

MINUTES

Environment and Planning Committee

Monday, 10 July 2023

7:00pm

Dragon Room

**Georges River Civic Centre,
Hurstville**



PRESENT

COUNCIL MEMBERS

The Mayor, Councillor Katris, Deputy Mayor, Councillor Landsberry (Chairperson), Councillor Ashvini Ambihaipahar, Councillor Elise Borg (Online), Councillor Peter Mahoney and Councillor Benjamin Wang.

COUNCIL STAFF

General Manager – David Tuxford, Acting Director Environment and Planning – Sue Weatherley, Manager Strategic Planning - Catherine McMahon, Strategic Planner/Urban Designer – Anne Qin, Strategic Planner/Information Management – Andy Zhou, Manager Office of the General Manager – Vicki McKinley, Executive Services Officer- Marina Cavar, General Counsel – James Fan, Executive Manager City Futures – Simon Massey, Coordinator Communications & Engagement – Catherine James and Technology Business Support Officer - Sandra Vazzoler.

OPENING

Councillor Landsberry, opened the meeting at 7pm.

ACKNOWLEDGEMENT OF COUNTRY

Councillor Landsberry acknowledged the Bidjigal people of the Eora Nation, who are the Traditional Custodians of all lands, waters and sky in the Georges River area. I pay my respect to Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples who live, work and meet on these lands.

APOLOGIES/LEAVE OF ABSENCE

MOTION: (Moved Councillor Ambihaipahar / Councillor Mahoney)

That a leave of absence be granted for Councillor Jamieson.

Record of Voting:

For the Motion: The Mayor, Councillor Katris, Deputy Mayor, Councillor Landsberry, Councillor Ambihaipahar, Councillor Borg, Councillor Mahoney, Councillor Wang

It was noted that the motion was carried unanimously.

REQUEST TO ATTEND MEETING VIA VISUAL AUDIO LINK

MOTION: (Moved Councillor Ambihaipahar / Councillor Wang)

That Councillor Borg be granted permission to attend the meeting via Audio Visual Link

Record of Voting:

For the Motion: The Mayor, Councillor Katris, Deputy Mayor, Councillor Landsberry, Councillor Ambihaipahar, Councillor Borg, Councillor Mahoney, Councillor Wang

It was noted that the motion was carried unanimously.

NOTICE OF WEBCASTING

The Chairperson, Councillor Landsberry, advised staff and the public that the meeting is being recorded for minute-taking purposes and is also webcast live on Council's website, in accordance with Section 4 of Council's Code of Meeting Practice. This recording will be made available on Council's website.

DISCLOSURES OF INTEREST

There were no disclosures of interest made.

PUBLIC FORUM

There were no registered speakers.

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**ENVIRONMENT AND PLANNING - 13 JUNE 2023**

ENV023-23 Confirmation of the minutes of the previous meeting held on 13 June 2023
(Report by Executive Services Officer)

RECOMMENDATION: (Moved Councillor Mahoney / Councillor Ambihaipahar)

That the Minutes of the Environment and Planning Committee Meeting held on 13 June 2023 be confirmed.

Record of Voting:

For the Motion: The Mayor, Councillor Katris, Deputy Mayor, Councillor Landsberry, Councillor Ambihaipahar, Councillor Borg, Councillor Mahoney, Councillor Wang

It was noted that the motion was carried unanimously.

