

**REPORT TO GEORGES RIVER COUNCIL  
LPP MEETING OF THURSDAY, 04 MARCH 2021**

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| <b>LPP Report No</b>   | <b>LPP002-21</b>  | <b>Development Application No</b> |  |
| <b>Site Address &amp; Ward Locality</b>  | Post Exhibition report and adoption of the Georges River Development Control Plan<br>SELECT A WARD  |                                   |  |
| <b>Proposed Development</b>  | Adoption of the Georges River Development Control Plan  |                                   |  |
| <b>Owners</b>  | Georges River LGA   |                                   |  |
| <b>Applicant</b>   | Georges River Council   |                                   |  |
| <b>Planner/Architect</b>   | N/A   |                                   |  |
| <b>Date Of Lodgement</b>   | N/A   |                                   |  |
| <b>Submissions</b>   |   |                                   |  |
| <b>Cost of Works</b>   | N/A   |                                   |  |
| <b>Local Planning Panel Criteria</b>   | Delegated planning authority pursuant to Part 3, Division 3.6 of the Environmental Planning and Assessment Act 1979   |                                   |  |
| <b>List of all relevant s.4.15 matters (formerly s79C(1)(a))</b>                   | N/A – Development Control Plan  |                                   |  |
| <b>List all documents submitted with this report for the Panel's consideration</b> | Attachment 1 - GRDCP Table of Contents; Attachment 2 – GRDCP Part 1 – Introduction; Attachment 3 – GRDCP Part 2 – Application Process; Attachment 4 – GRDCP Part 3 – General Planning Considerations; Attachment 5 – GRDCP Part 4 – General Land Use; Attachment 6 – GRDCP Part 5 – Residential Locality Statements; Attachment 7 – GRDCP Part 6.1 – Low Density Residential Controls; Attachment 8 – GRDCP Part 6.2 – Medium Density Residential Controls; Attachment 9 – GRDCP Part 6.3 – High Density Residential Controls; Attachment 10 – GRDCP Part 6.4 – Ancillary Development; Attachment 11 – GRDCP Part 6.5 – Foreshore Locality Controls; Attachment 12 - GRDCP Part 7 – Business Precincts; Attachment 13 – GRDCP Part 8 – Kogarah Town Centre; Attachment 14 – GRDCP Part 9 –Industrial Development; Attachment 15 – GRDCP Part 10 – Precincts; Attachment 16 – GRDCP Appendices; Attachment 17 – Report to LPP 17 September 2020 – LPP048-20 (NOTE: REFER TO THE DRAFT GEORGES RIVER DEVELOPMENT CONTROL PLAN 2020 PAGE ON COUNCIL'S WEBSITE FOR ALL THE GRDCP ATTACHMENTS) |                                   |  |
| <b>Report prepared by</b>  | Manager Strategic Planning and Senior Strategic Planner   |                                   |  |

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| <b>Recommendation</b> | <ol style="list-style-type: none"> <li>1. That the Georges River Local Planning Panel, as delegate of the Georges River Council note the submissions received during the public exhibition of the draft Georges River DCP 2020.</li> <li>2. That the Georges River Local Planning Panel resolve, pursuant to Section 3.43 of the Environmental Planning and Assessment Act 1979, and in accordance with Clause 21 of</li> </ol> |
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the Environmental Planning and Assessment Regulation 2000, to adopt the Georges River DCP 2020, subject to the following amendments:

- a. Part 1 – Introduction
  - a. Clarification of where the DCP applies in Part 1.8.
  - b. Replacing the list of S94 Development Contributions Plans with a link to the Council’s website. In Part 1.11.
- b. Part 2 – Application Process
  - a. Referencing the Council’s DA Checklist in place of the Development Application Guide in Part 2.3.3.
  - b. Referencing the Council’s Community Engagement Strategy 2018-2028 in Part 2.4.
- c. Part 3 – General Planning Considerations
  - a. Revising Control 3 in Part 3.2.1 to ‘Development is to comply with Council’s Tree Management Policy and Appendix 1 - Green Web Map and Biodiversity Guide.’
  - b. Correcting the reference to Appendix 1.2 and adding the reference to Council’s Tree Management Policy (and its Appendix 1 – Tree Planting) in Control 2 of Part 3.2.2.
  - c. Revising Control 4 (v) in Part 3.2.2 to ‘Mature trees with hollows and other fauna habitat features on the site.’
  - d. Amending Control 9 (i) in Part 3.2.2 Green Web to ‘Allocating one boundary of the site to planting of indigenous vegetation of a mix of canopy species (over 3m height at maturity) and understorey species (less than 3m height at maturity),’
  - e. Adding note in Part 3.2.2 after the controls: ‘Note: No Green web mapping was previously undertaken for the former Hurstville LGA. As such additional mapping will be required for the entire Georges River LGA.’
  - f. Adding reference to Council’s Tree Management Policy in Objective (b) of Part 3.3.
  - g. Amending control 3 in part 3.3 by adding ‘listed in GRDCP 2020 Backyard Biodiversity Guide in Appendix 1.2 and Council’s Tree Management Policy (and its Appendix 1 – Tree Planting)’ at the end.
  - h. Referencing the Bushfire Prone Land Map in Section 3.4 – Bushfire Prone Land in the Note.
  - i. Amending Control 1 in Part 3.5.2 to, ‘Development must minimise any soil loss from the site to reduce impacts of sedimentation on waterways through the use of the following:
    - sediment fencing
    - water diversion
    - single entry / exit points
    - Filtration materials such as straw bales and turf strips
 Refer to NSW Guidelines for Erosion and Sediment Control on Building Sites for further guidance.’
  - j. Amending control 3 and accompanying note in Part 3.9.2 in six places from ‘1 in 100 year ARI’ to ‘100 year ARI’ and

- adding reference to 'Australian Rainfall and Runoff: A Guide to Flood Estimation' in the note.
- k. Amending Objective (c) in Part 3.10 Water Management, 'Minimise run-off volumes and discharge rates to ensure no 'net' increase in stormwater drainage flows and flood risk in urban areas relative to the existing.'
- l. Amending Control 4 (ii) by replacing '1 in 100' by '100 year'.
- m. Amending Control 5 in Part 3.10 'Development consisting of sensitive land uses in PMF affected areas must provide 0.5 metres freeboard above the PMF flood event level. Sensitive land uses include but are not limited to the following:
- Correctional facilities
  - Early education and child care facilities
  - Educational establishments
  - Group homes
  - Health services facilities
  - Seniors housing
  - Respite day care centres
  - Liquid fuel deposits
  - Offensive storage establishments
  - Public utility undertakings
  - Telecommunications facilities
  - Waste disposal facilities
- Note: Refer to Council's Stormwater Management Policy 2020, specifically Section 6 Flooding and Overland Flow for further guidance.'
- n. Amending Control 37 in Part 3.13 Parking Access and Transport, 'Large areas of at grade carparking are to be constructed of concrete or a light coloured material to minimise heat load. Tree planting within the carparking will be required to provide shade.'
- o. Swap 'manor housing' with 'manor houses' in Part 3.13 Parking Access and Transport – Table 1.
- p. Revising control 6 in Part 3.14 Utilities to add reference to 'and bicycle' and swap 'electronic' with 'electric'
- q. Add new controls 7 and 8 to Part 3.14 Utilities
- '7. For all future roaded subdivisions, electricity supply is to be installed underground.
8. The existing above ground electricity and telecommunication cables within the road reserve and within the site will be replaced, at the applicant's expense, by underground cable and appropriate street light standards, in accordance with the Energy and Communication Provider's guidelines.'
- r. Revise Control 1 (ix) in part 3.18 'Not compromise road or pedestrian safety including cyclists.'
- d. Part 4 – General Use
- a. Revising Control 1 (vi) in Part 4.3.5 'Reducing stormwater run-off and promoting the use of recycled water via the

- installation of rainwater tanks where possible.’
- b. Revising Control 5 in part 4.3.8 Open Space and Landscaping, ‘New car parking areas are to be furnished with canopy trees as identified in Council’s Tree Management Policy (and its Appendix 1 – Tree Planting). For every ten parallel spaces in a row parking arrangement a canopy tree must be provided. Planting hole dimension is 2m x 2m minimum area. Protective furnishing must be provided to the tree surround.’
- e. Part 5 – Residential Locality Statements
    - a. Updating the Residential Localities Map as the one exhibited had a minor error in the legend – it had ‘suburb boundaries’ box in the legend (while there were no suburb boundaries in the actual map).
    - b. Adding content on the Riverwood Precinct Investigation Area, in the Future Desired Character section, including a map illustrating the boundary of the precinct, in Section 5.1 – Riverwood.
    - c. Adding content in the Future Desired Character section, on the Riverwood Estate State Significant Precinct with a description of this precinct, in Section 5.1 – Riverwood.
  - f. Part 6.1 – Low Density
    - a. Removing ‘Dual Key Dwellings’ and ‘ancillary dwellings’ from the title of Part 6.1, and adding Narrow Lot Housing.
    - b. Removing ‘Dual Key Dwellings’ in the contents page and as a section in the document as this Clause in the draft LEP2020 has been deleted by Parliamentary Counsel.
    - c. Referencing Part 5 Residential Locality Statements in Section 6.1.1 – Introduction
    - d. Section 6.1.2 – Single Dwellings – Point 1 – Streetscape Character and Built Form: Adding a new control – ‘New buildings and additions are to consider the Desired Future Character statement in Part 5 of this DCP.’
    - e. Section 6.1.2 – Single Dwellings – Point 2 – Building Scale and Height: updating Control 5 - ‘Where the entry to the basement carpark is visible from the street, the entry should be recessed a minimum of 1m (from the edge of the external wall or balcony) from the levels above and the external walls of the garage differentiated from the walls above through articulation and external materials.’
    - f. Section 6.1.2 – Single Dwellings – Point 3 – Setbacks (Side and Rear Setbacks): Updating Control 2 –
      - i. 900mm for lots up to 12.5m in width measured at the front building line for the length of the development.
      - ii. 1.2m for lots greater than 12.5m in width measured at the front building line for the length of the development.
      - iii. 1.5m for all lots within the Foreshore Scenic Protection Area measured at the front building line for the length of the development’
    - g. Section 6.1.2 – Single Dwellings – Point 3 – Setbacks

- (Side and Rear Setbacks): Updating Control 5 - 'Any garages or parking structures fronting rear lanes may encroach upon the rear setback areas but still provide a minimum setback of 1m from the lane.'
- h. Section 6.1.2 – Single Dwellings – Point 9 – Noise. Under Objectives, removing 'Development is to be sited, designed and constructed to:'
  - i. Section 6.1.3 – Dual Occupancy – Point 1 Streetscape Character and Built Form – Revising Control 4 - 'Each dwelling entrance is to be clearly identifiable from the street and recessed a maximum of 1m into the façade of the dwelling.'
  - j. Section 6.1.3 – Dual Occupancy – Point 2 Building Scale and Height – Amending Control 5 by adding 'a minimum of 1m (from the edge of the external wall or balcony).'
  - k. Section 6.1.5 – Narrow Lot Housing – Kemps Estate. Inserting Reference to Appendix 7 which provides a history of Kemps Estate and its significance to the LGA.
  - l. Section 6.1.5 – Narrow Lot Housing – Kemps Estate. Removing a paragraph under the heading 'Application of this chapter'
  - m. Section 6.1.5 – Narrow Lot Housing – Kemps Estate. Under objectives, removing 'The purpose of this chapter is to achieve the following objectives' and the paragraph on 'Development Requirements.'
  - n. Removing 'Appendix 1 The Kemp's Estate', and referencing this as Appendix 7 in the Appendices (refer to k above).
- g. Part 6.2 – Medium Density
    - a. Swapping 'manor housing' with 'manor houses' in Contents page, the introductory paragraph in Part 6.2, Part 6.2.4, Part 6.2.6 and Part 6.2.16.
    - b. Section 6.2.2 – Building Scale and Height: Adding a new control 6 – 'Where the entry to the basement carpark is visible from the street, the entry should be recessed from the levels above and the external walls of the garage differentiated from the walls above through articulation and external materials'
    - c. Section 6.2.3 – Streetscape Character and Built Form: Adding a new control 1 – 'New buildings and additions are to consider the Desired Future Character statement in Part 5 of this DCP,' to ensure compliance with Part 5 – Residential Locality Statements.
    - d. Section 6.2.11 – Excavation (Cut and Fill): Updating the Note to ensure that Part 3 General Planning Considerations requirements are also complied with.
    - e. Section 6.2.13 – Waste and Recycling Storage: In Control 1, removing reference to Council's Waste Management Planning Requirements Policy and referencing 'Part 3 General Planning Considerations and Appendix 4.'
    - f. Changing the heading of the 'Indicative Building

Envelopes' diagrams to 'Indicative Building Envelopes for building footprints, location of POS, landscaping and car parking'.

- h. Part 6.3 – Residential Flat Buildings (High Density) and residential components of shop top housing
  - a. Section 6.3.3 Building Setbacks and street interface - Replacing Note under Control 1 v with a new Control vi: 'The street setback area needs to be predominantly landscaped and is to accommodate a minimum of two (2) canopy trees to a mature height of at least 6m.'
  - b. Section 6.3.3 Setbacks and Street Interface – Amending Control 7 - 'For improved streetscape, reduction in visual clutter and to provide above ground space for street tree canopy, powerlines in the street verge in front of new development to which this part applies will be undergrounded. This includes the connection of power supply from the road reservation into the development site'.
  - c. Section 6.3.4 Basement Setbacks – Amending Control 6 - 'Basements fronting the primary street address are not to project above ground level (existing) at the street alignment'.
  - d. Section 6.3.5 – Façade Treatment and Street Corners: Adding a new control 1 - 'New buildings and additions are to consider the Desired Future Character statement in Part 5 of this DCP' to ensure compliance with Part 5 – Residential Locality Statements.
  - e. Section 6.3.5 – Façade Treatment and Street Corners: Amending control 7 'Clear glazing to balustrades must be avoided where they are visible from nearby vantage points. Screening of balconies by way of adjustable or fixed panels should be included where there are issues of privacy, and/or excessive exposure to solar impacts'.
  - f. Section 6.3.7 Communal Open Space
    - Amending control 2 - 'Communal open space may be provided above ground level where:
      - a. the proposed elevated communal open space will provide a high level of amenity as a communal open space at ground level of the site; and
      - b. there will be no significant impact on surrounding properties in respect to the loss of privacy'.
    - Amending Control 6 - 'Roof top communal open space areas, amenities and common (non-private) rooms should include equitable access for all residents, and must be designed to ensure that noise and overlooking will be avoided, by way of screening and setbacks from boundaries as detailed in Figure 7.'
    - Amending control 8 - 'Ancillary structures on the roof such as lift overruns and staircases should be located where their impact is minimised to reduce their visual dominance. Balustrades should be visually recessive. Note: Ground level and roof top common open space to be provided in accordance with Part 3D of the

Apartment Design Guide.’

g. Section 6.3.8 Solar Access: Adding a new control 6 regarding overshadowing – ‘New development shall maintain solar access to the living rooms and private open space of apartments within existing residential flat buildings’.

i. Part 6.4 – Ancillary Development

- a. Section 6.4.1 – Fences and Walls (Side and rear fences): Replacing DCP reference numbers with reference to relevant figure numbers in Controls 7 and 8
- b. Section 6.4.3 – Outbuildings: Adding a new control ‘External finishes and claddings of ancillary structures and outbuildings are to have low reflectivity finishes.’
- c. Removing Section 6.4.4 – External Finishes and Cladding

j. Part 7 – Business Precincts

- a. Section 7.1.2 – Built Form – Point 2 – Setbacks. Updating Control 3 - ‘In order to maintain the continuity of active frontages, side setbacks are generally not permitted unless specified in the precinct controls.’
- b. Section 7.1.3 – Design – Point 2 – Building Facades: Removing Controls 14 and 15, as balcony sizes and design are covered by the NSW State Government’s Apartment Design Guide (ADG).
- c. Section 7.1.3 – Design – Point 3 – Awnings: Adding Controls 2, 3 and 9 from the City of Sydney DCP:
  - ‘2. New awnings are to be compatible with the scale of host and adjacent buildings and the architectural features of the host building.
  - 3. Awnings where provided are to be located between the ground and first floors to maximise weather protection. The height of an awning may vary between 3.2m and 4.2m above the footpath. The height of the awning must ensure continuity in appearance with adjacent awnings and to relate to any distinctive features of the building.
  - 9. Reconstruction or renovation of existing awnings must retain any significant fabric, for example pressed metal soffits.’
- d. Section 7.1.3 – Design – Point 3 – Awnings. Adding to Control 4, ‘the lighting fixtures are to be recessed into the awning. All wiring and conduits are to be concealed’
- e. Section 7.1.3 – Design – Point 3 – Awnings. Adding ‘eastern and western facades’ to Control 6
- f. Section 7.1.3 – Design – Point 3 – Awnings: Removing Control 7.
- g. Section 7.1.3 – Design – Point 6 – Materials and Finishes: Updating Control 1, ‘Building construction is to utilise high quality and durable materials and finishes.’
- h. Section 7.1.3 – Design – Point 6 – Materials and Finishes. Rephrasing Control 4 to ‘A large unarticulated expanse of any single material to facades is to be avoided.’
- i. Section 7.1.3 – Design – Point 8 – Shop top housing.

