

EXTRAORDINARY AGENDA

Council Meeting

Monday, 12 February 2024

8:00 PM

Dragon Room

Civic Centre

Hurstville



OATH OF OFFICE OR AFFIRMATION OF OFFICE

All Georges River Councillors are reminded of their Oath of Office or Affirmation of Office made at the time of their swearing into the role of Councillor.

All Councillors are to undertake the duties of the office of Councillor in the best interests of the people of the Georges River Council area and are to act faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act to the best of their ability and judgement.

DISCLOSURES OF INTEREST

All Georges River Councillors are reminded of their obligation to declare any conflict of interest (perceived or otherwise) in a matter being considered by Council or at any meeting of Council.

EXTRAORDINARY COUNCIL MEETING**ORDER OF BUSINESS****OPENING****ACKNOWLEDGEMENT OF COUNTRY**

Council acknowledges 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**NOTICE OF WEBCASTING****DISCLOSURES OF INTEREST****PUBLIC FORUM****ENVIRONMENT AND PLANNING**

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ASSETS AND INFRASTRUCTURE

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ENVIRONMENT AND PLANNING**Item:** CCL001-24 NSW Government Housing Reforms 2023-24**Author:** Manager Strategic Planning, Principal Strategic Planner and Senior Strategic Planner**Directorate:** Environment and Planning**Matter Type:** Environment and Planning

CCL001-24

<Summary Section>

RECOMMENDATION:

- (a) That Council acknowledges the Housing Reforms undertaken by the NSW State Government to assist with the delivery of 314,000 new homes by 2029 across NSW, through the following:
- i) Infill Affordable Housing within the State Environmental Planning Policy (Housing) 2021 – in force from 14 December 2023
 - ii) Transport Oriented Development State Environmental Planning Policy (TOD SEPP) – draft and anticipated to come into effect April 2024
 - iii) Low and Mid-Rise Housing – draft and on consultation until 23 February 2024
- (b) In respect of the proposed TOD SEPP, that Council:
- (i) Note its impacts on Kogarah railway station precinct are limited to those areas zoned R4 High Density Residential in the Kogarah North Precinct.
 - (ii) Write to the Department of Planning, Housing and Infrastructure (DPHI) raising concerns to any variation to the design criteria in the Apartment Design Guide for TOD related development due to the impacts on the amenity of both the apartment occupants and neighbouring buildings.
 - (iii) Write to the DPHI requesting funding for the development of a master plan for the MU1 and SP zoned land in the Kogarah Strategic Centre in order to support the objectives of the TOD SEPP and to promote the role of Kogarah as a Strategic Centre.
- (c) That Council welcome the opportunity for increased housing capacity and diversity created by the proposed Low and Mid-Rise Housing Reform, though express concerns regarding the blanket 'one-size-fits-all' nature of the Reform and its impact on the local character of the Georges River Local Government Area (LGA).
- (d) That Council request the DPHI to defer the implementation of the Low and Mid-Rise Housing Reform within the Georges River LGA so Council is given the opportunity to review its Local Strategic Planning Statement (LSPS) to create capacity for additional and diverse housing through the creation of new R3 and R4 zones within the following 12 precincts:
- (i) Hurstville Railway Station and Hurstville City Centre (Strategic Centre)
 - (ii) Kogarah Railway Station and Kogarah Town Centre (Strategic Centre)
 - (iii) Beverly Hills Railway Station and Beverly Hills (King Georges Road) Local Centre
 - (iv) Kingsgrove Railway Station and Kingsgrove (Kingsgrove Road) Local Centre
 - (v) Mortdale Railway Station and Mortdale (Morts Road) Local Centre

- (vi) Penshurst Railway Station and Penshurst (Penshurst Street) Local Centre
 - (vii) Riverwood (Belmore Road) Local Centre
 - (viii) South Hurstville (King Georges Road) Local Centre
 - (ix) Oatley Railway Station and Oatley (Mulga Road) Local Centre
 - (x) Allawah Railway Station
 - (xi) Carlton Railway Station
 - (xii) Narwee Railway Station
- (e) That Council respond to the DPHI's request for the nomination of "station and town centre precincts" as being the 12 precincts as identified in Recommendation (d) above.
- (f) That Council note the request to defer the Low and Mid-Rise Housing Reform in Recommendation (d) above is due to the following concerns:
- (i) Overriding the master planning work that has been completed by Council in conjunction with the community for the Mortdale and Beverly Hills Local Centres,
 - (ii) Providing uplift to centres that fall within the definition of "station and town centre precincts" without the appropriate master planning being in place to address community concerns of public domain and infrastructure provision,
 - (iii) Providing capacity for up to 150,000 additional dwellings within the Georges River LGA without considerations of the availability of infrastructure to support this growth,
 - (iv) Increasing housing capacity by permitting development on smaller allotments with greater height and FSR. This will result in changes to the low-density character of the LGA's suburbs, loss of trees and canopy cover on private land, replacement of on street parking with driveways and increased traffic impacts due to additional density,
 - (v) Permitting manor housing and multi-unit housing in the R2 Low Density Residential Zone and residential flat buildings (up to 6 storeys) in the R3 Medium Density Residential Zones in "station and town centre precincts" undermines the existing LSPS 2040 and the criteria for growth that was developed with the Georges River community,
 - (vi) Permitting manor houses and multi dwelling housing in the R2 Zone and residential flat buildings (of 3 to 6 storeys) in the R3 Zone in "station and town centre precincts" undermines the hierarchy of residential zones developed with the community through the LSPS 2040 and implemented through the GRLEP,
 - (vii) Applying the Low- and Mid-Rise Housing Reforms to Heritage Conservation Areas will compromise the social, built and cultural significance of these areas by permanently altering the historical subdivision pattern and character of the built form,
 - (viii) Applying the minimum lot width of 12m and minimum site area of 450sqm for dual occupancy development across the LGA is a significant reduction from the existing GRLEP requirements of minimum 15m lot with and minimum site area of 650sqm and 1,000sqm outside and within the Foreshore Scenic Protection Area (FSPA) respectively.
 - (ix) The Reforms do not address the existing infrastructure shortage that currently exists including insufficient open space, community centres, sports courts and libraries, which will put more pressure on Council to address both existing and future populations.

- (g) That Council resolve to amend the Georges River Council Local Infrastructure Contributions Plan 2021 (Section 7.11 and Section 7.12) to address the potential increase in resident and worker population as a result of the Housing Reforms.
- (h) That Council advise DPHI of its intention to amend the Section 7.11 and Section 7.12 Contribution Plans to address the potential increase in resident and worker population as a result of the Housing Reform program.
- (i) That Council seek funding from DPHI to fund:
 - (i) The required amendments to its Section 7.11 and Section 7.12 Contribution Plans, and
 - (ii) The preparation of master plans for each of the “station and town centre precincts” identified in Recommendation (d) above to ensure that growth is accompanied by the required upgrades to public open space and community facilities, public domain, traffic and pedestrian improvements, drainage, and infrastructure generally.

EXECUTIVE SUMMARY

1. Housing and its affordability are the focus of the current Federal and State Governments. Consequently, the NSW Government in late 2023 released a Housing Reform package covering social and affordable housing, increasing the supply of housing in and around strategic centres, and promoting low and medium rise housing in areas close to existing public transport connections, amenities, and employment.
2. Council is to note that effective 1 January 2024, Department of Planning and Environment has been split to form two departments:
 - (a) Department of Climate Change, Energy, the Environment and Water (DCCEEW)
 - (b) Department of Planning, Housing and Infrastructure (DPHI)
3. This report provides a:
 - (a) Background to the Housing Reforms – the National Housing Accord (October 2022) and the National Planning Reform Blueprint (August 2023)
 - (b) An overview of the Council’s endorsed approach to creating capacity for additional and diverse housing in the R2 Low Density Residential and R3 Medium Density Residential Zones of the Georges River Local Environmental Plan 2021
 - (c) Summary of the Housing Reforms – Infill Affordable Housing, Transport Oriented Development program, Low and Mid-Rise Housing, and the repeal of State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development.
 - (d) Assessment of the impact of the Housing Reforms on the Georges River Local Government Area (LGA); including the impact of the Housing Reforms on infrastructure provision within the Georges River LGA.
4. Whilst one of the recommendations of the report is to request deferral of the implementation of the Low and Mid-Rise Housing on the Georges River LGA so Council can identify areas for increased housing capacity, the report’s recommendations also include responses to questions raised in the Reform package regarding the identification of “station and town centre precincts” and Council’s preferred approach to identifying and addressing additional infrastructure needs that will arise out of the proposed changes. This is proposed in case the Reforms are implemented without change or further consultation with Council.

5. Therefore, this report also recommends that based on the criteria provided by DPHI, the following Strategic Centres, Local Centres and railway stations be included in the list of “station and town centre precincts” in accordance with the Georges River Commercial Centres Strategy (2020):
 - (i) Hurstville Railway Station and Hurstville City Centre (Strategic Centre)
 - (ii) Kogarah Railway Station and Kogarah Town Centre (Strategic Centre)
 - (iii) Beverly Hills Railway Station and Beverly Hills (King Georges Road) Local Centre
 - (iv) Kingsgrove Railway Station and Kingsgrove (Kingsgrove Road) Local Centre
 - (v) Mortdale Railway Station and Mortdale (Morts Road) Local Centre
 - (vi) Penshurst Railway Station and Penshurst (Penshurst Street) Local Centre
 - (vii) Riverwood (Belmore Road) Local Centre
 - (viii) South Hurstville (King Georges Road) Local Centre
 - (ix) Oatley Railway Station and Oatley (Mulga Road) Local Centre
 - (x) Allawah Railway Station
 - (xi) Carlton Railway Station
 - (xii) Narwee Railway Station
6. Additionally, this report also recommends that Council responds to the request from DPHI to provide feedback on the preferred approach to identifying and addressing additional infrastructure needs that arise as a result of the proposed changes, which is to amend the Georges River Council Local Infrastructure Contributions Plan 2021 (Section 7.11 and Section 7.12) to identify measures to address existing gaps in the supply of infrastructure and to ensure the delivery of local infrastructure occurs at a rate that will keep up with the anticipated growth.
7. The Housing Reforms (Reforms) relating to the provision of Low and Mid-Rise Housing are on exhibition until Friday 23 February 2024. Council Planning Staff are currently preparing a submission to the proposed Reforms.

BACKGROUND

8. The National Housing Accord ([the Accord](#)) was announced in October 2022. The Accord sets a target of constructing one million new homes over five years from 2024. While most of this will largely rely on the private sector, the Federal Government proposes to assist by directly funding the supply of 10,000 affordable homes at a cost of \$350 million over the same period. States and territories will also support the Accord by providing up to an additional 10,000 affordable homes, increasing the number of dwellings that can be delivered by governments under the Accord to 20,000 dwellings.
9. Two other commitments in the Accord from State and Territories are:
 - (a) *Undertake expedited zoning, planning and land release to deliver the joint commitment on social and affordable housing in well located areas, including looking for immediate opportunities to free up well located state land, for example in and around train stations and TAFE campuses including for affordable housing.*
 - (b) *Commit to working with local governments to deliver planning and land-use reforms that will make housing supply more responsive to demand over time, with further work to be agreed under the Accord.*

10. In August 2023 National Cabinet endorsed a new national target to build 1.2 million new homes to help align supply with expected demand over the next 5 years. The National Cabinet agreed on a range of measures to create housing. The [National Planning Reform Blueprint](#) includes:
 - (a) Updating state, regional and local strategic plans to reflect their share of housing supply targets.
 - (b) Undertaking planning, zoning, land release and other reforms, such as increasing density, to meet their share of housing supply targets.
 - (c) Streamlining approval pathways, including strengthened 'call in powers', and prioritising planning amendments to support diverse housing across a range of areas e.g., by addressing barriers to subdivision for appropriate medium density housing.
 - (d) Promoting medium and high-density housing in well located areas close to existing public transport connections, amenities and employment.
 - (e) Reforms to support the rapid delivery of social and affordable housing.
 - (f) Reforms to address barriers to the timely issuing of development approvals.
 - (g) Consideration of the phased introduction of inclusionary zoning and planning to support permanent affordable, social and specialist housing in ways that do not add to construction costs.
 - (h) Rectifying gaps in housing design guidance and building certification to ensure the quality of new builds, particularly apartments.
 - (i) Improving community consultation processes.
 - (j) Adequately resourcing built environmental professionals, including planners, in local government.
11. The NSW Government announced in late 2023 several Housing Reforms to deliver on the measures in the National Planning Reform Blueprint. Through the Housing Reforms, the NSW Government is seeking to deliver at least 314,000 new homes by 2029, with a maximum goal of 377,000 homes.

