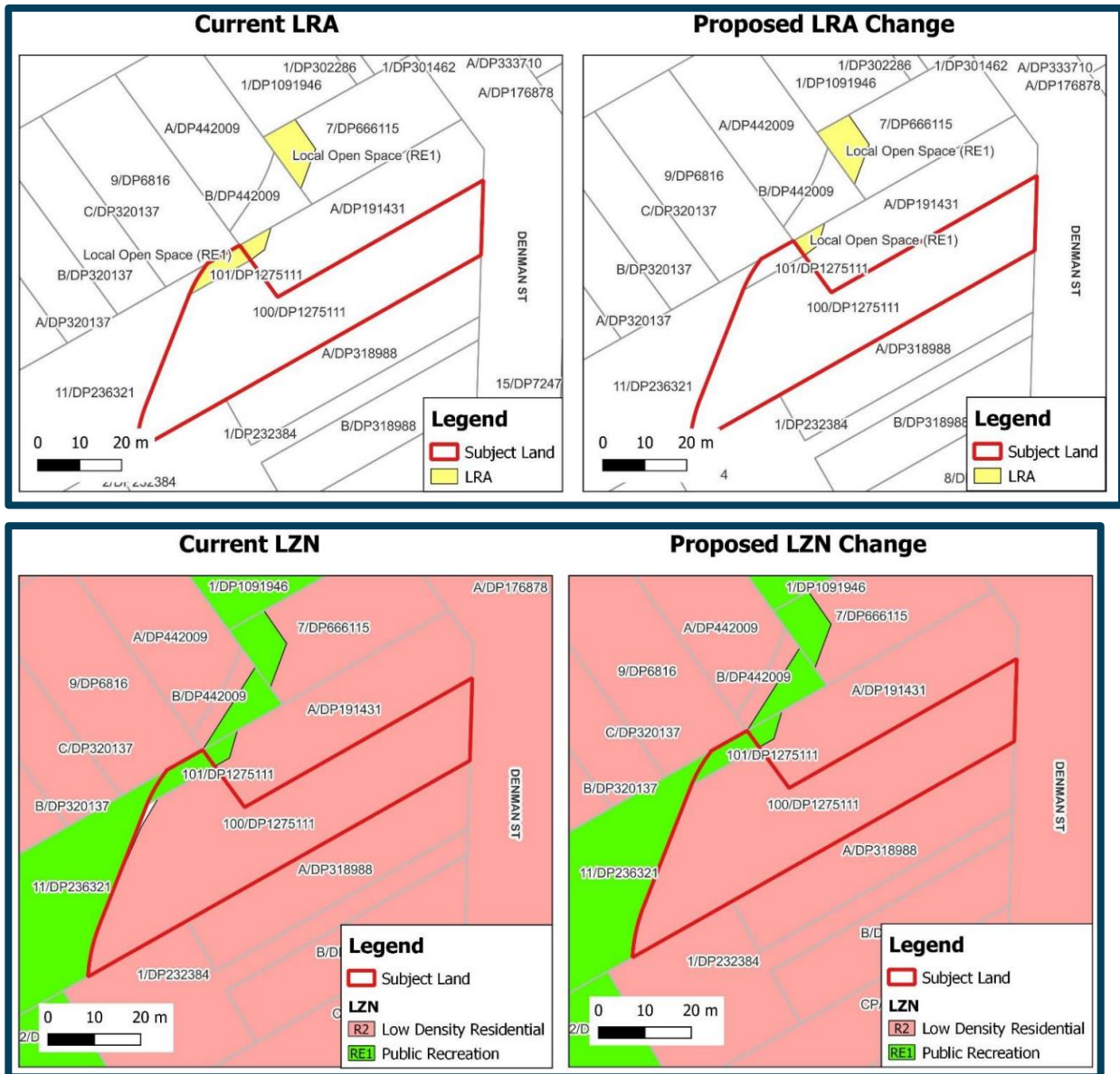
##### 10 Use of certain land for multi dwelling housing or dual occupancies (detached)

