

Planning Proposal

No. 2023/0002

Georges River Local
Environmental Plan 2021 –
Housekeeping
Amendments

February 2024

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1. INTRODUCTION

This Planning Proposal (PP) 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. The changes will improve the overall operation and accuracy of the Plan and applies to land covered by the GRLEP 2021 as shown in **Figure 1**. The GRLEP 2021 does not apply to land identified as “Deferred matter” on the GRLEP Land Application Map which consists of the Hurstville Westfield site.

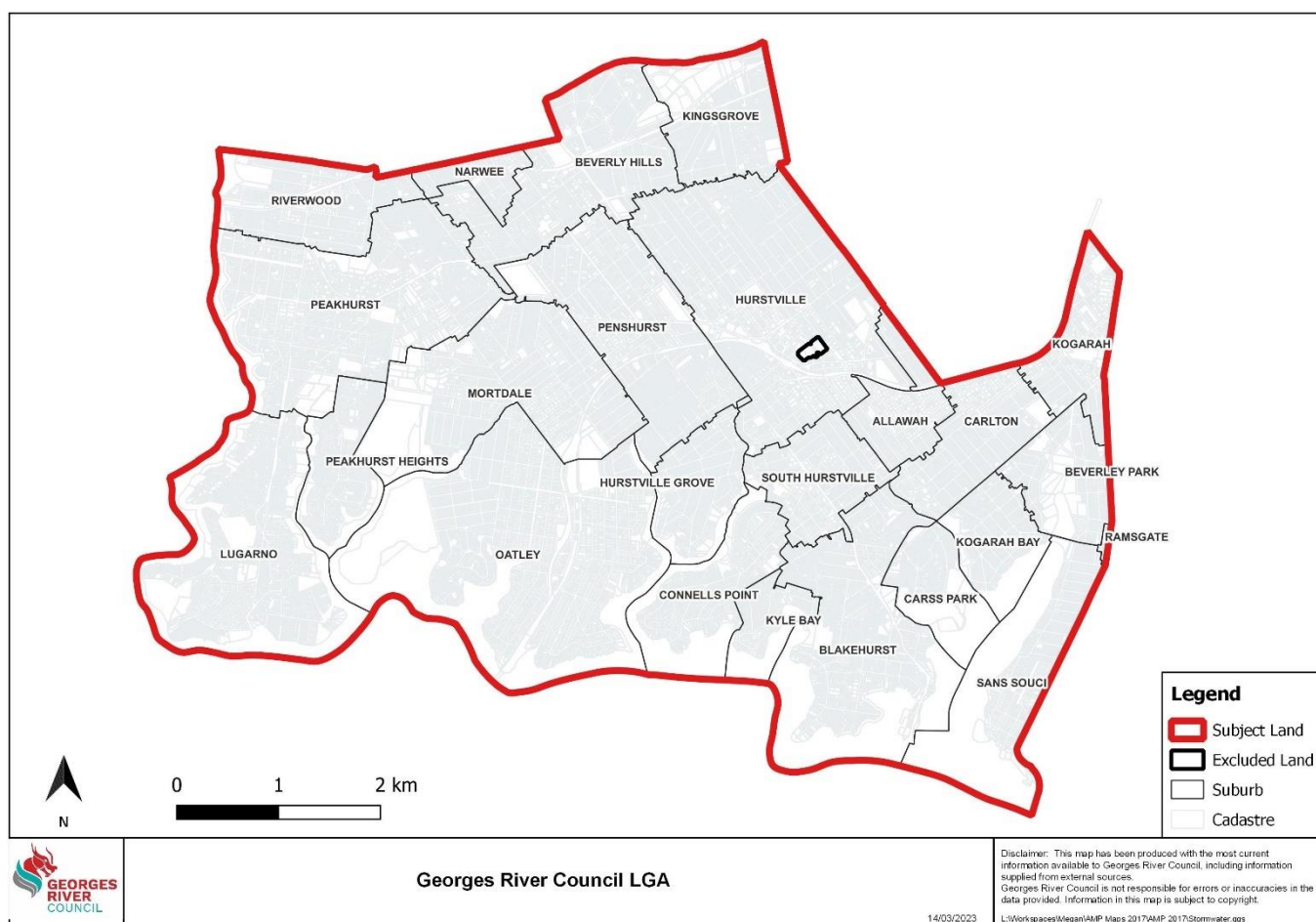


Figure 1 – Subject Land

As the PP affects Council owned land, Georges River Council is not the Local Plan-Making Authority (the authority for making amendments to the GRLEP).

2. BACKGROUND

The *Georges River Local Environmental Plan (GRLEP) 2021* commenced on 8 October 2021 and replaced the planning controls of the former *Hurstville Local Environmental Plan (HLEP) 2012* and *Kogarah Local Environmental Plan (KLEP) 2012*.

Council considered a report on 26 June 2023 concerning this PP and the scope of housekeeping matters which have arisen since the commencement of the GRLEP 2021. Council resolved to submit this PP to the Department of Planning and Environment (DPE) for a Gateway Determination.

A Gateway Determination was received on 25 October 2023.

Council requested the then DPE for an extension to the 25 April 2024 deadline for completing the LEP, specified in the Gateway Determination, to enable an extended exhibition period. On 1 February 2024, the Department of Planning, Housing and Industry (DPHI) issued an alteration to the Gateway Determination, extending the deadline to 25 July 2024.

3. OBJECTIVE AND INTENDED OUTCOME

3.1 Objective

The objective of the PP is to amend the *Georges River Local Environmental Plan (GRLEP) 2021* to improve its operation and accuracy by correcting identified anomalies and inconsistencies to existing provisions and maps, updating property descriptions and adding a new provision from the Standard Instrument LEP.

3.2 Intended Outcome

The intended outcome of the PP is an up to date and accurate GRLEP devoid of anomalies and inconsistencies to improve the Plan's overall operation.

4. EXPLANATION OF PROVISIONS

To achieve the objectives and intended outcomes, the PP proposes to amend the GRLEP 2021 via a number of instrument and mapping amendments as explained in the following sections.

Explanatory Note: The drafting of the instrument is subject to the legal drafting process by Parliamentary Counsel.

4.1 Instrument Only Amendments

Items 1–5 are amendments to the GRLEP 2021 affecting the written instrument only, and do not affect any of the GRLEP map sheets. The proposed housekeeping amendments are explained below with proposed changes identified in red.

Item	Clause	Summary of proposed amendment								
1	Clause 4.4A Exceptions to floor space ratio—certain residential accommodation	<p>Issue and Justification: The formulas within Clause 4.4A(2) and 4.4A(4) are unnecessarily complex as the site area ÷ site area = 1. It is proposed to simplify the formula to avoid overcomplication and make them more user friendly.</p> <p>Proposed Amendment: Amend Clause 4.4A(2) and 4.4A(4) to simplify the formula for calculating the maximum floor space ratio.</p> <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 650 square metres</td><td>[site area × 0.55] ÷ site area:1 0.55:1</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> <table><tr><th>Site area</th><th>Maximum floor space ratio</th></tr><tr><td>not more than 1,000 square metres</td><td>[site area × 0.6] ÷ site area:1 0.6:1</td></tr></table> <p>NB: The change results in <u>no</u> additional FSR.</p>	Site area	Maximum floor space ratio	not more than 650 square metres	[site area × 0.55] ÷ site area:1 0.55:1	Site area	Maximum floor space ratio	not more than 1,000 square metres	[site area × 0.6] ÷ site area:1 0.6:1
Site area	Maximum floor space ratio									
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2	<p>Clause 5.22 Special flood considerations</p> <p>[new clause]</p>	<p>Issue and Justification:</p> <p>On 14 July 2021, the <i>Standard Instrument (Local Environmental Plans) Amendment (Flood Planning) Order 2021</i> (the Amendment) came into force. The Amendment had the effect of inserting a new optional clause into the Standard Instrument LEP under Part 5 Miscellaneous provisions – <i>Clause 5.22 Special flood considerations</i>.</p> <p>If adopted for the GRLEP 2021, the clause would allow Council to consider flood impacts for sensitive and hazardous development types (which are listed in the clause) for land between the flood planning area (FPA) and the probable maximum flood (PMF).</p> <p>The clause would enable Council to ensure that development:</p> <ul style="list-style-type: none"> – will not affect the safe occupation and efficient evacuation of people in the event of a flood, – incorporates appropriate measures to manage risk to life in the event of a flood, and – will not adversely affect the environment in the event of a flood. <p>Proposed Amendment:</p> <p>Insert Clause 5.22 from the Standard Instrument LEP as below.</p> <p>5.22 Special flood considerations</p> <p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> (a) to enable the safe occupation and evacuation of people subject to flooding, (b) to ensure development on land is compatible with the land’s flood behaviour in the event of a flood, (c) to avoid adverse or cumulative impacts on flood behaviour, (d) to protect the operational capacity of emergency response facilities and critical infrastructure during flood events, (e) to avoid adverse effects of hazardous development on the environment during flood events. <p>(2) This clause applies to—</p> <ul style="list-style-type: none"> (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— <ul style="list-style-type: none"> (i) cause a particular risk to life, and (ii) require the evacuation of people or other safety considerations.
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		<p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—</p> <ul style="list-style-type: none"> (a) will not 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 not adversely affect the environment in the event of a flood. <p>(4) A word or expression used in this clause has the same meaning as it has in the <i>Considering Flooding in Land Use Planning Guideline</i> unless it is otherwise defined in this clause.</p> <p>(5) In this clause—</p> <p><i>Considering Flooding in Land Use Planning Guideline</i>—see clause 5.21(5).</p> <p><i>flood planning area</i>—see clause 5.21(5).</p> <p><i>Floodplain Development Manual</i>—see clause 5.21(5).</p> <p><i>probable maximum flood</i> has the same meaning as it has in the <i>Floodplain Development Manual</i>.</p> <p><i>sensitive and hazardous development</i> means development for the following purposes—</p> <ul style="list-style-type: none"> (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
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3	<p>Clause 6.3</p> <p>Stormwater management</p>	<p>Issue and Justification:</p> <p>Since the commencement of the GRLEP 2021, some implementation issues have arisen with <i>Clause 6.3 Stormwater management</i>, where applicants are not providing on-site stormwater detention (OSD) or retention on sites that require it, due to the wording ‘if practicable’. OSD involves the temporary storage and controlled release of stormwater generated within a site, and is required to ensure that post-development stormwater runoff does not increase flooding problems downstream. The proposed amendment will strengthen the requirement for OSD to be provided on sites that require it under Council’s <i>Stormwater Management Policy</i>.</p> <p>Proposed Amendment:</p> <p>Amend Clause 6.3(2)(b) to delete the word ‘practicable’ and replace with ‘where required’ to align with Council’s <i>Stormwater Management Policy</i>.</p> <p>(2) In deciding whether to grant development consent for development, the consent authority must be satisfied that the development—</p> <p>...</p> <p>(b) includes, if practicable where required, 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...</p> <p>NB: ‘where required’ means that OSD is applicable and required under Council’s Stormwater Management Policy.</p>
4	<p>Clause 6.11</p> <p>Environmental sustainability</p>	<p>Issue and Justification:</p> <p>The current clause has the objective of ensuring development is consistent with the principles of best practice environmentally sensitive design, and currently applies to development in certain zones involving a change of use. Upon review of the clause, it is considered that the application of the clause to change of use developments is too onerous and should be deleted.</p> <p>Proposed Amendment:</p> <p>Amend Clause 6.11 by deleting the application of the clause to development that involves a change of use of an existing building.</p> <p>Clause 6.11 Environmental sustainability</p> <p>(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.</p> <p>(2) This clause applies to development—</p> <p>(a) on land in the following zones—</p> <p>(i) Zone R4 High Density Residential,</p> <p>(ii) Zone E1 Local Centre,</p>

		<ul style="list-style-type: none"> (iii) Zone E2 Commercial Centre, (iv) Zone E4 General Industrial, (v) Zone MU1 Mixed Use. (vi), (vii) (Repealed) <p>(b) that involves—</p> <ul style="list-style-type: none"> (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. <p>(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—</p> <ul style="list-style-type: none"> (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.
5	<p>Clause 6.12</p> <p>Landscaped area</p>	<p>Issue and Justification:</p> <p>The current wording of Clause 6.12 (4)(c) is problematic as it does not allow for the removal of any tree via a Development Application (DA) or a Modification Application. This means that the applicant has to lodge a Tree Permit Application as well as a DA. The intent of the provision was to ensure that development does not adversely impact the health, condition and structure of existing trees proposed to be retained in the development, not all trees on the site. Accordingly, it is proposed to amend this provision to enable trees to be removed, where warranted, as part of a DA or Modification application.</p> <p>The clause also does not allow natural rock formations to be considered as part of the landscaped area where these are naturally occurring on sites. It is proposed to amend the clause so that natural rock outcrops can be included as part of the percentage site area for landscaping.</p> <p>The current wording of Clause 6.12 (5) requires all DAs, including minor DAs (including those not amending the building envelope) on sites that have an existing non-compliance, to comply with a minimum landscaped area. This results in unnecessary delays and reporting of applications to the Local Planning Panel (LPP), clogging up the system. It is proposed to amend the clause to clarify that the clause applies to only development involving the erection of a new building or additions or external alterations where there is an increase in the footprint of the building.</p>

		<p>The clause is also unclear whether both resulting lots of a dual occupancy development need to meet the landscaped area requirements. It is proposed to amend the clause to make it clear that semi-detached housing must meet the same landscaped area requirements as dual occupancy development.</p> <p>It is also proposed to insert a clause that clarifies that the provisions do not apply to strata or community title subdivisions, as the intention is that they apply to Torrens title subdivisions only.</p> <p>Proposed Amendment:</p> <p>Amend Clause 6.12 by:</p> <ul style="list-style-type: none"> - 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. <p>Clause 6.12 Landscaped area</p> <p>(1) The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> (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. <p>(2) This clause applies to development on land referred to in subclause (3) involving—</p> <ul style="list-style-type: none"> (a) the erection of a new building, or (b) additions or external alterations where there is an increase in the footprint of the building. <p>(3)(2) This clause applies to land in the following zones—</p> <ul style="list-style-type: none"> (a) Zone R2 Low Density Residential, (b) Zone R3 Medium Density Residential, (c) Zone R4 High Density Residential, (d) Zone E2 Environmental Conservation.
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		<p>(4) (3) Despite subclause (2 and 3), this clause does not apply to development referred to in <i>State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development</i>, clause 4.</p> <p>(5) (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—</p> <ul style="list-style-type: none"> (a) allows for the establishment of appropriate plantings— <ul style="list-style-type: none"> (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 is not likely to adversely impact the health, condition and structure of existing trees, tree canopies and tree root systems that are required to be retained on the land or adjacent land, and (d) is not likely to adversely impact the health, condition and structure of existing trees, tree canopies and tree root systems on adjoining land, and (e) (4) enables the establishment of indigenous vegetation and habitat for native fauna, and (f) (e) integrates with the existing vegetation to protect existing trees and natural landscape features such as rock outcrops, remnant bushland, habitats and natural watercourses. <p>(6) (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 and natural rock outcrops that is at least—</p> <ul style="list-style-type: none"> (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. <p>(7) (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 (6 5).</p> <p>(8) Subclause (6) does not apply to a subdivision of land under the <i>Community Land Development Act 1989</i> or the <i>Strata Schemes (Freehold Development) Act 1973</i>.</p> <p>(9) (7) In this clause— Foreshore Scenic Protection Area means land shown on the <i>Foreshore Scenic Protection Area Map</i></p>
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4.2 Instrument Only Amendments – Schedule 5 Environmental Heritage

Items 6–24 are administrative amendments to Schedule 5 Environmental Heritage of the GRLEP 2021. These amendments include updates to item names, addresses and property descriptions which are explained below with proposed changes identified in red.

6. Schedule 5 Environmental heritage – Item I3 ‘House and garden, “McWilliam House”’	
Issue and Justification: The property address for Heritage Item I3 is not correct. The heritage item is across two (2) lots, Lots 5 and 6, DP 17522, which corresponds to 186-188 Princes Highway. This also corresponds with the Heritage Inventory Sheet.	
Proposed Amendment: Update the address for Item I3 to include 186 Princes Highway to align with the mapped data.	
Existing Schedule 5	Proposed Schedule 5
Item No: I3 Item: House and garden, “McWilliam House” Address: 188 Princes Highway Suburb: Beverley Park Property Description: Lots 5 and 6, DP 17522 Significance: Local	Item No: I3 Item: House and garden, “McWilliam House” Address: 186–188 Princes Highway Suburb: Beverley Park Property Description: Lots 5 and 6, DP 17522 Significance: Local

7. Schedule 5 Environmental heritage – Item I6 ‘Beverly Hills Railway Station Group’	
Issue and Justification: The property description (Lot and DP) for Heritage Item I6 is not correct. The heritage item is mapped over only part of Lot 10, DP 1211599.	
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.	
Existing Schedule 5	Proposed Schedule 5
Item No: I6 Item: Beverly Hills Railway Station Group Address: East Hills rail line Suburb: Beverly Hills Property Description: Lot 10, DP 1211599 Significance: State	Item No: I6 Item: Beverly Hills Railway Station Group Address: East Hills rail line Suburb: Beverly Hills Property Description: Part of Lot 10, DP 1211599 Significance: State

8. Schedule 5 Environmental heritage – Item I42 ‘Carlton Railway Station’

Issue and Justification: The property description (Lot and DP) for Heritage Item I42 is not correct. The heritage item is mapped over only part of Lot 1, DP 1138068.

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.

Existing Schedule 5

Item No: I42
Item: Carlton Railway Station
Address: Railway Parade
Suburb: Carlton
Property Description: Lot 1, DP 1138068
Significance: Local

Proposed Schedule 5

Item No: I42
Item: Carlton Railway Station
Address: Railway Parade
Suburb: Carlton
Property Description: Part of Lot 1, DP 1138068
Significance: Local

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

Issue and Justification: The property description (Lot and DP) for Heritage Item I63 is not correct. A plan of redefinition for Lot 33, DP 1866 was registered on 19 February 2021 which created a new land title Lot 330, DP 1265294.

Proposed Amendment:

Update the property description (Lot and DP) for Item I63 to reflect the current Lot and DP.

Existing Schedule 5

Item No: I63
Item: Federation house “Dungog” and setting
Address: 4 Clevedon Road
Suburb: Hurstville
Property Description: Lot 33, DP 1866
Significance: Local

Proposed Schedule 5

Item No: I63
Item: Federation house “Dungog” and setting
Address: 4 Clevedon Road
Suburb: Hurstville
Property Description: ~~Lot 33 DP 1866~~ Lot 330, DP 1265294
Significance: Local

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

Issue and Justification: The property address for Heritage Item I66 is not correct. The heritage item is across two (2) lots, Lot 1, DP 919317 and Lot 53, DP 9355, which corresponds to 30 and 30D Dora Street, Hurstville.

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.