ENDORSED APPROACH BY COUNCIL TO HOUSING WITHIN GEORGES RIVER

12. Council, at its meeting held 27 November 2023, considered a letter dated 30 October 2023, from the Minister for Planning and Public Spaces addressed to the Mayor. The letter stated that the NSW Government has identified a number of limitations across residential zones constraining the ability to deliver diverse housing in the low and medium density areas.
13. The letter mentions that that terraces, townhouses and 2 storey residential flat buildings (known as manor houses) are only permitted in a R2 Low Density Residential Zone in 2 out of the 35 LEPs (6%) in Greater Sydney and that residential flat buildings are only permitted in the R3 Medium Density Residential Zone in 47% (16 out of 35 LEPs.) The letter asks that councils review their local policy settings and approaches in the interest of housing supply; and identify existing well-located areas where terraces, small unit blocks or well-designed mid-rise apartments can be permitted.
14. Council was advised that the Georges River Local Environmental Plan 2021 (GRLEP) is one of the 33 LEPs that does not permit terraces, townhouses and 2 storey residential flat buildings (known as manor houses) in the R2 Low Density Residential Zone. It is also one of the 19 LEPs that do not permit residential flat buildings in the R3 Medium Density Residential Zone.

15. In response to the Minister's letter dated 30 October 2023, Council resolved (ENV044-23) to commence consideration of the Minister for Planning and Public Spaces request for Georges River Council to create capacity for the provisions of additional and diverse housing in the R2 Low Density Residential Zone and R3 Medium Density Residential Zone, through holding a series of workshops with the Councillors based on Wards to discuss ideas and options for creating opportunities to increase the supply of diverse housing. These workshops will commence in February 2024.
16. This approach was endorsed by Council as it is considered that Council should be given the opportunity to review its strategic planning framework via a reconsideration of its local strategic planning statement (LSPS) to create capacity for additional housing and a diversity of housing typologies. This process would be guided by the directions of the State Government and any housing targets issued for the LGA.
17. Accordingly, at its meeting dated 27 November 2023, Council resolved (ENV044-23):
 - (a) *That Council receive and note the letter from The Hon Paul Scully MP Minister for Planning and Public Spaces dated 30 October 2023 asking councils to review their planning frameworks and policies in the interests of increasing the supply of housing.*
 - (b) *That the General Manager commence consideration of the Minister for Planning and Public Spaces request for Georges River Council to create capacity for the provisions of additional and diverse housing in the R2 Low Density Residential Zone and R3 Medium Density Residential Zone, through holding a series of workshops with the Councillors based on Wards to discuss ideas and options for creating opportunities to increase the supply of diverse housing.*
18. Council wrote to the Minister via letter dated 7 December 2023 from the General Manager advising that it is willing to address the housing crisis within the Sydney Metropolitan Area but wishes to review its controls and develop/implement a planning framework that considers local character, environmental/biodiversity and infrastructure needs (traffic, drainage, etc). A State-wide mandated approach dictated by the State Government legislation is not supported by Georges River Council as it does not allow local considerations to be taken into account in planning for the future supply of housing.
19. Council, at the same meeting, also resolved (NM071-23) to write to the Hon. Chris Minns Premier of NSW and Member for Kogarah, Minister for Planning and Public Spaces, the Hon Paul Scully MP, and the Leader of the Opposition in NSW, the Hon Mark Speakman MP. Council on 7 December 2023 forwarded letters to Chris Minns, Paul Scully and Mark Speakman advising as follows:
 - (a) Council supports the ongoing efforts and actions of the NSW Government that are intended to address the significant shortage of housing supply, the supply of affordable housing, and the supply of affordable rental housing through the preparation of policies and the implementation of legislation that address these serious issues and further note the recommendations in the report of the Environment and Planning Committee (ENV044-23) that outlines the Council's comprehensive response to addressing The Hon Paul Scully MP Minister for Planning and Public Spaces request (30 October 2023) for councils to review their planning frameworks and policies in the interests of increasing the supply of housing.
 - (b) Council requests information on the resources that will be allocated to councils and the process to enable the fast-track determination on applications for terraces and mid-level residential flat buildings.
 - (c) Council supports as part of its response to the Minister for Planning and Public Space's request of increasing the supply of housing the consideration of increased densities within appropriately identified commercial centres that are located around

railway stations and any other forms of transport infrastructure through the implementation of appropriate policies and legislation.

- (d) Council further requests that the NSW Government and the NSW Opposition act in a bipartisan manner in order to assist the ongoing efforts and actions of the NSW Government that are intended to address these serious shortages.
- (e) Council also acknowledges that officials from the NSW Department of Planning and Environment had previously listed more than 50 train and metro stations that could take increased residential development and acknowledges the article that appeared in the Telegraph on 6 November 2023 Titled "A French fix for Housing crises -Bold new push to fast track projects".
- (f) Council further acknowledges that the Hon Mark Speakman has previously indicated that the NSW Opposition is committed to working constructively with the NSW Government to identify solutions to the national housing crisis, as reported in June 2023.

20. To date no replies have been received to Council's correspondence.

NSW HOUSING REFORMS ANNOUNCED 2023

21. The NSW Government announced in late 2023 three Housing Reforms to assist with the delivery of at least 314,000 new homes by 2029. An overview of the three Reforms are outlined below:

- Infill Affordable Housing within the State Environmental Planning Policy (Housing) 2021 – in force from 14 December 2023
- Transport Oriented Development State Environmental Planning Policy (TOD SEPP) – draft and anticipated to come into effect April 2024
- Low and Mid-Rise Housing – draft and on consultation until 23 February 2024

Infill Affordable Housing - In force

- 22. On 14 December 2023 the NSW Government implemented in-fill affordable housing reforms through an amendment to State Environmental Planning Policy (Housing) 2021 (Housing SEPP).
- 23. The infill housing provisions of the Housing SEPP aim to facilitate the delivery of affordable housing to meet the needs of very low, low- and moderate-income households.
- 24. The presentation provided by Shelter NSW to Council in July 2022 indicated that a household is taken to be a very low-income household, low-income household or moderate-income household if—:
 - (a) It has a gross income of:
 - (i) \$34,000 is a very low-income household;
 - (ii) \$54,400 is a low-income household; and
 - (iii) \$81,600 is a moderate-income household; and
 - (b) pays no more than 30% of that gross income in rent.
- 25. The new policy changes in summary are:
 - (a) A floor space ratio (FSR) bonus of 20–30% and a height bonus of 20–30% for projects that include at least 10-15% of gross floor area (GFA) as affordable housing.

The FSR bonus applies to all forms of residential development; whilst the height bonus only applies to residential flat building and shop-top housing. There is no height bonus in the new provisions relating to other forms of residential accommodation.

Residential development is defined by the Housing SEPP as development for the following purposes:

- attached dwellings,
- dual occupancies,
- dwelling houses,
- manor houses,
- multi dwelling housing,
- multi dwelling housing (terraces),
- residential flat buildings,
- semi-detached dwellings,
- shop top housing.

If the FSR bonus results in the maximum height standard being exceeded, the applicant will need to lodge a Clause 4.6 Objection to vary the standard. The FSR and height bonuses are proportional to the affordable housing component.

- (b) The former in-fill affordable housing bonuses are still available for development by Land and Housing Corporation (LAHC), the Aboriginal Housing Office (AHO), Landcom and registered Community Housing Providers (CHPs) on land with a maximum permissible FSR of 2:1 or less. These agencies and CHPs are now able to apply the more generous of the two formulae for calculating the FSR bonus under sections 16 or 17 of the Housing SEPP.
- (c) The accessible area definition has been amended to increase the walking distance from a public entrance of rail station from 400m to 800m.
26. In summary, DPHI's website states that the in-fill affordable housing provisions:
- (a) apply to zones where build to rent and residential development is permitted in a Council's LEP,
 - (b) apply to land in the Six Cities Region (except for the Shoalhaven LGA) within an accessible area. Accessible area (in respect of the Georges River LGA) is defined in the Housing SEPP as land within 800m walking distance of a public entrance to a railway station or 400m walking distance of a bus stop used by a regular bus service,
 - (c) provides 20-30% bonuses to encourage the development of 10-15% of affordable housing – for example a development utilising a 20% bonus is required to provide 10% affordable housing while a 30% bonus requires 15% affordable housing,
 - (d) requires the affordable housing portion of the development to remain affordable and be managed by a registered CHP for a minimum of 15 years,
 - (e) include non-discretionary development standards for lot size, dwelling sizes, deep soil zones, car parking and others, which means if a development is compliant then it cannot be refused on these grounds,
 - (f) require the consent authority to consider the character of the local area or the desired future character for areas under transition.

27. A legislative change was also made to Section 3B.8 of the Low-Rise Housing Diversity Code in the Codes SEPP in relation to the minimum lot size for dual occupancy delivered by LAHC, AHO and CHP. This has been reduced to 400sqm for all dual occupancies delivered by LAHC, AHO and CHP. This is a significant reduction from the existing GRLEP requirements of 650sqm and 1,000sqm for land outside and within the FSPA respectively.
28. **Figure 1** is from the DPHI's *In-fill Affordable Housing Practice Note* and presents a hypothetical site area of 1,000sqm and FSR of 3:1 utilising the in-fill affordable housing provision. The table describes different additional FSR scenarios and the required affordable housing component. The maximum number of affordable housing units delivered at 15% is approx. 5-6 units alongside 33 market housing units.

Figure 1 – Extract from In-fill Affordable housing Practice Note (page 6)

Site Area	Maximum permissible FSR under another EPI	Total permissible GFA under EPI (m ²)	Additional FSR (%)	New FSR	Additional GFA (m ²)	New Total GFA (m ²)	Minimum affordable Housing Component (%)	Affordable Housing GFA (m ²)	Market Housing GFA (m ²)
1,000	3:1	3,000	30	3.9:1	900	3,900	15	585	3,315
1,000	3:1	3,000	27.5	3.83:1	830	3,830	13.75	526.6	3,303.4
1,000	3:1	3,000	25	3.75:1	750	3,750	12.5	468.8	3,281.2
1,000	3:1	3,000	22.5	3.68:1	680	3,680	11.25	414	3,266
1,000	3:1	3,000	20	3.6:1	600	3,600	10	360	3,240

29. **Table 1** provides a summary of the infill affordable housing provisions and their impact on the Georges River LGA.

Table 1 - Summary of infill affordable housing provisions and the Georges River LGA

Controls in the Housing SEPP for infill affordable housing	Impact on Georges River LGA
Section 15C indicates the application of the provisions- applies to residential development in an accessible area.	<p>The infill housing provisions in the SEPP will apply to</p> <ul style="list-style-type: none"> • build to rent development in the R4, E1, E2 and MU1 Zones under the GRLEP 2021, or • residential development that is permitted under the GRLEP. Residential development means attached dwellings, dual occupancies, dwelling houses, manor houses, multi dwelling housing, multi dwelling housing (terraces), residential flat buildings, semi-detached dwellings, and shop top housing, and • 'accessible areas' of the LGA. An accessible area (in respect of the Georges River LGA) is defined in the Housing SEPP as land within 800m walking distance of a public entrance to a railway station or 400m walking distance of a bus stop used by a regular bus service.
Sections 15C and 21 requires that at least 10% of the development's GFA must be used for 'affordable housing' for a period of at least 15 years.	<p>The previous provisions in the SEPP required more affordable housing (minimum 20%) with less FSR bonus.</p> <p>The requirement for affordable housing to be only used for 15 years does not provide a sustainable supply of affordable</p>

