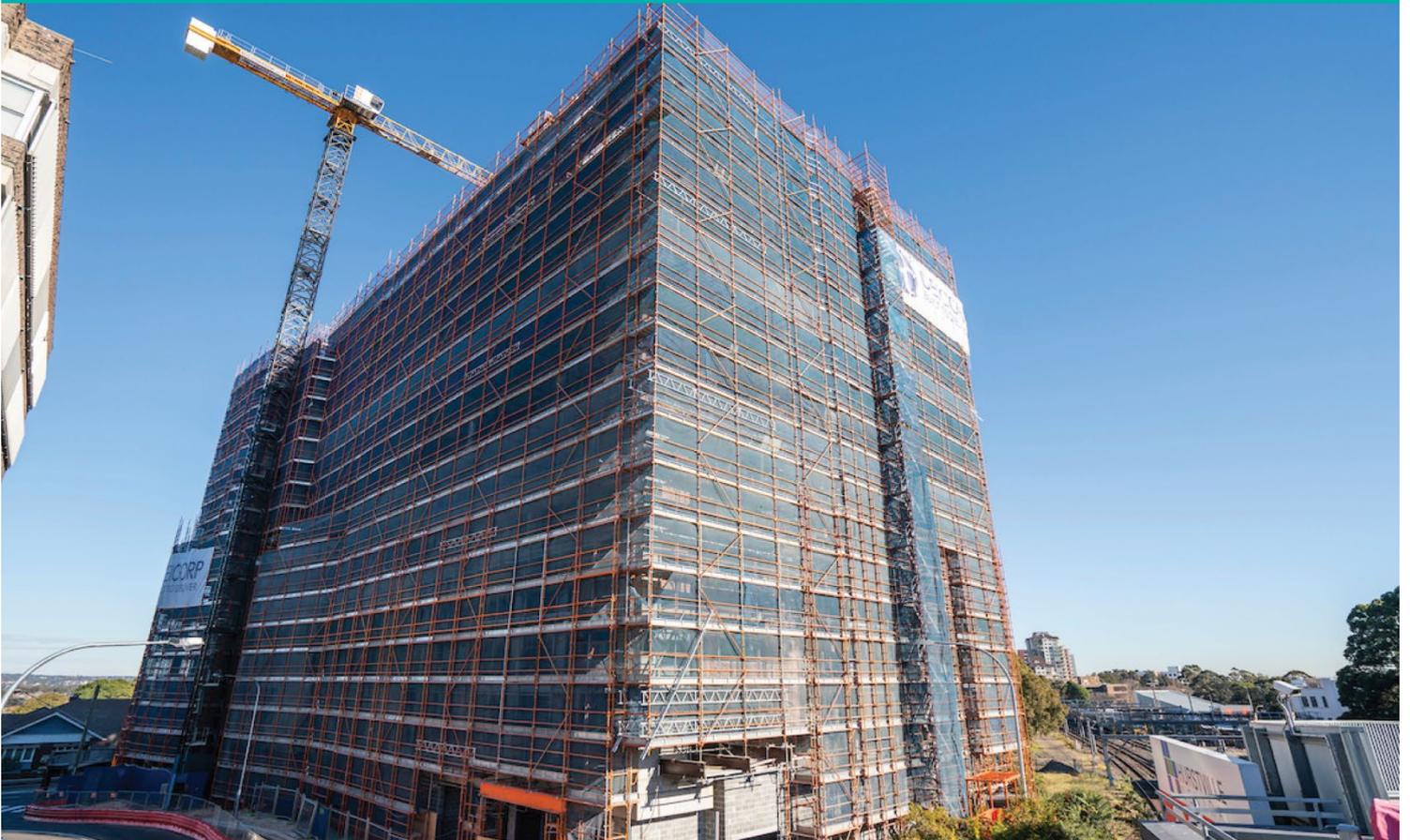


PART 1

Introduction



Part 1 Introduction and Administration

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1.1 Name of Development Control Plan

This Development Control Plan is called the Georges River Development Control Plan (DCP) 2021. This DCP supports the provisions of the Georges River Local Environmental Plan 2021 (LEP) by providing additional objectives and development controls to guide and enhance development within Georges River.

1.2 Adoption Date and Commencement

This DCP was adopted by Council on 22 August 2022 and came into effect on 7 October 2022.