Existing Schedule 5

Item No: I66
Item: Hurstville Oval and Velodrome

Proposed Schedule 5

Item No: I66
Item: Hurstville Oval and Velodrome

10. Schedule 5 Environmental heritage – Item I66 ‘Hurstville Oval and Velodrome’	
Address: 30 Dora Street Suburb: Hurstville Property Description: Lot 1, DP 919317; Lot 53, DP 9355 Significance: Local	Address: 30 and 30D Dora Street Suburb: Hurstville Property Description: Lot 1, DP 919317; Lot 53, DP 9355 Significance: Local

11. Schedule 5 Environmental heritage – Item I95 ‘Group of shops’	
Issue and Justification: The property address for Heritage Item I95 is not correct. The heritage item does not include 259-261 Forest Road, which is currently included in the property address.	
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.	
Existing Schedule 5	Proposed Schedule 5
Item No: I95 Item: Group of shops Address: 255–273 Forest Road Suburb: Hurstville Property Description: Lots 7 and 8, DP 10296; Lots C–G, DP 304794; Lot 1, DP 611044 Significance: Local	Item No: I95 Item: Group of shops Address: 255– 257; 263 –273 Forest Road Suburb: Hurstville Property Description: Lots 7 and 8, DP 10296; Lots C–G, DP 304794; Lot 1, DP 611044 Significance: Local

12. Schedule 5 Environmental heritage – Item I116 ‘Friendly Societies’ Dispensary Building’	
Issue and Justification: The property description (strata plan number) for Heritage Item I116 contains two (2) strata plan numbers, SP 58631 and SP 72896, however Council’s records show an additional 4 SPs at the site.	
Proposed Amendment: Update the property description (strata plan number) for Item I116 to delete SP 72896.	
Existing Schedule 5	Proposed Schedule 5
Item No: I116 Item: Friendly Societies’ Dispensary Building Address: 17 MacMahon Street Suburb: Hurstville Property Description: SP 58631; SP 72896 Significance: Local	Item No: I116 Item: Friendly Societies’ Dispensary Building Address: 17 MacMahon Street Suburb: Hurstville Property Description: SP 58631; SP 67836; SP 67837; SP 72896; SP 74721; SP 79405. Significance: Local

13. Schedule 5 Environmental heritage – Item I164 ‘House and garden’	
Issue and Justification: The property address for Heritage Item I164 is not correct. The heritage item does not include 5 Chapel Street, which is currently included in the property address. This also accords with the heritage inventory sheet.	
Proposed Amendment: Update the property address for Item I164 to delete 5 Chapel Street to align with the mapped data.	
Existing Schedule 5	Proposed Schedule 5
Item No: I164 Item: House and garden Address: 3–5 Chapel Street Suburb: Kogarah Property Description: Lot 19, DP 84876 Significance: Local	Item No: I164 Item: House and garden Address: 3– 5 Chapel Street Suburb: Kogarah Property Description: Lot 19, DP 84876 Significance: Local

14. Schedule 5 Environmental heritage – Item I179 ‘Terraces, “Leah Buildings”’	
Issue and Justification: The property description (Lot and DP) for Heritage Item I179 is no longer current following registration of a plan of consolidation of the former Lots A, B and C, DP 443736 on 6 July 2021.	
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.	
Existing Schedule 5	Proposed Schedule 5
Item No: I179 Item: Terraces, “Leah Buildings” Address: 22–28 Montgomery Street Suburb: Kogarah Property Description: Lots A–C, DP 443736; Lot 1, DP 917849 Significance: Local	Item No: I179 Item: Terraces, “Leah Buildings” Address: 22 and 24–28 Montgomery Street Suburb: Kogarah Property Description: Lots A–C, DP 443736; Lot 100 DP 1273679; Lot 1 DP 917849 Significance: Local

15. Schedule 5 Environmental heritage – Item I196 ‘HV Evatt Memorial Reserve’	
Issue and Justification: The property description (Lot and DP) for Heritage Item I196 is not correct. The heritage item is mapped over only part of Lot 2, DP 871296.	
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.	
Existing Schedule 5	Proposed Schedule 5
Item No: I196 Item: HV Evatt Memorial Reserve Address: 71 Railway Lands Suburb: Kogarah	Item No: I196 Item: HV Evatt Memorial Reserve Address: 71 Railway Lands Suburb: Kogarah

15. Schedule 5 Environmental heritage – Item I196 ‘HV Evatt Memorial Reserve’	
Property Description: Lot 2, DP 871296 Significance: Local	Property Description: Part of Lot 2, DP 871296 Significance: Local

16. Schedule 5 Environmental heritage – Item I205 ‘House and garden, “Hindmarsh”’	
Issue and Justification: The property description (Lot and DP) for Heritage Item I205 is no longer current following registration of a plan of consolidation for Lots 81 – 87 of Section B, DP 1397 on 29 July 2020. The heritage item is mapped over only part of the new Lot 3, DP 1265877.	
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. Update the address to include ‘Part of’ to align with the mapped data. The Heritage Inventory Sheet will also be updated.	
Existing Schedule 5	Proposed Schedule 5
Item No: I205 Item: House and garden, “Hindmarsh” Address: 2 Victoria Street Suburb: Kogarah Property Description: Lot 81, Section B, DP 1397 Significance: Local	Item No: I205 Item: House and garden, “Hindmarsh” Address: Part of 2 Victoria Street Suburb: Kogarah Property Description: Lot 81, Section B, DP 1397 Part of Lot 3, DP 1265877 Significance: Local

17. Schedule 5 Environmental heritage – Item I210 ‘Kyle Bay Bowling Club’	
Issue and Justification: The property address for Heritage Item I210 is not correct. The heritage item is located at 12 Merriman Street, not 12A Merriman Street.	
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.	
Existing Schedule 5	Proposed Schedule 5
Item No: I210 Item: Kyle Bay Bowling Club Address: 12A Merriman Street Suburb: Kyle Bay Property Description: Lot 10, DP 21299; Lot 12, DP 650783; Lots 9–11 and 40, Section 1, DP 7641; Lot 7316, DP 1154446 Significance: Local	Item No: I210 Item: Kyle Bay Bowling Club Address: 12A Merriman Street Suburb: Kyle Bay Property Description: Lot 10, DP 21299; Lot 12, DP 650783; Lots 9–11 and 40, Section 1, DP 7641; Lot 7316, DP 1154446 Significance: Local

18. Schedule 5 Environmental heritage – Item I236 ‘Oatley Railway Station Group’	
Issue and Justification: The property description (Lot and DP) for Heritage Item I236 is not correct. The heritage item is mapped over only part of Lot 14, DP 839742.	
Proposed Amendment: Update the property description (Lot and DP) for Item I236 to insert ‘Part of’ to align with the mapped data.	
Existing Schedule 5	Proposed Schedule 5
Item No: I236 Item: Oatley Railway Station Group Address: Illawarra rail line Suburb: Oatley Property Description: Lots 5 and 11 DP 803349; Lot 14, DP 839742 Significance: State	Item No: I236 Item: Oatley Railway Station Group Address: Illawarra rail line Suburb: Oatley Property Description: Lots 5 and 11 DP 803349; Part of Lot 14, DP 839742 Significance: State

19. Schedule 5 Environmental heritage – Item I241 ‘George Fincham Pipe Organ’	
Issue and Justification: The property description (Lot and DP) for Heritage Item I241 is not correct. The heritage item is mapped over only part of Lot 123, DP 801645.	
Proposed Amendment: Update the property description (Lot and DP) for Item I241 to insert ‘Part of’ to align with the mapped data.	
Existing Schedule 5	Proposed Schedule 5
Item No: I241 Item: George Fincham Pipe Organ Address: 1 Myall Street Suburb: Oatley Property Description: Lot 123, DP 801645 Significance: Local	Item No: I241 Item: George Fincham Pipe Organ Address: 1 Myall Street Suburb: Oatley Property Description: Part of Lot 123, DP 801645 Significance: Local

20. Schedule 5 Environmental heritage – Item I261 ‘Salt Pan Creek sewage aqueduct’	
Issue and Justification: The property description (Lot and DP) for Heritage Item I261 is not included in Schedule 5. The heritage item is mapped over part of Lot 7320, DP 1166325. The address can also be more accurately described as “Behind 11A Elwin Street” rather than “Behind 9 Elwin Street”.	
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”.	
Existing Schedule 5	Proposed Schedule 5
Item No: I261 Item: Salt Pan Creek sewage aqueduct	Item No: I261 Item: Salt Pan Creek sewage aqueduct

20. Schedule 5 Environmental heritage – Item I261 ‘Salt Pan Creek sewage aqueduct’	
Address: Behind 9 Elwin Street Suburb: Peakhurst Property Description: Significance: Local	Address: Behind 11A 9 Elwin Street Suburb: Peakhurst Property Description: Part of Lot 7320, DP 1166325 Significance: Local

21. Schedule 5 Environmental heritage – Item I266 ‘Fig tree in Pickering Park’	
Issue and Justification: The property description (Lot and DP) for Heritage Item I266 is not correct. The heritage item is mapped over only part of Lot A, DP 36202.	
Proposed Amendment: Update the property description (Lot and DP) for Item I266 to add ‘Part of’ to align with the mapped data.	
Existing Schedule 5	Proposed Schedule 5
Item No: I266 Item: Fig tree in Pickering Park Address: 16A Isaac Street Suburb: Peakhurst Heights Property Description: Lot A, DP 36202 Significance: Local	Item No: I266 Item: Fig tree in Pickering Park Address: 16A Isaac Street Suburb: Peakhurst Heights Property Description: Part of Lot A, DP 36202 Significance: Local

22. Schedule 5 Environmental heritage – Item I267 ‘Fig tree in Lambert Reserve’	
Issue and Justification: The property description (Lot and DP) for Heritage Item I267 is not correct. The heritage item is mapped over only part of Lot 37, DP 209573.	
Proposed Amendment: Update the property description (Lot and DP) for Item I267 to add ‘Part of’ to align with the mapped data.	
Existing Schedule 5	Proposed Schedule 5
Item No: I267 Item: Fig tree in Lambert Reserve Address: 13D Whitegates Avenue Suburb: Peakhurst Heights Property Description: Lot 37, DP 209573 Significance: Local	Item No: I267 Item: Fig tree in Lambert Reserve Address: 13D Whitegates Avenue Suburb: Peakhurst Heights Property Description: Part of Lot 37, DP 209573 Significance: Local

23. Schedule 5 Environmental heritage – Item I278 ‘Penshurst Railway Station Group’	
Issue and Justification: The property description (Lot and DP) for Heritage Item I278 is not correct. The heritage item is mapped over only part of Lot 1, DP 1154260.	

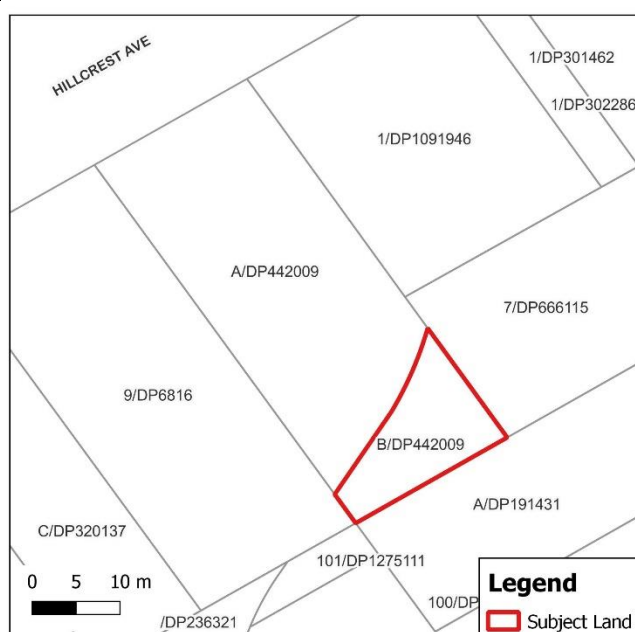
23. Schedule 5 Environmental heritage – Item I278 ‘Penshurst Railway Station Group’	
Proposed Amendment: Update the property description (Lot and DP) for Item I278 to add ‘Part of’ to align with the mapped data.	
Existing Schedule 5	Proposed Schedule 5
Item No: I278 Item: Penshurst Railway Station Group Address: Illawarra rail line—corner of Laycock Road (South) and Bridge Street Suburb: Penshurst Property Description: Lot 1, DP 1154260 Significance: Local	Item No: I278 Item: Penshurst Railway Station Group Address: Illawarra rail line—corner of Laycock Road (South) and Bridge Street Suburb: Penshurst Property Description: Part of Lot 1, DP 1154260 Significance: Local

24. Schedule 5 Environmental heritage – Item I303 ‘Sans Souci Park, public baths and bathers pavilion’	
Issue and Justification: Council resolved on 26 April 2021 (ENV012-21) to update the heritage listing for item I303, currently known as ‘Sans Souci Park, public baths and bathers pavilion’ to include the Moreton Bay Fig Tree and sandstone wall in the item name. The Statement of Significance on the NSW Heritage Inventory has been updated to highlight the importance of the sandstone wall and highly significant tree which adds much visual amenity to the surrounding area. The former bathers pavilion has also been demolished as part of DA2020/0166 so it is necessary to update the item name to reflect this.	
Proposed Amendment: Update Item No. I303 name to reflect the significant components of the site. The Heritage Inventory Sheet will also be updated.	
Existing Schedule 5	Proposed Schedule 5
Item No: I303 Item: Sans Souci Park, public baths and bathers pavilion Address: 521 Rocky Point Road and 10 Water Street Suburb: Sans Souci Property Description: Lot 7046, DP 93515; Lot 519, DP 752056 Significance: Local	Item No: I303 Item: Sans Souci Park, public baths and bathers pavilion Sans Souci Park (including public baths, Moreton Bay fig tree (adjacent to Water Street) and sandstone wall) Address: 521 Rocky Point Road and 10 Water Street Locality: Sans Souci Property Description: Lot 7046, DP 93515; Lot 519, DP 752056 Significance: Local

4.3 Map Only Amendments

Items 25–31 are housekeeping amendments to the GRLEP 2021 maps, including Land Zoning (LZN) and Land Reservation Acquisition (LRA) maps.

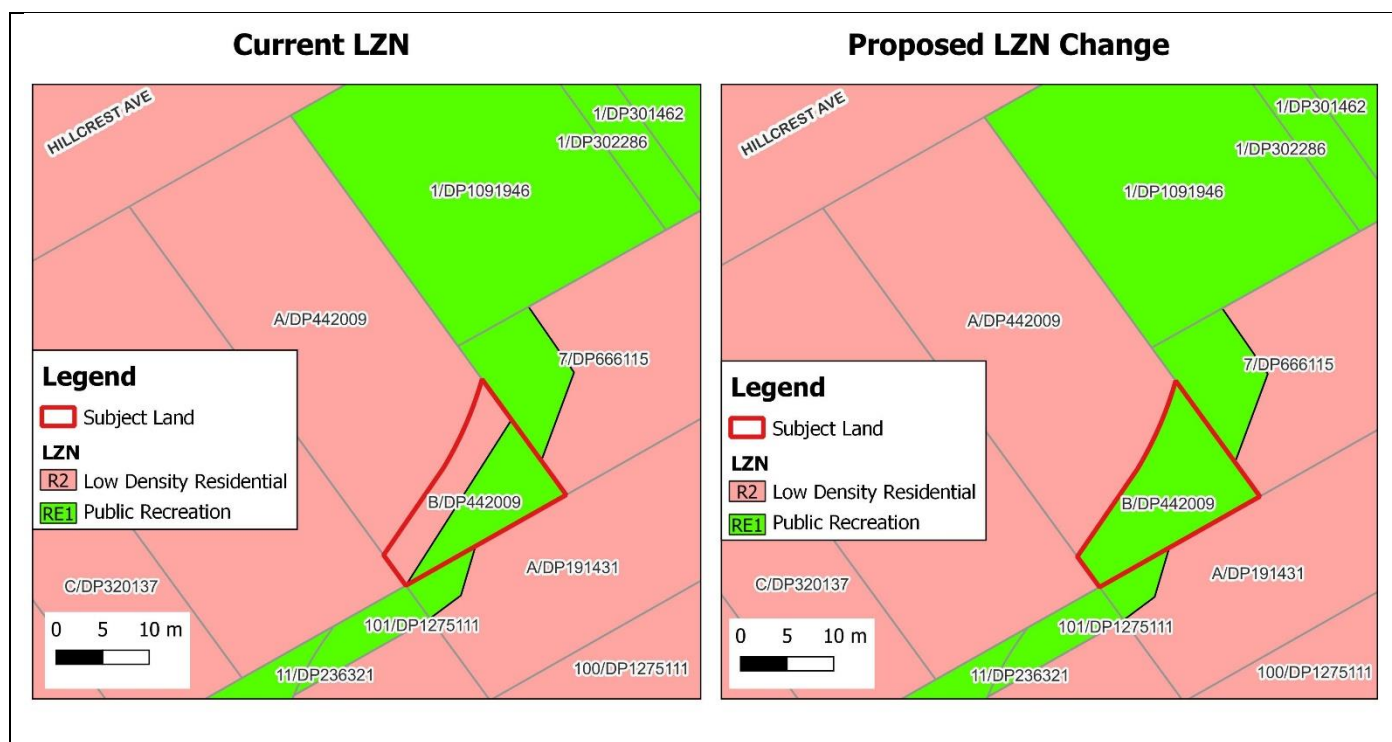
25. Land Zoning Map – Part of Denman Street Reserve, Part Lot B DP 442009, 54 Hillcrest Avenue, Hurstville



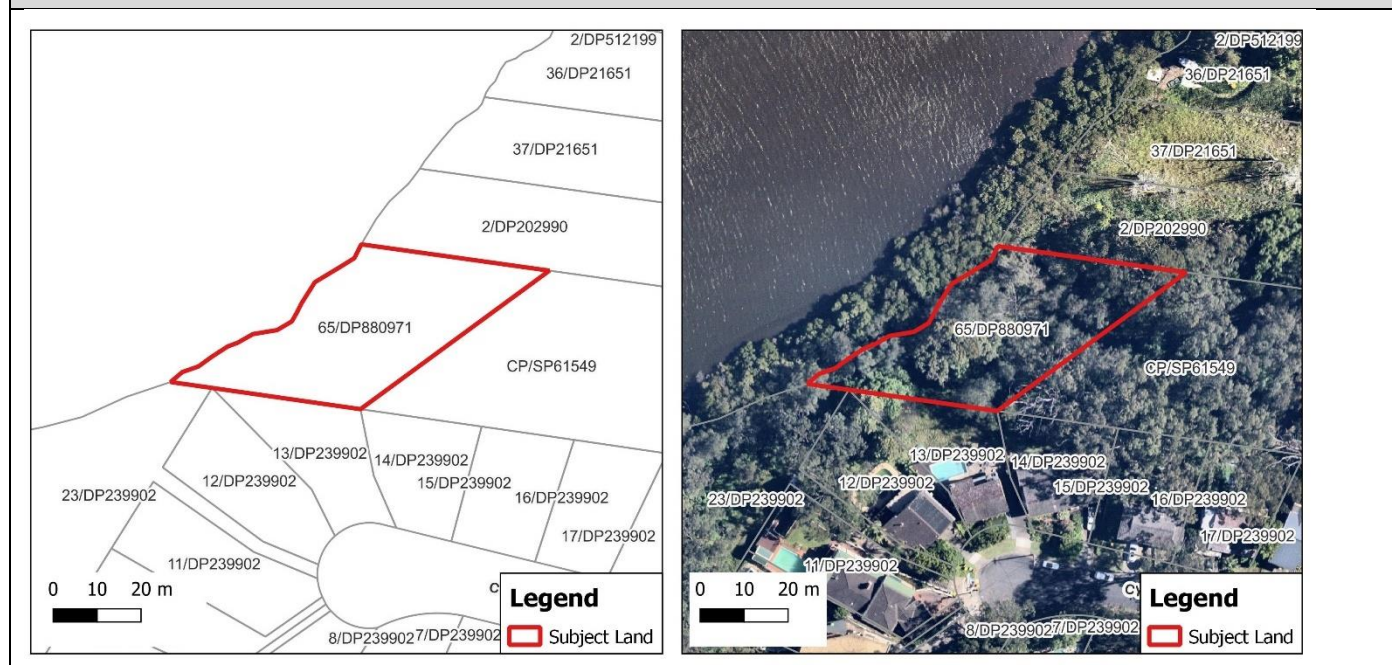
Issue and Justification: The subject land is owned by Council and is part of Denman Street Reserve. It is zoned part R2 Low Density Residential and part RE1 Public Recreation. The part zoned R2 Low Density Residential is proposed to be rezoned RE1 Public Recreation consistent with the current public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

Note: To satisfy part of Condition 1 of the Gateway Determination, evidence of ownership for this property is provided in **Attachment 1**.

