

Ref No: D20/255627

# Planning Proposal for LEP21

**Amendment to Georges River Local Environmental Plan 2020**

**(PP2020/0002)**

**October 2020 – For Gateway**

## TABLE OF CONTENTS

<b>Section A: Overview</b> .....	<b>3</b>
1. Introduction.....	3
2. Background.....	3
3. Local Strategic Planning Statement 2040 .....	4
4. LEP Staged Program .....	5
5. Local Housing Strategy .....	7
6. Concurrent Studies and Strategies .....	8
<b>Section B: The Planning Proposal</b> .....	<b>10</b>
<b>Part 1: Objectives or Intended Outcomes</b> .....	<b>10</b>
<b>Part 2: Explanation of the Provisions</b> .....	<b>10</b>
1. Narwee Housing Investigation Area .....	11
2. Manor Houses and Multi Dwelling Housing (Terraces).....	24
3. Mapping Anomalies .....	36
<b>Part 3: Justification</b> .....	<b>39</b>
<b>Part 4: Mapping</b> .....	<b>43</b>
<b>Part 5: Community Consultation</b> .....	<b>44</b>
<b>Part 6: Project Timeline</b> .....	<b>45</b>
<b>Conclusion</b> .....	<b>46</b>
<b>Appendices</b> .....	<b>47</b>

# Section A: Overview

## 1. Introduction

This Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning & Assessment Act 1979 (EP&A Act)*, the *Environmental Planning and Assessment Regulation 2000* and the following advisory documents prepared by the New South Wales Department of Planning, Industry and Environment (DPIE):

- “A guide to preparing planning proposals” (December 2018); and
- “A guide to preparing local environmental plans” (December 2018).

The purpose of this Planning Proposal, known as LEP21, is to amend the *Hurstville Local Environmental Plan 2012* (“HLEP 2012”) and the *Kogarah Local Environmental Plan 2012* (“KLEP 2012”), or if gazetted, the *Georges River Local Environmental Plan 2020* to create additional housing capacity within the Georges River LGA and to rectify a number of issues unresolved by the revised planning proposal for the LEP 2020.

## 2. Background

On 12 May 2016, the Minister for Local Government announced the newly formed Georges River Council (Council), which was formed out of the amalgamation of the former Kogarah Council and the former Hurstville City Council.

On 7 September 2018, Council received \$2,500,000 funding from the NSW Government’s Accelerated LEP Program for an accelerated review of Council’s existing LEPs and the preparation of a new LEP that aligns with the priorities outlined in the South District Plan.

In accordance with the statutory agreement, the revised Planning Proposal for the *Georges River Local Environmental Plan 2020* (“LEP 2020”) was endorsed by the Georges River Local Planning Panel (“LPP”) at its meeting in June 2020 and was submitted to the Department of Planning, Industry and Environment (“DPIE”) for final legal drafting on 30 June 2020.

Council was advised by the DPIE in June 2020 that there is a shortfall of housing delivery in the LGA. Accordingly, Council must create capacity for additional dwellings to meet the Greater Sydney Commission’s 6-10 year housing target of 3,450 - 4,250 dwellings (for the period from 2021 to 2026). The surplus grant funding from the LEP 2020 project has been made available to enable the expedited preparation of a planning proposal to address this shortfall in housing delivery, subject to the submission of this planning proposal for finalisation by 31 March 2021.

### 3. Local Strategic Planning Statement 2040

Council’s *Local Strategic Planning Statement 2040* (“LSPS 2040”) was endorsed by the Greater Sydney Commission (“GSC”) on 10 March 2020. It sets out the land use vision for the next 20 years to strengthen the character of the LGA’s suburbs and builds upon the social, environmental and economic values of the Georges River community. It is also a key resource in highlighting the changes which will shape the LGA’s future. It includes actions that both Council and the State Government will take to create a future City which is desirable to its community, visitors and investors.

The LSPS 2040 builds on the community’s aspirations and expectations expressed in Council’s *Community Strategic Plan 2018-2028* (“CSP”). Extensive community consultation was undertaken as part of the two-staged consultation program for the LSPS to gather community input on the draft vision, local planning priority outcomes and the criteria for strategic planning, including identifying location for future housing investigation.

The LSPS 2040 identifies a staged program of investigation to deliver additional housing. The following housing targets have been nominated, equating to an additional 14,000 dwellings by 2036:

- 2016 to 2020 inclusive (0-5 year target): +4,800 dwellings as specified by the *South District Plan*
- 2021 to 2026 (6-10 year target): +3,450 dwellings
- 2026 to 2036 (11-20 year target): +5,750 dwellings

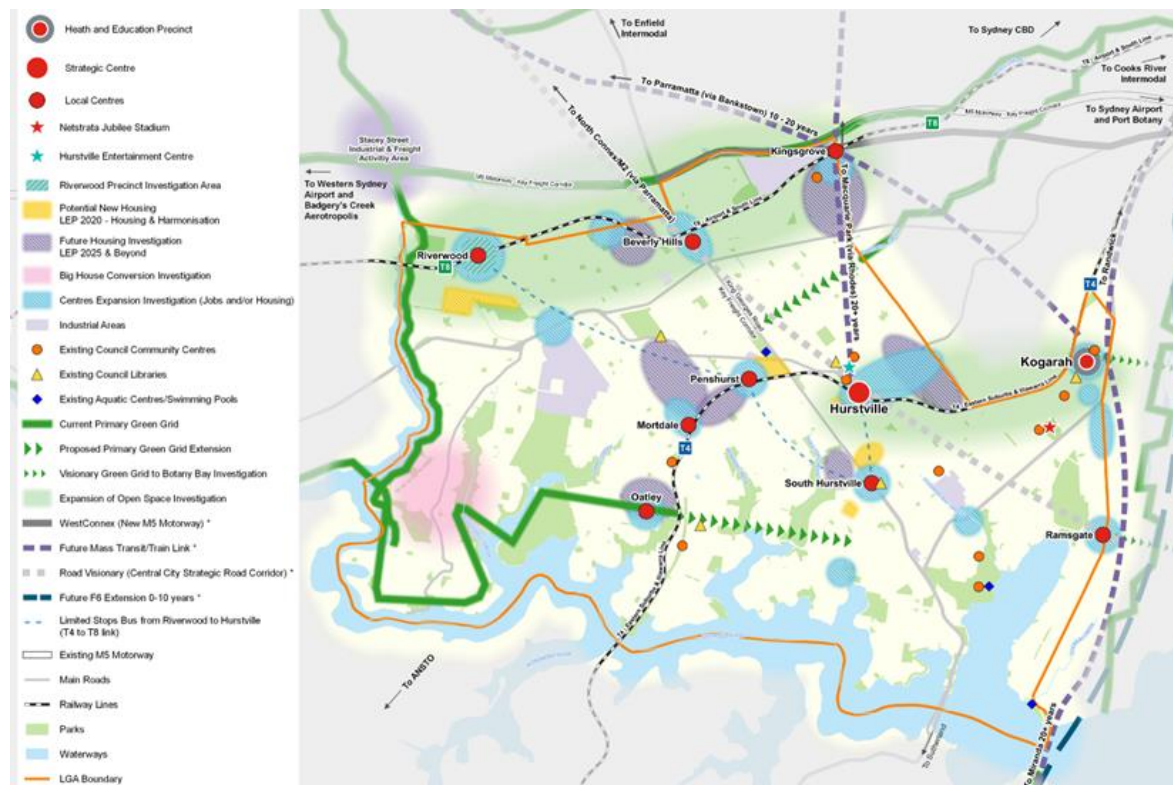


Figure 1 LSPS Structure Plan

To plan for the provision of new housing, the LSPS 2040 Structure Plan (refer Figure 1 above) nominates several locations to be investigated. The areas hatched in yellow on the Structure Plan have been included in LEP 2020 as Housing Investigation Areas which will contribute to the 6-10 year housing target. The five Housing Investigation Areas will enable the provision of approximately 650 dwellings in total (hatched in yellow). The areas hatched in purple are Future Housing Investigation Areas which will be discussed further in this report.

## 4. LEP Staged Program

At its meeting dated 26 February 2018, Council resolved to prepare a principal LEP for the Georges River LGA which gives effect to the *South District Plan* and harmonises the following existing LEPs:

- Kogarah Local Environmental Plan 2012 (“KLEP 2012”);
- Hurstville Local Environmental Plan 2012 (“HLEP 2012”); and
- Hurstville Local Environmental Plan 1994 (“HLEP 1994”).

The Planning Proposal for the *Georges River Local Environmental Plan 2020* (“LEP 2020”) was revised with consideration of the public exhibition outcomes and was reported to the Georges River Local Planning Panel (“LPP”) in June 2020 seeking endorsement to submit the revised Planning Proposal to the Department of Planning, Industry and Environment (“DPIE”) for final legal drafting.

At this meeting, the LPP resolved to endorse a number of revisions to the exhibited Planning Proposal for LEP 2020, including the retention of the existing Foreshore Scenic Protection Area (“FSPA”) as identified by the *HLEP 2012* Foreshore Scenic Protection Area Map with the addition of the proposed Foreshore Scenic Protection Area as exhibited which includes the foreshore localities in the former Kogarah LGA to allow Council the opportunity to further define the role, mapped extent and zoning of FSPA across the LGA as part of the preparation of LEP 2021/2022.

The LEP 2020 was the first stage of a four-stage approach to preparing the principal Georges River LEP. The staged approach was developed 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”).

The following staged approach to preparing the Georges River LEP is outlined in the LSPS 2040, and was endorsed by Council at its meetings in April 2019 and October 2019:

**Stage 1:** Housing and Harmonisation (LEP 2020 – submitted for plan making on 30 June 2020)

- Harmonise the existing LEPs
- Seek to achieve housing targets and housing choice through upzoning certain areas

**Stage 2:** Housing Choice (scheduled for 2021)

- Seek to promote inclusive and affordable housing
- Investigate mechanisms such as big house conversions and build to rent to provide more housing choice across the LGA

**Stage 3: Jobs and Activation (scheduled for 2022)**

- Review development standards in centres
- Infrastructure delivery mechanisms
- Review and implement the outcomes of the Hurstville City Centre and Beverly Hills Local Centre masterplans

**Stage 4: Housing and Future Growth (scheduled for 2025 and beyond)**

- Focus on land use changes beyond the next 5 years

LEP 2021 is the next stage within the Georges River LEP staged approach and was endorsed by Council at its meetings in 23 April 2019 and October 2019 to focus on housing choice through the promotion of inclusive and affordable housing and the investigation of mechanisms such as big house conversions and build to rent to provide more housing choice across the LGA.

However, before the preparation of LEP 2021 could be commenced, in June 2020 Council received advice from DPIE providing additional time to utilise the surplus grant funds subject to the following conditions:

- That the Local Housing Strategy is submitted to the DPIE by 30 September 2020; and
- That an additional LEP is submitted for plan making by 31 March 2021 to address the shortage of housing supply as compared to the Greater Sydney Commission's 6-10 year housing targets and the current housing pipeline of supply and completions.

The Greater Sydney Commission's 6-10 year housing targets for the LGA is specified within its Letter of Support for Council's LSPS 2040 dated 4 March 2020. This letter requires Council to show how the 6-10 year housing target of 3,450 - 4,250 dwellings can be met as part of its *Local Housing Strategy*.