There have been the following amendments to date to this DCP:

Amendment No.	Adopted Date	Effective Date	Description of Amendment
N/A	24 March 2021	8 October 2021	Commencement of the Georges River DCP 2021 which repeals the Interim Policy DCP, Hurstville DCP 1 and the Kogarah DCP 2013
1	22 August 2022	7 October 2022	Includes built form and design provisions to guide a future residential care facility at 53A-59A Gloucester Road, Hurstville, in accordance with Amendment No. 4 to the GRLEP 2021. The amendment inserts site specific provisions in Part 10 Precincts of the GRDCP and makes a number of consequential changes to various sections of the GRDCP.

1.3 Role of the DCP

This DCP provides detailed guidance for the design and assessment of proposed developments within the Georges River LGA. It contains Council's vision for future development and is used to assess the suitability of new development. This DCP contains the development controls for quality development and sound environmental outcomes within the Georges River Local Government Area (LGA).

This DCP provides more detailed provisions to expand upon the controls within the Georges River LEP 2021. Under section 4.15 (previously s79C) of the *Environmental Planning and Assessment Act 1979*, the assessment and determining authority is required to take into consideration the relevant provisions of this DCP in determining any application for development (except for State Significant Development). For State Significant Development, this DCP contains matters of relevance to applicants in the preparation of development proposals.

1.4 Principles and Purpose of the DCP

The aims of this DCP are to:

- Have a single document that supports the Georges River LEP 2021;
- Provide objectives and development controls that establish clear guidelines for development;
- Develop a high quality urban environment and built form character in the Georges River LGA;
- Ensure development contributes to the prosperity of the Georges River LGA; and
- Ensure development protects and enhances the natural environment.

1.5 Monitoring and Review

This DCP is subject to periodic review. Council is committed to ensure the DCP remains relevant and applicable to development in the Georges River LGA.

1.6 Relationship to other Planning Documents and Instruments

This DCP has been prepared in accordance with the provisions of the *Environmental Planning and Assessment Act 1979 (EP&A Act 1979)* and the Environmental Planning and Assessment Regulation 2000 (EP&A Reg 2000).

The provisions of this DCP must be read in conjunction with Georges River Local Environmental Plan (LEP) 2021. Where there is any inconsistency between this DCP and LEP, the provisions of the LEP prevail.

This DCP replaces the following DCPs and policies applying to the former City of Hurstville LGA and former City of Kogarah LGA. This includes:

- Hurstville Development Control Plan 1
- Kogarah Development Control Plan 2013
- Georges River Development Control Plan 2020 – Interim Policy
- Drainage and Onsite Detention Policy
- Fencing adjacent to public roads
- Balcony Enclosures in Residential flat buildings Policy
- Satellite Dish Policy
- Code for the erection of private tennis courts
- Stencilling of street driveways policy
- Underground electricity cabling to developments policy
- Design guidelines for absorption trenches
- Rainwater Tanks Policy, adopted 18 December 2002
- Home Activities Policy, adopted 15 August 2001
- Code for Commercial Use of Public Footpaths

Except for in the following areas:

- Hurstville Development Control Plan Number 2 - Amendment No. 5 applies to 2 sites within the Hurstville City Centre identified as 'deferred matters' on the Georges River Local Environmental Plan 2021 Land Application Map – being the Hurstville Civic Precinct and Westfield sites.

- Hurstville Development Control Plan Number 2 - Amendment No. 11 applies to sites within the Hurstville City Centre excluding the 'deferred matters' on the Georges River Local Environmental Plan 2021 Land Application Map.

The DCP repeals the current notification provisions listed in the above Hurstville Development Control Plans Number 2 in accordance with Clause 22(2) of the Environmental Planning and Assessment Regulation 2000 as recommended by the Department of Planning Industry and Environment:

- Section 2.4 of the Hurstville Development Control Plan Number 2 - Amendment No. 11 - Applies to sites within the Hurstville City Centre excluding the 'deferred matters' on the Hurstville Local Environmental Plan 2012 Land Application Map.
- Section 2.2 of the Hurstville Development Control Plan Number 2 - Amendment No. 5 - Applies to sites within the Hurstville City Centre identified as 'deferred matters' on the Hurstville Local Environmental Plan 2012 Land Application Map.

1.7 Savings Provision

If an application has been made before the commencement of the DCP in relation to land to which the DCP applies, and the application has not been finally determined before that commencement, the application must be determined as if the DCP had not commenced. All applications received after the commencement date of an amendment to the DCP are subject to the DCP as amended.

1.8 Application of the DCP

This DCP applies to all land within the Georges River Council Local Government Area, except those areas identified in Section 1.6.

Figure 1 below indicates the area covered by this DCP and what has been deferred from this DCP.

A development control plan or policy listed under Section 1.6 which applies to any land deferred from the application of this DCP will continue to apply to that land until it is repealed, or the land is included in the area to which this DCP applies.

