

Part B - Planning Proposal Report

**Additional and Diverse Housing Planning Proposal
(PP2024/0004)**

For Gateway Determination – November 2024

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1. Introduction

This Planning Proposal (known as the Additional and Diverse Housing Planning Proposal) has been prepared in accordance with Section 3.33 of the *Environmental Planning & Assessment Act 1979* (EP&A Act), its *Regulation 2021* and the *Local Environmental Plan Making Guideline (August 2023)* released by the NSW Department of Planning, Housing and Infrastructure (DPHI).

The purpose of this Planning Proposal is to amend the *Georges River Local Environmental Plan 2021* (GRLEP) to create capacity for additional and diverse housing across the residential zones of the Georges River Local Government Area (LGA) and to implement the adopted *Hurstville City Centre Urban Design Strategy (2018)*.

As part of this Planning Proposal, Council is requesting the DPHI to exclude the application of the proposed *Low and Mid-Rise Housing* proposal from the Georges River LGA.

To ensure development is balanced with the protection of the LGA's biodiversity and character, this Planning Proposal incorporates the amendments proposed by the Biodiversity, Character and FSPA Planning Proposal (PP2024/0002) to implement the *Georges River Biodiversity Study* and *Foreshore Scenic Character Study*.

2. Background

Council's Commitment to Housing and the DPHI's Housing Reforms

In late 2023, the NSW Government released a series of housing reform proposals to dramatically increase the supply of housing through measures such as providing bonus height and floor space to developments that contain affordable housing, mandating high density developments around key railway stations, and allowing for mid-rise housing in areas close to existing public transport, amenities and services.

In its current state, the provisions within the housing reforms offer significantly greater development potential than the GRLEP and will enable development across the LGA without consideration of the LGA's biodiversity and unique local character. The reforms also do not consider the needs of a growing population, including additional public open space, community facilities, drainage upgrades and infrastructure generally.

One of the proposed reforms is the *Low and Mid-Rise Housing* proposal. An analysis of the impacts of the *Low and Mid-Rise Housing* proposal is provided in the subheading below.

In response, Council at its meeting held on 25 March 2024 partly resolved to request a deferral from the application of the proposed *Low and Mid-Rise Housing* proposal on the basis that Council is committed to the provision of capacity for additional and diverse housing through immediate and midterm changes to local planning controls. The request for a deferral from the application of the proposed *Low and Mid-Rise Housing* proposal was submitted to the Hon. Paul Scully MP on 23 April 2024 in a letter from the Mayor.

At this meeting, Council also partly resolved that the above commitment is to be demonstrated through the preparation of an accelerated planning proposal by July 2024 to amend the GRLEP to create immediate housing capacity as follows:

(i) Prepare an accelerated planning proposal by July 2024 to amend the Georges River Local Environmental Plan 2021 (GRLEP) to create immediate housing capacity comprising of the following components:

- a) Review existing controls for dual occupancies,*
- b) Investigate the introduction of medium density villa and townhouse residential developments within the R2 Low Density Residential zone, excluding in Heritage Conservation Areas and the areas identified in the Biodiversity and Character Planning Proposal (Item ENV008-24) as Terrestrial Biodiversity; Foreshore Scenic Protection Areas; and Unique Character Areas,*
- c) Review existing controls within the R3 Medium Density Residential zone,*
- d) Review existing controls within the R4 High Density Residential zone, and*
- e) Implement the Hurstville City Centre Urban Design Strategy (HCCUDS) in accordance with the previous Council resolution dated 25 June 2018 (Item ENV014-18).*

Two Councillor workshops were held in April 2024 to discuss the proposed amendments to the GRLEP which will form the content of the accelerated planning proposal. The proposed amendments discussed at the Councillor workshops have been informed by the following guiding principles:

- Retain and protect the existing Heritage Conservation Areas (HCAs),
- Retain and respect the controls proposed by the Biodiversity, Character and FSPA Planning Proposal (Part A, PP2024/0002),
- Retain the existing hierarchy of residential zones with a different set of controls based on the respective density of the zone ranging from low, medium and high,
- Retain existing GRLEP and *Georges River Development Control Plan 2021 (GRDCP)* controls in relation to landscaping and setback distances to ensure the environment and the existing local character is maintained despite increases in residential density, and
- Retain existing height and FSR controls for dual occupancies in the R2 zone to ensure the landscaped area requirements can be complied with.

Subsequently, at its meeting held on 27 May 2024, Council endorsed the preparation of the subject Planning Proposal, known as the Additional and Diverse Housing Planning Proposal, based on the agreed outcomes from the two Councillor workshops.

Impacts of the Low and Mid-Rise Housing Proposal

The *Low and Mid-Rise Housing* proposal was released by the NSW Government for public consultation from 15 December 2023 to 23 February 2024. The proposal was outlined within an Explanation of Intended Effect. The proposal is a key component of the NSW Government's planning response to the National Housing Accord, however, it did not give considerations towards environmental constraints such as flooding, high pressure pipelines, biodiversity conservation and heritage conservation.

In summary, the proposal will increase the capacity for housing numbers and housing styles by permitting dual occupancies on 450sqm lots across the LGA. It also seeks to permit multi dwelling housing and manor houses in Zone R2 Low Density Residential (R2 zone) and residential flat buildings (RFBs) in Zone R3 Medium Density Residential (R3 zone) within “station and town centre precincts” despite these development types being prohibited in the R3 zone under the GRLEP.

Through discussions between staff from Council and the DPHI, a number of refinements are being made to the proposal, however none of these refinements have been made publicly available. It should be noted that this section conducts an analysis of the impacts of the *Low and Mid-Rise Housing* proposal dated December 2023. No analysis can be undertaken for the refined proposal due to the absence of confirmation regarding the refinements made by the DPHI to-date.

Accordingly, analysis has been conducted for the accompanying non-refusal standards proposed by the as-exhibited version of the *Low and Mid-Rise Housing* (LMR) proposal. The following comparison of the proposed controls against the GRLEP and GRDCP has been undertaken in **Tables 1 to 6** below for each development typology.

Table 1 – Comparison of LMR to current GRLEP dual occupancy provisions

LMR Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
Seek to make dual occupancy permitted in R2 Low Density Residential	Dual Occupancy is currently permitted in the R2 Low Density Residential, R3 Medium Density Residential and R4 High Density Residential Zones in the GRLEP 2021.	No impact as the use is currently permissible in the R2 Zone of the GRLEP. The impact will be from the reduction in minimum site area which will result in an overall increase in the number of dual occupancies in the R2, R3 and R4 zones.
Torrens subdivision of dual occupancies	Torrens title subdivision is permitted under the LEP – the LEP requires min 300sqm per allotment outside FSPA. following subdivision and min 430sqm per allotment within FSPA.	No impact.
Maximum building height – 9.5m	Majority of the land zoned R2 has a maximum building height of 9m. Majority of the land zoned R3 has a maximum building height of 9m. Majority of the land zoned R4 has a maximum building height of 12m, 15m and 21m.	Increase of 0.5m in the maximum height permitted for dual occupancy development in the R2 and R3 zones. The maximum building height in the R4 zone exceeds the 9.5m under the reforms.
Maximum FSR 0.65:1	The maximum FSR in the R2 zone is 0.55:1. Majority of land zoned R3 has a maximum FSR of 0.7:1. Majority of land zoned R4 has a maximum FSR of 1:1.	Increased footprint and bulk of the dwellings due to 0.10:1 increase in FSR for dual occupancies in the R2 zone. This is a 18% increase in floor space.

LMR Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
		The standards for the R3 and R4 zones in the GRLEP exceed the reforms.
Minimum site area – 450sqm (225sqm per dwelling assumed as it is not explicitly stated)	Minimum lot sizes are 650sqm outside the FSPA and 1000sqm inside the FSPA for a dual occupancy development. For subdivision the LEP requires min 300sqm per allotment created outside FSPA following subdivision and min 430sqm per allotment created within FSPA. 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 lot size.	<p>As indicated, a dual occupancy (2 dwellings) can be built on land with 450sqm site area, which is a 200sqm reduction for areas outside of the FSPA and 550sqm reduction for areas within the FSPA (existing requirement 650sqm and 1,000sqm respectively).</p> <p>The FSPA will experience the most significant impact as 1 dwelling on 1,000sqm can be developed into 4 dwellings under the Reforms. Council requires a min. 300sqm per allotment created outside the FSPA and min. 430sqm within the FSPA. If the Reforms propose only a 225sqm per allotment created then there will be an impact within all the residential zones under the GRLEP – loss of trees, biodiversity and character; increase in traffic and off-street parking.</p> <p>Furthermore, the work that has been undertaken to date by the Council regarding the Biodiversity Study and Foreshore Scenic Character Study will be overridden by the Reforms if implemented.</p>
Minimum lot width – 12m	Minimum lot width – 15m	The proposed control is less restrictive. This means almost all residential land within the LGA will meet the minimum lot width requirement under the Reform. Reducing the lot width requirements is likely to lead to an increase of driveways and the removal of street trees and on street parking to accommodate these additional driveways.
Minimum carparking space – 1 space per dwelling	1 garage space and 1 driveway space per dwelling	Council's DCP controls require 2 parking spaces in tandem – the draft control only requires 1 space. Carparking is already an area of concern from residents when a dual

LMR Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
		occupancy is proposed. Many believe that tandem parking is not adequate.
Landscaping: <ul style="list-style-type: none"> • <300sqm - 15% tree canopy and deep soil and at least 1 small tree per dwelling. • 300-600sqm – 20% tree canopy and deep soil and for every 200sqm of site area or part therefore at least one small tree • >600sqm – 25% tree canopy and deep soil and for every 300sqm of site area or part therefore at least two medium trees or one large tree 	For a dual occupancy located on land outside the Foreshore Scenic Protection Area—25% of the site area. For a dual occupancy located on land within the Foreshore Scenic Protection Area—30% of the site area. Landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area. DCP required min 1 tree in front setback for dwelling houses and dual occupancies.	There is a disparity between the landscaping controls proposed by the Reforms and the existing provisions within the GRLEP. The Reforms regulate “tree canopy and deep soil targets” while the GRLEP regulates via “landscaped area”, which will allow the GRLEP provisions to be applied. However, there will be a reduction in landscaped area on sites due to the increase in maximum FSR leading to bigger building footprints and bulky developments.

As indicated above, dual occupancy is currently permitted in the R2 Zone of the GRLEP. Concern is raised in relation to the loss of the existing low-density character by proliferating dual occupancy developments across the whole LGA. The issue stems from the reduction in minimum site area and frontage which will result in more allotments in the R2, R3 and R4 Zones being permitted for dual occupancy development – with the most significant impact being within the R2 zone. **Table 2** below indicates that if the LMR standards are implemented in the R2 Zone then 22,070 lots will become eligible for dual occupancy development potential.

Table 2 – Impact of Dual Occupancy Reform on the R2 Zone across the LGA

Instrument	Standard	Allotments complying with standard	Potential additional dwellings
GRLEP – outside FSPA and zoned R2	15m width & min site area 650sqm	7,563 allotments	7,563 dwellings
GRLEP – inside FSPA and zoned R2	15m width & min. site area 1000sqm	1,603 allotments	1,603 dwellings
Housing Reform across all land zoned R2	12m width & min. site area 450sqm	22,070 allotments	22,070 dwellings

Table 3 – Comparison of LMR to current GRLEP manor house provisions

LMR Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
Seek to make manor houses permitted with consent in the R2 Low Density Residential Zone within station and town centre precincts	Currently not permitted in the R2 Low Density Residential Zone of the GRLEP 2021. Manor houses are permitted in the R3 and R4 zones of the GRLEP 2021.	Manor houses are not consistent with the objectives of the R2 Low Density Residential Zone which are: <ul style="list-style-type: none"> • To provide for the housing needs of the community within a low-density residential environment.

LMR Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
		<ul style="list-style-type: none"> To enable other land uses that provide facilities or services to meet the day to day needs of residents. To promote a high standard of urban design and built form that enhances the local character of the suburb and achieves a high level of residential amenity. To provide for housing within a landscaped setting that enhances the existing environmental character of the Georges River local government area. <p>Manor houses are 2 storey apartments, usually comprised of 4 units per development. However, there is no limit to the number of units that can be provided within a manor house under the Reforms. If the Reforms are adopted, a single dwelling house has the potential to be redeveloped into 4 or more units at 3 storeys which will result in changes to the existing low-density character of the R2 areas.</p>
Maximum building height – 9.5m	Majority of the land zoned R2 has a maximum building height of 9m.	Increase of 0.5m in the maximum height permitted for development in the R2 Zone.
Maximum FSR – 0.8:1	Maximum FSR is 0.55:1.	Increased footprint and bulk of buildings within the R2 Zone due to 0.25:1 increase in FSR. This equates to a 45% increase in floor space.
Minimum site area – 500sqm	As manor houses are not permitted in the R2 zone there is no standard for the R2 Zone. The R3 and R4 Zones require a minimum of 800sqm for a manor house.	Site area requirements will be less than that required in the R3 and R4 zones of the GRLEP. It is noted that manor houses under the Codes SEPP is restricted to a maximum of 4 dwellings. Under the Reform manor houses will be able to have more than 4 dwellings and at a height of 3 storeys under the proposed 9.5m height limit.
Minimum lot width – 12m	As manor houses are not permitted in the R2 zone there is no standard for the R2 Zone. The R3 and R4 Zones require a minimum of 18 metres.	Minimum width requirements will be less than required in the R3 and R4 zones of the GRLEP. Reducing the lot width requirements is likely to lead to an increase of driveways and the removal of street trees and on street parking to

LMR Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
		accommodate these additional driveways.
Minimum carparking – 0.5 space per dwelling	The DCP requires 1 space per dwelling.	May result in additional on street parking due to lack on onsite carparking.
Landscaping: <ul style="list-style-type: none"> • <300sqm - 20% tree canopy and deep soil and at least 1 small tree for every 200sqm of site area or part thereof • 300-600sqm – 25% tree canopy and deep soil and for every 250sqm of site area or part therefore at least one medium tree • >600sqm – 30% tree canopy and deep soil and for every 350sqm of site area or part therefore at least two medium trees or one large tree 	As the GRLEP does not permit manor houses in the R2 Zone Council does not have landscaping requirements for the use. Clause 6.12 of the GRLEP requires that at least the following percentage of the site area consists of landscaped areas: (a) for a dwelling house located on land outside the Foreshore Scenic Protection Area—20% of the site area, or (b) or a dwelling house located on land within the Foreshore Scenic Protection Area—25% of the site area, (e) for development in Zone R3 Medium Density Residential—20% of the site area, Landscaped area is defined in the GRLEP means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.	There is a disparity between the landscaping controls proposed by the Reforms and the existing provisions within the GRLEP. The Reforms regulate “tree canopy and deep soil targets” while the GRLEP regulates via “landscaped area”. Due to the absence of landscaped area requirements within the GRLEP for manor houses, any future manor house development in R2 Zones must comply with the Reforms. However, there will be a reduction in landscaped area on sites due to the increase in maximum FSR leading to bigger building footprints and bulky developments.

Table 4 – Comparison of LMR to current GRLEP multi dwelling housing (terraces) provisions

LMR Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
Seek to make multi dwelling housing – terraces permitted with consent in the R2 Low Density Residential Zone within station and town centre precincts.	Currently not permitted in the R2 Low Density Residential Zone of the GRLEP 2021.	Multi-unit housing is not consistent with the objectives of the R2 Low Density Residential Zone which are: <ul style="list-style-type: none"> • To provide for the housing needs of the community within a low-density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents.

LMR Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
		<ul style="list-style-type: none"> To promote a high standard of urban design and built form that enhances the local character of the suburb and achieves a high level of residential amenity. To provide for housing within a landscaped setting that enhances the existing environmental character of the Georges River local government area. <p>Impact will be from the change in the existing low-density character of the R2 low density by allowing more than a single dwelling house permissible.</p>
Maximum building height – 9.5m	Majority of the land zoned R2 has a maximum building height of 9m.	Increase of 0.5m in the maximum height permitted for development in the R2 Zone.
Maximum FSR – 0.7:1	Maximum FSR is 0.55:1	Increased footprint and bulk of buildings within the R2 Zone due to 0.15:1 increase in FSR. This equates to a 27% increase in floor space.
Minimum site area – 500sqm	As terraces are not permitted in the R2 zone there is no standard for the R2 Zone. The R3 and R4 Zones require a minimum of 800sqm for a terrace.	Site area requirements will be less than that required in the R3 and R4 zones of the GRLEP.
Minimum lot width – 18m	As terraces are not permitted in the R2 zone there is no standard for the R2 Zone. The R3 and R4 Zones require a minimum of 21 metres.	Minimum width requirements will be less than required in the R3 and R4 zones of the GRLEP. Reducing the lot width requirements is likely to lead to an increase of driveways and the removal of street trees and on street parking to accommodate these additional driveways.
Minimum carparking – 0.5 space per dwelling	The DCP requires 1 space per dwelling and 1 visitor space per 5 units or part thereof and 1 designated car wash bay which may also be a visitor space.	May result in additional on street parking due to lack on onsite carparking.
Landscaping: <ul style="list-style-type: none"> <1000sqm - 20% tree canopy and deep soil and at least 1 medium tree for every 300sqm of site area or part thereof 1000-3000sqm – 25% tree canopy and deep soil and for 	As the GRLEP does not permit terraces in the R2 Zone Council does not have landscaping requirements for the use Clause 6.12 of the GRLEP requires that at least the following percentage of the site	There is a disparity between the landscaping controls proposed by the Reforms and the existing provisions within the GRLEP. The Reforms regulate “tree canopy and deep soil targets” while the GRLEP regulates via “landscaped area”. Due to the absence

LMR Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
<p>every 200sqm of site area or part therefore at least one medium tree</p> <p>• >3000sqm – 30% tree canopy and deep soil and for every 350sqm of site area or part therefore at least two medium trees or one large tree</p>	<p>area consists of landscaped areas:</p> <p>(e) for development in Zone R3 Medium Density Residential—20% of the site area, or</p> <p>(f) for development in Zone R4 High Density Residential—10% of the site area,</p> <p>Landscaped area is defined in the GRLEP means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.</p>	<p>of landscaped area requirements within the GRLEP for terraces, any future terrace development in R2 Zones must comply with the Reforms. However, there will be a reduction in landscaped area on sites due to the increase in maximum FSR leading to bigger building footprints and bulky developments.</p>

Table 5 – Comparison of LMR to current multi dwelling housing provisions

LMR Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
<p>Seek to make multi dwelling housing (MDH) permitted with consent in the R2 Low Density Residential Zone within station and town centre precincts.</p>	<p>Currently not permitted in the R2 Low Density Residential Zone of the GRLEP 2021.</p>	<p>Multi-unit housing is not consistent with the objectives of the R2 Low Density Residential Zone which are:</p> <ul style="list-style-type: none"> • To provide for the housing needs of the community within a low-density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To promote a high standard of urban design and built form that enhances the local character of the suburb and achieves a high level of residential amenity. • To provide for housing within a landscaped setting that enhances the existing environmental character of the Georges River local government area. <p>Impact will be from the change in the existing low-density character of the R2 low density by allowing more than a single dwelling house permissible.</p>
<p>Maximum building height – 9.5m</p>	<p>Majority of the land zoned R2 has a maximum building height of 9m.</p>	<p>Increase of 0.5m in the maximum height permitted for development in the R2 Zone.</p>

LMR Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
Maximum FSR – 0.7:1	Maximum FSR is 0.55:1.	Increased footprint and bulk of buildings within the R2 Zone due to 0.15:1 increase in FSR. This equates to an increase of 27% in floor space.
Minimum site area – 600sqm	As MDH are not permitted in the R2 zone there is no standard for the R2 Zone. The R3 and R4 Zones require a minimum of 800sqm for a MDH development.	Site area requirements will be less than that required in the R3 and R4 zones of the GRLEP.
Minimum lot width – 12m	As MDH are not permitted in the R2 zone there is no standard for the R2 Zone. The R3 and R4 Zones require a minimum of 18 metres.	Minimum width requirements will be less than required in the R3 and R4 zones of the GRLEP. Reducing the lot width requirements is likely to lead to an increase of driveways and the removal of street trees and on street parking to accommodate these additional driveways.
Minimum carparking – 1 space per dwelling	The DCP requires 1.5 spaces per dwelling and 1 visitor space per 5 units or part thereof and 1 designated car wash bay which may also be a visitor space.	May result in additional on street parking due to lack on onsite carparking.
Landscaping – nothing specified	As the GRLEP does not permit MDH in the R2 Zone, Council does not have landscaping requirements for the MDH as a land use. For development in Zone R3 Medium Density Residential where MDH is currently permitted, Clause 6.12 of the GRLEP requires at least 20% of the site area to be provided as landscaped area. Landscaped area is defined in the GRLEP means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.	Due to the absence of landscaped area requirements within the GRLEP for MDH, it is unclear how much landscaping must be provided by MDH developments carried out under the Reform. Further clarification will be sought with DPHI.

