

Ref No: D2019/43998

# Planning Proposal

Low rise medium density housing in the Georges River Local Government Area

(PP2018/0001)

March 2019

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- Attachment 1:** 25 June 2018 Council Report and Resolution
- Attachment 2:** Gateway Determination dated 31 July 2018
- Attachment 3:** 17 December 2018 Council Meeting and Resolution
- Attachment 4:** R2 Low Density Residential and R3 Medium Density Residential maps
- Attachment 5:** Land where dual occupancies may be built under the Low Rise Medium Density Housing Code in the Georges River LGA map
- Attachment 6:** Land where manor houses may be built under the Low Rise Medium Density Housing Code in the Georges River LGA map
- Attachment 7:** Land where multi dwelling housing (terraces) may be built under the Low Rise Medium Density Housing Code in the Georges River LGA
- Attachment 8:** Schedule 1 Additional Permitted Uses of Kogarah Local Environmental Plan 2012
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## 1. Introduction

The Planning Proposal seeks amendments to Kogarah Local Environmental Plan 2012 (*KLEP 2012*) and Hurstville Local Environmental Plan 2012 (*HLEP 2012*), in response to the State Government's Low Rise Medium Density Housing Code (Code).

The following amendments are proposed to *KLEP 2012* and *HLEP 2012*:

*KLEP 2012*:

- Delete Items 17, 18 and 19 of Schedule 1 Additional Permitted Uses to prevent manor houses, multi dwelling housing (terraces), villas and townhouses from being built through a development application under *KLEP 2012* or through complying development under the Code, on land listed in the Items
- Include a new savings provision to ensure that the proposed amendments do not affect any current development applications or appeal processes

*HLEP 2012*:

- Prohibit villas, townhouses, multi dwelling housing (terraces) and manor houses in the R2 Low Density Residential zone so that they cannot be built in the zone through a development application under *HLEP 2012* or through complying development under the Code
- Increase the minimum lot size for dual occupancies under Area G of *HLEP 2012* (630sqm) so that it mirrors the minimum lot size for dual occupancies under Area O of *KLEP 2012* (650sqm).
  - This means that land between 630sqm – 649sqm will no longer be able to build a dual occupancy on their property through a development application under *HLEP 2012* or through complying development under the Code
- Include a new savings provision to ensure that the proposed amendments do not affect any current development applications or appeal processes

## 2. Background

*Low Rise Medium Density Housing Code*

The Code allows one and two storey dual occupancies, manor houses and multi dwelling housing (terraces) to be carried out under a fast track complying development approval. A complying development approval can be issued within 20 days if the proposal complies with all the relevant requirements in the Code.

An amendment has been made to the Standard Instrument – Principal Local Environmental Plan to include the new definitions of manor houses and multi dwelling housing (terraces) in local environmental plans (LEP), where the Code applies.

The new definitions are:

**multi dwelling housing (terraces)** means multi dwelling housing where all dwellings are attached and face, and are generally aligned along, 1 or more public roads.

**manor house** means a residential flat building containing 3 or 4 dwellings, where:

- (a) each dwelling is attached to another dwelling by a common wall or floor, and
- (b) at least 1 dwelling is partially or wholly located above another dwelling, and
- (c) the building contains no more than 2 storeys (excluding any basement).



**Figure 1** – Spectrum of Medium density development (Department of Planning and Environment, 2018)

Under the changes, manor houses are permitted where multi dwelling housing or residential flat buildings are permitted in a zone. Multi dwelling housing (terraces) are permitted where multi dwelling housing is permitted in a zone. Dual occupancies are permitted where dual occupancies are permitted in a zone.

This means that if the Code applies to a local government area, applicants may lodge a development application under the relevant LEP or carry out complying development under the Code for manor houses, multi dwelling housing (terraces) or dual occupancies, where they are permitted under a zone.

### **Council's position on the Code**

Council resolved on 28 May 2018 (NM035-18):

- (a) That the General Manager urgently prepare a report to Council in June 2018 on the NSW Coalition Government's new Low Rise Medium Density Housing Code, to be introduced on 6 July 2018, and the impact that this new Code will have on the Georges River Council LGA, including the extent of the likely significant increase in the number of dwellings permitted in low density areas and; the approximate number of sites in the LGA where the new Code will allow the fast-tracked development of manor houses, duplexes and terrace houses in low density areas.
- (b) That Council notes with serious concern that the new Code will allow Private Certifiers to approve 2 storey residential flat buildings comprising 3-4 dwellings, known as "manor homes", as well as duplexes and terrace housing, under the complying development approval process (SEPP) in R2 Low Density Residential Zones, with minimal neighbour notification and no requirement for objections to be considered.
- (c) That to protect our community from future impacts from the Code:

- i. *Council immediately and concurrently prepare a Planning Proposal to:*
    - a. *Prohibit manor houses from the R2 Low Density Residential Zone.*
    - b. *Prohibit terraces/town houses/villa development from the R2 Low Density Residential Zone.*
    - c. *Restrict dual occupancy development to current planning rules.*
  - ii. *Submit the Planning Proposal to the Greater Sydney Commission for Gateway approval.*
  - iii. *Delegate to the General Manager any administrative arrangements to progress the Planning Proposal, including exhibition, once a Gateway Determination has been received.*
- (d) *That Council write to the Minister for Planning, the Hon Anthony Roberts MP to seek an exemption from the Code's SEPP amendments within the R2 zone and to request that Council's local planning controls prevail over the SEPP until the Planning Proposal has been gazetted.*
- (e) *That Council apply for grant funding of \$2.5 million to assist in accelerating the preparation of the Georges River LEP review within a 12 month period, with such funds being used for studies, resources and other items needed to advance the LEP review within the required two-year period.*
- (f) *That the NSW Coalition Government's policy changes and its implications for our City be widely communicated to the community.*

This Planning Proposal has been prepared in response to the Council resolution dated 28 May 2018.

In June 2018, Council sought an exemption from the Code. In July 2018, the Department granted Council a deferral from the Code in the Georges River Local Government Area (LGA) until 1 July 2019.

In the Georges River LGA, applicants cannot use the Code or lodge development applications for manor houses or multi dwelling housing (terraces) or use the Code for Dual Occupancies until 1 July 2019.

Applicants can still lodge development applications for Dual Occupancies under *KLEP 2012* and *HLEP 2012*.

In September 2018, Council wrote to the Department requesting an extension of the deferral from the Code in the Georges River LGA until Council has a Housing Strategy, Inclusive Housing Strategy and principal LEP in place that provides planning provisions and a set of controls for Dual Occupancy and Multi Dwelling housing.

A request was also made that Dual Occupancy and Multi Dwelling housing under the Code must comply with the development standards under Council's LEPs, once the Code is in force.

## *Gateway Determination*

A Gateway Determination (Gateway) was issued for this Planning Proposal on 31 July 2018 (Please refer to **Attachment 2**). The Gateway states that the Planning Proposal should be updated to:

- a. Remove reference to amending the Environmental Planning and Assessment Regulation 2000, the Standard Instrument – Principal Local Environmental Plan and State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)
- b. Remove references to amendments to controls relating to dual occupancy development under the Codes SEPP
- c. Provide additional quantitative analysis to assess the impacts of the proposal on housing diversity and supply as follows, but not limited to:
  - i. The total area of land zoned R2 Low Density Residential and R3 Medium Density Residential in the local government area; and
  - ii. The number of multi dwelling housing and dual occupancy developments approved in the R2 Low Density and R3 Medium Density Residential zones in the LGA in the past five years
- d. Explain whether the proposal is supported by a housing strategy that has been developed in consultation with the community;
- e. Include a new savings transition clause to ensure that proposed amendments do not affect any development applications or appeal processes; and
- f. Provide mapping that demonstrates the proposed amendments

This Planning Proposal has been updated accordingly.

### 3. The Planning Proposal

#### Part 1: Objectives or Intended Outcomes

The objectives of the Planning Proposal are to:

- Uphold the integrity of the objectives of the R2 Low Density Residential zone
- Protect the low density residential character of the R2 Low Density Residential zone
- Ensure that appropriate strategic studies are carried out to “identify the right locations for growth, including areas that are unsuitable for significant change in the short to medium term” (Greater Sydney Region Plan, Objective 10, p. 64)
- Ensure that a diversity of housing is provided in the right locations
- Ensure that the community is able to have their say on the future of the Georges River LGA, including the type of housing that is permitted and where it is permitted in the LGA
- Ensure that social, environmental and economic factors are considered prior to allowing multi dwelling housing in the Georges River LGA

The intended outcomes of the Planning Proposal are to:

- Prohibit villas, townhouses, multi dwelling housing (terraces) and manor houses in the R2 Low Density Residential zone of *HLEP 2012*.
  - *Note:* Multi dwelling housing, in the form of villas and townhouses is currently permitted in this zone.
  - If the proposed amendment proceeds, this means that the community will **not** be able to:
    - lodge a development application for multi dwelling housing (terraces), villas, townhouses and manor houses in the R2 Low Density Residential zone of *HLEP 2012*
    - conduct complying development for multi dwelling housing (terraces) and manor houses under the Code in the R2 Low Density Residential zone of *HLEP 2012*.
  - This brings *HLEP 2012* in line with *KLEP 2012*.
- Increase the minimum lot size for dual occupancies under Area G of *HLEP 2012* (630sqm) so that it mirrors the minimum lot size for dual occupancies under Area O of *KLEP 2012* (650sqm)
  - *Note:* This means landholders with land between 630 – 649 sqm will no longer be able to lodge a development application for a dual occupancy under *HLEP 2012* or conduct complying development for a dual occupancy under the Code.
  - To determine whether your property is identified as Area “G” on the Lot Size Map, please refer to <https://www.legislation.nsw.gov.au/#/view/EPI/2012/613/maps#LSZ>
- Prohibit manor houses, multi dwelling housing (terraces), town houses and villas from being built on land listed under Items 17, 18 and 19 of Schedule 1 Additional Permitted Uses of *KLEP 2012*.