In response, Council, at its meeting held 24 August 2020, resolved to prepare a Planning Proposal to amend the HLEP 2012 and KLEP 2012 (or if gazetted, Georges River LEP 2020) to promote housing choice and create capacity for additional dwellings to meet the Greater Sydney Commission's 6-10 year housing target (3,450 - 4,250 additional dwellings) for the period from 2021/22 to 2025/26.

***ENV032-20 Georges River Local Environmental Plan 2021 (Planning Proposal - Housing Choice and Capacity)***

- (a) *That Council resolve to prepare a Planning Proposal (stage 2 of the Principal LEP to be known as LEP 2021) to amend the Kogarah and Hurstville Local Environmental Plans (or if gazetted, Georges River LEP 2020) to promote housing choice and create capacity for additional dwellings to meet the Greater*

*Sydney Commission's 6-10 year housing target (3,450 - 4,250 additional dwellings).*

- (b) *That Council authorise the General Manager to execute the renewed funding agreement with the NSW Government to utilise the surplus grant funding from the Accelerated LEP Program to enable the preparation of stage 2 of the Principal LEP, the Georges River Local Environmental Plan 2021 ("LEP 2021"), and to commence stage 2 of the Commercial Centres Strategy including the preparation of the masterplan for the Mortdale Local Centre.*

## **5. Local Housing Strategy**

At its meeting of 10 August 2020, Council resolved to adopt the *Local Housing Strategy* as a supporting document to the *GRLEP 2020*. The *Local Housing Strategy* intends to set a clear plan for housing in the Georges River LGA over the next 10 and 20 years. The Strategy provides the link between Council's visions for housing and the Actions of the *South District Plan* by presenting Council's response to how the housing target will be delivered locally.

The *South District Plan* sets a five-year (2016 to 2021) housing target of 4,800 additional dwellings for the Georges River LGA. However, the Plan provides Council with the opportunity to develop the 6-10-year housing targets by demonstrating capacity for steady housing supply into the medium term. The Plan also emphasises the need to plan for the 20-year strategic housing target. An additional 13,400 dwellings is prescribed by the State Government (*DPIE 2016 Dwelling Projections*) as the 2036 housing target for the Georges River LGA.

The first stage of the *Georges River Local Housing Strategy*, the *Local Housing Strategy Evidence Base* conducted a review of the current and future population and housing trends for the LGA for the purpose of reviewing the 2036 housing target.

Through its review process, the *Evidence Base* identifies a revised 20-year housing target of an additional 14,000 new dwellings. It also identifies that under existing planning controls, the LGA will be able to provide over 12,000 new dwellings which means that the planning framework will need to be adjusted to address the shortfall of approx. 2,000 dwellings in housing the future 2036 population.

The *Evidence Base* also highlights the significant shifts in housing consumption patterns in recent years and reveals the housing preferences that are occurring due to demographic and social change in Georges River Council's population. Over the next 20 years, the most significant growth will occur in the 'couples with children' household whilst 'couples without children' and 'lone person' household types are also forecasted to increase, driven by migration and an ageing population.

Informed by the *Evidence Base*, the *Local Housing Strategy* has been prepared based on the following key findings and policy implications:

- Meet the *South District Plan* housing targets;
- Respond to the *LSPS 2040* Planning Priorities and Actions;

- Identify additional housing opportunities through the harmonisation of the existing Hurstville and Kogarah LEPs;
- Support ageing in place;
- Encourage housing choices;
- Facilitate the delivery of a diverse range of housing;
- Consider mechanisms that deliver affordable and inclusive housing; and
- Continue to encourage housing growth along transport corridors.

A number of gaps and issues are identified by the *Local Housing Strategy* in response to the key findings from the *Evidence Base* and outcomes of the LSPS community engagement program. To address these gaps and issues, a number of housing objectives have been developed to set out the future policy direction for housing in the Georges River LGA. These housing objectives are supported by a set of actions with the intent of informing the preparation of the Georges River LEP through the four stage approach. The key actions that have been critical in informing the preparation of this Planning Proposal include:

- Create additional housing capacity by up-zoning appropriate areas;
- Ensure up-zoned areas are selected in accordance with the criteria to guide growth outlined in the LSPS 2040;
- Facilitate a broader range of housing types across the Georges River LGA to promote housing choice, including mechanisms to make housing more affordable; and
- Establish a hierarchy of residential zones that restricts low, medium and high density development to their respective zones.

## 6. Concurrent Studies and Strategies

As outlined above, LEP 2021 (Stage 2 of the LEP Program) was endorsed by Council to focus on the provision of housing choice across the LGA with specific emphasis on the promotion of inclusive and affordable housing and the investigation of mechanisms such as big house conversions and build-to-rent. It was anticipated that the preparation of these tasks would be commenced after the gazettal of the draft LEP 2020. However, the preparation of this expedited Planning Proposal to address the existing shortfall in housing delivery has significantly altered the deliverables of Stage 2 - Housing Choice of the LEP Program.

In summary, further investigation is required for the project streams outlined below in accordance with the Council-endorsed staged LEP program to inform future LEP amendments. These investigations are currently underway:

### **Affordable Housing Policy**

Preparation of Council's *Affordable Housing Policy* includes considerations of build-to-rent provisions and inclusionary zoning to promote inclusive and affordable housing. The draft status of this investigation is unable to provide a robust evidence base to inform this Planning Proposal.



## **Big House Conversions**

Preliminary investigation had also commenced for the adaptive re-use of existing large family homes through big house conversions. The intent of this investigation is to create a new development typology in the R2 Low Density Residential zone which will enable existing, under-utilised family homes to be converted into multiple smaller dwellings while retaining the existing local character. This will allow housing choice in areas with limited capacity for growth.

Further consideration of big house conversions is required due to the complexities associated with the conversion of existing dwellings, including compliant fire separation, the types of dwelling suitable for conversion and the economic feasibility of adapting an existing house.

## **Foreshore Scenic Protection Area Review**

Council has commenced the preparation of a *Foreshore Scenic Character Review* and a LGA-wide *Biodiversity Study* utilising the DPIE grant funding with the intent of further investigating the role, mapped extent and zoning of the Foreshore Scenic Protection Area (“FSPA”) in accordance with the following resolution made by the Georges River Local Planning Panel at its meeting dated 25 and 26 June 2020:

*2. The Panel recommends that Council as part of the preparation of the draft Local Environmental Plan in 2021/2022, further define the role, mapped extent and zoning of the FSPA, in both the former Hurstville and Kogarah Local Government Areas, having regard to those properties and ridge lines visible to and from the Georges River and its tributaries, and associated environmental protection applying to those areas in order to better reflect the objectives of Clause 6.7 of the Georges River Local Environmental Plan 2020. This may include the consideration of additional environmental protection zones or modifications of the FSPA.*

## **Future Investigations – Housing and Jobs**

Council will continue with the above investigations in accordance with the Council-endorsed staged LEP program to deliver additional housing choice in the next LEP amendment.

The remainder of the LEP grant funding has been committed to the preparation of a masterplan for the Mortdale Local Centre, which is currently underway and will be integrated in future amendments to the LEP subject to Council’s endorsement and LEP program.

## Section B: The Planning Proposal

### Part 1: Objectives or Intended Outcomes

The outcome of this Planning Proposal is an amendment to the consolidated principal Georges River LEP which provide for additional housing choice and capacity in the LGA.

The primary objective of this Planning Proposal is to identify additional housing opportunities in the LGA to meet the short term targets imposed by the State Government. In addition, this Planning Proposal also seeks to address a number of considerations unresolved by LEP 2020.

### Part 2: Explanation of the Provisions

The following amendments to the draft LEP 2020 are proposed by this Planning Proposal:

- Identify additional housing opportunities in the LGA through a review of future housing growth areas nominated by the *Local Strategic Planning Statement 2040* (“LSPS 2040”);
- Contribute to the supply and diversity of housing within the LGA by creating capacity for an additional 310 dwellings through the rezoning of one of the six future housing growth areas identified by the LSPS 2040;
- Introduce the land uses of “manor houses” and “multi dwelling housing (terraces)” and the associated minimum lot size and lot width controls in response to the commencement of the Low Rise Housing Diversity Code in the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*; and
- Resolve mapping anomalies that were not included in LEP 2020 on the following sites:
  - 199 Rocky Point Road, Ramsgate, and
  - 33 Dora Street, Hurstville.

The draft amendments are itemised below with reference to the *Standard Instrument LEP*:

- a) Amend the **Land Zoning Map** to rezone the Narwee Housing Investigation Area from R2 Low Density Residential to a combination of R3 Medium Density Residential and R4 High Density Residential; and
- b) Amend the **Lot Size Map** to increase the minimum subdivision lot size:
  - i) in the proposed R3 Medium Density Residential from 450sqm to 800sqm; and
  - ii) in the proposed R4 High Density Residential from 450sqm to 1,000sqm;
- c) Amend the **Height of Buildings Map** to:
  - iii) increase the maximum building height in the proposed R4 High Density Residential from 9m to 12m (Narwee HIA);
  - iv) amend the maximum building height applied at 33 Dora Street, Hurstville from 30m to 15m; and

- v) amend the maximum building height applied at 199 Rocky Point Road, Ramsgate from 21m to 15m and 21m in accordance with the existing split zoning;
- d) Amend the **Floor Space Ratio Map** to:
  - i) to increase the maximum floor space ratio in the proposed R3 Medium Density Residential from 0.55:1 to 0.7:1 (Narwee HIA);
  - ii) to increase the maximum floor space ratio in the proposed R4 High Density Residential from 0.55:1 to 1:1 (Narwee HIA); and
  - iii) amend the maximum floor space ratio applied at 199 Rocky Point Road, Ramsgate from 2.5:1 to 1.5:1 and 2.5:1 in accordance with the existing split zoning;
- e) Amend the **Land Use Tables** of zones R3 Medium Density Residential and R4 High Density Residential to include 'manor houses' and 'multi dwelling housing (terraces)' as land uses in '3 Permitted with consent'; and
- f) Amend **Clause 4.1B Minimum lot sizes and special provisions for certain dwellings** to include:
  - i) minimum lot size of 800sqm for manor houses;
  - ii) minimum lot width of 18m for manor houses;
  - iii) minimum lot size of 800sqm for multi dwelling housing (terraces); and
  - iv) minimum lot width of 21m for multi dwelling housing (terraces).

The details of each amendment proposed by this Planning Proposal are provided as follows:

## 1.Narwee Housing Investigation Area

The Narwee Housing Investigation Area (HIA), comprises approximately 6.5 hectares of established urban land. See Figure 2 for an aerial view of the HIA.

Figure 2 Narwee HIA (Source: NearMap)



It is located in the northern part of Georges River LGA. The Narwee Rail Station precinct incorporates related bus services. The HIA is immediately south of the existing Narwee village, the T8 Railway Line and the boundary with Canterbury Bankstown LGA (along Broad Arrow Road).

### 1.1 Description

The majority of the building stock in the HIA is detached dwelling houses in a traditional garden setting. The 109 dwellings are of varying ages and styles, single and double storey brick and weatherboard of older dwelling stock. There is also some contemporary development that includes transition buildings adjacent to the Village. The lots are rectangular, and the local road system comprises a lineal grid. The streets are generally wide, i.e. are able to accommodate on street parking on both sides of the street as well as two way carriage ways. The HIA incorporates land to the south of the existing Narwee Village, east of Chamberlain Street, across Mercury Street and Berrillee Road towards Bryant Street. The following photographs provide a snapshot of the HIA.

