

**REPORT TO GEORGES RIVER COUNCIL
LPP MEETING OF THURSDAY, 29 OCTOBER 2020**

LPP Report No		Development Application No	PP2020/0002
Site Address & Ward Locality	Addendum Report to the Planning Proposal 2021 - Amendment to Georges River Local Environmental Plan 2020 Hurstville Ward		
Proposed Development	Addendum Report to the Planning Proposal 2021 - Amendment to Georges River Local Environmental Plan 2020		
Owners	N/A		
Applicant	Georges River Council		
Planner/Architect	N/A		
Date Of Lodgement	N/A		
Submissions	N/A		
Cost of Works	N/A		
Local Planning Panel Criteria	Direction from the Minister for Planning under Section 9.1 of the Environmental Planning and Assessment Act 1979 and the Charter of the Georges River Council Local Planning Panel 2018 both specify that the Planning Proposal is to be referred to the Local Planning Panel before it is forwarded for Gateway Determination (approval).		
List of all relevant s.4.15 matters (formerly s79C(1)(a))	N/A – Planning Proposal		
List all documents submitted with this report for the Panel's consideration	Refer main report.		
Report prepared by	Strategic Planner/Urban Designer		

Recommendation	<p>1. THAT the Georges River LPP (LPP) recommends to Council that the Planning Proposal to amend the <i>Hurstville Local Environmental Plan 2012</i> and <i>Kogarah Local Environmental Plan 2012</i> (or if gazetted, <i>Georges River Local Environmental Plan 2020</i>) as follows be forwarded to the Department of Planning, Industry and Environment for a Gateway Determination under Section 3.34 of the <i>Environmental Planning and Assessment Act 1979</i>:</p> <p>a) Amend the Land Zoning Map to:</p> <p>i. rezone the Narwee Housing Investigation Area from R2 Low Density Residential to a combination of R3 Medium Density Residential and R4 High Density Residential; and</p> <p>ii. rezone 11-21 Monaro Avenue, Kingsgrove from R2 Low Density Residential to RE1 Public Recreation and remove all associated development standards including lot size, height of buildings and floor space ratio;</p>
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- b) Amend the **Land Reservation Acquisition Map** in identify 11-21 Monaro Avenue, Kingsgrove as land reservation acquisitions for the purpose of Local Open Space (RE1);
- c) Amend the **Lot Size Map** to increase the minimum subdivision lot size:
- i. in the proposed R3 Medium Density Residential from 450sqm to 800sqm; and
 - ii. in the proposed R4 High Density Residential from 450sqm to 1,000sqm;
- d) Amend the **Height of Buildings Map** to:
- i. increase the maximum building height in the proposed R4 High Density Residential from 9m to 12m (Narwee HIA);
 - ii. amend the maximum building height applied at 33 Dora Street, Hurstville from 30m to 15m; and
 - iii. amend the maximum building height applied at 199 Rocky Point Road, Ramsgate from 21m to 15m and 21m in accordance with the existing split zoning;
- e) Amend the **Floor Space Ratio Map** to:
- i. to increase the maximum floor space ratio in the proposed R3 Medium Density Residential from 0.55:1 to 0.7:1 (Narwee HIA);
 - ii. to increase the maximum floor space ratio in the proposed R4 High Density Residential from 0.55:1 to 1:1 (Narwee HIA); and
 - iii. amend the maximum floor space ratio applied at 199 Rocky Point Road, Ramsgate from 2.5:1 to 1.5:1 and 2.5:1 in accordance with the existing split zoning;
- f) Amend the **Land Use Tables** of zones R3 Medium Density Residential and R4 High Density Residential to include ‘manor houses’ and ‘multi dwelling housing (terraces)’ as land uses in ‘3 Permitted with consent’; and
- g) Amend **Clause 4.1B Minimum lot sizes and special provisions for certain dwellings** to include:
- i) minimum lot size of 800sqm for manor houses;
 - ii) minimum lot width of 18m for manor houses;
 - iii) minimum lot size of 800sqm for multi dwelling housing (terraces); and
 - iv) minimum lot width of 21m for multi dwelling housing (terraces).