- *Note:* This means that the landholders of the listed properties will not be able to:
  - lodge a development application for multi dwelling housing (terraces), villas, townhouses and manor houses
  - conduct complying development for multi dwelling housing (terraces) and manor houses under the Code
- This brings the land in line with the R2 Low Density Residential zone under *KLEP 2012*
- Amendments are not proposed to Item 16 of Schedule 1 Additional Permitted Uses of *KLEP 2012*. Item 16 permits medium density housing, high density housing and commercial development on the land listed within the Item. This is more intensive than what the Code allows. Therefore, it is not considered appropriate to stop the Code from applying to Item 16.
- Remove the additional permitted use of dual occupancies (detached) from land listed under Item 19 of Schedule 1 Additional Permitted Uses of *KLEP 2012*, as dual occupancies attached and detached are already permitted in the R2 Low Density Residential zone under *KLEP 2012*.

## **Part 2: Explanation of the Provisions**

The proposed intended outcomes (refer Part 1) will be achieved by amending the following planning controls:

### *Hurstville Local Environmental Plan 2012*

- Amend the R2 Low Density Residential zone in the Land Use Table, to prohibit multi dwelling housing, multi dwelling housing (terraces) and manor houses.
- Amend clause 4.1A(2) Minimum lot sizes for dual occupancies and multi dwelling housing and the Lot Size Map to increase the minimum lot size for dual occupancies from 630sqm to 650sqm for land identified as “G” in both the R2 Low Density Residential zone and the R3 Medium Density Residential zone
- Amend clause 1.8A to include a new savings transition clause to ensure that the proposed amendments do not affect any current development applications or appeal processes

### *Kogarah Local Environmental Plan 2012*

- Amend clause 1.8A to include a new savings transition clause to ensure that the proposed amendments do not affect any current development applications or appeal processes
- Amend Schedule 1 Additional Permitted Uses to repeal Items 17, 18 and 19.

## **Part 3: Justification**

### Section A – Need for the planning proposal

*Q1. Is the planning proposal a result of any strategic study or report?*

This Planning Proposal has been prepared in response to the Council resolution dated 28 May 2018 (NM035-18) (Please refer to Council’s position on the Code, above).

Council has commenced the process of drafting a principal Georges River LEP for the new Georges River LGA and has begun reviewing the existing planning controls and maps.

The Code and its relevant amendments permit manor houses, multi dwelling housing (terraces) and dual occupancies in the R2 Low Density Residential zone, with no strategic justification or neighbour consultation and without development consent.

Amendments are required to *KLEP 2012* and *HLEP 2012* to minimise the impact of the Code on our LGA and to allow Council to consult with the community on the types of housing needed and where growth can be accommodated, through a Housing Strategy and Inclusive Housing Strategy. It is Council’s responsibility to plan for the future, whilst balancing the need to protect the integrity of each zone, the character of our suburbs and the social, environmental and economic values of our community.

*Additional information as requested by the Gateway Determination*

The Gateway Determination states that the Planning Proposal should be updated to:

- a. Remove reference to amending the Environmental Planning and Assessment Regulation 2000, the Standard Instrument – Principal Local Environmental Plan and State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP)
- b. Remove references to amendments to controls relating to dual occupancy development under the Codes SEPP
- c. Provide additional quantitative analysis to assess the impacts of the proposal on housing diversity and supply as follows, but not limited to:
  - i. The total area of land zoned R2 Low Density Residential and R3 Medium Density Residential in the local government area; and
  - ii. The number of multi dwelling housing and dual occupancy developments approved in the R2 Low Density and R3 Medium Density Residential zones in the LGA in the past five years
- d. Explain whether the proposal is supported by a housing strategy that has been developed in consultation with the community;
- e. Include a new savings transition clause to ensure that proposed amendments do not affect any development applications or appeal processes; and
- f. Provide mapping that demonstrates the proposed amendments

The additional information requested by the Gateway Determination is provided below:

Please refer to:

- **Attachment 4** – R2 Low Density Residential and R3 Medium Density Residential maps. This map provides a visual overview of the 1,945 hectares of land zoned R2 Low Density Residential and R3 Medium Density Residential in the LGA. The purpose of this map is to illustrate the extent of land that could be impacted by the Code if amendments are not made to *KLEP 2012* and *HLEP 2012*, as detailed in this Planning Proposal.
- **Attachment 5** – Land where dual occupancies may be built under the Low Rise Medium Density Housing Code in the Georges River LGA map. This map illustrates the extent of where dual occupancies could be built through complying development under the Code or through a development application under *HLEP 2012* or *KLEP 2012*.

The following parameters have been mapped:

- Land with a minimum of 630sqm – as required for Area G under *HLEP 2012* / 12m street frontage
- Land with a minimum of 630sqm – as required for Area G under *HLEP 2012* / 15m street frontage
- Land with a minimum of 650sqm – as required for Area O under *KLEP 2012* / 15m street frontage

- Land with a minimum of 650sqm – as required for Area O under *KLEP 2012* / 15m street frontage
- Land with a minimum of 1000sqm – as required for Area K under *HLEP 2012* / 12m street frontage
- Land with a minimum of 1000sqm – as required for Area K under *HLEP 2012* / 15m street frontage

This map provides an overview of land that is eligible to build a dual occupancy based upon these land parameters.

An applicant would need to ensure that they meet the requirements of the Code and the Low Rise Medium Density Design Guide for complying development (Design Guide), to be eligible to conduct complying development under the Code; or meet the controls under *KLEP 2012* or *HLEP 2012* to lodge a development application under Council's planning controls.

The map shows that rows of dual occupancies could be built under the Code. The purpose of this map is to visually illustrate the need to increase the minimum lot size from 630sqm to 650sqm under *HLEP 2012* to minimise the proliferation of dual occupancies and protect the character of the R2 Low Density Residential zone.

- **Attachment 6** – Land where manor houses may be built under the Low Rise Medium Density Housing Code in the Georges River LGA map. This map illustrates the land with a minimum lot size of 600sqm and a 15m street frontage that is eligible to build a manor house under the Code. Please refer to **Attachment 8** below for a map of properties listed under Schedule 1 Additional Permitted Uses of *KLEP 2012* that could develop a manor house under the Code or *KLEP 2012*.

The purpose of this visual overview is to show the potential impact to our community should the amendments in this Planning Proposal not be made to restrict manor houses to where medium density housing is appropriate.

**Attachment 6** shows that the R2 Low Density Residential zone within the former Hurstville LGA could significantly change if manor houses were permitted in this zone, as rows of houses could potentially be converted to manor houses, which are low rise residential flat buildings.

An applicant would need to ensure that they meet the requirements of the Code and the Low Rise Medium Density Design Guide for complying development (Design Guide), to be eligible to conduct complying development under the Code; or meet the controls under *KLEP 2012* or *HLEP 2012* to lodge a development application under Council's planning controls.

- **Attachment 7** – Land where multi dwelling housing (terraces) may be built under the Low Rise Medium Density Housing Code in the Georges River LGA map. The map shows where multi dwelling housing (terraces) could be built under the Code in addition to the villas and townhouses that are currently permitted under *KLEP 2012* and *HLEP 2012*.

The following parameters have been mapped:

- land with a minimum area of 600sqm and a street frontage of 18m or more – as required by the Code;
- land with a minimum area of 800sqm with an 18m street frontage – as required by *KLEP 2012*; and
- land with a minimum area of 1,500sqm and an 18m street frontage – as required for Area K under *HLEP 2012*.

The purpose of this map is to visually illustrate the comparison of controls for multi dwelling housing (terraces) between the Code, *HLEP 2012* and *KLEP 2012*, as outlined in Table 1 below.

*Note: HLEP 2012* does not have a minimum lot size requirement for multi dwelling housing for Area G. The minimum lot size of 600sqm would apply to this land for multi dwelling housing (terraces) under the Code.

An applicant would need to ensure that they meet the requirements of the Code and the Low Rise Medium Density Design Guide for complying development (Design Guide), to be eligible to conduct complying development under the Code; or meet the controls under *KLEP 2012* or *HLEP 2012* to lodge a development application under Council's planning controls.

- **Attachment 8** –Schedule 1 Additional Permitted Uses under *KLEP 2012*. This map illustrates all land that is listed under Schedule 1 Additional Permitted Uses under *KLEP 2012*. This includes Items 16, 17, 18 and 19 of Schedule 1 Additional Permitted Uses. Manor houses, multi dwelling housing (terraces) and dual occupancies may be developed on this land under the Code; and dual occupancies, villas and townhouses may be developed on this land via a development application under *KLEP 2012*.

The map also identifies where development consent has been approved for multi dwelling housing or a dual occupancy in the last 5 years on land listed under Schedule 1 Additional Permitted Uses of *KLEP 2012*.

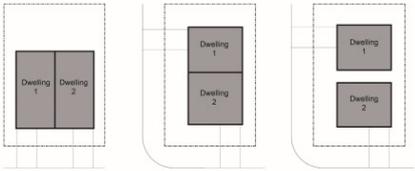
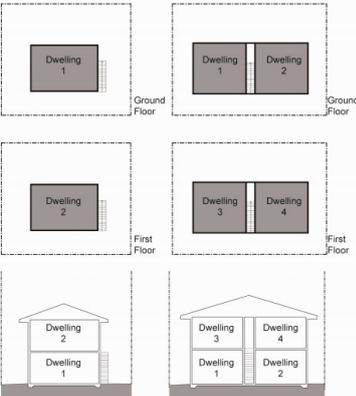
The purpose of the map is to visually demonstrate the potential impact of the Code to land within the former Kogarah LGA, should the amendments not be made to *KLEP 2012* under this Planning Proposal to repeal Items 17, 18 and 19 of Schedule 1 Additional Permitted Uses. Council intends to prohibit manor houses, multi dwelling housing (terraces), dual occupancies, villas and townhouses on this land.