Controls in the Housing SEPP for infill affordable housing	Impact on Georges River LGA
	<p>housing and does not provide permanent housing solutions for people on very low income, including key workers. It should be noted however that the 15-year period remains unchanged from the previous version of the Housing SEPP.</p>
<p>Section 16 provides for a FSR Bonus up to a maximum of 30% where at least 10 to 15% of affordable housing is provided. The maximum FSR for development is the maximum permissible FSR for the land plus an additional FSR of up to 30% of the maximum permissible FSR for development for the land.</p> <p>If the residential development involves residential flat buildings or top shop housing, the maximum building height for the residential development is the maximum permissible building height for the land plus an additional building height that is the same % as the additional FSR derived.</p> <p>There is no height bonus in the new provisions relating to other forms of residential accommodation. If the FSR bonus results in the maximum height standard being exceeded, the applicant will need to lodge a Clause 4.6 Objection to vary the standard.</p>	<p>The flat additional 20-30% FSR bonuses could lead to poor planning outcomes in terms of streetscape and character. The additional FSR will also result in additional dwellings resulting in poor amenity outcomes for existing residents and create a burden on local infrastructure including roads, open space and community services.</p> <p>It will result in development that is not compatible with the bulk and scale of the existing and future character of the area with adverse impacts to the public and private domain. The impacts include:</p> <ul style="list-style-type: none"> • Widespread amenity impacts due to loss of privacy; overshadowing; increase in bulk and scale; change of streetscapes; loss or tress/landscaping and parking issues due to loss of on street parking and increased dwellings. • Increased strained on council's infrastructure. • Community backlash and increased stigma towards development due to loss of existing neighbourhood character. <p>It will also have an impact on council's strategic planning work such as the Master Plans for Mortdale and Beverly Hills Local centres. The bonus provisions will apply on top of the maximum FSR controls in the Master Plan and will adversely undermine the future vision and built form outcome of these centres.</p> <p>There is no height bonus in the new provisions relating to other forms of residential accommodation - attached dwellings, dual occupancies, dwelling houses, manor houses, multi dwelling housing, multi dwelling housing (terraces), and semi-detached dwellings. If the FSR bonus results in the maximum height standard being exceeded, the applicant will need to lodge a Clause 4.6 Objection to vary the standard.</p> <p>In this regard DPHI in its Planning Circular PS23-003 dated 14 December 2023 for In-fill affordable housing under the Housing SEPP states that the uplift afforded under the Housing SEPP may compromise the ability for development to achieve compliance with a Council's LEP and DCP. In the Practice Note for In-fill affordable Housing dated December 2023 Councils are encouraged to apply local development standards in their LEP and DCP flexibly.</p>
<p>Section 17 applies to development by Land and Housing Corporation (LAHC), the Aboriginal Housing Office (AHO), Landcom and registered Community Housing Providers (CHPs) on land with a maximum permissible FSR of 2:1 or less. These agencies and CHPs are now able to apply the more generous of the two formulae for calculating the FSR</p>	<p>The bonuses will result in development that is not compatible with the bulk and scale of the existing and future character of the area with adverse impacts to the public and private domain.</p> <p>The increase self-assessment cap for LAHC and AHO would:</p> <ul style="list-style-type: none"> • undermine council's planning powers. • result in inappropriate siting of developments

CCL001-24

Controls in the Housing SEPP for infill affordable housing	Impact on Georges River LGA
<p>bonus under sections 16 or 17 of the Housing SEPP.</p> <p>There is also a new SSD pathway and self-assessment powers for state agencies to facilitate the construction of affordable housing.</p>	<ul style="list-style-type: none"> • make it difficult to plan for appropriate levels of services and infrastructure to meet the needs of the community. • may exacerbate community opposition to social and affordable housing. <p>Allowing infill affordable housing developments to be assessed under an SSD approval pathway (private and stage agency led) could result in developments that exceed local planning controls and are incompatible with the local character of the area and inconsistent with community expectations.</p> <p>The proposed changes will remove further planning responsibilities from Council. It is likely to result in developments that are out of character with the surrounding local areas and not consider other local planning matters, which Councils are aware of and are managing during the development assessment process.</p>
<p>Section 18 applies to only residential development that includes a residential flat building or shop top housing and does not rely on Clause 16 (FSR Bonus). A height bonus of up to 30% applies.</p>	<p>The height bonus is a new provision in the SEPP and has been introduced to assist with development feasibility.</p> <p>The impact of the height bonus is significant and will affect RFBs and Shop top housing developments (where 10% affordable housing is provided) in Georges River LGA.</p> <p>The height bonus will result in development that is overly bulky and will be inconsistent with the bulk and scale of the existing character of residential and commercial centres. The added height will result in impacts similar to the FSR bonus as described above resulting in adverse impacts to the public and private domain.</p> <p>It will also undermine areas undergoing change such as Mortdale and Beverly Hills Local Centres which are subject to Master Plans. The SEPP will allow an additional 30% height over and above the controls in the Master Plan. This will undermine the future vision and built form outcome of these centres and diminish years of local strategic planning where communities have arrived at a suitable bulk and scale of building in their local areas.</p> <p>The changes could also lead to a rapid increase in housing stock without proper consideration and delivery of the necessary infrastructure to match the additional demand within the LGA.</p> <p>Again a 30% increase in the height standard may result in the maximum FSR standard being exceeded and the applicant will need to lodge a Clause 4.6 Objection to vary the standard. Again, through the Planning Circular PS23-003 dated 14 December 2023 and the Practice Note for In-fill affordable Housing dated December 2023 Councils have been encouraged by the NSW Government to apply local development standards in their LEP and DCP flexibly.</p>
<p>Section 19 lists the non-discretionary standards for infill affordable housing.</p>	<p>There has been no change in the Housing SEPP to the non-discretionary standards for minimum site area, parking, landscaping, deep soil and solar access which are in most instances less onerous than council's controls. If a</p>

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Controls in the Housing SEPP for infill affordable housing	Impact on Georges River LGA
	development is compliant with these non-discretionary standards, then it cannot be refused by Council on these grounds. These changes result in subpar amenity for both the residents of the development and adjoining neighbours.
<p>Section 20 refers design considerations for residential flat development to a new Chapter 4 of the Housing SEPP which requires consent authorities to consider the design principles for residential apartments. SEPP No. 65 – Design Quality of Residential Apartment Development was repealed on 14 December 2023 and its principles for design relocated to Chapter 4 of the Housing SEPP.</p> <p>Section 147(3) of the Housing SEPP now clearly states that a consent authority does not have to require compliance with design criteria specified in the Apartment Design Guide in considering a DA or a modification application for a residential apartment development.</p> <p>The Section also states that development consent must not be granted to development for the purposes of dual occupancies, manor houses or multi dwelling housing (terraces) under this division unless the consent authority has considered the Low-Rise Housing Diversity Design Guide, to the extent to which the guide is not inconsistent with the Housing SEPP.</p>	This is further discussed in Paragraphs 76 to 83 of this report.

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30. The Planning Circular PS23-003 dated 14 December 2023 for Infill affordable housing under the Housing SEPP states that in light of the Government’s commitments under the Accord, consent authorities are reminded to consider the delivery of market housing and affordable housing when considering the social impacts and the public interest of a development, as required under section 4.15 of the Environmental Planning and Assessment Act 1979 (the Act). While in many cases the provisions in another Environmental Planning Instrument (EPI) will continue to apply when assessing in-fill affordable housing development, development outcomes should be balanced against the Government’s policy intent to realise more affordable housing in accordance with the Accord. For example, when considering solar access controls contained within the applicable Local Environmental Plan (LEP), the objective of preserving solar access should be considered whilst facilitating the delivery of affordable housing, which is an objective under clause 15A of the Housing SEPP.

Transport Oriented Development Program - to be effective from 1 April 2024

31. The Transport Oriented Development (TOD) Program was announced by the Minister for Planning on 7 December 2023. Council staff have submitted a written submission in response to the proposed TOD SEPP.
32. DPHI's website states that the new Transport Oriented Development State Environmental Planning Policy (TOD SEPP) will amend planning controls within 400m of 31 "well-located metro and rail stations", commencing on 1 April 2024.
33. The TOD Program involves two tiers as follows:
 - (a) Tier One – Eight Accelerated Precincts: Bankstown, Bays West, Bella Vista, Crows Nest, Homebush, Hornsby, Kellyville and Macquarie Park. The DPHI will undertake master planning for each precinct, supported by technical studies, to determine boundaries, and opportunities for new housing within 1,200m from these stations. DPHI have advised that the rezoning of the 8 precincts will be completed by November 2024 delivering the capacity for up to 47,800 homes.

A new State Significant Development (SSD) assessment pathway for residential development will be triggered by a development Capital Investment Value (CIV) threshold of \$60M for residential development in the 8 precincts. The pathway will remain in place until November 2027 to encourage early lodgement of development applications. SSD applications will be coordinated through a team within DPHI.

Development approvals will be time-limited for 2 years to support construction to occur more quickly to deliver housing within the Accord period. Applications for residential development with a CIV of less than \$60M will be assessed by Council.

The NSW Government will establish inclusionary zoning within the 8 precincts to ensure the delivery of affordable housing close to jobs, recreation, amenities, and services. Affordable housing held in perpetuity will make up to 15 per cent of homes in the 8 precincts. The exact proportion of affordable homes in these precincts will be based on feasibility testing, undertaken as part of the master planning process.
 - (b) Tier Two – Rezoning: Adamstown, Ashfield, Banksia, Berala, Booragul, Canterbury, Corrimal, Croydon, Dapto, Dulwich Hill, Gordon, Gosford, Hamilton, Killara, **Kogarah**, Kotara, Lidcombe, Lindfield, Marrickville, Morisset, Newcastle Interchange, North Strathfield Metro, North Wollongong, Rockdale, Roseville, St Marys Metro, Teralba, Tuggerah, Turrella, Wiley Park and Wyong.
34. The only information issued by the DPHI on the Tier 2 program is a document titled "Transport Oriented Development Program" date December 2023 which can be found on DPHI's website at <https://www.planning.nsw.gov.au/policy-and-legislation/housing/transport-oriented-development-program/transport-oriented-development-sepp>
35. Council staff have been advised that Tier 2 of the TOD Program will be implemented from 1 April 2024, via a new Transport Oriented Development State Environmental Planning Policy (TOD SEPP) which will amend the planning controls in a council's LEP within 400 m of the "31 well-located metro and rail stations".
36. The changes will allow:
 - (a) residential flat buildings in all residential zones (R1, R2, R3 and R4) within 400m of identified stations, and
 - (b) residential flat buildings and shop top housing in local and commercial centres (E1 and E2) within 400 m of identified stations.
37. The proposed planning controls applying to residential flat buildings and shop top housing development within 400 m of the identified stations, include the following:

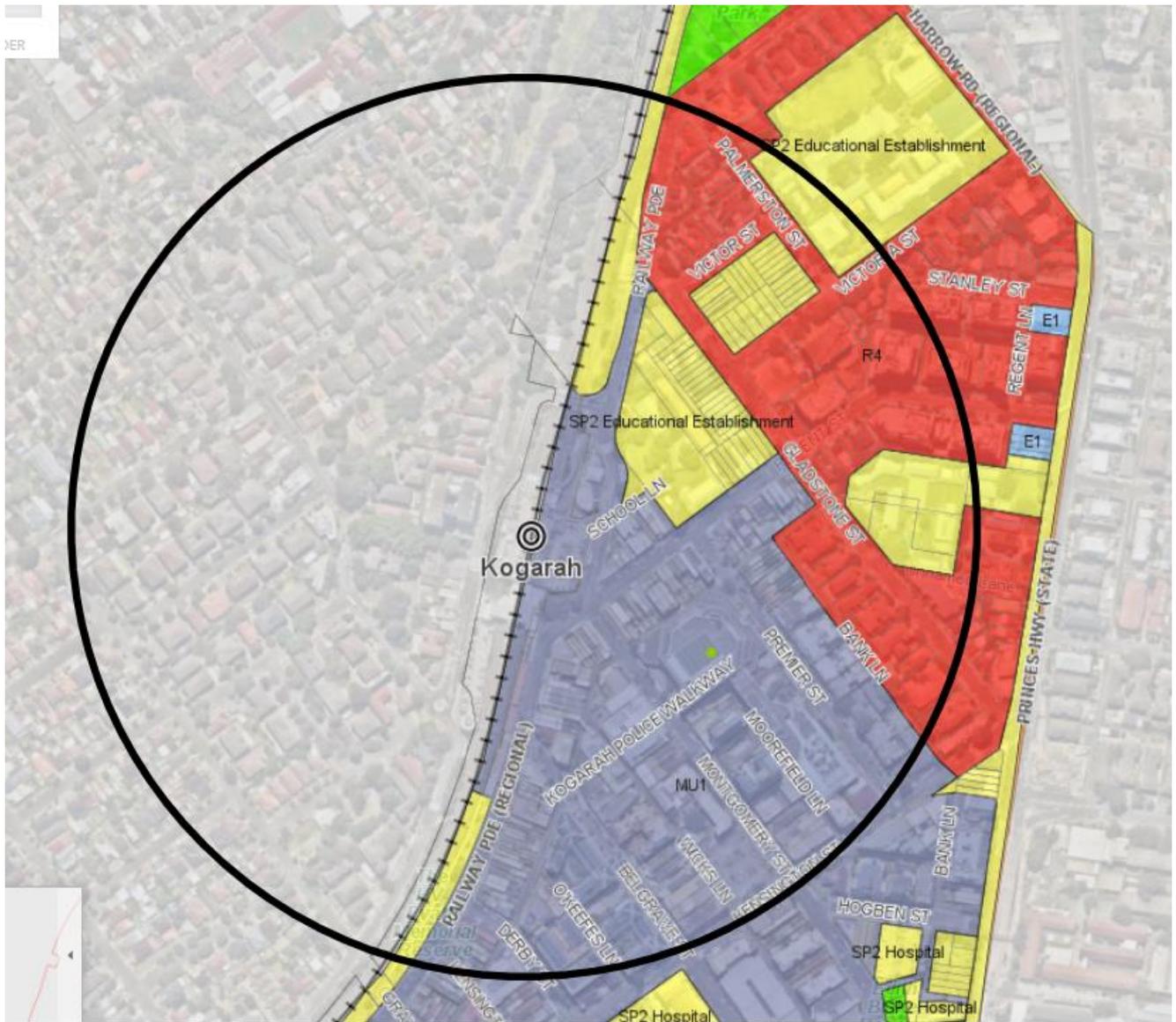
- (a) maximum building height limit of 21 m (approx. 6 storeys) and a maximum floor space ratio (FSR) of 3:1,
- (b) no minimum lot size or lot width required for a development site,
- (c) minimum active street frontage controls (in E1 and E2 zones only),
- (d) maximum parking rates will apply,
- (e) amenity and design controls will apply (a variation to the ADG) relating to:
 - (i) building separations
 - (ii) setbacks
 - (iii) vehicle access
 - (iv) visual privacy
 - (v) communal open space,
- (f) affordable housing contributions schemes will be mandated by the NSW Government - a minimum 2% affordable housing contribution on all new developments in the 31 locations.