*Figure 3 Typical older style dwelling houses on Balfour Road*



*Figure 4 View of Mercury Street*



Figure 5 View of Chamberlain Street



Figure 6 View of B2 Local Centre zone interface on Chamberlain Street



## 1.2 Site Features and Existing Development

The Narwee HIA is adjacent to Rasdall Park (to the north east) and Narwee Park (to the south west). Progress Park is one street block to the west of the HIA. The HIA is adjoined to the north by an existing area of high density residential area on Bryant Street comprising of predominately red brick walk-ups (three to four storeys). Rasdall Park and a series of existing villa developments border the HIA to the east. The low density areas to the south feature a mix of single brick and weatherboard dwellings. There are few strata titled properties in the HIA. The Beverly Hills Montessori Christian Early Learning Centre is located in Chamberlain Street.

Parts of the area are identified as being flood affected by the Hurstville Overland Flow Study. Measures such as free boarding above the flood level will need to be implemented in future developments.

The HIA is affected by the Moomba to Sydney Ethane (MSE) Pipeline – it is within the Notification Zone of the MSE Pipeline that runs through the northern portion of the LGA. A hazard analysis report will be required to support any increase in residential density to identify the potential risk impacts.

There are no other known environmental constraints in the HIA.

### **1.3 Other Surrounding Land Uses**

The Narwee Local Centre offers a broad range of retail and commercial services for the local community and visitors. The centre extends across both northern and southern sides of the station. It includes part of the Canterbury Bankstown LGA.

Seven schools are located within a kilometre: Narwee Public School, Beverly Hills Girls High School and Intensive English School, Regina Coeli Catholic Primary School, Beverly Hills Public School, Beverly Hills North Public School and Peakhurst Public School and Hannans Road Public School.

Eight childcare centres are located within a kilometre. Riverwood Library and Knowledge Centre and Riverwood Early Childhood Health located within 1,600 metres of the area.

The HIA is also adjacent to Narwee Pre School. It adjoins R4 High Density Residential land to the north east. There is good access to other local parks nearby.

The former Narwee High School redevelopment is located to the west of the HIA. This area is characterised by two storey dwellings that visually appear as townhouses and terraces, due to the medium density of these developments.

Riverwood local centre and Roselands Shopping Centre are both located approximately 1500m from the area.

### **1.4 Historical Uses of the HIA**

Narwee was known as “Sunning Hill Farm” prior to it becoming a residential suburb that was developed from 1900. The Rail Line was opened in 1931. There are no heritage items or Heritage Conservation Areas in the HIA.

### **1.5 Transport and Access**

Narwee train station is within 350m of the precinct on the T8 line, with train services to and from the city (Central station) via the Airport every 15 minutes. Buses depart from Narwee to Hurstville, Bankstown, and other local suburbs, including Roselands Shopping Centre.

Beverly Hills train station is within 850m of the precinct also serviced by the T8 line. Buses depart from Beverly Hills to Strathfield, Hurstville, Rockdale and other local suburbs, including Roselands Shopping Centre.

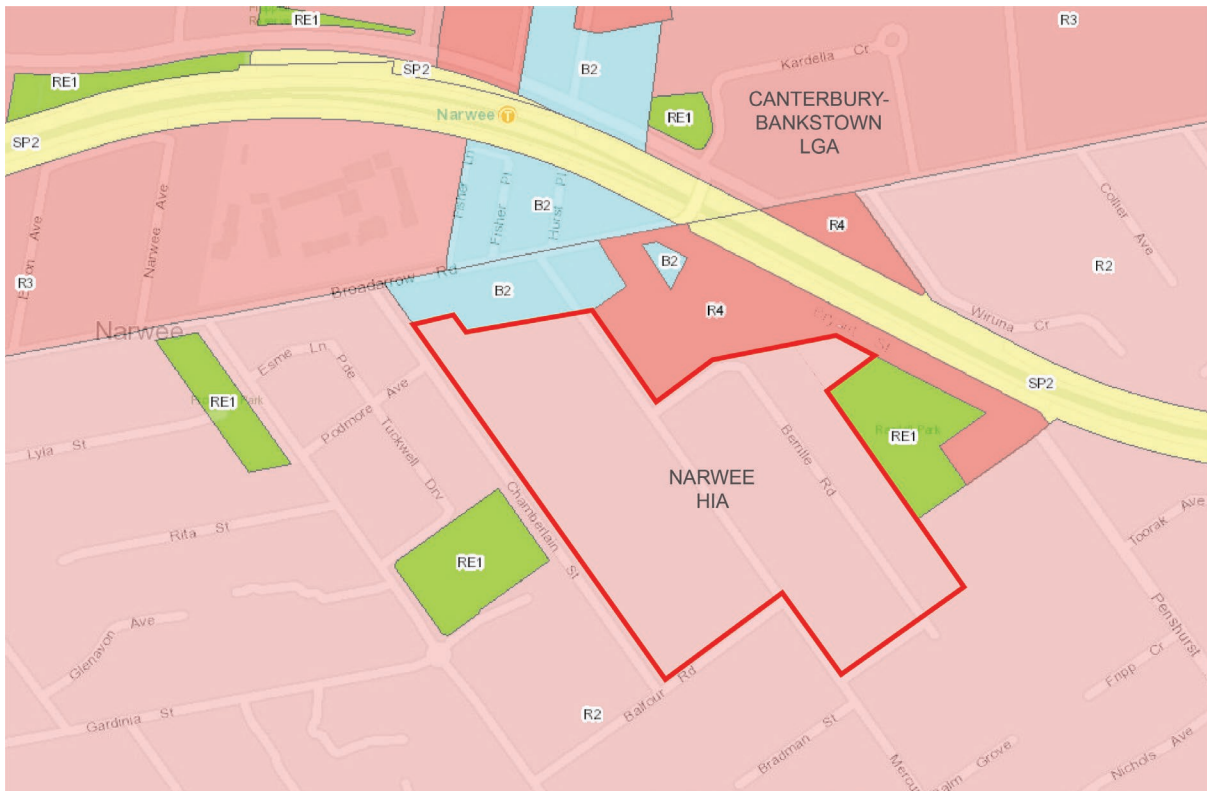
The HIA also benefits from road access to the M5 and the M8 Motorways.

## 1.6 Current Planning Provisions

### Land Use Zoning

The HIA is currently zoned R2 Low Density Residential under GRLEP 2020 (refer Figure 7 below). There is an area of land zoned R4 High Density Residential immediately north, closer to the Railway Station and T8 Line (zoned IN2) and Narwee Local Centre (zoned B2).

Figure 7 Extract of existing Land Use Zoning map (draft LEP 2020) of the Narwee Housing Investigation Area (outlined in red). Note adjoining zoning in Canterbury-Bankstown LGA.



### Lot Size

The existing Lot Size in the HIA is depicted in Figure 8 below.

Figure 8 Extract of existing Lot Size map (draft LEP2020)



**Height of Buildings**

The existing Height of Buildings in the HIA is depicted in Figure 9 below.

Figure 9 Extract of existing Height of Buildings map (draft LEP2020)



**Floor Space Ratios**

The existing FSR in the HIA is depicted in the Figure 10 below.

Figure 10 Extract of existing Floor Space Ratio map (draft LEP2020)





## 1.7 Proposed Zoning and Controls

### Proposed Land Use Zoning

The proposed land use zoning of the Area is depicted in Figure 11 below. This Planning Proposal will amend the draft Georges River LEP 2020 (GRLEP 2020), that is currently with DPIE for finalisation. Note: The objectives for the R3 and R4 zones will remain unchanged from LEP 2020. The Chamberlain – Mercury Street block is proposed to be zoned R4 High Density Residential and the Mercury – Berrillee Road to the eastern boundary is proposed to be R3 Medium Density Residential. There are 2 lots west of Bryant Street also proposed to be R4 High Density Residential.

The objectives of the R3 and R4 zones are below for information:

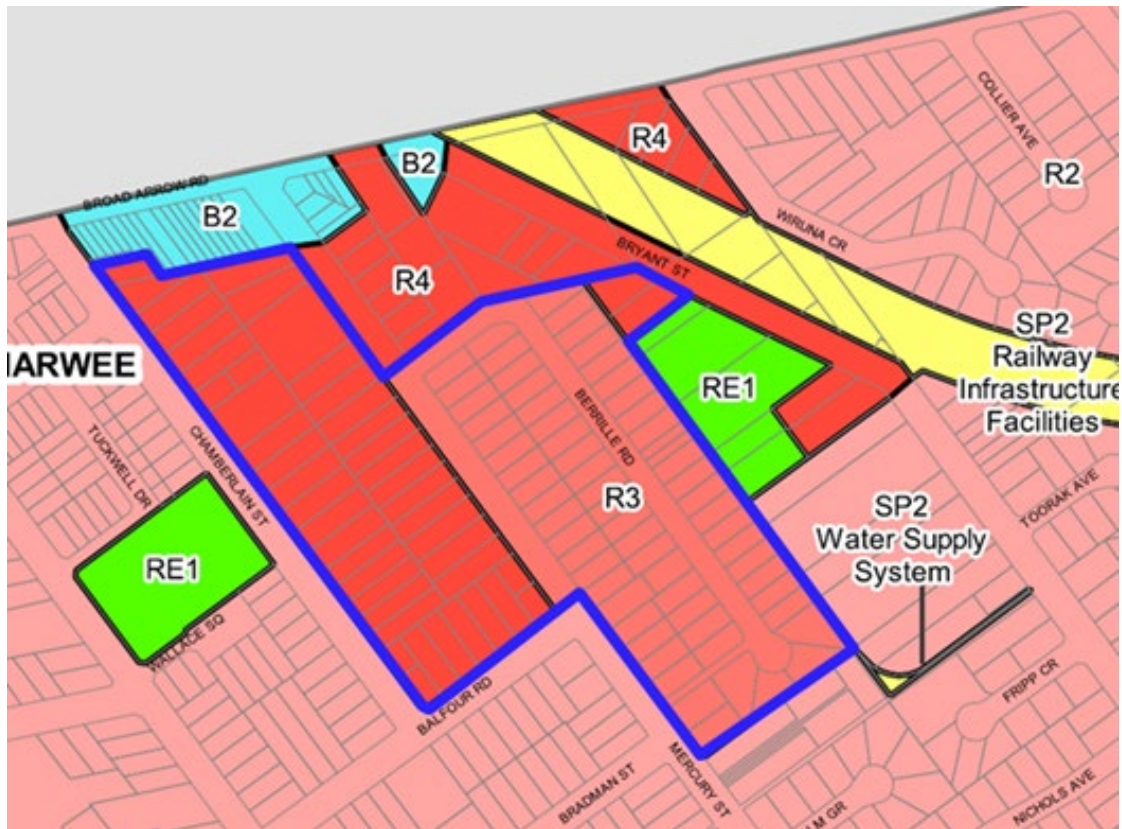
#### **R3 Medium Density Residential**

- (a) To provide for the housing needs of the community within a medium density residential environment.*
- (b) To provide a variety of housing types within a medium density residential environment.*
- (c) To enable other land uses that provide facilities or services to meet the day to day needs of residents and contribute to the vibrancy of the neighbourhood.*
- (d) To promote a high standard of urban design and built form that enhances the local character of the suburb and achieves a high level of residential amenity.*
- (e) To provide for housing within a landscaped setting that enhances the existing environmental character of Georges River local government area.*

#### **R4 High Density Residential**

- (a) To provide for the housing needs of the community within a high density residential environment.*
- (b) To provide a variety of housing types within a high density residential environment.*
- (c) To enable other land uses that provide facilities or services to meet the day to day needs of residents and contribute to the vibrancy of the neighbourhood while ensuring that business centres remain the focus for business and retail activity.*
- (d) To encourage development that maximises public transport patronage and promotes walking and cycling.*

Figure 11 Proposed Land Use Zoning map



Proposed Lot Size

The proposed Lot Size provision of the HIA is depicted in Figure 12 below.