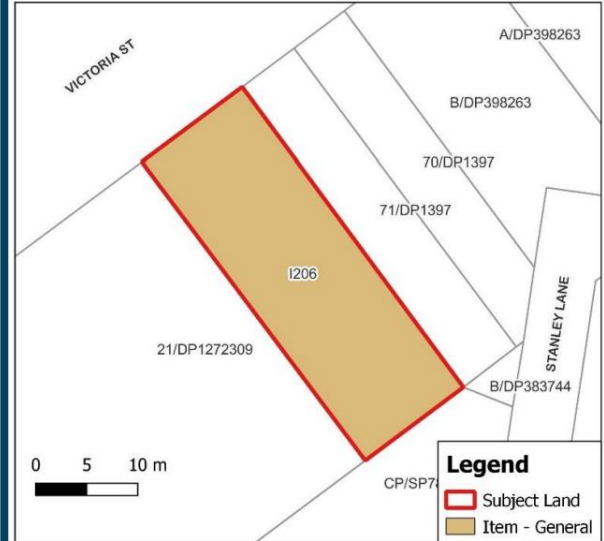
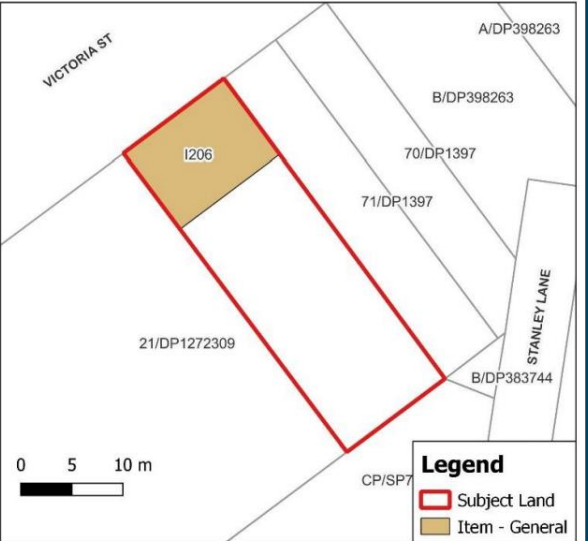
- (1) This clause applies to the following land—
- (a) 124 Princes Highway, Beverley Park, being Lot 1, DP 814106,
  - (b) 408 Princes Highway, Blakehurst, being Lot D, DP 362178,
  - (c) 17 Planthurst Road, Carlton, being Lot 143, DP 2022,
  - ~~(d) 5 Denman Street, Hurstville, being Lot 12, DP 236321~~ Lot 100, DP 1275111,
  - (e) 15 Greenbank Street, Hurstville, being Lot 16, DP 662877,
  - (f) 27 Hurstville Road, Hurstville, being Lot 31, DP 666112,
  - (g) 11 Hamer Street, Kogarah Bay, being Lot B, DP 340038,
  - (h) 40 Oatley Parade, Oatley, being Lot B, DP 363683,
  - (i) 44 Oatley Parade, Oatley, being Lot B, DP 381842,
  - (j) 54 Oatley Parade, Oatley, being Lot B, DP 382279,
  - (k) 9 Belmont Avenue, Penshurst, being Lot 7, DP 11194,
  - (l) 42 Dudley Street, Penshurst, being Lot 90, DP 5885,
  - (m) 721A and 721B King Georges Road, Penshurst, being Lot 32, DP 1010274 and Lot 12, DP 881035,
  - (n) 24 Penshurst Avenue, Penshurst, being Lot 2, DP 320644