Note: Councillor Ficarra arrived at 7.10pm

Note: Councillor Symington arrived at 7.12pm

COMMITTEE REPORTS

ENV024-23 Outcomes of Public Exhibition - Adoption of Amendment No.3 to the Georges River Development Control Plan 2021
(Report by Strategic Planner/Urban Designer)

RECOMMENDATION: (Moved Councillor Katris / Councillor Ambihaipahar)

- (a) That Council note the submissions received during the public exhibition of the draft Amendment No.3 of the *Georges River Development Control Plan ("DCP") 2021*.
- (b) That Council amend the exhibited Amendment No.3 of the *Georges River DCP 2021* as

follows in response to submissions received:

a. Part 3 General Considerations

i. Section 10. Water Management

1. Revise Objectives (b) and (k) to clarify the impact of stormwater management on 'downstream' properties and 'trees (existing and proposed)',
2. Insert new Controls 5 and 6 to ensure stormwater runoff is contained within the development site and has no adverse impact on neighbouring properties,

b. Part 4 General Land Use

i. Section 4.3 Places of Public Worship

1. Amend wording from 'should' to 'must' in Control 4 of 4.3.1 Locational and Site Requirements to reinforce existing locational requirements,
2. Amend wording from 'may' to 'will' in Control 3 of 4.3.6 Traffic, Access and Parking to reinforce existing traffic requirements,

c. Part 6.1 Low Density Residential – Dwelling House

i. Section 3. Setbacks – Front Setbacks

1. Revise Control 1(ii) to insert the words 'whichever is greater' to ensure a car parking space can be provided in front of the garage/carport,
2. Insert new Control 2 relating to balconies to clarify that 'Balconies cannot encroach into the front setback space',
3. Remove the proposed requirement for corner lots to reflect the setback distance of existing buildings on opposite street corners in Control 3 and rely on stated numerical requirements,

ii. Section 4. Private Open Space

1. Amend wording from 'prohibited' to 'not permitted' in relation to roof top terraces in Control 5 and relocate the control to Section 8. Visual Privacy as Control 6,
2. Repeat above amendment within Part 6.1 Low Density Residential – Dual Occupancy,

iii. Section 5. Landscaping

1. Relocate proposed clarifications relating to minimum dimensions and natural rock formations from 'landscaped area' to a new 'soft soil landscaping' requirement via the insertion of Control 2,
2. Clarify rock gardens exclude natural rock formations within Control 3,
3. Amend reference to 'landscaping' as 'soft soil landscaping' within Control 3,
4. Repeat above amendments within Part 6.1 Low Density Residential – Dual Occupancy and Part 6.2 Medium Density Residential,

iv. Section 7. Vehicular Access, Parking and Circulation

1. Clarify the vehicle access is to accommodate a B99 vehicle in accordance with Australian Standard *AS2890.1 Parking Facilities*,

v. Section 10. Solar Access

1. Clarify overshadowing impacts on solar photovoltaic panels will be considered 'where a variation to the building setbacks or number of storeys is sought' in Control 6,
2. Repeat above amendment within Part 6.1 Low Density Residential – Dual Occupancy, Part 6.1 Low Density Residential – Narrow Lot Housing (Kemps Estate) and Part 6.2 Medium Density Residential.

d. Part 6.3 High Density Residential

i. Section 4. Basement Setbacks

1. Amend the minimum basement setback controls for the side boundaries from proposed '6m' to '3m' in Control 1(ii),
2. Retain existing Controls 4 and 5 relating to the provision of a minimum 6m basement setback to provide a vegetated buffer at the boundary with a lower density zone,

ii. Section 7. Communal Open Space

1. Replace 'achieve comfortable year-round use' in Control 1 with the following clarification: 'must be designed with consideration of the user's thermal comfort throughout the year and may include smaller areas with designated functions such as a shaded garden for summer and an open courtyard for winter',

e. Part 6.5 Foreshore Locality Controls

i. Section 2. Development in the Foreshore Area

1. Clarify approval for waterway structures are issued by 'the DPE Water Licensing and Approvals Team',

ii. Section 6.5.1.1 Environmental Qualities and Scenic Landscape Values

1. Clarify the types of development between the FBL and MHWL which will require a landscaped plan as 'any development considered significant by Council' in Control 8,
2. Amend wording from 'not permitted' to 'not to be provided' for landscaping works below the deemed MHWL in Control 25,

iii. Section 6.5.2.1 Jetty, Ramp and Pontoon Structures

1. Insert clarification 'except where required by NSW Maritime' to enable jetties to be designed in accordance with State Government requirements in Control 2,

iv. Section 6.5.2.3 Boatsheds

1. Insert a new note as follows to define boatsheds: 'Note: The definition of "boat shed" is provided in the *Georges River Local Environmental Plan 2021* (GRLEP 2021). It cannot include any habitable space',