Figure 12 Proposed Lot Size map



Proposed Height of Buildings

The proposed height of buildings provision of the HIA is depicted in Figure 13 below.

Figure 13 Proposed Height of Buildings map



Proposed Floor Space Ratio

The proposed Floor Space Ratio (FSR) provision of the HIA is depicted in Figure 14 below.

Figure 14 Proposed Floor Space Ratio map



A comparison summary of the existing and proposed precinct information for the Narwee HIA is provided in **Table 1** below:

**Table 1 - Narwee HIA Proposed Precinct Information**

<b>Estimated potential yield</b>	420 dwellings (109 existing and an additional 311 dwellings)
<b>Existing zoning and controls (under GRLEP 2020)</b>	R2 Low Density Residential Height – 9m FSR – 0.55:1
<b>Proposed zoning and controls</b>	R3 Medium Density Residential Height – 9m FSR – 0.7:1 R4 High Density Residential Height – 12m FSR – 1:1
<b>Proposed built form</b>	R3 Medium Density Residential – One and two storey dual occupancies, manor houses, terraces, villas and townhouses.  R4 High Density Residential – Small apartment blocks of a maximum of four storeys.

## 1.8 Proposed Built Form

### Zone R4 High Density Residential

The street block bounded by Chamberlain Street, Mercury Street and Balfour Road as well as No.5 and 7 Bryant Street are proposed to be rezoned to the R4 High Density Residential zone. Residential flat buildings are the prevailing development typology in the R4 zone.

Accordingly, a maximum building height of 12m and FSR of 1:1 is proposed to be applied to the precinct to enable residential flat building developments of three to four storeys. These development standards have been developed to ensure consistency with the existing R4 zoned area located at the street block bounded by Bryant Street, Mercury Street and Berrille Road.

Furthermore, to ensure consistency with all proposed R4 zones across the LGA, a 1,000sqm minimum lot size will apply to this precinct for the purpose of preventing the fragmentation of land to ensure large parcels of land are available for development outcomes that are compatible with the high density zone.

The existing subdivision pattern in the proposed R4 zoned areas features an average lot size of approx. 650sqm. Redevelopment is considered to be feasible as only two allotments are required for amalgamation to meet the 1,000sqm minimum lot size control.

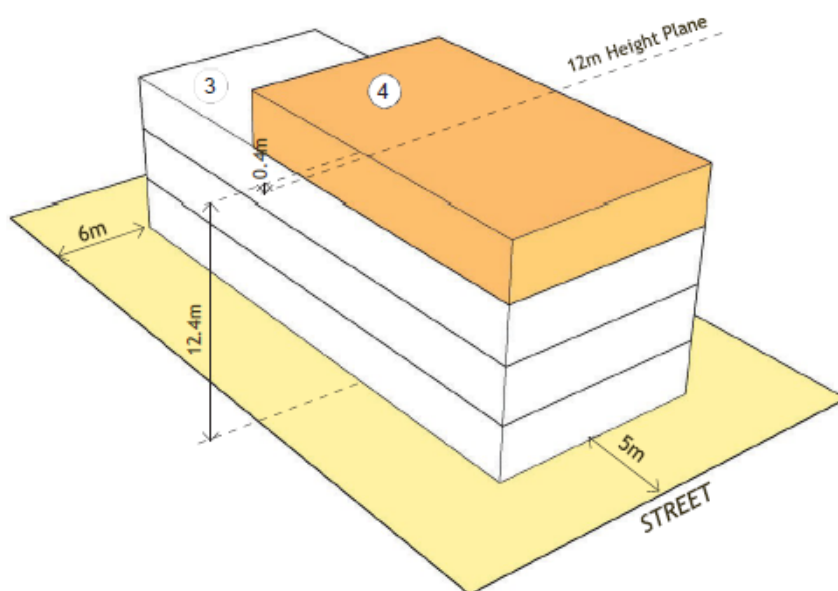
The proposed development standards for the R4 zone are summarised in **Table 2** below:

**Table 2 - Proposed development standards in the proposed R4 zone**

Development Standard	Proposed Control
<b>Zone</b>	R4 High Density Residential
<b>Height</b>	12m
<b>FSR</b>	1:1
<b>Minimum lot size</b>	1,000 sqm

Built form analysis (refer Figure 15 below) prepared for Council demonstrates the feasibility of the proposed development standards for this precinct. Apartment Design Guide controls such as building height, building setback development controls have been applied to assist in the visualisation of the potential development outcome.

*Figure 15 3D visualisation of potential built form in the proposed R4 zone*



### Zone R3 Medium Density Residential

The remainder of the HIA is proposed to be rezoned to the R3 Medium Density Residential zone to facilitate the provision of greater housing choice and diversity in the LGA through the creation of ‘true’ medium density zoned areas. Developments such as multi dwelling housing, terraces and manor houses are the prevailing development typologies in the R3 zone.

Medium density developments are considered to be a more appropriate response in the areas fronting Berrille Road to ensure any potential conflict between vehicles and pedestrians are minimised in light of the narrow, cul-de-sac nature of Berrille Road.

A consistent set of development controls have been developed for all R3 zones across the LGA. The proposed development standards for the R3 zone are summarised in **Table 3** below:

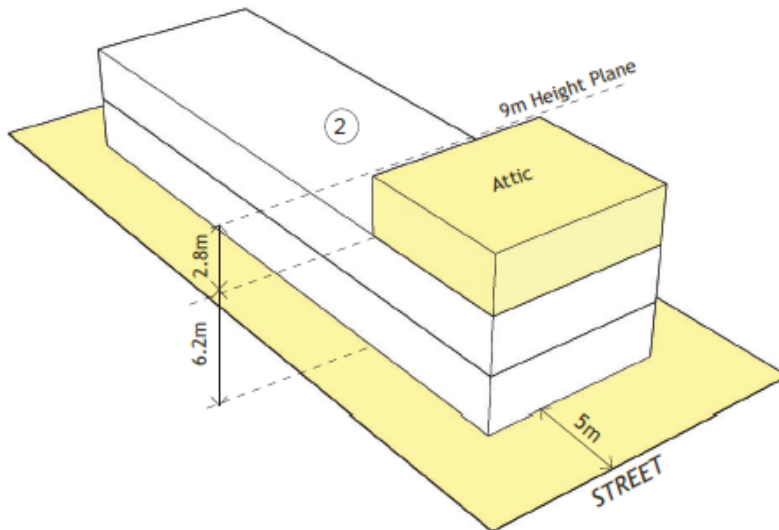
**Table 3 - Proposed development standards in the proposed R3 zone**

Development Standard	Proposed Control
Zone	R3 Medium Density Residential
Height	9m
FSR	0.7:1
Minimum lot size	800 sqm

The existing subdivision pattern in the proposed R3 zoned areas features an average lot size of approx. 420sqm. Redevelopment is considered to be feasible as only two allotments are required for amalgamation to meet the 800sqm minimum lot size control.

Built form analysis prepared for Council demonstrates the indicative building envelope of these medium density developments. Existing DCP controls such as building setback distances have been applied as parameters to assist with visualisation (refer Figure 16 to Figure 18 below).

*Figure 16 3D visualisation of potential multi dwelling housing built form in the R3 zone*



*Figure 17 3D visualisation of potential manor house built form in the R3 zone*

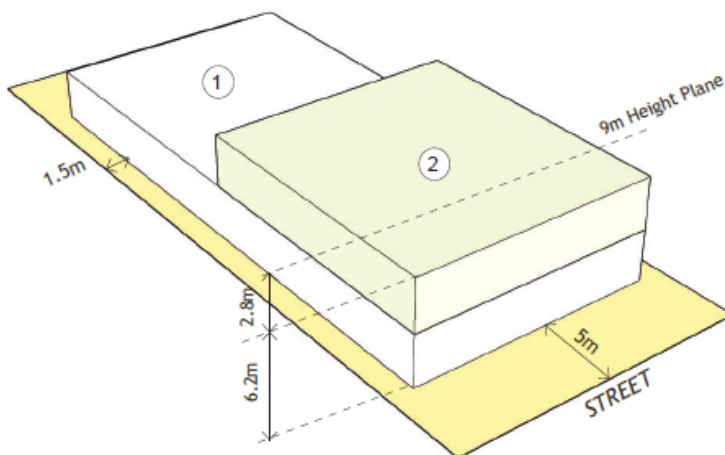
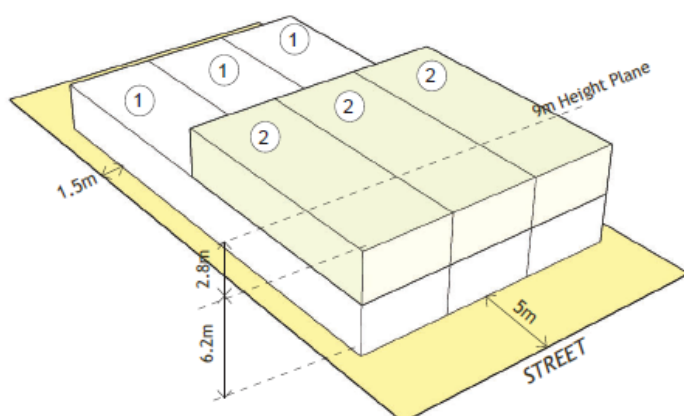


Figure 18 3D visualisation of potential terrace built form in the R3 zone



### 1.9 Traffic Findings

The proposed upzoning of the Narwee HIA will be supported by a Traffic Report for the purposes of:

- Establishing the existing traffic capacity in the local road network of each HIA
- Identifying existing traffic issues and capacity constraints within the local road network
- Identifying the additional traffic generation resulting from the proposed rezoning
- Assessing any potential traffic impacts resulting from the additional traffic
- Recommending mitigation measures to alleviate the potential traffic impacts.

A preliminary traffic analysis was conducted for the precinct to determine the post-development traffic impacts using an exaggerated take up of 400 additional dwellings. Overall, the preliminary analysis identifies that the Narwee HIA benefits from proximity to the M5 Motorway, which interconnects with M8 Motorway. This enables notable alleviation of traffic from the local road network.