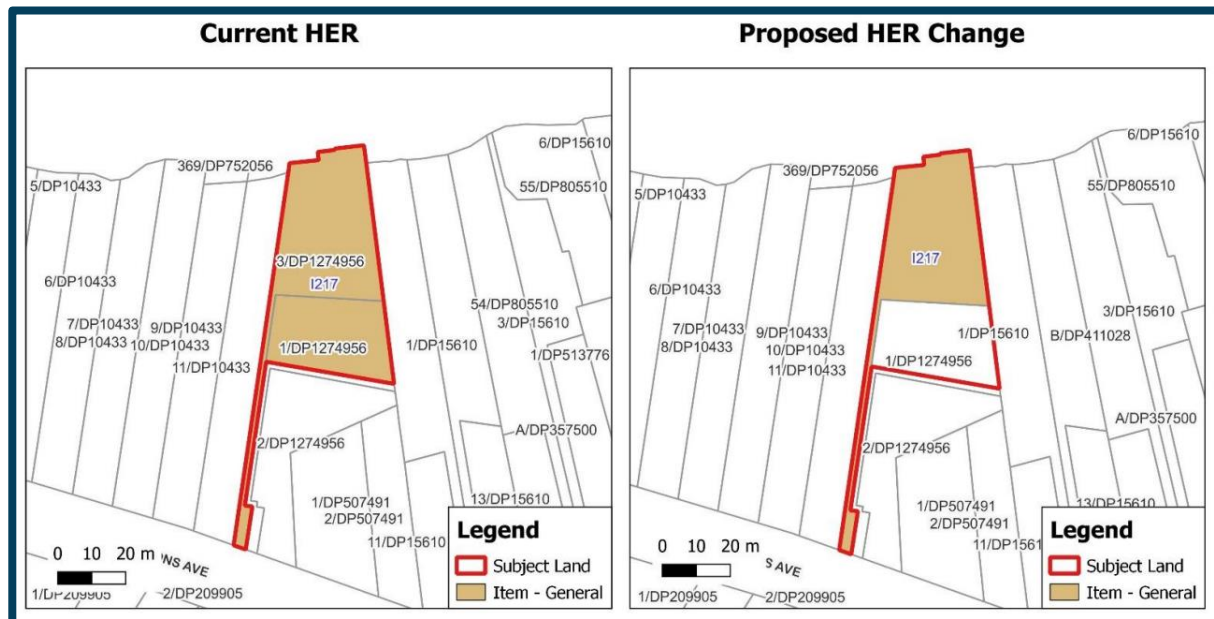
**Proposed Map Amendments:**

- Amend the Land Reservation Acquisition (LRA) map to remove the layer from Lot 101, DP 1275111, 5R Denman Street; and
- Amend the Land Zoning Map (LZN) so that Lot 100, DP 1275111 is zoned entirely R2 Low Density Residential.

**Table 7 Map Only Amendments – Heritage Map**

Schedule 5 Environmental Heritage – Item I206 ‘Terraces and garden, “Beatrice” and “Lillyville”’	
<p><b>Existing Schedule 5</b></p> <p><b>Item No:</b> I206</p> <p><b>Item:</b> Terraces and garden, “Beatrice” and “Lillyville”</p> <p><b>Address:</b> 14–16 Victoria Street</p> <p><b>Suburb:</b> Kogarah</p> <p><b>Property Description:</b> Lots 72 and 73, Section B, DP 1397</p> <p><b>Significance:</b> Local</p>	<p><b>Proposed Schedule 5</b></p> <p><b>Item No:</b> I206</p> <p><b>Item:</b> Terraces and garden, “Beatrice” and “Lillyville”</p> <p><b>Address:</b> <del>6–16</del> <del>14–16</del> Victoria Street</p> <p><b>Suburb:</b> Kogarah</p> <p><b>Property Description:</b> <del>Lots 72 and 73, Section B, DP 1397</del> SP 107485</p> <p><b>Significance:</b> Local</p>
<div style="display: flex; justify-content: space-around;"> <div style="text-align: center;"> <p><b>Current HER</b></p>  </div> <div style="text-align: center;"> <p><b>Proposed HER Change</b></p>  </div> </div>	
Schedule 5 - Environmental Heritage – Item I217 ‘Cottage “Killarney” and setting’	
<p><b>Existing Schedule 5</b></p> <p><b>Item No:</b> I217</p> <p><b>Item:</b> Cottage “Killarney” and setting</p> <p><b>Address:</b> 66A Moons Avenue</p> <p><b>Suburb:</b> Lugarno</p> <p><b>Property Description:</b> Lot 1, DP 506036</p> <p><b>Significance:</b> Local</p>	<p><b>Proposed Schedule 5</b></p> <p><b>Item No:</b> I217</p> <p><b>Item:</b> Cottage “Killarney” and setting</p> <p><b>Address:</b> <del>66A</del> 66B Moons Avenue</p> <p><b>Suburb:</b> Lugarno</p> <p><b>Property Description:</b> <del>Lot 1, DP 506036</del> Lot 3, DP 1274956</p> <p><b>Significance:</b> Local</p>

## Schedule 5 Environmental Heritage – Item I206 ‘Terraces and garden, “Beatrice” and “Lillyville”’



## Schedule 5 - Environmental Heritage – ‘Thurlow House’, 9 Stuart Crescent, Blakehurst (Lot D DP 346635)

Proposed Amendment to Schedule 5 Environmental heritage:

Item No: **I319**

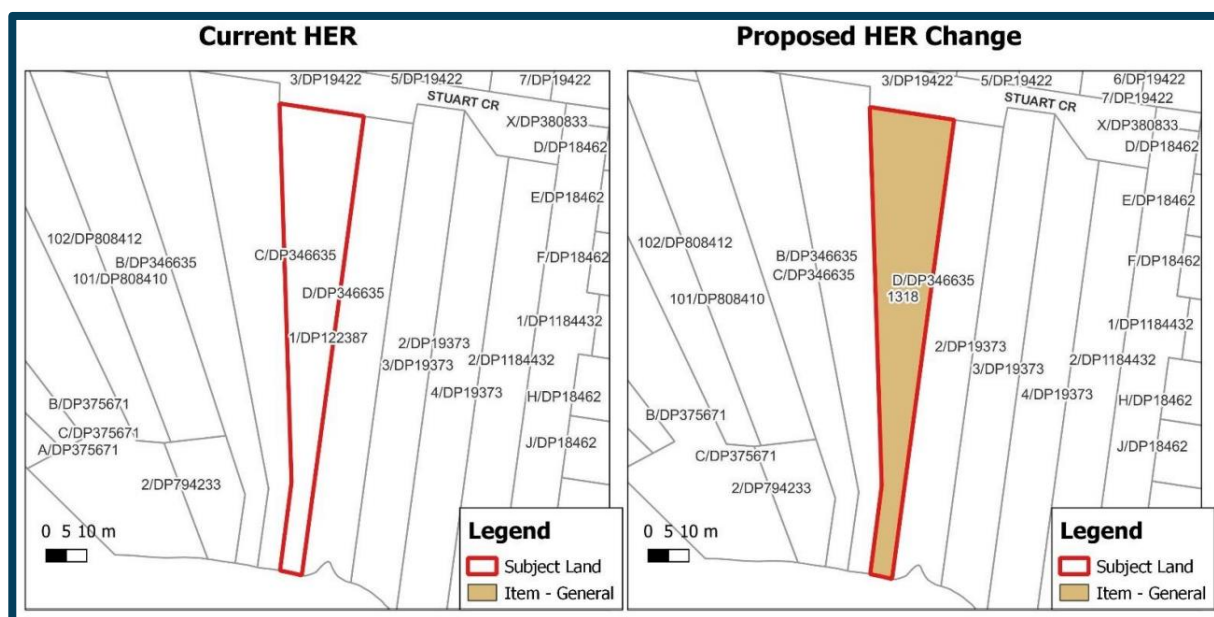
Item: **Thurlow House**

Address: **9 Stuart Crescent**

Suburb: **Blakehurst**

Property Description: **Lot D, DP 346635**

Significance: **State**



## 4 Department's assessment

The proposal has been subject to detailed review and assessment through the Department's Gateway determination (**Attachment B**) and subsequent planning proposal processes. It has also been subject to a high level of public consultation and engagement.

The following reassesses the proposal against relevant Section 9.1 Directions, SEPPs, Regional and District Plans and Council's Local Strategic Planning Statement. It also reassesses any potential key impacts associated with the proposal.

As outlined in the Gateway determination report (**Attachment C**), the planning proposal submitted to the Department for finalisation:

- ensures consistency with the regional and district plans relating to the site as discussed in Section 4.1.1
- remains consistent with the Council's Local Strategic Planning Statement
- is consistent or justifiably inconsistent with all relevant section 9.1 Directions
- is consistent with all relevant SEPPs.

The following tables identify whether the proposal is consistent with the assessment undertaken at the Gateway determination stage. Where the proposal is inconsistent with this assessment, requires further analysis or requires reconsideration of any unresolved matters, these matters are addressed in Section 4.1

**Table 8 Summary of strategic assessment**

	Consistent with Gateway determination report assessment	
Regional Plan	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
District Plan	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
Local Strategic Planning Statement	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
Local Planning Panel (LPP) recommendation	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
Section 9.1 Ministerial Directions	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No, refer to section 4.1
State Environmental Planning Policies (SEPPs)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No, refer to section 4.1

**Table 9 Summary of site-specific assessment**

Site-specific assessment	Consistent with Gateway determination report assessment	
Social and economic impacts	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1
Environmental impacts	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1

Site-specific assessment	Consistent with Gateway determination report assessment	
Infrastructure	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No, refer to section 4.1

## Detailed assessment

The following section provides details of the Department's assessment of key matters and any recommended revisions to the planning proposal. This assessment should be read in conjunction with the assessment undertaken as part of the Department's original Gateway determination.

### 4.1.1 District Plan

The site is within the South District of the Eastern Harbour City. The former Greater Sydney Commission released the South District Plan on 18 March 2018. The plan contains planning priorities and actions to guide the growth of the district while improving its social, economic and environmental assets.