The following table indicates the development control plans which will continue to apply to land that has been deferred from this DCP:

Site or Area	Local Environmental Plan	Development Control Plan	Map Reference
Specific sites within Hurstville City Centre (Civic Precinct and Westfield sites)	Hurstville Local Environmental Plan 1994	Hurstville Development Control Plan Number 2 – Hurstville City Centre (Amendment No. 5)	DM
Hurstville City Centre (all sites within City)	Georges River Local Environmental Plan	Hurstville Development Control Plan Number 2 –	DM

Centre excluding sites listed above)	2021	Hurstville City Centre (Amendment No. 11)	
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The Plan applies to all categories of development as defined within the *EP&A Act 1979* that requires development consent.

Where a development application is lodged which relates to land to which this plan applies, the determining authority shall take the provisions of this plan into consideration in determining that application.

Development applications must demonstrate conformity with the objectives of this Plan.

Each application will be considered on the individual circumstances and merits of the case in terms of achievement of the aims and objectives of the DCP and the objectives and sections of any relevant parts of the DCP.

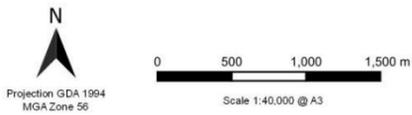
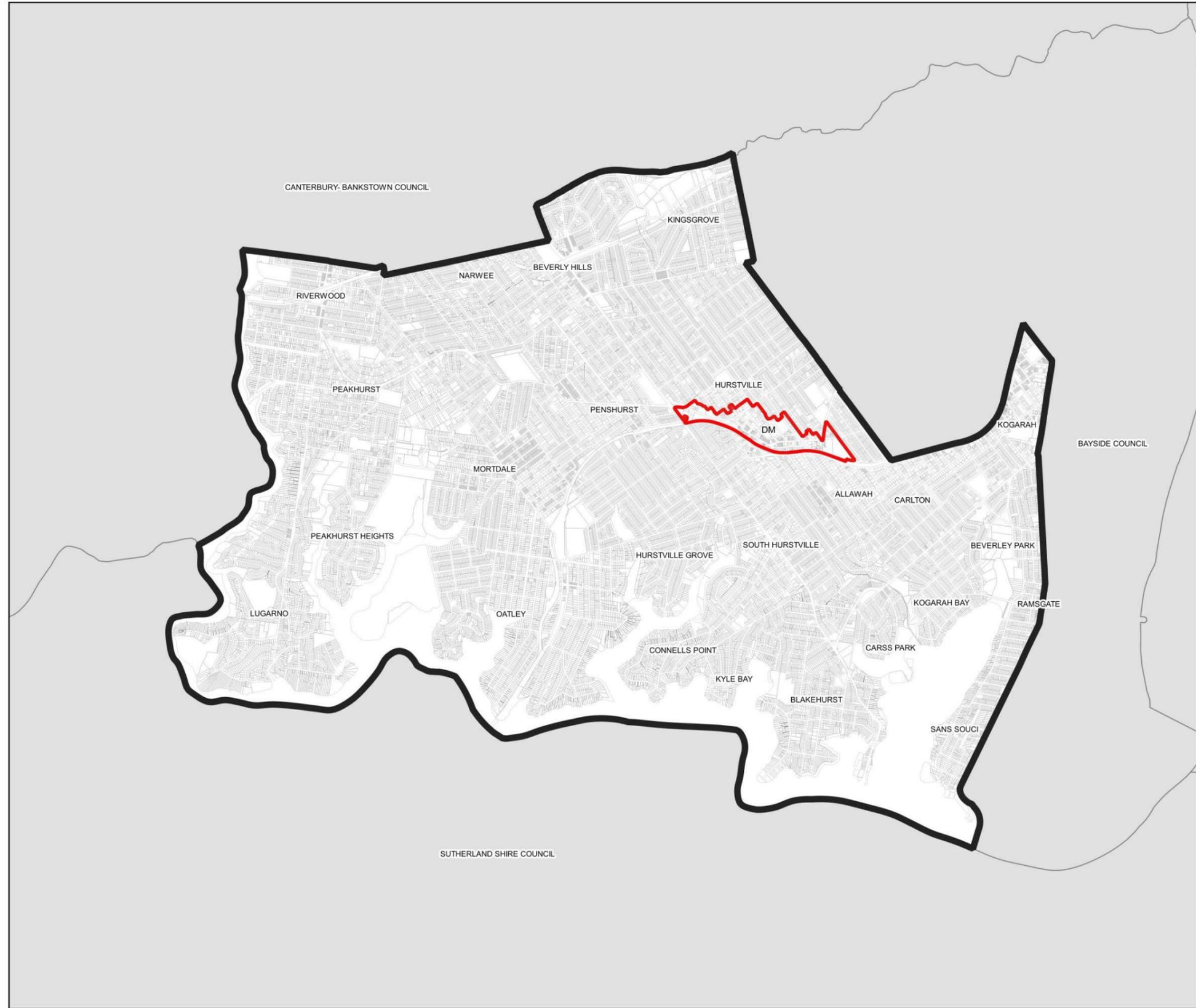
Compliance with the provisions of this plan does not necessarily imply that the determining authority will consent to any application. Other matters must also be taken into consideration, including those matters listed under Section 4.15 of the *EP&A Act 1979* (as amended).