## Amending:

- a. Objective (b) 'Ensure that the localities continue to provide a range of retail and commercial services with varied active frontages to the street.'
- b. Objective (c) 'Encourage a range of uses above ground level that enhance the social and economic environment, and are appropriate to the desired future character of the locality.'
- j. Section 7.1.3 – Design – Point 8 – Shop top housing.  
Amending:
  - a. Control 1: 'The ground floor level of shop top housing development shall comprise active retail/commercial uses facing the street'.
  - b. Control 6: 'Design building openings at the ground floor in keeping with the overall proportions'.
  - c. Control 7: 'For cafe/dining uses, provide openable frontages in association with seating overlooking the street, to create the experience of outdoor dining. Note: Applications for outdoor dining must comply with Council's Code for Commercial Use of Public Footways'.
  - d. Control 10: 'Clothes drying is only permitted on balconies if it is easily accessible, has a high degree of solar access and adequately screened from public view'.
- k. Section 7.1.4 – Amenity – Point 2 – Acoustic Privacy. Changing 'habitable rooms' to 'bedrooms', adding 'between 10pm and 7am' and updating the noise levels to a maximum of 35dB.
- l. Section 7.1.4 – Amenity – Point 2 – Acoustic Privacy: Removing Controls 5 and 6 as they repeat information in controls 1 and 2 respectively.
- m. Section 7.1.4 – Amenity – Point 3 – Interface between Business zones and adjoining land uses: Removing Control 5 and adding new controls 5 and 6 from C2 section of Kogarah DCP 2013:
  - '5. Side and rear boundary setbacks adjacent to a lower density residential zone or heritage item/conservation area for the purposes of visual separation, privacy and transition:
    - a. Minimum setback of 9m from the boundary between ground level and up to four storeys.
    - b. Upper level setbacks are 12m above four storeys. Note: Private open space and balconies must comply with Part 4E of the NSW State Government's Apartment Design Guide.
  - 6. Encroachments into boundary setbacks:
    - a. Ground floor private open space may encroach up to 2m into the 5m front setback leaving a minimum 3m of deep soil area to the street.
    - b. Ground floor private open space may encroach up to 3m into the side and rear setbacks leaving a minimum 3m of landscaped buffer.
    - c. The setback areas, other than any permitted



ground floor private open space, are to be landscaped and be retained as part of the common property of the development’.

- n. Section 7.1.4 – Amenity – Point 4 - Utility Infrastructure – Adding new objective and control
  - a. Objective (d) (new): ‘Ensure services including fire booster valves, substations and other infrastructure do not detract from the streetscape presentation of a building’.
  - b. Control 8 (new): ‘Essential services such as substations and fire booster assemblies must be integrated into the design of the façade’.
- o. Section 7.2.1 – Beverly Hills Local Centre (King Georges Road). Under Desired Future Character, referencing Hurstville DCP No. 1 and mentioning that the controls will be updated when the Masterplan is endorsed by Council
- p. Section 7.2.7 – Riverwood Local Centre (Belmore Road): Updating ‘Riverwood Planning Precinct’ heading to ‘Riverwood Precinct Investigation Area’. Rewording and removing paragraphs under the Riverwood Precinct Investigation Area
- q. Section 7.2.7 – Riverwood Local Centre (Belmore Road): Updating ‘Riverwood Social Housing Estate’ heading to ‘Riverwood Estate State Significant Precinct’. Rewording and removing paragraphs under the Riverwood Estate State Significant Precinct.
- k. Part 8 – Strategic Centres
  - a. Amending the cover page from ‘Kogarah Town Centre’ to ‘Strategic centres’.
  - b. Amending the words in Background to reference the Kogarah Place Strategy.
  - c. Section 8.1.2 – 1. Railway Parade Precinct – Strengthening the Desired Future Character section – ‘The Precinct will be greened through tree planting in accordance with Council’s Tree Management Policy (and its Appendix 1 – Tree Planting)’.
  - d. Adding in Desired Future Character in the Belgrave Street Precinct the following: ‘Post Office and Wicks Lanes will provide a finer grain pedestrian network for the Kogarah Town Centre and will facilitate activation, street art and night time activity’.
  - e. Deleting in the Railway Parade South Precinct a sentence that was not completed – ‘Recent shop top housing developments towards Blake Street change the’
- l. Part 9 - Industrial Development
  - a. Amending the cover page from ‘Industrial’ to ‘Industrial Development’.
  - b. Section 9.1.1 – Application of this chapter - Referencing ‘Part 3 – General Planning Considerations’.
- m. Part 10 - Precincts (Kogarah North)

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|  | <ul style="list-style-type: none"> <li>a. Section 10.1.6 – The Controls - Point 5 Trees and Landscape - Amending controls 5 and 6:<br/>‘5. Communal open space on roof tops is encouraged in locations where it does not adversely impact on the residential amenity of surrounding residents. A plan of management will be required for the use of large communal terraces that must be implemented through the Owners Corporation by-laws’.<br/>6. ‘Deep soil zones are to be located within ground floor setbacks providing screening/interface to the street where large trees will benefit from the maximum number of residents and are to be located where they will contribute to the public domain.’</li> <li>n. Appendices <ul style="list-style-type: none"> <li>a. Editing of Appendix 4 - Waste Management to simplify the document.</li> <li>b. Adding Appendix 7 – The Kemp’s Estate</li> </ul> </li> <li>o. General amendments throughout the DCP: <ul style="list-style-type: none"> <li>a. Correcting spellings</li> <li>b. Formatting</li> <li>c. Referencing figure numbers and appendices numbers correctly</li> <li>d. Clarifying reference to GRLEP clauses</li> </ul> </li> <li>3. That pursuant to Clause 22(2) of the Environmental Planning and Assessment Regulations 2000; the Georges River Local Planning Panel approve the repeal of the following DCPs and policies: <ul style="list-style-type: none"> <li>a. Kogarah DCP 2013</li> <li>b. Hurstville Control Plan 1 – applies to land within Penshurst, Mortdale and Hurstville wards</li> <li>c. Interim Policy DCP (Policy #: Pol-061.01)</li> <li>d. Drainage and Onsite Detention Policy (replaced by Georges River Stormwater Management Policy 2019)</li> <li>e. Fencing adjacent to public roads (provisions in the draft Georges River DCP 2020)</li> <li>f. Balcony Enclosures in Residential flat buildings Policy (provisions in the draft Georges River DCP 2020)</li> <li>g. Satellite Dish Policy (provisions in the draft Georges River DCP 2020 and covered by Exempt and Complying SEPP)</li> <li>h. Code for the erection of private tennis courts (provisions in the draft Georges River DCP 2020)</li> <li>i. Stencilling of street driveways policy (provisions in the draft Georges River DCP 2020)</li> <li>j. Underground electricity cabling to developments policy (provisions in the draft Georges River DCP 2020)</li> <li>k. Design guidelines for absorption trenches (replaced by Georges River Stormwater Management Policy 2019)</li> <li>l. Rainwater Tanks Policy, adopted 18 December 2002 (replaced by Georges River Stormwater Management Policy 2019)</li> <li>m. Home Activities Policy, adopted 15 August 2001 (home</li> </ul> </li> </ul> |
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- 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 Clause 22(4) of the Environmental Planning and Assessment Regulation 2000 and that the repeal become effective upon the effective date of the Georges River DCP.
5. That Council note the retention of the following 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 Clause 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 Georges River DCP 2020, on its website within 28 days in accordance with Clause 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 Georges River DCP 2020, 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 Georges River DCP 2020 be advised of Council's resolution.

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|  | 10. That the adopted DCP become effective when the Georges River LEP 2020 is gazetted. |
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## Executive Summary

1. Council at its meeting of 23 April 2019, resolved to prepare a comprehensive Development Control Plan (DCP) for the Georges River Local Government Area. The primary purpose of this DCP is to harmonise the existing Hurstville and Kogarah DCPs and support the Georges River LEP 2020 (GRLEP 2020).
2. The draft DCP applies to all land in the Georges River Local Government Area, except land in the Hurstville City Centre.
3. The Georges River Local Planning Panel as delegate of the Georges River Council considered the draft Georges River DCP on 17 September 2020 and resolved that the draft DCP be publicly exhibited subject to amendments. The draft DCP was amended prior to the public exhibition.
4. The draft Georges River DCP was exhibited from 21 October to 27 November 2020 and 22 submissions were received. The draft DCP was also reviewed by the Design Review Panel (the 'DRP') and feedback received.
5. A number of amendments are proposed to the draft DCP as result of the submissions received and a review by the DRP and Council staff; including (but not limited to): green web and landscaping issues, minimum height and soil area required for trees in the residential zones, sea level rise and water management issues, deletion of certain unclear DCP controls/objectives and a range of other amendments as detailed in this report.
6. This report provides details of the public exhibition of the draft Georges River DCP and recommends that Council proceed with the adoption of the DCP with a number of amendments.

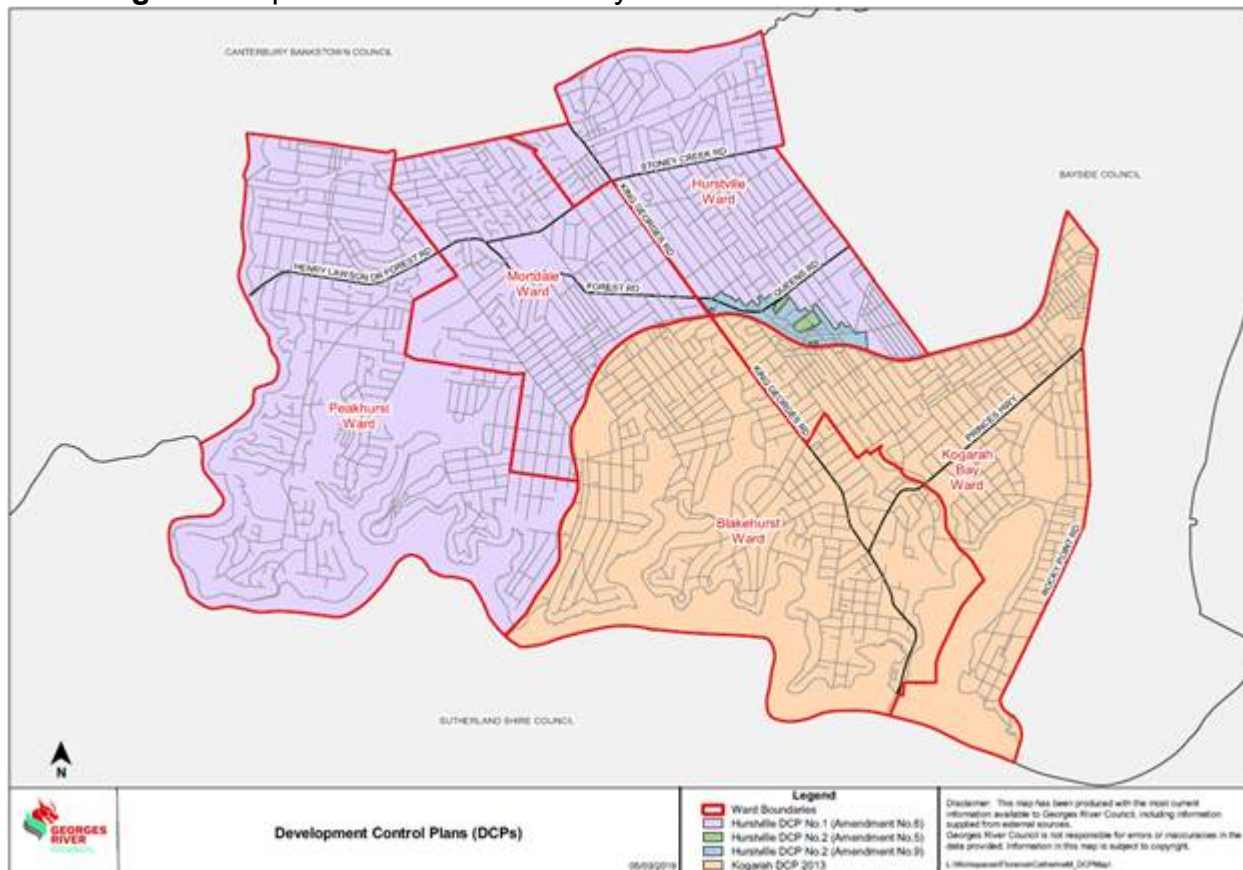
## Report in Full

### Background

7. At its meeting of 23 April 2019, Council resolved to prepare a comprehensive Development Control Plan (DCP) for the Georges River Local Government Area to support the Georges River LEP 2020 (GRLEP 2020).
8. The purpose of this DCP is to harmonise the existing Hurstville and Kogarah DCPs to create a comprehensive DCP for the Georges River Local Government Area.
9. The following DCPs will be revoked upon adoption of the new GRDCP 2020:
  - Hurstville Development Control Plan 1 - Applies to land within the Peakhurst, Mortdale and Hurstville Wards; and
  - Kogarah Development Control Plan 2013 - Applies to land within the Blakehurst and Kogarah Bay Wards.

10. The draft Georges River DCP will accompany and support the Georges River Local Environmental Plan 2020, in accordance with Section 3.43 of the *Environmental Planning and Assessment Act 1979*.
11. Council has four Development Control Plans that apply to the Local Government Area:
  - a. Hurstville Development Control Plan 1 - Applies to land within the Peakhurst, Mortdale and Hurstville Wards;
  - b. 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;
  - c. 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; and
  - d. Kogarah Development Control Plan 2013 - Applies to land within the Blakehurst and Kogarah Bay Wards.