38. There is no further detail available on the above proposed controls.

Impact of TOD SEPP on Georges River LGA

- 39. Kogarah Railway Station has been identified in the Tier 2 TOD Program due to commence on 1 April 2024, via the new TOD SEPP.
- 40. The 400m radius from Kogarah Railway Station applies to the Kogarah Town Centre (zoned MU1 Mixed Use) and the Kogarah North Precinct (zoned R4 High Density Residential). **Figure 2** below shows the land within 400m from the Kogarah Railway Station.
- 41. Therefore, under the current information provided by the NSW State Government only the land zoned R4 in the Kogarah North Precinct under the GRLEP will be affected by the TOD SEPP – shown as red in **Figure 2** below.

Figure 2 – Land within 400m from Kogarah Railway Station



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42. The impacts of the proposed controls against the Council's LEP and DCP is outlined below in **Table 2**.

Table 2 – Assessment of impact of TOD SEPP against the GRLEP and DCP

Controls in Proposed TOD SEPP	R4 High Density Residential Zone under GRLEP 2021	Impact of TOD SEPP
To permit residential flat buildings in R1, R2, R3 and R4 Zones & residential flat buildings and shop-top housing in E1 and E2 Zones	The R4 Zone currently permits residential flat buildings.	No impact as the use is currently permitted.
A building height limit of 21 m	The R4 Zone currently permits a maximum height of 33m.	No impact on the R4 zone as the height in the GRLEP exceeds that of the TOD SEPP
A floor space ratio of 3:1	The R4 Zone currently permits a FSR of 4:1.	No impact on the R4 zone as the FSR in the GRLEP exceeds the TOD SEPP.

Controls in Proposed TOD SEPP	R4 High Density Residential Zone under GRLEP 2021	Impact of TOD SEPP
No minimum lot size or lot width	<p>No minimum lot size/lot width is contained in the GRLEP.</p> <p>The GRDCP requires that sites within the Kogarah North Precinct have a minimum frontage of 60m. Where sites do not have a minimum site frontage of 60m, the development would need to ensure the design outcomes/built form takes into account the proportions of the building – the podium width compared to the width of the tower and the appearance from the public domain.</p>	No impact as the GRDCP does allow merit-based assessment for lot size and lot width.
Minimum active street frontage controls (in E1 and E2 zones only)	Does not apply to the R4 Zone.	N/A - There are no E1 and E2 zones within the affected area.
Maximum parking rates (no numerical rates have been mentioned)	For sites within 800m of a railway station the minimum carparking requirement for residential unit development is set out in the Guide to Traffic Generating Developments.	<p>For residential flat buildings within 800m of the Kogarah Railway Station Council's GRDCP does not apply – the Guide to Traffic Generating Developments overrules the Council's DCP.</p> <p>For RFBs with 20 or more dwellings are rates are: 0.6 spaces per 1 bedroom unit, 0.9 spaces per 2-bedroom unit, 1.40 spaces per 3-bedroom unit, and 1 space per 5 units (visitor parking).</p> <p>For developments containing 2 to 20 dwellings the rates are: resident parking spaces is 1 space for each unit, plus an additional 1 space per each 5 x 2-bedroom unit or part thereof. Also, an additional 1 space per each 2 x 3 or more-bedroom unit or part thereof is recommended.</p> <p>An additional one space per each five units for visitor parking or part thereof is recommended.</p>
<p>Amenity and design controls</p> <ul style="list-style-type: none"> • building separations • setbacks • vehicle access • visual privacy • communal open space 	The Apartment Design Guide (ADG) applies to the development of residential flat buildings.	The TOD SEPP is proposing new design criteria for mid-rise residential apartments. The information released by the NSW DPHI states that amended design criteria reflect the unique design challenges of mid-rise buildings and may vary some of the existing ADG provisions. Further discussion in in Paragraphs 76 to 83 of this report.
Mandate of a minimum 2%	Council is currently preparing a	This is a positive impact. However,

Controls in Proposed TOD SEPP	R4 High Density Residential Zone under GRLEP 2021	Impact of TOD SEPP
affordable housing contribution	Council wide AHCS.	details of where the contribution will sit – local or state needs to be identified. Additionally, it is unclear whether developments can ‘opt out’ of using the TOD SEPP as the GRLEP already offers greater height and FSR. If developments can opt out of using the TOD SEPP, then affordable housing will not be required.

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43. To support the objectives of the TOD SEPP within the Kogarah station precinct, this report recommends that Council seek funding from DPHI for the preparation of a master plan for all MU1 and SP2 zoned land located within 800m of the station to ensure the planning controls are updated to promote Kogarah as a Strategic Centre.

Draft Changes to Create Low and Mid-Rise Housing on exhibition until 23 February 2024

Overview of Changes

44. The DPHI placed on exhibition in late December 2023 Housing Reforms (Reforms) relating to the provision of Low and Mid-Rise Housing (refer **Attachment 3**). It is assumed that the Reforms will be implemented through a new SEPP overriding the Council’s LEP. The Reforms are on exhibition until Friday 23 February 2024. DPHI expects the Reforms to be in place by June 2024.
45. Low and Mid-Rise Housing is defined by DPHI as follows:
- (a) *Low rise housing* refers to dual occupancies, multi-dwelling housing (townhouses and terraces) and manor houses. It does not include freestanding single houses. Refer to **Figure 3** below.

(i) **Figure 3 - Extract from DPHI's Fact Sheet on Low and Mid-Rise Housing showing Low- Rise Housing**



- (b) *Mid-rise housing* refers to apartment buildings (residential flat buildings) and shop-top housing that are generally between 3–6 storeys. Shop-top housing is a building that has shops or businesses on the ground floor and apartments on the floors above. Refer to **Figure 4** below.

Figure 4 - Extract from DPHI's Fact Sheet on Low and Mid-Rise Housing showing Mid-Rise Housing



46. A “station and town centre precinct” is defined as:
- (a) within the Six Cities Region, and
 - (b) 800 m walking distance of a rail, metro or light rail station; or
 - (c) 800 m walking distance of land zoned E2 Commercial Centre or SP5 Metropolitan Centre; or
 - (d) 800 m walking distance of land zoned E1 Local Centre or MU1 Mixed Use but only if the centre provides a range of frequently needed goods and services, such as full-line supermarkets. (The DPHI is asking councils to identify which E1 and MU1 centres are appropriate to be included)
47. In summary the Reforms seek to:
- (a) permit dual occupancies in all R2 Low Density Residential Zones and introduce non-refusal standards that will apply to dual occupancies in all zones where they are permitted – i.e., for the GRLEP 2021 in the R2, R3 and R4 Zones. The following non-refusal standards will be introduced for all dual occupancies across Greater Sydney:
 - (i) Minimum site area of 450sqm
 - (ii) Minimum lot width of 12m
 - (iii) Maximum height of 9.5m
 - (iv) Maximum FSR of 0.65:1
 - (v) Minimum car parking of 1 space per dwelling

- (b) permit multi-dwelling housing (including terraces) and manor houses in the R2 Low Density Residential Zone within “station and town centre precincts” – manor houses will be defined as 2-storey residential flat buildings (which is a small apartment building) and will not be limited to 3–4 dwellings as they currently are under the Codes SEPP. The following non-refusal standards will be introduced to apply to these developments within “station and town centre precincts”:
- (i) Minimum site area of 500sqm for terraces and manor houses, 600sqm for multi-dwelling housing (e.g., townhouses)
 - (ii) Minimum lot width of 12m for manor houses and multi-dwelling housing, 18m for terraces
 - (iii) Maximum height of 9.5m (2-3 storeys)
 - (iv) Maximum FSR of 0.8:1 for manor houses, 0.7:1 for terraces and multi-dwelling housing
 - (v) Minimum car parking of 0.5 space per dwelling for terraces and manor houses, 1 space per dwelling for multi-dwelling housing
- (c) permit residential flat buildings (RFBs) in the R3 Medium Density Residential Zone within “station and town centre precincts”. The following non-refusal standards will be introduced to RFBs within “station and town centre precincts” in R3 Zones:
- (i) Areas within 400m of the station and town centre precincts – maximum 21m height and 3:1 FSR
 - (ii) Areas within 800m of the station and town centre precincts – maximum 16m height and 2:1 FSR
- (d) introduce non-refusal standards that will apply to shop top housing wherever they are permitted – shop top housing is permitted in the R4 High Density Residential Zone, the MU1 Mixed Use Zone and E1 Local Centre Zone under the GRLEP 2021. The non-refusal standards for shop top housing are identical to the RFB controls above,
- (e) reduce the building separation requirements for 5 and 6 storey RFBs by 3m (from 9m to 6m) and reduce the communal open space requirement from minimum 25% of site area to a maximum of 25%,
- (f) apply the proposed provisions to heritage items and heritage conservation areas, bushfire areas, flood prone areas. Development applications will need to assess heritage, flooding and bushfire on a merit basis,
- (g) continue to allow dual occupancies, manor houses and terraces as complying development under the (Exempt and Complying Development Codes) 2008 (Codes SEPP). This means that manor houses and terraces will be able to be carried out as complying development under the Codes SEPP if the development site is within a “station and town centre precinct”, and dual occupancies will be allowed on lots with site area of 450sqm or greater, and
- (h) enforce all low-rise development types (dual occupancies, manor houses, multi dwelling housing and terraces) to comply with the Low Rise Housing Diversity Design Guide (LRHDDG) for both Development Applications and Complying Development for other considerations such as setbacks, dwelling size and landscaped area.

Note: the LRHDDG is the equivalent to the Apartment Design Guide for low rise development types. Requirements within the LRHDDG will override Council's DCP controls.