2. Update the existing 2D diagram in Figure 2 with a new 3D diagram to indicate the maximum length of 7m for boatsheds,

v. Appendix 6 Building Heights and Indicative Storeys

1. Update references in Table 3 to reflect the new Employment Zone names which came into effect on 26 April 2023,
2. Correct typographical errors relating to the LEP maximum building height control for industrial zones in Table 3,
3. Amend the guide for the maximum number of storeys in the Employment Zones in Table 3 to reflect the amended floor-to-floor heights in Table 4,
4. Amend the minimum floor-to-floor heights of residential uses to '3.1m' and commercial and retail uses to '3.6m' for storeys above ground floor in Table 4,

f. Glossary

- i. Insert a new "soft soil landscaping" definition to support the introduction of soft soil landscaping as a new DCP requirement for low density and medium density residential development, and

g. Part 10 Precincts

- i. Relocate Section 10.3 Hurstville Civic Precinct to Part 8.2 Hurstville Strategic Centre as Part 8.2.8.4 Hurstville Civic Precinct.

- (c) That Council adopt Amendment No.3 of the *Georges River DCP 2021* as amended in response to submissions pursuant to Section 3.43 of the *Environmental Planning and Assessment Act 1979* and Clause 14 of the *Environmental Planning and Assessment Regulation 2021*.
- (d) That Council endorse the Director Environment and Planning to make minor modifications to any numerical, typographical, interpretation and formatting errors, if required, in preparation for the commencement of Amendment No.3 of the *Georges River DCP 2021*.
- (e) That Council give public notice of the decision to adopt the amended *Georges River DCP 2021* on its website within 28 days in accordance with Clause 14 of the *Environmental Planning and Assessment Regulation 2021*.
- (f) That Council repeals the following DCPs pursuant to Clause 16 of the *Environmental Planning and Assessment Regulation 2021*:
 - a. *Hurstville Development Control Plan Number 2 - Amendment No. 6* - Applies to sites within the Hurstville City Centre identified as 'deferred matters' on the *Georges River Local Environmental Plan 2021* Land Application Map; and
 - b. *Hurstville Development Control Plan Number 2 - Amendment No. 12* - Applies to sites within the Hurstville City Centre excluding the 'deferred matters' on the *Georges River Local Environmental Plan 2021* Land Application Map.

- (g) That public notice of the decision to repeal the above DCPs be published on the Council's website in accordance with Clause 16 of the *Environmental Planning and Assessment Regulation 2021* and that the repeal become effective upon the effective date of Amendment No.3 of the *Georges River DCP 2021*.
- (h) That Council notes the existing savings provision within the *Georges River DCP 2021* and accordingly all applications submitted before the effective date of Amendment No.3 of the *Georges River DCP 2021* will be determined as if Amendment No.3 had not commenced.
- (i) That all persons who made a submission be advised of Council's decision.
- (j) That the Department of Planning and Environment be given a copy of the amended *Georges River DCP 2021* in accordance with Clause 20 the *Environmental Planning and Assessment Regulation 2021*.

Record Of Voting

For the Motion: The Mayor, Councillor Katris, Deputy Mayor, Councillor Landsberry, Councillor Ambihaipahar, Councillor Borg, Councillor Mahoney, Councillor Wang

It was noted that the motion was carried unanimously.