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| | <p>2. THAT an Alteration to Gateway be prepared following the completion of the <i>Biodiversity Study</i> and the <i>Foreshore Scenic Character Review</i> to amend this Planning Proposal to reflect an updated policy position on the Foreshore Scenic Protection Area (FSPA) resulting from the outcomes of the LGA- wide <i>Biodiversity Study</i> and the <i>Foreshore Scenic Character Review</i>.</p> <p>3. THAT a report to Council be prepared to advise of the LPP recommendations.</p> |
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Executive Summary

1. A report has been prepared for the Georges River Local Planning Panel (“LPP”) on the **Planning Proposal 2021 - Amendment to Georges River Local Environmental Plan 2020 – PP2020/0002** (LPP055-20).
2. Subsequent to the preparation of the report, Council at its meeting dated 26 October 2020 resolved to purchase 15 Monaro Avenue, Kingsgrove for the purpose of converting the residential zoned land to public open space which will enable the expansion of the existing Peter Lowe Reserve.
3. The successful negotiated outcome at 15 Monaro Avenue enables the commencement of the expansion process for Peter Lowe Reserve. However, the rezoning of No.15 to open space is unable to provide an adequate outcome as the Reserve will continue to be affected by poor visibility and land-locked by the surrounding private residences.
4. To ensure the future expansion of Peter Lowe Reserve, this report seeks to include 11-21 Monaro Avenue on the Land Reservation Map as land reserved for the purpose of Local Open Space (RE1) and rezone these properties from the existing R2 Low Density Residential zone to RE1 Public Recreation within Planning Proposal 2021.
5. It is recommended that the LPP endorses the following amendments to the Planning Proposal 2021 and recommends to Council to forward the revised Planning Proposal to the Department of Planning, Industry and Environment (“DPIE”) for a Gateway Determination:
 - a) include 11-21 Monaro Avenue, Kingsgrove as land reservation acquisitions for the purpose of Local Open Space (RE1);
 - b) rezone 11-21 Monaro Avenue, Kingsgrove from R2 Low Density Residential to RE1 Public Recreation; and
 - c) remove all associated development standards applied to the subject site including minimum lot size, maximum height of buildings and maximum floor space ratio.

Report in Full

6. Since the Local Planning Panel adoption of LEP 2020 on 26 June 2020 Council staff have been in discussion with the owners of the properties that surround Peter Lowe Reserve. The discussion related to the purchase of land with the aim of expanding the reserve and increasing its street frontage.
7. Council at its meeting dated 26 October 2020 resolved to purchase 15 Monaro Avenue, Kingsgrove (refer **Figure 1** below) for the purpose of converting the residential zoned land to public open space which will enable the expansion of the existing Peter Lowe Reserve. Accordingly, Council is now in the process of finalising the property purchase. It is anticipated that this property will be in Council's ownership by the time this Planning Proposal is submitted to DPIE for finalisation.

Figure 1 – 15 Monaro Avenue, Kingsgrove



8. The Council staff continues to have discussions with a number of the properties adjoining the reserve regarding the purchase of their land.