48. These non-refusal standards will overrule the Council's LEP and DCP that are more onerous than the non-refusal standard. The non-refusal standards will include FSR,

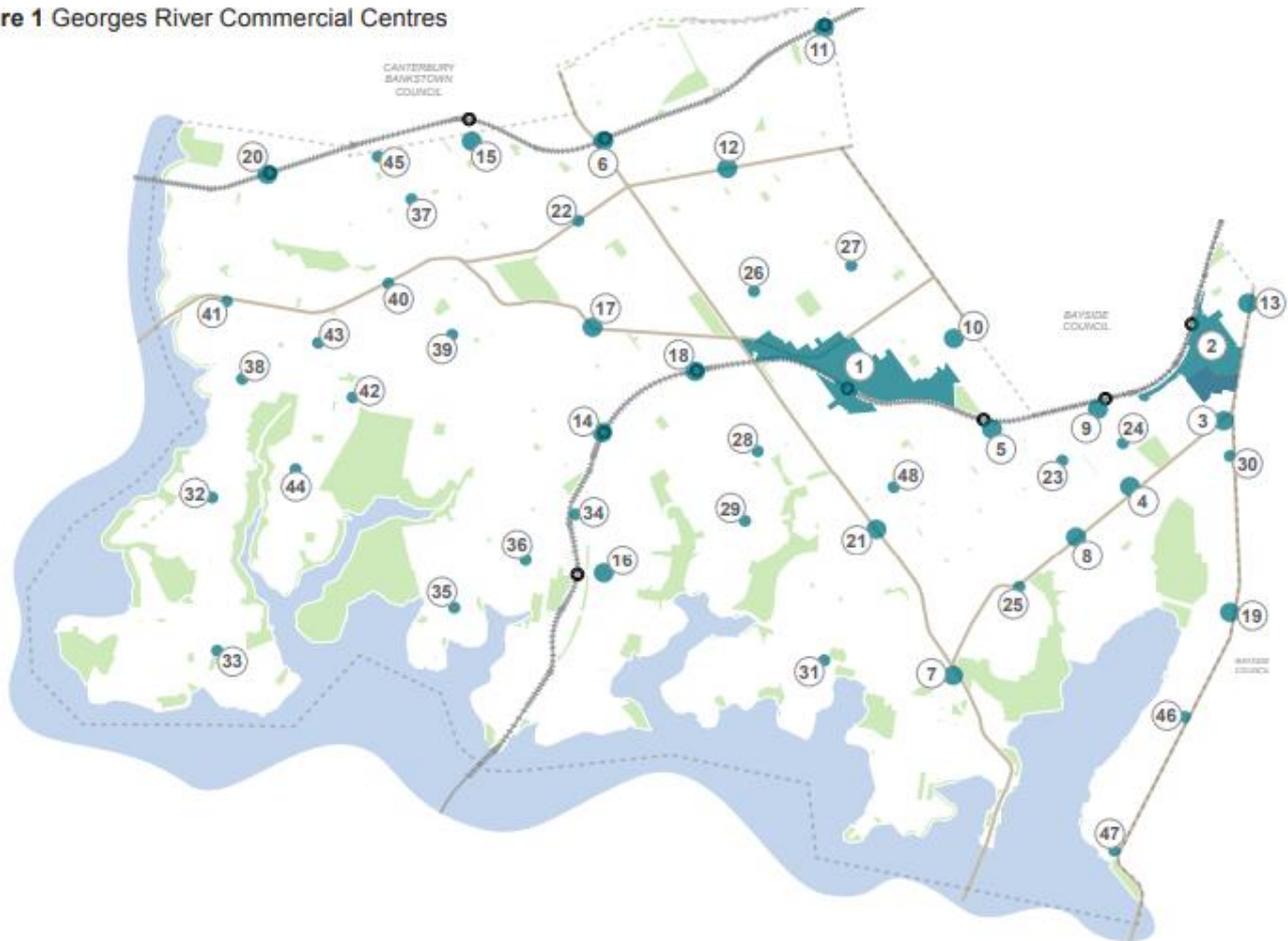
building height, minimum site width and size, tree canopy target, deep soil target and carparking provisions. It should be noted that the proposed controls do not seek to override existing landscaped area provisions within the LEP.

Location of “Station and Town Centre Precincts”

49. To determine the potential impacts of the Reforms on the LGA, all 48 commercial centres across the LGA have been assessed against the criteria in **Paragraph 46** above (refer **Attachment 1** for a list of the 48 centres, and **Figure 5** below depicting their location).

Figure 5 - Extract from Commercial Centres Strategy 2020

Figure 1 Georges River Commercial Centres



50. A total of 17 localities has the potential of meeting the definition of “station and town centre precinct”. These locations feature either a railway station or a supermarket. It should be noted that most of these supermarkets are not full-line supermarkets but are in centres that provide a range of frequently needed goods and services. These have been included for the purpose of understanding the maximum impact of the Reform.

51. Accordingly, the majority of the LGA is located within a potential “station and town centre precinct”. Council is to also note that under the Reforms the 800m is measured by walking distance and not “as the crow flies”.

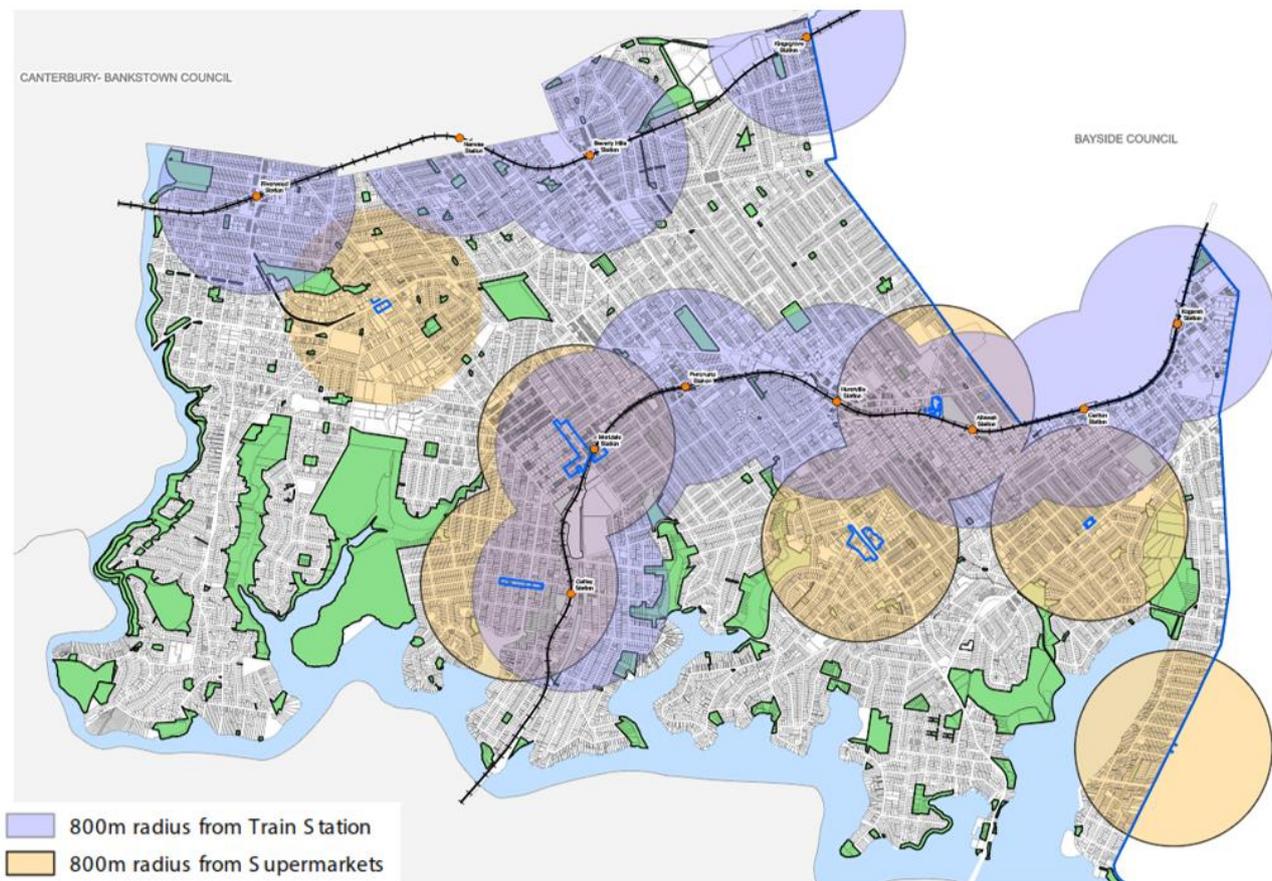
52. **Table 3** below depicts the 17 potential centres that fall under the definition of a “station and town centre precinct” within the Georges River LGA. **Figure 6** below maps each of the centres (with a 800m radii) that are listed in **Table 3**. Refer to **Attachment 2** for a higher resolution of **Figure 6**.

Table 3 – Centres within Georges River LGA that may fall within the definition of “station and town centre precinct”

Centres that may fall within the definition of “station and town centre precinct”
1. Hurstville City Centre (MU1 Mixed Use and E2 Commercial Centre)
2. Kogarah Town Centre (MU1) surrounded by R2 and R4 Zones
5. E1 – Allawah (Railway Parade)
6. E1 – Beverly Hills (King Georges Road)
8. E1 – Carlton / Kogarah Bay (Princes Highway)
9. E1 – Carlton (Railway Parade)
11. E1 – Kingsgrove (Kingsgrove Road)
14. E1 – Mortdale (Morts Road)
15. E1 – Narwee (Broad Arrow Road)
16. E1 – Oatley (Oatley Avenue / Frederick Street)
18. E1 – Penshurst (Penshurst Street)
20. E1 – Riverwood (Belmore Road)
21. E1 – South Hurstville (King Georges Road)
36. E1 – Oatley (Mulga Road)
40. E1 – Peakhurst (Forest Road)
46. B1 – Sans Souci (Rocky Point Road)

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Figure 6 - Centres with radii of 800m from Train Stations and Supermarkets



53. However, DPHI has requested input from councils in determining which E1 and MU1 zoned centres should be defined as a “station and town centre precinct”.
54. It should be noted that **Figure 6** above identifies all centres that contains a supermarket. Some of these supermarkets are inconsistent with the definition of “full line supermarket” as defined by the Georges River Commercial Centres Strategy (2020). The Commercial Centres Strategy – Appendix 1 Economy Study provides the following definition: “*Full line supermarkets, that is supermarkets over 3,000sqm...*”
55. In response to the DPHI’s request for input from councils to determine which E1 and MU1 centres contain an appropriate level of goods, services and amenities such as full line supermarkets, shops and restaurants, it is recommended for the LGA’s Strategic Centres and Local Centres be included in the list of “station and town centre precincts” in accordance with the Commercial Centres Strategy.
56. Strategic and Local Centres are defined by the Strategy as follows:
- *Strategic Centres are the highest order centre in Georges River, comprising a mix of retail, commercial, administrative and community facilities. These centres are large employment/economic generators with wide catchments*
 - *Local Centres provide essential access to day-to-day goods and services close to where people live. They typically are located in proximity to public transport and transport interchanges increasing their access to for the surrounding community. Local centres provide a mix of retail, commercial and community space with retail space typically being over 5,000sqm and anchored by one or two supermarkets over 1,000sqm*
57. In summary, the following 12 centres will be nominated in Council’s response to DPHI for the “station and town centre precincts” designation along with all railway stations:
- (i) Hurstville Railway Station and Hurstville City Centre (Strategic Centre)

- (ii) Kogarah Railway Station and Kogarah Town Centre (Strategic Centre)
 - (iii) Beverly Hills Railway Station and Beverly Hills (King Georges Road) Local Centre
 - (iv) Kingsgrove Railway Station and Kingsgrove (Kingsgrove Road) Local Centre
 - (v) Mortdale Railway Station and Mortdale (Morts Road) Local Centre
 - (vi) Penshurst Railway Station and Penshurst (Penshurst Street) Local Centre
 - (vii) Riverwood (Belmore Road) Local Centre
 - (viii) South Hurstville (King Georges Road) Local Centre
 - (ix) Oatley Railway Station and Oatley (Mulga Road) Local Centre
 - (x) Allawah Railway Station
 - (xi) Carlton Railway Station
 - (xii) Narwee Railway Station
58. Council should note that despite the above nomination, DPHI may not agree with Council's nominated list of "station and town centre precincts". Centres along the T8 Airport South Line is likely to accommodate less housing capacity due to the presence of the Moomba High Pressure Ethane Gas Pipeline which runs along and within the rail corridor.
59. Additionally, DPHI has indicated that Councils that wish to implement local provisions to achieve equivalent or greater residential housing capacity in their council area are encouraged to work with DPHI to progress their strategic plans as quickly as possible. It should be noted that Council only has one master plan in progress (the Beverly Hills Local Centre Master Plan) and the subject master plan does not provide any consideration of low and medium density housing. However, Council staff will be in contact with the DPHI to determine the process that should be put in place to "turn off the SEPP" in the LGA.
60. In the meantime, it is recommended for Council to request a deferred commencement of the proposed Low and Mid-Rise Housing changes. The deferral will allow Council the opportunity to review its strategic planning framework via a reconsideration of its local strategic planning statement (LSPS) to create capacity for additional housing and a diversity of housing typologies.

ANALYSIS OF POTENTIAL IMPACT BY THE LOW AND MID-RISE HOUSING REFORM

61. The Low and Mid-Rise Housing Reform will increase the capacity for housing numbers and housing styles across the LGA by permitting dual occupancies, multi dwelling housing, manor houses and RFBs where they are currently prohibited under the GRLEP.
62. The most significant impact is along the T4 Eastern Suburbs and Illawarra Line (stations of Kogarah, Carlton, Allawah, Hurstville, Penshurst, Mortdale and Oatley) and in less accessible locations such as Carlton / Kogarah Bay (Princes Highway) and Oatley (Mulga Road) due to the existing presence of full line supermarkets.
63. The Reforms enables larger development on smaller lots with greater height and FSR and less landscaping requirements when compared to that provided by the provisions of the GRLEP.
64. Analysis has been conducted for the accompanying non-refusal standards proposed by the Reforms for low and mid-rise housing. The following comparison of the proposed controls against the GRLEP and GRDCP has been undertaken in **Tables 4 to 9** below for each development typology.