**Figure 1** depicts the area covered by each of the DCPs listed above.



12. The draft Georges River DCP applies to all land in the Georges River local government area (LGA), except land identified as Hurstville City Centre. Hurstville Development Control Plan Number 2 - Amendment No. 11 and Hurstville Development Control Plan Number 2 - Amendment No. 5 will continue to apply to Hurstville City Centre.
13. The harmonised DCP structure comprises of ten (10) parts and one set of appendices, as follows (Refer to **Attachments 1 to 16**. A previous LPP Report of 17 September 2020 includes a summary of each section and is attached at **Attachment 17**):
  - Part 1 – Introduction
  - Part 2 – Application Process
  - Part 3 – General Planning Considerations
  - Part 4 – General Land Uses

- Part 5 – Residential Locality Statements
  - Part 6 – Residential Controls
  - Part 6.1 – Low Density Residential Controls
  - Part 6.2 – Medium Density Residential Controls
  - Part 6.3 – High Density Residential Controls
  - Part 6.4 – Ancillary Development
  - Part 6.5 – Foreshore Locality Controls
  - Part 7 – Business Precincts
  - Part 8 – Kogarah Town Centre
  - Part 9 – Industrial Development
  - Part 10 – Precincts (Kogarah North)
  - GRCDP Appendices
14. The GRDCP was developed in collaboration with SJB Planning, who were engaged by Council to assist with the preparation of the DCP. SJB carried out the review and comparison of current controls, and assisted in preparing new DCP controls that are current and best practice. Council emphasised the importance of the controls and diagrams being articulated in a way that is easy for all development stakeholders to understand.
15. In accordance with Clause 22(2) of the *Environmental Planning and Assessment Regulations 2000*, Council also commenced the process of repealing Kogarah DCP 2013 and Hurstville DCP No 1, the Interim DCP and former Hurstville Council policies as the Georges River DCP will apply instead by publishing its intention on its website. The documents being repealed are:
- Hurstville Development Control Plan 1 - Applies to land within the Peakhurst, Mortdale and Hurstville Wards;
  - Kogarah Development Control Plan 2013 - Applies to land within the Blakehurst and Kogarah Bay Wards;
  - 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; and
  - Code for Commercial Use of Public Footpaths.
16. The following DCPs will be retained for the land identified as Hurstville City Centre:
- a. Hurstville Development Control Plan Number 2 - Amendment No. 11 - Applies to sites within the Hurstville City Centre 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 within the Hurstville City Centre identified as 'deferred matters' on the Draft Georges River Local Environmental Plan 2020 Land Application Map – being the Hurstville Westfield's Site and the Hurstville Civic Precinct Site.

17. As recommended by the Department of Planning Industry and Environment, the current notification provisions listed in the Development Control Plans below are also to be repealed as Council has adopted its Community Engagement Strategy. They include:
- 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 – being the Hurstville Westfield's Site and the Hurstville Civic Precinct Site.
18. The draft Georges River Development Control Plan (GRDCP) 2020 was publicly exhibited in accordance with the *Environmental Planning and Assessment Act 1979* and its Regulation and 22 submissions were received from community members, public authorities and Council staff. Feedback has also been received from the Design Review Panel on specific sections of the DCP.
19. This report provides details of the public exhibition of the draft GRDCP and recommends that the Local Planning Panel (the 'LPP') adopt the DCP with a number of amendments. Please refer to the section below on the role of LPP as delegate of the Georges River Council.

#### **Local Planning Panel as delegate of the Georges River Council**

20. The functions under Part 3, Division 3.6 of the Environmental Planning and Assessment Act 1979 include the adoption of a development control plan.
21. Council at its meeting held 24 August 2020 considered the *Deferred Report From Environment And Planning Committee Meeting 10 August 2020 (ENV030-20) - Public Exhibition of Draft Georges River Development Control Plan 2020* and resolved as follows:
- 'That Council note that due to the nature and number of disclosures of interest made, Council does not have a quorum present for the consideration of Item CCL046-20 *Deferred Report from Environment and Planning Committee Meeting 10 August 2020 (ENV030-20) - Public Exhibition of Draft Georges River Development Control Plan 2020* held on 24 August 2020; and
  - That having regard to the lack of quorum, Council delegate the Council functions under Part 3, Division 3.6 of the Environmental Planning and Assessment Act 1979 in relation to the Draft Georges River Development Control Plan 2020 including the determination of the matters contained in recommendation of Item CCL046-20 *Deferred Report from Environment and Planning Committee Meeting 10 August 2020 (ENV030-20) - Public Exhibition of Draft Georges River Development Control Plan 2020* held on 24 August 2020 to the Georges River Local Planning Panel.'
22. The matter was considered by the Georges River Local Planning Panel as delegate of the Georges River Council on 17 September 2020. The Georges River Local Planning Panel, resolved as follows:
- (a) *The draft Georges River Development Control Plan 2020 comprising of **Attachments 1 to 16** to the report to the Georges River Local Planning Panel dated 17 September 2020 be placed on public exhibition in accordance with the requirements of the Environmental Planning and Assessment Act 1979, the Environmental Planning and Assessment Regulation 2000, subject to the following amendments being made:*
    - i) *Insert a Savings Clause that states:*

*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.*

- ii) *The provisions within Part 6-3 Residential Flat Buildings (High Density) are amended to include the residential component of shop top housing/mixed use development.*

*(b) The General Manager is authorised to make minor modifications to any numerical, typographical, interpretation and formatting errors, if required, in preparation for the public exhibition of the draft Georges River Development Control Plan 2020.*

23. A copy of the report that was considered by the LPP on 17 September 2020 is attached – see **Attachment 17**.
24. Council included these amendments in the GRDCP 2020 before undertaking the public exhibition.

### **Draft Georges River LEP 2020 and draft Georges River DCP 2020**

25. Georges River LEP 2020 has been prepared to harmonise and replace the existing Hurstville Local Environmental Plan 2012 ('HLEP 2012') and Kogarah Local Environmental Plan 2012 ('KLEP 2012'). It forms stage 1 of a four-staged approach to preparing the Georges River LEP. The aim of this staged-approach is to enable detailed investigations to be conducted to support the full suite of actions and changes proposed by Council's Local Strategic Planning Statement 2040 ('LSPS 2040').
26. The GRLEP 2020 has been lodged with the Department of Planning, Industry and Environment (the 'DPIE') since 30 June 2020. It is anticipated that it will be gazetted in the second quarter of 2021.
27. The draft GRDCP 2020 has been prepared to support the Georges River LEP 2020 (GRLEP 2020) and aims to harmonise the existing Hurstville DCP No. 1 and Kogarah DCP 2013. As advised earlier, the two DCPs (Hurstville DCPs No. 2) applying to the land identified as Hurstville City Centre will continue to remain effective. They include:
- Hurstville Development Control Plan Number 2 - Amendment No. 11 - Applies to sites excluding the 'deferred matters'.
  - Hurstville Development Control Plan Number 2 - Amendment No. 5 - Applies to sites identified as 'deferred matters' - Hurstville Westfield's Site and the Hurstville Civic Precinct Site.

### **Public Exhibition**

28. The draft GRDCP2020 was placed on public exhibition from 21 October to 27 November 2020, for a total of 38 days, in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2000*. The repeal of the DCPs, Interim DCP and former Hurstville policies listed in Paragraph 15 of this report was also notified at the same time.
29. The notification for the public exhibition included the following:
- Five statutory notices in The St George and Sutherland Shire Leader Newspaper (21 and 28 October, 4, 18 and 25 November 2020);
  - Dedicated page on Council's Your Say website (under Public Exhibitions);



- Dedicated page on Council’s website on the repeal of the DCPs, Interim DCP and former Hurstville policies with reasons as required by Clause 22(2) of the Regulations;
  - Displays in Council’s Customer Service Centre and libraries including the public exhibition information, the draft DCP and relevant Council Reports;
  - Webinar for external and internal stakeholders to discuss the key changes to the DCP; and
  - Telephone conversation with Strategic Planning staff
30. The following Public Authorities and adjoining councils were consulted as part of the Public Exhibition of the Draft DCP - Sydney Airport; Commonwealth Department of Infrastructure, Regional Development and Cities; NSW Rural Fire Service; Office of Environment, Energy and Science; NSW Land and Housing Corporation; NSW Health; NSW Department of Education; Sydney Water Corporation; Environmental Protection Authority; Heritage, Department of Premier and Cabinet; Bayside Council; City of Canterbury Bankstown and Sutherland Shire Council. Feedback was received from Transport for NSW, Heritage NSW and NSW Rural Fire Service.

### Submissions received

31. During the exhibition, twenty two (22) submissions were received; including 15 from the public, 4 from Council staff, and 3 from Public Authorities. Please refer to **Table 1** (below) for a listing of support/suggestions, objections or questions and **Table 2** for a summary of submissions, Council response and recommendation. No submissions were received in respect of the repeal of the Kogarah and Hurstville (No. 1) DCPs, Interim DCP and former Hurstville policies.

**Table 1: Submissions received to the public exhibition of the draft GRDCP 2020**

| Submissions                       | Number received |
|-----------------------------------|-----------------|
| Support and suggestion            | 12              |
| Part Support / part objection     | 1               |
| Questions and suggestions         | 5               |
| Submissions not applicable to DCP | 3               |
| Objection                         | 1               |
| <b>Total</b>                      | <b>22</b>       |

32. The submissions supporting and providing suggestions for the draft DCP included the following issues:
- Supportive of the incorporation of the reduction of the heat island effect in connection with the proposed tree canopy, landscaping and energy efficiency controls.
  - Supportive of proposed controls relating to proportion of shade trees and open parking spaces as 1:6.
  - Appreciate the incorporation of updated numerical standards in Clause 6.13 and new Clause 6.19 for tree protection and landscaping in R2 and R3 zones in GRLEP 2020 – suggested these be incorporated in the draft DCP 2020 also.
33. The five submissions posing questions and providing suggestions were on the following issues:
- The reason for the green web not being present in the former Hurstville LGA and how can this be organised
  - GRLEP 2020 landscaping provisions to be incorporated in the draft DCP 2020
34. The one submission objecting to the draft DCP, referred to the following issues:

- No controls provided for dual occupancy development located in a battle axe lot
  - Minimum dwelling size and access options in low density development not stringent
35. In summary, the content of the submissions are categorised into the following topic areas:
- Environment and Sustainability;
    - Solar Access
    - Energy Efficiency
    - Heat Island Effect
    - Sea Level Rise
    - Water Management
    - Green Web Mapping
  - Landscaping;
    - Deep Soil
    - Tree Canopy
  - Utility Infrastructure;
  - Pedestrian Access and Walkways;
  - Awnings and Signage;
  - Parking and Vehicular Access;
  - Dual Occupancy Development;
  - Secondary Dwelling Development; and
  - Building Scale/Height and Setbacks.
36. **Table 2** below summarises the submissions received, Council’s response and recommendation for any DCP amendment:

**Table 2 – Summary of Submissions, Council response and DCP Amendment**

| Draft Georges River DCP 2020 - Summary of Submissions, Council response and DCP Amendment |   |  |  |
|---|---|--|--|
| Council staff submissions   |   |  |  |
| Submission No.  | DCP Part / Section and issue                                      | Council Response   | Recommendation   |
| 1   | Part 3  |  |  |
|   | Avoid use of fossil fuels   | Avoidance of fossil fuels is too generalised and reduction in energy are regulated via Basix and Section J of the BCA / NCC. Refer to further discussion under submission 6. | No DCP amendment required.   |
|   | Part 3.14 Utilities Control 6 Bicycle EV chargers to be provided. | Noted - Reference to electric vehicles to be added to Part 3.14 – Control 6.<br><br><u>Existing Control 6:</u>   | See revised control 6:<br><br><i>Car parking areas are to be designed and constructed so that electric vehicle and</i> |

**Draft Georges River DCP 2020 - Summary of Submissions, Council response and DCP Amendment**

|  |  |  |   |
|--|--|--|---|
|  |  | Car parking areas are to be designed and constructed so that electronic vehicle charging points can be installed at a later date. This will include the provision of 3 phase power to car parking areas for residential flat buildings, shop top housing and non-residential buildings.  | <i>bicycle charging points can be installed now or at a later date. This will include the provision of 3 phase power to car parking areas for residential flat buildings, shop top housing and non-residential buildings.</i> |
|  | Correction – electric vehicles rather than electronic  | Noted - Reference to electric vehicles to be corrected.  | See revised control 6 above.  |
|  | Part 3.2.1 Control 3 Reference Significant tree register (STR) to be replaced by “and attached appendices”   | Noted - Reference to STR to be updated in Part 3.2.1.  | Revise Objective 3 as: <i>Development is to comply with Council’s Tree Management Policy and Appendix 1 - Green Web Map and Biodiversity Guide.</i>   |
|  | Part 3.2.2.Control 4 (v): Current control: Mature hollow trees and other fauna habitat features on the site. | Noted - Reference to mature trees with hollows to be updated in Part 3.2.2.  | Revise Control 4 (v) as: <i>Mature trees with hollows and other fauna habitat features on the site.</i>   |
|  | Place of public worship – add percentage for landscaped area   | Landscaped areas are required by way of landscaped setback provisions relative to land zoning and adjoining land uses. This approach is considered to be the best means of ensuring where plantings / landscaped areas are located onsite (towards sensitive boundaries, street frontages etc.) rather than a numerical control.                         | No DCP amendment required.  |
|  | Part 4   |  |   |
|  | Solar compensation relative to additional overshadowing to be provided.                                      | The DCP controls reference mitigation of overshadowing of private open space areas and solar collectors to neighbouring properties. Shadow impacts are to be assessed relative to the numerical controls but monetary compensation for shadow impacts is a matter for discussion between the developer and the adjoining landowners rather than Council. | No DCP amendment required.  |
|  | EV charges to be provided for vehicle sales, repairs and hire premises.                                      | EV charge controls are included in 3.14 Utilities in relation to car parking areas residential flat buildings, shop-top housing and non-residential buildings. It is considered that further review should be undertaken by Council officers to providing EV charges within the public domain.   | No DCP amendment required.  |

**Draft Georges River DCP 2020 - Summary of Submissions, Council response and DCP Amendment**

|                              |   |   |   |
|------------------------------|---|---|---|
|                              | Boarding houses include appliances with energy rating of 3.5 or higher. Should apply to all visitor accommodation                     | <p>The inclusion of energy ratings for appliances in Boarding houses has been prescribed in accordance with best practice. However, Tourist and Visitor Accommodation is a separately defined land use and a review of best-case examples identifies that energy ratings are not prescribed.</p> <p>It is considered that this is attributable to variety of facilities and services provided (i.e. off-site laundry service, in-house restaurants etc.) in hotel accommodation rather than communal cooking and laundry facilities which are provided in Boarding houses.</p> <p>As such no amendment to the Tourist and Visitor accommodation controls are deemed required.</p> | No DCP amendment required.  |
|                              | <p>Revise Part 4.3.5 Control 1(vi) - original control:</p> <p>Reducing stormwater run-off and promoting the use of recycled water</p> | Noted - Reference to recyclable water and rainwater tanks to be added in Part 4.3.5.  | <p>Revise control 1(vi) as:</p> <p><i>Reducing stormwater run-off and promoting the use of recycled water via the installation of rainwater tanks where possible;</i></p>   |
|                              | Landscape plan to include arborist report   | Arborist report requirements to be included in Council's DA Guide rather than DCP.  | No DCP amendment required.  |
|                              |   |   |   |
| 2                            | Re Parts 3 & 4 – as per comments above.   | As per comments above.  | As per comments above.  |
|                              |   |   |   |
| 3                            | Re use of “manor houses” rather than “manor housing”  | Noted – changes to be made in the DCP.  | <p>All references to “manor housing” to be changed to “manor houses” throughout the DCP, including the following sections:</p> <ul style="list-style-type: none"> <li>• Contents page (Part 6.2);</li> <li>• Part 3.13 Parking Access and Transport – Table 1 Off street Parking Requirements; and</li> <li>• Part 6.2 Multi Dwelling Houses, Multi Dwelling Houses (terraces) and Manor Houses.</li> </ul> |
| <b>Community submissions</b> |   |   |   |
|                              | <b>DCP Part / Section</b>   | <b>Council Response</b>   | <b>Recommendation</b>   |
|                              |   |   |   |
| 4                            | Part 3 -Urban heat islands  |   |   |