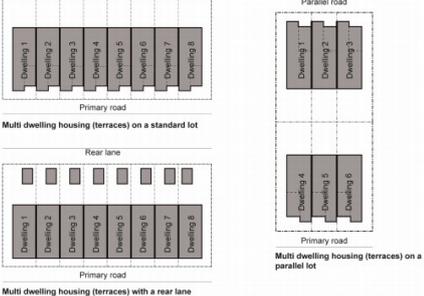
- *Note:* Amendments are not proposed to Item 16 of Schedule 1, as this item permits medium density, high density and commercial development on the land listed within the Item, which is more intensive than what the Code allows.

**Attachments 4 - 8** clearly show the potential increase of medium density housing in our LGA should the Code proceed without the proposed amendments in this Planning Proposal. The streetscape and character of our suburbs would permanently change.

**Table 1** below provides an outline of the planning provisions that will apply for complying development under the Code within the Georges River LGA. The purpose of Table 1 is to explain the differences between the current controls under *HLEP 2012* and *KLEP 2012* and what will be permitted under complying development or a development application under the Code.

**Table 1 – Planning Provisions and the Code**

Type of Housing	Low Rise Medium Density Housing Code	<i>KLEP 2012</i> applicable controls	<i>HLEP 2012</i> applicable controls
<b>Dual Occupancy Attached or detached but not located above</b>	 <p>Certain attached dual occupancies (where no part of the dwelling is located above any part of another dwelling) on a standard lot</p> <p>Certain attached dual occupancies (where no part of the dwelling is located above any part of another dwelling) on a corner lot</p> <p>Certain detached dual occupancies (where no part of the dwelling is located above any part of another dwelling) on a corner lot</p>		
Lot requirements – size		650m <sup>2</sup> 1000m <sup>2</sup>	630m <sup>2</sup> 1000m <sup>2</sup>
Lot Width	Width 12m		
Height	8.5m		
Maximum gross floor area	400m <sup>2</sup> – 2000m <sup>2</sup> : 25% of lot area + 300m <sup>2</sup> >2,000m <sup>2</sup> : 800m <sup>2</sup>		
<p><b>Manor houses, Dual occupancies (located above part of another dwelling)</b></p> <p>manor house means a building containing 3 or 4 dwellings, where:</p> <p>(a) each dwelling is attached to another dwelling by a common wall or floor, and (b) at least 1 dwelling is partially or wholly located above another dwelling, and (c) the building contains no more than 2 storeys (excluding any basement).</p>	 <p>Dual Occupancy (where one dwelling is located above part of another dwelling)</p> <p>Manor Houses</p>		
Lot size	600m <sup>2</sup>		

Type of Housing	Low Rise Medium Density Housing Code	KLEP 2012 applicable controls	HLEP 2012 applicable controls
requirements – manor house			
Lot size requirements - dual occupancy		650m <sup>2</sup> - (Area O) 1000m <sup>2</sup> - (Area U)	630m <sup>2</sup> - (Area G) 1000m <sup>2</sup> - (Area K)
Lot Width	15m width		
Height	8.5m		
Maximum gross floor area	The maximum gross floor area of all buildings on a lot is 25% of the lot area plus 150m <sup>2</sup> , to a maximum of 400m <sup>2</sup> .		
<p><b>Multi dwelling housing (terraces)</b></p> <p>multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land where: (a) each dwelling has access at ground level, and (b) no part of a dwelling is above any part of any other dwelling, and includes multi dwelling housing (terraces). Note. multi dwelling housing is a type of residential accommodation—see the definition of that term in this Dictionary. Multi dwelling housing (terraces) means multi dwelling housing where all dwellings are attached and face, and are generally aligned along, 1 or more public roads</p>	 <p>The diagrams show four configurations of multi dwelling housing (terraces):</p> <ul style="list-style-type: none"> <li><b>Multi dwelling housing (terraces) on a standard lot:</b> Eight dwellings (Dwelling 1 to Dwelling 8) are arranged in a row along a primary road.</li> <li><b>Multi dwelling housing (terraces) with a rear lane:</b> Eight dwellings (Dwelling 1 to Dwelling 8) are arranged in a row along a primary road, with a rear lane behind them.</li> <li><b>Multi dwelling housing (terraces) on a parallel lot:</b> Three dwellings (Dwelling 1, Dwelling 2, Dwelling 3) are arranged in a row along a parallel road.</li> <li><b>Multi dwelling housing (terraces) on a parallel lot:</b> Three dwellings (Dwelling 4, Dwelling 5, Dwelling 6) are arranged in a row along a parallel road.</li> </ul>		
Lot size requirements	Other than Area K in the <i>HLEP 2012</i> – 600m <sup>2</sup>	R3 - 800m <sup>2</sup>	Area K – 500m <sup>2</sup> per dwelling
Lot Width	18m width		
Height	9m		
Maximum gross floor area	R2 – 60% of lot area R3 – 80% of lot area		

As it can be seen in **Table 1** above, the Code has the potential to significantly increase medium density housing within our LGA. The Code reduces the minimum requirements that a landholder will need to comply with to build multi dwelling housing and dual occupancies, with no strategic justification or neighbour consultation.

This Planning Proposal has been written to amend the controls within *KLEP 2012* and *HLEP 2012* that prevail over the Code. These include minimum lot sizes for dual occupancies (but not manor houses or multi dwelling housing (terraces)); and the permissibility of multi dwelling housing (which includes multi dwelling housing (terraces) and manor houses).

The purpose of changing minimum lot sizes for dual occupancies in *HLEP 2012*, to mirror *KLEP 2012*; and prohibiting multi dwelling housing (terraces), villas, townhouses and manor houses in the R2 Low Density Residential zone of our LEPs (except for Item 16 of Schedule 1 Additional Permitted Uses), is to minimise the proliferation of medium density housing within our LGA. The remaining controls relating to multi dwelling housing and dual occupancies in the R2 Low Density Residential zone, that are not amended in this Planning Proposal, are mandated in the Code by the NSW Government and are outside of the control of Council.

### *Exemption*

Separate to this Planning Proposal, Council has written to the Minister for Planning requesting an exemption from the Code. If an exemption is not granted, Council requested a deferment in the commencement of the Code until such time as Council has completed a Local Strategic Planning Statement, Inclusive Housing Strategy and Housing Strategy; and finalised the drafting of the principal Georges River LEP.

Council also requested that the controls relating to medium density housing in our LEPs prevail over the Code. Such controls include minimum lot sizes for manor houses and multi dwelling housing (terraces), maximum height, floor space ratios and minimum street frontages. This is a separate process that is currently being assessed by the NSW Government.

### *Approximate number of sites affected by the Code*

**Table 2** below provides the approximate number of sites in the LGA where the Code will allow the fast tracked development of dual occupancies, manor housing and terrace housing.

**Table 2 – Number of sites affected by Code per Zone/LEP**

Type	LEP	Zone	Lot Area	Frontage	Planning notes	Estimated No. of Land
Dual Occupancy	HLEP12	R2				
			≥ 630sqm	≥ 12m	Count within LSZ Area G only	2666
			≥ 630sqm	≥ 15m	Count within LSZ Area G only	2168
			≥ 1000sqm	≥ 12m	Count within LSZ Area K only	154
			≥ 1000sqm	≥ 15m	Count within LSZ Area K only	145
		R3				
			≥ 630sqm	≥ 12m	Count within LSZ Area G only	564
			≥ 630sqm	≥ 15m	Count within LSZ Area G only	554
			≥ 1000sqm	≥ 12m	No LSZ Area K in R3	0
			≥ 1000sqm	≥ 15m	No LSZ Area K in R3	0
	KLEP12	R2				
			≥ 650sqm	≥ 12m	Count within LSD Area O only	2411
			≥ 650sqm	≥ 15m	Count within LSD Area O only	1993
			≥ 1000sqm	≥ 12m	Count within LSD Area U only	49
			≥ 1000sqm	≥ 15m	Count within LSD Area U only	41
		R3				
			≥ 650sqm	≥ 12m	Count within LSD Area O only	665
			≥ 650sqm	≥ 15m	Count within LSD Area O only	637
			≥ 1000sqm	≥ 12m	Count within LSD Area U only	0
			≥ 1000sqm	≥ 15m	Count within LSD Area U only	0
Manor House	HLEP12	R2				
			≥ 600sqm	≥ 15m	Count land within R2 Zone	3716
		R3				
			≥ 600sqm	≥ 15m	Count land within R3 Zone	587
	KLEP12	R3				
			≥ 600sqm	≥ 15m	Count land within R3 Zone	722
Terraces	HLEP12	R2				
			≥ 600sqm	≥ 18m	Count within LSZ Area G only	1457
			≥ 1500sqm	≥ 18m	Count within LSZ Area K only	10
		R3				
			≥ 600sqm	≥ 18m	Count within LSZ Area G only	500
			≥ 1500sqm	≥ 18m	No LSZ Area K in R3	0
	KLEP12	R3				
			≥ 800sqm	≥ 18m	Count land within R3 Zone	505

**Table 2** above, details the sites that are eligible for complying development for the different types of housing that will be permitted under the Code, based upon minimum lot size and street frontage widths. Applicants must apply the controls under the Code and the Design Guide, in order to be eligible for complying development under the Code.

*Total area of land zoned R2 Low Density Residential and R3 Medium Density Residential in the local government area*

The Georges River LGA has approximately 1,945 hectares of land zoned R2 Low Density Residential and approximately 222 hectares of land zoned R3 Medium Density Residential.

Please refer to **Attachment 4** for a visual overview of all land zoned R2 Low Density Residential and R3 Medium Density Residential in the LGA.