Furthermore, the proposed upzoning can be accommodated with no undue difficulty as the post-development traffic modelling demonstrates an acceptable level of service can be maintained at the nearby intersections. A minor intervention to the existing local road network is recommended as follows:

*The Narwee HIA will only require one treatment, being a no right turn restriction (sign) from Mercury Street to Stoney Creek Road in the PM peak period.*

A final Traffic Report is currently being prepared with the inclusion of a number of additional intersections (including those located in the Canterbury-Bankstown LGA) as follows to enable a comprehensive review of the potential traffic impacts:

- Broad Arrow Road / King Georges Road (Canterbury-Bankstown LGA)
- Broad Arrow Road / Bryan Street under the railway bridge
- Edgbaston Road / Mercury Street
- Edgbaston Road / Penshurst Street
- Stoney Creek Road / King Georges Road

The full Traffic Report will be publicly exhibited with this Planning Proposal following the receipt of a Gateway Determination.

## **2. Manor Houses and Multi Dwelling Housing (Terraces)**

### **2.1 Background - Low Rise Medium Density Housing Code**

In the original Planning Proposal for the draft LEP 2020 which was submitted to DPIE requesting a Gateway Determination, Council proposed to introduce the land use terms of 'manor houses' and 'multi dwelling housing (terraces)' into the comprehensive LEP in preparation for the commencement of the *Low Rise Medium Density Housing Code* (LRMDHC).

Under the LRMDHC, manor houses will become permissible as complying development where multi dwelling housing or residential flat buildings (or both) are permitted. Similarly, terraces will become permissible as complying development where multi dwelling housing developments are permitted.

The complying development process allows development to be approved with minimal neighbour notification and no requirement for objections to be considered.

At the time of the LRMDHC's announcement, multi dwelling housing was a permitted land use under the Hurstville LEP 2012 in all R2 Low Density Residential zones while multi dwelling housing was prohibited in the R2 zones under the Kogarah LEP 2012. The permissibility of multi dwelling housing in the R2 zones of the former Hurstville LGA threatened the neighbourhood amenity and character of these low density suburbs due to the imminent introduction of the LRMDHC across the LGA.

At its meeting on 28 May 2018, Council acknowledged the serious concern that the LRMDHC will generate for the neighbourhood amenity and character of these R2 areas and resolved to remove the permissibility of multi dwelling housing from the R2 zones as part of a planning proposal known as the LRMDHC Planning Proposal.

On 6 December 2019, the Minister for Planning and Public Spaces made the plan and the following amendments proposed by the LRMDHC Planning Proposal came into effect through the *Georges River Local Environmental Plan Amendment (Miscellaneous) 2019*:

#### *Hurstville LEP 2012*

- Prohibit multi dwelling housing in the R2 Low Density Residential zone
- Increase the minimum lot size for dual occupancies under Area G from 630sqm to 650sqm

#### *Kogarah LEP 2012*

- Repeal Items 17 and 18 of Schedule 1 Additional Permitted Uses

In the DPIE's endorsement of the LRMDHC Planning Proposal, it was specified that Council's *Local Housing Strategy* is required to outline the approach for the delivery of a



sufficient number of dwellings to meet housing demand while ensuring a supply of a range of housing styles to promote choice and diversity.

To support the removal of medium density housing from the low density residential zones as result of the LRMDHC Planning Proposal, Council has committed to the following as part of the *Local Housing Strategy*:

- Review of all residential zoned land in the LGA to determine the areas that have merit on strategic planning grounds to accommodate medium density housing; and
- Develop planning controls and development standards for medium density housing that are responsive to the local character of the LGA.

## 2.2 Background – GRLEP 2020

The draft LEP 2020 sought to develop a clear hierarchy of residential density to ensure development typologies reflect the objectives and name of the respective zone:

- Low density: dwelling houses and dual occupancies
- Medium density: attached dwellings, multi dwelling housing, terraces and manor houses
- High density: residential flat buildings

To further strength the hierarchy of residential zones, the draft LEP 2020 also sought to introduce minimum lot size and minimum lot width development standards for all medium density typologies with the intent of reinforcing a consistent desired future character across the LGA’s medium density zones. The proposed controls are outlined in **Table 4** below:

**Table 4 – Existing and proposed controls for medium density residential developments**

Development Standard	HLEP 2012	KLEP 2012	GRLEP 2020
Minimum lot size	945sqm (multi dwelling housing) (Hurstville DCP No.1)	800sqm (multi dwelling housing)	800sqm
Minimum lot width - attached dwellings	15m (Hurstville DCP No.1)	20m (Kogarah DCP)	21m
Minimum lot width - manor houses	N/A	N/A	18m
Minimum lot width - multi dwelling housing	15m (Hurstville DCP No.1)	20m (Kogarah DCP)	18m
Minimum lot width - multi dwelling housing (terraces)	N/A	N/A	21m

Height of buildings	9m	9m	9m
Floor space ratio	0.6:1	0.7:1	0.7:1

The draft LEP 2020 sought to adopt the 800sqm minimum lot size for all medium density developments as there has been no recorded Clause 4.6 variation to this development standard under KLEP 2012 since the implementation of this control in 2017 which demonstrates the viability and feasibility of this requirement. It is anticipated that the implementation of this control, as opposed to adopting the 945sqm requirement under the Hurstville DCP No.1, will facilitate the delivery of more medium density housing across the LGA which will in turn assist in providing more housing choice and diversity.

With regards to the minimum lot width requirement, design analysis conducted as part of the draft LEP 2020 identified that a 15m wide lot is too narrow to accommodate a driveway along one side boundary and private open space for the multi dwelling units along the opposite side boundary. Therefore, an 18m lot width requirement is proposed to provide a desirable development outcome.

To ensure flexibility is provided for the community and the development industry to deliver various medium density residential typologies based on market demand and the local context, the 18m minimum lot width was also proposed to be applied to manor houses. A greater minimum lot width of 21m was proposed for attached dwellings and multi dwelling housing (terraces) due to the requirement for these typologies to have all dwellings facing the street. A 21m lot width provides for 3 dwellings of 6m wide each as well as 1.5m side setbacks along both side boundaries.

However, as part of the Gateway Determination issued by DPIE on 10 March 2020, Council was instructed to remove all references and proposed provisions, including development standards, relating to the LRMDHC land uses of 'manor houses' and 'terraces' from the draft LEP 2020. Accordingly, the draft LEP 2020 was submitted to the DPIE for finalisation on 30 June 2020 without any references to the LRMDHC land uses.

### **2.3 Background - Codes SEPP**

On 1 July 2020, the LRMDHC came into effect in the LGA under the revised name of the *Low Rise Housing Diversity Code* ("LRHDC"), which allows dual occupancies, manor houses and multi dwelling housing (terraces) to be carried out as complying developments.

In addition to its permissibility as a form of complying development, manor houses are also granted the additional under the relevant LEP afforded by **Clause 3B.1A** of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* ("Codes SEPP"):

***State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 - Division 1A Manor houses permitted in certain land use zones***

***Clause 3B.1A Development for the purposes of manor houses***

*Manor houses are, despite any other environmental planning instrument, permitted with consent on land in any of the following land use zones if multi*

- dwelling housing or residential flat buildings (or both) are permitted in the zone—*
- (a) Zone RU5 Village,*
  - (b) Zone R1 General Residential,*
  - (c) Zone R2 Low Density Residential,*
  - (d) Zone R3 Medium Density Residential.*

Given that ‘multi dwelling housing’ is a permissible land use within the R3 Medium Density Residential zone within the existing LEPs and the draft LEP 2020, development applications can be lodged for manor house developments utilising the development standards stipulated by the LEP.

However, the same LEP permissibility has not been afforded to multi dwelling housing (terraces). This specific development typology must be carried out as complying development under the provisions of the Codes SEPP.

## **2.4 Proposed Amendments**

The inconsistencies of the recently introduced LRHDC are likely to result in uncertainty for both the community and the development sector due to the variations between the Codes SEPP and the LEP with regards to maximum building height, floor space ratio (“FSR”) and minimum lot size.

The absence of development standards to regulate manor houses and the impermissibility of multi dwelling housing (terraces) within the LEP requires urgent rectification.

Furthermore, the application of the minimum 600sqm lot size for manor houses and terraces as prescribed by the Codes SEPP is likely to result in a density which is incongruent with the existing density and character of the LGA’s medium density zones. This is considered to be inconsistent with the aspirations of the Georges River community.

Accordingly, this Planning Proposal seeks to promote the delivery of housing choice across the LGA by re-introducing the following amendments:

- Permit ‘manor houses’ and ‘multi dwelling housing (terraces)’ across all R3 Medium Density Residential and R4 High Density Residential zones;
- Implement minimum lot size of 800sqm and lot width of 18m for manor houses to ensure consistency with multi dwelling housing for flexible market up-take; and
- Implement minimum lot size of 800sqm and lot width of 21m for multi dwelling housing (terraces) to enable appropriate subdivision patterns and viable development outcomes.

It should be noted that although manor houses are permissible in the LEP under **Clause 3B.1A** of the Codes SEPP, the community and the development industry would greatly benefit from the certainty and clarity enabled by the explicit nomination of manor houses in the LEP’s Land Use Table.

This amendment is considered to be consistent with Council’s existing approach of nominating the permissibility of ‘secondary dwellings’ within the LGA’s residential zones within the draft LEP 2020, despite the provisions of **Clause 20** under the *State*

Environmental Planning Policy (Affordable Rental Housing) 2009 which permits secondary dwellings in LEPs where dwelling houses are permissible:

**State Environmental Planning Policy (Affordable Rental Housing) 2009 -  
Division 2 Secondary dwellings**

**Clause 20 Land to which Division applies**

*This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones, but only if development for the purposes of a dwelling house is permissible on the land—*

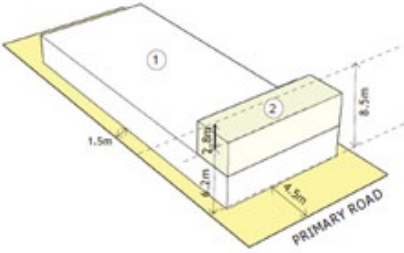
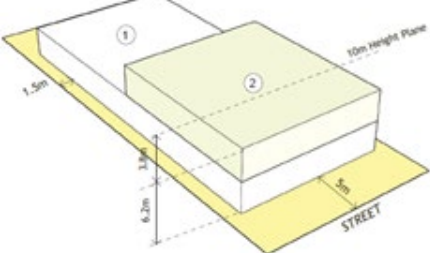
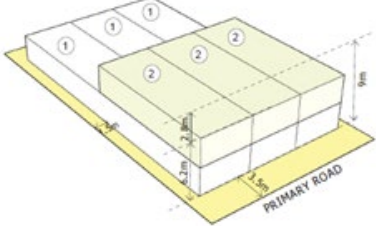
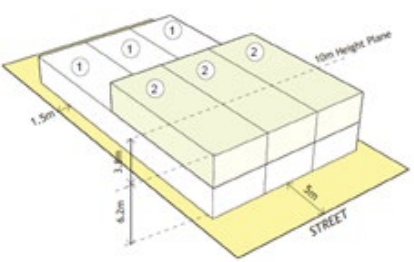
- (a) Zone R1 General Residential,
- (b) Zone R2 Low Density Residential,
- (c) Zone R3 Medium Density Residential,
- (d) Zone R4 High Density Residential,
- (e) Zone R5 Large Lot Residential.