**Draft Georges River DCP 2020 - Summary of Submissions, Council response and DCP Amendment**

|   |  |   |   |
|---|--|---|---|
|   | Add quantitative measures  | Quantitative measures are not specified in best case DCPs and specific research would be required for such matters. It is considered that these matters will be reviewed in the future State government policies given the degree of scientific input required to quantify such measures. | No DCP amendment required.  |
|   | Part 3.14: Utilities<br>Regarding Underground power lines  | Additional controls to be added from Council's Underground cabling policy; which is being repealed by this DCP.   | Add additional control 7 and 8 as:<br><i>7. For all future roaded subdivisions, electricity supply is to be installed underground.</i><br><br><i>8. The existing above ground electricity and telecommunication cables within the road reserve and within the site will be replaced, at the applicant's expense, by underground cable and appropriate street light standards, in accordance with the Energy and Communication Provider's guidelines.'</i> |
|   | Public spaces including Oatley Memorial Park, Boongarra Reserve and Mortdale Station could benefit from additional shade / trees | Noted. Comments will be passed onto Council's Assets and Infrastructure Team to inform any future upgrades etc.   | No DCP amendment required.  |
|   |  |   |   |
| 5 | Part 8 – Kogarah Town Centre   |   |   |
|   | Lack of tree planting in the Railway Parade precinct.  | Kogarah Town Centre to be reviewed by Council officers.   | Reference to Council's Tree Management Policy (and its Appendix 1 – Tree Planting) included in the Desired Future Character section of the Railway Parade Precinct – <i>The Precinct will be greened through tree planting in accordance with Council's Tree Management Policy (and its Appendix 1 – Tree Planting).</i>  |
|   |  |   |   |
|   | Part 3 – sea level rise & water management, parking and signage  |   |   |
|   | Flood terminology – should reference AEP not ARI.  | Not supported. The Flood terminology to be retained as ARI  | Part 3.9.2 Control (3) and accompanying note amended  |

**Draft Georges River DCP 2020 - Summary of Submissions, Council response and DCP Amendment**

|  |  |  |   |
|--|--|--|---|
|  | <i>ARI (Average Recurrence Interval) - The average value of the periods between exceedances of a given rainfall total accumulated over a given duration.</i> | to be consistent with the DPIE's advice and as in the GRLEP Maps.  | in six places from '1in 100 year ARI' to '100 year ARI'   |
|  | Notes should refer to Australian Rainfall and Runoff guide for flood estimation  | Reference has been made to the Australian Rainfall and Runoff guide for flood estimation.  | Note in Part 3.9.2 Control (3) amended by adding reference at number (iv) to:<br>iv. <i>Australian Rainfall and Runoff: A Guide to Flood Estimation</i> |
|  | Part 3.9.2 Sea level   |  |   |
|  | Flood maps should adopt 0.9m sea level rise scenario   | <p>Council's Overland Flood studies and Risk Management Studies and Plans (e.g. Council's Final Report on Overland Flow Flood Study for Hurstville, Mortdale and Peakhurst Wards) assess sea level rise scenarios and includes comments on climate change including sea-level rise as appropriate at the time that the study was undertaken.</p> <p>Preliminary floor level controls have been placed with respect to sea level rise for properties identified on Council's 'Coastal Hazard and Risk Maps'.</p> <p>Notwithstanding, Council will gain advice / direction as to future appropriate controls with respect to sea level rise.</p> | No DCP amendment required.  |
|  | Submission seeks clarification as to whether sea level rise is mapped.   | The GRLEP contains a Coastal Hazard and Risk Map which illustrates sea level rise.   | No DCP amendment required.  |
|  | Flood map in LEP may require amendment and should be in DCP  | <p>To minimise overlapping and to minimise future housekeeping amendments, GRLEP provisions (including Flood maps) are not included in the DCP.</p> <p>Notwithstanding, flood maps will be reviewed and updated via a future amendment over the next 18-24 months.</p>   | No DCP amendment required.  |
|  | Part 3.10 Water Management   |  |   |

**Draft Georges River DCP 2020 - Summary of Submissions, Council response and DCP Amendment**

|  |  |  |  |
|--|--|--|--|
|  | Objective to minimise runoff is not forward thinking. Should be no 'net' increase  | Objective (c) is recommended to be updated to specify no 'net' increase.<br><br>Note - Council Stormwater Management Policy through requirements for provision of On-site Detention and rainwater reuse has been designed to have development not increase peak runoff flows.                                      | Revise Objective (c) in Part 3.10 Water Management as:<br><br><i>(c) Minimise run-off volumes and discharge rates from new developments to reduce ensure no 'net' increase in stormwater drainage flows and flood risk in urban areas relative to the existing.</i>  |
|  | Part 3.10 Water Management, Control No. 5: PMF plus freeboard for sensitive land uses should include critical services and utilities   | Control 5 is recommended to be updated to include all sensitive uses as defined in Council's Stormwater Management Policy.   | Revise Control 5 as:<br><i>Development consisting of sensitive land uses in PMF affected areas must provide 0.5 metres freeboard above the PMF flood event level. Sensitive land uses include but are not limited to the following:</i><br><ul style="list-style-type: none"> <li><i>i. Correctional facilities</i></li> <li><i>ii. Early education and child care facilities</i></li> <li><i>iii. Educational establishments</i></li> <li><i>iv. Group homes</i></li> <li><i>v. Health services facilities</i></li> <li><i>vi. Seniors housing</i></li> <li><i>vii. Respite day care centres</i></li> <li><i>viii. Liquid fuel deposits</i></li> <li><i>ix. Offensive storage establishments</i></li> <li><i>x. Public utility undertakings</i></li> <li><i>xi. Telecommunications facilities</i></li> <li><i>xii. Waste disposal facilities</i></li> </ul><br><i>Note:<br/>Refer to Council's Stormwater Management Policy 2020, specifically Section 6 Flooding and Overland Flow for further guidance.</i> |
|  | Part 3.13 Parking  |  |  |
|  | S7.11 contribution in lieu of parking is only effective where public parking is available.<br><br>Currently Kogarah Strategic Centre via the Kogarah Development Contributions Plan No. 8; and Hurstville City Centre, Penshurst, Mortdale, Beverly Hills and Riverwood Local Centres via the Hurstville Development | In the instances where Council's minimum car parking rates are not satisfied the use of S7.11 contributions to offset such non-compliance is consistent with best practice. Notwithstanding, it is recommended that car park offsetting is reviewed as part of Council's upcoming S7.11 / S7.12 contribution plan. | No DCP amendment required.   |

| Draft Georges River DCP 2020 - Summary of Submissions, Council response and DCP Amendment |  |  |  |
|---|--|--|--|
|   | Contribution Plan are the only centres where a S7.11 contribution in lieu of parking can be levied.  |  |  |
|   |  |  |  |
|   | Part 3.18 Signage  |  |  |
|   | Control 1 (ix) - Should be updated to reference cyclists on footpaths  | Part 3.18 Signage to be updated to reference the safety of all pedestrian and road users including cyclists.   | Revise Part 3.18 Control 1 (ix) as:<br><i>Not compromise road or pedestrian safety including cyclists.</i> |
|   |  |  |  |
| 6   | Part 3 – Energy efficiency   |  |  |
|   | More explicit in requiring passive built-in housing design features  | <p>Part 3.11.1 Energy and Water Efficiency outlines relevant requirements for residential and commercial building buildings in accordance with Basix and BCA / NCA requirements. The respective provisions seek to reduce greenhouse gases via prescribed energy targets depending on climate zones and building types.</p> <p>Furthermore, it is noted that passive design principles are incorporated into spatial design planning relative to individual land uses (i.e. building orientation to maximum solar gain, building layout to facilitate natural ventilation etc.) within land use specific sections of the DCP.</p> <p>As such, no detailed guidelines regarding passive design are deemed required.</p> | No DCP amendment required.   |
|   | Structural integrity of buildings in relation to environmental risks and insurance review should be undertaken prior to DA approval.                       | Detailed structural design is dealt with at Construction Certificate stage rather than DA. Notwithstanding, it is recommended that Council's DA Guide is reviewed relative to the submission of Geotechnical and structural reports where relevant (i.e. basement excavation).   | No DCP amendment required.   |
|   |  |  |  |
|   | Part 6 – dwellings and RFBs  |  |  |
|   | The minimum dwelling sizes (medium density – manor houses and high density - RFBs) need to be increased and pedestrian access routes into the developments | <p>Manor Housing</p> <ul style="list-style-type: none"> <li>The minimum dwelling sizes (m2) were extracted from The Low Rise Housing Diversity Code SEPP Design Guide.</li> </ul> <p>The minimum dwelling sizes</p>  | No DCP amendment required.   |



**Draft Georges River DCP 2020 - Summary of Submissions, Council response and DCP Amendment**

|  |                              |  |  |
|--|------------------------------|--|--|
|  | <p>need to be increased.</p> | <p>(m2) exclude balconies and courtyards.</p> <ul style="list-style-type: none"> <li>The number of pedestrian access routes is determined on the design and number of dwellings within the development. Where a dwelling (within a manor house development) has a frontage to a public road, it is required to provide a direct entry from that public road. Where a dwelling is located on the first floor, access from the ground level of the building will be provided.</li> </ul> <p>Residential Flat Buildings</p> <ul style="list-style-type: none"> <li>The minimum dwelling sizes (m2) were extracted from the Apartment Design Guide (ADG). The minimum dwelling sizes (m2) exclude balconies and courtyards. Increasing the minimum size of dwellings would create an inconsistency with the ADG. Clause 6A of State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development, states that development control plans cannot be inconsistent with ADG, which includes apartment size.</li> <li>The number of pedestrian access routes is determined on the design and number of dwellings within the development. The ADG requires direct street access be provided to ground floor apartments. Generally speaking, a building with a singular frontage to a public road will provide a communal entrance into the lobby of the building. The lobby will provide access to the ground floor apartments that do not have street access and lift access for residents on levels 1 and above. The number of lifts within a building is generally based on the number of units per floor as prescribed within the ADG. Objective 4F-1 Design Criteria 1 of the ADG prescribes a maximum of 8 units to be accessed off a single core, i.e. one lift and set of fire stairs.</li> </ul> |  |
|--|------------------------------|--|--|

**Draft Georges River DCP 2020 - Summary of Submissions, Council response and DCP Amendment**

|   |  |   |  |
|---|--|---|--|
|   |  | <p>Where a greater number of units are proposed per floor, additional lifts may be provided to ensure vertical circulation within the building is adequate.</p> <ul style="list-style-type: none"> <li>The BCA also addresses the number of units and the required number of lifts.</li> </ul>  |  |
| 7 | Submission from Local MP re GRLEP 2020   | Not applicable to DCP   | N/A  |
| 8 | Re no more development in Hurstville in relation to development application DA/2020/0387.  | Not applicable to DCP   | N/A  |
|   | <b>DCP Part / Section/issue</b>  | <b>Council Response</b>   | <b>Recommendation</b>  |
| 9 | Part 6.1.2.13 – Dual key dwellings   | All controls and references, including the contents and title pages relating to dual key dwellings are to be deleted.   | <ul style="list-style-type: none"> <li><i>Part 6.1.2.13 – Dual key dwellings deleted</i></li> <li><i>Title of Part 6.1 changed to 'Dwellings, Dual occupancies (attached and detached), Secondary dwellings, and Narrow lot housing (Low Density)'</i></li> </ul>  |
|   | Part 6.1.2.3 (2) Side and rear setbacks:<br>The reduced setback control for lots 12m or less should be increased to lots 12.5m or less | <p>A review of Council records indicates the following lot dimensions within the LGA :</p> <p>R2 Low Density Residential</p> <ul style="list-style-type: none"> <li>Total lots (approx. 30,990 lots)</li> <li>Lot width - 75% of lots (approx. 23,223 lots) <math>\geq 12.19\text{m}</math></li> </ul> <p>R3 Medium Density Residential (R3)</p> <ul style="list-style-type: none"> <li>Total lots (approx. 603 lots)</li> <li>Lot width - 81% of lots (approx. 489 lots) <math>\geq 12.19\text{m}</math></li> </ul> <p>Noting the above findings, it is recommended the minimum lot width be increased from 12m to 12.5m to capture the high proportion of lots greater than or equal to 12.19m.</p> | <p>Revise Part 6.1.2.3 (2) Side and rear setbacks as:</p> <p><i>The minimum side setbacks for ground and first floor are:</i></p> <p><i>i. 900mm for lots up to 12.5m in width measured at the front building line for the length of the development.</i></p> <p><i>ii. 1.2m for lots greater than 12.5m in width measured at the front building line for the length of the development.</i></p> <p><i>iii. 1.5m for all lots within the Foreshore Scenic Protection Area measured at the front building line for the length of the development.</i></p> |
|   | Part 6.1.2 Single Dwellings:<br>Delete FSR void control restricting any void to 15m2   | This control is recommended to be retained as it prevents proposed dwellings and first floor additions from incorporating large voids above the ground floor, which contribute to the scale and size of the first floor but are not considered gross floor area and   | No DCP amendment required.   |

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|  |   | not captured by the FSR control prescribed in the GRLEP.<br><br>Council has received numerous development applications where large voids are proposed and it creates a larger first floor and increased bulk than what the GRLEP envisaged when the maximum FSR was determined for the R2 zoned areas.   |   |
|  | Delete control restricting size of basement, no. of car spaces and FSR implications - Control 6.1.2 (single dwellings). 2 (Building scale and height) – control 4). | The request for no restrictions on the size of the basement and number of car spaces would result in excessive basement areas being provided, far in excess of the car parking or storage needs of a dwelling. The control seeks to minimize the extent of excavation and size (area) of a basement car park in a low-density residential setting. | No DCP amendment required.  |
|  | Part 6.1.2.2 Control 5 – street setback of levels above basement should be 1m and taken from balcony  | Agreed. Recommend setback requirement be included in the control.  | Revise Control 5 as:<br><i>Where the entry to the basement carpark is visible from the street, the entry should be recessed a minimum of 1m (from the edge of the external wall or balcony) from the levels above and the external walls of the garage differentiated from the walls above through articulation and external materials.</i> |
|  | Part 6.1.1 Point 3 Setbacks – Control 1 (iii)<br>Maximum front setback to be limited to 7.5m  | The control currently reads as 'where the prevailing street setback is greater than the minimum 5.5m the current control requires the front setback to be the average of the two adjoining properties'. This approach is considered to be appropriate and a maximum setback is not recommended.  | No DCP amendment required.  |
|  | Part 6.1.2.7 – control 7:<br>Delete basement/storey - 'the overall development presents as two storeys to the street'   | The wording is to be retained as it seeks to minimise the extent of a basement car park visible from the street, and highlights that a two-storey form is the desired outcome.   | No DCP amendment required.  |
|  | Part 6.1.2.12 Secondary Dwelling<br>Reduce side setback to 900mm (from 1500mm) for lots 12.5m wide or less  | The proposed side setback of 1500mm is provided in response to Councillor feedback and complaints they had received from the public regarding secondary dwellings being constructed too close (900mm) to side property   | No DCP amendment required.  |