Georges River Development Control Plan 2021

Land Application Map

- LGA Boundary
- DCP Land Application**
 - Included
 - Deferred Matter
Refer to Hurstville Development Control Plan No 2 (Amendment No 6 and Amendment No 12)
- Cadastral**
 - Cadastre 10/09/2021 © Spatial Services



1.9 Structure of this DCP

Part 1.0 – Introduction

- 1.1 Name of Development Control Plan
- 1.2 Adoption Date and Commencement
- 1.3 Role of the DCP
- 1.4 Principles and Purpose of the DCP
- 1.5 Monitoring and Review
- 1.6 Relationship to other Planning Documents and Instruments
- 1.7 Savings Provision
- 1.8 Application of the DCP
- 1.9 Structure of this DCP
- 1.10 How to use this DCP
- 1.11 Development Contributions and Planning Agreements Policy

Part 2.0 – Application Process

- 2.1 Introduction
- 2.2 Pre-lodgement Advisory Service
- 2.3 Types of Development
- 2.4 Neighbourhood Notification and Advertising of Development Applications

Part 3.0 – General Planning Considerations

- 3.1 Introduction
- 3.2 Biodiversity
- 3.3 Landscaping
- 3.4 Bushfire Prone Land
- 3.5 Earthworks
- 3.6 Contaminated Land
- 3.7 Heritage
- 3.8 Views Impacts
- 3.9 Coastal Hazards and Risks
- 3.10 Water Management
- 3.11 Ecologically Sustainable Development
- 3.12 Waste Management
- 3.13 Parking Access and Transport
- 3.14 Utilities
- 3.15 Public Domain
- 3.16 Subdivision and Amalgamation
- 3.17 Universal/Accessible design

- 3.18 Advertising and Signage
- 3.19 Crime Prevention/ Safety and Security
- 3.20 Noise and Vibration

Part 4.0 – General Land Use

- 4.1 Introduction
- 4.2 Early Education and Child Care facilities
- 4.3 Places of Public Worship
- 4.4 Sex Services Premises
- 4.5 Restricted Premises
- 4.6 Tourist and Visitor Accommodation
- 4.7 Boarding Houses
- 4.8 Vehicle Repairs, Sales and Hire Premises
- 4.9 Telecommunications Facilities

Part 5.0 – Residential Locality Statements

- 5.1 Riverwood
- 5.2 Beverly Hills and Narwee
- 5.3 Kingsgrove
- 5.4 Peakhurst
- 5.5 Penshurst
- 5.6 Hurstville (non-CBD)
- 5.7 Lugarno
- 5.8 Peakhurst Heights
- 5.9 Mortdale
- 5.10 Oatley
- 5.11 Hurstville Grove
- 5.12 South Hurstville
- 5.13 Allawah
- 5.14 Carlton
- 5.15 Kogarah South
- 5.16 Connells Point and Kyle Bay
- 5.17 Blakehurst
- 5.18 Carss Park and Kogarah Bay
- 5.19 Beverley Park and Ramsgate
- 5.20 Sans Souci and Ramsgate

Part 6.0 – Residential Controls

- 6.1 Dwellings, Dual occupancies (attached and detached), Secondary dwellings and Narrow lot housing
- 6.2 Multi-dwelling housing, Multi-dwelling housing (terraces) and Manor Houses
- 6.3 Residential Flat Buildings
- 6.4 Ancillary Development
- 6.5 Foreshore Locality Controls

Part 7.0 – Business Precincts

- 7.1 General Commercial Controls
- 7.2 B2 Local Centres
- 7.3 B6 Enterprise Corridor