Table 6 – Comparison of reforms to current RFBs

Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
<p>Seek to make RFBs permitted with consent in the R3 Medium Density Residential Zone within station and town centre precincts.</p>	<p>RFBs is not permitted in the R3 Zone of the GRLEP 2021.</p>	<p>RFBs are not consistent with the objectives of the R3 Zone which are:</p> <ul style="list-style-type: none"> • To provide for the housing needs of the community within a medium density residential environment. • To provide a variety of housing types within a medium density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To enable other land uses that contribute to the vibrancy of the neighbourhood. • To promote a high standard of urban design and built form that enhances the local character of the suburb and achieves a high level of residential amenity. • To provide for housing within a landscaped setting that enhances the existing environmental character of the Georges River local government area. <p>Shop top housing will remain prohibited in the R3 Zone as the reforms do not propose to amend permissibility of this use.</p> <p>There are R3 Zones within 800m of the following potential station and town centre precincts:</p> <ul style="list-style-type: none"> • Narwee (Broadarrow Road) • Oatley (Oatley Avenue and Frederick Street) • Penshurst (Penshurst Street) • Riverwood (Belmore Road) • South Hurstville (King Georges Road) • Oatley (Mulga Road) • Sans Souci (Rocky Point Road)
<p>Within inner (0-400m) station and town centre precincts maximum building height – 21m (approx. 7 storeys) Within outer (400-800m) station and town centre</p>	<p>The R3 Zones have height of 9m and FSR of 0.7:1.</p>	<p>Heights will be significantly higher than that permitted in the R3 Zone:</p> <ul style="list-style-type: none"> • Increase of 12m within the inner areas (equating to an increase of 130%)

Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
precincts maximum building height – 16m (approx. 5 storeys)		<ul style="list-style-type: none"> • Increase of 7m within the outer areas (equating to an increase of 78%)
<p>Within inner (0-400m) station and town centre precincts maximum FSR – 3:1</p> <p>Within outer (400-800m) station and town centre precincts maximum FSR – 2:1</p>	The R3 Zones have height of 9m and FSR of 0.7:1.	<p>FSRs will be significantly higher:</p> <ul style="list-style-type: none"> • Increase of 2.3:1 within the inner areas (equating to 330% increase in floor space) • Increase of 1.3:1 within the outer areas (equating to 190% increase in floor space)
No minimum site area and width standards	The GRLEP does not contain minimum site area and width standards for RFBs and SHH. The GRDCP has a general requirement in Part 6 for a minimum lot width of 24m.	<p>The role of this control is to ensure appropriate site width is provided to incorporate the setback and separation requirements of the Apartment Design Guide and the Georges River Development Control Plan 2021 (DCP). It also ensures that development sites are of sufficient dimensions to accommodate high quality development. The Reforms also propose a reduction in minimum building separation requirements for 5 and 6 storey residential flat buildings of the Apartment Design Guide (ADG) to match the current requirements for up to 4 storey buildings. The reductions are as follows:</p> <p>a) From 18m to 12m between habitable rooms/balconies</p> <p>b) From 12m to 9m between habitable and non-habitable rooms</p> <p>c) 9m to 6m between habitable rooms</p>
<p>Landscaping provisions</p> <p>Less than 650sqm – 15% tree canopy and for every 350sqm of site area or part thereof at least 1 small tree planted in deep soil area.</p> <p>650sqm to 1500sqm – 15% tree canopy and for every 350sqm of site area or part thereof at least one medium tree planted in deep soil area.</p> <p>Greater than 1500sqm - 20% tree canopy and for every 575sqm of site area or part thereof at least 2 medium trees</p>	<p>Clause 6.12 of the GRLEP requires that at least the following percentage of the site area consists of landscaped areas:</p> <p>(e) for development in Zone R3 Medium Density Residential—20% of the site area, or</p> <p>(f) for development in Zone R4 High Density Residential—10% of the site area,</p> <p>Landscaped area is defined in the GRLEP means a part of a site used for growing plants,</p>	<p>The ADG requires 7% deep soil to be provided.</p> <p>Overall, the proposed changes are likely to result in a reduction in landscaping on development sites.</p>

Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
or one large tree planted in deep soil area. Deep soil to comply with ADG.	grasses and trees, but does not include any building, structure or hard paved area.	

Biodiversity and Character Planning Proposal (Part A, PP2024/0002)

To ensure development is balanced with the protection of the LGA's biodiversity and character, this Planning Proposal incorporates the amendments proposed by the Biodiversity, Character and FSPA Planning Proposal (Part A, PP2024/0002) to implement the *Georges River Biodiversity Study* and *Foreshore Scenic Character Study*.

The Biodiversity, Character and FSPA Planning Proposal comprises of the following components:

- **Biodiversity:** Introduce new biodiversity objectives, planning provision and mapping overlay to preserve and protect areas of moderate and high local terrestrial biodiversity values as identified by the *Biodiversity Study*,
- **Unique Character Area:** Introduce new local character objectives, planning provision and mapping overlay to provide statutory protection to Unique Character Areas (UCAs) as identified by the *Foreshore Study*,
- **Foreshore Scenic Protection Area:** Replace the existing Foreshore Scenic Protection Area (FSPA) planning provision and amend the mapped extent to ensure the role of the FSPA focuses on foreshore scenic character as identified by the *Foreshore Study*,
- **Design Excellence:** Amend *Clause 6.10 Design Excellence* to consider visual amenity and visual impacts when viewed from the foreshore and waterway of the Georges River and local character,
- **Lot Size:**
 - Retain existing lot size requirements within areas proposed to be removed from the existing FSPA as follows:
 - Subdivision lot size: 700sqm
 - Dual occupancy lot size: 1,000sqm
 - Increase lot size requirements for areas proposed to be added to the proposed FSPA and/or UCAs as follows:
 - Increase subdivision lot size from 450sqm to 700sqm
 - Increase dual occupancy lot size from 650sqm to 1,000sqm
 - Insert objectives to ensure that lots in the FSPA are of sufficient size to protect natural values, in particular areas of high terrestrial biodiversity value,
- **Floor Space Ratio:** Reduce the maximum permissible Floor Space Ratio (FSR) for R2 zoned land located within the existing FSPA, proposed FSPA and the proposed UCA from 0.55:1 for dwelling houses and 0.6:1 for dual occupancies to 0.5:1 for all development typologies,
- **Landscaping:**
 - Amend the landscaped area planning provisions through the insertion of new objectives to:
 - Protect, maintain and improve the diversity and condition of native vegetation and habitats across the LGA,
 - Encourage the recovery of threatened species and their communities, populations and habitats across the LGA, and

- Retain and strengthen the green and leafy character of the LGA, including trees in the private domain that contribute to local character and visual amenity,
- Increase the minimum landscaped area requirement for dwelling houses and dual occupancies by 5% to 30% and 35% respectively for R2 zoned land located within the existing FSPA, proposed FSPA and the proposed UCA,
- Introduce a minimum 20% landscaped area requirement for multi dwelling housing, terraces and manor houses across the LGA in response to the NSW Government's *Low and Mid-Rise Housing* proposal.
- **Complying development:** Exclude the application of the *Low-Rise Housing Diversity Code* from the proposed FSPA and proposed UCA to ensure dual occupancies, manor houses, multi dwelling housing and terraces are only permitted through the Development Application process.

The location of the existing FSPA, proposed FSPA and UCA under PP2024/0002 is shown in **Figure 1** below.

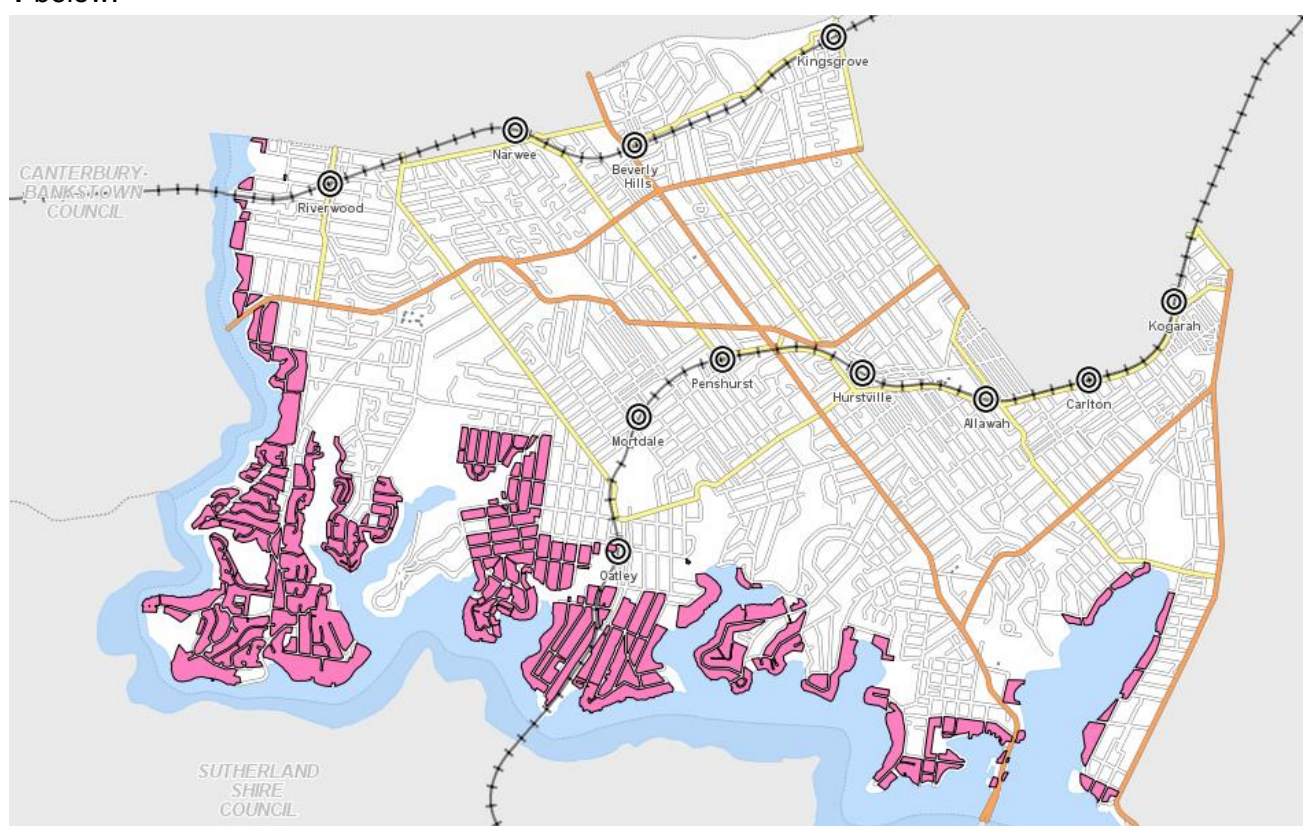


Figure 1 Location of existing FSPA, proposed FSPA and proposed UCA

Hurstville City Centre Urban Design Strategy (2018)

The *Hurstville City Centre Urban Design Strategy* (HCCUDS) was prepared in 2018 for the Hurstville City Centre and existing residential areas to the north of the City Centre. The extent of the Study Area for the HCCUDS is outlined in **Figure 2** below.

The key objectives of the HCCUDS include:

- To provide a clear approach to the planning controls of the City Centre,
- To reinforce the role of Hurstville as a gateway to southern Sydney,
- To increase the use of public and active transport to and within the Centre,

- To strengthen the identity of the Centre,
- To improve pedestrian network and movement, and
- To provide planning controls for each street block in the Centre.

The HCCUDS conducts block-by-block urban design analysis of the existing building height and FSR controls applied within the Study Area and provides a series of recommendations to update the existing planning controls for the City Centre by rectifying the mismatch between the existing height and FSR development standards.

The HCCUDS also recommends increases to the height and FSR in the Additional Capacity Areas to the north (refer **Figure 3** below) to provide additional dwellings to support the non-residential functions of the City Centre. Within these areas, the HCCUDS identifies opportunity sites where development take up is most likely to occur as these sites are not constrained by fragmented land ownership, strata subdivision or heritage restrictions.

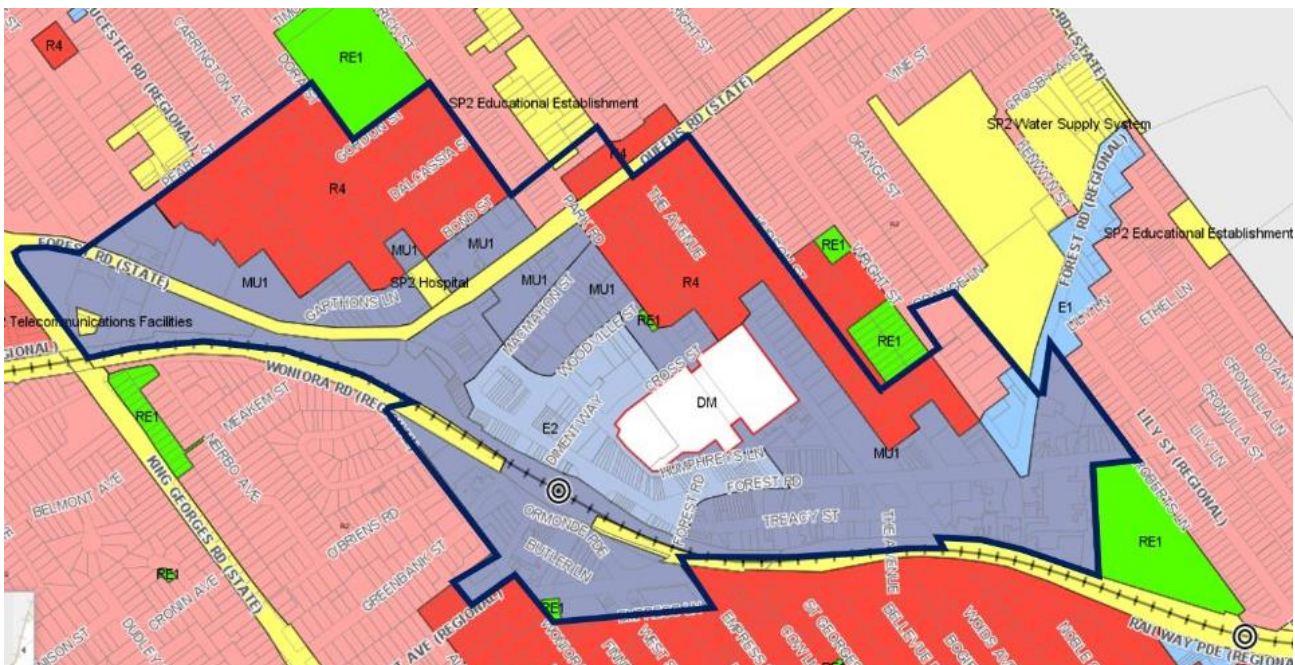


Figure 2 Study Area for the HCCUDS



Figure 3 Location of additional capacity areas

At the Council meeting held on 25 June 2018, it was resolved:

- a) That Council note the submissions received during the public exhibition of the Hurstville City Centre Urban Design Strategy (September 2017).
- b) That Council endorse the Hurstville City Centre Urban Design Strategy (May 2018 - Attachment 1) as a Strategic Planning document that will inform the preparation of the LEP and DCP controls for the Hurstville City Centre excluding the additional capacity areas.
- c) That Council pursuant to Section 3.33 of the Environmental Planning and Assessment Act 1979 resolve to prepare a Planning Proposal to amend the Hurstville LEP 2012 in accordance with the recommendations of the Hurstville City Centre Urban Design Strategy (May 2018).
- d) That Council pursuant to Section 3.43 of the Environmental Planning and Assessment Act 1979 resolve to prepare DCP No. 2 - Hurstville City Centre (Amendment No. 9) in accordance with the recommendations of Hurstville City Centre Urban Design Strategy (May 2018).
- e) That a further report to Council be provided on the preparation, costs and funding of the following documents for the Hurstville City Centre, including:
 1. Preparing a Place Management Strategy;
 2. Updating the Public Domain Plan;
 3. Investigating and implementing permanent and temporary open space solutions;
 4. Undertaking a feasibility study for the Hurstville City Centre within the study boundary, as outlined in the Hurstville City Centre Urban Design Strategy (May 2018); and
- f) That the transition areas to the north of the existing CBD boundary and the area to the south of the railway line be considered as part of the Commercial Centres Strategy.
- g) That Council resolve to prepare a new Development Contributions Plan for the Hurstville City Centre.

- h) That the Hurstville City Centre Urban Design Strategy (May 2018) forms the basis for assessing site specific Planning Proposals and Development Applications within the Hurstville City Centre until such time as the Planning proposal for the Centre is gazetted.*
- i) That Council notify the submitters and affected landowners of Council's resolution.*
- j) That Council write to the landowners of sites where the FSRs/heights have been amended following the exhibition of the draft Strategy advising of the changes and inviting comments which will be considered along with the preparation of the Planning Proposal.*
- k) That Council continue to receive submissions on the Strategy during the preparation of the Planning Proposal.*
- l) That the upcoming Commercial Centres Study relating to the Hurstville City Centre (to be prepared as part of the City-wide LEP) include a study area that comprises the additional capacity areas to the north and land south of the existing CBD (as identified in the Hurstville City Centre Urban Design Strategy).*

In accordance with Resolution (c) above, a planning proposal can be prepared to amend the GRLEP to implement the recommendations of the HCCUDS.

Referral to the Local Planning Panel

The Planning Proposal was considered by the Georges River Local Planning Panel (LPP) at its meeting on 20 June 2024 in accordance with Minister Direction under S9.1 of the *EP&A Act* and the charter of the *Georges River Local Planning Panel 2018*.

The LPP supported the Planning Proposal to be forwarded to the Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination without amendments. The decisions of the LPP are as follows:

- a) That the Georges River Local Planning Panel recommends to Council that the Planning Proposal No. 2024/0004 (Additional and Diverse Housing Planning Proposal) to amend the Georges River Local Environmental Plan (GRLEP) 2021 as listed in the Table of Amendments below, be forwarded to the Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act 1979, subject to Council receiving a deferral to DPHI's Low and Mid-Rise Housing proposal.*
- b) That the Director Environment and Planning be authorised to make minor editorial amendments to the Planning Proposal as required throughout the reporting process.*
- c) That the Georges River Local Planning Panel notes that this Planning Proposal will incorporate the amendments proposed by the Biodiversity, Character and FSPA Planning Proposal (PP2024/0002) to implement the Georges River Biodiversity Study and Foreshore Scenic Character Study.*
- d) That the Georges River Local Planning Panel recommends to Council that additional R3 Medium Density Residential and R4 High Density Residential Zones are identified in its review of the Georges River Local Strategic Planning Statement.*

Draft Moomba to Sydney Ethane Pipeline Hazard Analysis (2024)

The Moomba to Sydney Ethane (MSE) Pipeline owned and operated by the APA Group runs through the northern portion of the Georges River LGA. The MSE pipeline runs parallel to the T8 railway line through the suburbs of Riverwood, Narwee, Beverly Hills and Kingsgrove.

Council engaged Arriscar to prepare a hazard analysis to determine the impact of the existing pipeline on the development potential within the affected areas.