*Number of multi dwelling housing and dual occupancy developments approved in the R2 Low Density Residential and R3 Medium Density Residential zones in the LGA in the past five years*

Please refer to **Attachment 9** – Medium Density approvals 2013 – 2018 for a quantitative analysis of the number of multi dwelling housing and dual occupancy developments approved in the R2 Low Density Residential zone and R3 Medium Density Housing zone. **Attachment 9** provides the raw data to compare Council's capacity for medium density housing and the uptake within the community over the past 5 years.

The following is a summary of the data in **Attachment 9**:

- a. In the R2 Low Density Residential zone under *HLEP 2012*, the former Hurstville Council / Georges River Council granted the following medium density housing approvals over a five year period (2013 – 2018):
  - i. 192 dual occupancies
  - ii. 14 townhouses
  - iii. 13 townhouse, villas
  - iv. 1 villas
  - v. 126 secondary dwellings
  
- b. In the R3 Medium Density Residential zone under *HLEP 2012*, the former Hurstville Council / Georges River Council granted the following medium density housing approvals over a five year period (2013 – 2018):
  - i. 1 dual occupancy
  - ii. 1 townhouse
  - iii. 2 secondary dwellings
  - iv. 2 unspecified forms of medium density housing
  
- c. In the R2 Low Density Residential zone under *KLEP 2012*, the former Kogarah Council / Georges River Council granted the following medium density housing approvals over a five year period (2013 – 2018):
  - i. 84 dual occupancies
  - ii. 2 town houses
  - iii. 0 townhouse, villas
  - iv. 2 villas
  - v. 119 secondary dwellings
  
- d. In the R3 Medium Density Residential zone under *KLEP 2012*, the former Kogarah Council / Georges River Council granted the following medium density housing approvals over a five year period (2013 – 2018):
  - i. 10 dual occupancies
  - ii. 1 townhouse
  - iii. 1 villa
  - iv. 8 secondary dwellings

*Note:* It must be noted that secondary dwellings are not permitted under the R2 Low Density Residential and the R3 Medium Density Residential zone under *KLEP 2012*. Therefore such applications are assessed under State Environmental Planning Policy (Affordable Rental Housing) 2009.

In addition to providing data on multi dwelling housing and dual occupancy approvals, Council has summarised the secondary dwelling approvals in the R2 Low Density

Residential zone and R3 Medium Density Housing zone. As it can be seen in **Attachment 9**, Council has seen a high number of secondary dwelling approvals in our LGA over the last five years. A total of 175 complying development certificates were processed for secondary dwellings in the former Hurstville LGA in the past 5 years (2013 – 2018). The same data is not available for the former Kogarah LGA. It is recommended that the Department identify that secondary dwellings should be considered a form of medium density housing and count this type of development in our dwelling numbers and housing targets.

*Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

Yes, a planning proposal is the best means of achieving the objectives of the planning proposal, as amendments are required to *KLEP 2012* and *HLEP 2012*.

The proposed amendments to *KLEP 2012* and *HLEP 2012* are the only amendments that can be made to our LEPs in response to the drafting of the Code, to protect the integrity of the R2 Low Density Residential zone and minimise the impact on the R3 Medium Density zone.

Justification for the amendments to *KLEP 2012* and *HLEP 2012* are as follows:

*KLEP 2012*

#### Schedule 1 Additional Permitted Uses

Medium density housing is not currently permitted in the R2 Low Density Residential zone and is contrary to the objectives of the zone.

Items 17, 18 and 19 of Schedule 1 Additional Permitted Uses allow medium density housing to be carried out in the R2 Low Density Residential zone on land listed in the schedule. Item 19 of Schedule 1 Additional Permitted Uses also allows dual occupancies (detached) on land listed in the schedule.

The multi dwelling housing land use is no longer appropriate on land listed in Items 17, 18 and 19 of Schedule 1 Additional Permitted Uses, as:

- The inclusion of manor houses and multi dwelling housing (terraces) within the definition of multi dwelling housing threatens the objectives of the R2 Low Density Residential zone.
- Council is completing a Housing Strategy and Inclusive Housing Strategy to review all of the land in the LGA. This will assist Council to determine what land has merit on strategic planning grounds to accommodate medium density housing.

Amendments are not proposed to Item 16 of Schedule 1, as this item permits medium density, high density and commercial development on the land listed within the item, which is more intensive than what the Code allows.

#### Dual occupancies

Dual occupancies are permitted with consent in the R2 Low Density Residential zone.

The Code has the potential to have an impact on the low density character of the R2 Low Density Residential zone, as whole streets of low density houses could become rows of dual occupancies without development consent and with no neighbour consultation. This would dramatically change the streetscape and increase the density of the area, in a zone that does not cater for the requisite facilities or services for such medium density housing.

This Planning Proposal to amend *KLEP 2012* is unable to alleviate this problem, as the NSW Government's Code prevails over our planning controls.

Council will draft new controls for dual occupancies in the R2 Low Density Residential zone, including:

- minimum lot sizes,
  - maximum height,
  - minimum street frontage widths and
  - floor space ratios
- in consultation with the community, when drafting the Housing Strategy, Inclusive Housing Strategy, Local Strategic Planning Statement and principal Georges River LEP.

Separate to this Planning Proposal, Council has written to the Minister for Planning requesting that the controls for dual occupancies in our LEPs prevail over the generic controls under the Code. This will ensure that the community can have their say on the scope of dual occupancies in the R2 Low Density Residential zone.

### R3 Medium Density Residential zone

The permissibility of medium density housing may continue on land zoned R3 Medium Density Housing.

Council does not oppose the application of the Code to the R3 Medium Density Housing zone, as such development meets the objectives of the zone and the community and Council have been consulted with in determining the appropriateness of such a zoning on that land.

Council will draft new controls for medium density housing in the R3 Medium Density Residential zone, including

- minimum lot sizes,
- maximum height,
- minimum street frontage widths and
- floor space ratios

in consultation with the community, when drafting the Housing Strategy and the Local Strategic Planning Statement.

Separate to this Planning Proposal, Council has written to the Minister for Planning requesting that the controls for medium density housing in our LEPs prevail over the generic controls under the Code. This will ensure that the community can have their say on the scope of medium density housing in the R3 Medium Density Housing zone.

## *HLEP 2012*

### Multi dwelling housing

Multi dwelling housing is currently permitted with consent in the R2 Low Density Residential zone under *HLEP 2012*.

The purpose of the R2 Low Density Residential zone is to provide housing for the community in a low density residential environment, whilst ensuring that a high level of residential amenity is achieved and maintained.

Multi dwelling housing is no longer appropriate in the R2 Low Density Residential zone, as:

- The inclusion of manor houses and multi dwelling housing (terraces) within the definition of multi dwelling housing threatens the objectives of the R2 Low Density Residential zone.
- It will adversely affect residential amenity and the natural and cultural heritage of the area
- The Code will remove any consideration of the objectives of the zone and the impact of such development on the low density character of the area
- Manor houses are a form of low-rise residential flat buildings.
  - Manor houses are unacceptable given that residential flat buildings are prohibited in the R2 Low Density Residential zone and are contrary to the objectives of the zone.
- Multi dwelling housing (terraces) will significantly change the streetscape and increase the density within the R2 Low Density Residential zone.
  - This is contrary to the objectives of the zone.
- Council is completing a Housing Strategy and Inclusive Housing Strategy to review all of the land in the LGA. This will assist Council to determine what land has merit on strategic planning grounds to accommodate medium density housing

### Dual occupancies

Dual occupancies are permitted with consent in the R2 Low Density Residential zone.

The Code compromises the low density character of the R2 Low Density Residential zone, as whole streets of low density houses could become rows of dual occupancies without development consent and with no neighbour consultation. This would dramatically change the streetscape and increase the density of the area, in a zone that does not have the requisite facilities or services for such medium density housing. The Code is being introduced with no consideration of:

- whether there is adequate public infrastructure to cater for such growth;
- the additional demands that dual occupancies place on local infrastructure; and
- the increased strain of dual occupancies on Council's ageing infrastructure.

This includes drainage, sewerage, roads, footpaths, sports fields, community centres and child care centres.

An amendment is required to:

- increase the minimum lot size for dual occupancies from 630sqm to 650sqm for land identified as “G” in both the R2 Low Density Residential zone and the R3 Medium Density Residential zone.
  - To determine whether your property is identified as Area “G” on the Lot Size Map, please refer to:  
<https://www.legislation.nsw.gov.au/#/view/EPI/2012/613/maps#LSZ>

The purpose of this amendment is to:

- Bring the minimum lot size for dual occupancies under *HLEP 2012* (630sqm) in line with the minimum lot size for dual occupancies under Area “O” of *KLEP 2012* (650sqm)
- Protect the integrity of the R2 Low Density Residential zone
- Reduce the impact on the R3 Medium Density Residential zone.
- Uphold residential amenity, minimise the infrastructure burden, mitigate rows of dual occupancies and retain the suburban garden landscape character of our suburbs,

Please refer to **Attachment 10** for a map of all properties with a land size of 630sqm – 649 sqm in the former Hurstville Local Government Area that will be affected by this proposed amendment. Approximately 227 properties are affected by the increase in the minimum lot size from 630sqm to 650sqm (with a 15m frontage) and 303 properties (with a 12m frontage, for properties that have a rear laneway) for dual occupancies under Area “G” of *HLEP 2012*. **Table 3** below indicates the figures of the properties affected.

**Table 3 – Properties Affected by Minimum Lot Size Adjustment**

Frontage and lot size	Allotment numbers
15m frontage and 630m <sup>2</sup> min lot size	2775
15m frontage and 650m <sup>2</sup> min lot size	2548
12m frontage and 630m <sup>2</sup> min lot size	3289
12m frontage and 650m <sup>2</sup> min lot size	2986

**Attachment 10** also illustrates the development applications that Georges River Council and the former Hurstville Council have received for a dual occupancy in the former Hurstville Local Government Area, within the last 5 years. Please note that some of the lots shown on the map have since been subdivided in line with the dual occupancy approval.