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



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



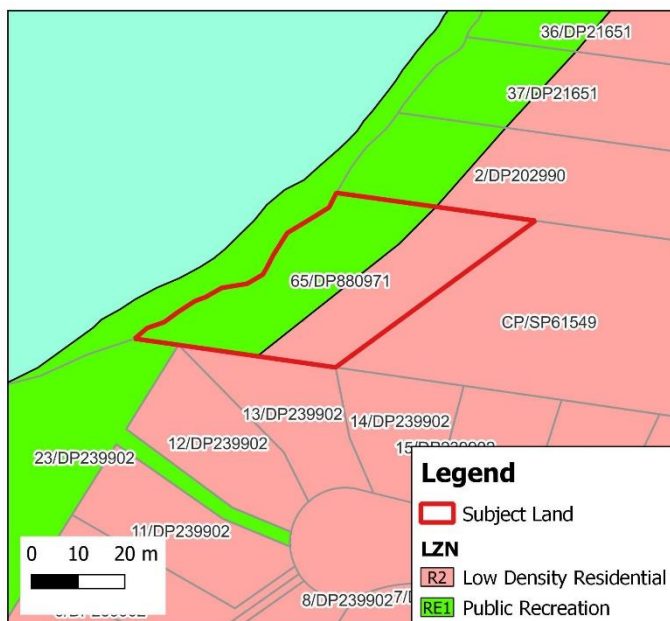
Issue and Justification: The subject land was dedicated to Council as open space in 1998 by the creation of DP 880971, however the RE1 Public Recreation zoning only covers half the lot. The part of the lot zoned R2 Low Density Residential should be rezoned to RE1 Public

Recreation in accordance with the original intention of the dedication of land for public purposes.

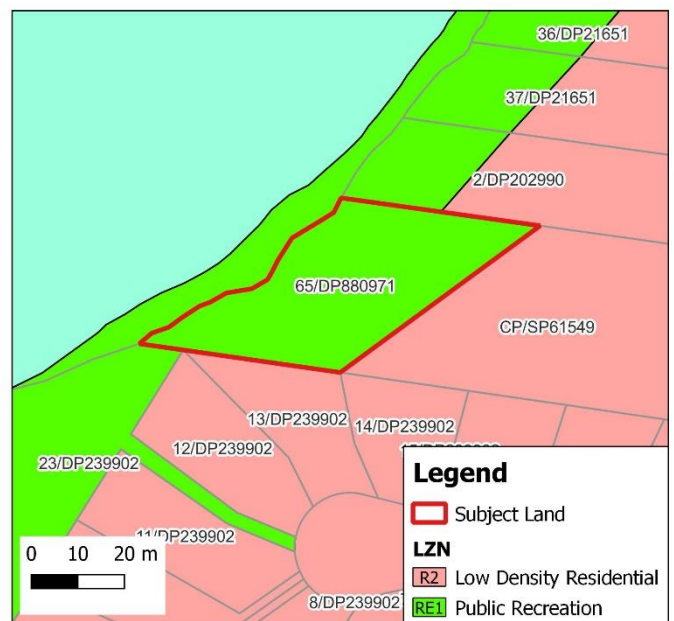
Note: To satisfy part of Condition 1 of the Gateway Determination, evidence of ownership for this property is provided in **Attachment 1**.

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.

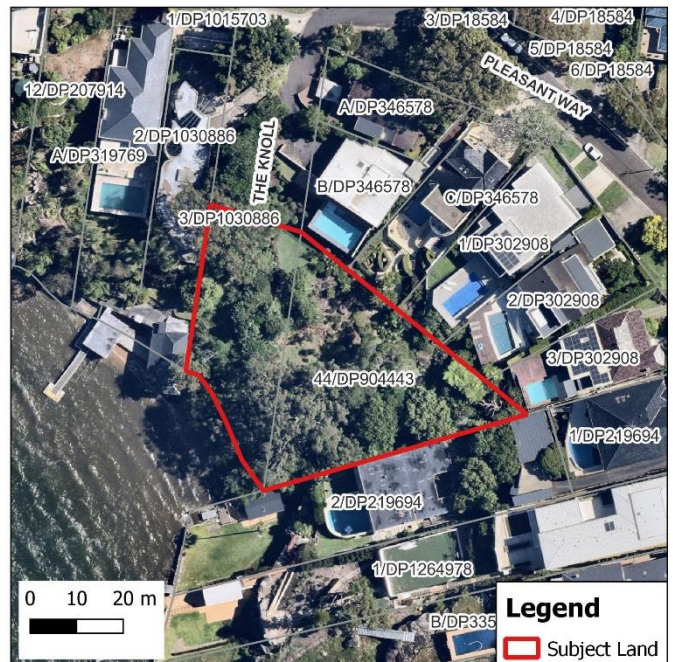
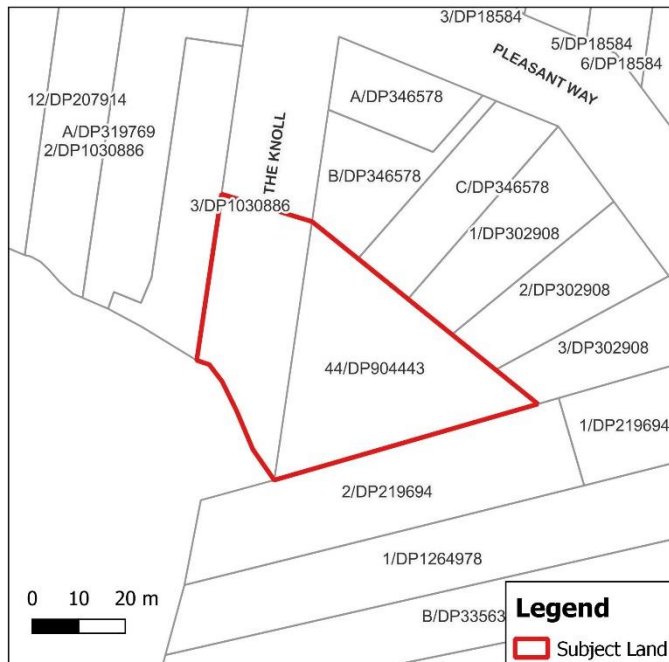
Current LZN



Proposed LZN Change



27. Land Zoning Map – Part of The Knoll Reserve, Lot 7034 DP 1138728, The Knoll, Lugarno

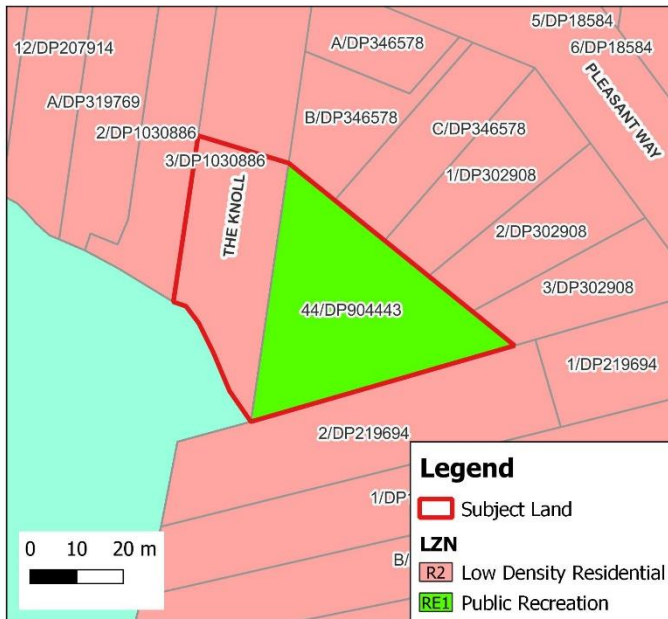


Issue and Justification: The subject land was dedicated to Council as open space in 1998 by the creation of DP 880971, however the RE1 Public Recreation zoning only covers half the lot. The part R2 Low Density Residential zoning is proposed to be rezoned to RE1 Public Recreation in accordance with the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

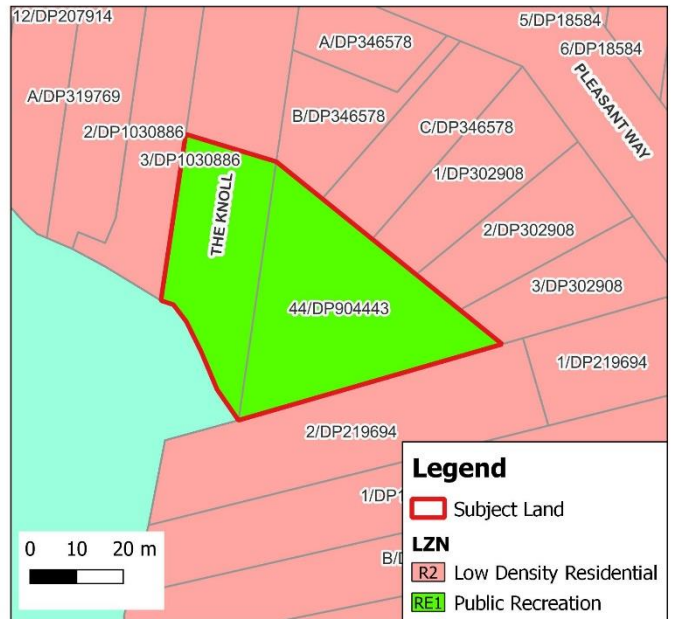
Note: To satisfy part of Condition 1 of the Gateway Determination, evidence of ownership for this property is provided in **Attachment 1**.

Proposed Amendment: Amend the Land Zoning map to rezone Part of Lot 7034, DP 1138728 from R2 Low Density Residential to RE1 Public Recreation.

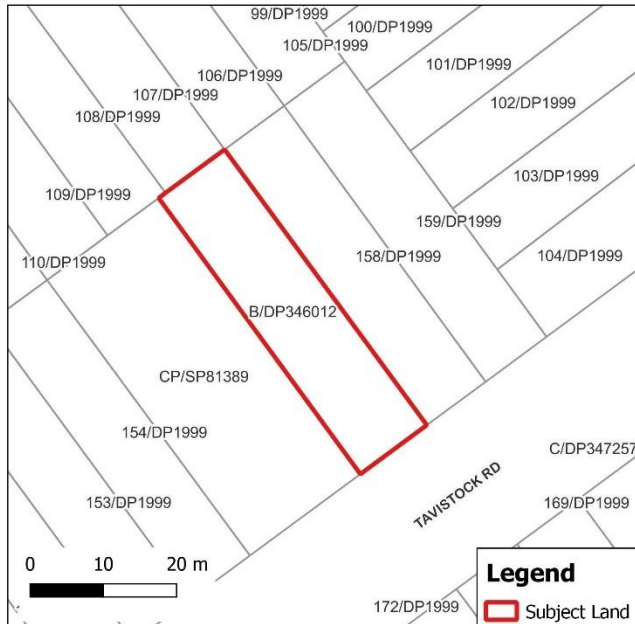
Current LZN



Proposed LZN Change



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

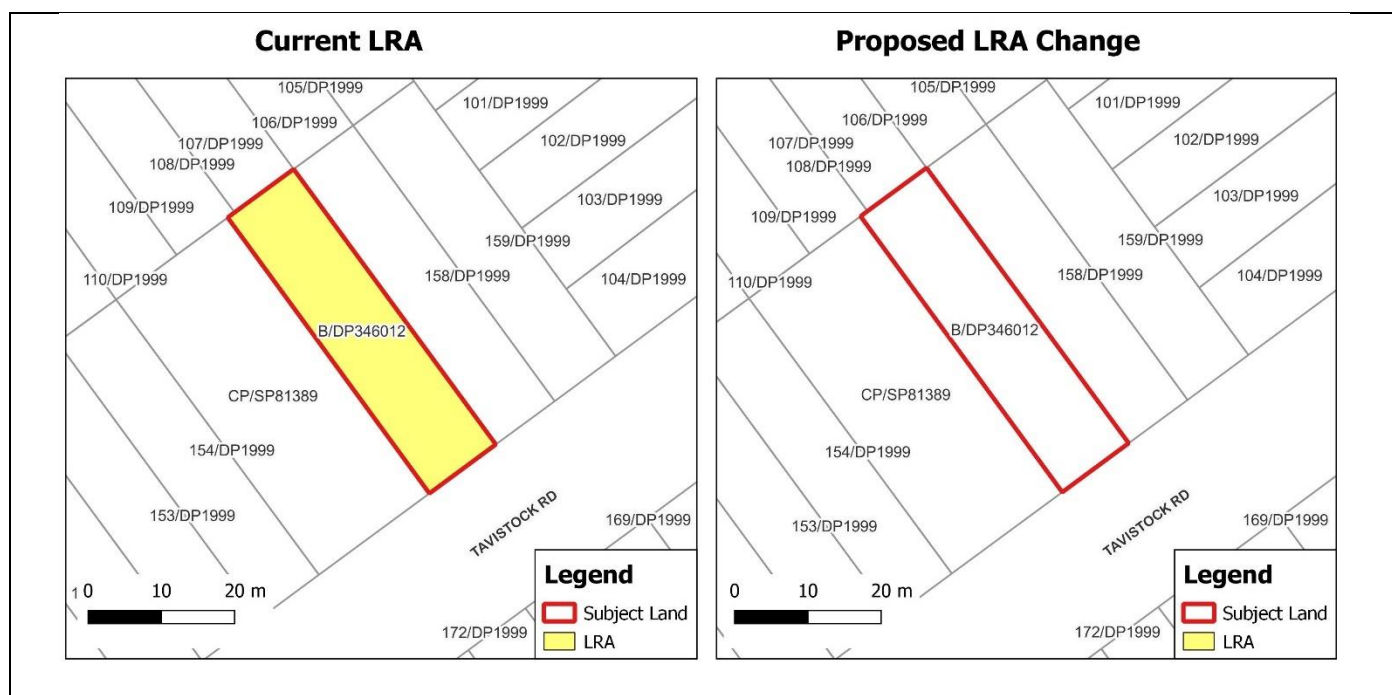


Issue and Justification: The Land Reservation Acquisition (LRA) mapping layer currently applies to the subject site, however is no longer required as the land has been acquired by Council as the relevant acquisition authority.

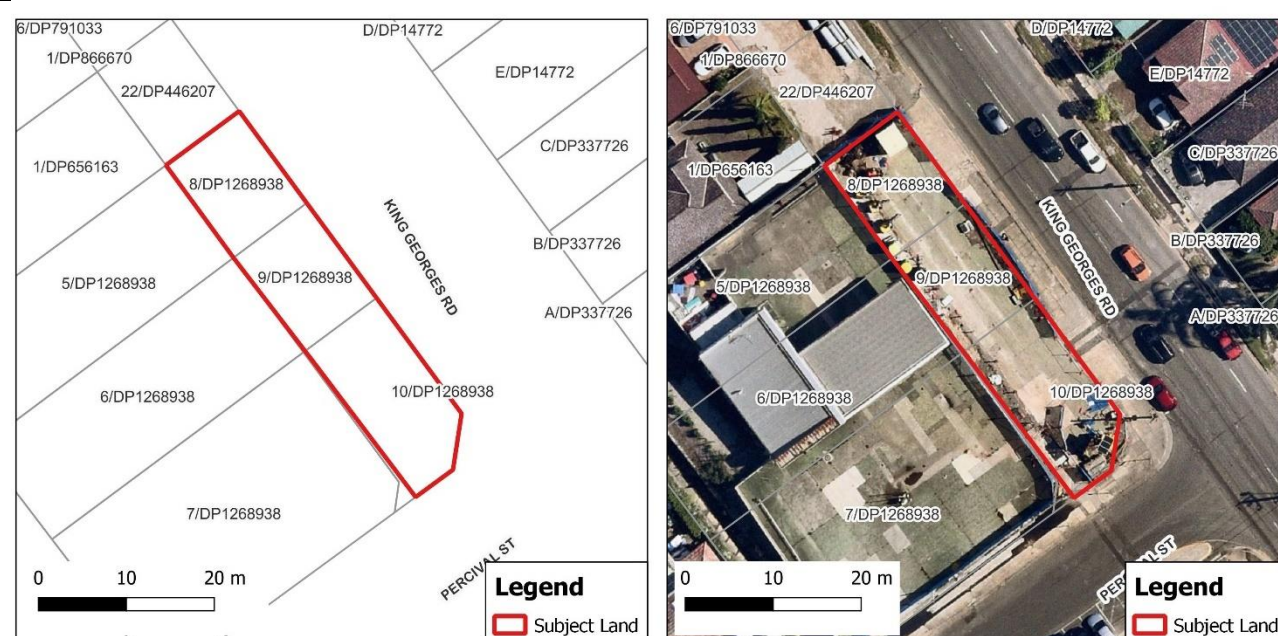
Note: The RE1 Public Recreation zoning is retained.

To satisfy part of Condition 1 of the Gateway Determination, evidence of ownership for this property is provided in **Attachment 1**.

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



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



Issue and Justification: 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.