Arriscar completed the draft *Moomba to Sydney Ethane Pipeline Hazard Analysis* report for Georges River Council. The draft report outlines the findings from the risk analysis and assessment and the recommendations for Council to consider when rezoning the land adjacent to the MSE pipeline for potential population intensification.

The draft report produces a societal risk area map to illustrate the existing societal risk and identify the areas which are appropriate for population intensification. It was found that at 500% population increase, some areas approached the intolerable societal risk criteria. Simultaneously, the draft report identifies certain areas as being inappropriate for any residential intensification and some areas as being inappropriate for sensitive land uses.

The draft report was reviewed by the Hazards Team at DPHI where it was confirmed that the findings and approach taken by the draft report is appropriate for strategic planning purposes.

3. Part 1 – Objectives and Intended Outcomes

Objective

To amend the GRLEP to create capacity for additional and diverse housing across the residential zones of the Georges River LGA in lieu of the application of DPHI's *Low and Mid-Rise Housing* proposal.

Intended Outcome

- In the R2 zone, reduce the minimum lot size for dual occupancies from 650sqm to 600sqm with the exception of land located within the existing HCAs, existing FSPA, proposed FSPA and the proposed UCA,
- In the R2 zone, increase the minimum subdivision lot size for dual occupancies from 300sqm to 325sqm for land located within the existing HCAs,
- In the R2 zone, increase the minimum subdivision lot size for dual occupancies from 430sqm to 500sqm for land located within the existing FSPA, proposed FSPA and the proposed UCA,
- In the R2 zone, introduce multi dwelling housing and terraces as permissible land uses with the exception of land located within the existing HCAs, existing FSPA, proposed FSPA and the proposed UCA,
- In the R2 zone, request continued prohibition of manor houses,
- In the R2 zone, introduce minimum density control of 300sqm per dwelling for multi dwelling housing, terraces and manor houses (if prohibition of manor houses is not supported by the DPHI),
- In the R2 zone, retain existing maximum FSR of 0.55:1 to 0.6:1 for multi dwelling housing and terraces,
- In the R3 and R4 zone, reduce the minimum lot size for dual occupancies from 650sqm to 500sqm,
- In the R3 and R4 zone, reduce the subdivision minimum lot size for dual occupancies from 300sqm to 250sqm,
- In the R3 zone, introduce RFBs as a permissible land use to facilitate greater development take up,
- In the R3 zone, introduce minimum lot size of 800sqm and minimum lot width of 24m for RFBs to ensure appropriate development outcomes,
- In the R3 zone, increase the maximum building height from 9m to 10.5m to offer greater development yield and design flexibility,
- In the R3 zone, increase the maximum FSR from 0.7:1 to 0.8:1 to offer greater development yield and by extension greater development incentive,
- In the R3 zone, apply a bonus FSR of 0.2:1 (total 1:1 FSR) for multi dwelling housing to incentivise the provision of townhouses, and
- Implement the recommendations of the *Hurstville City Centre Urban Design Strategy 2018* (HCCUDS) in relation to land within the Hurstville City Centre and residential zoned land located in the Additional Capacity Areas.

Dwelling Capacity Modelling

This Planning Proposal is also consistent with the key government priority of delivering at least 314,000 new homes by 2029 by creating capacity for approx. additional 8,130 dwellings in the Georges River LGA.

Heritage Conservation Areas (HCAs) in the LGA have been excluded from the proposed changes to protect their character and subdivision patterns.

The additional capacity has been calculated as net dwellings (i.e. gross dwellings minus existing dwellings) and only takes into account allotments which meet the required site requirements specified by the GRLEP for the various types of land uses including lot width and lot size controls. The application of these parameters gives an accurate approximation of the number of additional dwellings that will be created through redevelopment if there is 100% development take up.

in accordance with the recommendations of the draft *Moomba to Sydney Ethane Pipeline Hazard Analysis*, residential intensification cannot occur within the 1E-06 p.a. (or 1 in 1 million per year) Location Specific Individual Risk (LSIR) fatality contour. This affects 278 lots which are zoned R2.

In response, multi dwelling housing and terraces will not be introduced as a permissible land use to these properties. In terms of its impact on dwelling capacity, 118 lots will lose development potential as they have site areas between 450sqm and 599sqm and are distributed across the following suburbs:

- 67 lots in Beverly Hills
- 18 lots in Kingsgrove
- 5 lots in Narwee
- 28 lots in Riverwood

The breakdown of the location of the additional 8,130 dwelling capacity is as follows:

- Capacity for an additional 1,340 dwellings in the R2 zone from reducing the minimum dual occupancy lot size,
- Capacity for an additional 5,685 dwellings in the R2 zone from permitting multi dwelling housing and terraces (this takes into account the removal of the R2 zoned lots located within the 1E-06 LSIR fatality contour, see **Appendix 3**),
- Capacity for an additional 700 dwellings in the R3 zone from increasing the FSR and allowing bonus floor space for multi dwelling housing development,
- Capacity for an additional 406 dwellings from implementing the HCCUDS.

It should be noted that heritage items have negligible impact on the development potential for the proposed changes and will not have an impact on overall development potential and take up due to the limited numbers of heritage items within the LGA. Therefore, individual heritage properties outside of the HCAs have been included within the dwelling capacity modelling.

Further details of the capacity created is provided in **Appendix 2**.

Urban Design Testing

Urban design testing was undertaken by Council to ensure existing development controls can be met by the new controls around dual occupancy, multi dwelling housing and 3 storey Residential Flat Buildings. The following development controls were taken into consideration;

- lot width,
- landscaped area
- setback controls and
- parking controls

Examples of the urban designing testing Council undertook is provided in **Appendix 2**.

4. Part 2 – Explanation of Provisions

To achieve the objectives and intended outcomes, this Planning Proposal seeks to amend the GRLEP. Proposed amendments can be categorised into:

- LGA-wide amendments, and
- Amendments to implement the *Hurstville City Centre Urban Design Strategy (2018)*.

The draft amendments are itemised below with reference to the *Standard Instrument LEP*. The full extent of proposed amendments to the GRLEP is set out in **Appendix 1**.

LGA-WIDE AMENDMENTS

Item 1: Amendment to the Land Use Table

Introduce RFBs as a permissible land use within Zone R3 Medium Density Residential.

Proposed Amendment

Addition is shown in **red text** below:

3 Permitted with consent

*Attached dwellings; Bed and breakfast accommodation; Boarding houses; Business identification signs; Car parks; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Early education and care facilities; Educational establishments; Emergency services facilities; Environmental facilities; Environmental protection works; Group homes; Health services facilities; Home businesses; Home industries; Jetties; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; **Residential Flat Buildings**; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Tank-based aquaculture*

Justification

The GRLEP came into effect on 8 October 2021 and was prepared in accordance with a number of overarching principles. One of the principles was to “*Develop a hierarchy of residential zones to ensure development typologies reflect the objectives of the respective zone, including a ‘true’ medium density residential zone*”.

Accordingly, a ‘true’ R3 zone was created to accommodate multi dwelling housing and manor houses and supported by corresponding site requirements.

Under the GRLEP, there are a total of 13 areas zoned R3 within the Georges River LGA. Five of these areas (refer **Figure 4** below) were upzoned from R2 as part of the preparation of the GRLEP and came into effect on 8 October 2021:

- Peakhurst (North and West of Peakhurst Park)
- Narwee

- Penshurst (Apsley Estate)
- South Hurstville (Culwulla Street)
- South Hurstville (Rowe Street)

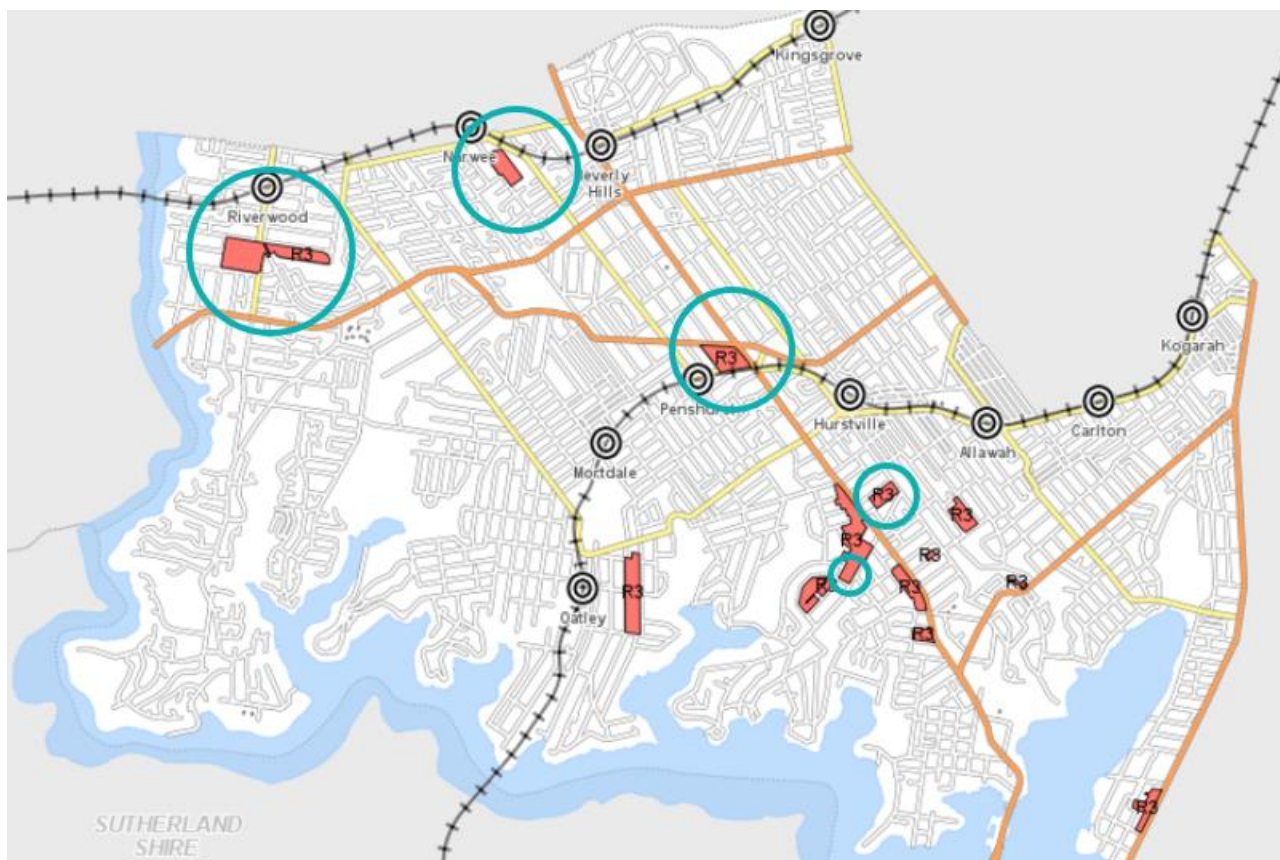


Figure 4 Location of R3 zoned land in the LGA

There has been minimal development take up in these upzoned areas since the GRLEP came into effect. Allowing RFBs as a permissible land use in the R3 zones is intended to encourage greater development take up and provide more housing choice and diversity in the R3 zones. Further information relating to the development standards for RFBs in the R3 zone is provided in **Items 3, 8 and 9** below.

Item 2: Amendment to Clause 4.1A Minimum subdivision lot size for dual occupancies

Amend the minimum subdivision lot size for dual occupancies as follows:

- Land in R2 zone to retain the existing 300sqm,
- Land in R3 and R4 zones to reduce from 300sqm to 250sqm,
- Land located within the existing HCAs increase from 300sqm to 325sqm, and
- Land in the existing FSPA, proposed FSPA and proposed UCA (i.e. Area U on the *Minimum Lot Size for Dual Occupancy Map*) increase from 430sqm to 500sqm.

Proposed Amendment

Amendments proposed by this Planning Proposal are shown in **red text**, and amendments proposed by the Biodiversity, Character and FSPA Planning Proposal are shown in **green text** below:

Clause 4.1A Minimum subdivision lot size for dual occupancies

(2) Despite clauses 4.1 and 4.1B, development consent may be granted for the subdivision of land—

- (a) in Zone R2 Low Density Residential, ~~Zone R3 Medium Density Residential or Zone R4 High Density Residential~~ if—
 - (i) there is a dual occupancy on the land that was lawfully erected or a dual occupancy is proposed on the land, and
 - (ii) the lot size for each resulting lot will be at least 300 square metres, or
 - (b) ~~in the Foreshore Scenic Protection Area on land as identified as on the Foreshore Scenic Protection Area Map on land identified as “Area U” on the Minimum Lot Size for Dual Occupancy Map if—~~
 - (i) there is a dual occupancy on the land that was lawfully erected or a dual occupancy is proposed on the land, and
 - (ii) the lot size for each resulting lot will be at least ~~430-500~~ square metres.
 - (c) in Zone R3 Medium Density Residential or Zone R4 High Density Residential –
 - (i) there is a dual occupancy on the land that was lawfully erected or a dual occupancy is proposed on the land, and
 - (ii) the lot size for each resulting lot will be at least 250 square metres, or
 - (d) on land identified as a Heritage Conservation Area on the Heritage Map if –
 - (i) there is a dual occupancy on the land that was lawfully erected or a dual occupancy is proposed on the land, and
 - (ii) the lot size for each resulting lot will be at least 325 square metres.
- (3) 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 lot size.

Justification

The minimum subdivision lot size of 300sqm for dual occupancies in the GRLEP is a direct translation of the former Kogarah LEP requirement – i.e. the 650sqm lot size is permitted to be subdivided unevenly as long as each lot is at least 300sqm, which results in the possibility of one lot being 300sqm and the other being 350sqm. This has created discrepancies in the interpretation of this control.

To simplify the subdivision requirements for dual occupancies, it is proposed to evenly divide the minimum lot size requirement for dual occupancies so the minimum lot size of each lot after subdivision is half of the overall lot size. Further justification for this amendment is provided in **Appendix 2**.

Item 3: Amendment to Clause 4.1B Minimum lot sizes and special provisions for certain dwellings

There are two components to this amendment:

- **Component 1:** Reduce the minimum lot size for dual occupancies in all residential zones (600sqm in R2 zones, 500sqm in R3 and R4 zones) with the exception of land in the existing FSPA, proposed FSPA and proposed UCA and in the existing HCAs, and
- **Component 2:** Introduce 800sqm lot size and 24m width for RFBs in R3 zones.

Note: Component 1 will be supported by changes to the *Minimum Lot Size for Dual Occupancy Map* (see **Item 10** below).

Proposed Amendment

Amendments proposed by this Planning Proposal are shown in **red text**, and amendments proposed by the Biodiversity, Character and FSPA Planning Proposal are shown in **green text** below:

Clause 4.1B Minimum lot sizes and special provisions for certain dwellings

...

(2) *Development consent must not be granted to development on a lot in a zone shown in Column 2 of the table to this clause for a purpose shown in Column 1 of the table opposite that zone unless—*

- the area of the lot is equal to or greater than the area specified for that purpose and shown in Column 3 of the table, and*
- the width of the lot at the front building line is equal to or greater than the width specified for that purpose and shown opposite in Column 4 of the table.*

Column 1	Column 2	Column 3	Column 4
Attached dwellings	Zone R3 Medium Density Residential	800 square metres	21 metres
Attached dwellings	Zone R4 High Density Residential	800 square metres	21 metres
Dual occupancies	Zone R2 Low Density Residential	650 600 square metres	15 metres
Dual occupancies	Zone R3 Medium Density Residential	650 500 square metres	15 metres
Dual occupancies	Zone R4 High Density Residential	650 500 square metres	15 metres
Manor houses	Zone R3 Medium Density Residential	800 square metres	18 metres
Manor houses	Zone R4 High Density Residential	800 square metres	18 metres
Multi dwelling housing	Zone R3 Medium Density Residential	800 square metres	18 metres
Multi dwelling housing	Zone R4 High Density Residential	800 square metres	18 metres
Multi dwelling housing (terraces)	Zone R3 Medium Density Residential	800 square metres	21 metres

Multi dwelling housing (terraces)	Zone R4 High Density Residential	800 square metres	21 metres
Residential flat buildings	Zone R3 Medium Density Residential	800 square metres	24 metres

(3) *Development consent must not be granted for the erection of a dual occupancy in “Area U” on the Minimum Lot Size for Dual Occupancy Map in the Foreshore Scenic Protection Area as identified on the Foreshore Scenic Protection Area Map unless the lot has an area of at least 1,000 square metres as shown on the Lot Size for Dual Occupancy Map.*

...

(7) Development Consent must not be granted for the erection of a dual occupancy on land identified as a Heritage Conservation Area on the Heritage Map unless the lot has an area of at least 650 square metres as shown on the Lot Size for Dual Occupancy Map.

Justification

Component 1: To address the existing housing supply shortage, it is proposed to reduce the existing lot size requirements for dual occupancy development in the R2 zones. This will generate capacity for an additional 1,340 dwellings. Further justification for this amendment is provided in **Appendix 2**.

Lot size requirements for dual occupancies in the R3 and R4 zones are also proposed to be reduced. This is to encourage development uptake in the R3 zone and provide greater housing choice and diversity. Further justification for this amendment is also provided in **Appendix 2**.

In accordance with the Biodiversity, Character and FSPA Planning Proposal, all land within the existing FSPA, proposed FSPA and proposed UCA will see the minimum lot size requirement for dual occupancies retained/increased to 1,000sqm. The Foreshore Study recommends retaining the existing larger dual occupancy lot size requirements (1,000sqm) for land located within the existing FSPA. The Foreshore Study also recommends expanding the larger lot size requirement to the proposed FSPA and UCA to ensure scenic and local character attributes such as larger setbacks, more landscaping and less site coverage is retained by future developments. This proposed amendment remains unchanged by this Planning Proposal.

To preserve the existing heritage character and subdivision patterns of the HCAs it is proposed to retain the minimum lot size for dual occupancies at 650sqm.

Component 2:

Allowing RFBs as a permissible use in the R3 zones is proposed to encourage development take up and provide more housing choice and diversity. A compliant 3 storey RFB can be provided on an 800sqm size lot that is 24m wide. The development would be a maximum of 3 storeys and would be considered comparable in terms of the built form impact on the existing character to the 2.5 storey built form proposed for multi dwelling housing by this Planning Proposal. It will also ensure the retention of the hierarchy of zones as RFBs of 4 storeys or greater will be provided by the high density R4 zone. Further justification for this amendment is provided in **Appendix 2**.

Item 4: Amendment to Clause 4.3A Exceptions of height of buildings

Amend the existing 5m height control for multi dwelling housing so this restriction only applies to the R2 zone.

Proposed Amendment

Amendments proposed by this Planning Proposal are shown in red text below:

Clause 4.3A Exceptions to height of buildings

...

(2) Despite clause 4.3—

- (a) the maximum height of a dual occupancy on land in Zone R3 Medium Density Residential or Zone R4 High Density Residential is 9 metres above ground level (existing), and*
- (b) the maximum height of a building that forms part of multi dwelling housing on land in Zone R2 Low Density Residential is 5 metres above ground level (existing) if the building is adjacent to the rear boundary of the lot.*

Justification

Currently in the GRLEP, Clause 4.3A restricts the building height of a building that forms part of multi dwelling housing to a maximum of 5m above ground level (existing) if the building is adjacent to the rear boundary of the lot. This applies to all zones where multi dwelling housing is permitted – i.e. the R3 and R4 zones within the existing GRLEP.

To ensure any new medium density development in the R2 zone is consistent with the desired future character of the low density zone and to mitigate any overshadowing and privacy impacts on adjoining properties, it is proposed to retain the existing 5m height restriction in the R2 zone. However, it is proposed to amend the clause so that the 5m height restriction does not apply to the R3 or R4 zone to provide greater development flexibility for these zones.

Item 5: Amendment to Clause 4.4A Exceptions to floor space ratio – certain residential accommodation

Apply a bonus of 0.2:1 FSR (equating to 1:1 total FSR) for multi dwelling housing and terrace developments on land in the R3 zone.