In accordance with the Gateway Determination, the proposal was amended to remove all proposed minimum non-residential floor space requirements for the E2 Commercial Centre zone, which would ensure consistency with Planning Priorities S5 and S9.

The planning proposal is now considered consistent with the priorities for infrastructure and collaboration, liveability, productivity, and sustainability in the plan. The Department is satisfied the planning proposal gives effect to the District Plan in accordance with section 3.8 of the Environmental Planning and Assessment Act 1979.

### 4.1.2 Local Strategies

The proposal has been assessed against the below local strategic plans:

- Georges River Local Strategic Planning Statement 2040
- Georges River Local Housing Strategy
- Georges River Commercial Centres Strategy

In accordance with the Gateway Determination, the proposal was amended to remove all proposed minimum non-residential floor space requirements for the E2 Commercial Centre zone, which would have limited the delivery of build-to-rent housing in accordance with the provisions of the Housing SEPP.

Following the removal of this provision, the Department is now satisfied the planning proposal is consistent with the above plans.

### 4.1.3 Section 9.1 Ministerial Directions

The below sections provide an assessment of the planning proposal against the relevant Ministerial Directions.

#### 4.1.3.1 Consistency with Ministerial Direction 3.2 – Heritage Conservation

This Direction applies as the planning proposal seeks a number of amendments to the mapping and description of heritage items within the Georges River LGA.

The objective of this Direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.

The proposal seeks to make administrative amendments to Schedule 5 Environmental heritage of the Georges River LEP 2021.



The Gateway determination conditioned consultation with Heritage NSW to ensure support for the listing of 'Thurlow House' at 9 Stuart Crescent, Blakehurst (Lot D DP 346635) and subsequent consistency with this Direction. Council consulted with this stakeholder in accordance with the Gateway determination, and Heritage NSW were supportive of the planning proposal and made no objection to the listing of 'Thurlow House'.

The Department is satisfied this matter has been appropriately addressed and that the inconsistency with this Direction has been resolved.

#### **4.1.3.2 Consistency with Ministerial Direction 4.1 - Flooding**

This Direction seeks to ensure development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and principles of the Floodplain Development Manual, and to ensure the provisions of an LEP are commensurate with flood behaviour and consider potential impacts both on and off the land.

The Gateway assessment recognised that the proposal is consistent with this Direction because it seeks to:

- make administrative changes which do not impact existing development densities; and
- introduce Clause 5.22 Special Flood Consideration – an optional provision in the Standard Instrument.

This ensures that development which the Standard Instrument identifies as hazardous and sensitive development appropriately responds to flooding impacts by demonstrating compatibility with the flooding hazards.

As such, no changes were required to the planning proposal in relation to flooding.

#### **4.1.3.3 Consistency with Ministerial Direction 5.2 – Reserving Land for Public Purposes**

The objectives of this Direction are to facilitate the provision of public services and facilities by reserving land for public purposes, and to facilitate the removal of reservations of land for public purposes where it is no longer required for acquisition. This Direction applies to all planning proposals.

A number of Land Reservation Acquisition maps are proposed to be amended given the historic acquisition of relevant sites and therefore, redundancy in their identification on such maps.

The Gateway assessment for this planning proposal required that relevant landowner's details were provided. It also required consultation with relevant acquisition authorities (Transport for NSW and Council's property team) and confirmation they have no objection to the removal of the relevant reservation for acquisition. This information was provided as part of the exhibited planning proposal.

The proposal is consistent with this Direction as it seeks to remove the LRA layer from several sites, which have now been acquired by the relevant authority (being either Council or Transport for NSW).

The Department is satisfied this matter has been appropriately addressed and that the inconsistency with this Direction has been resolved.

#### **4.1.3.4 Consistency with Ministerial Direction 6.1 – Residential Zones**

The objectives of this direction are to:

- a) encourage a variety and choice of housing types to provide for existing and future housing needs,
- b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and

- c) minimise the impact of residential development on the environment and resource lands.

The Gateway assessment recognised the proposal gives effect to the Direction by amending LEP provisions which facilitate development approvals, remove unnecessary requirements and clarify the operation of provisions.

The Gateway assessment recognized that proposed amendment Clause 6.12 Landscaped area was supported and is consistent with the Direction. The assessment also identified that the proposed introduction of non-residential floor space requirements in the E2 zone as inconsistent with the Direction because it sought to limit the build-to-rent housing permitted under the Housing SEPP.