Council will draft new controls for dual occupancies in the R2 Low Density Residential zone, including:

- minimum lot sizes,
- maximum height,
- minimum street frontage widths and
- floor space ratios

in consultation with the community, when drafting the Housing Strategy, Inclusive Housing Strategy, Local Strategic Planning Statement and principal Georges River LEP.

Separate to this Planning Proposal, Council has written to the Minister for Planning requesting that the controls for dual occupancies in our LEPs prevail over the generic controls under the Code. This will ensure that the community can have their say on the scope of dual occupancies in the R2 Low Density Residential zone.

### R3 Medium Density Residential zone

The permissibility of medium density housing may continue on land zoned R3 Medium Density Housing.

Council does not oppose the application of the Code to the R3 Medium Density Housing zone, as such development meets the objectives of the zone and the community and Council have been consulted with in determining the appropriateness of such a zoning on that land.

Council will draft new controls for medium density housing in the R3 Medium Density Residential zone, including

- minimum lot sizes,
- maximum height,
- minimum street frontage widths and
- floor space ratios

in consultation with the community, when drafting the Housing Strategy and the Local Strategic Planning Statement.

Separate to this Planning Proposal, Council has written to the Minister for Planning requesting that the controls for medium density housing in our LEPs prevail over the generic controls under the Code. This will ensure that the community can have their say on the scope of medium density housing in the R3 Medium Density Housing zone.

### *Impact of the expansion of multi dwelling housing on the Georges River LGA*

The impact of the expansion of medium density housing in the Georges River LGA can be illustrated by understanding:

- the area of land zoned R2 Low Density Residential and R3 Medium Density Residential;
- the number of lots eligible for manor houses, multi dwelling housing (terraces) and dual occupancies in the R2 Low Density Residential and R3 Medium Density Residential zones; and
- the number of multi dwelling housing developments that have been approved by the former Kogarah Council, former Hurstville Council and Georges River Council.

Please refer to a detailed summary of **Attachments 4 – 9** on page 12.

The expansion of multi dwelling housing with no strategic justification or neighbour consultation and without development consent will have the following impacts:

- Widespread amenity impacts due to loss of privacy; overshadowing; increase in bulk and scale; change of streetscapes; and parking issues due to loss of on street parking and increased dwellings
- Increased strain on Council's ageing infrastructure
- Community backlash due to lack of consultation, increased stigma towards development and the feeling of displacement due to loss of existing neighbourhood character
- Potential increase in compliance complaints due to building works that are non-compliant with complying development certificates

Council requests the opportunity to consult with the community through a Local Strategic Planning Statement, Housing Strategy, Inclusive Housing Strategy and the drafting of a principal Georges River LEP, in order to appropriately plan for medium density housing in the LGA.

#### *Delivery of housing in the Georges River LGA*

Council's current planning controls have the capacity to fulfil the 2016 – 2021 housing target of 4,800 (South District Plan, Planning Priority S5, p42).

**Table 4** below identifies the number of potential net additional dwellings by zone by each small area in Georges River LGA.

The '% lots developed' column in **Table 4** identifies the assumed rate of development for each small area, which can be interpreted as the projected percentage take up of the capacity of the zone.

**Table 4 Potential net additional dwellings by small areas**

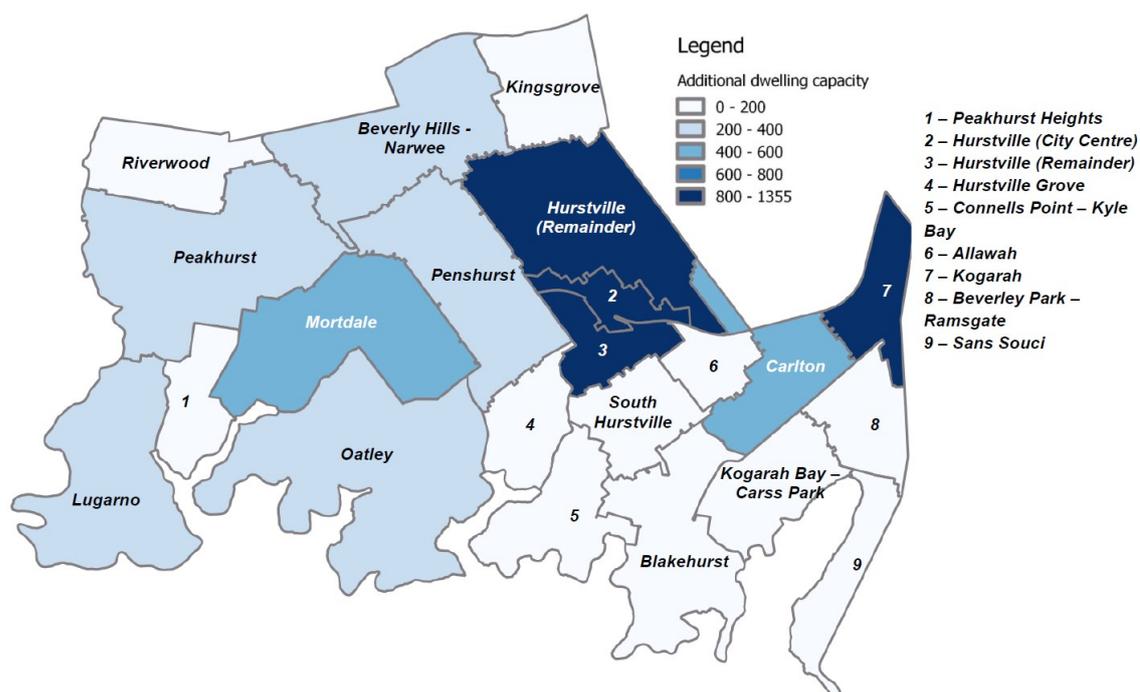
Centre	% lots developed	High Density R4	Local Centre B2	Low Density R2	Medium Density R3	Mixed Use B4	Neighbourhood Centre B1	Total net additional dwellings
Allawah	10%	0	7	4	147	0	0	158
Beverley Park - Ramsgate	20%	0	31	71	39	0	0	141
Beverly Hills - Narwee	25%	0	45	216	17	0	0	278
Blakehurst	10%	0	16	78	40	0	0	134
Carlton	25%	0	114	53	266	0	0	433
Connells Point – Kyle Bay	5%	0	0	16	2	0	0	18
Hurstville City Centre	50%	0	0	0	0	1,355	0	1,355
Hurstville (Remainder)	33%	19	0	277	499	20	8	823
Hurstville Grove	5%	0	0	18	0	0	0	18
Kingsgrove	10%	0	6	27	0	0	0	33
Kogarah	33%	369	0	14	186	732	12	1,313
Kogarah Bay – Carss Park	5%	0	3	11	7	0	0	21
Lugarno	5%	0	0	211	0	0	0	211
Mortdale	25%	0	55	296	63	0	0	414
Oatley	20%	0	71	187	42	0	20	320
Peakhurst	20%	0	0	205	11	0	29	245
Peakhurst Heights	5%	0	0	53	0	0	1	54
Penshurst	25%	0	97	184	99	0	0	380
Riverwood	20%	0	21	56	34	0	0	111
Sans Souci	5%	0	1	22	5	0	4	32
South Hurstville	10%	0	52	15	43	0	0	110
<b>TOTAL</b>		<b>388</b>	<b>519</b>	<b>2,014</b>	<b>1,500</b>	<b>2,107</b>	<b>74</b>	<b>6,602</b>

Assumed rates of development differ between the different areas of Georges River, and have been based upon the attractiveness of the area for development. The highest rate of development has been assumed in Hurstville City Centre, with the assumption that 50% of available lots will be developed. The remaining Hurstville area and the major centre of Kogarah are also assumed to have a high rate of development, 33% of lots. The lowest rates

of development (5% of lots) have been assumed in established, riverside areas such as San Souci and Lugarno. These assumed rates have been based upon historical dwelling change seen between the 2011 and 2016 Censuses.

We note that **Table 4** does not include major development sites.

**Figure 2** below, maps the potential net additional dwellings by small areas.



Conservatively, Georges River has development sites available to provide a net gain of **12,134** dwellings as outlined in **Table 5** below.

**Table 5 Dwelling opportunity summary**

Source	Opportunity	Share of total opportunity
<b>Major residential development sites</b>	<b>5,532</b>	<b>45.6%</b>
<b>Other residential lots</b>	<b>6,602</b>	<b>54.4%</b>
<b>Total</b>	<b>12,134</b>	<b>100.0%</b>

At recent rates of development, this represents about **24 years** of supply. This means that the Georges River Council area will be well placed to meet dwelling targets prescribed by the Greater Sydney Commission, and is also well placed to house the population growth forecast for the area.

This Planning Proposal is not inconsistent with the above forecasting, as the figures have been calculated on the basis that the proposed amendments in this Planning Proposal are made to our LEPs.

## Section B – Relationship to strategic planning framework

*Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?*

### *Greater Sydney Region Plan*

The Greater Sydney Region Plan is a 40 year vision to 2056 with a 20 year plan to manage growth in the context of social, economic and environmental matters.

Delivering a metropolis of three cities will be guided by 10 overarching directions, which provide interconnected infrastructure, productivity, liveability and sustainability benefits to all residents.