Low Rise Housing - Dual Occupancies in R2, R3 and R4 Zones

65. Council is to note that the Reforms propose to permit dual occupancy in the R2 Low Density Residential Zone across Greater Sydney as well as introduce a set of non-refusal standards that will apply to all dual occupancy development wherever they are permitted. In the GRLEP 2021 dual occupancy is permitted in R2, R3 and R4 Zones.

Table 4 – Comparison of Reforms to current Dual Occupancy provisions

Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
Seek to make dual occupancy permitted in R2 Low Density Residential	Dual Occupancy is currently permitted in the R2 Low Density Residential, R3 Medium Density Residential and R4 High Density Residential Zones in the GRLEP 2021	No impact as the use is currently permissible in the R2 Zone of the GRLEP. The impact will be from the reduction in minimum site area which will result in an overall increase in the number of dual occupancies in the R2, R3 and R4 zones.
Torrens subdivision of dual occupancies	Torrens title subdivision is permitted under the LEP – the LEP requires min 300sqm per allotment outside FSPA. following subdivision and min 430sqm per allotment within FSPA.	No impact.
Maximum building height – 9.5m	Majority of the land zoned R2 has a maximum building height of 9m. Majority of the land zoned R3 has a maximum building height of 9m. Majority of the land zoned R4 has a maximum building height of 12m, 15m and 21m.	Increase of 0.5m in the maximum height permitted for dual occupancy development in the R2 and R3 zones. The maximum building height in the R4 zone exceeds the 9.5m under the reforms.
Maximum FSR 0.65:1	The maximum FSR in the R2 zone is 0.55:1. Majority of land zoned R3 has a maximum FSR of 0.7:1. Majority of land zoned R4 has a maximum FSR of 1:1.	Increased footprint and bulk of the dwellings due to 0.10:1 increase in FSR for dual occupancies in the R2 zone. This is a 18% increase in floor space. The standards for the R3 and R4 zones in the GRLEP exceed the reforms.
Minimum site area – 450sqm (225sqm per dwelling assumed as it is not explicitly stated)	Minimum lot sizes for 650sqm outside the FSPA and 1000sqm inside the FSPA for a dual occupancy development. For subdivision the LEP requires min 300sqm per allotment created outside FSPA following subdivision and min 430sqm per allotment created within FSPA. If a lot is a battle-axe lot or other lot with an access handle, the	As indicated, a dual occupancy (2 dwellings) can be built on land with 450sqm site area, which is a 200sqm reduction for areas outside of the FSPA and 550sqm reduction for areas within the FSPA (existing requirement 650sqm and 1,000sqm respectively). The FSPA will experience the most significant impact as 1 dwelling on 1,000sqm can be developed into 4

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Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
	<p>area of the access handle and any right of carriageway is not to be included in calculating the lot size.</p>	<p>dwelling under the Reforms.</p> <p>Council requires a min. 300sqm per allotment created outside the FSPA and min. 430sqm within the FSPA. If the Reforms propose only a 225sqm per allotment created then there will be an impact within all the residential zones under the GRLEP – loss of trees, biodiversity and character; increase in traffic and off-street parking.</p> <p>Furthermore, the work that has been undertaken to date by the Council regarding the Biodiversity Study and Foreshore Scenic Character Study will be overridden by the Reforms if implemented.</p>
<p>Minimum lot width – 12m</p>	<p>Minimum lot width – 15m</p>	<p>The proposed control is less restrictive. This means almost all residential land within the LGA will meet the minimum lot width requirement under the Reform.</p> <p>Reducing the lot width requirements is likely to lead to an increase of driveways and the removal of street trees and on street parking to accommodate these additional driveways.</p>
<p>Minimum carparking space – 1 space per dwelling</p>	<p>1 garage space and 1 driveway space per dwelling</p>	<p>Council’s DCP controls require 2 parking spaces in tandem – the draft control only requires 1 space. Carparking is already an area of concern from residents when a dual occupancy is proposed. Many believe that tandem parking is not adequate.</p>
<p>Landscaping:</p> <ul style="list-style-type: none"> • <300sqm - 15% tree canopy and deep soil and at least 1 small tree per dwelling. • 300-600sqm – 20% tree canopy and deep soil and for every 200sqm of site area or part therefore at least one small tree • >600sqm – 25% tree canopy and deep soil and for every 300sqm of site area or part therefore at least two medium trees or one large tree 	<p>For a dual occupancy located on land outside the Foreshore Scenic Protection Area—25% of the site area.</p> <p>For a dual occupancy located on land within the Foreshore Scenic Protection Area—30% of the site area.</p> <p>Landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.</p> <p>DCP required min 1 tree in front setback for dwelling houses and dual occupancies.</p>	<p>There is a disparity between the landscaping controls proposed by the Reforms and the existing provisions within the GRLEP. The Reforms regulate “tree canopy and deep soil targets” while the GRLEP regulates via “landscaped area”, which will allow the GRLEP provisions to be applied.</p> <p>However, there will be a reduction in landscaped area on sites due to the increase in maximum FSR leading to bigger building footprints and bulky developments.</p>

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- 66. As indicated above, dual occupancy is currently permitted in the R2 Zone of the GRLEP. Concern is raised in relation to the loss of the existing low-density character by proliferating dual occupancy developments across the whole LGA. The issue stems from the reduction in minimum site area and frontage which will result in more allotments in the R2, R3 and R4 Zones being permitted for dual occupancy development – with the most significant impact being within the R2 zone.
- 67. **Table 5** below indicates that if the Reform standards are implemented in the R2 Zone then 22,070 lots will become eligible for dual occupancy development potential.

Table 5 – Impact of Dual Occupancy Reform on the R2 Zone across the LGA

Instrument	Standard	Allotments complying with standard	Potential additional dwellings
GRLEP – outside FSPA and zoned R2	15m width & min site area 650sqm	7,563 allotments	7,563 dwellings
GRLEP – inside FSPA and zoned R2	15m width & min. site area 1000sqm	1,603 allotments	1,603 dwellings
Housing Reform across all land zoned R2	12m width & min. site area 450sqm	22,070 allotments	22,070 dwellings

Low Rise Housing – Manor Houses in R2 Zones

- 68. The Reforms introduce manor houses as a permissible use in R2 Zones within “station and town centre precincts”. Manor houses are currently permitted in R3 and R4 Zones in the GRLEP 2021. Manor houses are currently prohibited within R2 Zones. A comparison of controls is provided in **Table 6** below.

Table 6 – Comparison of Reforms to current Manor Housing provisions

Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
Seek to make manor houses permitted with consent in the R2 Low Density Residential Zone within station and town centre precincts	Currently not permitted in the R2 Low Density Residential Zone of the GRLEP 2021. Manor houses are permitted in the R3 and R4 zones of the GRLEP 2021.	Manor houses are not consistent with the objectives of the R2 Low Density Residential Zone which are: <ul style="list-style-type: none"> • To provide for the housing needs of the community within a low-density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • 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.

Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
		<ul style="list-style-type: none"> To provide for housing within a landscaped setting that enhances the existing environmental character of the Georges River local government area. <p>Manor houses are 2 storey apartments, usually comprised of 4 units per development. However, there is no limit to the number of units that can be provided within a manor house under the Reforms. If the Reforms are adopted, a single dwelling house has the potential to be redeveloped into 4 or more units at 3 storeys which will result in changes to the existing low-density character of the R2 areas.</p>
Maximum building height – 9.5m	Majority of the land zoned R2 has a maximum building height of 9m.	Increase of 0.5m in the maximum height permitted for development in the R2 Zone.
Maximum FSR – 0.8:1	Maximum FSR is 0.55:1.	Increased footprint and bulk of buildings within the R2 Zone due to 0.25:1 increase in FSR. This equates to a 45% increase in floor space.
Minimum site area – 500sqm	As manor houses are not permitted in the R2 zone there is no standard for the R2 Zone. The R3 and R4 Zones require a minimum of 800sqm for a manor house.	Site area requirements will be less than that required in the R3 and R4 zones of the GRLEP. It is noted that manor houses under the Codes SEPP is restricted to a maximum of 4 dwellings. Under the Reform manor houses will be able to have more than 4 dwellings and at a height of 3 storeys under the proposed 9.5m height limit.
Minimum lot width – 12m	As manor houses are not permitted in the R2 zone there is no standard for the R2 Zone. The R3 and R4 Zones require a minimum of 18 metres.	Minimum width requirements will be less than required in the R3 and R4 zones of the GRLEP. Reducing the lot width requirements is likely to lead to an increase of driveways and the removal of street trees and on street parking to accommodate these additional driveways.

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Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
Minimum carparking – 0.5 space per dwelling	The DCP requires 1 space per dwelling.	May result in additional on street parking due to lack on onsite carparking.
<p>Landscaping:</p> <ul style="list-style-type: none"> • <300sqm - 20% tree canopy and deep soil and at least 1 small tree for every 200sqm of site area or part thereof • 300-600sqm – 25% tree canopy and deep soil and for every 250sqm of site area or part therefore at least one medium tree • >600sqm – 30% tree canopy and deep soil and for every 350sqm of site area or part therefore at least two medium trees or one large tree 	<p>As the GRLEP does not permit manor houses in the R2 Zone Council does not have landscaping requirements for the use.</p> <p>Clause 6.12 of the GRLEP requires that at least the following percentage of the site area consists of landscaped areas:</p> <p>(a) for a dwelling house located on land outside the Foreshore Scenic Protection Area—20% of the site area, or</p> <p>(b) or a dwelling house located on land within the Foreshore Scenic Protection Area—25% of the site area,</p> <p>(e) for development in Zone R3 Medium Density Residential—20% of the site area,</p> <p>Landscaped area is defined in the GRLEP means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.</p>	<p>There is a disparity between the landscaping controls proposed by the Reforms and the existing provisions within the GRLEP. The Reforms regulate “tree canopy and deep soil targets” while the GRLEP regulates via “landscaped area”. Due to the absence of landscaped area requirements within the GRLEP for manor houses, any future manor house development in R2 Zones must comply with the Reforms.</p> <p>However, there will be a reduction in landscaped area on sites due to the increase in maximum FSR leading to bigger building footprints and bulky developments.</p>

Low Rise Housing – Multi Dwelling Housing (Terraces) in R2 Zones

69. The Reforms introduce multi dwelling housing (terraces) as a permissible use in R2 Zones within “station and town centre precincts”. Terraces are currently permitted in R3 and R4 Zones of the GRLEP 2021. Terraces are currently prohibited in the R2 Zones. A comparison of controls is provided in **Table 7** below.

Table 7 – Comparison of Reforms to current MDH (Terraces) provisions

Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
Seek to make multi dwelling housing – terraces permitted with consent in the R2 Low Density Residential Zone within station and town centre precincts.	Currently not permitted in the R2 Low Density Residential Zone of the GRLEP 2021.	<p>Multi-unit housing is not consistent with the objectives of the R2 Low Density Residential Zone which are:</p> <ul style="list-style-type: none"> • To provide for the housing needs of the community within a low-density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To promote a high standard

Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
		<p>of urban design and built form that enhances the local character of the suburb and achieves a high level of residential amenity.</p> <ul style="list-style-type: none"> To provide for housing within a landscaped setting that enhances the existing environmental character of the Georges River local government area. <p>Impact will be from the change in the existing low-density character of the R2 low density by allowing more than a single dwelling house permissible.</p>
Maximum building height – 9.5m	Majority of the land zoned R2 has a maximum building height of 9m.	Increase of 0.5m in the maximum height permitted for development in the R2 Zone.
Maximum FSR – 0.7:1	Maximum FSR is 0.55:1	Increased footprint and bulk of buildings within the R2 Zone due to 0.15:1 increase in FSR. This equates to a 27% increase in floor space.
Minimum site area – 500sqm	As terraces are not permitted in the R2 zone there is no standard for the R2 Zone. The R3 and R4 Zones require a minimum of 800sqm for a terrace	Site area requirements will be less than that required in the R3 and R4 zones of the GRLEP.
Minimum lot width – 18m	As terraces are not permitted in the R2 zone there is no standard for the R2 Zone. The R3 and R4 Zones require a minimum of 21 metres.	<p>Minimum width requirements will be less than required in the R3 and R4 zones of the GRLEP.</p> <p>Reducing the lot width requirements is likely to lead to an increase of driveways and the removal of street trees and on street parking to accommodate these additional driveways.</p>
Minimum carparking – 0.5 space per dwelling	The DCP requires 1 space per dwelling and 1 visitor space per 5 units or part thereof and 1 designated car wash bay which may also be a visitor space.	May result in additional on street parking due to lack on onsite carparking.
<p>Landscaping:</p> <ul style="list-style-type: none"> <1000sqm - 20% tree canopy and deep soil and at least 1 	As the GRLEP does not permit terraces in the R2 Zone Council does not have landscaping requirements	There is a disparity between the landscaping controls proposed by the Reforms and the existing

Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
<p>medium tree for every 300sqm of site area or part thereof</p> <ul style="list-style-type: none"> • 1000-3000sqm – 25% tree canopy and deep soil and for every 200sqm of site area or part therefore at least one medium tree • >3000sqm – 30% tree canopy and deep soil and for every 350sqm of site area or part therefore at least two medium trees or one large tree 	<p>for the use</p> <p>Clause 6.12 of the GRLEP requires that at least the following percentage of the site area consists of landscaped areas:</p> <p>(e) for development in Zone R3 Medium Density Residential—20% of the site area, or</p> <p>(f) for development in Zone R4 High Density Residential—10% of the site area,</p> <p>Landscaped area is defined in the GRLEP means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.</p>	<p>provisions within the GRLEP. The Reforms regulate “tree canopy and deep soil targets” while the GRLEP regulates via “landscaped area”. Due to the absence of landscaped area requirements within the GRLEP for terraces, any future terrace development in R2 Zones must comply with the Reforms.</p> <p>However, there will be a reduction in landscaped area on sites due to the increase in maximum FSR leading to bigger building footprints and bulky developments.</p>

Low Rise Housing – Multi Dwelling Housing (MDH) in R2 Zones

70. The Reforms introduce multi dwelling housing as a permissible use in R2 Zones within “station and town centre precincts”. MDH are currently permitted in R3 and R4 Zones of the GRLEP 2021. MDH are currently prohibited in the R2 Zones. A comparison of controls is provided in **Table 8** below.