Proposed Amendment

Amendments proposed by this Planning Proposal are shown in red text below:

Clause 4.4A Exceptions to floor space ratio—certain residential accommodation

Insert the following subclause at the end:

- (7) The maximum floor space ratio for multi dwelling housing and multi dwelling housing (terraces) on land identified as “Area 8” on the Floor Space Ratio Map must not exceed 1:1.*

Justification

This amendment to Clause 4.4A is intended to supplement the overall increase in FSR in the R3 zone to 0.8:1 as outlined in **Item 9** below.

The intent of introducing a floor space bonus for multi dwelling housing developments and terraces is to provide a wider range of housing choice for the community in close proximity to transport facilities and local services. Some of the benefits of medium density development may include greater affordability, security and reduced maintenance when compared to single detached houses. Providing a wider range of housing choices allows our community members to move into a home that suits their changing needs without necessarily having to leave the area. This might include long-standing residents wishing to downsize and stay connected to their local community or families who have outgrown apartment living.

Granting a bonus of 0.2:1 FSR for multi dwelling developments and terraces will create capacity for 1-2 additional dwellings on an 800sqm development site. Enabling more dwellings on each development site provides greater development yield and in turn encourages development take up. Further justification for this amendment is provided in **Appendix 2**.

Item 6: Insert new clause within Schedule 1 Additional permitted uses – No.17 Use of certain land in Zone R2 Low Density Residential

Introduce multi dwelling housing and terraces as permissible land uses within the R2 zone excluding the areas located in the existing HCAs, existing FSPA, proposed FSPA and proposed UCA. The proposal includes the following components:

- Introduce multi dwelling housing and multi dwelling housing (terraces) as permissible land uses across R2 zoned land, with the exception of land located within the existing HCAs, existing FSPA, proposed FSPA and proposed UCA,
- Apply minimum density control of 300sqm per dwelling within the R2 zone for multi dwelling housing and terrace developments,
- Continue prohibition of manor houses in the R2 zone due to incompatibility with the desired future character of the zone,
- Apply maximum FSR of 0.6:1 for multi dwelling housing and terraces within the R2 zone, excluding land located within the existing HCAs, existing FSPA, proposed FSPA and proposed UCA, and
- Apply minimum landscaped area of 20% for multi dwelling housing and terraces within the R2 zone, excluding land located within the existing HCAs, existing FSPA, proposed FSPA and proposed UCA.

Proposed Amendment

Amendments proposed by this Planning Proposal are shown in **red text** below. Drafting of this clause is based on Clause 4.5A of the Pittwater LEP 2014.

Exclusions: Existing Item 10 of Schedule 1 Additional permitted uses will be excluded from the below amendment as to not impact the existing development potential of the identified sites. Furthermore, multi dwelling housing and terraces will not be introduced as a permissible land use to R2 zoned land located within the 1E-06 p.a. (or 1 in 1 million per year) Location Specific Individual Risk (LSIR) fatality contour in accordance with the recommendations of the draft *Moomba to Sydney Ethane Pipeline Hazard Analysis* report, as well as any sites isolated as result of these exclusions (see **Figure 5** below and **Appendix 3** for the full resolution map).

Schedule 1 Additional permitted uses

Insert the following clause as No.17 after existing No.16:

17 Use of certain land in Zone R2 Low Density Residential

- (1) This clause applies to the following land in Zone R2, identified as "Area C" on the Additional Permitted Uses Map.
- (2) Development for the purpose of multi dwelling housing and multi dwelling housing (terraces) is permissible with development consent.
- (3) Development consent must not be granted to development for a purpose specified in Column 1 of the table to this clause on land in the zone or area shown opposite that development in Column 2 of that table unless the development complies with the density requirements specified in Column 3 of that table.
- (4) In this clause –

Column 1	Column 2	Column 3
Specified development	Zone	Density
Multi dwelling housing	Zone R2 Low Density Residential	A maximum of 1 dwelling per 300 square metres of site area
Multi dwelling housing (terraces)	Zone R2 Low Density Residential	A maximum of 1 dwelling per 300 square metres of site area

- (5) The maximum floor space ratio must not exceed 0.6:1.
- (6) Development consent must not be granted to development on the land to which this clause applies unless 20% of the site area consists of landscaped areas.

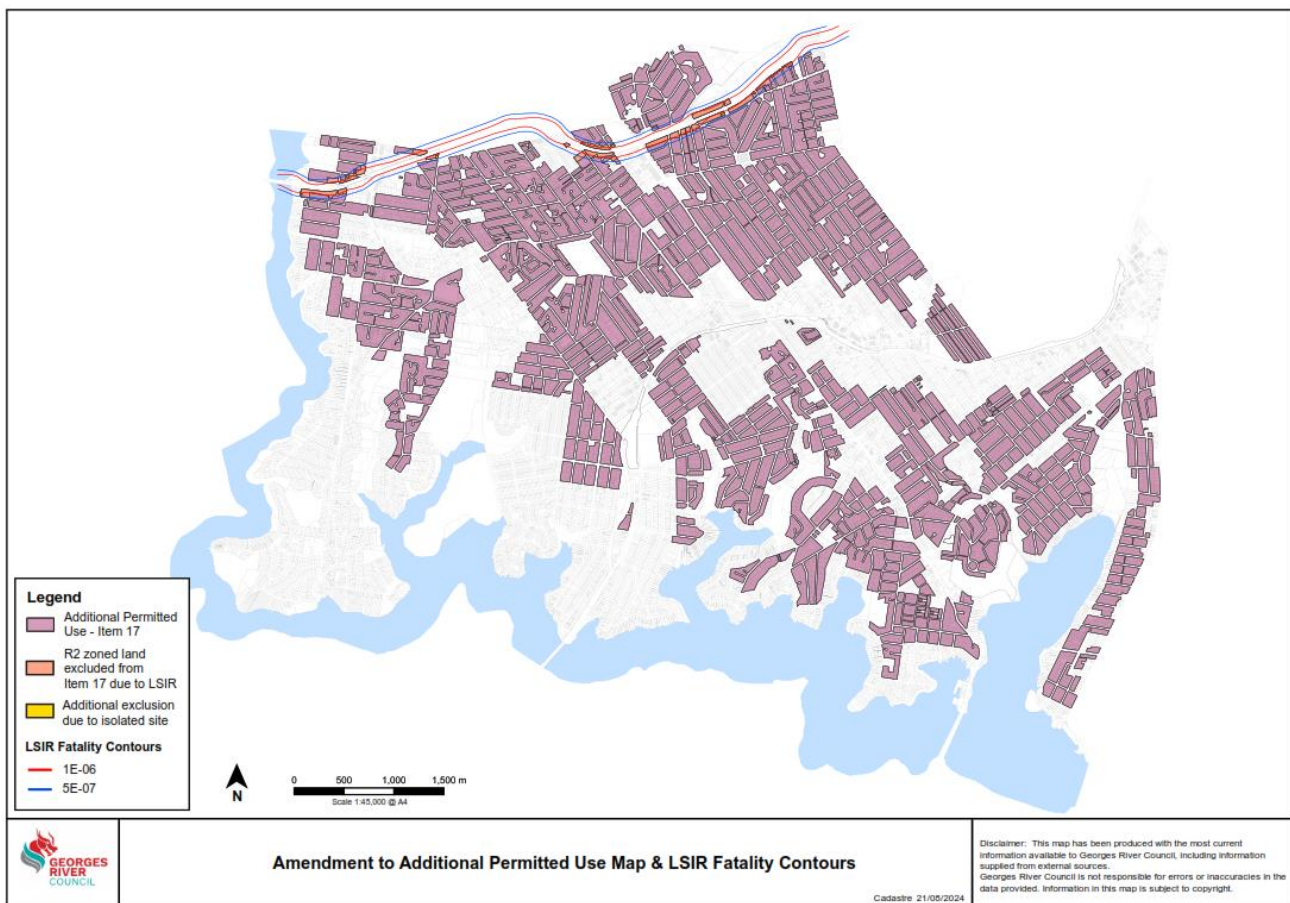


Figure 5 Extent of Proposed No.17 APU and exclusions due to LSIR Fatality Contours

Justification

Multi dwelling housing, terraces and manor houses are currently prohibited within the R2 zone by the GRLEP 2021. This ensures the hierarchy of residential zones is upheld by only permitting low-scale residential development to occur in the R2 zone.

To address the existing housing supply shortage while retaining the character of the suburbs, it is proposed to introduce multi dwelling housing and multi dwelling housing (terraces) into the majority of the R2 zone, with the exception of land within the existing FSPA, proposed FSPA, proposed UCA and existing HCAs. Introducing multi dwelling housing and terraces into the R2 zone is intended to incentivise the provision of the 'missing middle' residential topology (i.e. townhouses and villas) and to encourage housing choice and diversity across the LGA.

Council notes that introducing multi dwelling housing into the R2 zone will allow terraces and manor houses as permissible land uses through the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. However, as part of this Planning Proposal, Council is seeking manor houses to be prohibited within the R2 zone due to the incompatible built form and character of manor house developments within the low density setting of the LGA's suburbs. See **Item 7** below for more details.

The proposed density of 300sqm per dwelling for multi dwelling housing and terraces is consistent with the proposed subdivision lot size for dual occupancy developments in the R2 zone. This ensures any new medium density development in the R2 zone is consistent with the desired future character by adhering to the same density as dual occupancies.

Sites that cannot be evenly divided by 300sqm will result in larger sites and dwellings. If a consolidation of two 550sqm sites resulting in a 1,100sqm site, the site could be divided up in any way that each individual lot is not smaller than 300sqm. Implementing the minimum lot size of 300sqm per dwelling is to ensure that the residential density is the same as dual occupancies within the R2 zone.

The maximum FSR will be increased to 0.6:1 for multi dwelling housing and terrace developments in the R2 zone to enable appropriately sized dwellings while retaining existing the R2 zone's character.

To ensure consistency with existing medium density development, it is proposed to expand the application of the minimum 20% landscaped area requirement that is currently applicable within the R3 zone to multi dwelling housing, terraces and manor houses within the R2 zone. This will ensure the protection of local character, the provision of sufficient tree canopy cover, building separation and deep soil to enable water infiltration to lessen the extent of urban runoff.

It is proposed to permit multi dwelling housing and terraces as a *Schedule 1 Additional permitted use* and not via the Land Use Table in the R2 zone. This is to prevent incompatible residential intensification on land within the existing FSPA, proposed FSPA and the proposed UCA to ensure that unique environmental and scenic character values are protected and in existing HCAs to preserve the existing heritage character and subdivision patterns.

Multi dwelling housing was permitted within the R2 zone in the Hurstville LEP 2012 prior to 6 December 2019. Multi dwelling housing was permitted at a density of 315sqm per dwelling as required

by the Hurstville DCP 2012. The proposed controls are more lenient than the previous Hurstville DCP controls and therefore should attract more development. Examples of multi dwelling housing completed under the Hurstville LEP and DCP controls are:

- 8-10 Woronora Parade, Oatley
- 109 and 111 Belmore Road, Peakhurst
- 106 Arcadia Street, Penshurst

Restricting the lot size to 300sqm is to ensure the local character is protected, consistent density within the R2 zones objectives and the provision of sufficient tree canopy cover, building separation and deep soil to enable water infiltration to lessen the extent of urban runoff.

Note – No feasibility testing has been conducted as the proposal seeks to reinstate the development potential provided by the previous Hurstville LEP and DCP.

Further justification for this amendment is provided in **Appendix 2**.

Item 7: Continued prohibition of manor houses within the R2 zone

Council resolved at its meeting held on 27 May 2024 to request the DPHI to exclude manor houses from land in the R2 zone despite the proposed introduction of multi dwelling housing and terraces into the R2 zone to ensure the character of our suburbs are protected.

Justification

Council is proposing to permit multi dwelling housing and terraces into the R2 zones to incentivise the provision of the 'missing middle' residential topology and to encourage housing choice and diversity.

However, the continued prohibition of manor houses within the R2 zone is requested by this Planning Proposal due to the incompatible built form and character of manor house developments within the low density setting of the LGA's suburbs.

Council objects to the presence of manor houses within the R2 Low Density Residential zone due to its incompatible residential density, building classification and subdivision requirements.

Manor houses are small-scale RFBs by definition and NCC building classification. Dual occupancies, terraces and townhouse developments in the LGA are Class 1 buildings as they are horizontally attached to each other, while RFBs and manor houses are Class 2 buildings as units are located above and below each other. Manor houses also require strata subdivision of each individual unit, as opposed to the availability of torrens title subdivision for dual occupancies and terraces. The permissibility of 4 units on a single development site in the R2 zone raises significant concerns regarding the integrity of the low density zone.

In accordance with the Council-adopted hierarchy of residential zones, the GRLEP prohibits RFBs within the low density R2 zone. Manor houses as a building typology is considered to be incompatible with the objectives of the zone due to its classification as a form of RFB, specifically Objective 1: *To provide for the housing needs of the community within a low density residential environment.*

Part 3B of the Codes SEPP permits manor house developments by default if multi dwelling housing is permitted in the zone. The proposed introduction of multi dwelling housing as an Additional Permitted Use in the R2 zone will therefore enable manor houses within the R2 zone by default through the Codes SEPP.

Due to the incompatibility of manor houses as outlined above, Council is seeking an amendment to the Codes SEPP to exclude the Georges River LGA from the applicable of Part 3B Div 1A (proposed amendments in **red text** below):

Division 1A Manor houses permitted in certain land use zones

3B.1A Development for the purposes of manor houses

(1) Manor houses are, despite any other environmental planning instrument, permitted with consent on land in any of the following land use zones if multi dwelling housing or residential flat buildings (or both) are permitted in the zone—

- (a) Zone RU5 Village,*
- (b) Zone R1 General Residential,*
- (c) Zone R2 Low Density Residential,*
- (d) Zone R3 Medium Density Residential.*

(2) Subclause (1) does not apply to land in the Zone R2 Low Density Residential within the Georges River local government area.

Item 8: Amendment to Height of Buildings Map

To amend the *Height of Buildings Map* to increase the height from 9m to 10.5m for all land within the R3 zone, see **Figure 6** below..

Proposed Amendment

Mapping change only – *Height of Buildings Map*:

Please note the following map does not include amendments proposed by Part A of this Planning Proposal.

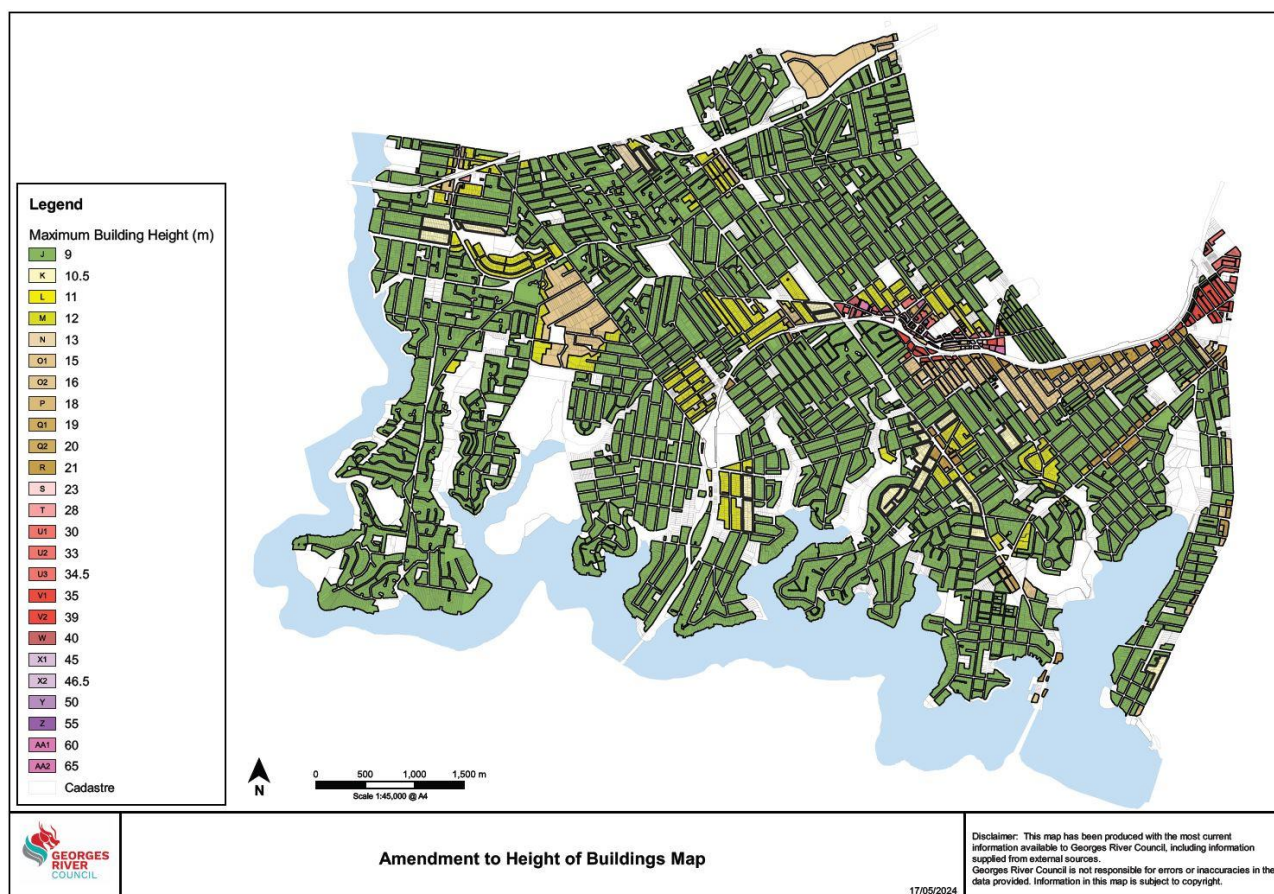


Figure 6 Proposed amendment to Height of Buildings Map

Justification

As outlined above, there has been limited development take up in the R3 zone. This Planning Proposal incorporates a number of mechanisms to facilitate greater development activity within the R3 zone, including the introduction of RFBs.

To enable viable development outcomes for small-scale RFBs within the R3 zone, it is proposed to increase the maximum building height from 9m to 10.5m across all R3 zoned land. A height of 10.5m will allow 3 storey RFBs and 2.5 storey built forms (2 storey + attic) for multi dwelling housing developments.

Increasing the maximum permissible height in the R3 zone is intended to offer greater development yield, greater design flexibility and by extension provide greater development incentive. This is supported by increasing the maximum permissible FSR (outlined in **Item 9** below).

Further justification for the increase in building height and FSR in the R3 zone is provided in **Appendix 2**.

Item 9: Amendment to Floor Space Ratio Map

To amend the *Floor Space Ratio Map* to:

- (i) Increase the FSR from 0.7:1 to 0.8:1 for land within the R3 zone, and
- (ii) Identify all R3 zoned land as “Area 8” to allow a bonus FSR to be applied for multi dwelling housing and terrace developments as per **Item 5** above.

Proposed Amendment

Mapping change only – *Floor Space Ratio Map*. The increase in maximum permissible FSR from 0.7:1 to 0.8:1 and the identification of “Area 8” is to be applied to the existing R3 zones as shown in **Figure 7** below. The amended FSR map will be completed at finalisation stage.