Currently, the KLEP 2012 currently relies on the provisions of the above clause to enable the permissibility of secondary dwellings in the residential zones. However, Council has received many complaints from both the industry professionals and property owners regarding the confusion caused by the absence of ‘secondary dwellings’ from the KLEP 2012 Land Use Tables.

In addition to the certainty that will be enabled by this Planning Proposal’s inclusion of manor houses and terraces into the LEP land use table, LEP21 also provides increased development potential as demonstrated by the comparison of proposed LEP controls against the Codes SEPP controls in **Table 5** below:

**Table 5 – Proposed LEP21 controls vs Codes SEPP controls**

	<b>Codes SEPP</b>	<b>Draft LEP 2021</b>
<b>Manor houses</b>		
<b>Permissibility</b>	Zone R3 - multi dwelling housing or residential flat buildings (or both) are permitted.	Zone R3 and Zone R4
<b>Minimum lot size</b>	Whichever is greater – 600sqm or the minimum lot area specified for manor houses in the respective LEP (800sqm)	800sqm
<b>Minimum lot width</b>	15m	18m
<b>Maximum building height</b>	8.5m	9m
<b>Maximum FSR</b>	Maximum GFA is 25% of the lot area plus 150sqm, to a maximum of 400sqm.  For example on 800sqm site,	Zone R3 – 0.7:1 FSR  For example of 800sqm site, the resulting GFA is 560sqm (210sqm greater than the Codes SEPP).

	the resulting FSR is 0.42:1 (350sqm GFA).	
<b>Sample built form</b>		
<b>Multi dwelling housing (terraces)</b>		
<b>Permissibility</b>	In Zone R3 as complying development only.	Zone R3 and Zone R4
<b>Minimum lot size</b>	Whichever is greater – 600sqm or the minimum lot area specified for terraces in the respective LEP (800sqm)	800sqm
<b>Minimum lot width</b>	21m	21m
<b>Maximum building height</b>	9m	9m
<b>Maximum FSR</b>	0.8:1 FSR	0.7:1 FSR
<b>Built form</b>		

As demonstrated by **Table 5** above, this Planning Proposal will enable the delivery of ‘true’ medium density dwellings across the LGA by increasing development yield for manor house developments under the LEP while formalising terraces as development applications.

It should be noted that the dwelling size of manor house units specified by the Codes SEPP are identical to the apartment sizes nominated by the *Apartment Design Guide*. Despite the LRHDC’s permissibility of manor houses as a form of low to medium density typology through complying development, the combination of the restrictive GFA and the dwelling sizes is likely to result in apartment products with reduced amenity in areas that are less accessible than the high density zones.

Accordingly, the additional GFA provided through LEP controls for manor house developments will promote the provision of ‘true’ medium density dwellings. For example on a 800sqm site, a manor house with 4 dwellings of 140sqm each can be

provided through the application of LEP controls while the Codes SEPP can only provide 4 dwellings of 87.5sqm each.

It is evident that the LEP provides almost double the development capacity provided by the Codes SEPP, which will more adequately respond to the community’s housing demands for more medium density housing options as identified by the *Local Housing Strategy*.

Furthermore, the proposed introduction of the multi dwelling housing (terraces) land use creates opportunities to provide a diverse choice of high quality housing across the LGA as the permissibility of this dwelling typology will no longer be restricted to only complying developments.

The proposed 800sqm minimum lot size requirement for manor houses and terraces is consistent with the development standard applied to the other medium density typologies of multi dwelling housing and attached dwellings under the draft GRLEP 2020. This will ensure the clear hierarchy of residential zones is upheld across the LGA as follows:


- Low density – minimum 650sqm lot size for dual occupancies
- Medium density – minimum 800sqm lot size for multi dwelling housing, terraces, manor houses and attached dwellings
- High density – minimum 1,000sqm lot size for residential flat buildings



## 2.5 Analysis of Development Potential

Consideration has also been given towards the feasibility of manor house developments in light of the increased minimum lot size of 800sqm and lot width of 18m proposed by this Planning Proposal as compared to the Codes SEPP controls of 600sqm and 15m respectively.

There are a total of 15 R3 zoned precincts across the LGA, including the proposed rezoning of the Narwee HIA. A desktop analysis has been conducted for each precinct with considerations of the existing lot size and lot width of the properties that are likely to be redeveloped for medium density developments and in particular, feasibility for manor houses utilising the proposed LEP21 controls. The findings of the analysis are provided in **Table 6** below:

**Table 6 – Feasibility of LEP21 manor house controls**

Precinct	Analysis
<p>1. North and West of Peakhurst Park – Peakhurst</p> 	<p>This precinct is proposed to be rezoned from R2 to R3 by the draft GRLEP 2020 and has a limited number of existing strata-titled properties.</p> <p>There are two prevailing types of subdivision pattern –</p> <ul style="list-style-type: none"> <li>• 760sqm lot size with 13.5m lot width</li> <li>• 590sqm lot size with 15m lot width</li> </ul>

	<p>Site amalgamation is required to be eligible for manor house developments under the Codes SEPP. There will be no loss of development potential under the proposed LEP controls.</p>
<p>2. Apsley Estate – Penshurst</p> 	<p>This precinct is proposed to be rezoned from R2 to R3 by the draft GRLEP 2020 and only contains one existing strata-titled property.</p> <p>Despite the variation in lot size, there is a consistent subdivision pattern featuring a 12.5m lot width.</p> <p>Site amalgamation is required to be eligible for manor house developments under the Codes SEPP. There will be no loss of development potential under the proposed LEP controls.</p>
<p>3. Ada Street / Rosa Street – Oatley</p> 	<p>This precinct is proposed to remain as an R3 zone under draft GRLEP 2020 and has a limited number of existing strata-titled properties.</p> <p>There is a lack of prevailing subdivision pattern but the following relationships can be observed:</p> <ul style="list-style-type: none"> <li>• Lots with areas of &gt;650sqm have lot widths of 18m or greater</li> <li>• Lots with areas of &lt;650sqm have lot widths of less than 14m</li> </ul> <p>Site amalgamation is required for the smaller sites to be eligible for manor house developments under the Codes SEPP. There will be no loss of development potential under the proposed LEP21 controls.</p>
<p>4. King Georges Road – South Hurstville</p>	<p>This precinct is proposed to remain as an R3 zone under draft GRLEP 2020 and has a limited number of existing strata-titled properties.</p> <p>There are two prevailing types of subdivision pattern –</p> <ul style="list-style-type: none"> <li>• Lots fronting King Georges Road has 12m lot width and lot sizes of 300sqm to 700sqm</li> <li>• Lots fronting the perpendicular streets</li> </ul>



have consistent lot widths of 15m with 690sqm lot size

Site amalgamation is required for the smaller sites to be eligible for manor house developments under the Codes SEPP. Although lots fronting the perpendicular streets may be eligible for manor house developments under the Codes SEPP, recent development activity in the South Hurstville area demonstrates a preference for multi dwelling housing developments on larger lots. The existing development potential is unlikely to be reduced under the proposed LEP controls.

5. Culwulla Street – South Hurstville

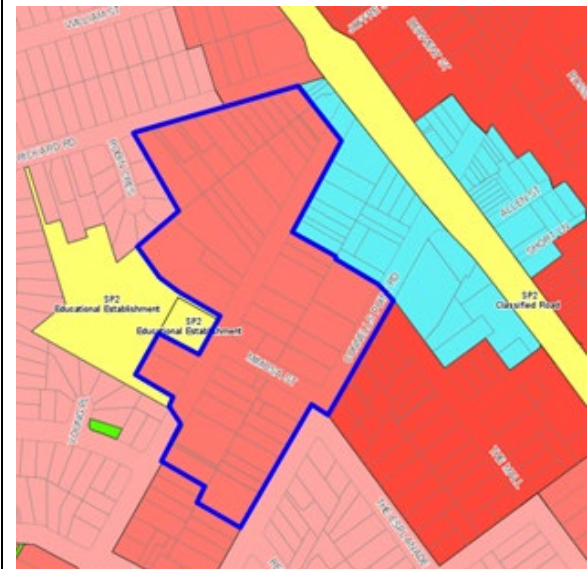


This precinct is proposed to be rezoned from R2 to R3 by the draft GRLEP 2020 and has no existing strata-titled properties.

There is a prevailing subdivision pattern of 650sqm lot size and 15m lot width.

Although most of the allotments within this precinct may be eligible for manor house developments under the Codes SEPP, recent development activity in the South Hurstville area demonstrates a preference for multi dwelling housing developments on larger lots. The existing development potential is unlikely to be reduced under the proposed LEP controls.

6. Rickard Road / Connells Point Road – South Hurstville



This precinct is proposed to remain as an R3 zone under draft GRLEP 2020 and the majority of properties are already strata-titled townhouses and villas.

Due to the developed status of this precinct, there will be no loss of development potential under the proposed LEP controls.



7. Rowe Street – South Hurstville



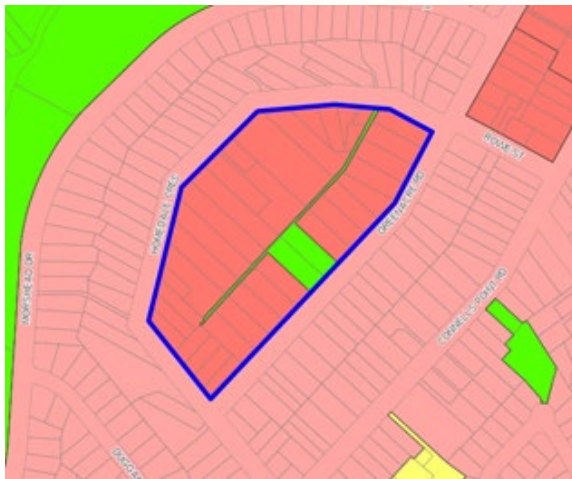
This precinct is proposed to be rezoned from R2 to R3 by the draft GRLEP 2020 and only contains one existing strata-titled property.

There is a lack of prevailing subdivision pattern but the following relationships can be observed:

- The smaller lots have site areas of less than 600sqm and have 12m lot widths
- The larger lots are 1,000sqm in site area and have lot widths of 20m

Site amalgamation is required for the smaller sites to be eligible for manor house developments under the Codes SEPP. There will be no loss of development potential under the proposed LEP controls.

8. Morshead Drive – South Hurstville



This precinct is proposed to remain as an R3 zone under draft GRLEP 2020 and the majority of properties are already strata-titled townhouses and villas.

Due to the developed status of this precinct, there will be no loss of development potential under the proposed LEP controls.

9. The Mall – South Hurstville



This precinct is proposed to remain as an R3 zone under draft GRLEP 2020 and the majority of properties are already strata-titled townhouses and villas.

Due to the developed status of this precinct, there will be no loss of development potential under the proposed LEP controls.

10. Blakesley Road – South Hurstville



This precinct is proposed to remain as an R3 zone under draft GRLEP 2020 and half of properties are already strata-titled townhouses and villas.

The remaining sites have a consistent subdivision pattern with site area of less than 500sqm and lot widths of 10m.

Site amalgamation is required to be eligible for manor house developments under the Codes SEPP. There will be no loss of development potential under the proposed LEP controls.

11. Cooleen / Walton Street – Blakehurst



This precinct is proposed to remain as an R3 zone under draft GRLEP 2020 and the majority of properties are already strata-titled townhouses and villas.

Due to the developed status of this precinct, there will be no loss of development potential under the proposed LEP controls.