### *10 Directions*

#### Infrastructure & collaboration

1. A city supported by infrastructure
  - Objective 1 Infrastructure supports the three cities
  - Objective 2 Infrastructure aligns with forecast growth – growth infrastructure compact
  - Objective 3 Infrastructure adapts to meet future needs
  - Objective 4 Infrastructure use is optimised
2. A collaborative city
  - Objective 5 Benefits of growth realised by collaboration of governments, communities and business

#### Liveability

3. A city for people
  - Objective 6 Services and infrastructure meets communities' changing needs
  - Objective 7 Communities are healthy, resilient and socially connected
  - Objective 8 Greater Sydney's communities are culturally rich with diverse neighbourhoods
  - Objective 9 Greater Sydney celebrates the arts and supports creative industries and innovation
4. Housing the city
  - Objective 10 Greater housing supply

- Objective 11 Housing is more diverse and affordable
5. A city of great places
- Objective 12 Great places that bring people together
  - Objective 13 Environmental heritage is identified, conserved and enhanced

### Productivity

6. A well-connected city
- Objective 14 A metropolis of three cities – integrated land use and transport creates walkable and 30 minute cities
  - Objective 15 The Eastern, Greater Parramatta & Olympic Park (GPOP) and Western Economic Corridors are better connected and more competitive
  - Objective 16 Freight and logistics network is competitive and efficient
  - Objective 17 Regional transport is enhanced
7. Jobs and skills for the city
- Objective 18 Harbour CBD is stronger and more competitive
  - Objective 19 Greater Parramatta is stronger and better connected
  - Objective 20 Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City
  - Objective 21 Internationally competitive health, education and innovation precincts
  - Objective 22 Investment and business activity in centres
  - Objective 23 Industrial and urban services land is planned, protected and managed
  - Objective 24 Economic sectors are targeted for success

### Sustainability

8. A city in its landscape
- Objective 25 The coast and waterways are protected and healthier
  - Objective 26 A cool and green parkland city in the South Creek corridor
  - Objective 27 Biodiversity is protected, urban bushland and remnant vegetation is enhanced
  - Objective 28 Scenic and cultural landscapes are protected
  - Objective 29 Environmental, social and economic values in rural areas are maintained and enhanced
  - Objective 30 Urban tree canopy cover is increased
  - Objective 31 Public open space is accessible, protected and enhanced
  - Objective 32 The Green Grid links parks, open spaces, bushland and walking and cycling paths
9. An efficient city
- Objective 33 A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change
  - Objective 34 Energy and water flows are captured, used and re-used
  - Objective 35 More waste is re-used and recycled to support the development of a circular economy
10. A resilient city

- Objective 36 People and places adapt to climate change and future shocks and stresses
- Objective 37 Exposure to natural and urban hazards is reduced
- Objective 38 Heatwaves and extreme heat are managed

## Implementation

Objective 39: A collaborative approach to city planning

Objective 40: Plans refined by monitoring and reporting

The Greater Sydney Region Plan is to be used as a framework for decision-making, to inform district plans and LEPs; and provide context for council strategic plans.

This Planning Proposal is consistent with the Greater Sydney Region Plan.

One of the objectives of this Planning Proposal is to:

*Ensure that appropriate strategic studies are carried out to “identify the right locations for growth, including areas that are unsuitable for significant change in the short to medium term” (Greater Sydney Region Plan, Objective 10, p. 64)*

This Planning Proposal amends *KLEP 2012* and *HLEP 2012* to protect the integrity of the R2 Low Density Residential zone and minimise the impact in the R3 Medium Density zone so that Council can then appropriately plan to house the community, through a Housing Strategy, Inclusive Housing Strategy and Local Strategic Planning Statement.

## *South District Plan*

The South District Plan has been prepared by the Greater Sydney Commission and is a 20 year plan for the Canterbury-Bankstown, Georges River and Sutherland local government areas.

The South District Plan aims to manage growth in the context of social, economic and environmental matters, to achieve the 40 year vision for Greater Sydney as set out in the Greater Sydney Region Plan. The South District Plan shares the same 10 overarching Directions in the Greater Sydney Region Plan.

The Greater Sydney Commission has identified a need for an additional 83,500 homes in the Southern District between 2016 and 2036 (20 years). Council must identify its capacity to contribute to the longer term 20-year strategic housing target for the District. The South District Plan sets a 0-5 year housing supply target of 4,800 for the Georges River local government area, 13,250 for the Canterbury-Bankstown local government area and 5,200 for the Sutherland local government area. The Greater Sydney Commission will work with Council to develop 6-10 year housing targets.

When undertaking strategic planning processes, councils are required to give effect to the district plans, specifically the planning priorities and actions that sit under the 10 overarching Directions in the Greater Sydney Region Plan. The South District Plan states that within three years of the finalisation of the district plans, or 2 years if Council receives funding

under the 'Priority Councils' initiative, Councils are required to update their LEP to give effect to the 82 Actions within the South District Plan.

This Planning Proposal is consistent with the South District Plan.

The Planning Proposal puts in place mechanisms that will protect the integrity of the R2 Low Density Residential zone so that Council can carry out the necessary strategic planning work to implement the South District Plan.

Council requests the opportunity to identify our capacity to provide additional housing in the LGA through the drafting of a Housing Strategy, a Local Strategic Planning Statement and the drafting of a principal Georges River LEP. Without such strategic direction, a patchwork type approach will ensue under the Code, which will not meet the requirements of the South District Plan and will not be in the best interests of the community now and into the future.

*Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?*

This Planning Proposal is not inconsistent with any Council strategy or local strategic plan.

This Planning Proposal amends *KLEP 2012* and *HLEP 2012* to protect the integrity of the R2 Low Density Residential zone and minimise the impact in the R3 Medium Density zone. This will allow Council to appropriately plan to house our community, through a Housing Strategy and Inclusive Housing Strategy, which will form the basis for the drafting of a principal Georges River LEP for our newly merged Council area.

#### *Housing strategy*

On 26 February 2018, Council resolved to prepare a Housing Strategy for the Georges River LGA.

Council is to prepare a Housing Strategy for the local government area that responds to the housing targets set by the Greater Sydney Commission in the South District Plan.

Work on the Georges River Housing Strategy has commenced, in line with the draft Housing Strategy Guideline.

#### *Inclusive Housing Strategy*

Council resolved on 27 November 2017 to commence the preparation of an Affordable Rental Housing Policy and associated implementation plan for the Georges River LGA. In response to the Liveability Actions within the South District Plan, Council is preparing an Inclusive Housing Strategy.

The Inclusive Housing Strategy will take into consideration the actions of the Greater Sydney Region Plan and the South District Plan, requiring the preparation of Affordable Rental Housing Target Schemes.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

State Environmental Planning Policy	Consistency
State Environmental Planning Policy No 1 – Development Standards	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy No 19 – Bushland in Urban Areas	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy No 21 – Caravan Parks	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy No 30 – Intensive Agriculture	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy No 33 – Hazardous and Offensive Development	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy No 36 – Manufactured Home Estates	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy No 44 – Koala Habitat Protection	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy No 47 – Moore Park Showground	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy No 50 – Canal Estate Development	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy No 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy No 55 – Remediation of Land	This is a very important SEPP for the health and safety of the community. Contamination and the remediation of land must be considered in determining whether development should be carried out on land. This Planning Proposal is not inconsistent with this SEPP.
State Environmental Planning Policy No 62 – Sustainable	This SEPP does not apply to this Planning Proposal

State Environmental Planning Policy	Consistency
Aquaculture	
State Environmental Planning Policy No 64 – Advertising and Signage	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy No 70 – Affordable Housing (Revised Schemes)	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy (Affordable Rental Housing) 2009	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	The planning proposal is not inconsistent with this SEPP
State Environmental Planning Policy (Coastal Management) 2018	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	<p>The Code will be incorporated into this SEPP.</p> <p>This Planning Proposal is inconsistent with this SEPP.</p> <p>This Planning Proposal is justified, as changes need to be made to our planning controls to protect the integrity of the R2 Low Density Residential zone minimise the impact in the R3 Medium Density zone, in response to the Code.</p> <p>The proposed changes to <i>KLEP 2012</i> and <i>HLEP 2012</i> will assist in the harmonisation of our planning controls into a consolidated principal Georges River LEP, as they will bring <i>HLEP 2012</i> in line with <i>KLEP 2012</i> regarding the minimum lot sizes required for dual occupancies and will ensure that multi dwelling housing is not permitted in the R2 Low Rise Medium Density Housing zone unless higher density development is already permitted on that land (as contained in Item 16 of Schedule 1 Additional Permitted Uses of <i>KLEP 2012</i>).</p>
State Environmental Planning Policy	The Planning Proposal is not inconsistent with this SEPP

<b>State Environmental Planning Policy</b>	<b>Consistency</b>
(Housing for Seniors or People with a Disability) 2004	
State Environmental Planning Policy (Infrastructure) 2007	The Planning Proposal is not inconsistent with this SEPP
State Environmental Planning Policy (Integration and Reveals) 2016	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy (Kurnell Peninsula) 1989	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy (Mining, Petroleum Production & Extractive Industries) 2007	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy (Rural Lands) 2008	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy (State and Regional Development) 2011	The Planning Proposal is not inconsistent with this SEPP
State Environmental Planning Policy (State Significant Precincts) 2005	The Planning Proposal is not inconsistent with this SEPP
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy (Sydney Region	This SEPP does not apply to this Planning Proposal

<b>State Environmental Planning Policy</b>	<b>Consistency</b>
Growth Centres) 2006	
State Environmental Planning Policy (Three Ports) 2013	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy (Urban Renewal) 2010	The Planning Proposal is not inconsistent with this SEPP
State Environmental Planning Policy (Vegetation in Non Rural Areas) 2017	The Planning Proposal is not inconsistent with this SEPP
State Environmental Planning Policy (Western Sydney Employment Area) 2009	This SEPP does not apply to this Planning Proposal
State Environmental Planning Policy (Western Sydney Parklands) 2009	This SEPP does not apply to this Planning Proposal
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	This SEPP does not apply to this Planning Proposal

*Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?*

Yes. The Directions that are relevant to the Planning Proposal are considered in the Table below.