ENV025-23 Public Exhibition of Generic Plans of Management (Amendment 1) (Report by Strategic Planner)

RECOMMENDATION: (Moved Councillor Ambihaipahar / Councillor Katris)

- (a) That Council amend its Generic Plans of Management for Sportsground, Parks, Natural Areas and General Community Use to include Riverwood Park (Lot A DP 325838), Rasdall Park (Lot 1-3 DP 1046103) and 25 Joffre Street (Lot 60 DP 4607).
- (b) That Council lodge a submission to Crown Lands on Rasdall Park (Lot 1-3 DP 1046103) (R71245) requesting that Council be appointed Crown Land Manager.
- (c) That Council notify the amended Generic Plans of Management to the NSW Department of Planning and Environment, as landowner of part of the land under section 39 of the *Local Government Act 1993* to obtain owner's consent prior to public exhibition.
- (d) That Council seek written consent from the NSW Department of Planning and Environment to adopt the Generic Plans of Management (after exhibition and consideration of submissions by Council), under clause 3.23(6) of the *Crown Land Management Act 2016*.
- (e) That Council delegates authority to the General Manager to make any further amendments to the Generic Plans of Management prior to public exhibition to address any points raised by the NSW Department of Planning and Environment.
- (f) That Council endorse the amendment to the Generic Plans of Management for public

exhibition (following receipt of the Crown landowner's consent) for a period of no less than 28 days in accordance with section 38 of the Local Government Act 1993.

- (g) That Council hold a public hearing under section 40A of the Local Government Act 1993 for 25 Joffre Street, South Hurstville (Lot 60 DP 4607) for the initial categorisation of the land.

Record of Voting:

For the Motion: The Mayor, Councillor Katris, Deputy Mayor, Councillor Landsberry, Councillor Ambihaipahar, Councillor Borg, Councillor Mahoney, Councillor Wang

It was noted that the motion was carried unanimously.

Note: Councillor Symington left the meeting at 7.40pm.

ENV026-23 Outcomes of Public Exhibition - Adoption of Amendment No. 4 to the Georges River Development Control Plan 2021 - 143 Stoney Creek Road, Beverly Hills
(Report by Strategic Planner/Information Management)

RECOMMENDATION: (Moved Councillor Katris / Councillor Ambihaipahar)

- a) That Council note the submissions (**Attachment 1**) received during the public exhibition of the draft Amendment No. 4 to the *Georges River Development Control Plan (DCP) 2021*, being "*Part 10 Precincts, Section 10.4 143 Stoney Creek Road, Beverly Hills*".
- b) That Council adopt the exhibited Amendment No. 4 to the *Georges River DCP 2021* (**Attachment 2**) pursuant to Section 3.43 of the *Environmental Planning and Assessment Act 1979* and Clause 14 of the *Environmental Planning and Assessment Regulation 2021*.
- c) That Council endorse the Director of Environment and Planning to make minor modifications to any numerical, typographical, interpretation and formatting errors, if required, in the finalisation of the draft DCP.
- d) That Council give public notice of the decision to adopt Amendment No. 4 to the *Georges River DCP 2021* on its website within 28 days in accordance with Clause 14 of the *Environmental Planning and Assessment Regulation 2021*.
- e) That all persons who made a submission be advised of Council's decision.
- f) That the Department of Planning and Environment be given a copy of the amended DCP in accordance with Clause 20 of the *Environmental Planning and Assessment Regulation 2021*.
- g) That the adopted DCP become effective when the amendment to the *Georges River Local Environmental Plan 2021* is gazetted.

Record of Voting:

For the Motion: The Mayor, Councillor Katris, Deputy Mayor, Councillor Landsberry, Councillor Ambihaipahar, Councillor Borg, Councillor Mahoney, Councillor Wang

It was noted that the motion was carried unanimously.

CONCLUSION

The Meeting was closed at 7.44pm.



Chairperson Deputy Mayor,
Councillor Landsberry

(in accordance with Clause 18.5 of Council's Code of Meeting Practice, these Minutes have been signed by the Chairperson of the 14 August 2023 meeting)

Minutes confirmed at the meeting of the Environment and Planning Committee on 14 August 2023 (ENV027-23).