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|  |  | boundaries.  |   |
|  | Part 6.1<br>Further details/controls of dual key dwellings to be provided                            | 'Dual key dwellings' are no longer a land use listed in the GRLEP and all controls and references, including the contents and title pages relating to dual key dwellings are to be deleted.  | See recommendation for dual key dwellings above.  |
|  |  |  |   |
|  | 6.1.3 Dual Occupancy<br>Delete FSR void control restricting any void to 15m2                         | This control is recommended to be retained as it prevents proposed dwellings and first floor additions from incorporating large voids above the ground floor, which contribute to the scale and size of the first floor but are not considered gross floor area and not captured by the FSR control prescribed in the GRLEP.   | No DCP amendment required.  |
|  | Part 6.1.3.2 Delete control 4 restricting size of basement, no. of car spaces and FSR implications   | The request for no restrictions on the size of the basement and number of car spaces would result in excessive basement areas being provided, far in excess of the car parking or storage needs of a dwelling. The control seeks to minimize the extent of excavation and size (area) of a basement car park in a low-density residential setting.   | No DCP amendment required.  |
|  | Part 6.1.3.2 Control 5 - Street setback of levels above basement should be 1m and taken from balcony | Agreed. Recommend setback requirement be included in the control.  | Revise Control 5 as:<br><i>Where the entry to the basement carpark is visible from the street, the entry should be recessed a minimum of 1m (from the edge of the external wall or balcony) from the levels above and the external walls of the garage differentiated from the walls above through articulation and external materials.</i> |
|  | Part 6.1.3.1 Control 4:<br>Impose maximum depth of recessed front entry, for e.g. 2m                 | Agreed that a maximum depth should be specified, however, a 2m recess is considered too deep as it will create reduced ability for passive surveillance from within the dwelling and a poor streetscape outcome. It is considered that the maximum depth of the recess is should be 1m to provide shelter for visitors to the dwelling whilst ensuring the front entry is legible from the street. | Revise Control 4 as:<br><i>Each dwelling entrance is clearly identifiable from the street and recessed a maximum of 1m into the façade of the dwelling.</i>   |

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|    | Setbacks of 900mm should apply not 1200mm and 1500mm   | Larger side setbacks for dual occupancies are considered appropriate as the buildings are located on larger lots in terms of overall area and lot width. The streetscape elevation of dual occupancies is likely to be wider, therefore increased side setbacks are considered appropriate.   | No DCP amendment required.   |
|    | Subdivision of dual occupancy to be considered as part of DA for construction of dual occupancy  | The GRLEP requires a dual occupancy to be constructed (and occupied) before consent can be granted for the subdivision of the dual occupancy.   | No DCP amendment required.   |
|    |  |   |  |
| 10 | Part 6 – dwellings and RFBs landscaping and Clause 6.19 and 6.13 of GRLEP 2020   |   |  |
|    | The submission requests the minimum landscaped area and tree protection requirements of the LEP (Clause 6.13 and Clause 6.19) are documented in the DCP  | To minimise overlapping, duplication and future housekeeping amendments, GRLEP provisions are not included with the DCP.  | No DCP amendment required.   |
|    |  |   |  |
| 11 | Part 6 – dwellings and RFBs landscaping and Clause 6.19 and 6.13 of LEP<br>The submission requests the minimum landscaped area and tree protection requirements of the LEP are documented in the DCP | See comment in submission 10 (above).   | See recommendation above.  |
|    |  |   |  |
| 12 | Part 3 – Greenweb DCP to acknowledge why no Green Web mapping is identified on former Hurstville LGA.  | The DCP is based upon the harmonisation of the existing Hurstville and Kogarah DCPs and associated policy documents. No Green web mapping was previously undertaken for the former Hurstville LGA. Furthermore, Council has commenced a biodiversity and foreshore study for the Georges LGA and the outcome of this study will influence future Green Web mapping.<br><br>A note is recommended to be added to Part 3.2.2 of the DCP identifying that the former Hurstville LGA will be subject to future Green web mapping. | Add the following note in Part 3.2.2 (after the controls):<br><br><i>Note:<br/>No Green web mapping was previously undertaken for the former Hurstville LGA. As such additional mapping will be required for the entire Georges River LGA.</i> |
|    | Part 6 – dwellings and RFBs  | See comment under submission  | See corresponding  |

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|    | landscaping and Clause 6.19 & 6.13 of LEP  | 10 (above).  | recommendation above.                            |
| 13 | <p>Part 6 – Re dual occupancies and battle-axe blocks.</p> <p>Clarification on what dual occupancy setback controls apply where an allotment is accessed via an access handle and does not have direct frontage to a road/street.</p> <p>A recent example of an approved dual occupancy accessed via an access handle is at 10 Asquith Street, Oatley - approved by Council on 22 June 2019 is quoted.</p> | <p>With regard to the approved dual occupancy at 10 Asquith St, Oatley it is noted this DA was assessed in accordance with the relevant provisions of the Kogarah LEP 2012 and Kogarah DCP (KDCP).</p> <p>The GRLEP now includes development standards relating to both minimum lot areas and minimum lot widths with regard to dual occupancies.</p> <p>As such, “Part 6.1 Dwellings, Dual Occupancies (attached and detached), secondary dwellings and ancillary dwellings” of the DCP defers to the minimum lot and minimum lot width at the front building line in the GRLEP to minimise overlapping and potential housekeeping amendments between both documents.</p> | No DCP amendment required.                       |
| 14 | <p>Part 3 – Greenweb DCP to acknowledge why no Green Web mapping is identified on former Hurstville LGA.</p> <p>Part 6 – dwellings and RFBs landscaping and Clause 6.19 &amp; 6.13 of LEP</p>  | See previous comment under submission 12 (above).  | Refer to recommendation for submission 12 above. |
| 15 | <p>Part 3 – Greenweb DCP to acknowledge why no Green Web mapping is identified on former Hurstville LGA.</p> <p>Part 6 – Dual occupancies, landscaping and Clause 6.19 &amp; 6.13 of LEP</p>   | See previous comment under point 12 (above).   | Refer to recommendation for submission 12 above. |
| 16 | <p>Part 4 – Places of Public worship</p> <p>Submission requests that controls should not apply to existing Places of Public Worship.</p>   | Alterations and additions to existing Places of Public Worship will be assessed on a merit basis relative to DCP controls. It is noted that Council’s Draft Places of Public Worship guidelines policy formed the basis of the proposed controls.  | No DCP amendment required.                       |

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| 17                               | General<br>DCP makes reference to Council and State policies which is confusing for non-planners / developers  | A key objective of the DCP is to identify relevant State and Council policies to benefit the reader including both professionals and land owners. As highlighted in Part 2 of the DCP, Council provides a Pre-DA advisory service to assist with the interpretation of planning controls and guidelines. In addition, clarification can be provided by Council's Duty Planner.                                    | No DCP amendment required. |
|                                  | Part 3.13 – Parking<br>Car parking to be introduced for secondary dwellings  | Onsite car parking is not deemed required for secondary dwellings as per best practice and existing controls.   | No DCP amendment required. |
|                                  | Parts 3.16 – Subdivision and 6.5 – Foreshore controls<br>Lot size to build a secondary dwelling in FSPA should be same as a dual occupancy (1000sqm) | No increase in lot size for secondary dwellings is deemed required for sites in FSPA due to the limited GFA restriction (i.e. 60sqm secondary dwelling). Secondary dwellings are also covered by State Environmental Planning Policy (Affordable Rental Housing).   | No DCP amendment required. |
| 18                               | LEP environmental provisions to be included in DCP.  | To minimise overlapping, duplication and to minimise future housekeeping amendments, GRLEP provisions are not to be included with the DCP.  | No DCP amendment required. |
|                                  | Council should be proactive in monitoring compliance with landscape plans prior to occupation – especially with Private Certifiers.                  | Development Consent compliance is not a matter of consideration for the DCP. Such matters are reviewed and managed by Council's Compliance officers where applicable.   | No DCP amendment required. |
| 19                               | Lack of public consultation  | The DCP was placed on exhibition for 38 days, greater than the prescribed period of 28 days in accordance with Council's Community Engagement Strategy. The engagement strategy was based on the practice of "inform, consult and involve" techniques in accordance with the abovementioned strategy. As part of this engagement process, a public/development industry webinar was held online in November 2020. | No DCP amendment required. |
| <b>Public Agency submissions</b> |  |   |                            |

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| 20 | <b>NSW Heritage</b>  |  |   |
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|    | <b>DCP Part / Section</b>  | <b>Council Response</b>  | <b>Recommendation</b>   |
|    | Supportive of DCP<br><br>Submission confirms that works to State Heritage items may require approval under the Heritage Act (s60).   | This request needs to be incorporated in the DA submission requirements for State Heritage items (s60) of Council's DA Guide rather than the DCP.  | No DCP amendment required.<br><br>However, it is recommended that DA submission requirements for State Heritage items (s60) are incorporated into Council's DA Guide. |
| 21 | <b>Transport for NSW</b>   |  |   |
|    | Road safety audits to be added to Part 3.16.2 – Roads, vehicular access and car parking.   | Given the existing Kogarah and Hurstville DCPs do not require Road safety audits, it is recommended that this is reviewed further with Council's traffic engineers as part of Council's DA Guide.  | No DCP amendment required.  |
|    | Green Travel Plans – In addition to Transport Impact Studies, a Green Travel Plan should be included in the controls.  | Reference is made in Part 3.11 to promote developments to reduce car dependence through a variety of measures including car sharing and green travel plans.<br><br>It is considered that DA submission requirements including Traffic Impact Statements and Green Travel Plans are best placed within Council's DA Guide rather than the DCP.  | No DCP amendment required.  |
|    | Active Transport – Council should review controls to support Future Transport 2056 objectives of increasing walking / cycling mode share for local trips.<br><br>Council should also seek to promote walking / cycling in Kogarah Health Precinct and Town Centre. | Reference is made in Part 3.11 to promote developments to reduce car dependence through a variety of measures including car sharing and green travel plans.<br><br>The DCP contains provisions regarding bicycle parking requirements per land use.<br><br>It is considered that area specific initiatives to promote walking and cycling are best dealt with specific Council policies as opposed to the DCP. As such comments will be reviewed further by Council's Public Domain and Sustainability team. | No DCP amendment required.  |
|    | Freight – Council should expand controls regarding key freight corridors including the Illawarra Rail Line and King Georges Road   | It is noted that the DCP controls are a result of the harmonisation of existing DCPs which pre-dated the LSPS. It is considered that further review with Council's   | No DCP amendment required.  |



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|    | in line with the LSPS 2040.   | technical officers is required prior to adding any detailed freight controls. Such amendments need to be addressed by future housekeeping amendments.  |   |
|    | <p>Parking access and transport – The DCP should specify the maximum number of off-street parking spaces for buses, taxis for hotels, serviced apartments and motels based on the number of rooms or GFA.</p> <p>In addition, Council does not require a minimum number of off-street loading and services spaces.</p> <p>Additional controls to be added to reference Infrastructure SEPP and Development near Rail Corridors Policy.</p>  | <p>With regard to car parking controls, it is noted that the DCP controls are a result of the harmonisation of existing DCPs which included minimum rates.</p> <p>It is noted that loading bay requirements are specified in Part 3.13 (control No. 52) of the DCP for retail and commercial land uses.</p> <p>Furthermore, <i>Part 3.20.2 Development near Road and Rail corridors</i> already contains reference to the Infrastructure SEPP and <i>Part 3.20.3 Noise Generating Development</i> includes a reference to Development near Rail Corridors and Busy Roads Policy.</p>   | No DCP amendment required.  |
| 22 | <b>NSW Rural Fire Service</b>   |  |   |
|    | <p>Raises no concerns, other than strengthening the provisions of Section 3.2.2 Green Web. The Habitat Reinforcement Corridor, if not managed to asset protection zone standards (APZ), may lead to increase in bush fire risk, especially along the Georges River riverfront.</p> <p>A review of the bush fire prone land mapping for the council area may be required to reflect additional areas of vegetation indicated on the Green Web Map as shown in <b>Appendix 1.1</b>.</p> <p>Future development on bush fire prone land must comply with the relevant provisions of Planning for Bush Fire Protection 2019. The areas within the buffer zone of the Habitat Reinforcement Corridor need to consider the bush fire risk posed by any retained unmanaged vegetation and/or proposed revegetation.</p> | <p>GRC manages bush fire risk on council owned or managed bushland in accordance with the Bush Fire Risk Management Plan. Priority areas are identified in the Plan and include required treatments to manage risk and fuel loads appropriately. This also coincides with the Bush Fire Prone Land Mapping.</p> <p>As the DCP pertains to preserving vegetation rather than seeking additional vegetation, a minor amendment is required in this instance. This is illustrated in the Recommendations column.</p> <p>It is noted that there is a discrepancy between the 'Vegetation Buffer' mapped on Council's Bushfire Prone Land Map and the Habitat Reinforcement Corridors in the Green Web Map (Appendix 1) of the DCP. Habitat Reinforcement Corridor should be retained or reinforced where it does not increase the risk of bush fire to properties. Especially, if it is an identified priority asset in the Bush Fire Risk Management Plan or is</p> | <p>Replace the existing Control 9 (i):Part 3.2.2 Green Web with a new control:</p> <p>Existing Control 9 (i):</p> <p>Continuous canopy and understorey planting along one boundary,</p> <p>Replace with new 9 (i):</p> <p><i>Allocating one boundary of the site to planting of indigenous vegetation of a mix of canopy species (over 3m height at maturity) and understorey species (less than 3m height at maturity),</i></p> <p>Council in conjunction with Total Earth Care are preparing a Biodiversity Study for the Georges River LGA. As part of the study vegetation corridors are being investigated and will inform an amendment to this DCP.</p> |

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|  | In summary, RFS requests Council to evaluate the implication of the green web maps (habitat reinforcement corridor) and associated asset protection management. | not managed to Asset Protection Zone standards (APZ) when required.<br><br>Noting the above it is considered that further review will be required to rectify the abovementioned discrepancy. Such matters can be resolved by way of a future DCP amendment. |  |
|--|---|---|--|

**Consideration of the draft DCP by Design Review Panel**

37. In accordance with *Clause 21A Approval of development control plans relating to residential apartment development* of the Environmental Planning and Assessment Regulation 2000, specific sections of the GRDCP 2020 were referred to the Design Review Panel (the 'DRP') for review and comments. These sections included:

- Part 6.3 – High Density Residential Controls
- Part 7.1.3 – 8 Shop Top Housing
- Part 10 – Precincts (Kogarah North)

38. The DRP comments are categorised into the following:

- Minor comments
  - Adding words/rewording of controls / objectives / notes for further clarification
  - Deleting redundant /unclear controls/objectives
- Major
  - Amendment to minimum tree size and inclusion of minimum soil area
  - Updating control to keep deep soil areas clear of sub-stations, fire booster assemblies and waste bin storage structures
  - Find alternative to extensive ramps to elevated front entry due to impacts on frontage deep soil zones
  - Amending control relating to the requirement of unpaved or unsealed areas from 40 to 70% to protect deep soil zones
  - Having paved communal open space on rooftops rather than at ground level to retain capacity for tree planting and unimpeded deep soil
  - Keeping basements under the building footprint

39. A summary of the issues raised by the DRP, council response to the issues raised and whether or not an amendment to the DCP is required in response to the issues raised is provided in **Table 3** below. A number of key issues listed in the table and the subsequent amendment to the draft DCP have been detailed below:

**Table 3: Issues raised by Design Review Panel - Council consideration and proposed changes**

| Existing DCP Part /phrase/objective /Control   | DRP proposed change | Council comment | Council recommendation |
|--|---------------------|-----------------|------------------------|
| <b>Part 6.3 – Residential Flat Buildings (High Density) and residential components of shop top housing</b> |                     |                 |                        |

| Existing DCP Part /phrase/objective /Control  | DRP proposed change  | Council comment   | Council recommendation   |
|---|--|---|--|
| <p>6.3.1 - Minimum Site Requirements</p> <p>Control 1: Minimum lot width is 24m.</p>  | <p>The minimum lot width of 24m may create problems with building and basement setbacks in terms of creating a functional parking basement dimension.</p>  | <p>The R4 areas (recently up zoned from R2) contain lots which range from 12.19m to 16m (approximately), therefore, once amalgamation occurs the lots are very likely to exceed 24m and more than adequate for buildings up to seven storeys and their associated parking requirements.</p>   | <p>No DCP amendment required.</p>  |
| <p>6.3.3 Building Setbacks and street interface</p> <p>Control 1 v. Above level four (ground plus 3 storeys), an increased setback of the upper levels/s may be required depending on the width of the street. The required additional upper level setback for sites fronting a road with a reservation width less than 20m will be determined based on their visual impact in the specific context of the development. If the assessment determines that an additional setback is required, the minimum additional setback will be 2m and up to 3m based on the assessment.</p> <p>Note: The setback area needs to be predominantly landscaped and is to accommodate a minimum of two (2) canopy trees to a mature height of at least 6m</p> | <p>Tree size is critical in providing adequate shade to apartment buildings. The minimum size of trees that can provide effective shading are medium trees or larger (minimum 8m diameter tree). These would require approximately 30m<sup>2</sup> soil area. The tree height (mature) of 6m is too small; height of tree should be based on lot area – larger lot to have more trees.</p> | <p>It is noted that increasing the minimum height of a mature tree (from 6m to 9m) will require greater deep soil volume areas. This may affect the siting of the building and the useability of the ground level courtyards.</p> <p>A 6m tree at mature height will enable the screening of a building up to two storeys. Upper levels (i.e. &gt;4 storeys) will be mitigated by the additional setbacks required under control 1.iii and 1.v.</p> <p>It is therefore considered that the provision of two (2) canopy trees with a mature height of 6m is reasonable in the circumstances.</p> <p>Given the control is a minimum; it does not preclude an applicant planting higher trees where viable.</p> <p>The note as currently drafted appears to only apply to upper level building setbacks. To ensure that it is interpreted to apply to front setback areas, it is recommended that the note is replaced with a new control.</p> | <p>Replace 'Note' under Control 1 v with a new Control 1 vi:</p> <p><i>The street setback area needs to be predominantly landscaped and is to accommodate a minimum of two (2) canopy trees to a mature height of at least 6m.</i></p> |
| <p>Control 5. Encroachments into boundary setbacks:</p>   | <p>Control 6.3.3(5) is suggested to be acceptable</p>  | <p>It is recommended to retain the control in its</p>   | <p>No DCP amendment required.</p>  |

| Existing DCP Part /phrase/objective /Control  | DRP proposed change   | Council comment   | Council recommendation   |
|---|---|---|--|
| <p>i. Ground floor private open space may encroach up to 2m into the 5m front setback leaving a minimum 3m of deep soil area to the street.</p> <p>ii. Ground floor private open space may encroach up to 3m into the side and rear setbacks leaving a minimum 3m of landscaped buffer.</p>   | <p>provided the encroachments are over a basements, otherwise need to be permeable or delete control entirely</p>                         | <p>current format. It is acceptable for ground floor apartments to have some paving/decking that extends beyond the building footprint. Further, it is likely the paving/decking will be located over the basement below as mentioned by the DRP.</p>   |  |
| <p>Control 7:<br/>For improved streetscape and reduction in visual clutter, powerlines in the street verge in front of new development to which this part applies will be undergrounded. This includes the connection of power supply from the road reservation into the development site</p> | <p>Add text: For improved streetscape, reduction in visual clutter <i>and to provide above ground space for street tree canopy...</i></p> | <p>Agree with the amendment of control.</p>   | <p>Amend control as:<br/><i>For improved streetscape and reduction in visual clutter, and to provide above ground space for street tree canopy, powerlines in the street verge in front of new development to which this part applies will be undergrounded. This includes the connection of power supply from the road reservation into the development site.</i></p> |
| <p>Control 8.<br/>Sub-stations, fire booster assemblies and waste bin storage structures need to be integrated into the development and identified at the DA stage.</p>   | <p>Add text – ‘clear of deep soil zones’ at the end.</p>  | <p>Substations need to be located near or on the front boundary and be accessible from the street via a concrete path/driveway. Therefore, they will be located in deep soil zones.</p> <p>Fire boosters should be able to be integrated into the design of the building and away from deep soil zones, however more often than not; they are located near or on the front boundary, particularly within a residential setting.</p> <p>Waste bin storage/collection zones will also need to be located near or on the front boundary and be accessible from the street, unless waste collections were to occur from within a building which Council’s</p> | <p>No DCP amendment required.</p>  |

| Existing DCP Part /phrase/objective /Control   | DRP proposed change   | Council comment   | Council recommendation  |
|--|---|---|---|
|  |   | Waste Department has advised they do not support.   |   |
| <p>6.3.4 - Basement Setbacks</p> <p>Basements are to be set back a minimum of 3m from the site boundaries (Refer to Figures 3 and 4).</p>  | <p>Basements should not protrude from ground level. The diagrams are not clear; it encourages the basement to be 'out'. Suggests amending Figure 3 and 4 to show the basement totally under the building, and show a larger tree.</p> | <p>Not supported</p> <p><u>Justification:</u> Not supported as this will not permit requisite parking in the basements – it has already been considered and endorsed by Council during the finalisation of the C2 section in Kogarah DCP 2013.</p>                  | <p>No DCP amendment required.</p>   |
| <p>Reference to figures 3 and 4.</p>   | <p>Beware of need for extensive ramps to elevated front entry due to impacts on frontage deep soil zone - see figures 3 and 3a detailing location of deep soil zones and basement parking level.</p>                                  | <p>The location and design of any basement ramp will be assessed on its merit with regard to built form controls and objectives, including streetscape, landscaped area and deep soil requirements.</p>   | <p>No DCP amendment required.</p>   |
| <p>Control 6: Basements fronting the primary street address are not to project more than 500mm above ground level (existing) at the street setback alignment.</p>  | <p>Developers should demonstrate why this cannot be achieved. The basement should not project out of the building footprint.</p>  | <p>Removing the 500mm allowance for basement projection above street level is a desirable streetscape outcome. It may be noted that the basements may need to project above ground in certain scenarios, like flooding; when merit assessment will be required.</p> | <p>Amend control 6 as:<br/><i>Basements fronting the primary street address are not to project above ground level (existing) at the street alignment.</i></p> |
| <p>6.3.5 - Façade Treatment and Street Corners</p> <p>Control 3: Human scale at street level must be reinforced in the design of the building and overall development. The scale, rhythm, materiality and landscaping treatment need to define the appearance of the building to create physical and visual connections between the private and public domain for pedestrians.</p> | <p>Reword Control 3 - it needs to ensure that there are <i>physical and visual connections</i>.</p>   | <p>Control already states this</p>  | <p>No DCP amendment required.</p>   |
| <p>Control 7:<br/>Clear glazing to</p>   | <p>Reword Control 7 - take out 'public domain' and replace with 'nearby vantage</p>   | <p>Supported</p>  | <p>Amend Control 7 as:<br/><i>Clear glazing to</i></p>  |

| Existing DCP Part /phrase/objective /Control   | DRP proposed change  | Council comment   | Council recommendation  |
|--|--|---|---|
| <p>balustrades must be avoided where they are visible from the public domain. Screening of balconies by way of adjustable or fixed panels should be included where there are issues of privacy, and/or excessive exposure to solar impacts.</p>  | <p>points’.</p>  | <p><u>Justification:</u> The term ‘nearby vantage points’ better covers the points from where the clear glazing can be viewed.</p>  | <p><i>balustrades must be avoided where they are visible from nearby vantage points. Screening of balconies by way of adjustable or fixed panels should be included where there are issues of privacy, and/or excessive exposure to solar impacts.</i></p>  |
| <p>6.3.6 Landscape Treatment and Private open space</p> <p>Control 7: Unpaved or unsealed areas within a development site should be maximised and designed to facilitate on site infiltration of storm water.</p>  | <p>Change the requirement of unpaved or unsealed areas to ‘70%’ to protect deep soil zones.</p>  | <p>Not supported</p> <p><u>Justification:</u></p> <p>Control was endorsed by a Council resolution – as it was considered the control was seeking to enforce more landscaped area, beyond the LEP requirement.</p> | <p>No DCP amendment required.</p>   |
| <p>6.3.7 Communal Open Space (General comment and Controls 2, 6, 8)</p> <p>General comment</p>   | <p>Retain unimpeded deep soil zones - no landscape structures in deep soil zones. Paved common open space should be provided on rooftops rather than at ground level to retain capacity for tree planting and unimpeded deep soil.</p> | <p>Pedestrian pathways and paving which is specifically designed for tree root growth can occupy up to 10% of the deep soil zone – as per the ADG (PART 3E, Figure 3E.4 – page 61).</p>                           | <p>No DCP amendment required.</p>   |
| <p>Control 2:</p> <p>Communal open space may be provided above ground level where:</p> <p>i. the proposed elevated communal open space will provide a similar level of amenity as a communal open space at ground level of the site; and</p> <p>ii. there will be no significant impact on surrounding properties in respect to the loss of privacy.</p> | <p>Reword Control 2 – swap ‘similar’ with ‘high’</p>   | <p>Supported</p> <p><u>Justification:</u></p> <p>‘High’ is stronger as compared to ‘similar’ level of amenity.</p>  | <p>Amend control 2 as:</p> <p><i>Communal open space may be provided above ground level where:</i></p> <p><i>i. the proposed elevated communal open space will provide a high level of amenity as a communal open space at ground level of the site; and</i></p> <p><i>ii. there will be no significant impact on surrounding properties in respect to the loss of privacy.</i></p> |
| <p>Control 6:</p> <p>Roof top communal open space areas should</p>   | <p>Control 6 should be reworded to include ‘amenities and common</p>   | <p>Supported.</p>   | <p>Amend Control 6 as:</p> <p><i>Roof top communal open space areas, amenities</i></p>  |

| Existing DCP Part /phrase/objective /Control  | DRP proposed change  | Council comment   | Council recommendation  |
|---|--|---|---|
| include equitable access for all residents, and must be designed to ensure that noise and overlooking will be avoided, by way of screening and setbacks from boundaries as detailed in Figure 6.  | (non-private) rooms'.  | <p><u>Justification:</u></p> <p>The amended control includes more relevant areas that require equitable access.</p>   | <p><i>and common (non-private) rooms should include equitable access for all residents, and must be designed to ensure that noise and overlooking will be avoided, by way of screening and setbacks from boundaries as detailed in Figure 6.</i></p>  |
| <p>Control 8:</p> <p>Ancillary structures on the roof such as lift overruns and staircases should be centralised to reduce their visual dominance. Balustrades should be visually recessive. Note: Ground level and roof top common open space to be provided in accordance with Part 3D of the Apartment Design Guide.</p>   | <p>Reword Control 8 - swap "centralised" with "located where their impact is minimised"</p>  | <p>Supported:</p> <p><u>Justification:</u></p> <p>The changed words have more strength.</p>   | <p>Amend control 8 as:</p> <p><i>Ancillary structures on the roof such as lift overruns and staircases should be located where their impact is minimised to reduce their visual dominance. Balustrades should be visually recessive. Note: Ground level and roof top common open space to be provided in accordance with Part 3D of the Apartment Design Guide.</i></p> |
| <p>6.3.10 - Dwelling Mix</p> <p>Developments that propose more than 20 dwellings are to provide a mix of dwellings consistent with the following percentage mix:</p> <ul style="list-style-type: none"> <li>i. Studio apartments and 1 bed apartments – Maximum of 25%</li> <li>ii. 2 bed apartments – Minimum of 35%</li> <li>iii. 3+ bed apartments – Minimum of 15%</li> </ul> | <p>DRP does not agree with 20 dwellings being the benchmark for providing a mix of dwellings and advise the benchmark to be 10.</p>  | <p>Not supported.</p> <p><u>Justification:</u></p> <p>In accordance with Council's adopted Inclusive Housing Strategy; based on population and demographic data, it needs to be 20 dwellings.</p> | <p>No DCP amendment required.</p>   |
| <p>General Comment - Tree Replenishment</p>   | <p>Tree replenishment should be based on lot area (For example 1 per X m2 of site area or part thereof) rather than a general numerical requirement. This will need to be tested further in relation to deep soil provision.</p> | <p>Not supported.</p> <p><u>Justification:</u></p> <p>We will comply with what is in Council's Tree Management Policy.</p>  | <p>No DCP amendment required.</p>   |
| <p>General Comment - Deep Soil Controls</p>   | <p>Current provision of landscaped area defined as deep soil zones for SEPP 65 developments is 7%</p>  | <p>Not supported.</p> <p><u>Justification:</u></p>  | <p>No DCP amendment required.</p>   |

| Existing DCP Part /phrase/objective /Control  | DRP proposed change   | Council comment  | Council recommendation   |
|---|---|--|--|
|   | which is inadequate as it does not achieve the canopy targets nominated in latest NSW Government guidance. GRC LGA's allowance should be increased - other Councils have up to 25%.   | Cannot be changed as it is in the LEP 2020; which is with DPIE for finalisation.   |  |
|   | 3m is the minimum dimension for deep soil to ensure there is adequate space to develop structural root zone successfully for stability - the 2m provision is inadequate.  | Not supported.<br><br><u>Justification:</u><br>Controls already state that deep soil is 3m.  | No DCP amendment required.   |
| General Comment - Communal Open Space   | Retain unimpeded deep soil zones - no landscape structures in deep soil zones. Paved common open space should be provided on rooftops rather than at ground level to retain capacity for tree planting and unimpeded deep soil. | Pedestrian pathways and paving which is specifically designed for tree root growth can occupy up to 10% of the deep soil zone – as per the ADG (PART 3E, Figure 3E.4 – page 61). | No DCP amendment required.   |
| <b>Part 7 - Business Precincts</b>  |   |  |  |
| 7.1.3 - Design (Section 8 - Shop top Housing) General Comment   | Consider potential for interim use of ground floor retail for a temporary period (e.g. 5 years)   | Not supported<br><br><u>Justification:</u><br>Governed by GRC LEP 2020.  | No DCP amendment required.   |
| 7.1.3 - Design (Section 8 – Shop top Housing) – Objectives ( b) and (c)<br><br>Objective (b) Ensure that the localities continue to provide a range of retail and commercial services with varied active frontages to the street, supported by an increased population. | Objective (b) - delete words after "frontages to the street".   | Supported with amendments to objective (b).<br><br><u>Justification:</u><br>The words do not add any value to the objective.   | Amend Objective (b) as:<br><i>(b) Ensure that the localities continue to provide a range of retail and commercial services with varied active frontages to the street.</i> |
| Objective (c) Encourage a range of uses above ground level that complement the role and are appropriate to the desired future character of the locality.  | (c) - Swap “complement the role” with “enhance the social and economic environment”   | Supported with amendments to objective (c)<br><br><u>Justification:</u><br>Makes the objective more inclusive.   | Amend objective (c) as:<br><i>Encourage a range of uses above ground level that enhance the social and economic environment, and are</i>                                   |