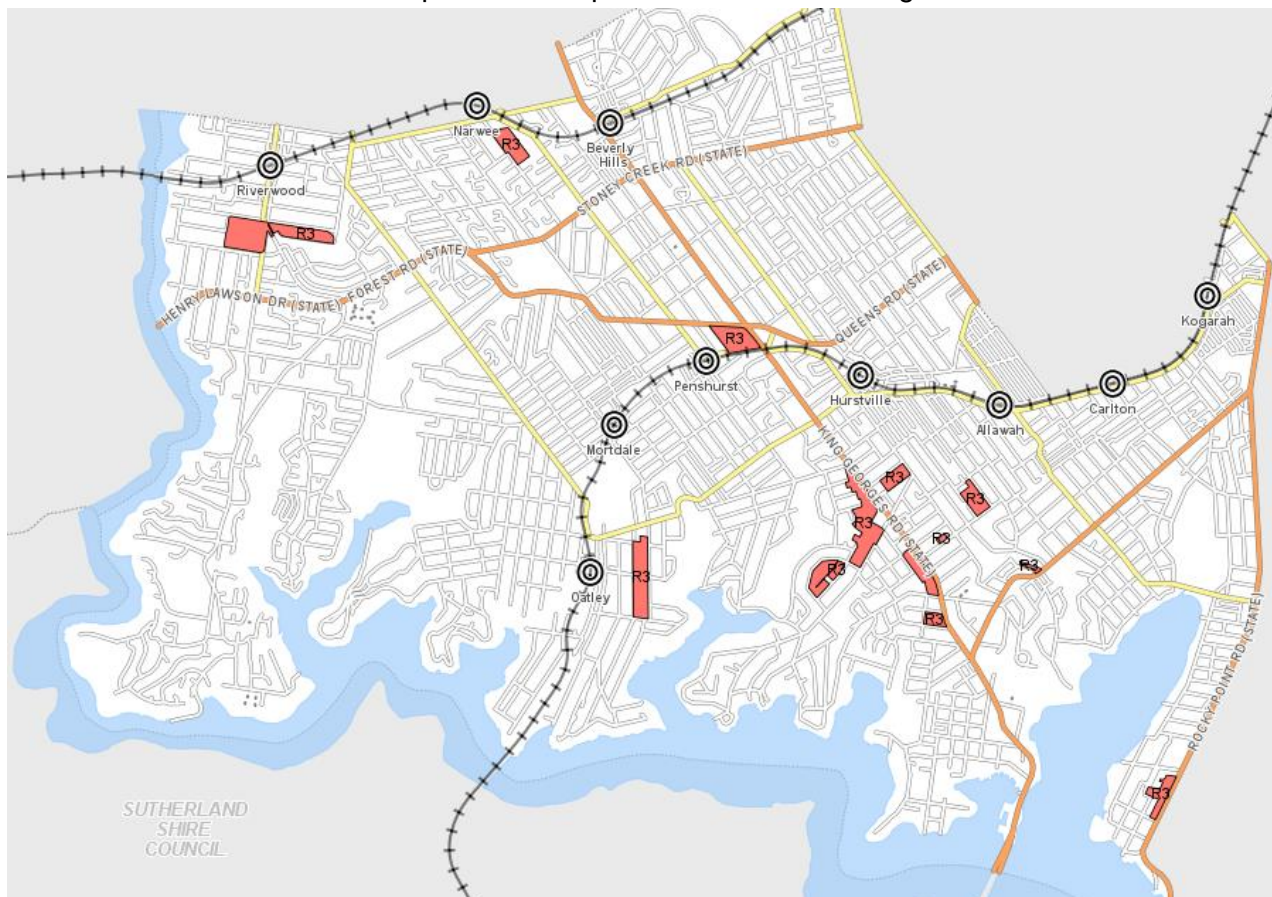


Figure 7 Location of existing R3 zones

Justification

As outlined above, there has been limited development take up in the R3 zone. Increasing the FSR in the R3 zone from 0.7:1 to 0.8:1 is intended to provide more development incentive.

On an 800sqm site, the extra 0.1:1 FSR allows an extra 80sqm of gross floor area (GFA). This will enable an additional dwelling to be accommodated, which will offer greater development yield and by extension provide greater development incentive.

Increasing the FSR by 0.1:1 will increase the capacity for an additional 350 dwellings across the existing R3 zones.

Further justification for the increase in building height and FSR in the R3 zone is provided in **Appendix 2**.

Item 10: Amendment to Lot Size for Dual Occupancy Map

To support **Item 3** above, the following amendments are proposed to the *Minimum Lot Size for Dual Occupancy Map*:

- Apply 500sqm to land within R3 and R4 zones,
- Apply 600sqm to land within the R2 zone,
- Retain 650sqm to land within the HCAs,
- Retain 1,000sqm to land within the existing FSPA as per the Biodiversity, Character and FSPA Planning Proposal, and
- Apply 1,000sqm to land within the proposed FSPA and UCA as per the Biodiversity, Character and FSPA Planning Proposal.

Proposed Amendment

Mapping change only – *Minimum Lot Size for Dual Occupancy Map*:

Please note the following map does not include amendments proposed by Part A of this Planning Proposal.

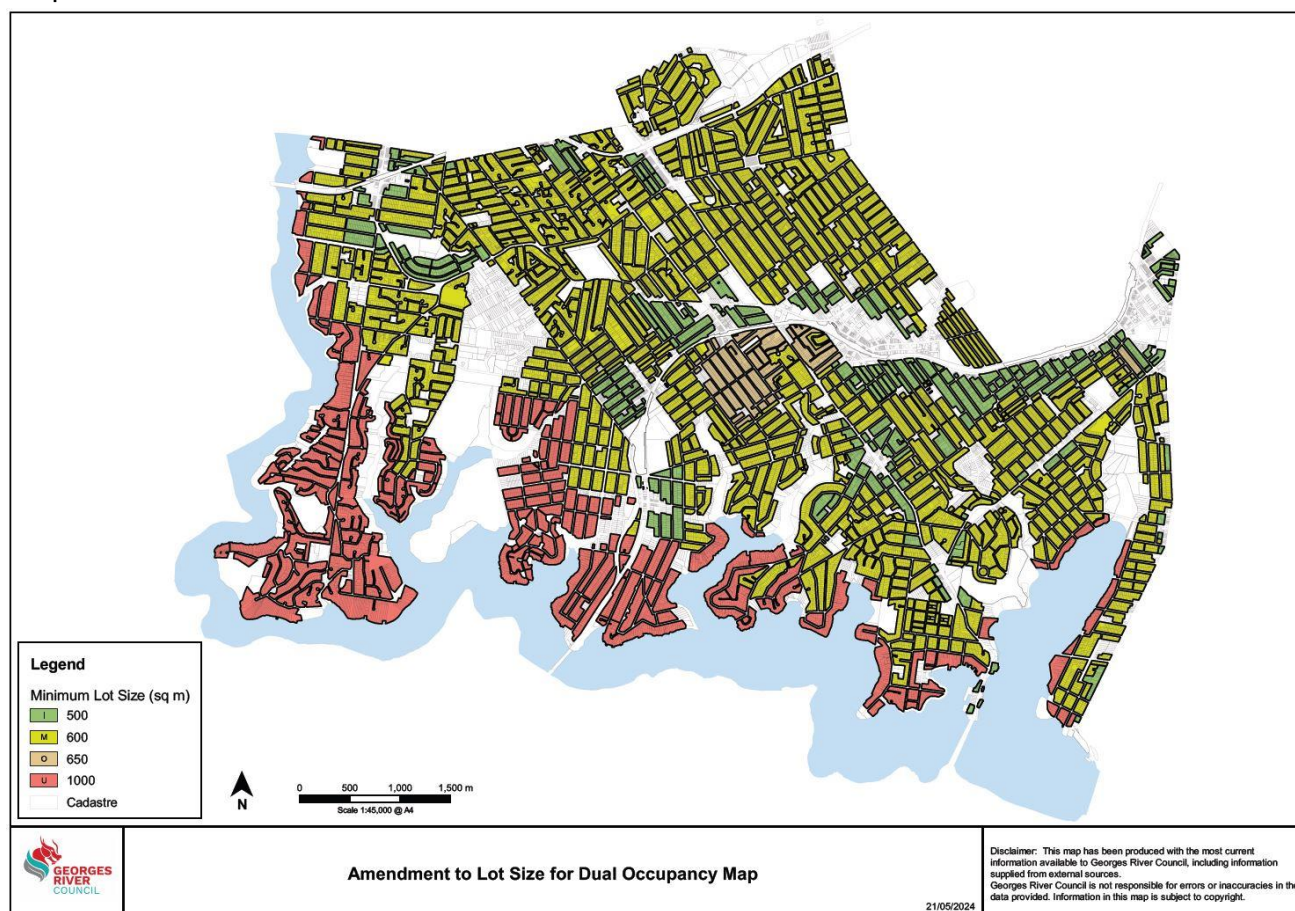


Figure 8 Proposed amendment to Minimum Lot Size for Dual Occupancy Map

Justification

As outlined above in **Item 3**, the amendment to the *Minimum Lot Size for Dual Occupancy Map* supports the proposed amendments to *Clause 4.1B Minimum lot sizes and special provisions for certain dwellings*.

AMENDMENTS TO IMPLEMENT THE HCCUDS

Item 11: Additional Capacity Areas

The following amendments are proposed to implement the Additional Capacity Areas as recommended by the HCCUDS:

- Rezoning land from R2 to R4 on Park Road and Wright Street,
- Increasing the height of the Additional Capacity Areas from 9m and 12m to a range of heights from 19m to 40m as shown on the proposed HOB Map, and
- Increasing the FSR of the Additional Capacity Areas from 0.55:1 and 1:1 to a range of ratios from 1.3:1 to 3.3:1 as shown on the proposed FSR Map.

See **Figure 9** below for the extent of the Additional Capacity Areas with the land proposed to be rezoned from R2 to R4 outlined in red.



Figure 9 Location of Additional Capacity Areas

Proposed Amendment

Mapping change only – Land Zoning Map, Height of Buildings Map, and Floor Space Ratio Map:

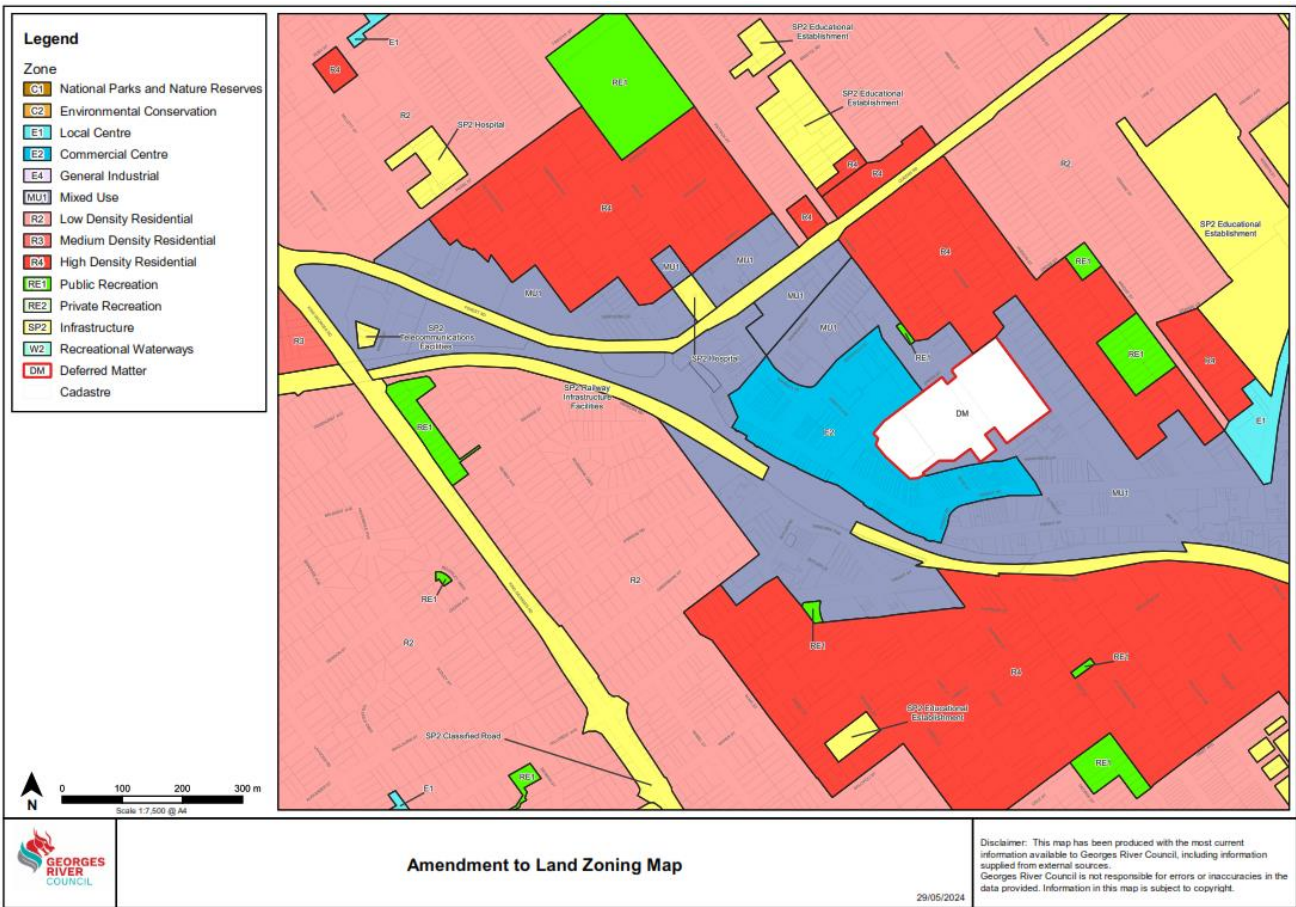


Figure 10 Proposed amendment to Land Zoning Map

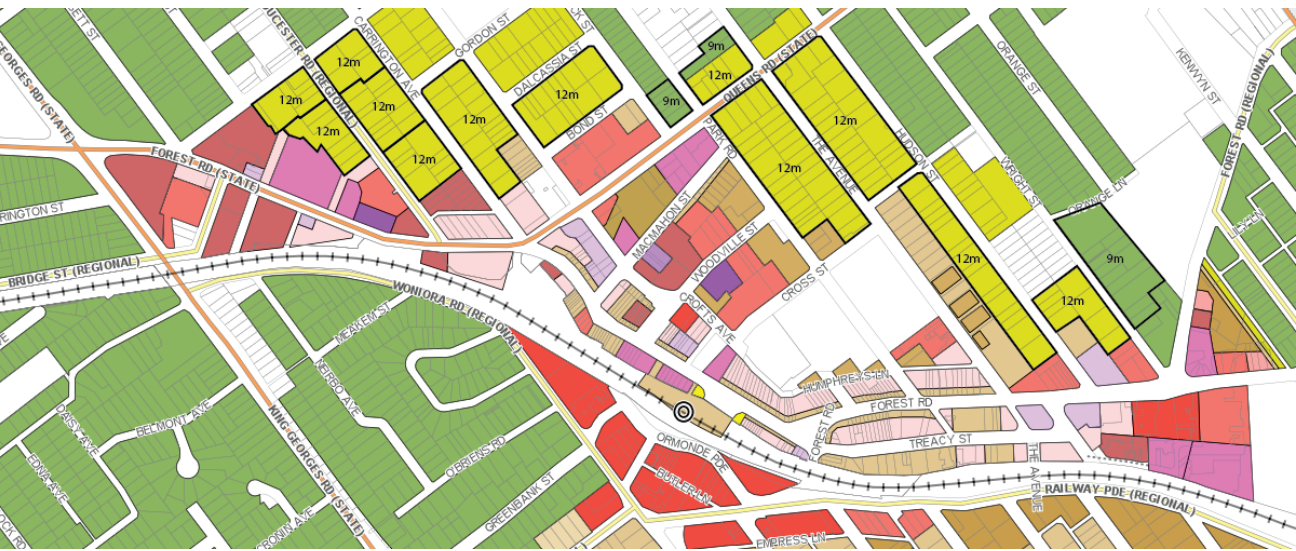


Figure 11 Existing HOB Map for Additional Capacity Areas

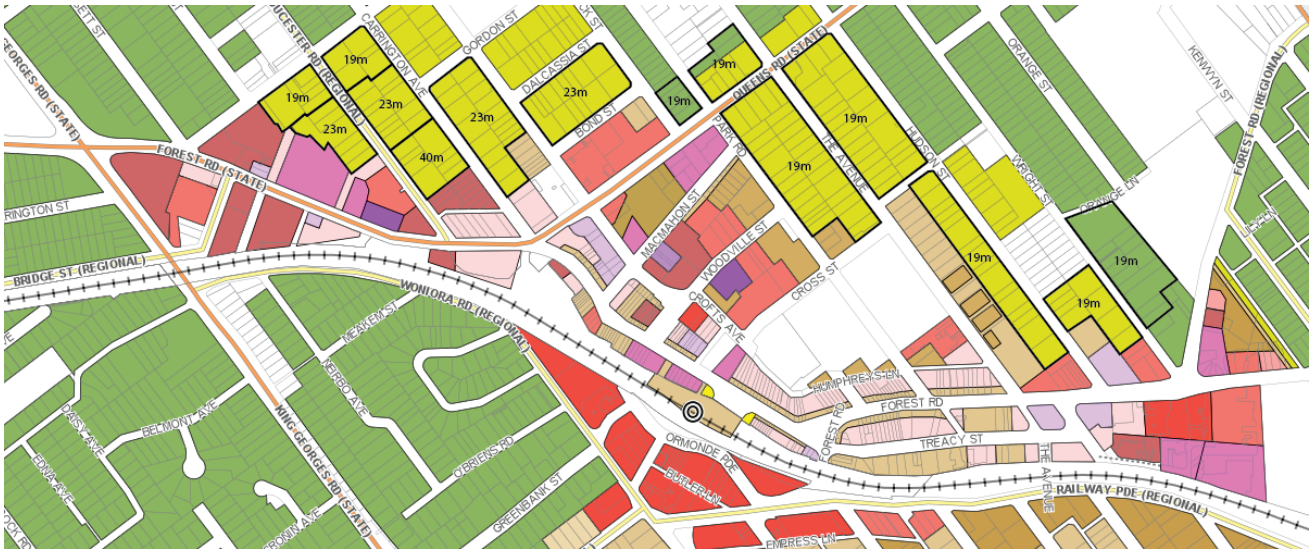


Figure 12 Proposed amendments to the HOB Map for Additional Capacity Areas

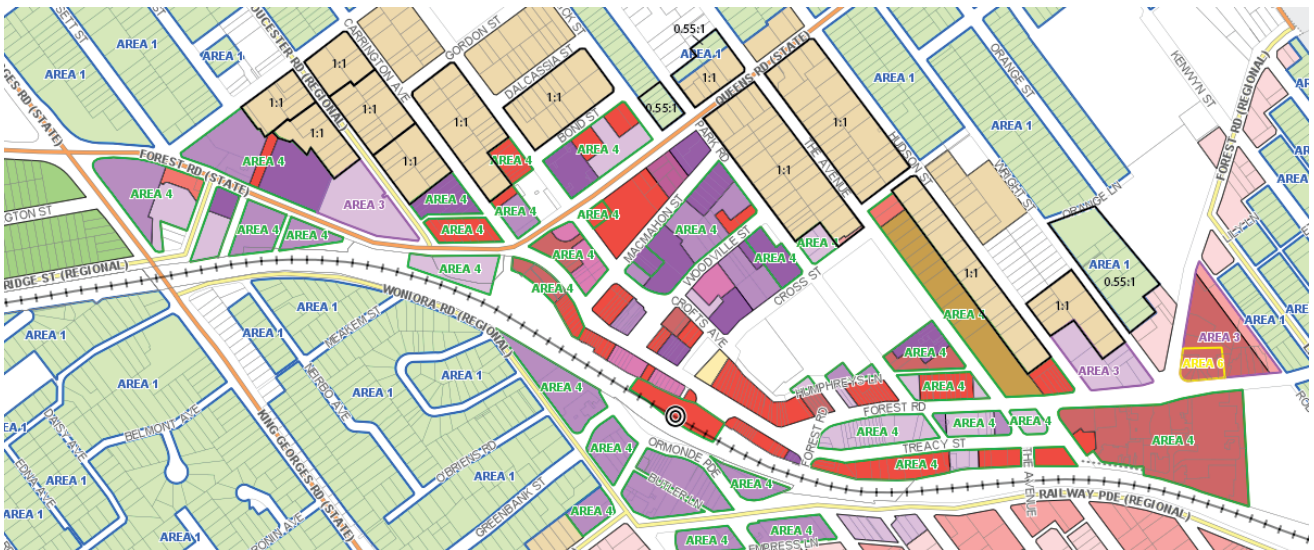


Figure 13 Existing FSR Map for Additional Capacity Areas



Figure 14 Proposed amendments to the FSR Map for Additional Capacity Areas

Justification

Council is committed to addressing the existing housing crisis by immediately unlocking capacity for additional housing across the LGA. This includes the implementation of adopted strategic planning documents. At its meeting held on 25 March 2024, the HCCUDS was identified as a Council-adopted strategy which has yet to be implemented and therefore Council resolved to incorporate the recommendations of the HCCUDS into this Planning Proposal.