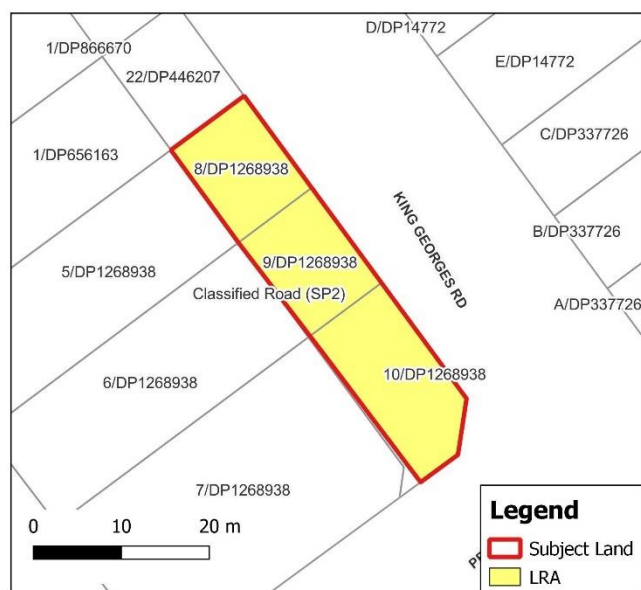
Note: The SP2 Infrastructure (Classified Road) zoning is retained.

To satisfy part of Condition 1 of the Gateway Determination, evidence of ownership for this property is provided in **Attachment 1**.

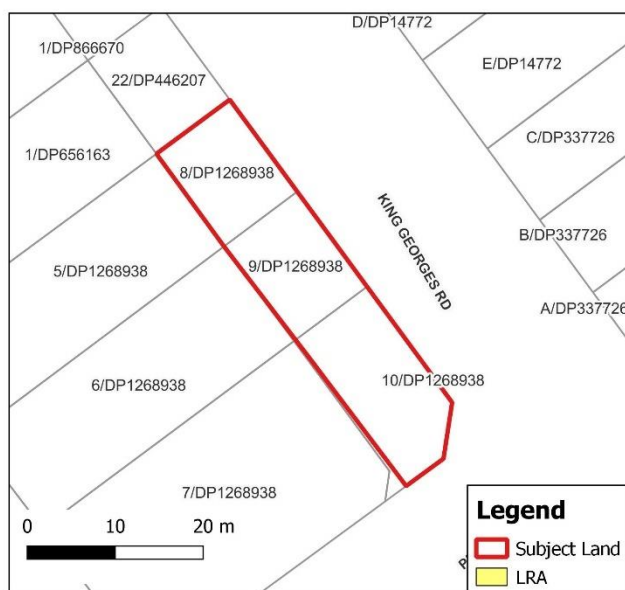
Proposed Amendment: Amend the LRA map to remove the LRA layer from

- 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.

Current LRA



Proposed LRA Change



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

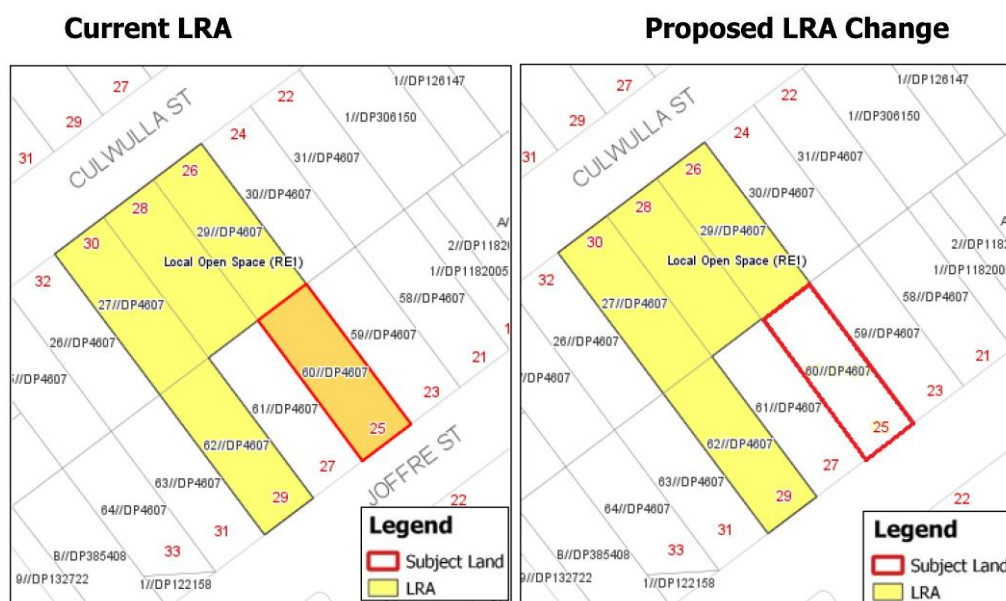


Issue and Justification: The Land Reservation Acquisition (LRA) mapping layer currently applies to the subject site, however the mapping is no longer required as the land has been acquired by Council as the relevant acquisition authority.

To satisfy part of Condition 1 of the Gateway Determination, evidence of ownership for this property is provided in **Attachment 1**.

Note: The RE1 Public Recreation zoning is retained.

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



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



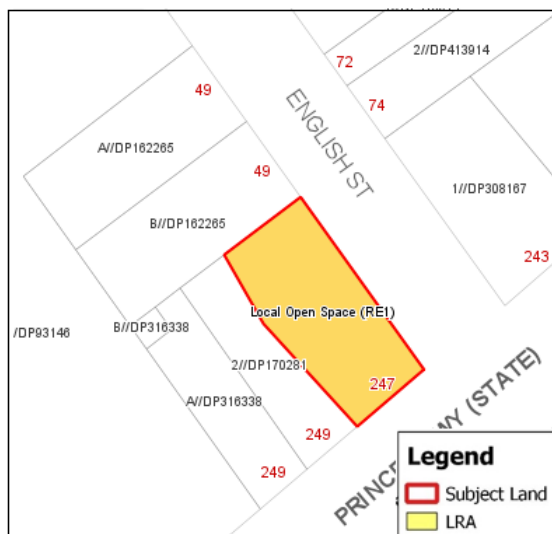
Issue and Justification: The Land Reservation Acquisition (LRA) mapping layer currently applies to the subject site, however the mapping is no longer required as the land has been acquired by Council as the relevant acquisition authority.

To satisfy part of Condition 1 of the Gateway Determination, evidence of ownership for this property is provided in **Attachment 1**.

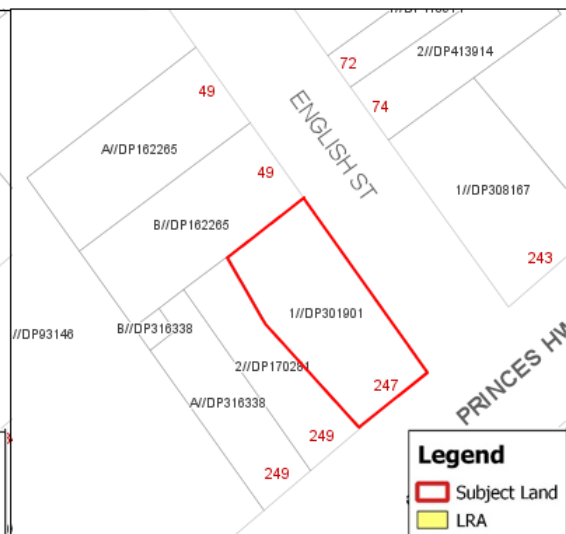
Note: The RE1 Public Recreation zoning is retained.

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

Current LRA



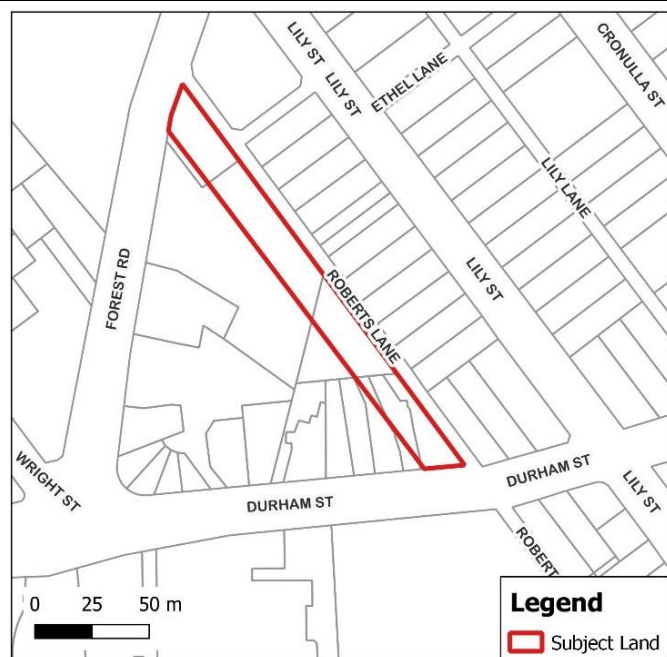
Proposed LRA Change



4.4 Instrument and Map Amendments

Items 32–37 are amendments that relate to both the GRLEP instrument and associated mapping, with proposed changes to the instrument identified in red.

32. Additional Permitted Use – Residential Flat Buildings, Roberts Lane frontage, Landmark Square site



Issue and Justification: Part of the site fronting Roberts Lane identified above are currently zoned MU1 Mixed Use zone under the GRLEP 2021. A non-residential FSR of 0.5:1 applies to these sites.

Since the gazettal of the new controls for the site proposed through Amendment No. 16 to the HLEP 2012 on 7 August 2020, the HLEP 2012 has been replaced by the new GRLEP. While the new GRLEP maintains the same MU1 Mixed Use zone for the site, the Land Use Table for the MU1 Mixed Use zone has been modified with residential flat buildings listed as prohibited. Under *Clause 6.13 Development in certain business zones* of the GRLEP which applies to the MU1 zone, one of the objectives is ‘to maintain existing, and encourage additional, non-residential uses along ground floor street frontages’. It is also prescribed in Clause 6.13 ‘development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied the development will not cause a part of the ground floor of a building that is facing a street to be used for the purposes of residential accommodation or tourist and visitor accommodation’.

The specific DCP controls for the site (Hurstville Development Control Plan No. 2 – Amendment No. 12) reflects the concept plan that was lodged for the rezoning of the site under Amendment No. 16 to the HLEP 2012 and requires Residential Flat Buildings (RFBs) to be located on the

Roberts Lane frontage, however these are prohibited in the MU1 zone. As *Clause 6.13 Development in certain business zones* prohibits the ground floor of a building that is facing a street to be used for the purposes of residential accommodation or tourist and visitor accommodation; the LEP provisions need to be updated to facilitate development for the purposes of RFBs on the Roberts Lane frontage of the site. No changes are proposed to the FSR and height of development permitted in the GRLEP 2021.

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 by:

- 1) Introducing “residential flat building” as an additional permitted use within Schedule 1 and the Additional Permitted Uses map for “Area [x]” (number to be allocated at drafting stage); and
- 2) Excluding the application of *Clause 6.13 Development in certain business zones* from “Area [x]” of the Site

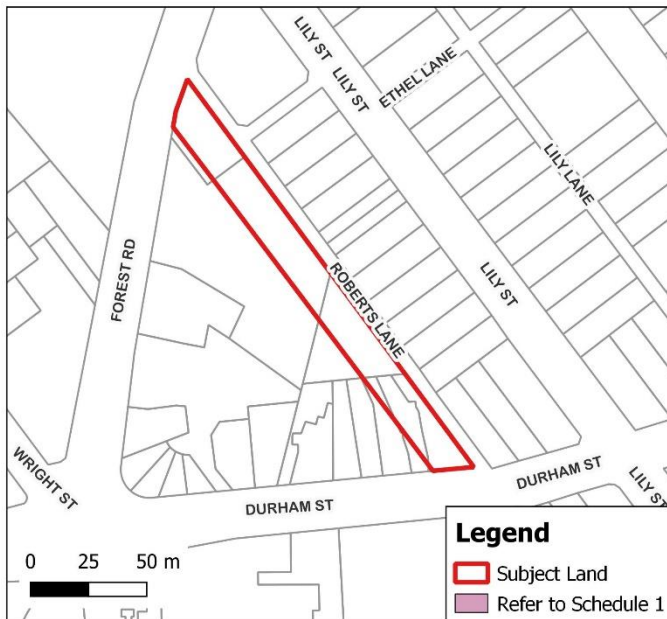
Where “Area [x]” means Part of Lot A, DP 372835, 53 Forest Road, Hurstville; Part of Lot 1, DP 225302, 61-65 Forest Road, Hurstville; Part of Lot 1, DP 172819, 9 Roberts Lane, Hurstville; Part of Lot B, DP 391801, 112 Durham Street, Hurstville; Part of Lot C, DP 391801, 110 Durham Street, Hurstville; and Part of Lot D, DP 391801, 108 Durham Street, Hurstville.

Schedule 1 Additional permitted uses

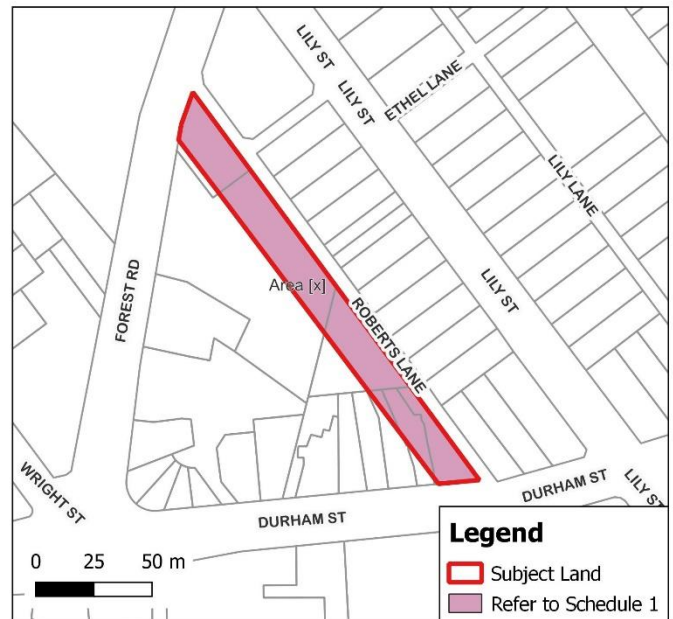
14 Use of certain land for residential flat buildings

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

Current APU



Proposed APU Change



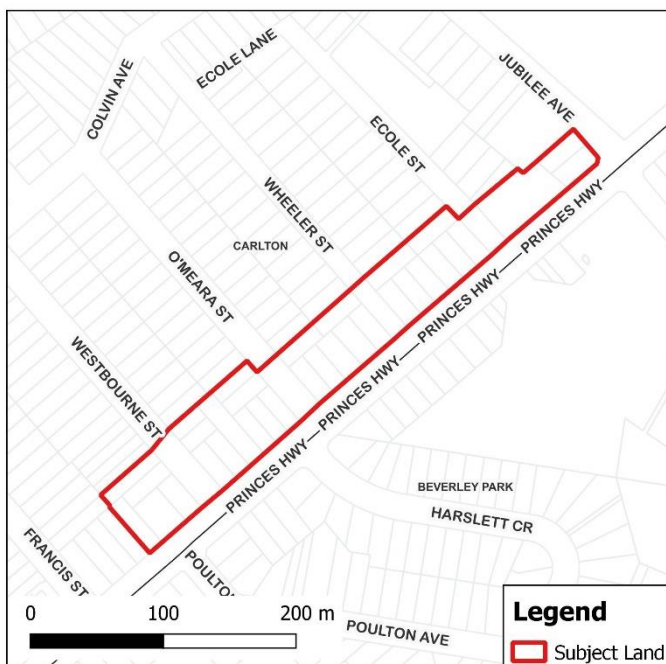
Clause 6.13 Development in Zones E1, E2 and MU1

- (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—
 - (a) Zone E1 Local Centre,
 - (b) Zone MU1 Mixed Use,
 - (c) **Zone E2 Commercial Centre.**
 - ~~(e), (d) —(Repealed).~~
- (3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied the development will not cause a part of the ground floor of a building that is facing a street to be used for the purposes of residential accommodation or tourist and visitor accommodation.
- (4) Subclause (3) does not apply to a part of a building that is used for the following purposes—
 - (a) entrances and lobbies, including as part of a mixed use development,
 - (b) access for fire services,
 - (c) essential services.
- (5) Development consent must not be granted for the erection of a building with a gross floor area on the ground floor of more than 500m² on land identified as “Area A” on the [Land Zoning Map](#) unless the consent authority is satisfied at least 500m² of the gross floor area on the ground floor will be used for—
 - (a) a purpose other than residential accommodation or tourist and visitor accommodation, and
 - (b) a purpose specified in subclause (4).

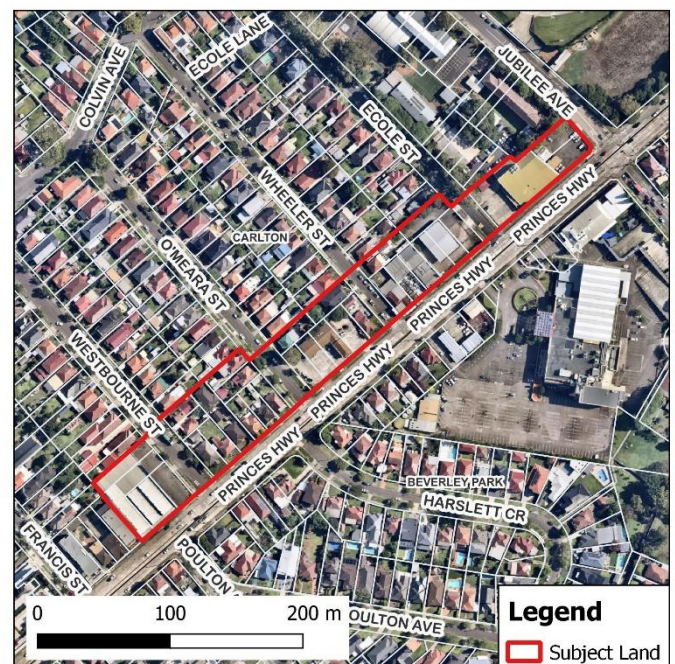
- (5A) This clause does not apply to part of Lot 30, DP 785238, 9 Gloucester Road, Hurstville, identified as “Area A” on the [Additional Permitted Uses Map](#).
- (5B) This clause does not apply to the following land identified as “Area [x]” on the Additional Permitted Uses Map—
- (a) Part of Lot A, DP 372835, 53 Forest Road, Hurstville,
 - (b) Part of Lot 1, DP 225302, 61-65 Forest Road, Hurstville,
 - (c) Part of Lot 1, DP 172819, 9 Roberts Lane, Hurstville,
 - (d) Part of Lot B, DP 391801, 112 Durham Street, Hurstville,
 - (e) Part of Lot C, DP 391801, 110 Durham Street, Hurstville,
 - (f) Part of Lot D, DP 391801, 108 Durham Street, Hurstville.
- (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.
- (6) In this clause—
- essential services** means the following—
- (a) the supply of water,
 - (b) the supply of electricity,
 - (c) the supply of telecommunications facilities,
 - (d) the disposal and management of sewage,
 - (e) stormwater drainage or on-site conservation,
 - (f) suitable vehicular access.