| Existing DCP Part /phrase/objective /Control  | DRP proposed change   | Council comment  | Council recommendation   |
|---|---|--|--|
|   |   |  | <i>appropriate to the desired future character of the locality.</i>  |
| <p>7.1.3 - Design (Section 8 – Shop top Housing) - Controls 1, 6, 7 and 10</p> <p>Control 1:</p> <p>The ground floor level of shop top housing development shall maintain active retail/commercial uses facing the street.</p>  | <p>Control 1 - change “maintain” to “comprise.”</p>   | <p>Supported with amendments to control.</p> <p><u>Justification:</u></p> <p>The change clarifies the control.</p>         | <p>Amend Control 1 as:</p> <p><i>The ground floor level of shop top housing development shall comprise active retail/commercial uses facing the street.</i></p>  |
| <p>Control 6:</p> <p>Design building openings at the ground floor to be in keeping with the overall building and bay scale and proportions.</p>   | <p>Control 6 – Delete “building and bay scale”.</p>   | <p>Supported with the amendment to control.</p> <p><u>Justification:</u></p> <p>The change makes the control succinct.</p> | <p>Amend Control 6 as:</p> <p><i>Design building openings at the ground floor to be in keeping with the overall proportions.</i></p>   |
| <p>Control 7:</p> <p>For cafe/dining uses, provide openable window areas in association with seating overlooking the street, to create the effect of outdoor dining. Note: Applications for outdoor dining must comply with Council’s Code for Commercial Use of Public Footways.</p>   | <p>Control 7 – swap “window areas” with “frontages”... and “create the effect” with “create the experience”</p>                       | <p>Supported with amendments to control.</p> <p><u>Justification:</u></p> <p>The change makes the control succinct.</p>    | <p>Amend Control 6 as:</p> <p><i>For cafe/dining uses, provide openable frontages in association with seating overlooking the street, to create the experience of outdoor dining. Note: Applications for outdoor dining must comply with Council’s Code for Commercial Use of Public Footways.</i></p> |
| <p>Control 10 and Note:</p> <p>Where possible, provide dedicated external clothes drying areas for apartments utilised by residents, while being screened from the public view.</p> <p><u>Note:</u> Additional balconies (i.e. not main balconies) may be considered appropriate for this purpose, provided that they are screened from public areas.</p> | <p>Rephrase Control 10. The intention is important but it is unclear if it is about balcony proportion or exposure to the street.</p> | <p>This is about well screened clothes drying.</p>   | <p>Amend Control 10 as:</p> <p><i>Clothes drying is only permitted on balconies if it is easily accessible, has a high degree of solar access and adequately screened from public view.</i></p>  |

| Existing DCP Part /phrase/objective /Control                            | DRP proposed change  | Council comment   | Council recommendation  |
|---|--|---|---|
| 7.1.4 - Amenity (Section 4 - Utility Infrastructure)<br>General Comment | Note that infrastructure requirements including emergency stair access, fire hose reels etc. tend to erode the "active" frontage". Investigate ways to mitigate these impacts.   | This relates to the provision of services to the buildings and the need for active frontages to streets and other public places.<br><br>The following sections of the DCP include controls that acknowledge the need for a balance between retaining an active street frontage and the provision of the services and infrastructure: <ul style="list-style-type: none"> <li>• Part 6.3.5 - Control 4</li> <li>• Part 6.3.6 – Objective (g)</li> <li>• Part 6.3.6 – Control 4</li> </ul> | Amend Section 7.1.4 by including the following new objective and control in Section 4:<br><br>Objective (d) (new):<br><i>Ensure services including fire booster valves, substations and other infrastructure do not detract from the streetscape presentation of a building.</i><br><br><b>Controls – General – All Development</b><br><br>Control 8 (new): <i>Essential services such as substations and fire booster assemblies must be integrated into the design of the façade.</i> |
| 7.1.3 - Design (Section 8 - Shop top Housing)<br>General Comment        | Consider potential for interim use of ground floor retail for a temporary period (e.g. 5 years)  | Not supported.<br><br><u>Justification:</u><br><br>Governed by GRC LEP 2020.  | No DCP amendment required.  |
| <b>Part 10 - Precincts (Kogarah North)</b>                              |  |   |   |
| General Comment - Kogarah North Precinct                                | The area is fundamentally compromised due to very high-density controls and misalignment of density and height, which has resulted in overdevelopment. This impacts on landscape provision, deep soil, tree canopy, public domain interface and consideration of heritage zones. Try to improve deep soil setbacks along public streets to improve tree canopy provision that can 'share' deep soil with the public domain, and provide screening to mitigate the scale of the proposed development in the area. | Noted.<br><br>Precinct was up zoned by the New City Plan Amendment which was gazetted in May 2017. The Kogarah North DCP Amendment which was based on the Kogarah North Urban Design Study has been translated into Part 10 - Kogarah North Precinct of the Georges River DCP 2020.   | No DCP amendment required.  |
| 1. Siting /Consolidation - Control (1)                                  | The control requires 60m frontage; which delivers  | Noted.  | No DCP amendment required.  |

| Existing DCP Part /phrase/objective /Control   | DRP proposed change  | Council comment  | Council recommendation            |
|--|--|--|-----------------------------------|
| <p>Control 1</p> <p>Sites must be of a sufficient width to accommodate development. For development sites to optimise yield and public domain amenity, a minimum site frontage of 60m is required. Where sites do not have a minimum site frontage of 60m, the development would need to ensure the design outcomes/built form takes into account the proportions of the building – the podium width compared to the width of the tower and the appearance from the public domain.</p> | <p>major change in character.</p>  | <p>The Precinct was upzoned from R2/R3 to R4 - High Density Residential. It was envisaged that this upzoning would result in a major character change for the Precinct.</p>        |                                   |
| <p>2. Heritage</p> <p>General Comment</p>  | <p>Consideration should be given to elements which can emphasise and celebrate remaining heritage items.</p>   | <p>The controls related to heritage in this section of the draft DCP were updated prior to exhibition to address the retention of heritage items.</p>                              | <p>No DCP amendment required.</p> |
| <p>3. Street Frontage Height</p> <p>Objective (e): Address the street with generally a four storey podium</p>  | <p>The draft DCP recommends 4 storey podium - would prefer a 3 storey podium in close proximity to heritage items</p>  | <p>The height of development in proximity to a heritage item within the Precinct is subject to review by the Council's Heritage Adviser - Height is one of the considerations.</p> | <p>No DCP amendment required.</p> |
| <p>4. Setbacks</p> <p>General Comment</p>  | <p>Refer to Figure 2 - shows elevated ground floor which will require extensive ramping and affect the deep soil areas.</p> <p>Note where awnings are included over private land, basements may be permissible as awnings reduce usefulness of deep soil planting.</p> | <p>Noted.</p> <p>The control has not resulted in extensive ramps to date.</p>  | <p>No DCP amendment required.</p> |
| <p>4. Setbacks</p> <p>General Comment (Continued)</p>  | <p>Include a requirement for tree planting in front setbacks as per the standard DCP. Suggests taller trees (i.e. 8m height at maturity) with smaller</p>  | <p>Section 5 - Trees and Landscape, control (3) requires additional tree planting.</p>   | <p>No DCP amendment required.</p> |

| Existing DCP Part /phrase/objective /Control   | DRP proposed change  | Council comment  | Council recommendation  |
|--|--|--|---|
|  | canopies than wider trees.   |  |   |
|  | Include a schedule of compliant tree species (i.e. greater than 8m) and include in landscape DA guidance. This would improve the assessment process for DA planners and provide clarity for landowners when developing schemes.  | Trees species are listed in Appendix 1 of the GRDCP 2020. Kogarah North Precinct public domain plan has been adopted by Council which also has a list of tree species. | No DCP amendment required.  |
|  | Include a recommendation requiring undergrounding of powerlines to provide capacity for street trees and improve public domain as per the standard DCP. This could have a substantial benefit by providing capacity for healthy trees with wide canopies in the public domain. | A control to this effect is already included in Section 19 - Site Facilities - Control 6.  | No DCP amendment required.  |
| 4. Setbacks<br><br>Reference to figures 2, 3 and 4.  | These need to be amended - deep soil of 5m wide and basements to be totally under the building footprint. Ground floor not to be elevated more than what is required for water protection.   | Figures will be retained as exhibited. Car parking requirements do result in the basement being larger than the footprint of the building.                             | No DCP amendment required.  |
| 5. Trees and Landscape (Controls 5 and 6)<br><br>Control 5: Additional communal open space on roof tops is encouraged in locations where it does not adversely impact on the residential amenity of surrounding residents. A plan of management will be required for the use of large communal terraces that must be implemented through the Owners Corporation by-laws. | Delete "additional" from control 5   | Supported.<br><br><u>Justification:</u><br>The term 'additional' weakens the control   | Amend control 5 as:<br><br><i>Communal open space on roof tops is encouraged in locations where it does not adversely impact on the residential amenity of surrounding residents. A plan of management will be required for the use of large communal terraces that must be implemented through the Owners Corporation by-laws.</i> |
| Control 6:<br>Deep soil zones are to be located within key communal outdoor space areas where large trees  | Rephrase control (6) - "Deep soil zones are to be located within ground floor setbacks providing screening/interface to the street where large trees will  | Supported with amendment of control.<br><br><u>Justification:</u>  | Amend control 6 as:<br><br><i>Deep soil zones are to be located within ground floor setbacks providing screening/interface to the</i>   |

| Existing DCP Part /phrase/objective /Control   | DRP proposed change  | Council comment   | Council recommendation  |
|--|--|---|---|
| will benefit the maximum number of residents and are to be located where tree planting will contribute to the public domain.                         | benefit from the maximum number of residents and are to be located where tree planting will contribute to the public domain."<br><br>Ensure that it is not tied to communal open spaces. | The amended control delinks the provision of deep soil areas and the communal open spaces.                                      | <i>street where large trees will benefit from the maximum number of residents and are to be located where they will contribute to the public domain</i> |
| 13. Architectural Articulation – façade, roof wall design and balconies<br>Control 15:<br><br>No development will be permitted within the roof void. | Question whether this issue impacts on amenities, common room etc. as part of roof garden access?  | Control 15 states "No development will be permitted within the roof void." This control does not impact amenities and the like. | No DCP amendment required.  |

### Final List of Changes to Georges River DCP

40. All changes to the GRDCP 2020 as result of the submissions received and the review by the DRP and Council officers are summarised in **Table 4** below.

**Table 4: Summary of DCP Amendments as result of the submissions received and review by the DRP and Council officers**

#### Part 1 – Introduction

- Clarified where the DCP applies in Part 1.8.
- Replaced list of S94 Development Contributions Plans with a link to the Council's website in Part 1.11.

#### Part 2 – Application Process

- Referenced the Council's DA Checklist in place of the Development Application Guide in Part 2.2.3.
- Referenced the Council's Community Engagement Strategy 2018-2028 in Section 2.4. The Strategy contains the requirements related to neighbour notification and advertising of Development Applications etc.

#### Part 3 – General Planning Considerations

- Revise 3.2.1 Objective (3) as: *Development is to comply with Council's Tree Management Policy and Appendix 1 – Green Web Map and Biodiversity Guide.*
- Revise Part 3.2.2 Control (4) (v) as: *Mature trees with hollows and other fauna habitat features on the site.*
- Revise Part 3.2.2 Control 9 (i) as: *Allocating one boundary of the site to planting of indigenous vegetation of a mix of canopy species (over 3m height at maturity) and understorey species (less than 3m height at maturity),*
- Add the following note in Part 3.2.2 after the controls: *Note - No Green web mapping was previously undertaken for the former Hurstville LGA. As such additional mapping will be required for*

*the entire Georges River LGA.*

- Referenced the Bushfire Prone Land Map in Section 3.4 – Bushfire Prone Land in the Note.
- Part 3.9.2 Control (3) and accompanying note:
  - Amended in six places from ‘1in 100 year ARI’ to ‘100 year ARI’
  - Add reference to ‘*Australian Rainfall and Runoff: A Guide to Flood Estimation*’ at number (iv) in the Note
- Revise Part 3.10 Water Management Objective (c) as: (c) *Minimise run-off volumes and discharge rates from new developments to reduce ensure no ‘net’ increase in stormwater drainage flows and flood risk in urban areas relative to the existing.*
- Amend Part 3.10 Water Management Control 4 (ii) by replacing ‘1in 100 year’ by ‘100 year’.
- Revise Part 3.10 Water Management Control 5 as: *Development consisting of sensitive land uses in PMF affected areas must provide 0.5 metres freeboard above the PMF flood event level. Sensitive land uses include but are not limited to the following:*
  - *Correctional facilities*
  - *Early education and child care facilities*
  - *Educational establishments*
  - *Group homes*
  - *Health services facilities*
  - *Seniors housing*
  - *Respite day care centres*
  - *Liquid fuel deposits*
  - *Offensive storage establishments*
  - *Public utility undertakings*
  - *Telecommunications facilities*
  - *Waste disposal facilities*

*Note: Refer to Council’s Stormwater Management Policy 2020, specifically Section 6 Flooding and Overland Flow for further guidance.*

- Part 3.13 Parking Access and Transport - Amended Control 37, ‘Large areas of at grade carparking are to be constructed of concrete or a light coloured material to minimise heat load. Tree planting within the carparking will be required to provide shade’.
- Part 3.13 Parking Access and Transport – Table 1 Off street Parking Requirements – swap ‘manor housing’ with ‘manor houses’.
- Part 3.14 Utilities - Revised control 6 as: *Car parking areas are to be designed and constructed so that electric vehicle and bicycle charging points can be installed at a later date. This will include the provision of 3 phase power to car parking areas for residential flat buildings, shop top housing and non-residential buildings.*
- Part 3.14 Utilities - Add additional controls 7 and 8 as:
  - 7. *For all future roaded subdivisions, electricity supply is to be installed underground.*
  - 8. *The existing above ground electricity and telecommunication cables within the road reserve and within the site will be replaced, at the applicant’s expense, by underground cable and appropriate street light standards, in accordance with the Energy and Communication Provider’s guidelines.*
- Revise Part 3.18 Signage Control (1) (ix) as: *Not compromise road or pedestrian safety including cyclists.*

## **Part 4 – General Land Use**

- Revise Part 4.3.5 Control (1)(vi) as: *Reducing stormwater run-off and promoting the use of recycled water via the installation of rainwater tanks where possible;*
- Part 4.3.8 Open Space and Landscaping, Revise Control 5, *New car parking areas are to be furnished with canopy trees identified in Council’s Tree Management Policy (and its Appendix 1 – Tree Planting). For every ten parallel spaces in a row parking arrangement a canopy tree must be*

*provided. Planting hole dimension is 2m x 2m minimum area. Protective furnishing must be provided to the tree surround.*

## **Part 5 – Residential Locality Statements**

- Updated Residential Localities Map as the one exhibited had a minor error in the legend – it had ‘suburb boundaries’ box in the legend (while there were no suburb boundaries in the actual map).
- Added content on the *Riverwood Precinct Investigation Area* in the Future Desired Character section, including a map illustrating the boundary of the precinct, in Section 5.1 – Riverwood
- Added content on the *Riverwood Estate State Significant Precinct* in the Future Desired Character section, with a description of this precinct, in Section 5.1 – Riverwood.