The HCCUDS was prepared in 2018 for the Hurstville City Centre and existing residential areas to the north of the City Centre. The Strategy recommends increases to the height and FSR in the additional capacity areas to the north to provide additional dwellings to support the non-residential functions of the City Centre. A block-by-block analysis was conducted by the HCCUDS and development opportunity sites within the additional capacity areas were identified based on the following criteria:

- Not heritage items
- Not part of a development application or planning proposal
- Has 8 or less lots (i.e. not an existing RFB development)

Within the identified opportunity sites of the Additional Capacity Areas, it is estimated the recommended HCCUDS controls will create capacity for approximately 190 additional dwellings. A detailed breakdown of the potential capacity within each Location Block is provided in **Table 7** below.

Table 7 - HCCUDS Recommendations for Additional Capacity Areas

Location	Existing GRLEP Controls		Proposed HCCUDS Controls		Opportunity Sites Identified by HCCUDS	Future Development Potential
	Height	FSR	Height	FSR		
Block A	12m	1:1	19m-23m	2:1 – 2.2:1	<ul style="list-style-type: none"> • 1A Pearl (405sqm) • 31 Gloucester (430sqm) • 29 Gloucester (609sqm) 	Increase of approx. 27 dwellings
Block B	12m	1:1	19m-23m 23m-40m	2:1 – 3.3:1	<ul style="list-style-type: none"> • 21 Carrington (531sqm) • 23 Carrington (480sqm) • 27 Carrington* • 29 Carrington* • 31 Carrington* <p><i>Note: 25, 27, 29 and 31 Carrington have been amalgamated with a new development therefore no longer considered to be an opportunity site.</i></p>	Increase of approx. 31 dwellings
Block C	12m	1:1	No change	No change	<ul style="list-style-type: none"> • 64 Carrington (412sqm) • 77 Dora (390sqm) • 79 Dora (390sqm) 	No change
Block D	12m	1:1	23m	1.7:1 – 1.8:1	<ul style="list-style-type: none"> • 51 Dora (390sqm) 	No change due to limited lot size

Location	Existing GRLEP Controls		Proposed HCCUDS Controls		Opportunity Sites Identified by HCCUDS	Future Development Potential
	Height	FSR	Height	FSR		
Block E	12m	1:1	No change	No change	No potential opportunity sites identified.	No change
Block F	12m	1:1	23m	1.7:1 – 1.8:1	<ul style="list-style-type: none"> • 11 Dalcassia (490sqm) • 13 Dalcassia (480sqm) • 15 Dalcassia (490sqm) • 23 Dalcassia (1680sqm) • 16 Bond (490sqm) 	Increase of approx. 52 dwellings
Block G	9m and 12m	0.55:1 and 1:1	19m	1.2:1 – 1.5:1	<ul style="list-style-type: none"> • 14-26 Patrick (3,635sqm) • 86-88 Queens (existing apartment, no potential) • 90-94 Queens (1,815sqm) • 96 Queens (heritage item, no potential) • 74 Park Rd (411sqm) • 76 Park Rd (715sqm) • 78-82 Park Rd (SP2 zone for hospital, no potential) • 79-81 The Avenue (heritage item, no potential) 	Increase of approx. 70 dwellings
Block H	12m	1:1 and 2.2:1 for 33 The Avenue only	19m	1.2:1 – 1.5:1	<ul style="list-style-type: none"> • 46 Park Road (348sqm) • 48 Park Road (341sqm) 	No change due to limited lot size
Block I	12m	1:1	19m	1.2:1 – 1.5:1	No potential opportunity sites identified.	No change
Block J	12m	1:1	19m	1.2:1 – 1.3:1	<ul style="list-style-type: none"> • 15 Hudson (588sqm) • 23 Hudson (520sqm) • 31 Hudson (520sqm) • 45 Hudson (520sqm) 	Increase of approx. 10 dwellings

Location	Existing GRLEP Controls		Proposed HCCUDS Controls		Opportunity Sites Identified by HCCUDS	Future Development Potential
	Height	FSR	Height	FSR		
					<ul style="list-style-type: none"> 47 Hudson (520sqm) <i>Note: No potential for 15, 23 and 31 Hudson as they are isolated lots.</i>	
Block K	12m	1:1	19m towards Woodville Park 30m along Forest Road	1.2:1 – 1.3:1	No potential opportunity sites identified.	No change
Block L	9m	0.55:1 and 1.5:1	19m towards northern portion, 30m towards southern portion	3:1	No potential opportunity sites identified in the existing residential zones. The opportunity site in the existing E1 zone will be investigated as part of Council's Commercial Centres Strategy Part 2.	No change
Total	190 additional dwellings					

It should be noted that the HCCUDS expresses the FSR recommendations in the format of a range. In some instances, the range of FSRs directly correlate to the range of values recommended for building height. This is shown by Block A and B where the following sets of HOB and FSR correlations are proposed to implement the recommendations of the HCCUDS:

- 19m HOB and 2:1 FSR
- 23m HOB and 2.2:1 FSR
- 40m HOB and 3.3:1 FSR

In other instances, a range of FSR values are recommended to support a singular HOB recommendation. This is seen in Blocks D, F, G, H, I, J, K and L. To simplify the development process and to promote development feasibility, the Planning Proposal seeks to implement the highest recommended FSR within each range. The proposed development standards for the aforementioned blocks are as follows:

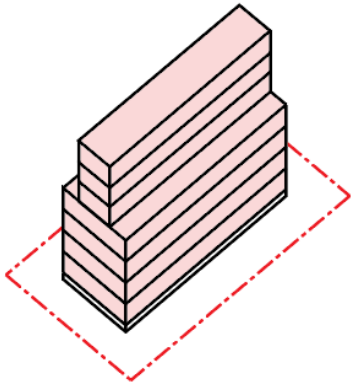
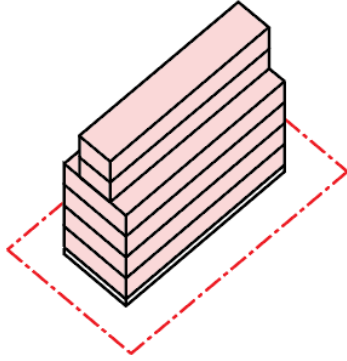
- Block D: 23m HOB and 1.8:1 FSR
- Block F: 23m HOB and 1.8:1 FSR
- Block G: 19m and 1.5:1 FSR
- Block H: 19m and 1.5:1 FSR

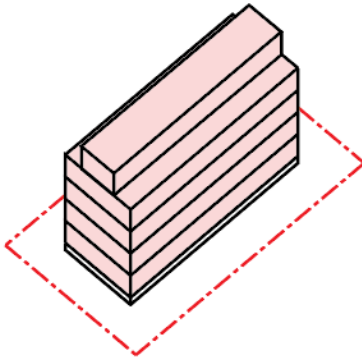
- Block I: 19m and 1.5:1 FSR
- Block J: 19m and 1.3:1 FSR
- Block K: 19m and 1.3:1 FSR

Block L remains unchanged as this block involves the renewal of existing E1 zoned commercial centre. The review of development standards within the LGA's commercial centres is subject to Part 2 of Council's Commercial Centres Strategy which is currently under preparation.

Building envelope testing has been conducted for the above development standards to ensure the proposed HOB and FSR are able to accommodate viable and ADG-compliant development outcomes, see **Table 8** below.

Table 8 – Testing of proposed development standards for Additional Capacity Areas

Proposed Development Standards	Theoretical Development Outcome
Building height - 23m FSR - 1.8:1 Assumptions: Theoretical site area: 1,008sqm (24m frontage x 42m depth) Max. building height: 7 storeys Max. permissible GFA: 1,814sqm	GFA achieved at 75% building efficiency: 1,535sqm No. of storeys achieved: 7 storeys Front setbacks: 5m for 1-4 storeys, 10m for 5-7 storeys Side setbacks: 6m for 1-4 storeys, 9m for 5-7 storeys Rear setbacks: 6m for 1-4 storeys, 12m for 5-7 storeys 
Building height - 19m FSR - 1.5:1 Assumptions: Theoretical site area: 1,008sqm (24m frontage x 42m depth) Max. building height: 5-6 storeys Max. permissible GFA: 1,512sqm	GFA achieved at 75% building efficiency: 1,395sqm No. of storeys achieved: 6 storeys Front setbacks: 5m for 1-4 storeys, 10m for 5-6 storeys Side setbacks: 6m for 1-4 storeys, 9m for 5-6 storeys Rear setbacks: 6m for 1-4 storeys, 12m for 5-6 storeys 
Building height - 19m FSR - 1.3:1 Assumptions:	GFA achieved at 75% building efficiency: 1,256sqm No. of storeys achieved: 5 storeys Front setbacks: 5m for 1-3 storeys, 10m for 4-5 storeys Side setbacks: 6m for 1-3 storeys, 9m for 4-5 storeys

Proposed Development Standards	Theoretical Development Outcome
<p>Theoretical site area: 1,000sqm (24m frontage x 42m depth) Max. building height: 5-6 storeys Max. permissible GFA: 1,310sqm</p>	<p>Rear setbacks: 6m for 1-3 storeys, 12m for 4-5 storeys</p> 

Item 12: Hurstville City Centre

The HCCUDS also conducts block-by-block urban design analysis of the existing building height and FSR controls applied within the City Centre and provides a series of recommendations to update the existing planning controls for the City Centre by rectifying the mismatch between the existing height and FSR development standards.

Proposed Amendment

Mapping change only – *Height of Buildings Map and Floor Space Ratio Map:*

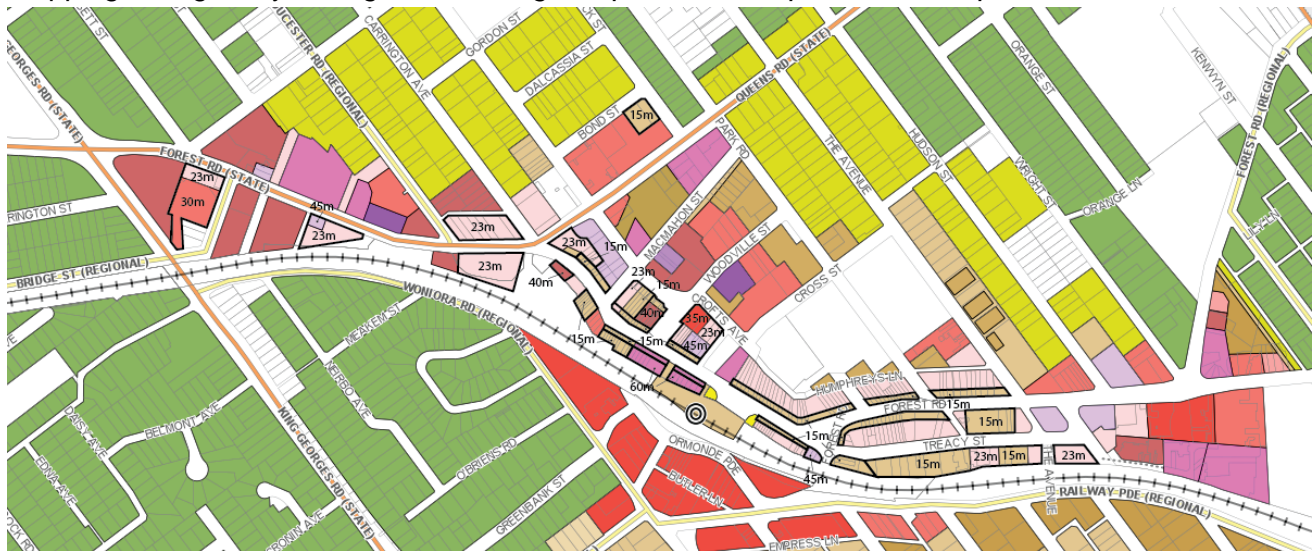


Figure 15 Existing HOB Map for the Hurstville City Centre

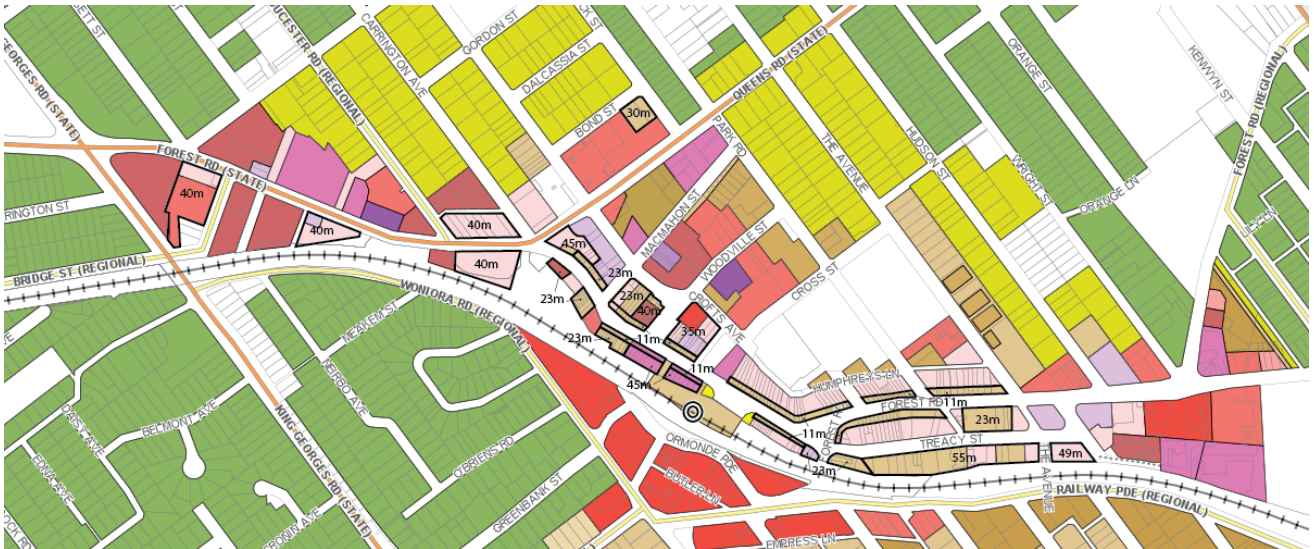


Figure 16 Proposed amendments to the HOB Map for the Hurstville City Centre



Figure 17 Existing FSR Map for the Hurstville City Centre



Figure 18 Proposed amendments to the FSR Map for the Hurstville City Centre

Justification

Implementing the recommendations from the HCCUDS will create capacity for an additional 216 dwellings in the Hurstville City Centre. A detailed breakdown of the potential dwelling capacity and the height and FSR changes are provided in **Table 9** below.

Table 9 – Overview of HCCUDS Recommendations for the City Centre

Location	Existing GRLEP Controls		Proposed HCCUDS Controls		Future Development Potential
	Height	FSR	Height	FSR	
Cluster 01, Sub Block 22A 180, 182 Forest Road	15m street wall 23m Overall	Varies 3:1 – 4:1	11m street wall 23m overall	No change	No change
Cluster 01, Sub Block 22B 160, 162, 164, 166, 168, 172, 176, 178 Forest Road	15m street wall 23m Overall	Varies 3:1 – 4:1	11m street wall 23m overall	No change	No change
Cluster 01, Sub Block 22C 150, 154, 156, 158 Forest Road	15m street wall 23m Overall	Varies 3:1 – 4:1	11m street wall 23m overall	No change	No change
Cluster 02, Sub Block 25A 117, 119, 121 Forest Road	15m - 23m	4:1 – 4.5:1	23m	4:1	Loss of approx. 12 dwellings
Cluster 02, Sub Block 25B 1 Alfred Street; 123, 127 Forest Road	15m - 23m	4:1 – 4.5:1	23m	No change	No change
Cluster 03, Sub Block 11F 243A, 245-247, 249, 251, 253 Forest Road	60m	6:1	11m street wall 45m overall	No change	No change
Cluster 03, Sub Block 11G 227, 235, 237, 239, 241, 243 Forest Road	15m – 60m	3:1 – 6:1	11m street wall 11 – 45m overall	No change	No change
Cluster 03, Sub Block 16A 312, 314, 316, 318 Forest Road	15m street wall 23m overall	3:1	11m street wall 35m overall	5:1	Zone E2 – no impact on dwellings
Cluster 03, Sub Block 16B 300, 302, 306, 308, 310 Forest Road	15m street wall 45m overall	5:1	11m street wall 35m overall	No change	No change

Location	Existing GRLEP Controls		Proposed HCCUDS Controls		Future Development Potential
	Height	FSR	Height	FSR	
Cluster 03, Sub Block 16C 1, 7 Crofts Avenue and 310 (Lot 12 DP 4799) Forest Road	23m & 35m overall	3:1 – 3.5:1	11m street wall 35m overall	5:1	Zone E2 – no impact on dwellings
Cluster 03, Sub Block 16D 9 Crofts Avenue	35m	3.5:1	11m street wall 35m overall	5:1	Zone E2 – no impact on dwellings
Cluster 03, Sub Block 17A 282 Forest Road	60m	9:1	No change	6:1	Zone E2 – no impact on dwellings
Cluster 04, Sub Block 11D 279, 281-283, 287, 291 Forest Road	30m	3:1	No change	No change	No change
Cluster 04, Sub Block 11E 255, 257, 259, 263, 265, 267, 269, 271, 273, 275 Forest Road	15m	3:1	11m street wall 23m overall	No change	No change
Cluster 04, Sub Block 12A 3 Barratt Street, 330, 332, 334, 336 Forest Road	15m street wall 15-40m Overall	4.5:1	11m street wall 40m overall	6:1	Zone E2 – no impact on dwellings
Cluster 04, Sub Block 12B 1, 1A Barratt Street, 338, 340, 342, 344, 346, 348, 350 Forest Road	15m, 23m and 40m	3:1 and 4.5:1	11m street wall 23m overall	No change	No change
Cluster 05, Sub Block 10A 360, 362, 364-366, 368, 370 Forest Road	15m, 23m and 45m	3.5:1 – 6:1	23m street wall 45m overall	3.5:1 Reduce FSR from 6:1 to 3.5:1 on two lots	Loss of approx. 9 dwellings
Cluster 05, Remainder of Block 10 1-9, 15 Dora Street, 34 MacMahon Street, 372, 378, 380, 384 Forest Road	15m, 23m and 45m	3.5:1 – 6:1	23m part street wall 45m overall	No change	No change

Location	Existing GRLEP Controls		Proposed HCCUDS Controls		Future Development Potential
	Height	FSR	Height	FSR	
Cluster 05, Sub Block 11A and 11B 309 Forest Road	23m and 40m	3.5:1 – 6:1	23m part street wall 45m overall	No change	No change
Cluster 05, Sub Block 11C 299, 305, 307, 307A Forest Road	15m	3:1	23m	No change	No change
Cluster 06, Sub Block 2D 9 Gloucester Road	23m	3:1	40m and 60m	No change	No change as LEP was amended in 2021 in response to a planning proposal with heights of 23m-60m and 4:1 FSR
Cluster 06, Sub Block 3 1, 17 Carrington Avenue, 6 Gloucester Road	40m	5:1	No change	No change	No change
Cluster 06, Sub Block 4 388, 394, 410 Forest Road	23m	3:1	40m	No change	No change
Cluster 06, Sub Block 5C 307E Forest Road	23m and 45m	4.5:1	40m	No change	No change
Cluster 06, Sub Block 5D 309A-309B Forest Road	15m, 23m and 40m	4:1	40m	No change	No change
Cluster 07, Sub Block 28 1-5 Treacy Street	23m	3:1	49m	6:1	No change as height and FSR increased to reflect completed development
Cluster 07, Sub Block 29A 49 Treacy Street, 183C Forest Road	15m	3:1	23m	No change	No change
Cluster 07, Sub Block 29B 33 Treacy Street	15m	3:1	55m	7:1	Increase of approx. 62 dwellings
Cluster 07, Sub Block 29C 11-13, 15-19, 21, 23-29, 31 Treacy Street	15m – 23m	3:1 – 4:1	55m	7:1	No change as height and FSR increased to reflect completed development

Location	Existing GRLEP Controls		Proposed HCCUDS Controls		Future Development Potential
	Height	FSR	Height	FSR	
Cluster 07, Sub Block DM 37 Treacy Street	15m	3:1	55m	7:1	Increase of approx. 175 dwellings
Cluster 07, Sub Block 30A 199, 201, 203, 205, 207, 209 Forest Road	15m street wall 23m behind	3:1	No change	No change	No change
Cluster 07, Sub Block 30B 185B Forest Road	45m	5:1	23m	4:1	Zone E2 – no impact on dwellings
Cluster 08, Sub Block 1A 39, 43 Bridge Street, 319, 321 Forest Road	30m	4:1	40m	No change	No change
Cluster 08, Sub Block 1 323 Forest Road	40m	4.5:1	No change	No change	No change
Cluster 08, Sub Block 2A 1B Pearl Street, 458B-460B, 458, 460 Forest Road	12m, 40m and 45m	4.5:1	No change	No change	No change
Cluster 08, Sub Block 2B 456 Forest Road	23m	3:1	15-40m	No change	No change
Total	216 additional dwellings				

5. Part 3 – Justification of Strategic and Site-Specific Merit

Strategic Merit

Section A – Need for the planning proposal

1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?