Table 8 – Comparison of Reforms to current MDH provisions

Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
<p>Seek to make multi dwelling housing (MDH) permitted with consent in the R2 Low Density Residential Zone within station and town centre precincts.</p>	<p>Currently not permitted in the R2 Low Density Residential Zone of the GRLEP 2021.</p>	<p>Multi-unit housing is not consistent with the objectives of the R2 Low Density Residential Zone which are:</p> <ul style="list-style-type: none"> • To provide for the housing needs of the community within a low-density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • 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. • To provide for housing within a landscaped setting that enhances the existing environmental character of the Georges River local government area.

Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
		Impact will be from the change in the existing low-density character of the R2 low density by allowing more than a single dwelling house permissible.
Maximum building height – 9.5m	Majority of the land zoned R2 has a maximum building height of 9m.	Increase of 0.5m in the maximum height permitted for development in the R2 Zone.
Maximum FSR – 0.7:1	Maximum FSR is 0.55:1.	Increased footprint and bulk of buildings within the R2 Zone due to 0.15:1 increase in FSR. This equates to an increase of 27% in floor space.
Minimum site area – 600sqm	As MDH are not permitted in the R2 zone there is no standard for the R2 Zone. The R3 and R4 Zones require a minimum of 800sqm for a MDH development.	Site area requirements will be less than that required in the R3 and R4 zones of the GRLEP.
Minimum lot width – 12m	As MDH are not permitted in the R2 zone there is no standard for the R2 Zone. The R3 and R4 Zones require a minimum of 18 metres.	Minimum width requirements will be less than required in the R3 and R4 zones of the GRLEP. Reducing the lot width requirements is likely to lead to an increase of driveways and the removal of street trees and on street parking to accommodate these additional driveways.
Minimum carparking – 1 space per dwelling	The DCP requires 1.5 spaces per dwelling and 1 visitor space per 5 units or part thereof and 1 designated car wash bay which may also be a visitor space.	May result in additional on street parking due to lack on onsite carparking.
Landscaping – nothing specified	As the GRLEP does not permit MDH in the R2 Zone, Council does not have landscaping requirements for the MDH as a land use. For development in Zone R3 Medium Density Residential where MDH is currently permitted, Clause 6.12 of the GRLEP requires at least 20% of the site area to be provided as landscaped area. Landscaped area is defined in the GRLEP means a part of a site used for growing plants, grasses and trees, but does not include any	Due to the absence of landscaped area requirements within the GRLEP for MDH, it is unclear how much landscaping must be provided by MDH developments carried out under the Reform. Further clarification will be sought with DPHI.

Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
	building, structure or hard paved area.	

Mid Rise Housing – Residential Flat Buildings (RFB) in R3 Zones

71. The Reforms introduce RFBs as a permissible use in R3 Zones within “station and town centre precincts”. RFBs are currently only permitted in R4 Zones of the GRLEP 2021. A comparison of controls is provided in **Table 9** below.

Table 9 – Comparison of reforms to current RFBs

Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
<p>Seek to make RFBs permitted with consent in the R3 Medium Density Residential Zone within station and town centre precincts.</p>	<p>RFBs is not permitted in the R3 Zone of the GRLEP 2021.</p>	<p>RFBs are not consistent with the objectives of the R3 Zone which are:</p> <ul style="list-style-type: none"> • To provide for the housing needs of the community within a medium density residential environment. • To provide a variety of housing types within a medium density residential environment. • To enable other land uses that provide facilities or services to meet the day to day needs of residents. • To enable other land uses that contribute to the vibrancy of the neighbourhood. • 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. • To provide for housing within a landscaped setting that enhances the existing environmental character of the Georges River local government area. <p>Shop top housing will remain prohibited in the R3 Zone as the reforms do not propose to amend permissibility of this use.</p> <p>There are R3 Zones within 800m of the following potential station and town centre precincts:</p> <ul style="list-style-type: none"> • Narwee (Broadarrow Road) • Oatley (Oatley Avenue and

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Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
		Frederick Street <ul style="list-style-type: none"> • Penshurst (Penshurst Street) • Riverwood (Belmore Road) • South Hurstville (King Georges Road) • Oatley (Mulga Road) • Sans Souci (Rocky Point Road)
Within inner (0-400m) station and town centre precincts maximum building height – 21m (approx. 7 storeys) Within outer (400-800m) station and town centre precincts maximum building height – 16m (approx. 5 storeys)	The R3 Zones have height of 9m and FSR of 0.7:1.	Heights will be significantly higher than that permitted in the R3 Zone: <ul style="list-style-type: none"> • Increase of 12m within the inner areas (equating to an increase of 130%) • Increase of 7m within the outer areas (equating to an increase of 78%)
Within inner (0-400m) station and town centre precincts maximum FSR – 3:1 Within outer (400-800m) station and town centre precincts maximum FSR – 2:1	The R3 Zones have height of 9m and FSR of 0.7:1.	FSRs will be significantly higher: <ul style="list-style-type: none"> • Increase of 2.3:1 within the inner areas (equating to 330% increase in floor space) • Increase of 1.3:1 within the outer areas (equating to 190% increase in floor space)
No minimum site area and width standards	The GRLEP does not contain minimum site area and width standards for RFBs and SHH. The GRDCP has a general requirement in Part 6 for a minimum lot width of 24m.	The role of this control is to ensure appropriate site width is provided to incorporate the setback and separation requirements of the Apartment Design Guide and the Georges River Development Control Plan 2021 (DCP). It also ensures that development sites are of sufficient dimensions to accommodate high quality development. The Reforms also propose a reduction in minimum building separation requirements for 5 and 6 storey residential flat buildings of the Apartment Design Guide (ADG) to match the current requirements for up to 4 storey buildings. The reductions are as follows: <ul style="list-style-type: none"> a) From 18m to 12m between habitable rooms/balconies b) From 12m to 9m between habitable and non-habitable rooms

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Non-Refusal Standards	Georges River LEP 2021 or Georges River DCP 2021	Comparison of Controls
		c) 9m to 6m between habitable rooms
<p>Landscaping provisions</p> <p>Less than 650sqm – 15% tree canopy and for every 350sqm of site area or part thereof at least 1 small tree planted in deep soil area.</p> <p>650sqm to 1500sqm – 15% tree canopy and for every 350sqm of site area or part thereof at least one medium tree planted in deep soil area.</p> <p>Greater than 1500sqm - 20% tree canopy and for every 575sqm of site area or part thereof at least 2 medium trees or one large tree planted in deep soil area.</p> <p>Deep soil to comply with ADG.</p>	<p>Clause 6.12 of the GRLEP requires that at least the following percentage of the site area consists of landscaped areas:</p> <p>(e) for development in Zone R3 Medium Density Residential—20% of the site area, or</p> <p>(f) for development in Zone R4 High Density Residential—10% of the site area,</p> <p>Landscaped area is defined in the GRLEP means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.</p>	<p>The ADG requires 7% deep soil to be provided.</p> <p>Overall, the proposed changes are likely to result in a reduction in landscaping on development sites.</p>

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72. Also of concern is that the current Apartment Design Guide (ADG) provisions relating to building separation, setbacks, vehicle access, visual privacy, communal open space, landscaping and carparking for RFBs will not apply to mid-rise housing provision in the “station and town centre precincts”. This will result in apartments with subpar amenity for both the occupants and adjoining neighbours. Further information is provided on this issue in **Paragraphs 76 to 83** of this report.

Shop Top Housing in R4, E1 and MU1 Zones

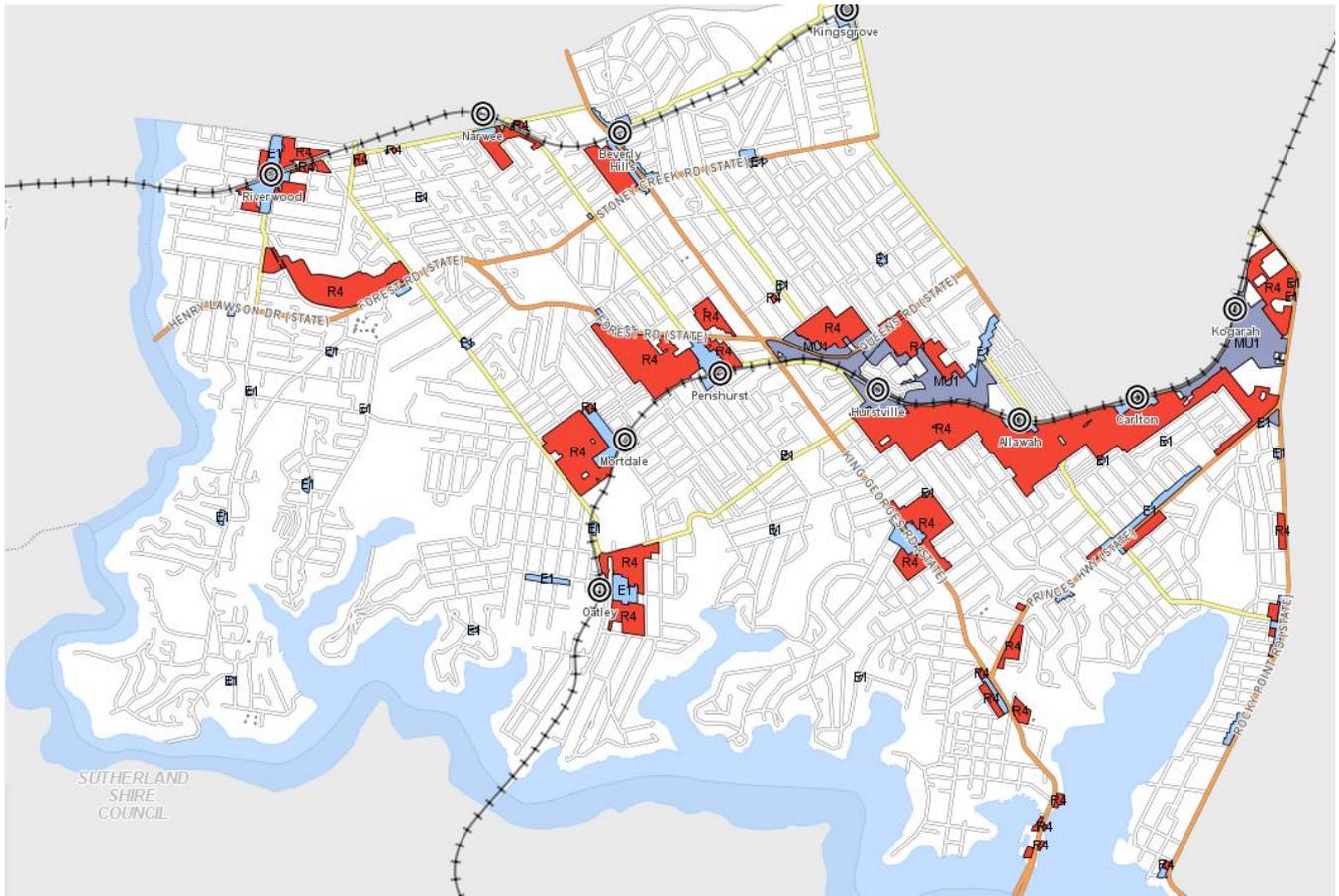
73. Whilst the Reforms propose increasing housing capacity in R2 and R3 Zones, they also seek to create additional capacity for housing (in the form of shop top housing) in the R4 High Density Residential, E1 Local Centre and MU1 Mixed Use Zones by introducing non-refusal standards for shop top housing.