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

Subject Land



Aerial Photo



Issue and Justification: The *State Environmental Planning Policy Amendment (Land Use Zones) (No 3) 2022* commenced on 26 April 2023. The amendment relates to the employment zones reforms undertaken by the DPE to replace the former business and industrial zones with new zones. As a result of the amendment, the former B1 Neighbourhood Centre, B2 Local Centre and B6 Enterprise Corridor zones under the GRLEP 2021 were replaced by the new E1 Local Centre zone. Since the former B6 zone permitted more land uses than the former B1 and B2 zones, an Additional Permitted Uses clause and mapping was inserted into the GRLEP to accommodate these uses. One of these land uses listed as an additional permitted use is backpackers' accommodation. However, it is already permissible in the E1 zone under tourist and visitor accommodation and is not required to be listed as an additional permitted use. The amendment also identifies the E1 zoned area where the additional permitted use applies on the Land Zoning Map as the DPE had agreed to this amendment prior to an Additional Permitted Uses Map being applicable to the GRLEP 2021 which only came into effect on 25 November 2022 as a result of Amendment No. 5 to the GRLEP applying to 9 Gloucester Road, Hurstville.

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.

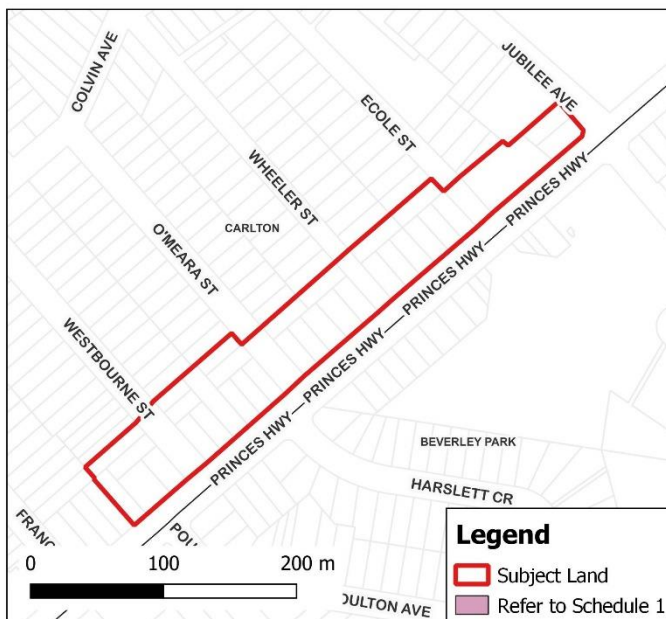
Current LZN



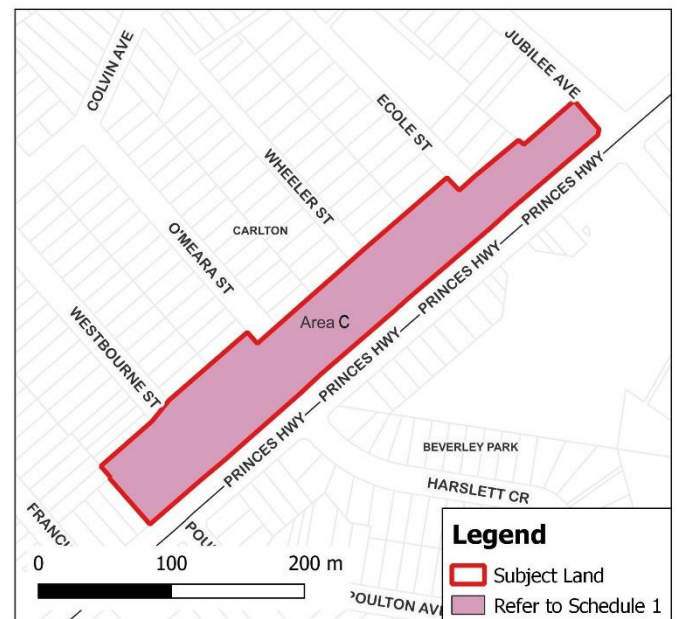
Proposed LZN Change



Current APU



Proposed APU Change



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

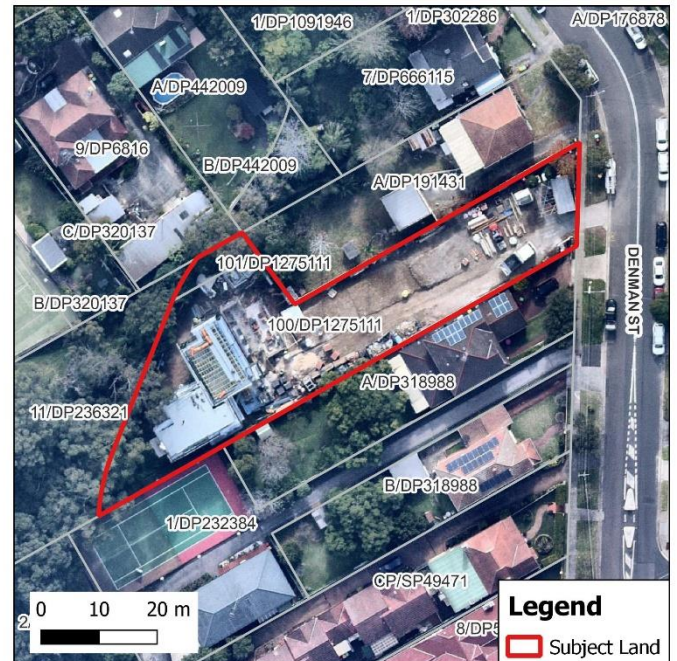
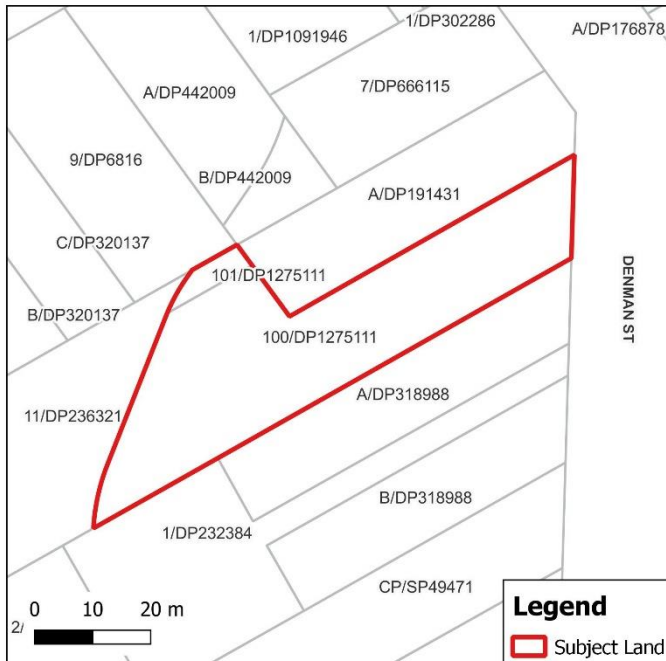
- 1) Deleting 'backpackers' accommodation' from the list of additional permissible uses;
- 2) Deleting the reference to the Land Zoning Map and replacing it with a reference to the Additional Permitted Uses Map; and
- 3) Replacing the reference to 'Area A' with 'Area C'.

Schedule 1 Additional permitted uses

Use of certain land in Zone E1

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

34. 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



Issue and Justification: 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 subdivision and a realignment of lot boundaries, the corresponding Additional Permitted Uses (APU) map also needs adjusting to be entirely within Lot 100 DP 1275111, 5 Denman Street (which is zoned R2 Low Density Residential).

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.

Note: To satisfy part of Condition 1 of the Gateway Determination, evidence of ownership for 5R Denman Street, Hurstville is provided in **Attachment 1**.

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)

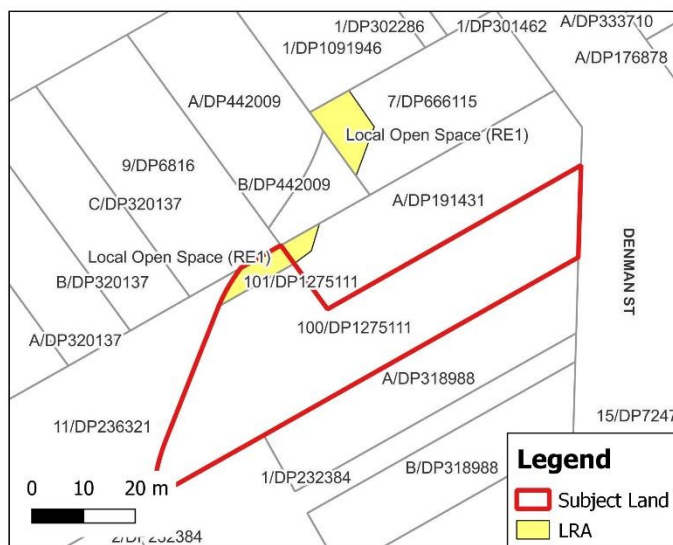
(1) This clause applies to the following land—

(d) 5 Denman Street, Hurstville, being Lot ~~12-100~~, DP ~~236321~~ 1275111,

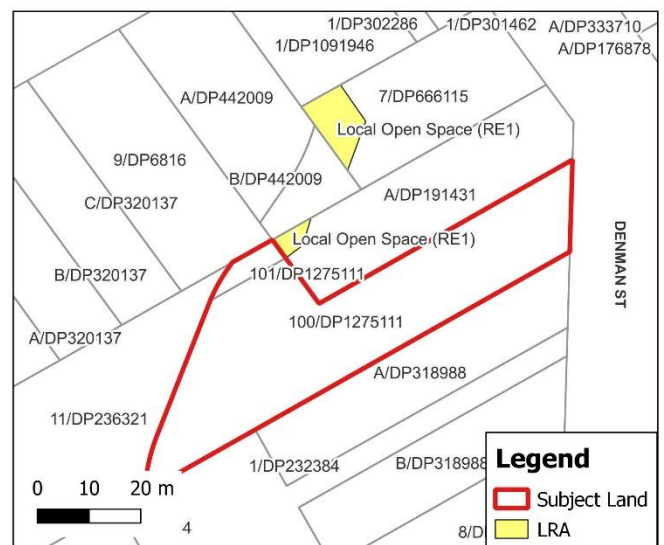
Proposed Map Amendments:

- Amend the Land Reservation Acquisition (LRA) map to remove the layer from Lot 101, DP 1275111, 5R Denman Street; and
- Amend the Additional Permitted Uses (APU) map so that the APU is wholly over Lot 100, DP 1275111, 5 Denman Street and does not include Lot 101, DP 1275111, 5R Denman Street.
- Amend the Land Zoning Map (LZN) so that Lot 100, DP 1275111 is zoned entirely R2 Low Density Residential.

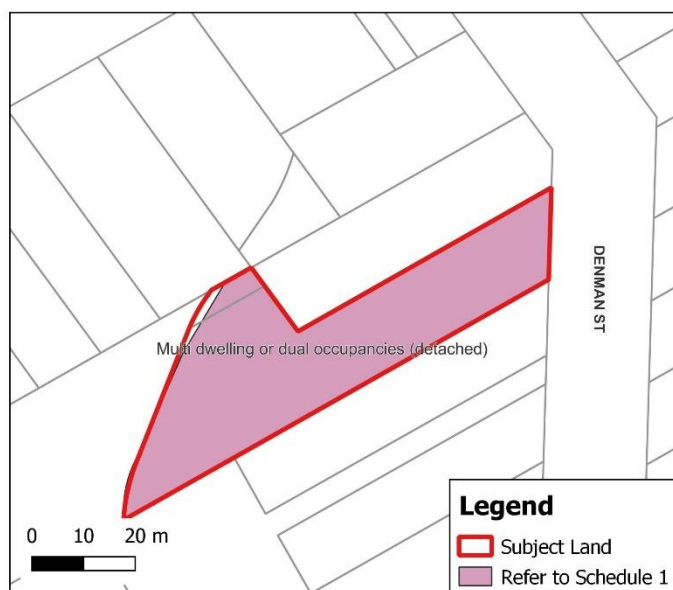
Current LRA



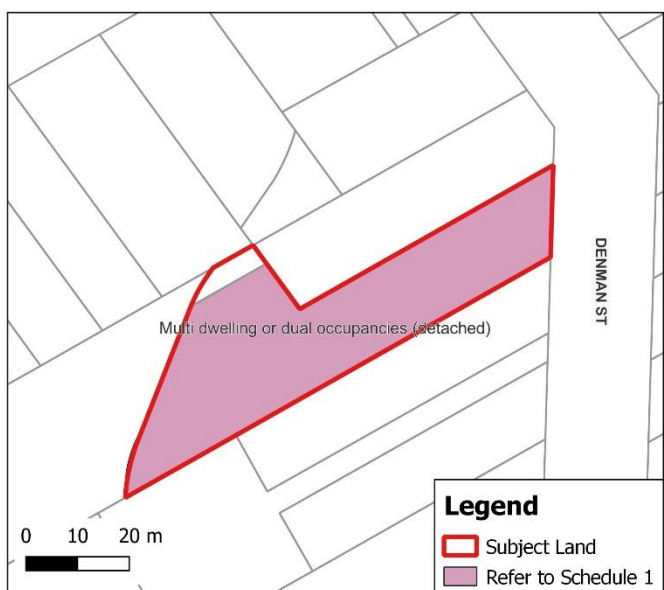
Proposed LRA Change

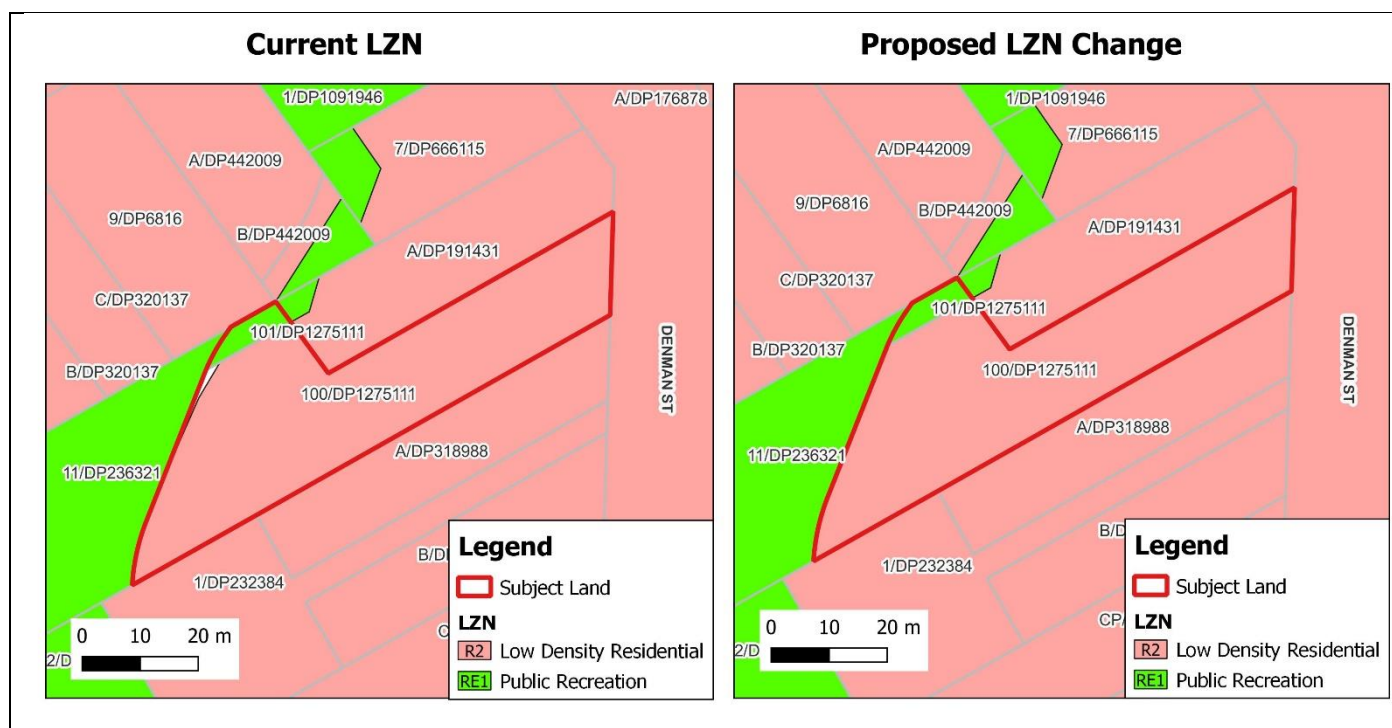


Current APU

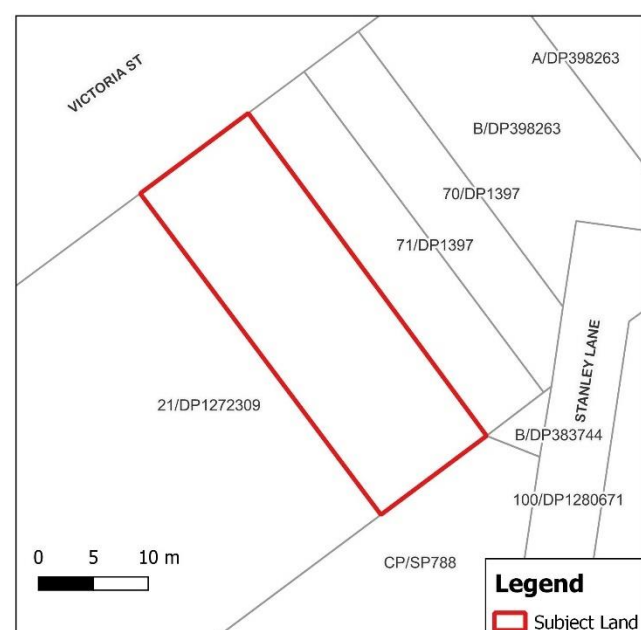


Proposed APU Change





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

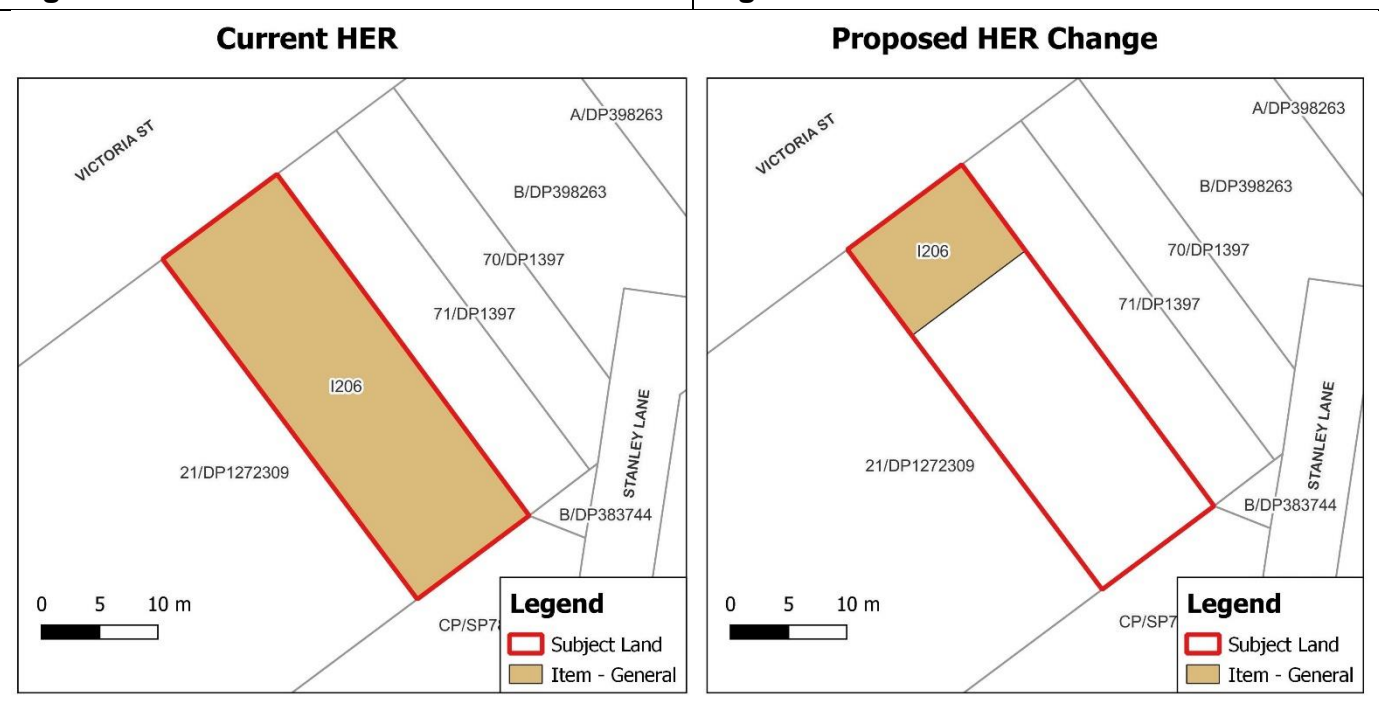


Issue and Justification: 14-16 Victoria Street, Kogarah (Item I206) was subject to a development application (DA2020/0128) approved by the Land and Environment Court (LEC) on 10 February 2021. The DA has resulted in the consolidation of 14-16 Victoria Street, Kogarah