This Planning Proposal responds to the National Housing Accord of building one million new well-located homes over 5 years from mid-2024 and the NSW Government's target of delivering 314,000 new homes by 2029 across NSW. It also responds to the immediate housing crisis by providing capacity for additional and diverse housing through immediate changes to the GRLEP with the maximum potential estimated to be approximately 8,130 additional dwellings across the LGA.

This Planning Proposal is also the result of Council responding to the *Low and Mid-Rise Housing* proposal (the Reform) released by the DPHI and the unintended effects of the blanket 'one-size-fits-all' nature of the Reform which will adversely impact the local character of the LGA's low density suburbs.

In lieu of the implementation of the Reform's proposed controls, this Planning Proposal provides an alternative set of development standards that will create capacity for additional dwellings and more housing choice while protecting existing values such as the natural environment, local heritage, the local character of the LGA's residential suburbs, biodiversity and tree canopy cover. This approach aligns with the LSPS 2040 which specifies that the LGA's special characteristics are retained and that a hierarchy of residential zones is developed.

The LSPS 2040 also outlines a staged program of investigation to deliver additional housing and this Planning Proposal is consistent with Stage 4 through the delivery of future housing growth. Due to the accelerated nature of this Planning Proposal, a new housing strategy has not been undertaken.

- **Stage 1 – Housing and Harmonisation (completed)**
 - Harmonise the existing LEPs
 - Seek to achieve housing targets through up-zoning certain areas
- **Stage 1B – LEP21 Housing Capacity (completed)**
 - Identify additional housing opportunities in the LGA
 - Address a number of considerations unresolved by draft LEP 2020
- **Stage 2 – Housing Choice (deferred)**
 - Seek to promote inclusive and affordable housing
 - Investigate big house conversions and build to rent
- **Stage 3 – Jobs and Activation (currently in progress)**
 - Review development standards in centres
 - Infrastructure delivery mechanisms
 - Hurstville City Centre and Beverly Hills Local Centre master planning

- **Stage 4 – Housing and Future Growth (this Planning Proposal)**
 - Undertake a new housing strategy (as required)

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This Planning Proposal is the best means of delivering additional housing and housing choice by creating capacity through the local planning framework (i.e. the GRLEP). The Planning Proposal contributes towards the shared responsibility of delivering new homes under the National Housing Accord.

Amendments to the GRDCP will be prepared to support the Planning Proposal to ensure appropriate built form outcomes are achieved by the additional housing.

Section B – Relationship to the strategic planning framework

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)?

An assessment of the proposal against the objectives and actions of the *Greater Sydney Region Plan – A Metropolis of Three Cities* and the *South District Plan* is detailed in **Table 10** below. The assessment demonstrates that this Planning Proposal either assists in achieving the objectives and actions of the *South District Plan* or is consistent with the directions of the *Greater Sydney Region Plan*.

4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GCC, or another endorsed local strategy or strategic plan?

An assessment of the actions of the LSPS 2040 which this Planning Proposal seeks to achieve is detailed in **Table 10** below.

Table 10 – Summary of Alignment with Strategic Planning Framework

Strategic Planning Framework	LSPS Planning Priority	Comment
Theme: Infrastructure and collaboration		
Greater Sydney Region Plan Direction A city supported by infrastructure	P1. We have a range of frequent, efficient transport options to connect people, goods, services, businesses and educational facilities	The Georges River LGA is located 17km from the Sydney CBD and is serviced by two train lines (the T4 and the T8 lines) and several arterial roads, providing efficient access to Sydney CBD, Sydney Airport and Port Botany. Therefore, the LGA is considered to have a reasonable level of accessibility to existing transport infrastructure. Almost all residents within the Georges River LGA are within 400m walking distance of a local and neighbourhood scale open space. Areas with
South District Plan Planning Priority S1. Planning for a city supported by infrastructure	P10. Homes are supported by safe, accessible, green, clean, creative and diverse facilities, services and spaces	

Strategic Planning Framework	LSPS Planning Priority	Comment
		limited access to open space are located in existing high density areas, for example Kogarah and Hurstville. This Planning Proposal seeks to provide capacity for additional dwellings in the R2 and R3 zones. These areas are generally within 400m of a local and neighbourhood scale open space.
Theme: Liveability		
Greater Sydney Region Plan Directions A city for people Housing the city A city of great places South District Plan Planning Priorities S4. Fostering healthy, creative, culturally rich and socially connected communities S5. Providing housing supply, choice and affordability with access to jobs, services and public transport S6. Creating and renewing great places and local centres, and respecting the District's heritage	P9. A mix of well-designed housing for all life stages caters for a range of lifestyle needs and incomes P10. Homes are supported by safe, accessible, green, clean, creative and diverse facilities, services and spaces P19. Everyone has access to quality, clean, useable, passive and active, open and green spaces and recreation places	This Planning Proposal provides additional housing and increased housing diversity through the up-zoning of existing low and medium density residential areas. The introduction of multi dwelling housing into the R2 zone and the introduction of RFBs into the R3 zone allows a range of housing typologies to be delivered in response to the Georges River community's need for more housing choice. Furthermore, the inclusion of density controls in the R2 zone for medium density development as well as the introduction of lot width and lot size controls for RFBs in the R3 zone will enable the provision of a diverse selection of housing products that are consistent with the LGA's character. Additionally, the retention of minimum lot size controls for dual occupancies within the existing HCAs will ensure the LGA's heritage character is protected.
Theme: Productivity		
Greater Sydney Region Plan Direction Jobs and skills for the city South District Plan Planning Priority S9. Growing investment, business opportunities and jobs in strategic centres	P12. Land is appropriately zoned for ongoing employment growth	The implementation of the HCCUDS ensures ongoing viability of the Hurstville City Centre (zoned E2 and MU1) by rectifying the existing mismatch between height and FSR controls. As part of the HCCUDS recommendations, uplift in the form of significant increases in height and FSR (from 15m and 3:1 FSR to 55m and 7:1 FSR) is provided to a number of sites on Treacy Street which will encourage development to occur. The existing non-residential FSR requirement within the GRLEP remains unchanged and therefore protects the provision of employment

Strategic Planning Framework	LSPS Planning Priority	Comment
		<p>floor space in the E1 and MU1 zoned land within the Hurstville City Centre.</p> <p>Furthermore, the uplift proposed for the Additional Capacity Areas to the north of the Hurstville City Centre provides capacity for additional dwellings to support the non-residential functions by increasing demands for the goods and services offered by this strategic centre.</p>

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 for the Georges River LGA.

6. Is the planning proposal consistent with applicable SEPPs?

This Planning Proposal has been considered against the relevant SEPPs and is determined to be consistent with the relevant provisions as set out in **Table 11** below.

Table 11 – Consistency with SEPPs

SEPP	Consistency	Comment
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Yes	<p>Some R2 zoned land within the LGA has been identified as containing Sydney Turpentine-Ironbark Forest (STIF), which is identified as a critically endangered ecological community in the <i>Biodiversity Conservation Act 2016</i>. It should be noted that the existing R2 zoned land where STIF is identified is unlikely to exceed the biodiversity offsets scheme threshold due to existing lot sizes being less than 0.25ha in site area. Nonetheless, any future development applications will be required to address the provisions of this SEPP, including the preparation of Biodiversity Impact Assessment Reports where required.</p> <p>Accordingly, the Planning Proposal is consistent with this SEPP.</p>
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Yes	<p>The Codes SEPP gives regard to the lot size requirements specified by LEPs for dual occupancies, manor house and terrace developments by mandating the development to comply with the minimum lot size area specified by the relevant LEP. The introduction of lot size development standards for 'manor houses' and 'multi dwelling housing (terraces)' within the R2 zone is consistent with the intent of this SEPP.</p>

SEPP	Consistency	Comment
		<p>The proposed lot width requirements for RFBs in the R3 zone will only be applicable to development applications and does not contradict or hinder the application of this SEPP.</p> <p>Accordingly, the Planning Proposal is not inconsistent with this SEPP.</p>
State Environmental Planning Policy (Housing) 2021	Yes	<p>The Planning Proposal does not propose any changes which will contradict or hinder the application of this SEPP in relation to the provision of affordable housing and diverse housing.</p> <p>The introduction of minimum lot size and lot width provisions for RFBs within the R3 zone is consistent with the objective of this SEPP by reinforcing the importance of designing housing in a way that reflects and enhances its locality. Any future development applications proposing RFBs and shop top housing will be required to address the provisions of the SEPP and the Apartment Design Guide.</p> <p>Accordingly, the Planning Proposal is consistent with this SEPP.</p>
State Environmental Planning Policy (Industry and Employment) 2021	Yes	<p>The Georges River LGA is not located within the Western Sydney employment area. The Planning Proposal does not propose any changes which will contradict or hinder the application of this SEPP in relation to advertising and signage.</p> <p>Accordingly, the Planning Proposal is not inconsistent with the SEPP.</p>
State Environmental Planning Policy (Planning Systems) 2021	Yes	<p>The Planning Proposal is not inconsistent with the SEPP as it does not affect state infrastructure.</p>
State Environmental Planning Policy (Precincts—Central River City) 2021	Yes	<p>The Georges River LGA is located within the Central River City but does not contain any precincts or growth areas identified by this SEPP.</p> <p>Accordingly, the Planning Proposal is not inconsistent with the SEPP.</p>
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	N/A	<p>Not applicable, the Georges River LGA is not located within the Eastern Harbour City.</p>
State Environmental Planning Policy (Precincts—Regional) 2021	N/A	<p>Not applicable, the Georges River LGA is not located within a Regional area.</p>
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	N/A	<p>Not applicable, the Georges River LGA is not located within the Western Parkland City.</p>

SEPP	Consistency	Comment
State Environmental Planning Policy (Primary Production) 2021	N/A	Not applicable, the Georges River LGA does not contain land used for primary production.
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	<p>The Planning Proposal does not propose any changes which will contradict or hinder the application of this SEPP in relation to coastal management.</p> <p>The Planning Proposal does not propose any hazardous and offensive development. The land that is proposed to be rezoned and uplifted under the Planning Proposal is currently zoned residential; and is long established, urban land with historical residential use. Therefore, the areas proposed for uplift are unlikely to be contaminated.</p> <p>Accordingly, the Planning Proposal is consistent with this SEPP.</p>
State Environmental Planning Policy (Resources and Energy) 2021	Yes	<p>The Planning Proposal does not contain any planning provisions relating to development of mineral, petroleum and extractive material resources.</p> <p>Accordingly, the Planning Proposal is not inconsistent with the SEPP.</p>
State Environmental Planning Policy (Sustainable Buildings) 2022	Yes	<p>The Planning Proposal does not contain any planning provisions which will contradict or hinder the application of this SEPP in relation to BASIX for residential development or the SEPP's requirements for non-residential development.</p> <p>Accordingly, the Planning Proposal is not inconsistent with the SEPP.</p>
State Environmental Planning Policy (Transport and Infrastructure) 2021	Yes	<p>The Planning Proposal does not contain any planning provisions which will affect or hinder the delivery of infrastructure, educational establishment and child care facilities or major infrastructure corridors.</p> <p>Accordingly, the Planning Proposal is not inconsistent with the SEPP.</p>

7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

This Planning Proposal has been considered against the relevant Ministerial Directions as set out in **Table 12** below.

This Planning Proposal is also consistent with the key government priority of delivering at least 314,000 new homes by 2029 by creating capacity for an additional 8,130 dwellings in the Georges River LGA.

The additional capacity has been calculated as net dwellings (i.e. gross dwellings minus existing dwellings) and only takes into account allotments which meet the required site requirements specified by the GRLEP for the various types of land uses including lot width and lot size controls. The application of these parameters gives an accurate approximation of the number of additional dwellings that will be created through redevelopment.


The breakdown of the location of the additional 8,130 dwelling capacity is as follows:

- Capacity for an additional 1,340 dwellings in the R2 zone from reducing the minimum dual occupancy lot size,
- Capacity for an additional 5,685 dwellings in the R2 zone from permitting multi dwelling housing and terraces (this takes into account the removal of the R2 zoned lots located within the 1E-06 LSIR fatality contour in accordance with the recommendations of the draft *Moomba to Sydney Ethane Pipeline Hazard Analysis*),
- Capacity for an additional 700 dwellings in the R3 zone from increasing the FSR and allowing bonus floor space for multi dwelling housing development,
- Capacity for an additional 406 dwellings from implementing the HCCUDS.

Table 12 – Consistency with Ministerial Directions

Ministerial Direction	Consistency	Comment
Focus area 1: Planning Systems		
1.1 Implementation of Regional Plans	Yes	The Planning Proposal is consistent with: <ul style="list-style-type: none"> • <i>A Metropolis of Three Cities – Greater Sydney Region Plan</i> – see previous discussion in Question 3 above. • <i>South District Plan</i> – see previous discussion in Question 3 above.
1.2 Development of Aboriginal Land Council land	N/A	Not applicable, the Georges River LGA does not contain Aboriginal Land Council land.
1.3 Approval and Referral Requirements	Yes	The Planning Proposal 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	Yes	The Planning Proposal is comprised of amendments to LGA-wide planning provisions and does not contain any restrictive site specific planning controls.

Ministerial Direction	Consistency	Comment
1.4A Exclusion of Development Standards from Variation	Yes	The Planning Proposal does not propose to introduce or alter an existing exclusion to Clause 4.6 of a Standard Instrument LEP or an equivalent provision of any other environmental planning instrument.
Focus area 1: Planning Systems – Place-based	N/A	Not applicable, the Georges River LGA does not contain land identified by the NSW Government as “priority growth areas and precincts”.
Focus Area 2: Design and Place	N/A	This Focus Area was blank when the Directions were made.
Focus Area 3: Biodiversity and Conservation		
3.1 Conservation Zones	Yes	The Planning Proposal does not affect land within a conservation zone or land otherwise identified for environment conservation or protection purposes in a LEP.
3.2 Heritage Conservation	Yes	The Planning Proposal does not seek to amend existing heritage conservation provisions.
3.3 Sydney Drinking Water Catchments	N/A	Not applicable
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	Not applicable, this Direction applies to the Ballina, Byron, Kyogle, Lismore and Tweed LGAs.
3.5 Recreation Vehicle Areas	Yes	The Planning Proposal does not contain amendments which will impact the ability for 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	N/A	Not applicable, the Planning Proposal does not affect avoided land or strategic conservation areas as defined by the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .
3.7 Public Bushland	Yes	The Planning Proposal seeks to provide capacity for additional housing in existing R2, R3 and MU1 zones and does not propose any changes to existing controls protecting bushland in urban areas.
3.8 Willandra Lakes Region	N/A	Not applicable, the Georges River LGA is not located within the Willandra Lakes Region.
3.9 Sydney Harbour Foreshores and Waterways Area	N/A	Not applicable, the Planning Proposal 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	Yes	The Planning Proposal seeks to provide capacity for additional housing in existing R2, R3 and MU1 zones. Any development within the Georges River LGA must comply with Council’s <i>Stormwater Management Policy</i> to ensure appropriate drainage systems are provided and integrated into Council’s drainage network with minimal impact on existing users or catchment areas.
Focus Area 4: Resilience and Hazards		
4.1 Flooding	Yes	This Planning Proposal does not seek to amend the existing flood planning provisions within the GRLEP. Measures such

Ministerial Direction	Consistency	Comment
		<p>as freeboard above the flood level will need to be implemented in future developments in accordance with the flood planning clause.</p> <p>In October 2023, Council endorsed the <i>Overland Flow Floodplain Risk Management Study and Plan</i> for Hurstville, Mortdale and Peakhurst Wards catchments and has been undertaken in accordance with the NSW Government's Flood Prone Land Policy. https://www.georgesriver.nsw.gov.au/Development/Planning-Controls/Draft-Plans/Overland-Flood-Study.</p> <p>The Plan includes recommendations which include property modification, (planning controls) flood modification (drainage improvements) and response modification (flood emergency management planning).</p> <p>Council's adopted <i>Stormwater Management Policy</i> outlines requirements with respect to development in flood affected areas and the requirements to any works that will impact on other property.</p> <p>An interactive flood-prone land map is provided on Council's website which shows all lots that are in risk of 1% AEP and PMF flood event: https://intramaps.georgesriver.nsw.gov.au/intramaps80/</p>  <p>Accordingly, the Planning Proposal is consistent with this Direction.</p>
4.2 Coastal Management	Yes	<p>The Planning Proposal includes amendments that will result in residential intensification on land located within the coastal zone as defined by the <i>Coastal Management Act 2016</i>. A total of 104 lots are affected, a breakdown of the location of affected lots is provided below:</p> <ul style="list-style-type: none"> • 28 lots in Connells Point • 17 lots in Hurstville Grove • 59 lots in Riverwood

Ministerial Direction	Consistency	Comment
		<p>However, none of the affected lots are affected by coastal hazards (e.g. sea level rise) and therefore the impact of residential intensification on the above land is considered to be of minor significance.</p> <p>Accordingly, the Planning Proposal is consistent with this Direction.</p>
4.3 Planning for Bushfire Protection	Yes	The proposed rezoning and uplift that will result in residential intensification under the Planning Proposal is located in existing urban areas and are not located in areas known to be bushfire affected.
4.4 Remediation of Contaminated Land	Yes	The land that is proposed to be rezoned and uplifted under the Planning Proposal is currently zoned residential; and is long established, urban land with historical residential use. Therefore, the areas proposed for rezoning are unlikely to be contaminated.
4.5 Acid Sulfate Soils	Yes	The Planning Proposal does not seek to introduce or change provisions relating to Acid Sulfate Soils.
4.6 Mine Subsidence and Unstable Land	N/A	Not applicable, the Georges River LGA does not contain land that is within a declared mine subsidence district.
Focus Area 5: Transport and Infrastructure		
5.1 Integrating Land Use and Transport	Yes	The Planning Proposal 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	Yes	The Planning Proposal does not propose to make any changes to land reservations.
5.3 Development Near Regulated Airports and Defence Airfields	N/A	Not applicable, the Planning Proposal 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	N/A	Not applicable, the Georges River LGA does not contain land where shooting ranges are permissible.
5.5 High Pressure Dangerous Goods Pipelines	Yes	<p>The applicable high pressure dangerous goods pipeline is the Moomba to Sydney Ethane (MSE) Pipeline managed by the APA Group. Currently, all developments proposed within the Notification Zone (590m buffer area) of the MSE Pipeline is referred to APA Group for consideration and comment.</p> <p>A draft <i>Moomba to Sydney Ethane Pipeline Hazard Analysis</i> report has been prepared for the Georges River LGA. It conducts a risk analysis and assessment to formulate recommendations for Council to consider when rezoning the land adjacent to the MSE pipeline for potential population intensification. The draft report identifies certain areas as being inappropriate for any residential intensification and some areas as being inappropriate for sensitive land uses.</p>