<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
<b>1. Employment and Resources</b>		
1.1 Business and Industrial Zones <i>Objectives:</i> <i>(a) Encourage employment growth in suitable locations</i> <i>(b) Protect employment land in business and industrial zones,</i> <i>(c) Support the viability of identified strategic centres.</i>	Not applicable to the Planning Proposal	No comment
1.2 Rural Zones	Not applicable to the Planning Proposal	No comment
1.3 Mining, Petroleum Production and Extractive Industries <i>Objective: To ensure that the</i>	Not applicable to the Planning Proposal	No comment

<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
<i>future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</i>		
<p>1.4 Oyster Aquaculture Objectives:</p> <p>(a) <i>To ensure that Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal.</i></p> <p>(b) <i>To protect Priority Oyster Aquaculture Areas and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oyster and oyster consumers.</i></p>	Not applicable to the Planning Proposal	No comment
1.5 Rural Lands	Not applicable to the Planning Proposal	No comment as the Planning Proposal does not relate to an environmental protection zone
<b>2. Environment and Heritage</b>		
<p>2.1 Environment Protection Zones Objective:</p> <p><i>To protect and conserve environmentally sensitive areas.</i></p>	Not applicable to the Planning Proposal	No comment
2.2 Coastal Protection	Applicable	The Planning Proposal is consistent with this direction as it identifies that the Code should not apply until Council has completed the review of planning controls for foreshore development in the Georges River Local Government Area; a Housing strategy; a Local Strategic Planning Statement and a new principal Georges River LEP
<p>2.3 Heritage Conservation Objective:</p> <p><i>To conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i></p>	Applicable	The Planning Proposal is consistent with this direction as it does not alter or amend any heritage items, areas, objects or places of environmental heritage significance and indigenous heritage significance
<p>2.4 Recreation Vehicle Areas Objective:</p> <p><i>To protect sensitive land or land</i></p>	Not applicable to the Planning Proposal	No comment

Direction	Consistency	Comment
<i>with significant conservation values from adverse impacts from recreation vehicles.</i>		
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable to the Planning Proposal	No comment
<b>3. Housing, Infrastructure and Urban Development</b>		
<p>3.1 Residential Zones</p> <p><i>Objectives:</i></p> <p>(a) <i>To encourage a variety and choice of housing types to provide for existing and future housing needs</i></p> <p>(b) <i>To make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services</i></p> <p>(c) <i>To minimise the impact of residential development on environment and resource lands.</i></p>	Applicable	<p>This Planning Proposal is consistent with this direction.</p> <p>The Planning Proposal protects the integrity of the R2 Low Density Residential zone and minimises the impact in the R3 Medium Density zone.</p> <p>In ensuring that the objectives of the zone are upheld, Council can commence the strategic planning work to complete a Housing Strategy, Local Strategic Planning Statement, Community Participation Plan and principal Georges River LEP, to implement the Greater Sydney Region Plan, South District Plan and the objectives of this direction.</p> <p>Implementing the Code without such strategic planning would lead to an inconsistency with the objectives of this direction, namely 1(b) <i>“To encourage a variety and choice of housing types to provide for existing and future housing needs”</i></p>
<p>3.2 Caravan Parks and Manufactured Home Estates</p> <p><i>Objectives:</i></p> <p>(a) <i>To provide for a variety of housing types</i></p> <p>(b) <i>To provide opportunities for caravan parks and manufactured home estates.</i></p>	Not applicable to the Planning Proposal	No comment
<p>3.3 Home Occupations</p> <p><i>Objective:</i></p> <p><i>To encourage the carrying out of low-impact small businesses in dwelling houses.</i></p>	Not applicable to the Planning Proposal	No comment
3.4 Integrating Land Use and Transport	Applicable	This Planning Proposal is consistent with this direction.

Direction	Consistency	Comment
<p><i>Objective:</i>  <i>To ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i></p> <ul style="list-style-type: none"> <li><i>(a) Improving access to housing, jobs and services by walking, cycling and public transport</i></li> <li><i>(b) Increasing the choice of available transport and reducing dependence on cars</i></li> <li><i>(c) Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car</i></li> <li><i>(d) Supporting the efficient and viable operation of public transport services</i></li> <li><i>(e) Providing for the efficient movement of freight.</i></li> </ul>		<p>Council has committed to conducting a strategic transport strategy. The purpose of the strategy is to address all modes of transport including public transport, private vehicles, freight movements, active transport (walking and cycling) and non-government transport services.</p> <p>The strategic transport study will inform the Housing Strategy, which is necessary to responsibly plan for the growth of the LGA and will guide the drafting of the principal Georges River LEP.</p>
<p>3.5 Development Near Licensed Aerodromes</p> <p><i>Objectives:</i></p> <ul style="list-style-type: none"> <li><i>(a) to ensure the effective and safe operation of aerodromes, and</i></li> <li><i>(b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and</i></li> <li><i>(c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</i></li> </ul>		<p>This Planning Proposal is not inconsistent with this direction.</p> <p>Consultation with Airport authorities will be undertaken as part of any future consultation on the principal Georges River LEP.</p>
<p>3.6 Shooting Ranges</p>	<p>Not applicable to the Planning Proposal</p>	<p>No comment</p>
<p><b>4. Hazard and Risk</b></p>		
<p>4.1 Acid Sulfate Soils</p> <p><i>Objective:</i>  <i>To avoid significant adverse</i></p>	<p>Applicable</p>	<p>This Planning Proposal is consistent with this direction.</p>

<b>Direction</b>	<b>Consistency</b>	<b>Comment</b>
<i>environmental impacts from the use of land that has a probability of containing acid sulfate soils.</i>		All land within the LGA will be reviewed in drafting the Housing Strategy and the principal Georges River LEP.
4.2 Mine Subsidence and Unstable Land	Not applicable to the Planning Proposal	No comment
4.3 Flood Prone Land	Applicable	This Planning Proposal is consistent with this direction.  All land within the LGA will be reviewed in drafting the Housing Strategy and the principal Georges River LEP.
4.4 Planning for Bushfire Protection	Applicable	This Planning Proposal is consistent with this direction.  All land within the LGA will be reviewed in drafting the Housing Strategy and the principal Georges River LEP.
<b>5. Regional Planning</b>		
5.1 Revoked		
5.2 Sydney Drinking Water Catchments	Not applicable to the Planning Proposal	No comment
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable to the Planning Proposal	No comment
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable to the Planning Proposal	No comment
5.5 Revoked		
5.6 Revoked		
5.7 Revoked		
5.8 Second Sydney Airport: Badgerys Creek	Not applicable to the Planning Proposal	No comment
5.9 North West Rail Link Corridor Strategy	Not applicable to the Planning Proposal	No comment
5.10 Implementation of Regional Plans	Not applicable to the Planning Proposal	No comment

Direction	Consistency	Comment
<b>6. Local Plan Making</b>		
6.1 Approval and Referral Requirements <i>Objective:</i> <i>To ensure that LEP provisions encourage the efficient and appropriate assessment of development.</i>	Applicable	This planning proposal is consistent with this direction.
6.2 Reserving Land for Public Purposes <i>Objective:</i> (a) <i>To facilitate the provision of public services and facilities by reserving land for public purposes, and</i> (b) <i>To facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</i>	Applicable	This planning proposal is consistent with this direction.
6.3 Site Specific Provisions <i>Objective:</i> <i>To discourage unnecessary restrictive site specific planning controls.</i>	Applicable	This Planning Proposal is consistent with this direction.
<b>7. Metropolitan Planning</b>		
7.1 Implementation of A Plan for Growing Sydney <i>Objective:</i> <i>To give legal effect to the planning principles, directions and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.</i>	Applicable	<p>Council intends to give legal effect to the Greater Sydney Region Plan and the South District Plan.</p> <p>Each LGA within the Greater Sydney Region is required to prepare a Housing Strategy, Community Participation Plan and Local Strategic Planning Statement, under the Greater Sydney Region Plan, District Plans and the <i>EP&amp;A Act</i>.</p> <p>The Planning Proposal is consistent with the Greater Sydney Regional Plan as it protects the integrity of the R2 Low Density Residential zone and minimises the impact on the R3 Medium Density zone, in order to ensure that the character of streetscape of our suburbs are not permanently changed without strategic justification for such</p>

Direction	Consistency	Comment
		<p>changes.</p> <p>Council requests the opportunity to identify our capacity to provide additional housing in our LGA through the drafting of a Housing Strategy, a Local Strategic Planning Statement and the drafting of a principal Georges River LEP.</p> <p>If an assessment of where such development and density is appropriate in the LGA is not conducted at the strategic level through a Housing Strategy, Community Participation Plan and Local Strategic Planning Statement, the implementation of the Code and new medium density housing types will result in an ad hoc approach to density and housing type with no consideration for local infrastructure demands and deficits, and no assessment of environmental, social or economic impacts of the development.</p>
7.2 Implementation of Greater Macarthur Land Release Investigation	Not applicable to the Planning Proposal	No comment
7.3 Parramatta Road Corridor Urban Transformation strategy	Not applicable to the Planning Proposal	No comment
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable to the Planning Proposal	No comment
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable to the Planning Proposal	No comment
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable to the Planning Proposal	No comment

## Section C – Environmental, social and economic impact

*Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

Council is not aware of any critical habitat or threatened species, populations or ecological communities, or their habitats that will be affected by this Planning Proposal.

*Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

### *Natural environment*

The Code will allow medium density housing with no consideration for the impacts that it will have on the environment.

This Planning Proposal amends *KLEP 2012* and *HLEP 2012* to protect the integrity of the R2 Low Density Residential zone and minimise the impact in the R3 Medium Density zone.

This will have a positive effect on the natural environment as it will reduce the amount of medium density housing that can be built under the Code with no consideration for the impacts of such development on environmental systems.

The cumulative impacts on the environment need to be considered for each development. This is particularly important for Council's foreshore areas, scenic foreshore protection area and our parks and reserves.