12. Betts Avenue – Blakehurst

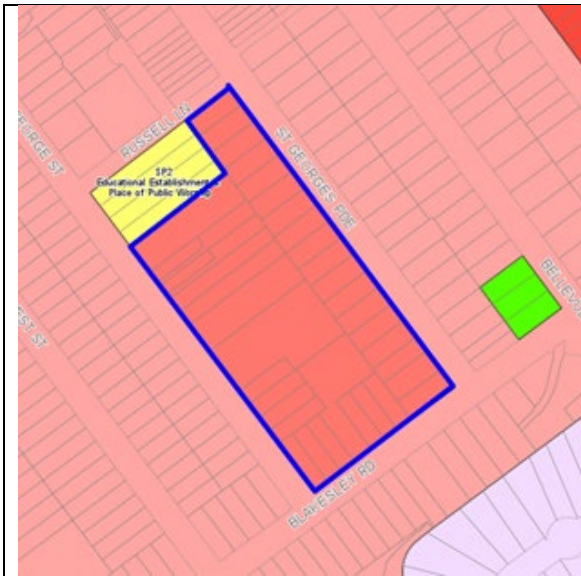


This precinct is proposed to remain as an R3 zone under draft GRLEP 2020 and the majority of properties are already strata-titled townhouses and villas.

Due to the developed status of this precinct, there will be no loss of development potential under the proposed LEP controls.

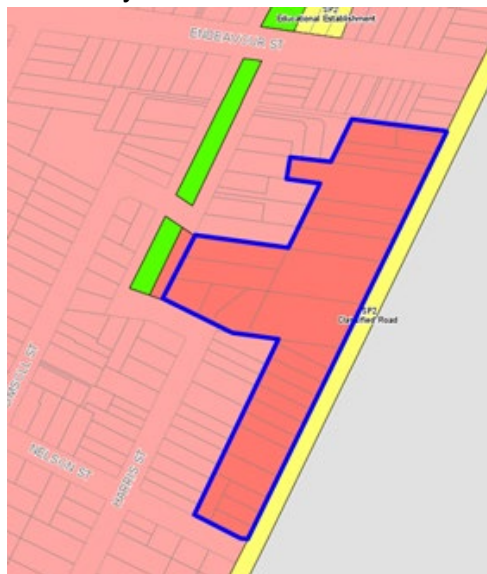
13. St Georges Parade / George Street – Allawah / South Hurstville

This precinct is proposed to remain as an R3 zone under draft GRLEP 2020 and the majority of properties are already strata-titled townhouses and villas.



Due to the developed status of this precinct, there will be no loss of development potential under the proposed LEP controls.

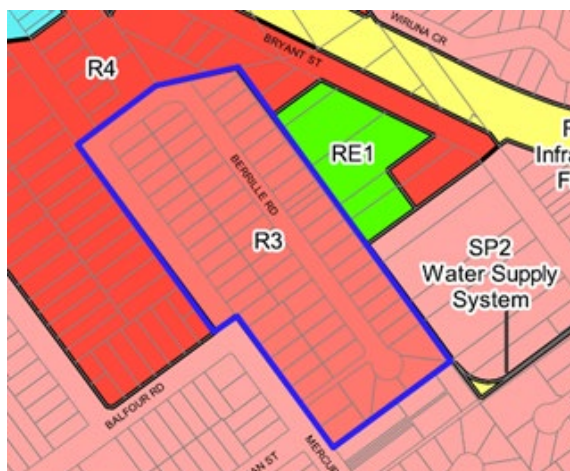
14. Rocky Point Road – Sans Souci



This precinct is proposed to remain as an R3 zone under draft GRLEP 2020 and the majority of properties are already strata-titled townhouses and villas.

Due to the developed status of this precinct, there will be no loss of development potential under the proposed LEP controls.

15. Berrille Road – Narwee



This precinct is proposed to be rezoned from R2 to R3 and R4 by this Planning Proposal as part of the Narwee HIA and does not contain any strata-titled properties.

The existing subdivision pattern in the proposed R3 zoned areas features an average lot size of approx. 420sqm with 13m lot widths.

Site amalgamation is required to be eligible for manor house developments under the Codes SEPP. There will be no loss of development potential under the proposed LEP controls.

## 2.6 DCP Controls

It should be noted that a draft *Georges River Development Control Plan (“DCP”) 2020* has been prepared to support the draft LEP 2020. At its meeting dated 17 September 2020, the LPP resolved to place the draft DCP 2020 on public exhibition. The draft DCP will be on exhibition until 27 November 2020.

Part 6.2 of the draft DCP 2020 contains all the relevant controls pertaining to medium density development including multi dwelling housing, multi dwelling housing (terraces) and manor houses. The introduction of manor houses and multi dwelling housing (terraces) into the Georges River LEP will be supported by the proposed draft DCP 2020 controls.

## 3.Mapping Anomalies

Following a review of the maps for the finalisation of draft LEP 2020, two mapping errors have been identified in the Height of Buildings Map and Floor Space Ratio Map. These two errors were previously considered by LPP during the finalisation of the draft LEP 2020.

### 3.1 Height Amendment – 33 Dora Street, Hurstville

This site is zoned B4 – Mixed Use and is located at the edge of Hurstville Centre adjoining Waratah Private Hospital. The site contains a semi-detached Victorian terrace that forms part of a group heritage listing for a row of Victorian Terraces being Nos.33-47 Dora St, Hurstville (under draft GRLEP2020). This group of terraces and the adjoining site at No.49 Dora Street have a maximum floor space ratio of 3:1.

The Height of Buildings Map in draft LEP 2020 indicates a maximum permissible height of 30 metres for 33 Dora Street, Hurstville as shown in Figure 19 below.

*Figure 19 Extract of the draft GRLEP 2020 Height of Buildings Map for 33 Dora Street, Hurstville*



This mapping anomaly was identified during the preparation of LEP 2020. The height was corrected from 30m to 15m and included in the exhibition version of the draft Height of Buildings Map. However this correction was not explicitly stated and the property owner did not receive a targeted letter. During the finalisation of the LEP 2020, the LPP resolved that

the existing height for 33 Dora Street be re-instated to 30 metres prior to being forwarded to the DPIE for gazettal.

The Height of Buildings Map is proposed to be amended for the 33 Dora Street, Hurstville from 30 metres to 15 metres to rectify an existing anomaly, to correspond with the adjoining sites at Nos.35-49 Dora Street being 15 metres.

### 3.2 Height and FSR Amendment – 199 Rocky Point Road, Ramsgate

This site contains a split zoning of B2 – Local Centre and R4 – High Density Residential and is located within Ramsgate Centre, as shown in Figure 20 below. The site contains a two-storey shop top housing with vehicular access from Rocky Point Road.

Figure 20 Extract of the draft GRLEP2020 Land Use Zoning Map for 199 Rocky Point Road, Ramsgate



The Height of Buildings Map in draft GRLEP2020 indicates a maximum permissible height of 21 metres for across the entire site (refer Figure 21 below) while the Floor Space Ratio Map in draft GRLEP2020 indicates a maximum permissible floor space ratio of 2.5:1 for across the entire site (refer Figure 22 below).

Figure 21 Extract of the draft GRLEP 2020 Height of Buildings Map for 199 Rocky Point Road, Ramsgate

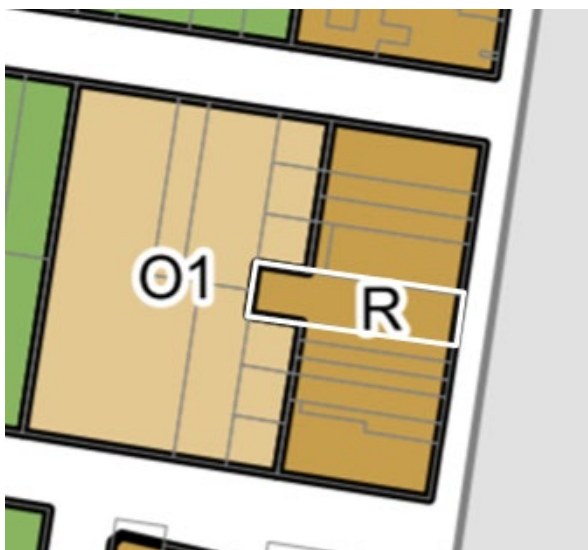
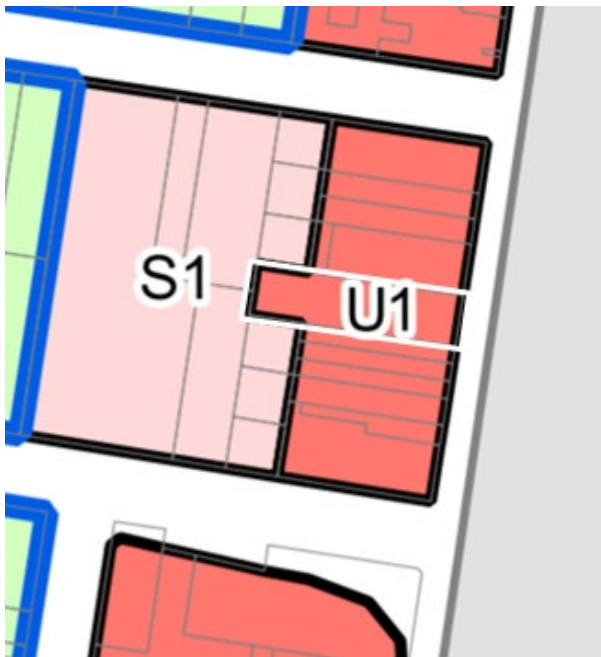


Figure 22 Extract of the draft GRLEP 2020 Floor Space Ratio Map for 199 Rocky Point Road, Ramsgate



This mapping anomaly was identified during the preparation of LEP 2020. The height and FSR were corrected to be split on the site to correspond with the remainder of the street block in the exhibited draft LEP 2020 maps. However this correction was not explicitly stated and the property owner did not receive a targeted letter. During the finalisation of the draft LEP 2020, the LPP resolved that the existing height and floor space ratio for 199 Rocky Point Road be re-instated to 30 metres prior to being forwarded to the DPIE for gazettal.

To rectify this mapping anomaly, the following amendments are proposed for 199 Rocky Point Road, Ramsgate:

- The Height of Buildings Map to be amended from 21 metres to 15 metres and 21 metres; and
- The Floor Space Ratio Map to be amended from 2.5:1 to 1.5:1 and 2.5:1.

## Part 3: Justification

### Section A – Need for the planning proposal

*Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?*

This Planning Proposal responds to a request from DPIE to create capacity for additional dwellings to meet the Greater Sydney Commission's 6-10 year housing target of 3,450 - 4,250 dwellings (for the period from 2021 to 2026).

This Proposal aligns with the staged program of investigation to deliver additional housing within LSPS 2040. LSPS 2040 identifies future housing growth areas for possible rezoning and uplift, to increase housing supply and choice in the LGA. The Narwee HIA has been selected as the best option for fulfilling these requirements.

The formalisation of 'manor houses' and 'multi dwelling housing (terraces)' in the LEP is proposed in response to the commencement of the LRHDC on 1 July 2020.

The inclusion of correction of previous mapping anomalies has been detected as a result of previous investigation by council staff.