Part 8.0 – Strategic Centres

- 8.1 Kogarah Strategic Centre

Part 9.0 – Industrial Development

- 9.1 Introduction
- 9.2 General Provisions
- 9.3 Precinct / Character Controls

Part 10.0 – Precincts

- 10.1 Kogarah North Precinct
- 10.2 53A-59A Gloucester Road, Hurstville

Appendices

- 1 Green Web
 - 1.1 GRDCP 2021 Green Web Map
 - 1.2 GRDCP 2021 Biodiversity Guide
- 2 Heritage Items and Heritage Conservation Areas
 - 2.1 Introduction
 - 2.2 Heritage Items – Site Specific Requirements
 - 2.3 Heritage Conservation Areas
- 3 Heritage Conservation Areas
 - 3.1 Penshurst Heritage Conservation Area
 - 3.2 Kogarah South Heritage Conservation Area
 - 3.3 O'Brien's Estate Heritage Conservation Area
- 4 Waste Management
 - 4.1 General Information
 - 4.2 Demolition and Construction

4.3 On-going Waste Management for Development Types

5 Road Classifications

6 Height and Storeys

7 The Kemp's Estate

Glossary

1.10 How to use this DCP

Part 1.0 – Introduction

This Part explains the purpose of the DCP, where it applies, and how to use the DCP.

Part 2.0 – Application Process

This Part explains the application process including approval pathways, pre-lodgement processes, and DA notification and advertising procedures.

Part 3.0 – General Planning Considerations

This Part establishes the general guiding principles for development, including public domain, sustainability, heritage, tree management, transport and parking, late night trading and signage.

Part 4.0 – General Land Uses

This Part establishes provisions for certain types of developments including boarding houses; child care centres; place of public worship; visitor accommodation and other development types.

All development proposals must refer to the provisions that best describes that type of development being proposed.

Part 5.0 – Locality Statements

This Part establishes desired future character and supporting principles for the various localities across the local government area. Development is required to be consistent with the relevant locality statement. All development types must refer to the relevant locality statement and supporting principles.

Part 6.0 – Residential Controls

This Part establishes provisions for certain types of developments including single dwellings, terraces and dual occupancies; residential flat buildings and ancillary structures. This Part also includes Foreshore Locality provisions.

All development proposals must refer to the provisions that best describes that type of development being proposed.

Part 7.0 – Business Precincts

This Part establishes provisions for development within land zoned B1 – Neighbourhood Centre, B2 – Local Centre and B6 – Enterprise Corridor.

All development proposals within these business precincts must refer to the provisions within this Part that relate to the type of development being proposed.

Part 8.0 – Kogarah Town Centre

This Part contains the provisions for development within the Kogarah Town Centre.

All development proposals within the Kogarah Town Centre must refer to the provisions within this Part that relate to the type of development being proposed.

Part 9.0 – Industrial Development

This Part establishes the provisions for development within the IN2 Light Industrial zones including locality and desired future character statements for each of the light industrial precincts within the LGA, and general controls relating to built form, setbacks, landscaping and parking.

All development proposals within the IN2 Light Industrial zone must refer to the provisions within this Part that relate to the type of development being proposed.

Part 10.0 – Precincts

This Part contains the provisions for development within specific precincts.

All development proposals within these precincts must refer to the provisions within this Part that relate to the type of development being proposed.

Appendices

This Part contains further information referred to in the DCP and also additional objectives and principles for specific types of developments in earlier parts of the DCP.

Glossary

This Part contains definitions which are in addition to those contained in the Georges River Local Environmental Plan, current Council policies and current legislation.

1.11 Development Contributions and Planning Agreements Policy

Development Contribution Plans are levied on developments for community amenities and services required as a consequence of the development in specific areas of the Georges River Local Government Area. The Plans are listed on Council's website at www.georgesriver.nsw.gov.au.

Planning Agreements

Planning Agreements are made in accordance with the requirements of the Environmental Planning and Assessment Act 1979. A planning agreement is a voluntary agreement entered into by Council and a developer/ landowner. A planning agreement can provide for the dedication of land, payment of a monetary contribution or any other public benefit to be used for a public purpose. Voluntary planning agreements within the Georges River Council are listed on a public register.

Under the agreement, a developer agrees to provide or fund:

- Public amenities or public services
- Affordable housing
- Transport
- Conservation or enhancement of the natural environment
- Other infrastructure.

Council's Planning Agreements Policy provides guidelines for both the Council and developers to effectively negotiate and prepare Planning Agreements, and provides a template planning agreement document, as well as a list of suggested infrastructure for works that may be considered to have a public benefit. Early discussions with Council officers are recommended where planning agreements are anticipated, if the provision of public amenities or the like outside of the requirements of the Contributions Plan and/or a planning agreement is proposed.