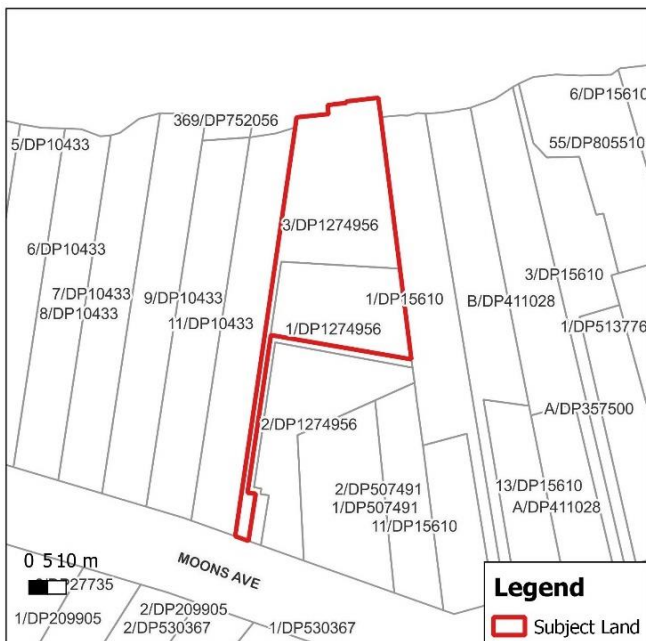
with adjoining properties, resulting in a new address of 6-16 Victoria Street, Kogarah. Schedule 5 requires updating to reflect the new consolidated site, Lot 21, DP 1272309.

The LEC decision also approved the partial demolition of the heritage item, and retention of part of the heritage item in a manner that maintains a coherent streetscape presentation. The heritage map requires updating to reflect the current reduced curtilage of the heritage item and demolition works.

Existing Schedule 5	Proposed Schedule 5
Item No: I206 Item: Terraces and garden, “Beatrice” and “Lillyville” Address: 14–16 Victoria Street Suburb: Kogarah Property Description: Lots 72 and 73, Section B, DP 1397 Significance: Local	Item No: I206 Item: Terraces and garden, “Beatrice” and “Lillyville” Address: Part of 6–16 14–16 Victoria Street Suburb: Kogarah Property Description: Part of Lot 21, DP 1272309 Lots 72 and 73, Section B, DP 1397 Significance: Local



36. Schedule 5 Environmental Heritage – Item I217 ‘Cottage “Killarney” and setting’



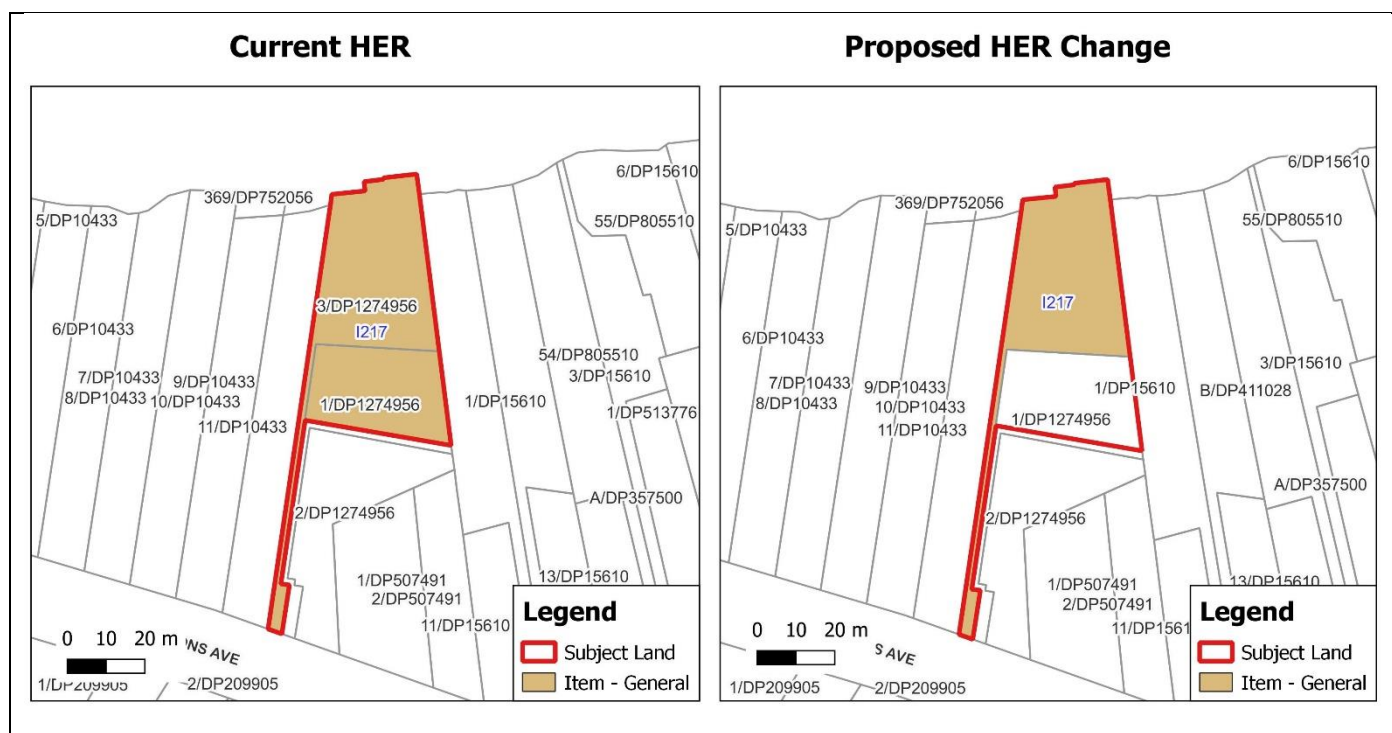
Issue and Justification: The subject land was subdivided into 2 lots to create 66A (Lot 1, DP 1274956) and 66B Moons Avenue (Lot 3, DP 1274956), Lugarno. The heritage item is located entirely on 66B Moons Avenue, so it is necessary to update the heritage mapping to reflect this.

Existing Schedule 5

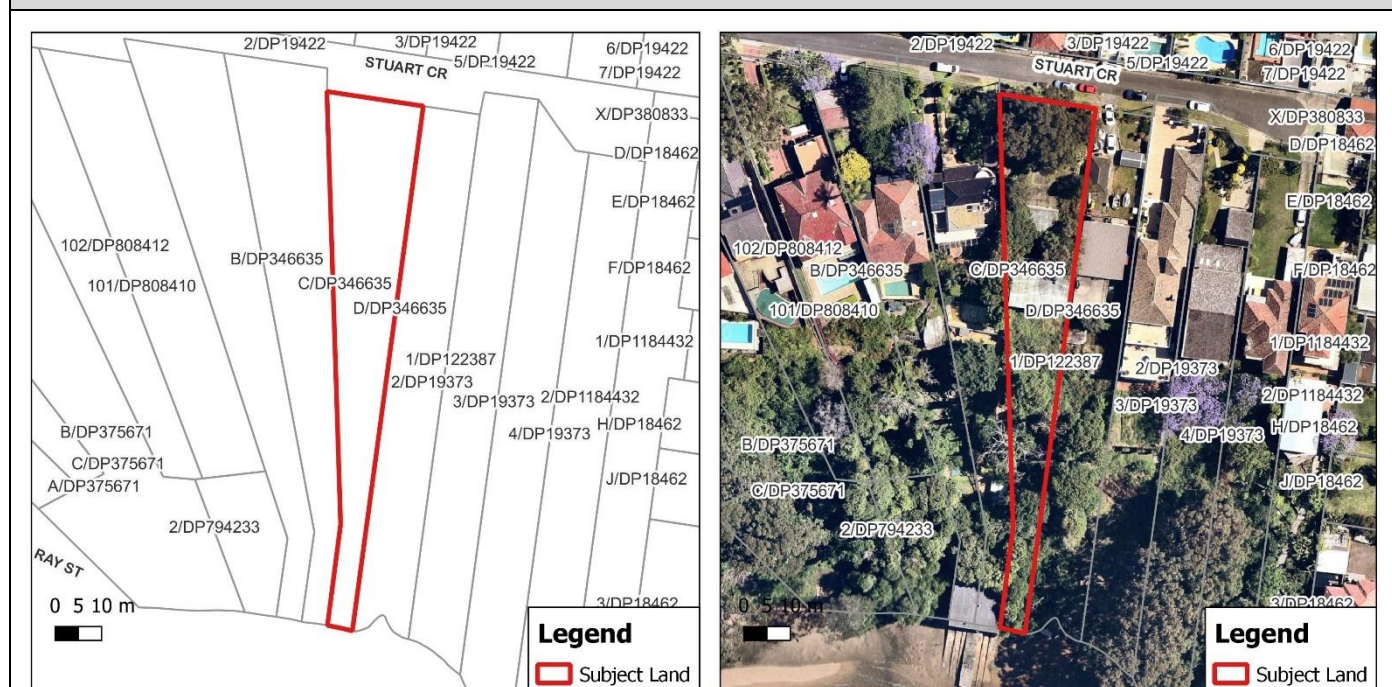
Item No: I217
Item: Cottage “Killarney” and setting
Address: 66A Moons Avenue
Suburb: Lugarno
Property Description: Lot 1, DP 506036
Significance: Local

Proposed Schedule 5

Item No: I217
Item: Cottage “Killarney” and setting
Address: **66A 66B** Moons Avenue
Suburb: Lugarno
Property Description: **Lot 1, DP 506036 Lot 3, DP 1274956**
Significance: Local



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



Issue and Justification: ‘Thurlow House’ at 9 Stuart Crescent, Blakehurst (Lot D, DP 346635) was added to the NSW State Heritage Register on 21 October 2016. Following the consolidation

of the former Kogarah and Hurstville LEPs, it was inadvertently omitted from Schedule 5 Environmental heritage within the consolidated GRLEP 2021.

Proposed Amendment to Schedule 5 Environmental heritage:

Item No: I319

Item: Thurlow House

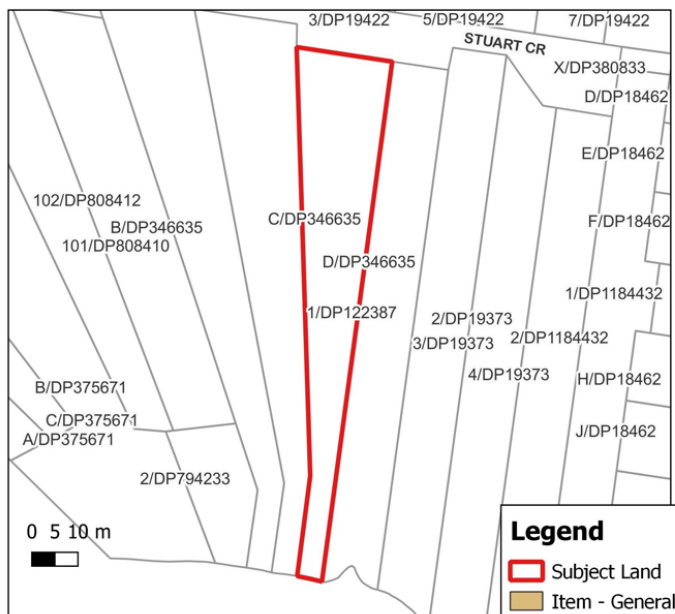
Address: 9 Stuart Crescent

Suburb: Blakehurst

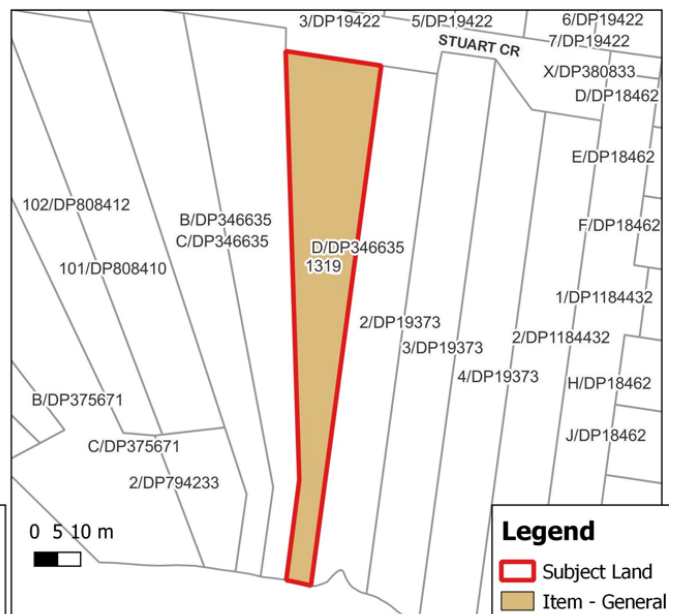
Property Description: Lot D, DP 346635

Significance: State

Current HER



Proposed HER Change



5 JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

5.1 Section A – Need for the planning proposal

Question	Considerations
1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?	<p>The proposed amendments cover a range of instrument and mapping related matters which have been identified as administrative or housekeeping issues that need to be addressed to ensure that the GRLEP operates as originally intended and/or to improve its operation.</p> <p>While the PP is not a direct result of an endorsed LSPS, strategic study or report, it is consistent with a number of priorities within the <i>Georges River Local Strategic Planning Statement 2040</i> ('LSPS 2040') as discussed in Question 4 below.</p>
2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	Yes, the PP is the best and only means of addressing the administrative and housekeeping related matters that have been identified within the GRLEP 2021.

5.2 Section B – Relationship to the strategic planning framework

Question	Considerations
3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?	<p>Yes. The PP gives effect to the following objectives within the <i>Greater Sydney Region Plan – A Metropolis of Three Cities</i>:</p> <ul style="list-style-type: none"> • <i>Objective 2. Infrastructure aligns with forecast growth.</i> The PP gives effect to this objective by updating the Land Reservation Acquisition (LRA) maps to remove the layer from sites which have already been acquired for public infrastructure (i.e. classified roads and local open space). • <i>Objective 10. Greater housing supply.</i> The PP gives effect to this objective by allowing an additional permitted use of residential flat buildings for a portion of land along Roberts Lane, Hurstville, consistent with the site specific DCP controls already adopted for the site. • <i>Objective 13. Environmental heritage is identified, conserved and enhanced.</i> The PP gives effect to this objective by amending <i>Schedule 5 Environmental Heritage</i> and the Heritage maps within the GRLEP 2021 so that all property descriptions, item names and maps are accurate for all local and State heritage items within the Georges River LGA. • <i>Objective 27. Biodiversity is protected, urban bushland and remnant vegetation is enhanced.</i> The PP gives effect to this objective by amending the current <i>Clause 6.12 Landscaped areas in certain residential and environment protection zones</i> to ensure that the original intent of the clause is achieved; and to ensure that semi-detached housing provides a minimum landscaped area. It also gives effect to this objective by ensuring that public reserves are zoned appropriately and that land that has been acquired for local open space purposes is removed from the LRA maps.