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

This Planning Proposal is the best means of delivering additional housing and housing choice, and is consistent with the *LSPS 2040*. The Planning Proposal contributes towards meeting the housing targets that have been imposed by the State government.

### Section B – Relationship to strategic planning framework

*Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

An assessment of the proposal against the objectives and actions of the *Greater Sydney Region Plan – A Metropolis of Three Cities* and the *South District Plan* is detailed in **Table 7** below (refer Q4). The assessment demonstrates that this Planning Proposal either assists in achieving the objectives and actions of the *South District Plan* or is consistent with the directions of the *Greater Sydney Region Plan*.

*Q4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?*

As set out in Section A, this Planning Proposal seeks to implement the LSPS vision in relation to housing choice and capacity.

An assessment of the actions of the LSPS which this Planning Proposal seeks to achieve is detailed in **Table 7** below.

**Table 7 – Summary of Alignment with Strategic Planning Framework**

Strategic Planning Framework	LSPS Planning Priority	Comment
<b>Theme: Infrastructure and collaboration</b>		
<p><b>Region Plan Direction</b> Infrastructure supporting new developments</p> <p><b>South District Plan</b> S1. Planning for a city supported by infrastructure</p>	<p>P1. We have a range of frequent, efficient transport options to connect people, goods, services, businesses and educational facilities</p> <p>P10. Homes are supported by safe, accessible, green, clean, creative and diverse facilities, services and spaces</p>	<p>The proposed rezoning of the Narwee HIA to accommodate new housing and encourage housing diversity is located within walking distance to public transport infrastructure (i.e Narwee Railway Station and bus stops with frequent bus services) and the existing Narwee village commercial centre. The Narwee HIA also has excellent access to existing open spaces with children’s playgrounds and picnic/BBQ facilities.</p>
<b>Theme: Liveability</b>		
<p><b>Region Plan Directions</b> A city for people Housing the city A city of great places</p> <p><b>South District Plan</b> S4. Fostering healthy, creative, culturally rich and socially connected communities</p> <p>S5. Providing housing supply, choice and affordability with access to jobs, services and public transport</p> <p>S6. Creating and renewing great places and local centres, and respecting the District’s heritage</p>	<p>P9. A mix of well-designed housing for all life stages caters for a range of lifestyle needs and incomes</p> <p>P10. Homes are supported by safe, accessible, green, clean, creative and diverse facilities, services and spaces</p> <p>P19. Everyone has access to quality, clean, useable, passive and active, open and green spaces and recreation places</p>	<p>This Planning Proposal provides additional housing through the up-zoning of an existing low density residential area in a highly accessible area serviced by shops, schools, and open space and community facilities. The creation of additional housing in the Narwee HIA will greatly assist with revitalising the existing Narwee village.</p> <p>The combination of medium and high density developments proposed in the Narwee HIA allows a range of housing typologies to be delivered in response to the Georges River community’s need for more housing choice.</p> <p>Furthermore, the formalisation of manor houses and terraces within the LEP will enable the provision of a diverse selection of medium density housing products to contribute to the LGA’s housing supply.</p>



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

This Planning Proposal has been considered against the relevant SEPPs and is determined to be consistent with the relevant provisions as set out in **Appendix 3**.

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

The Planning Proposal has been considered against the relevant Ministerial Directions and is determined to be consistent as set out in **Appendix 4**.

#### Section C – Environmental, social and economic impact

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

This Planning Proposal will not adversely affect critical habitat, threatened species, populations or ecological communities or their habitats.

The Narwee HIA for rezoning to enable greater housing capacity and diversity is an existing, well established urban area. Similarly, 199 Rocky Point Road Ramsgate and 33 Dora Street Hurstville are also located in long term, developed urban land, and would have minimal impact on critical habitats or threatened species.

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

By rezoning/ uplifting already established and fully developed residential land, this Planning Proposal contributes towards conserving the landscape character within the lower density residential suburbs elsewhere in the LGA. It has the potential to contribute towards retention/ enhancement of biodiversity and tree canopy in other parts of the LGA worthy of conservation.

Any land identified as being flood affected will have measures such as free boarding above the flood level imposed. These measures will be implemented in future developments.

Land affected by hazards such as pipelines will be the subject of hazard analysis report to identify the potential risk impacts. The hazard analysis report will be submitted to DPIE with the request for a Gateway Determination.

The Planning Proposal is also supported by a Traffic Report for the purposes of:

- Establishing the existing traffic capacity in the local road network;
- Identifying existing traffic issues and capacity constraints within the local road network
- Identifying the additional traffic generation resulting from the proposed rezoning
- Assessing any potential traffic impacts resulting from the additional traffic
- Recommending mitigation measures to alleviate the potential traffic impacts.

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

This Planning Proposal seeks to provide greater housing capacity and choice, in response to changing demographics in the LGA, and State government housing targets that have been imposed. There are many positive economic and social benefits for the existing and future local population in the LGA; including, revitalisation of existing urban areas, more efficient use of existing infrastructure, as well as opportunities for improvement of infrastructure.

#### Section D – State and Commonwealth interests

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

This Planning Proposal provides additional housing through the up-zoning of existing low density residential areas in highly accessible areas which are serviced by shops, schools, open space and community facilities. The Narwee HIA proposed to be up-zoned is located within walking distance to transport infrastructure, such as train stations and frequent bus services, encouraging the efficient use of existing public infrastructure.

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

As this Planning Proposal has not been forwarded to the Minister for Planning and Public Spaces for a Gateway Determination, the appropriate State and Commonwealth public authorities have not yet been consulted.

However, State and Commonwealth public authorities will be consulted in accordance with a Gateway Determination and will be given at least 28 days to comment on this Planning Proposal.

## Part 4: Mapping

The maps included in **Appendix 2** have been prepared, consistent with the “Standard Technical Requirements for LEP Maps” and identify the site and the proposed development standards including:

### *Georges River Local Environmental Plan 2020*

- Land Zoning Map – Sheet LZN\_004
- Lot Size Map – Sheet LSZ\_004
- Floor Space Ratio Map – Sheet FSR\_004 and FSR\_011
- Height of Buildings Map – Sheet HOB\_004, HOB\_008A and HOB\_011

*Note: Whilst Council has taken care to ensure the mapping information is accurate, minor modifications may be required to correct any numerical, typographical and formatting errors.*

## Part 5: Community Consultation

The Planning Proposal will be exhibited in accordance with the conditions of the Gateway determination. Consultation with the relevant public authorities will be conducted during this time.

If a Gateway Determination (Approval) is issued for the Planning Proposal, it is anticipated public exhibition will be conducted in accordance with the provisions of the *Environmental Planning and Assessment Act 1979* and its *Regulation 2000*, relevant *COVID-19 Planning Orders* and any requirements of the Gateway Determination.

Notification of the public exhibition will be through:

- Newspaper advertisement in The Leader;
- Exhibition notice on Council's website;
- Community engagement project on Council's YourSay website;
- Notices in Council offices and libraries (subject to compliance with the Public Health Orders in relation to COVID-19);
- Letters to all landowners and occupiers in the areas where change to planning provisions and controls is proposed as well as surrounding areas; and
- Letters to State and Commonwealth Government agencies identified in the Gateway Determination.

In accordance with the NSW Government's *Best Practice Guideline for LEPs and Council Land* (dated January 1997), this Planning Proposal will be exhibited with a register of all council-owned land which outlines the following:

- The nature of Council's interest in the land (e.g. Council has a 30 year lease over the site);
- When Council first acquired an interest in the land;
- Why Council acquired an interest in the land (e.g. for an extension to the adjoining park);
- How Council acquired its interest in the land (e.g. the land was purchased); and
- For land previously owned or controlled by Council, whether any aspect of the LEP formed part of the agreement to dispose of the land, and the terms of any such agreement.

The public exhibition of this Planning Proposal will be supported by the Traffic Study and Hazard Analysis report for the Narwee HIA.

## Part 6: Project Timeline

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

<b>Task</b>	<b>Anticipated Timeframe</b>
Reporting to the Georges River Local Planning Panel in accordance with S9.1 Ministerial Directions	29 October 2020
Reporting to Council on Planning Proposal for endorsement to send to DPIE for a Gateway determination	November 2020
Commencement date (date of Gateway Determination)	December 2020
Anticipated timeframe for the completion of required technical information	December 2020
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	December 2020
Commencement and completion dates for public exhibition period (minimum of twenty eight (28) days)	January – February 2021 (inclusive)
Dates for public hearing (if required)	N/A
Timeframe for consideration of submissions	February 2021
Reporting to the planning proposal authority on the outcomes of community consultation and for finalisation	March 2021
Date of submission to the DPIE to finalise the LEP	March 2021

*Note: the above project timeline may be amended by the Gateway Determination.*

## Conclusion

In summary, the Planning Proposal seeks to amend the draft LEP 2020 as follows:

- a) Amend the **Land Zoning Map** to rezone the Narwee Housing Investigation Area from R2 Low Density Residential to a combination of R3 Medium Density Residential and R4 High Density Residential; and
- b) Amend the **Lot Size Map** to increase the minimum subdivision lot size:
  - i) in the proposed R3 Medium Density Residential from 450sqm to 800sqm; and
  - ii) in the proposed R4 High Density Residential from 450sqm to 1,000sqm;
- c) Amend the **Height of Buildings Map** to:
  - i) increase the maximum building height in the proposed R4 High Density Residential from 9m to 12m;
  - ii) amend the maximum building height applied at 33 Dora Street, Hurstville from 30m to 15m; and
  - iii) amend the maximum building height applied at 199 Rocky Point Road, Ramsgate from 21m to 15m and 21m in accordance with the existing split zoning;
- d) Amend the **Floor Space Ratio Map** to:
  - i) to increase the maximum floor space ratio in the proposed R3 Medium Density Residential from 0.55:1 to 0.7:1;
  - ii) to increase the maximum floor space ratio in the proposed R4 High Density Residential from 0.55:1 to 1:1; and
  - iii) amend the maximum floor space ratio applied at 199 Rocky Point Road, Ramsgate from 2.5:1 to 1.5:1 and 2.5:1 in accordance with the existing split zoning;
- e) Amend the **Land Use Tables** of zones R3 Medium Density Residential and R4 High Density Residential to include 'manor houses' and 'multi dwelling housing (terraces)' as land uses in '3 Permitted with consent'; and
- f) Amend **Clause 4.1B Minimum lot sizes and special provisions for certain dwellings** to include:
  - i) minimum lot size of 800sqm for manor houses;
  - ii) minimum lot width of 18m for manor houses;
  - iii) minimum lot size of 800sqm for multi dwelling housing (terraces); and
  - iv) minimum lot width of 21m for multi dwelling housing (terraces).

This Planning Proposal report has considered the objectives and intended outcomes of the proposed amendment to the draft LEP 2020 and provides an explanation of the provisions. The proposal is consistent with the relevant local, regional and State strategic plans, the relevant State Environmental Planning Policies and applicable S9.1 Ministerial Directions.

For the reasons outlined above, Council requests the Minister to issue a Gateway Determination for this Planning Proposal.

## **Appendices**

- Appendix 1     Draft amendments to instrument
- Appendix 2     Draft LEP Mapping
- Appendix 3     Consistency with State Environmental Planning Policies (SEPPs)
- Appendix 4     Consistency with S9.1 Ministerial Directions