## **Part 6 – Residential Controls**

### **Part 6.1 – Low Density**

- Removed *Dual Key Dwellings* and ‘Ancillary dwellings’ from Part 6.1 heading, and added *Narrow Lot Housing*
- Removed *Dual Key Dwellings* in the contents page and as part of section 13 in the document as the Clause in the draft LEP2020 has been deleted by Parliamentary Counsel
- Referenced *Part 5 Residential Locality Statements* in Section 6.1.1 – Introduction
- Section 6.1.2 – Single Dwellings – Point 1 – Streetscape Character and Built Form. Added a new control *New buildings and additions are to consider the Desired Future Character statement in Part 5 of this DCP*
- Section 6.1.2 – Single Dwellings – Point 3 – Setbacks. Updated Control 5 so that it reads *Any garages or parking structures fronting rear lanes may encroach upon the rear setback areas but still provide a minimum setback of 1m from the lane*
- Section 6.1.2 – Single Dwellings – Point 9 – Noise. Under objectives, removed *Development is to be sited, designed and constructed to:*
- Revise Part 6.1.2.3 (2) Side and rear setbacks as: *The minimum side setbacks for ground and first floor are:*
  - *i. 900mm for lots up to 12.5m in width measured at the front building line for the length of the development.*
  - *ii. 1.2m for lots greater than 12.5m in width measured at the front building line for the length of the development.*
  - *iii. 1.5m for all lots within the Foreshore Scenic Protection Area measured at the front building line for the length of the development.*
- Revised Part 6.1.2.2 Control (5) as: *Where the entry to the basement carpark is visible from the street, the entry should be recessed a minimum of 1m (from the edge of the external wall or balcony) from the levels above and the external walls of the garage differentiated from the walls above through articulation and external materials.*
- Revise Part 6.1.3.1 Control (4) as: *Each dwelling entrance is to be clearly identifiable from the street and recessed a maximum of 1m into the façade of the dwelling.*
- Section 6.1.5 – Narrow Lot Housing – Kemps Estate. Referenced Appendix 7 which provides a history of Kemps Estate and its significance to the LGA
- Section 6.1.5 – Narrow Lot Housing – Kemps Estate. Removed a paragraph under the heading *Application of this chapter*
- Section 6.1.5 – Narrow Lot Housing – Kemps Estate. Under objectives, removed *The purpose of this chapter is to achieve the following objectives: and the development requirements for this part are provided in Table 1*

- Removed *Appendix 1 The Kemp's Estate*, and referenced this as Appendix 7 in the Appendices.

## **Part 6 – Residential Controls**

### **Part 6.2 – Medium Density**

- Parts 6.2 (Contents page, the introductory paragraph), Part 6.2.4, Part 6.2.6 and Part 6.2.16 - Swapped 'manor housing' with 'manor houses'.
- Section 6.2.2 – Building Scale and Height. Added a new control *Where the entry to the basement carpark is visible from the street, the entry should be recessed from the levels above and the external walls of the garage differentiated from the walls above through articulation and external materials*
- Section 6.2.3 – Streetscape Character and Built Form. Added a new control *New buildings and additions are to consider the Desired Future Character statement in Part 5 of this DCP* to ensure compliance with Part 5 – Residential Locality Statements
- Section 6.2.11 – Excavation (Cut and Fill). Updated the Notes to ensure that *Part 3 General Planning Considerations* requirements are also complied with
- Section 6.2.13 – Waste and Recycling Storage. In Control 1, removed reference to *Council's Waste Management Planning Requirements* and referenced *Part 3 General Planning Considerations and Appendix 4*
- Heading of the Indicative Building Envelopes diagrams changed to *Indicative Building Envelopes for building footprints, location of POS, landscaping and car parking*.

## **Part 6 – Residential Controls**

### **Part 6.3 – Residential Flat Buildings (High Density) and residential components of shop top housing**

- Section 6.3 Replace Note under Control 1 v with new control vi: *The street setback area needs to be predominantly landscaped and is to accommodate a minimum of two (2) canopy trees to a mature height of at least 6m.*
- Section 6.3.3 Setbacks and Street Interface – Amended Control 7: *For improved streetscape and reduction in visual clutter, and to provide above ground space for street tree canopy, powerlines in the street verge in front of new development to which this part applies will be undergrounded. This includes the connection of power supply from the road reservation into the development site.*
- Section 6.3.4 Basement Setbacks – Amended Control 6: *Basements fronting the primary street address are not to project above ground level (existing) at the street alignment.*
- Section 6.3.5 – Façade Treatment and Street Corners.
  - Added a new control (1): *New buildings and additions are to consider the Desired Future Character statement in Part 5 of this DCP* to ensure compliance with Part 5 – Residential Locality Statements.
  - Amend Control 7 as: *Clear glazing to balustrades must be avoided where they are visible from nearby vantage points. Screening of balconies by way of adjustable or fixed panels should be included where there are issues of privacy, and/or excessive exposure to solar impacts.*
- 6.3.7 Communal Open Space
  - Amended Control 2 as: *Roof top communal open space areas, amenities and common (non-private) rooms should include equitable access for all residents, and must be designed to ensure that noise and overlooking will be avoided, by way of screening and setbacks from boundaries as detailed in Figure 6.*
  - Amended control 6 as: *Communal open space may be provided above ground level where:*
    - the proposed elevated communal open space will provide a high level of amenity as a communal open space at ground level of the site; and*
    - there will be no significant impact on surrounding properties in respect to the loss of privacy.*
  - Amended control 6 as: *Ancillary structures on the roof such as lift overruns and staircases*



*should be located where their impact is minimised to reduce their visual dominance. Balustrades should be visually recessive. Note: Ground level and roof top common open space to be provided in accordance with Part 3D of the Apartment Design Guide.*

- Section 6.3.8 Solar Access: Adding a new control 6 regarding overshadowing – *New development shall maintain solar access to the living rooms and private open space of apartments within existing residential flat buildings.*

## **Part 6 – Residential Controls**

### **Part 6.4 – Ancillary Development**

- Section 6.4.1 – Fences and Walls. Replaced DCP reference numbers to references to relevant figures numbers in Controls 7 and 8.
- Section 6.4.3 – Outbuildings. Added a new control *External finishes and claddings of ancillary structures and outbuildings are to have low reflectivity finishes*
- Removed Section 6.4.4 – External Finishes and Cladding

## **Part 6 – Residential Controls**

### **Part 6.5 – Ancillary Development**

N/A

## **Part 7 – Business Precincts**

- Section 7.1.2 – Built Form – Point 2 - Setbacks - Updated Control 3, *In order to maintain the continuity of active frontages, side setbacks are generally not permitted unless specified in the precinct controls.*
- Section 7.1.3 – Design – Point 2 – Building Facades. Removed Controls 14 and 15, as balcony sizes and design are covered by NSW Government’s Apartment Design Guide (ADG)
- Section 7.1.3 – Design – Point 3 – Awnings. Added Controls 2, 3 and 9 from the City of Sydney DCP:
  - *2. New awnings are to be compatible with the scale of host and adjacent buildings and the architectural features of the host building.*
  - *3. Awnings where provided are to be located between the ground and first floors to maximise weather protection. The height of an awning may vary between 3.2m and 4.2m above the footpath. The height of the awning must ensure continuity in appearance with adjacent awnings and to relate to any distinctive features of the building.*
  - *9. Reconstruction or renovation of existing awnings must retain any significant fabric, for example pressed metal soffits*
- Section 7.1.3 – Design – Point 3 – Awnings. Elaborated on Control 4 and added, *the lighting fixtures are to be recessed into the awning. All wiring and conduits are to be concealed*
- Section 7.1.3 – Design – Point 3 – Awnings. Included *western facades* to Control 6
- Section 7.1.3 – Design – Point 3 – Awnings. Removed Control 7
- Section 7.1.3 – Design – Point 6 – Materials and Finishes. Updated Control 1 to say *Building construction is to utilise high quality and durable materials and finishes*
- Section 7.1.3 – Design – Point 6 – Materials and Finishes. Rephrased Control, *A large unarticulated expanse of any single material to facades is to be avoided.*
- Section 7.1.3 – Design – Point 8 – Shop top housing.
  - Amended Objective (b) as: *(b) Ensure that the localities continue to provide a range of retail and commercial services with varied active frontages to the street.*
  - Amended Objective (c) as: *(c) Encourage a range of uses above ground level that enhance the social and economic environment, and are appropriate to the desired future character of the locality.*
- Section 7.1.3 – Design – Point 8 – Shop top housing.
  - Amended Control 1 as: *The ground floor level of shop top housing development shall comprise active retail/commercial uses facing the street.*

- Amended Control 6 as: *Design building openings at the ground floor to be in keeping with the overall proportions.*
- Amended Control 7 as: *For cafe/dining uses, provide openable frontages in association with seating overlooking the street, to create the experience of outdoor dining. Note: Applications for outdoor dining must comply with Council's Code for Commercial Use of Public Footways.*
- Amended Control 10 as: *Clothes drying is only permitted on balconies if it is easily accessible, has a high degree of solar access and adequately screened from public view.*
- Section 7.1.4 – Amenity – Point 2 – Acoustic Privacy. Changed *habitable rooms* to *bedrooms*. Added *between 10pm and 7am* and updated the noise levels to a maximum of *35dB*
- Section 7.1.4 – Amenity – Point 2 – Acoustic Privacy. Removed Control 5 as it is the same as Control 1 and removed Control 6 as this information is in Control 2
- Section 7.1.4 – Amenity – Point 3 – Interface between Business zones and adjoining land uses. Removed Control 5 and added C2 controls (Controls 5 and 6):
  - *5. Side and rear boundary setbacks adjacent to a lower density residential zone or heritage item/conservation area for the purposes of visual separation, privacy and transition:*
    - a. *Minimum setback of 9m from the boundary between ground level and up to four storeys.*
    - b. *Upper level setbacks are 12m above four storeys.**Note: Private open space and balconies must comply with Part 4E of the NSW State Government's Apartment Design Guide.*
  - *6. Encroachments into boundary setbacks:*
    - a. *Ground floor private open space may encroach up to 2m into the 5m front setback leaving a minimum 3m of deep soil area to the street.*
    - b. *Ground floor private open space may encroach up to 3m into the side and rear setbacks leaving a minimum 3m of landscaped buffer.*
    - c. *The setback areas, other than any permitted ground floor private open space, are to be landscaped and be retained as part of the common property of the development.*
- Section 7.1.4 – Amenity – Point 4 - Utility Infrastructure – Added new objective and control
  - *Objective (d) (new): Ensure services including fire booster valves, substations and other infrastructure do not detract from the streetscape presentation of a building.*
  - *Control 8 (new): Essential services such as substations and fire booster assemblies must be integrated into the design of the façade.*
- Section 7.2.1 – Beverly Hills Local Centre (King Georges Road). Under *Desired Future Character*, referenced the current Hurstville DCP No. 1 and mentioned that the controls will be updated when the Masterplan is endorsed by Council
- Section 7.2.7 – Riverwood Local Centre (Belmore Road). Updated *Riverwood Planning Precinct* heading to *Riverwood Precinct Investigation Area*. Reworded and removed paragraphs under the *Riverwood Precinct Investigation Area*
- Section 7.2.7 – Riverwood Local Centre (Belmore Road). Updated *Riverwood Social Housing Estate* heading to *Riverwood Estate State Significant Precinct*. Reworded and removed paragraphs under the *Riverwood Estate State Significant Precinct*

## Part 8 – Strategic Centres

- Changed the cover page from *Kogarah Town Centre* to *Strategic centres*
- Amend the words in *Background* to reference the Kogarah Place Strategy
- Section 8.1.2 – 1. Railway Parade Precinct – Strengthening the Desired Future Character section – ‘The Precinct will be greened through tree planting in accordance with Council's Tree Management Policy (and its Appendix 1 – Tree Planting)’.
- Add in Desired Future Character in the Belgrave Street Precinct the following: *Post Office and Wicks Lanes will provide a finer grain pedestrian network for the Kogarah Town Centre and will facilitate activation, street art and night time activity.*
- Delete in the *Railway Parade South Precinct* a sentence that was not completed, *Recent shop top housing developments towards Blake Street change the*

### Part 9 - Industrial Development

- Changed the cover page from *Industrial* to *Industrial Development*
- Referenced *Part 3 – General Planning Considerations* in Section 9.1.1 – Application of this chapter.

### Part 10 – Precincts (Kogarah North)

#### Section 10.1.6 - The Controls – Point 5 - Trees and Landscape

- Amended control (5) as: *Communal open space on roof tops is encouraged in locations where it does not adversely impact on the residential amenity of surrounding residents. A plan of management will be required for the use of large communal terraces that must be implemented through the Owners Corporation by-laws.*
- Amended control (6) as: *Deep soil zones are to be located within ground floor setbacks providing screening/interface to the street where large trees will benefit from the maximum number of residents and are to be located where they will contribute to the public domain*

### Appendices

- Editing of *Appendix 4- Waste Management* to simplify the document. The information deleted will most likely change over the next 2 years as Council prepares for a new waste collection contract. By removing this information from the document, it can instead be added to the Council website and more frequently updated if/when required.

- Added *Appendix 7 – The Kemp’s Estate*

### Overall

- Spelling corrected
- Formatting corrected
- Referencing figure nos. and appendices nos. corrected
- Reference to GRLEP Clauses clarified

**Note:** The above amendments have been incorporated in the amended GRDCP 2020 in **Attachments 1 to 16** of this Report.

### Review of other Council documents

41. As a result of Council’s consideration of submissions received and a review of the GRDCP by the DRP and Council officers, there are a number of issues that have been identified for future review and may form part of future DCP amendments. These include a review of:
  - The public spaces including Oatley Memorial Park, Boongarra Reserve and Mortdale Station by Council’s public domain team for additional shade / trees;
  - Controls with respect to sea level rise in future;
  - Flood maps (within 18-24 months);
  - Green Web mapping as a result of finalisation of Biodiversity and Foreshore Study for the Georges LGA;
  - Council’s Habitat Reinforcement Corridors;
  - Freight corridors; and
  - Design provisions requiring for working spaces in smaller dwellings and residential apartments to address the increasing trend arising from COVID-19 of working, studying and schooling from home.
42. Key suggestions have also been made for requirements to be included in the DA Guide. These include:

- the submission of Geotechnical and structural reports where relevant (i.e. basement excavation)
- the requirement of including Traffic Impact Statements and Green Travel Plans
- the submission requirements for State Heritage items under the Heritage Act 1977 (s60)

### DCPs for Hurstville City Centre

43. As mentioned, Development Control Plan No 2 - Hurstville City Centre (Amendment No 10) and Development Control Plan No 2 - Hurstville City Centre (Amendment No 5) will continue to apply to the land identified as Hurstville City Centre and the GRDCP applies to the remainder of the LGA. The two existing DCPs for the Hurstville City Centre are anticipated to be updated as result of the preparation of Stage 2 of the Commercial Centres Strategy. This is scheduled to be undertaken in 2023; in accordance with the updated schedule of the staged preparation of the GRLEP documented in Council's resolution of 23 November 2020 (CCL046-20).
44. As recommended by the Department of Planning Industry and Environment, the current notification provisions in the two DCPs for Hurstville City Centre as listed above will be repealed in accordance with Clause 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.
45. Refer to paragraph 15 of this report for a list of Council's DCPs and policies being repealed.

### Next Steps

46. The next steps include:

| Date                       | Task  |
|----------------------------|---|
| 4 March 2021 (this Report) | Consideration of submissions received to the GRDCP and adoption of the GRDCP by the LPP   |
| March/April 2021           | Anticipated GRLEP 2020 gazettal   |
| March/April 2021           | Notice on Council's website – DCP becomes effective after GRLEP 2020 is gazetted (subject to the timing of the GRLEP 2020 gazettal) |