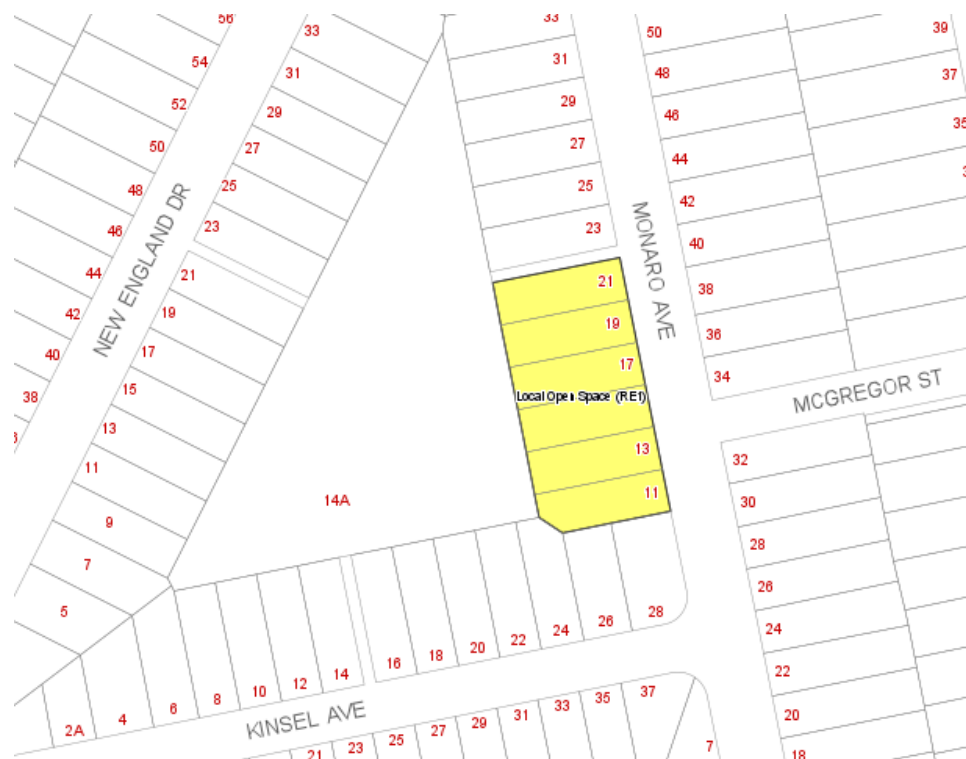
Proposed Land Reservation Acquisition

9. To ensure the future expansion of Peter Lowe Reserve, this report seeks to include 11-21 Monaro Avenue on the Land Reservation ("LRA") Map as land reserved for the purpose of Local Open Space (RE1) and rezone these properties from the existing R2 Low Density Residential zone to RE1 Public Recreation.
10. Furthermore, the inclusion of these properties on the LRA Map will allow development contributions to be utilised as a funding source for the purchase of these properties.
11. The subject properties have been selected for acquisition for the purpose of expanding the existing Reserve and are identified as the most appropriate due to the following reasons:

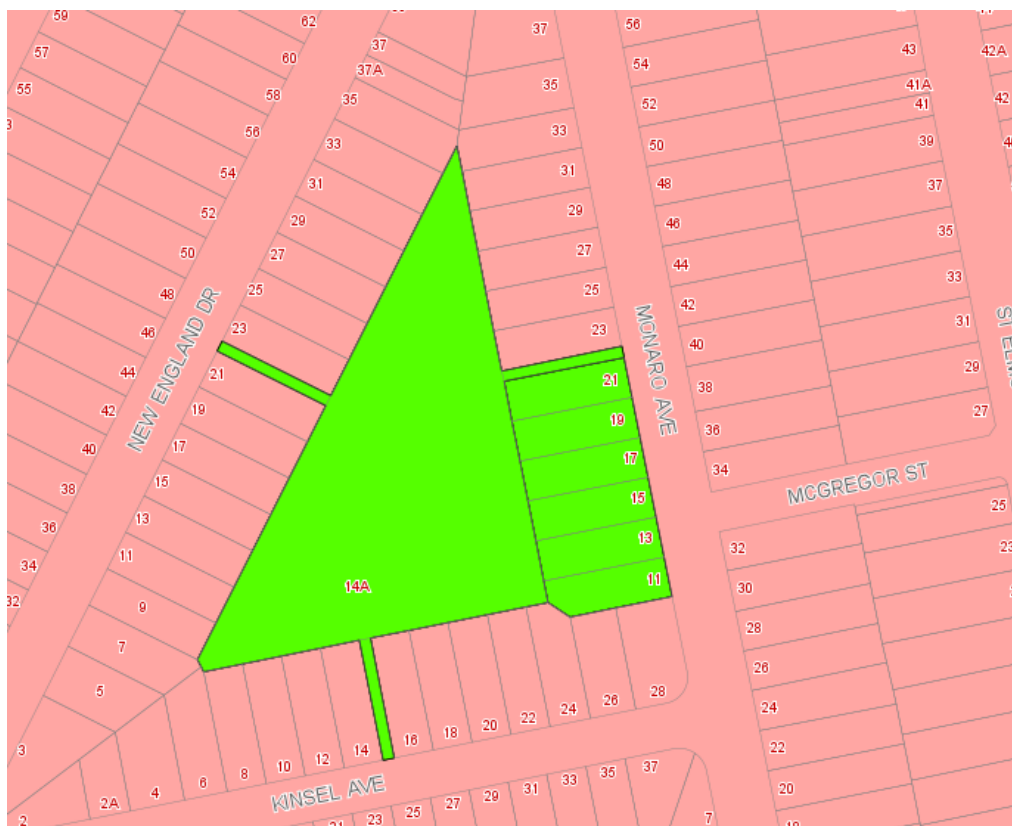
- Direct visual sight lines will be provided to the largest portion of the park from a public street (McGregor Street) which is consistent with the four Crime Prevention Through Environmental Design (“CPTED”) principles:
 - surveillance
 - access control
 - territorial reinforcement
 - space management
- Promotes physical connectivity between the public domain and the Reserve by increasing the entry point from a narrow laneway to a wide street frontage accessed by both McGregor Street and Monaro Avenue;
- Visibility of the park to the wider community will be greatly improved;
- Public surveillance into the park will be provided to the largest portion of the park;
- Enables improved accessibility to the park for the wider community as the Reserve will no longer be landlocked;
- The Reserve is within the 800m walkable catchment of the Kingsgrove Local Centre;
- Expansion of an existing reserve will enable the design of a park that will have sufficient area to host a number of activities such as inclusive play areas and outdoor barbeque facilities; and
- Expansion of the Reserve will assist in providing more open space towards the centre of the Hurstville Ward where there is the least amount of open space available to its residents.

12. An extract of the proposed LRA Map is provided in **Figure 2** below:

Figure 2 – Extract of Proposed Land Reservation Acquisition Map



13. An extract of the proposed Land Zoning Map is provided in **Figure 3** below:

Figure 3 – Extract of Proposed Land Zoning Map

Discussion on Proposed Rezoning

14. Whilst the expansion of Peter Lowe Reserve would enable the creation of additional open space in an area of the LGA with a significant shortage of both active and passive recreation areas, during the public exhibition of the draft LEP 2020 a total of 163 submissions were received objecting to the acquisition of 11-21 Monaro Avenue due to concerns regarding the compulsory acquisition process and the amenity impacts associated with more users for this park.
15. The proposal to purchase these sites adds to the Council's existing acquisition program within LEP 2020.
16. The Committee is to note:
 - Council does not have any intent of initiating any compulsory acquisition processes.
 - when a property is included on the LRA Map, the landowner can approach Council with the request for Council to purchase their property under the *Land Acquisition (Just Terms Compensation) Act 1991* ("the Act").
 - In accordance with the Act, Council must acquire the land within 90 days after the owner gives notice. If Council fails to acquire the land within the timeframe then the land reservation must be uplifted.
17. The inclusion of 11-21 Monaro Avenue on the LRA Map will enable development contributions (also known as Section 7.11 and 7.12 contributions) to become available as a funding mechanism for the purchase of these properties. However, development contributions are levied on individual developments as they occur. As a result, the

timeframe to collect contributions is typically distributed across the life of the Development Contribution Plan which may be 10 to 20 years.

Next Steps

18. In accordance with the consultation program for DLEP 2021, pre-exhibition consultation will be conducted with the owners and occupiers of 11-21 Monaro Avenue, Kingsgrove to inform them of the proposed inclusion of their properties on the LRA Map. The consultation will include explanations of the acquisition process under the *Land Acquisition (Just Terms Compensation) Act 1991*.