Ministerial Direction	Consistency	Comment
		<p>The Planning Proposal proposes to introduce multi dwelling housing as a permissible land use within the R2 zone across the LGA. Some R2 zoned land is located within the area identified by the draft report as being inappropriate for any residential intensification.</p> <p>In accordance with the recommendations of the draft <i>Moomba to Sydney Ethane Pipeline Hazard Analysis</i>, residential intensification cannot occur within the 1E-06 p.a. (or 1 in 1 million per year) Location Specific Individual Risk (LSIR) fatality contour. This affects 278 lots which are zoned R2.</p> <p>In response, multi dwelling housing and terraces will not be introduced as a permissible land use to these properties via the proposed Item 17 of Schedule 1. In terms of its impact on dwelling capacity, 118 lots will lose development potential as they have site areas of between 450sqm and 599sqm, these sites are distributed across the following suburbs:</p> <ul style="list-style-type: none"> • 67 lots in Beverly Hills • 18 lots in Kingsgrove • 5 lots in Narwee • 28 lots in Riverwood <p>This reduces the additional capacity (i.e. net increase in dwellings) created through the introduction of multi dwelling housing and terraces in the R2 zone to 5,685 additional dwellings.</p> <p>The 5E-07 p.a. LSIR fatality contour has no impact on the provision of additional dwellings as the draft report recommends the prohibition of sensitive land uses within the area affected by this LSIR. Sensitive land uses refer to developments such as centre-based child care facilities, early education and care facilities, educational establishments, health services facilities and seniors housing. Therefore, multi dwelling housing and terraces can occur within the 5E-07 p.a. LSIR fatality contour and contribute to the creation of housing supply within the LGA.</p> <p>Currently within the GRLEP, Clause 6.16 is present to minimise risk to life and property in the event of an emergency arising near a high pressure gas pipeline. This existing clause applies to the sensitive land uses mentioned above and requires development for these land uses to consult the Planning Secretary as part of the DA process.</p> <p>This Planning Proposal does not seek to permit additional sensitive land uses within the application area and neither</p>

Ministerial Direction	Consistency	Comment
		<p>does it seek to alter the consultation undertaken with the APA Group and DPHI as part of the development process.</p> <p>Accordingly, this Planning Proposal is consistent with the intent of this Direction.</p>
Focus Area 6: Housing		
6.1 Residential Zones	Yes	<p>The Planning Proposal seeks to provide capacity for additional housing in existing R2, R3 and MU1 zones. The introduction of multi dwelling housing and terraces in the R2 zone and RFBs in the R3 zone will broaden the housing choice in the LGA. The LGA-wide approach to residential intensification enables the increased demand on existing infrastructure and services to be distributed. The proposed introduction of density controls for medium density development in the R2 zone and minimum lot size and lot width controls for RFBs in the R3 zone ensures new development sites have the physical capacity to accommodate a good design outcome.</p> <p>Accordingly, the Planning Proposal is consistent with this Direction.</p>
6.2 Caravan Parks and Manufactured Home Estates	Yes	<p>The Planning Proposal does not propose to permit development for the purposes of a caravan park or manufactured home estate.</p>
Focus Area 7: Industry and Employment		
7.1 Employment Zones	Yes	<p>This Planning Proposal ensures the ongoing viability of the Hurstville City Centre (zoned E2 and MU1) by rectifying the existing mismatch between height and FSR controls. The Planning Proposal also seeks to provide uplift on Treacy Street to encourage development. The existing non-residential FSR requirement within the GRLEP remains unchanged and therefore protects the provision of employment floor space in the E1 and MU1 zoned land within the Hurstville City Centre.</p>
7.2 Reduction in non-hosted short-term rental accommodation period	N/A	<p>Not applicable, this Direction applies to Byron Shire Council.</p>
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	<p>Not applicable, this Direction applies to Port Stephens Shire and Tweed Shire Councils.</p>
Focus Area 8: Resources and Energy		
8.1 Mining, Petroleum Production and Extractive Industries	Yes	<p>The Planning Proposal provides additional housing capacity on existing residential-zoned land and will not impact the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials.</p>
Focus Area 9: Primary Production		

Ministerial Direction	Consistency	Comment
9.1 Rural Zones	N/A	Not applicable, the Georges River LGA does not contain any rural zones.
9.2 Rural Lands	N/A	Not applicable, the Georges River LGA does not contain any rural lands.
9.3 Oyster Aquaculture	N/A	Not applicable, the Georges River LGA does not contain any Priority Oyster Aquaculture Areas.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not applicable, this Direction applies to Ballina Shire, Byron Shire, Kyogle Shire, Lismore City, Richmond Valley and Tweed Shire LGAs.

Site-Specific Merit

Section C – Environmental, social and economic impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

This Planning Proposal will not adversely affect critical habitat, threatened species, populations or ecological communities or their habitats. The proposal to allow increased residential density will occur on land that is currently zoned residential and therefore would have minimal impact on critical habitats or threatened species. The increase in residential density proposed by this Planning Proposal is concentrated in the northern portion of the LGA where it is currently more urbanised. This is predominantly due to historical urbanisation and fewer bushland areas in the north.

In addition, this Planning Proposal incorporates the amendments proposed by the Biodiversity, Character and FSPA Planning Proposal (PP2024/0002) to ensure existing moderate to high value biodiversity is protected through the introduction of a Terrestrial Biodiversity overlay.

9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

This Planning Proposal has been prepared with the aim of balancing the provision of additional dwellings with the protection of the natural environment as evident through its concurrent progression with the Biodiversity, Character and FSPA Planning Proposal. Areas with the presence of high environmental value are identified by the Biodiversity, Character and FSPA Planning Proposal as separate overlays within the GRLEP, including the Foreshore Scenic Protection Area, Unique Character Area and Terrestrial Biodiversity mapping. These areas are excluded from the intensification in density proposed by this Planning Proposal to ensure retention and enhancement of biodiversity and tree canopy in the foreshore localities of the LGA.

Despite increasing the permissible density in the low and medium density residential zones in other parts of the LGA, this Planning Proposal seeks to retain the existing landscaped area requirements specified by the GRLEP to ensure sufficient site area is provided to allow tree planting and deep soil zones. The proposed development standards have been modelled and tested accordingly to ensure existing landscaped area requirements can be met, refer to **Appendix 2**.

Furthermore, any land identified as being flood affected will need to implement flood mitigation measures in future developments in accordance with the GRDCP and Council's *Stormwater Management Policy*.

10. Has the planning proposal adequately addressed any social and economic effects?

This Planning Proposal seeks to provide greater housing capacity and choice, in response to the existing housing crisis and Council's shared responsibility under the National Housing Accord to build 1.2 million new, well-located homes over 5 years from 1 July 2024. The subject Planning Proposal is anticipated to provide capacity up to an additional 8,130 dwellings across the LGA.

The proposed uplift is likely to incentivise greater development take up across the LGA. There are many positive economic and social benefits associated with new housing developments, including revitalisation of existing residential areas, more efficient use of existing infrastructure, as well as opportunities for improvement of infrastructure through the collection of development contributions.

Additionally, the 'green and leafy' character of the LGA is highly valued by the Georges River community. The adoption of a tailored set of development standards in lieu of the *Low and Mid-Rise Housing* proposal controls will enable the provision of new housing while respecting the LGA's existing local character, and by extension address the community opposition Council has heard in response to the proposed *Low and Mid-Rise Housing* proposal.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

The subject Planning Proposal is anticipated to provide capacity up to an additional 8,130 dwellings across the LGA. This increase in density is distributed across the R2 and R3 zones outside of the FSPA and UCA as proposed by the Biodiversity, Character and FSPA Planning Proposal (see **Figure 19** below).

Due to the increase in additional capacity, an amendment to Council's *Local Infrastructure Contributions Plan 2021* (Section 7.11 and Section 7.12) may be required to ensure new housing is accompanied by adequate local infrastructure.

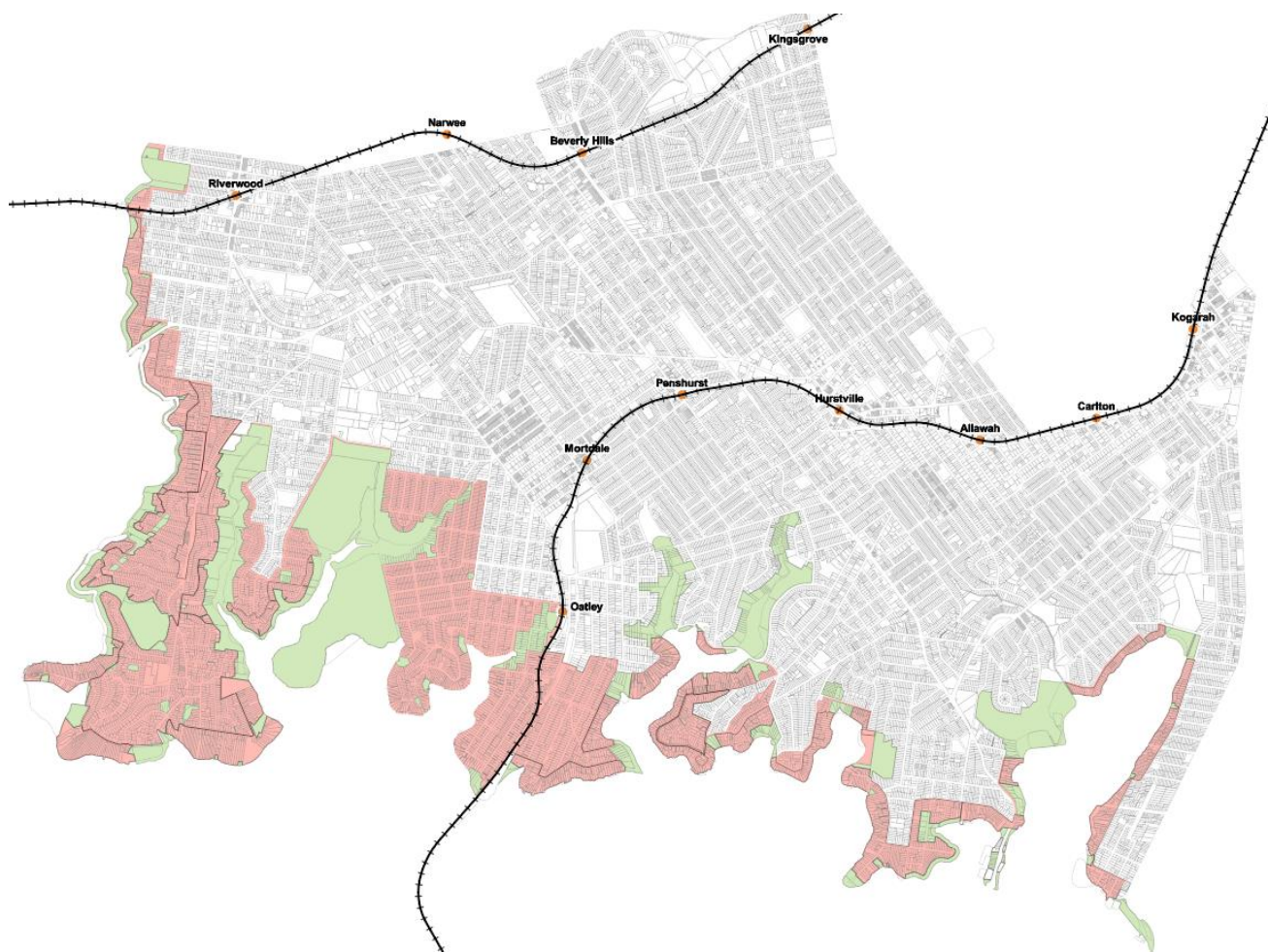


Figure 19 Location of FSPA and UCA as proposed by the Biodiversity, Character and FSPA Planning Proposal (shown in pink shading)

Section E – State and Commonwealth interests

12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

As this Planning Proposal is yet to be forwarded to the Minister for Planning and Public Spaces for a Gateway Determination, the appropriate State and Commonwealth public authorities have not yet been consulted.

However, State and Commonwealth public authorities will be consulted in accordance with a Gateway Determination and will be given at least 28 days to comment on this Planning Proposal.

6. Part 4 – Maps

The Planning Proposal will result in an amendment to the following GRLEP maps:

- Land Zoning Map
- Lot Size Map
- Lot Size for Dual Occupancy Development Map
- Height of Buildings Map
- Floor Space Ratio Map
- Additional Permitted Uses Map (see **Appendix 3**)

The amended GRLEP maps in 'map sheets' format will be completed prior to the finalisation stage.

7. Part 5 – Community Consultation

It is anticipated that this Planning Proposal will be exhibited for a minimum period of 28 days in accordance with the provisions of the *EP&A Act* and the *Environmental Planning & Assessment Regulation 2021* and any requirements of the Gateway Determination.

Exhibition material, including plain English explanatory information, fact sheets, description of the objectives and intended outcomes, copy of the Planning Proposal and relevant maps will be available for viewing during the exhibition period on Council's website and hard copies available at Council offices and libraries.

Notification of the public exhibition will be through:

- Newspaper advertisement in The Leader,
- Exhibition notice on Council's website,
- Community engagement project on Council's YourSay website,
- Notices in Council offices and libraries,
- Letters to landowners of properties affected by a proposed change in the planning controls, and
- Letters to State and Commonwealth Government agencies identified in the Gateway Determination.

8. Part 6 – Project Timeline

The anticipated project timeline for completion of this Planning Proposal is shown below:

Task	Anticipated Timeframe
Referral to the Georges River Local Planning Panel	20 June 2024 (completed)
Reporting to Council on Planning Proposal	July 2024 (completed)
Anticipated commencement date (date of Gateway Determination)	January 2025
Anticipated timeframe for the completion of required technical information (if required)	February 2025
Timeframe for government agency consultation (pre and post exhibition as required by Gateway Determination)	March 2025
Commencement and completion dates for public exhibition period (minimum of 28 days)	March 2025
Dates for public hearing (if required)	Not required
Timeframe for consideration of submissions	April 2025
Timeframe for the consideration by Council of a proposal post exhibition	May 2025
Date of submission to the DPHI to finalise the LEP	May 2025

9. Conclusion

In summary, this Planning Proposal seeks to amend the GRLEP as follows to create capacity for additional and diverse housing across the residential zones of the Georges River LGA in lieu of the application of the DPHI's *Low and Mid-Rise Housing* proposal:

Item 1: Amendment to the Land Use Table

Introduce RFBs as a permissible land use within the R3 zone.

Item 2: Amendment to Clause 4.1A Minimum subdivision lot size for dual occupancies

Amend the minimum subdivision lot size for dual occupancies as follows:

- Land in Zone R2 Low Density Residential to retain the existing 300sqm,
- Land in Zone R3 Medium Density Residential and Zone R4 High Density Residential reduce from 300sqm to 250sqm,
- Land located within the existing HCAs increase from 300sqm to 325sqm, and
- Land in the existing FSPA, proposed FSPA and proposed UCA (i.e. Area U on the Minimum Lot Size for Dual Occupancy Map) increase from 430sqm to 500sqm.

Item 3: Amendment to Clause 4.1B Minimum lot sizes and special provisions for certain dwellings

There are two components to this amendment:

1. Reduce the minimum lot size for dual occupancies in all residential zones from 650sqm to 600sqm in R2, 500sqm in R3 and R4 with the exception of land in the existing FSPA, proposed FSPA and proposed UCA and in the existing HCAs, and
2. Add 800sqm minimum lot size and 24m lot width at the front building line for RFBs in the R3 zone.

Note: minimum lot size for dual occupancies for land in the existing FSPA, proposed FSPA and proposed UCA and in the existing HCAs are outlined in **Item 10** below.

Item 4: Amendment to Clause 4.3A Exceptions of height of buildings

Amend the existing 5m height control for multi dwelling housing so this restriction is only applied to the R2 zone.

Item 5: Amendment to Clause 4.4A Exceptions to floor space ratio – certain residential accommodation

Apply a bonus of 0.2:1 FSR (equating to 1:1 total FSR) for multi dwelling housing and terrace developments on land in the Zone R3 Medium Density Residential.

Item 6: Insert new clause via Schedule 1 Additional permitted uses – No.17 Use of certain land in Zone R2 Low Density Residential

Introduce multi dwelling housing and terraces as permissible land uses within the R2 zone excluding the areas located in the existing HCAs, existing FSPA, proposed FSPA and proposed UCA, comprising of the following components:

- Introduce multi dwelling housing and multi dwelling housing (terraces) as a permissible land use across R2 zoned land, excluding the existing HCAs, existing FSPA, proposed FSPA and proposed UCA,

- Apply minimum density control of 300sqm per dwelling within the R2 zone for multi dwelling housing and terrace developments,
- Continue prohibition of manor houses in the R2 zone,
- Apply maximum FSR of 0.6:1 for multi dwelling housing and terraces within the R2 zone, excluding land located within the existing HCAs, existing FSPA, proposed FSPA and proposed UCA, and
- Apply minimum landscaped area of 20% for multi dwelling housing and terraces within the R2 zone, excluding land located within the existing HCAs, existing FSPA, proposed FSPA and proposed UCA.

Item 7: Continued prohibition of manor houses within the R2 zone

Request the DPHI to continue the prohibition of manor houses within the R2 zone despite the proposed introduction of multi dwelling housing and terraces.

Item 8: Amendment to Height of Buildings Map

To amend the *Height of Buildings Map* to increase the height from 9m to 10.5m for all land within the R3 zone.

Item 9: Amendment to Floor Space Ratio Map

- To amend the Floor Space Ratio Map to increase the FSR from 0.7:1 to 0.8:1 for land within the R3 zone, and
- To identify all R3 zoned land as “Area 8” to allow a bonus FSR to be applied for multi dwelling housing and terrace developments as per **Item 5** above.

Item 10: Amendment to Lot Size for Dual Occupancy Map

To support **Item 3** above, the following amendments are proposed to the *Minimum Lot Size for Dual Occupancy Map*:

- Apply 500sqm to land within R3 and R4 zones,
- Apply 600sqm to land within the R2 zone,
- Retain 650sqm to land within the HCAs,
- Retain 1,000sqm to land within the existing FSPA as per the Biodiversity, Character and FSPA Planning Proposal, and
- Apply 1,000sqm to land within the proposed FSPA and UCA as per the Biodiversity, Character and FSPA Planning Proposal.

Item 11: Additional Capacity Areas

The following amendments are proposed to implement the Additional Capacity Areas as recommended by the HCCUDS:

- Rezoning land from R2 to R4 on Park Road and Wright Street,
- Increasing the height of the Additional Capacity Areas from 9m and 12m to a range of heights from 19m to 40m as shown on the proposed HOB Map, and
- Increasing the FSR of the Additional Capacity Areas from 0.55:1 and 1:1 to a range of ratios from 1.3:1 to 3.3:1 as shown on the proposed FSR Map.

Item 12: Hurstville City Centre

The HCCUDS also conducts block-by-block urban design analysis of the existing building height and FSR controls applied within the City Centre and provides a series of

recommendations to update the existing planning controls for the City Centre by rectifying the mismatch between the existing height and FSR development standards. A number of amendments are proposed to the *Height of Buildings Map* and the *Floor Space Ratio Map*.

This Planning Proposal report has considered the objectives and intended outcomes of the proposed amendment to the GRLEP and provides an explanation of the provisions. The proposal is consistent with the relevant local, regional and State strategic plans, the relevant SEPPs and applicable S9.1 Ministerial Directions.

10. Appendices

- Appendix 1 Draft instrument – amended GRLEP 2021
- Appendix 2 Justification of development standards
- Appendix 3 Proposed Item 17 APU mapping and LSIR analysis