

**ELECTRONIC DETERMINATION OF THE GEORGES RIVER LOCAL PLANNING PANEL
24 MARCH 2021
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979
(SCHEDULE 2, PART 5, ITEM 26)**

Panel constituted by:	Paul Vergotis (Chair) Milan Marecic (Expert) Michael Leavey (Expert); and Erin Sellers (Community Representative)
Matter:	Post Exhibition report and adoption of the Georges River Development Control Plan

Determination:

The Panel resolves to make the *Georges River Development Control Plan 2020* subject to the matters set out in Schedule 1

Voting: Unanimous

Statement of Reasons:

- In reaching its decision to make the GRDCP the Panel gave much consideration and weight to the requirement to put in place adequate review mechanisms to ensure the Plan undergoes proper and thorough scrutiny within the first phase of its operation. In saying this the Panel acknowledges the mammoth task of bringing together a crucial Plan to address the existing and fragmented planning controls of both the former Hurstville and Kogarah LGA's. The success of the GRDCP will very much depend of how responsive it is to community values and changes to the built and natural environments of the Georges River LGA which will inevitably see increases in population and pressure brought to bear on local infrastructure and public assets over the next decade.
- The GRDCP as presented to the Panel is a good starting point to build upon which is why it is essential that the Plan is a 'living document' that is constantly reviewed and improved as and when it is needed.

Confirmed: Paul Vergotis (Chair), Milan Marecic (Expert), Michael Leavey (Expert) and Erin Sellers (Community Representative) as the constituted Georges River Local Planning Panel pursuant to Part 4 of the Environmental Planning and Assessment Act 1979 (NSW).

SCHEDULE 1

1. That the Georges River Local Planning Panel, as delegate of the Georges River Council:
 - a. notes the submissions received during the public exhibition of the draft *Georges River Development Control Plan 2020*; and

- b. acknowledges that this is a harmonising development control plan subject to further staged reviews by Council to improve robustness and consistency across the Plan.
2. That the Georges River Local Planning Panel resolves, pursuant to s 3.43 of the *Environmental Planning and Assessment Act 1979* (NSW), and in accordance with cl 21 of the *Environmental Planning and Assessment Regulation 2000* (NSW), to adopt the *Georges River Development Control Plan 2020 (GRDCP)* as set out in the report entitled 'Report to Georges River LPP Meeting of Thursday, 04 March 2021', subject to the following amendment (inclusion):
 - 2p. The inclusion of definitions for relevant terms not otherwise defined in the Georges River Local Environmental Plan 2020
3. That pursuant to cl 22(2) of the *Environmental Planning and Assessment Regulation 2000*; the Georges River Local Planning Panel approves the repeal of the following existing DCPs and policies upon the commencement date of the GRDCP:
 - a. Kogarah DCP 2013
 - b. Hurstville Control Plan 1 – applies to land within Penshurst, Mortdale and Hurstville wards
 - c. Interim Policy DCP (Policy #: Pol-061.01)
 - d. Drainage and Onsite Detention Policy (replaced by Georges River Stormwater Management Policy 2019)
 - e. Fencing adjacent to public roads (provisions in the draft Georges River DCP 2020)
 - f. Balcony Enclosures in Residential flat buildings Policy (provisions in the draft Georges River DCP 2020)
 - g. Satellite Dish Policy (provisions in the draft Georges River DCP 2020 and covered by Exempt and Complying SEPP)
 - h. Code for the erection of private tennis courts (provisions in the draft Georges River DCP 2020)
 - i. Stencilling of street driveways policy (provisions in the draft Georges River DCP 2020)
 - j. Underground electricity cabling to developments policy (provisions in the draft Georges River DCP 2020)
 - k. Design guidelines for absorption trenches (replaced by Georges River Stormwater Management Policy 2019)
 - l. Rainwater Tanks Policy, adopted 18 December 2002 (replaced by Georges River Stormwater Management Policy 2019)
 - m. Home Activities Policy, adopted 15 August 2001 (home occupations are permitted without consent)
 - n. Code for Commercial Use of Public Footpaths (replaced by Georges River Council Local Approvals Policy – Use of Public Land dated 29 October 2018)

4. That public notice of the decision to repeal the above DCPs and policies be published on the Council's website in accordance with cl 22(4) of the *Environmental Planning and Assessment Regulation 2000* and that the repeal become effective upon the effective date of the GRDCP.
5. That Council note the retention of the following existing DCPs for the Hurstville City Centre:
 - a. *Hurstville Development Control Plan Number 2 - Amendment No. 11 - Applies to sites excluding the 'deferred matters' on the Draft Georges River Local Environmental Plan 2020 Land Application Map.*
 - b. *Hurstville Development Control Plan Number 2 - Amendment No. 5 - Applies to sites identified as 'deferred matters' on the Draft Georges River Local Environmental Plan 2020 Land Application Map.*
6. That, as recommended by the Department of Planning Industry and Environment, the current notification provisions listed in the Development Control Plans below be repealed in accordance with cl 22(2) of the *Environmental Planning and Assessment Regulation 2000* by subsequent Development Control Plans:
 - a. 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.*
 - b. 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.*
7. That Council give public notice of the decision to approve the GRDCP, on the Georges River Council website within 28 days in accordance with cl 21(2) of the *Environmental Planning and Assessment Regulation 2000*.
8. That the General Manager be endorsed to make minor modifications to any numerical, typographical, interpretation and formatting errors, if required, in the finalisation of the GRDCP, including minor modifications due to the gazettal of the *Georges River Local Environmental Plan*.
9. That all persons who made a submission in relation to the draft GRDCP be advised of the Panel's resolution.
10. That the adopted GRDCP become effective when the *Georges River Local Environmental Plan 2020* is gazetted.
11. That a review of the GRDCP must be undertaken and reported back to Georges River Local Planning Panel within 24 months following its commencement, that:

- a. Demonstrates that all relevant internal departments (including but not limited to Development Assessment, Legal, and Engineering Services) are satisfied that the provisions within the GRDCP are achieving their desired planning and development outcomes as they relate to their respective departments; and
 - b. Effective consultation on the GRDCP has been undertaken with the relevant external technical and legal consultants, urban development industry representatives and State government agencies to gauge the effectiveness or otherwise of the plan.
12. That an amended GRDCP be reported back to the Georges River Local Planning Panel within 30 months following its commencement, that:
- a. Reflects any changes identified as part of the review mentioned above; and
 - b. Ensures robustness and consistency between desired planning and development outcomes and the development standards and controls.

Dated: 24 March 2021



Paul Vergotis
Chairperson



Michael Leavey
Expert Panel Member



Milan Marecic
Expert Panel Member



Erin Sellers
Community Representative