Council has engaged a consultant to prepare a review of planning controls for foreshore and waterfront development in the Georges River LGA and the formulation of an integrated series of controls that will guide development both below and above the mean high watermark to the ridgeline as viewed from the water.

Council should be provided with the opportunity to use the Review of Planning Controls for Foreshore Development to inform the drafting of a Housing Strategy for the LGA. This would ensure that medium density housing is located in areas that will have minimal impact on the environment and specifically the foreshore and scenic foreshore areas of our LGA.

### *Built environment*

This Planning Proposal will allow Council to consider the impact of medium density housing on the built environment.

If the amendments in this Planning Proposal are not made to our LEPs prior to the commencement of the Code within the Georges River LGA, the following key information would not be considered when assessing the appropriateness of medium density housing in the LGA. This information is critical to understanding the impact of additional density and where in the LGA additional density is appropriate.

## Traffic

The Kogarah Local Environmental Plan draft Traffic Study and the draft Transport Management & Accessibility Plan for the Hurstville City Centre will consider the implications of future growth on the traffic management of the area and identify areas that are vulnerable due to capacity constraints and pinch points. These studies are not yet completed.

## Public transport connectivity

The T4 Illawarra train line is the busiest line on the network with 21% more customer journeys than the next busiest line<sup>1</sup>. The T4 Illawarra train line services the suburbs of Allawah, Beverley Park (via bus), Blakehurst (via bus), Carlton, Carss Park (via bus), Connells Point (via bus), Hurstville, Hurstville Grove (via bus), Kogarah, Kogarah Bay (via bus), Kyle Bay (via bus), Mortdale, Oatley, Penshurst, Ramsgate (via bus), Sans Souci (via bus) and South Hurstville (via bus).

In September 2015, Hurstville was at 135% capacity during morning peak<sup>2</sup>. Since then, Hurstville station has seen a 32% increase in patronage from 2014 to 2017<sup>3</sup>.

Further information and commitment is required on the Future Transport 2056, 0-10 year investigation of a Parramatta to Bankstown to Hurstville / Kogarah Rapid Bus Link and the 10-20 year investigation of a proposed Kogarah to Parramatta via Bankstown mass transit / train link.

The T8 East Hills train line services the suburbs of Riverwood, Beverly Hills, Narwee, Kingsgrove, Peakhurst (via bus), Peakhurst Heights (via bus) and Lugarno (via bus). During the busiest morning peak hour, about half the services on the T4 and T8 lines are crowded at levels that may impact reliability<sup>4</sup>.

Better connectivity between the T8 East Hills train line and the T4 Illawarra train line is required to improve commute times between suburbs serviced by the two train lines. For example, to travel from Bald Face Public School in Blakehurst to Kingsgrove station takes a minimum of 51 minutes during morning peak and at least two forms of public transport - a bus and a train as compared to a 16 minute drive. To travel between Lugarno Public School and Oatley train station takes a minimum of 37 minutes by bus in morning peak as compared to a 10 minute drive. Many of the commuters who travel between the two train lines are school students who are travelling between their home and school. For example, students who complete years 7-10 at Georges River College - Peakhurst campus, Georges River College - Penshurst Girls campus and Georges River College - Hurstville Boys campus then finish years eleven and twelve at Georges River College, Oatley campus.

Such transport connectivity issues pose a barrier to productivity and growth, as they force residents, students on a provisional licence and parents into cars, which adds to the traffic congestion in the LGA.

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<sup>1</sup> <https://www.transport.nsw.gov.au/projects/more-trains-more-services>

<sup>2</sup> Aecom, 2016, Cooks Cove Strategic Transport Study

<sup>3</sup> <https://www.transport.nsw.gov.au/projects/more-trains-more-services>

<sup>4</sup> <https://www.transport.nsw.gov.au/projects/more-trains-more-services>

At its meeting on 27 November 2017, Council resolved to commence the preparation of a new city-wide Transport Strategy for the Georges River LGA in 2018. The Transport Strategy will seek to address all modes of transport including public transport, private vehicles, freight movements, active transport (walking and cycling) and non-government transport services. Work on the Transport Strategy is yet to commence.

In order to accommodate additional density, the transport infrastructure will require some capacity enhancements to cater for the additional demands; with travel demand management, enhanced active transport facilities and fast, efficient and reliable public transport services being key factors.

*Q9. Has the planning proposal adequately addressed any social and economic effects?*

This Planning Proposal will allow Council to consider the social and environmental impacts of medium density housing.

This Planning Proposal amends *KLEP 2012* and *HLEP 2012* to protect the integrity of the R2 Low Density Residential zone and minimise the impact in the R3 Medium Density zone so that Council can then prepare a Commercial Centres Strategy, Employment Lands Study and peer review, Economic Development Strategy and a Place making Strategy in consultation with specialist planning consultants. Such background studies will consider the social and economic effects of catering for the future growth of the LGA.

Council should be provided with the opportunity to use these background studies to inform the drafting of a Housing Strategy, Inclusive Housing Strategy and a Local Strategic Planning Statement for the LGA. This would ensure that medium density housing is located in areas that will have minimal social and economic impact.

#### Section D – State and Commonwealth interests

*Q10. Is there adequate public infrastructure for the planning proposal?*

This Planning Proposal will allow Council to consider if there is adequate public infrastructure to support growth. Without this Planning Proposal amending *KLEP 2012* and *HLEP 2012* to protect the integrity of the R2 Low Density Residential zone and minimise the impact in the R3 Medium Density zone, the Code would have introduced manor houses and multi dwelling housing (terraces) without the strategic context of a Housing Strategy, Local Strategic Planning Statement, Community Participation Plan and principal Georges River LEP. This is in contrast with Direction 2- A collaborative city; and Objective 5 Benefits of growth realised by collaboration of governments, communities and business, under the Greater Sydney Region Plan.

The major barrier to aligning forecast growth with infrastructure is the tension between ageing infrastructure and the limited funding opportunities for necessary infrastructure

upgrades. This Planning Proposal will allow Council to consider the following infrastructure related issues prior to growth being introduced.

### *Ageing infrastructure*

The challenges associated with the delivery of local infrastructure include ageing drainage, roads and footpath infrastructure, which need replacing. Many of our community centres have reached the end of their life cycles. The draft Open Space, Recreation and Community Facilities Strategy recognises the need to diversify our community facilities. We need to create multi-purpose community facilities to serve our diverse and changing community. These challenges are compounded by the maintenance and necessary upgrade costs of sports fields, drains, local roads, footpaths, car parks, eleven community centres, four aquatic and leisure centres, five libraries and six child care / early childhood centres.

### *Funding challenges*

Many councils have difficulty funding the infrastructure required for their current population. Reliance on grant funding, Council rates, Section 7.4 Planning agreements, Section 7.11 Contribution towards provision or improvement of amenities or services and Section 7.12 Fixed development consent levies under the EP& A Act are inadequate. Council does not have the funds available or the opportunities to source the funding for the infrastructure projects that are required to serve the existing population. Challenges include limited revenue streams to fund such infrastructure; strategic programming challenges; and State and Local Government electoral cycles.

Without additional funding resources becoming available for local infrastructure through regulatory changes, planning for additional growth would be irresponsible. This presents as a major obstacle to the alignment of growth with infrastructure. Further growth is only appropriate if the infrastructure is in place and ready to serve the current and future population.

*Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?*

State and Commonwealth public authorities will be consulted following the outcomes, and in line with any recommendations, of the Gateway Determination.

## Part 4: Mapping

Nil.

The following maps have been prepared for the purpose of understanding this Planning Proposal; and will be available to view at Council

- Land that is zoned R2 Low Density Residential and R3 Medium Density Residential in the Georges River LGA – Please refer to **Attachment 4**
- Land where dual occupancies may be built under the Low Rise Medium Density Housing Code in the Georges River LGA – Please refer to **Attachment 5**
- Land where manor houses may be built under the Low Rise Medium Density Housing Code in the Georges River LGA – Please refer to **Attachment 6**
- Land where multi dwelling housing (terraces) may be built under the Low Rise Medium Density Housing Code in the Georges River LGA – Please refer to **Attachment 7**
- Schedule 1 Additional Permitted Uses of Kogarah Local Environmental Plan 2012 – Please refer to **Attachment 8**
- Properties with a land size of 630sqm – 649 sqm in the former Hurstville Local Government Area – Please refer to **Attachment 10**

## **Part 5: Community Consultation**

It is anticipated that the Planning Proposal will be exhibited for a period of twenty eight (28) days in accordance with the provisions of the *EP&A Act 1979* and the *Environmental Planning & Assessment Regulation 2000* and any requirements of the Gateway Determination.

Exhibition material, including explanatory information, land to which the Planning Proposal applies, 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 St George and Sutherland Shire Leader
- Exhibition notice on Council's website through the Have Your Say webpage
- Notices in Council offices and libraries
- Letters to State and Commonwealth Government agencies if identified in the Gateway Determination
- Letters to affected landholders.

## Part 6: Project Timeline

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

<b>Task</b>	<b>Anticipated Timeframe</b>
Lodgement of Planning Proposal request by Georges River Council	27 June 2018
Reporting to Council on Planning Proposal	21 June 2018; and 17 December 2018
Anticipated commencement date (date of Gateway determination)	July 2018
Anticipated timeframe for the completion of required technical information	November 2018
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	N/A as per the Gateway Determination
Commencement and completion dates for public exhibition period (twenty eight (28) days)	March / April 2019
Anticipated commencement date	July 2019
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	April 2019
Timeframe for the consideration by Council of a proposal post exhibition	13 May 2019 Environment & Planning Committee Meeting 27 May 2019 Council Meeting
Date of submission to the Department to finalise the LEP	June 2019

## **4. Conclusion**

Council requests that the amendments to *KLEP 2012* and *HLEP 2012* detailed in this Planning Proposal be made as a matter of urgency to ensure that the amendments are made prior to the commencement of the Code in July 2019.