Question	Considerations
	<ul style="list-style-type: none"> • <i>Objective 37. Exposure to natural and urban hazards is reduced.</i> The PP gives effect to this objective by inserting a new clause from the Standard Instrument LEP, <i>Clause 5.22 Special flood considerations</i>. The clause applies to sensitive and hazardous development on land between the flood planning area and the probable maximum flood to build resilience in future development and reduce the extent of property damage and potential loss of life from severe to extreme flooding. <p>The PP also gives effect to the planning priorities of the <i>South District Plan</i>:</p> <ul style="list-style-type: none"> • <i>Planning Priority S1. Planning for a city supported by infrastructure.</i> The PP gives effect to this planning priority by updating the Land Reservation Acquisition (LRA) maps to remove the layer from sites which have already been acquired for public infrastructure (i.e. classified roads and local open space). • <i>Planning Priority S5. Providing housing supply, choice and affordability, with access to jobs, services and public transport.</i> The PP gives effect to this planning priority by allowing an additional permitted use of residential flat buildings for a portion of land along Roberts Lane, Hurstville, consistent with the site specific DCP controls already adopted for the site. • <i>Planning Priority S6. Creating and renewing great places and local centres, and respecting the District's heritage.</i> The PP gives effect to this planning priority by amending <i>Schedule 5 Environmental Heritage</i> and the Heritage maps within GRLEP 2021 so that all property descriptions, item names and maps are accurate for all local and State heritage items within the Georges River LGA. • <i>Planning Priority S18. Adapting to the impacts of urban and natural hazards and climate change.</i> The PP gives effect to this planning priority by inserting a new clause from the Standard Instrument LEP, <i>Clause 5.22 Special flood considerations</i>. The clause applies to sensitive and hazardous development on land between the flood planning area and the probable maximum flood to build resilience in future development and reduce the extent of property damage and potential loss of life from severe to extreme flooding.
<p>4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?</p>	<p>Yes. The PP is consistent with the endorsed Georges River Local Strategic Planning Statement 2040 ('LSPS 2040'), specifically the following planning priorities:</p> <ul style="list-style-type: none"> • <i>P4. Collaboration supports innovation and delivers infrastructure, services and facilities.</i> The PP is consistent with this priority as it proposes to update the Land Reservation Acquisition (LRA) maps to remove the layer from sites which have already been acquired for public infrastructure (i.e. classified roads and local open space). • <i>P10. Homes are supported by safe, accessible, green, clean, creative and diverse facilities, services and spaces.</i> The PP is consistent with this priority by amending the current <i>Clause 6.12 Landscaped areas in certain residential and environment protection zones</i> to ensure that the original intent of the clause is achieved; and to ensure that semi-detached housing provides a minimum landscaped area. The PP is also consistent with this

Question	Considerations				
	<p>priority as it ensures that public reserves are zoned appropriately and that land that has been acquired for local open space purposes is removed from the LRA maps.</p> <ul style="list-style-type: none"> • <i>P11. Aboriginal and other heritage is protected and promoted.</i> The PP is consistent with this priority as it seeks to amend <i>Schedule 5 Environmental Heritage</i> and the Heritage maps within the GRLEP 2021 so that all property descriptions, item names and maps are accurate for all local and State heritage items within the Georges River LGA. • <i>P17. Tree canopy, bushland, landscaped settings and biodiversity are protected, enhanced and promoted.</i> The PP is consistent with this priority as it proposes to amend the current <i>Clause 6.12 Landscaped areas in certain residential and environment protection zones</i> to rectify operational issues and to ensure that semi-detached housing provides a landscaped area. • <i>P19. Everyone has access to quality, clean, useable, passive and active open and green spaces and recreation places.</i> The PP is consistent with this priority as it seeks to amend the current <i>Clause 6.12 Landscaped areas in certain residential and environment protection zones</i> to ensure that the original intent of the clause is achieved; and to ensure that semi-detached housing provides a minimum landscaped area. The PP is also consistent with this priority as it ensures that public reserves are zoned appropriately and that land that has been acquired for local open space purposes is removed from the LRA maps. • <i>P20. Development is managed to appropriately respond to hazards and risks.</i> The PP is consistent with this priority as it seeks to insert a new clause from the Standard Instrument LEP, <i>Clause 5.22 Special flood considerations</i>. The clause applies to sensitive and hazardous development on land between the flood planning area and the probable maximum flood to build resilience in future development and reduce the extent of property damage and potential loss of life from severe to extreme flooding. 				
5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?	There are no other applicable State and regional studies or strategies.				
6. Is the planning proposal consistent with applicable SEPPs?	<p>The PP is consistent with the following SEPPs:</p> <table border="1"> <thead> <tr> <th data-bbox="571 1659 970 1697">SEPP</th><th data-bbox="970 1659 1505 1697">Comment on consistency</th></tr> </thead> <tbody> <tr> <td data-bbox="571 1697 970 2067"><i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i></td><td data-bbox="970 1697 1505 2067"> <p>This SEPP consolidates, transfers and repeals provisions of the following 11 SEPPs (or deemed SEPPs):</p> <ul style="list-style-type: none"> • <i>SEPP (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP)</i> • <i>SEPP (Koala Habitat Protection) 2020 (Koala SEPP 2020)</i> • <i>SEPP (Koala Habitat Protection) 2021 (Koala SEPP 2021)</i> • <i>Murray Regional Environmental Plan No 2—Riverine Land (Murray REP)</i> </td></tr> </tbody> </table>	SEPP	Comment on consistency	<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	<p>This SEPP consolidates, transfers and repeals provisions of the following 11 SEPPs (or deemed SEPPs):</p> <ul style="list-style-type: none"> • <i>SEPP (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP)</i> • <i>SEPP (Koala Habitat Protection) 2020 (Koala SEPP 2020)</i> • <i>SEPP (Koala Habitat Protection) 2021 (Koala SEPP 2021)</i> • <i>Murray Regional Environmental Plan No 2—Riverine Land (Murray REP)</i>
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Question	Considerations
	<ul style="list-style-type: none"> SEPP No 19—<i>Bushland in Urban Areas</i> (SEPP 19) SEPP No 50—<i>Canal Estate Development</i> (SEPP 50) SEPP (Sydney Drinking Water Catchment) 2011 (<i>Sydney Drinking Water SEPP</i>) Sydney Regional Environmental Plan No 20 – <i>Hawkesbury – Nepean River</i> (No 2 – 1997) (<i>Hawkesbury–Nepean River SREP</i>) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (<i>Sydney Harbour Catchment SREP</i>) Greater Metropolitan Regional Environmental Plan No 2 – <i>Georges River Catchment</i> (<i>Georges River REP</i>) Willandra Lakes Regional Environmental Plan No 1 – <i>World Heritage Property</i> (<i>Willandra Lakes REP</i>) <p>The PP is not inconsistent with the SEPP.</p>
	<i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> <p>The PP is not inconsistent with the SEPP.</p>
	<i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> <p>The PP is not inconsistent with the SEPP.</p>
	<i>State Environmental Planning Policy (Housing) 2021</i> <p>The PP is not inconsistent with the SEPP.</p>
	<i>State Environmental Planning Policy (Industry and Employment) 2021</i> <p>This SEPP consolidates, transfers and repeals the provisions of the following 2 SEPPs:</p> <ul style="list-style-type: none"> SEPP (Western Sydney Employment Area) 2009 (<i>Western Sydney Employment SEPP</i>) SEPP 64 – <i>Advertising and Signage</i> (SEPP 64) <p>The PP is not inconsistent with the SEPP.</p>
	<i>State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</i> <p>The PP is not inconsistent with the SEPP.</p>
	<i>State Environmental Planning Policy (Planning Systems) 2021</i> <p>This SEPP consolidates and repeals the provisions of the following 3 SEPPs:</p> <ul style="list-style-type: none"> SEPP (State and Regional Development) 2011 (<i>State and Regional Development SEPP</i>) SEPP (Aboriginal Land) 2019 (<i>Aboriginal Land SEPP</i>)

Question	Considerations
	<ul style="list-style-type: none"> SEPP (Concurrences and Consents) 2018 (Concurrence SEPP) <p>The PP is not inconsistent with the SEPP.</p>
	<p><i>State Environmental Planning Policy (Precincts - Eastern Harbour City) 2021</i></p> <p>The PP is not inconsistent with the SEPP. The site is not the subject of a Precinct identified by the SEPP.</p>
	<p><i>State Environmental Planning Policy (Primary Production) 2021</i></p> <p>This SEPP consolidates, transfers and repeals the provisions of the following SEPPs:</p> <ul style="list-style-type: none"> SEPP (Primary Production and Rural Development) 2019 (Primary Production and Rural Development SEPP) Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas) (Central Coast Plateau SREP) <p>The PP is not inconsistent with the SEPP.</p>
	<p><i>State Environmental Planning Policy (Resilience and Hazards) 2021</i></p> <p>This SEPP consolidates and repeals the provisions of the following 3 SEPPs:</p> <ul style="list-style-type: none"> SEPP (Coastal Management) 2018 (Coastal Management SEPP) SEPP 33 – Hazardous and Offensive Development (SEPP 33) SEPP 55 – Remediation of Land (SEPP 55) <p>The PP is not inconsistent with the SEPP.</p>
	<p><i>State Environmental Planning Policy (Resources and Energy) 2021</i></p> <p>This SEPP consolidates and repeals the provisions of the following 2 SEPPs:</p> <ul style="list-style-type: none"> SEPP (Mining, Petroleum Production and Extractive Industries) 2007 (Mining SEPP) Sydney Regional Environmental Plan No. 9 – Extractive Industries (No 2 – 1995) (Extractive Industries SREP) <p>The PP is not inconsistent with the SEPP.</p>
	<p><i>State Environmental Planning Policy (Sustainable Buildings)</i></p> <p>The PP is not inconsistent with the SEPP.</p>
	<p><i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i></p> <p>This SEPP consolidates and repeals the provisions of the following 4 SEPPs:</p> <ul style="list-style-type: none"> SEPP (Infrastructure) 2007 (Infrastructure SEPP) SEPP (Educational Establishments and Childcare Facilities) 2017 (Education and Childcare SEPP) SEPP (Major Infrastructure Corridors) 2020 (Corridor SEPP) SEPP (Three Ports) 2013 (Three Ports SEPP)

Question	Considerations																																		
	The PP is not inconsistent with the SEPP.																																		
7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?	<p>The PP is consistent with the applicable Ministerial Directions as follows:</p> <table border="1"> <thead> <tr> <th>Ministerial Direction</th><th>Comment</th></tr> </thead> <tbody> <tr> <td colspan="2">1 Planning Systems</td></tr> <tr> <td>1.1 Implementation of Regional Plans</td><td>Consistent – The PP is consistent with: <ul style="list-style-type: none"> <i>A Metropolis of Three Cities – Greater Sydney Region Plan</i> – see previous discussion on Question 3. <i>South District Plan</i> – see previous discussion on Question 3. </td></tr> <tr> <td>1.2 Development of Aboriginal Land Council land</td><td>Consistent – The PP does not affect land shown on the Land Application Map of <i>State Environmental Planning Policy (Planning Systems) 2021</i>.</td></tr> <tr> <td>1.3 Approval and Referral Requirements</td><td>Consistent – The PP does not seek to make any additional provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority.</td></tr> <tr> <td>1.4 Site Specific Provisions</td><td>Consistent – The PP does seek to add an Additional Permitted Use for certain land however the use does not impose any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</td></tr> <tr> <td colspan="2">1 Planning Systems – Place-based</td></tr> <tr> <td>1.5 Parramatta Road Corridor Urban Transformation Strategy</td><td>NA</td></tr> <tr> <td>1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan</td><td>NA</td></tr> <tr> <td>1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</td><td>NA</td></tr> <tr> <td>1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</td><td>NA</td></tr> <tr> <td>1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor</td><td>NA</td></tr> <tr> <td>1.10 Implementation of the Western Sydney Aerotropolis Plan</td><td>NA</td></tr> <tr> <td>1.11 Implementation of Bayside West Precincts 2036 Plan</td><td>NA</td></tr> <tr> <td>1.12 Implementation of Planning Principles for the Cooks Cove Precinct</td><td>NA</td></tr> <tr> <td>1.13 Implementation of St Leonards and Crows Nest 2036 Plan</td><td>NA</td></tr> <tr> <td>1.14 Implementation of Greater Macarthur 2040</td><td>NA</td></tr> </tbody> </table>	Ministerial Direction	Comment	1 Planning Systems		1.1 Implementation of Regional Plans	Consistent – The PP is consistent with: <ul style="list-style-type: none"> <i>A Metropolis of Three Cities – Greater Sydney Region Plan</i> – see previous discussion on Question 3. <i>South District Plan</i> – see previous discussion on Question 3. 	1.2 Development of Aboriginal Land Council land	Consistent – The PP does not affect land shown on the Land Application Map of <i>State Environmental Planning Policy (Planning Systems) 2021</i> .	1.3 Approval and Referral Requirements	Consistent – The PP does not seek to make any additional provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority.	1.4 Site Specific Provisions	Consistent – The PP does seek to add an Additional Permitted Use for certain land however the use does not impose any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.	1 Planning Systems – Place-based		1.5 Parramatta Road Corridor Urban Transformation Strategy	NA	1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	NA	1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NA	1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NA	1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	NA	1.10 Implementation of the Western Sydney Aerotropolis Plan	NA	1.11 Implementation of Bayside West Precincts 2036 Plan	NA	1.12 Implementation of Planning Principles for the Cooks Cove Precinct	NA	1.13 Implementation of St Leonards and Crows Nest 2036 Plan	NA	1.14 Implementation of Greater Macarthur 2040	NA
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Question		Considerations
	1.15 Implementation of the Pyrmont Peninsula Place Strategy	NA
	1.16 North West Rail Link Corridor Strategy	NA
	1.17 Implementation of the Bays West Place Strategy	NA
	1.18 Implementation of the Macquarie Park Innovation Precinct	NA
	1.19 Implementation of the Westmead Place Strategy	NA
	1.20 Implementation of the Camellia-Rosehill Place Strategy	NA
	1.21 Implementation of the South West Growth Area Structure Plan	NA
	1.22 Implementation of the Cherrybrook Station Place Strategy	N/A
	2 Design and Place	
	3 Biodiversity and Conservation	
	3.1 Conservation Zones	Consistent – The PP does not affect land within a conservation zone or land otherwise identified for environment conservation/protection purposes in a LEP.
	3.2 Heritage Conservation	Consistent – The PP seeks to make minor administrative amendments to <i>Schedule 5 Environmental Heritage</i> and associated Heritage maps within the GRLEP 2021 to ensure property descriptions, item names and maps are accurate for all local and State heritage items within the Georges River LGA.
	3.3 Sydney Drinking Water Catchments	NA – the PP affects the Georges River LGA which the Direction does not apply to.
	3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	NA
	3.5 Recreation Vehicle Areas	Consistent – The PP does not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the <i>Recreation Vehicles Act 1983</i>).
	3.6 Strategic Conservation Planning	NA
	3.7 Public Bushland	Consistent – The PP does not propose any changes to existing controls protecting bushland in urban areas.
	3.8 Willandra Lakes Region	NA
	3.9 Sydney Harbour Foreshores and Waterways Area	NA – The PP does not affect land within the Foreshores and Waterways Area as defined in the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .
	3.10 Water Catchment Protection	N/A – The PP does not propose any changes to controls that would impact on water catchments.
	4 Resilience and Hazards	

Question	Considerations
	4.1 Flooding Consistent – The PP proposes to adopt <i>Clause 5.22 Special flood considerations</i> which will enable Council to consider flood impacts for sensitive and hazardous development types for land between the flood planning area (FPA) and the probable maximum flood (PMF). The PP is consistent with the objectives of the Direction.
	4.2 Coastal Management Consistent – The PP affects land within the Coastal Zone however it does not propose an intensification of uses permitted. The PP does not propose any changes relating to coastal management.
	4.3 Planning for Bushfire Protection Consistent – The PP does not result in controls that place development in hazardous areas. It does not change any existing provisions relating to bushfire prone land.
	4.4 Remediation of Contaminated Land Consistent – The PP does not affect any known contaminated land.
	4.5 Acid Sulfate Soils Consistent – The PP does not seek to introduce or change provisions relating to Acid Sulfate Soils.
	4.6 Mine Subsidence and Unstable Land Consistent – The PP does not permit development on land that: (a) is within a mine subsidence district, or (b) has been identified as unstable in a study, strategy or other assessment undertaken: (i) by or on behalf of the relevant planning authority, or (ii) on behalf of a public authority and provided to the relevant planning authority.
	5 Transport and Infrastructure
	5.1 Integrating Land Use and Transport Consistent – The PP proposes minor alterations to provisions relating to urban land, however is consistent with <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).
	5.2 Reserving Land for Public Purposes Consistent – The PP proposes to remove the LRA layer from a number of parcels which have already been acquired by the relevant authority (either Council or Transport for NSW). The mapping is no longer required. Transport for NSW was consulted as part of the Gateway Determination and had no objections to the proposed removal of the LRA map as it applies to the TfNSW acquired parcels.
	5.3 Development Near Regulated Airports and Defence Airfields NA – The PP does not create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.
	5.4 Shooting Ranges NA – The PP does not seek to affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.
	6 Housing
	6.1 Residential Zones Consistent – The PP is minor and consistent with the objectives of the Direction to encourage a variety of housing types to provide for existing and future housing needs, make efficient use of existing infrastructure and minimise the impact of residential development on the environment and

Question		Considerations
		resource lands. It achieves this by allowing an additional permitted use of residential flat buildings for a portion of land along Roberts Lane, Hurstville, consistent with the site specific DCP controls already adopted for the site.
	6.2 Caravan Parks and Manufactured Home Estates	Consistent – The PP does not propose to permit development for the purposes of a caravan park or manufactured home estate.
	7. Industry and Employment	
	7.1 Business and Industrial Zones	Consistent – The PP gives effect to the objectives of the Direction as it proposes to amend Clause 6.13 to include the E2 Commercial Centre zone to promote active ground floor street frontages in established centres. It does not reduce the total potential floor space area for employment uses and related public services in Employment Zones.
	7.2 Reduction in non-hosted short-term rental accommodation period	NA – The PP does not cover the Byron Shire Council area or identify or reduce the number of days that non-hosted short-term rental accommodation may be carried out within the LGA.
	7.3 Commercial and Retail Development along the Pacific Highway, North Coast	NA
	8 Resources and Energy	
	8.1 Mining, Petroleum Production and Extractive Industries	NA – The PP does not have the effect of: (a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.
	9 Primary Production	
	9.1 Rural Zones	NA – The PP does not affect any land within an existing or proposed rural zone.
	9.2 Rural Lands	NA
	9.3 Oyster Aquaculture	NA – The PP does not propose a change in land use which could impact on a Priority Oyster Aquaculture Area.
	9.4 Farmland of State and Regional Significance on the NSW Far North Coast	NA

5.3 Section C – Environmental, social and economic impact

Question		Considerations
8. Is there any likelihood that critical habitat or threatened species, populations or ecological	No, the PP only proposes to make amendments to the LEP that are of a minor administrative or housekeeping nature so it is not expected that any critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal.	

Question	Considerations
communities, or their habitats, will be adversely affected because of the proposal?	
9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?	No other environmental impacts are anticipated other than positive environmental effects as a result of the proposed changes to <i>Clause 6.12 Landscaped areas in certain residential and environment protection zones</i> .
10. Has the planning proposal adequately addressed any social and economic effects?	Yes, the PP is likely to have positive social and economic effects due to the LEP operating in a more efficient and accurate manner which will better align the objectives of the instrument with appropriate development.

5.4 Section D – Infrastructure (Local, State and Commonwealth)

Question	Considerations
11. Is there adequate public infrastructure for the planning proposal?	The PP does not create additional requirements for public infrastructure.