As such those provisions were recommended to be removed. A gateway condition was imposed requiring the removal of proposed changes to the minimum non-residential FSR in the E2 Commercial Centre zone. These proposed amendments have been removed from the planning proposal (see **Attachment A** and section **3.3 Post-exhibition changes**).

The Gateway assessment for this planning proposal required evidence of ownership for all land affected by rezonings to RE1 Public Recreation. This information was provided as part of the exhibited planning proposal (see **Attachment A**). The Department is satisfied this matter has been appropriately addressed.

The objectives of Ministerial Direction 6.1 require that a planning proposal not contain provisions which will reduce the permissible residential density of land. The proposed amendments include three rezonings are related to residential zoned land. Each is proposed to be zoned entirely RE1 Public Recreation:

- **Part of Denman Street Reserve, Part Lot B DP 442009, 54 Hillcrest Avenue, Hurstville** - the part zoned R2 Low Density Residential is proposed to be rezoned RE1 Public Recreation consistent with the current public reserve use.
- **Part of Salt Pan Creek Reserve, Lot 65 DP 880971, 964A Forest Road, Lugarno** - the part zoned R2 Low Density Residential is proposed to be rezoned RE1 Public Recreation consistent with the original intention of the dedication of land for public purposes.
- **Part of The Knoll Reserve, The Knoll, Lugarno** - the part zoned R2 Low Density Residential is proposed to be rezoned RE1 Public Recreation consistent with the original intention of the dedication of land for public purposes.

The Department assessment considers that each rezoning represents a reduction in permissible residential density of land that is of a minor nature and that is in keeping with the use of the land as open space. The planning proposal is inconsistent with this Direction, but the inconsistency is considered minor and justified in this instance.

#### 4.1.4 State Environmental Planning Policies (SEPPs)

##### 4.1.4.1 Consistency with State Environmental Planning Policy (Housing) 2021

The Gateway assessment identified the proposed introduction of non-residential floor space requirements in the E2 zone as inconsistent with the objectives and provisions of the Housing SEPP. As such those provisions were recommended to be removed. These proposed amendments have been removed from the planning proposal (see **Attachment A** and section **3.3 Post-exhibition changes**). The Department considers that the planning proposal is consistent with the Housing SEPP.

## 5 Post-assessment consultation

The Department consulted with the following stakeholders after the assessment.

**Table 10 Consultation following the Department's assessment**

Stakeholder	Consultation	The Department is satisfied with the draft LEP
Mapping	6 maps have been prepared by the Department's ePlanning team and meet the technical requirements.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, see below for details
Council	Under section 3.36(1) of the Act, Council was consulted on the terms of the draft instrument ( <b>Attachment Consultation</b> ). Council's response to the draft LEP was received on 3 July 2024 and is provided at <b>Attachment Consultation</b> .	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, see below for details
Parliamentary Counsel Certificate	Parliamentary Counsel issued a Certificate on 2 October 2024 that the draft LEP is in an appropriate form for it to be published on the NSW Legislation website. This Certificate is provided at <b>Attachment PC</b> .	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, see below for details

## 6 Recommendation

It is recommended that the Minister's delegate as the local plan-making authority determine to make the draft LEP under clause 3.36(2)(a) of the Act because:

- the draft LEP has strategic merit being consistent with the South District Plan and Georges River Local Strategic Planning Statement
- it is consistent with the conditions of the Gateway Determination (as altered)
- all matters identified in the Gateway determination have been satisfactorily resolved
- it is consistent or justifiably inconsistent with all relevant section 9.1 Directions
- it is consistent with all relevant SEPPs
- no issues were raised during agency consultation, and there are no outstanding agency objections to the proposal
- it will not generate adverse social, environmental or economic impacts on the surrounding locality.



1/11/2024

Renee Coull

Manager, Local Planning and Council Support





4/11/2024

Rukshan De Silva

A/Director, Local Planning (Central, West and South)

Assessment officer

Louisa Agyare

Senior Planning Officer, Metro Central, West and South

02 6748 5208

## Attachments

Attachment	Document
<b>A</b>	Planning Proposal - February 2024
<b>B</b>	Gateway determination
<b>C</b>	Gateway determination report
<b>D</b>	Gateway Alteration
<b>E</b>	Community submission
<b>F</b>	Council post-exhibition report - March 2024
<b>G</b>	Environment and Planning Committee Report - March 2024
<b>Consultation</b>	Section 3.36 Council Consultation
<b>PC</b>	Parliamentary Counsel Certificate