5.5 Section E – State and Commonwealth Interests

Question	Considerations
12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway Determination?	<p>Council did not consult any government agencies to inform the Gateway Determination. However, in accordance with the conditions of the Gateway Determination dated 25 October 2023 (amended by alteration dated 1 February 2024), Council forwarded the PP to Transport for NSW (TfNSW), Georges River Council (GRC) – Property Team, and Heritage NSW (HNSW) for comments. Responses were received from TfNSW and HNSW. The GRC Property team reviewed the properties proposed to be removed from the Land Reservation Acquisition (LRA) map, as well as Council land proposed to be rezoned from R2 Low Density Residential to RE1 Public Recreation and supported the proposed amendments during the drafting stage of the PP. No further comments were provided during the formal public exhibition stage.</p> <p>TfNSW confirmed that it has acquired Lots 8-10 DP1268938, King Georges Road, Penshurst for road widening purposes and these are currently owned by TfNSW. They noted that the existing SP2 Infrastructure (Classified Road) zoning is proposed to be retained. TfNSW therefore raised no objections to the proposed removal of the GRLEP 2021 Land Reservation Acquisition (LRA) map as it applies to these land parcels.</p>

Question	Considerations
	<p>Heritage NSW responded that it encourages amendments to environmental planning instruments which provide for greater heritage protection, provided that all necessary due diligence, assessments and notifications have been undertaken. Prior to finalisation of the PP, Council should be satisfied that this is the case.</p> <p>These comments are noted and no changes to the exhibited PP are required as a result. Council is satisfied that all necessary due diligence, assessments and notifications have been undertaken.</p>

6 Maps

The PP will result in an amendment to the following maps of the Georges River LEP 2021:

- Land Zoning (LZN) map
- Land Reservation Acquisition (LRA) map
- Floor Space Ratio (FSR) map
- Additional Permitted Use (APU) map
- Heritage (HER) map

The proposed amendments are shown in Part 4 – Explanation of Provisions.

7 Gateway Determination

The PP was forwarded to the Department of Planning and Environment for a Gateway Determination on 28 June 2023.

A Gateway Determination was received on 25 October 2023 and is contained in **Attachment 2**.

Council requested the then DPE for an extension to the 25 April 2024 deadline for completing the LEP, specified in the Gateway Determination, to enable an extended exhibition period. On 1 February 2024, the DPHI issued an alteration to the Gateway Determination (**Attachment 3**), extending the deadline to 25 July 2024.

8 Community consultation

Council exhibited the PP in accordance with the requirements of Schedule 1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the Gateway Determination. The PP was exhibited for a period exceeding 20 working days as specified in the Gateway Determination, taking into consideration the Christmas/New Year period, from Wednesday 6 December 2023 to Friday 26 January 2024.

Community engagement was conducted including:

- Letters sent to affected landowners and government authorities advising of the PP being placed on public exhibition;
- Advertisement in the St George and Sutherland Shire Leader Newspaper on 6 December 2023;
- Dedicated page on Council's Your Say website;
- Displays in Council's Customer Service Centres and libraries including the PP and supporting documentation; and
- Availability of telephone and face to face contact with planning officers.

One (1) community submission was received as summarised and responded to below.

Summary of submission	Council comment
<ul style="list-style-type: none"> • The submission noted that the specific housekeeping amendment affecting the subject site, 9 Roberts Lane, Hurstville, is to introduce 'residential flat building' as an additional permitted use along the Roberts Lane frontage of the site. • The submission raised concern with a previous LEP amendment (the Landmark Square PP) which involved a Local Road Widening for Roberts Lane which has resulted in a significant reduction of his real estate value and development potential even with the additional use of residential flat building. • The Local Road Widening has reduced the size from approximately 1,018 square metres to approximately 650 square metres which presents onflow adverse implications with regards to the maximum Floor Space Ratio, Building Height, access to the site and car parking/vehicle arrangements. • The submission notes that whilst it is unlikely that Council will reconsider the Local Road Widening map due to that matter being finalised, the submission requests that the current LEP housekeeping also include changes to the Maximum Building Height Map from "Category R, 21 Metres" to "Category W, 40 Metres" with the Maximum Floor Space Ratio increased accordingly. These amendments to the LEP housekeeping would provide the property owner the ability to develop the site to its potential. 	<ul style="list-style-type: none"> • The site is part of the Landmark Square precinct, which was subject to a PP (Hurstville LEP 2012 Amendment No. 16) that rezoned the site from IN2 Light Industrial with a FSR of 1.0:1 and a maximum height of 10m to a MU1 Mixed Use, 3.5:1 and 2:1 FSR, and a maximum height of 21m, 15m and 12m. A separate PP also resulted in a 3m wide Land Reservation Acquisition layer for future road widening along Roberts Lane, to enable widening from 6m to 9m. • As noted in the road widening PP, it is anticipated that the road widening will occur when a future development application is lodged seeking consent for the redevelopment of 53 Forest Road, 108 Durham Street and/or 9 Roberts Lane. • The request to amend the heights and FSR for the subject site is not considered minor and is not something that can be amended as a post-exhibition change. The request also lacks sufficient strategic justification at this point and further consideration of the request and how it integrates with the remainder of the Landmark Square precinct, would be required through a separate PP process.

A copy of the PP was also referred to the following relevant public authorities / organisations as conditioned by the Gateway Determination:

- Transport for NSW;
- Georges River Council – Property Team;
- Heritage NSW.

Comments were received from TfNSW and HNSW as summarised below.

Summary of Public Authority Submission	Council comment
<p><i>TfNSW:</i></p> <ul style="list-style-type: none"> • Confirmed that it has acquired Lots 8-10 DP1268938, King Georges Road, Penshurst for road widening purposes and these are currently owned by TfNSW. • Noted that the existing SP2 Infrastructure (Classified Road) zoning is proposed to be retained. • 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. 	<p>Noted.</p>
<p><i>HNSW:</i></p> <ul style="list-style-type: none"> • HNSW encourages amendments to environmental planning instruments which provide for greater heritage protection, provided that all necessary due diligence, assessments and notifications have been undertaken. • Prior to finalisation of the PP, Council should be satisfied that this is the case. 	<p>Noted.</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>

9 Project Timeline

The project timeframe is as follows:

Indicative project timeline

Stage	Timeframe/date
Consideration by the Georges River LPP	18 May 2023
Report to Council seeking endorsement to forward the PP for a Gateway Determination	26 June 2023

Stage	Timeframe/date
Gateway Determination	25 October 2023
Pre-exhibition tasks, e.g. complete technically compliant mapping	October/November 2023
Commencement and completion of public exhibition period	December 2023/January 2024
Consideration of submissions	January/February 2024
Post-exhibition review and additional studies	January/February 2024
Report to Council on the results of the community consultation and finalisation of the PP	March 2024
Submission to the Department for finalisation	March/April 2024
Gazettal of LEP amendment	May/June 2024

Attachments

1. Evidence of Ownership for affected land.
2. Gateway Determination dated 25 October 2023.
3. Alteration of Gateway Determination dated 1 February 2024.

1. Evidence of Ownership for certain land

Part of Condition 1 of the Gateway Determination required evidence of ownership to be provided for all land affected by changes to the Land Reservation for Acquisition mapping and rezonings to RE1 Public Recreation.

Land affected by rezonings to RE1 Public Recreation:

- Lot B DP 442009, 54 Hillcrest Avenue, Hurstville
- Lot 65 DP 880971, 964A Forest Road, Lugarno
- Lot 7034 DP 1138728, The Knoll, Lugarno

11/9/23, 2:23 PM

Valnet 2i - Property Details



Valuer
General

Session time-out: 39:59

Valnet 2i - Property Details

Property Details

Property 1495078
Type NORMAL
Status CURRENT
District 264 - GEORGES RIVER
Address DENMAN RESERVE, 54 HILLCREST AVE, HURSTVILLE NSW 2220
Owner GEORGES RIVER COUNCIL
Zone RE1 - Public Recreation
Area 177-M (FROM PLAN)
Dimensions 21.421 IRREGULR / 20.12 X 4.029 / 15.37
Old Val Num 141 05513 10000000
State Heritage Listing
ASON (Owner) Locked Bag 8, KOGARAH NSW 1485
ASON (Lessee)



Show Property in Six Maps

Lot/Section/Plan

Plan Type	Plan Num	Section	Lot Type	Lot Num	Lot Area	Encumb Code 1	Encumb Code 2	Unit Ent.	Lease Num	Lease Type	Lease Area	Lease Desc.
DP	442009		WHOLE	B	177M							



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 65/880971

SEARCH DATE	TIME	EDITION NO	DATE
13/11/2023	3:58 PM	1	3/11/1998

LAND

LOT 65 IN DEPOSITED PLAN 880971
AT LUGARNO
LOCAL GOVERNMENT AREA GEORGES RIVER
PARISH OF ST GEORGE COUNTY OF CUMBERLAND
TITLE DIAGRAM DP880971

FIRST SCHEDULE

HURSTVILLE CITY COUNCIL

SECOND SCHEDULE (7 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 THE LAND WITHIN DESCRIBED IS PUBLIC RESERVE
- 3 F78066 COVENANT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM.
- 4 F97879 COVENANT AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM.
- 5 Q37456 EASEMENT FOR SUPPORT AFFECTING THE COMMON BOUNDARY WITH LOTS 13 & 14 IN DP239902
- 6 DP880971 EASEMENT TO DRAIN WATER 1 WIDE AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 7 DP520782 RIGHT OF WAY 3.66 WIDE APPURTENANT TO THE PART SHOWN SO BENEFITED IN THE TITLE DIAGRAM

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

koggis08

PRINTED ON 13/11/2023

Obtained from NSW LRS on 13 November 2023 02:58 PM AEST

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Valuer
General

Session time-out: 39:12

Valnet 2i - Property Details

Property Details

Property 3570502
Type NORMAL
Status CURRENT
District 264 - GEORGES RIVER
Address THE KNOLL, THE KNOLL, BLAKEHURST NSW 2221
Owner THE STATE OF NEW SOUTH WALES, GEORGES RIVER COUNCIL
Zone RE1 - Public Recreation
Area 901.46-M (CALCULATED)
Dimensions
Old Val Num
State Heritage Listing
ASON (Owner) DO NOT POST 9999
ASON (Lessee) Locked Bag 8, KOGARAH NSW 1485



Show Property in Six Maps

Lot/Section/Plan

Plan Type	Plan Num	Section	Lot Type	Lot Num	Lot Area	Encumb Code 1	Encumb Code 2	Unit Ent.	Lease Num	Lease Type	Lease Area	Lease Desc.
DP	1138728		WHOLE	7034	901.46M				R67240	CROWNRES	901.46M	The Knoll (R67240) Reserve Trust

Land affected by changes to the Land Reservation for Acquisition mapping:

- Lot B DP 346012, 11 Tavistock Road, South Hurstville
- Lots 8, 9 and 10, DP 1268938, 637-641 King Georges Road, Penshurst
- Lot 60, DP 4607, 25 Joffre Street, Hurstville
- Lot 1, DP 301901, 247 Princes Highway, Carlton
- Lot 101 DP 1275111, 5R Denman Street, Hurstville

11/13/23, 3:49 PM

Valnet 2i - Property Details



Valuer
General

Session time-out: 38:40

Valnet 2i - Property Details

Property Details

Property 1505580
Type NORMAL
Status CURRENT
District 264 - GEORGES RIVER
Address 11 TAVISTOCK RD, SOUTH HURSTVILLE NSW 2221
Owner GEORGES RIVER COUNCIL
Zone RE1 - Public Recreation
Area 524.9-M
Dimensions 11.28 / 11.28 X 46.94 / 46.94
Old Val Num 141 12817 10000000
State Heritage Listing
ASON (Owner) Post Office Box 205, HURSTVILLE BC NSW 1481
ASON (Lessee)



Show Property in Six Maps

Lot/Section/Plan

Plan Type	Plan Num	Section	Lot Type	Lot Num	Lot Area	Encumb Code 1	Encumb Code 2	Unit Ent.	Lease Num	Lease Type	Lease Area	Lease Desc.
DP	346012		WHOLE	B	524.9M							



Valuer
General

Session time-out: 37:41

Valnet 2i - Property Details

Property Details

Property 4363318
Type NONVAL
Status CURRENT
District 264 - GEORGES RIVER
Address 637R KING GEORGES RD, PENSHURST NSW 2222
Owner TRANSPORT FOR NSW
Zone
Area 139.2-M (FROM PLAN)
Dimensions 13.425 / 13.425 X 10.365 / 10.365
Old Val Num
State Heritage Listing
ASON (Owner) Post Office Box K659, HAYMARKET NSW 1240
ASON (Lessee)



Show Property in Six Maps

Lot/Section/Plan

Plan Type	Plan Num	Section	Lot Type	Lot Num	Lot Area	Encumb Code 1	Encumb Code 2	Unit Ent.	Lease Num	Lease Type	Lease Area	Lease Desc.
DP	1268938		WHOLE	8	139.2M							



Valuer
General

Session time-out: 39:59

Valnet 2i - Property Details

Property Details

Property 4363319
Type NONVAL
Status CURRENT
District 264 - GEORGES RIVER
Address 639R KING GEORGES RD, PENSHURST NSW 2222
Owner TRANSPORT FOR NSW
Zone
Area 139.1-M (FROM PLAN)
Dimensions 13.42 / 13.42 X 10.365 / 10.365
Old Val Num
State Heritage Listing
ASON (Owner) Post Office Box K659, HAYMARKET NSW 1240
ASON (Lessee)



Show Property in Six Maps

Lot/Section/Plan

Plan Type	Plan Num	Section	Lot Type	Lot Num	Lot Area	Encumb Code 1	Encumb Code 2	Unit Ent.	Lease Num	Lease Type	Lease Area	Lease Desc.
DP	1268938		WHOLE	9	139.1M							



Valuer
General

Session time-out: 37:53

Valnet 2i - Property Details

Property Details

Property 4363320
Type NONVAL
Status CURRENT
District 264 - GEORGES RIVER
Address 641R KING GEORGES RD, PENSHURST NSW 2222
Owner TRANSPORT FOR NSW
Zone
Area 201.1-M (FROM PLAN)
Dimensions 15.56 / 17.68 X 10.365 / 14.685 IRREGULR
Old Val Num
State Heritage Listing
ASON (Owner) Post Office Box K659, HAYMARKET NSW 1240
ASON (Lessee)



Show Property in Six Maps

Lot/Section/Plan

Plan Type	Plan Num	Section	Lot Type	Lot Num	Lot Area	Encumb Code 1	Encumb Code 2	Unit Ent.	Lease Num	Lease Type	Lease Area	Lease Desc.
DP	1268938		WHOLE	10	201.1M							



Valuer
General

Session time-out: 39:58

Valnet 2i - Property Details

Property Details

Property 1496027
Type NORMAL
Status CURRENT
District 264 - GEORGES RIVER
Address 25 JOFFRE ST, SOUTH HURSTVILLE NSW 2221
Owner GEORGES RIVER COUNCIL
Zone RE1 - Public Recreation
Area 664.31-M (CALCULATED)
Dimensions 15.24 X 43.59
Old Val Num 141 06047 00000000
State Heritage Listing
ASON (Owner) Post Office Box 205, HURSTVILLE BC NSW 1481
ASON (Lessee)



Show Property in Six Maps

Lot/Section/Plan

Plan Type	Plan Num	Section	Lot Type	Lot Num	Lot Area	Encumb Code 1	Encumb Code 2	Unit Ent.	Lease Num	Lease Type	Lease Area	Lease Desc.
DP	4607		WHOLE	60	664.31M							



Valuer
General

Session time-out: 39:59

Valnet 2i - Property Details

Property Details

Property 1501490
Type NORMAL
Status CURRENT
District 264 - GEORGES RIVER
Address 247 PRINCES HWY, CARLTON NSW 2218
Owner GEORGES RIVER COUNCIL
Zone RE1 - Public Recreation
Area 822-M
Dimensions 17.68 / 18.8 X 42.98 IRREGULR
Old Val Num 141 09993 00000000
State Heritage Listing
ASON (Owner) Post Office Box 205, HURSTVILLE BC NSW 1481
ASON (Lessee)



Show Property in Six Maps

Lot/Section/Plan

Plan Type	Plan Num	Section	Lot Type	Lot Num	Lot Area	Encumb Code 1	Encumb Code 2	Unit Ent.	Lease Num	Lease Type	Lease Area	Lease Desc.
DP	301901		WHOLE	1	822M							



Valuer
General

Session time-out: 39:59

Valnet 2i - Property Details

Property Details

Property 4392721
Type NORMAL
Status CURRENT
District 264 - GEORGES RIVER
Address 5R DENMAN ST, HURSTVILLE NSW 2220
Owner GEORGES RIVER COUNCIL
Zone R2 - Low Density Residential
Area 56.33-M (FROM PLAN)
Dimensions
Old Val Num
State Heritage Listing
ASON (Owner) Post Office Box 205, HURSTVILLE BC NSW 1481
ASON (Lessee)



Show Property in Six Maps

Lot/Section/Plan

Plan Type	Plan Num	Section	Lot Type	Lot Num	Lot Area	Encumb Code 1	Encumb Code 2	Unit Ent.	Lease Num	Lease Type	Lease Area	Lease Desc.
DP	1275111		WHOLE	101	56.33M	EMTDRAIN	EASMENT					

2. Gateway Determination dated 25 October 2023



Department of Planning and Environment

Gateway Determination

Planning proposal (Department Ref: PP-2023-811): *To make housekeeping amendments to the Georges River Local Environmental Plan 2021.*

I, the Executive Director of Metro East and South at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Georges River Local Environmental Plan 2021* to make housekeeping amendments should proceed subject to the following conditions:

Gateway Conditions

1. Prior to community consultation the planning proposal is to be updated to:
 - include an explanatory note that the drafting of the instrument is subject to the legal drafting process by Parliamentary Counsel;
 - remove all proposed minimum non-residential floor space requirements for the E2 Commercial Centre zone;
 - include mapping amendments to remove 25 Joffre Street, South Hurstville from the Land Reservation Acquisition Map;
 - include mapping amendments to remove 247 Princes Highway, Carlton from the Land Reservation Acquisition Map; and
 - include evidence of ownership for all land affected by changes to the Land Reservation for Acquisition mapping and rezonings to RE1 Public Recreation.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as basic as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- Transport for NSW;
- Georges River Council – Property Team; and
- Heritage NSW.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. Council is not authorised to exercise the functions of the local plan-making authority.
6. The timeframe for the LEP to be completed is on or before 25 April 2024.

Dated 25 October 2023



Amanda Harvey
Executive Director
Metro East and South
Department of Planning and Environment

Delegate of the Minister for Planning and
Public Spaces

3. Alteration of Gateway Determination dated 1 February 2024



Department of Planning, Housing and Infrastructure

Alteration of Gateway Determination

Planning proposal (Department Ref: PP-2023-811)

I, Manager, Agile Planning at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the original Gateway determination dated 25 October 2023 for the proposed amendment to the Georges River Local Environmental Plan 2021 as follows:

1. Delete:

"condition 6"

and replace with:

a new condition 6: "The timeframe for the LEP to be completed is on or before 25 July 2024."

Dated 1 February 2024.

A handwritten signature in black ink, appearing to read "Alex Galea".

Alexander Galea
Manager, Agile Planning
Department of Planning, Housing and
Infrastructure

**Delegate of the Minister for Planning and
Public Spaces**