74. In summary:

- (a) The Housing Reforms do not change the permissibility of shop top housing but propose to introduce non-refusal standards that apply wherever they are permitted.
- (b) Shop top housing is currently permitted in the R4 High Density Residential Zone, E1 Local Centre Zone and MU1 Mixed Use Zone under the GRLEP 2021 (refer **Figure 7** below for the location of these zones).
- (c) It is unclear if the non-refusal standards only apply to land zoned R4, E1 and MU1 within the “station and town centre precincts” or to all land within these zones across the LGA.
- (d) For the purposes of assessing the impact of the Housing Reform this report assumes that the non-refusal standards only apply to land zoned R4, E1 and MU1 within the “station and town centre precincts”.
- (e) The Housing Reforms will permit:

- (i) a FSR of 3:1 and a height of 21m within 400m and a height of 16m and FSR of 2:1 between 400m and 800m with a “station and town centre precinct”,
- (ii) No minimum site area and width standards,
- (iii) The following landscaping provisions:
 - a) Less than 650sqm – 15% tree canopy and for every 350sqm of site area or part thereof at least 1 small tree planted in deep soil area,
 - b) 650sqm to 1500sqm – 15% tree canopy and for every 350sqm of site area or part thereof at least one medium tree planted in deep soil area,
 - c) Greater than 1500sqm - 20% tree canopy and for every 575sqm of site area or part thereof at least 2 medium trees or one large tree planted in deep soil area,
 - d) Deep soil to comply with ADG.

Figure 7 – Location of R4 High Density Residential Zone, E1 Local Centre Zone and MU1 Mixed Use Zone under the GRLEP 2021



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75. Currently there is no single set of development standards (i.e., height and FSR) for these zones. This means the potential impact of the non-refusal standards introduced by the Reforms varies from significant to negligible. The potential impacts are tabulated below:

Station and Town Centre Precincts	Impacts within the “station and town centre precincts”
1. Hurstville City Centre	<p>For the MU1 zone the majority of controls for the land exceeds the non-refusal standards of FSR 3:1 and height 21m – therefore no impact in the MU1 zones.</p> <p>Impacts is likely to be seen in the R4 Zone as the GRLEP specifies from 1:1 to 1.5:1 and heights from 12m and 15m. These will be increased to up to 3:1 FSR and 21m under the Reforms as the non-refusal standards will override the current FSR and heights within this Precinct.</p>
2. Kogarah Town Centre	<p>The majority of land within the MU1 zone has a height of 39m & FSRs 4:1 and 4.5:1, with a limited number of sites along Railway Parade and Regent Street having a height of 9m, 12, & 15m and FSRs of 2.5:1 & 2.8:1.</p> <p>For the R4 Zone, the maximum FSR and height is 4:1 and 33m respectively.</p> <p>Therefore, for both zones the majority of land exceeds the non-refusal standards of FSR 3:1 and height 21m – no impacts under the Reforms.</p>
5. E1 – Allawah (Railway Parade)	<p>The E1 Zone has a maximum FSR of 2.5:1 and height 21m. The R4 Zone has an FSR 1.5:1 and 2:1 and height of 15m & 21m.</p>

Station and Town Centre Precincts	Impacts within the “station and town centre precincts”
	<p>These will be increased to up to 3:1 FSR and 21m under the Reforms as the non-refusal standards will override the current FSR and heights within this Precinct.</p>
<p>6. E1 – Beverly Hills (King Georges Road)</p>	<p>For the E1 there is no current height limit along King Georges Road with a height limit of 9m for at Tooronga Terrace. The maximum FSRs are 2:1 and 1.5:1 respectively.</p> <p>The R4 Zone has maximum height and FSR of 12m and 1:1 respectively.</p> <p>The Council’s resolution of 24 April 2023 on the Way Forward for Beverly Hills Local Centre Master Plan proposed the following for the eastern side: The maximum building heights is 21m (base height) to 28m (gateway sites). The maximum floor space ratio is 2.5:1 (base FSR) to 3:1 (gateway sites).</p> <p>The recent decision by the Strategic Planning Panel of the Sydney South Planning Panel on the Rezoning Review for a proposal at 407-511 King Georges Road, Beverly Hills has set the following maximum height and FSR for the western site:</p> <ul style="list-style-type: none"> • Non-gateway sites – Part 12m (for 26m from Dumbleton Lane) and Part 24.1m for the remainder of these lots & FSR 3.5:1, and • Gateway Sites - Part 12m (for 14m from western boundary) and part 31.4m for the remainder of these lots & 3.5:1 FSR.
<p>8. E1 – Carlton / Kogarah Bay (Princes Highway)</p>	<p>The E1 Zone has a maximum FSR and height of 2.5:1 and 12m/21m. The R4 Zone has FSRs 1:1 & 2:1 and heights of 12m/21m.</p> <p>These will be increased to up to 3:1 FSR and 21m under the Reforms as the non-refusal standards will override the current FSR and heights within this Precinct.</p>
<p>9. E1 – Carlton (Railway Parade)</p>	<p>The E1 Zone has FSR 2.5:1 & height of 21m. The R4 Zone has FSRs 2:1 and 1.5:1 & heights of 21m and 15m.</p> <p>These will be increased to up to 3:1 FSR and 21m under the Reforms as the non-refusal standards will override the current FSR and heights within this Precinct.</p>
<p>11. E1 – Kingsgrove (Kingsgrove Road)</p>	<p>For the E1 Zone, FSR & height for the Pottery Site is 2:1 and 15m, with the rest having a FSR of 1.5:1 and no height.</p> <p>These will be increased to up to 3:1 FSR and 21m under the Reforms as the non-refusal standards will override the current FSR and heights within this Precinct.</p>
<p>14. E1 – Mortdale (Morts Road)</p>	<p>For the majority of the E1 Zone the FSR is 1.5:1 with no height. On the southern side of the station the height is 21m and the FSR is 2.5:1. The R4 zoned has a FSR of 1:1 & height of 12m.</p> <p>Council adopted Option 1A in October 2023 based on the Mortdale Local Centre Master Plan. Option 1A proposed heights and FSRs less than the proposed non refusal standards:</p> <ul style="list-style-type: none"> • E1 Local Centre (north of the railway) – heights of 15m-22m & FSR 1.5:1 – 2.5:1, and • E1 Local Centre (south of the railway) – no change to height and FSR, and • R4 High Density Residential – only an increase in height from 12m to 13m <p>All of the above controls will be increased to up to 3:1 FSR and 21m under the Reforms as the non-refusal standards will override the current FSR and heights</p>

Station and Town Centre Precincts	Impacts within the “station and town centre precincts”
	within this Precinct.
15. E1 – Narwee (Broad Arrow Road)	<p>The E1 has a FSR 1.5:1 and no height standard. The R4 Zone has a FSR 1:1 and heights of 12m and 13m.</p> <p>These will be increased to up to 3:1 FSR and 21m under the Reforms as the non-refusal standards will override the current FSR and heights within this Precinct.</p>
16. E1 – Oatley (Oatley Avenue / Frederick Street)	<p>The E1 Zone has a FSR 2.5:1 and height of 12m. The R4 has a FSR 1:1 and height of 12m.</p> <p>These will be increased to up to 3:1 FSR and 21m under the Reforms as the non-refusal standards will override the current FSR and heights within this Precinct.</p>
18. E1 – Penshurst (Penshurst Street)	<p>The E1 Zone has FSRs of 2:1 and 2.5:1 and heights of 15, 19m and 21m. The R4 Zone has a FSR 1:1 & height of 12m.</p> <p>These will be increased to up to 3:1 FSR and 21m under the Reforms as the non-refusal standards will override the current FSR and heights within this Precinct.</p>
20. E1 – Riverwood (Belmore Road)	<p>The E1 Zone has FSRs of 2:1 & 3:1 & height of 18m. The R4 has a FSR 1:1 & height of 12m.</p> <p>These will be increased to up to 3:1 FSR and 21m under the Reforms as the non-refusal standards will override the current FSR and heights within this Precinct.</p>
21. E1 – South Hurstville (King Georges Road)	<p>The E1 Zone has a FSR of 2.5:1 & height of 21m. The R4 Zone has a FSR 1:1 & height of 12m.</p> <p>These will be increased to up to 3:1 FSR and 21m under the Reforms as the non-refusal standards will override the current FSR and heights within this Precinct.</p>
36. E1 – Oatley (Mulga Road)	<p>The E1 Zone has a FSR of 1.5:1 & height of 9m.</p> <p>These will be increased to up to 3:1 FSR and 21m under the Reforms as the non-refusal standards will override the current FSR and heights within this Precinct.</p>
40. Peakhurst (Forest Road)	<p>The E1 Zone has a FSR of 1.5:1 & height of 9m.</p> <p>The R4 zoned land has a height and FSR of 12m and 1:1 respectively.</p> <p>These will be increased to up to 3:1 FSR and 21m under the Reforms as the non-refusal standards will override the current FSR and heights within this Precinct.</p>
46. B1 – Sans Souci (Rocky Point Road)	<p>The E1 Zone has a FSR of 2:1 & height of 15m.</p> <p>These will be increased to up to 3:1 FSR and 21m under the Reforms as the non-refusal standards will override the current FSR and heights within this Precinct.</p>

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REPEAL OF SEPP NO. 65 AND VARIATION OF APARTMENT DESIGN GUIDE

76. State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development (SEPP 65) was repealed on 13 December 2023. The design principles have been amended and relocated to Schedule 9 of the Housing SEPP.

- 77. Although the principles are generally consistent between SEPP 65 and the Housing SEPP, the applicability of the Apartment Design Guide (ADG) has been watered down in its relocation.
- 78. Section 147(3) of the Housing SEPP now clearly states that a consent authority does not have to require compliance with the Design Criteria specified in the Apartment Design Guide in considering a DA or a modification application for a residential apartment development.
- 79. This flexibility in the use of the ADG is also proposed to be applied in the Reforms for mid-rise housing (RFBs and shop top housing). The Reforms include criteria for mid-rise housing relating to building separations, setbacks, vehicle access, visual privacy and communal open space which are less stringent than the ADG. **Table 10** below is a comparison from the Reform package and the ADG:

Table 10 – Comparison of the Housing Reforms and the ADG

Reforms	ADG	Comment
<p>Building separation - reduce the minimum building separation requirements for 5 and 6 storeys buildings to match the current requirements for up to 4 storey buildings.</p> <p>Visual Privacy will also be managed through the proposed modified building and separation provisions above.</p>	<p>Up to 4 storeys:</p> <ul style="list-style-type: none"> • 12m between habitable rooms/balconies • 9m between habitable and non-habitable rooms • 6m between non habitable rooms <p>5 storeys to 8 storeys:</p> <ul style="list-style-type: none"> • 18m between habitable rooms/balconies • 12m between habitable and non-habitable rooms • 9m between non habitable rooms 	<p>This means that buildings up to 6 storeys can have the following minimum separations:</p> <ul style="list-style-type: none"> • 12m between habitable rooms/balconies • 9m between habitable and non-habitable rooms • 6m between non habitable rooms <p>Will result in a building form that is bulky with less setback from neighbouring buildings.</p>
<p>Setbacks –</p> <p>front setbacks to be an average of the neighbouring buildings with a 6m maximum.</p> <p>Side and rear setbacks requirements are to increase by an additional 1m for every 2-storey difference in height between neighbouring buildings</p>	<p>A numerical standard for setbacks – front, side and rear are not contained in the ADG – it depends on the desired future streetscape and building forms.</p>	<p>For RFBs, the GRDCP requires a front setback of a minimum of 5m for building height of four storeys. Corner sites: up to a building height of four storeys, a minimum setback of 5m to both street frontages is to be provided.</p> <p>Above four storeys, the front setback of the upper building levels is to be increased to a minimum of 8m to the street. The minimum 8m setback also applies to balconies, terraces and balustrades and must be accommodated behind the setback.</p> <p>On a corner site, both frontages are to provide the increased setback above four storeys.</p> <p>The GRDCP requires the following setbacks:</p> <p>Side boundary - minimum setback of 6m from side boundary between ground floor level and up to four storeys. Upper-level setbacks are 9m above four storeys.</p>

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Reforms	ADG	Comment
		<p>Rear boundary setbacks - minimum 6m setback from a rear boundary between ground floor level and up to four storeys. Upper-level setbacks are 9m above four storeys.</p> <p>The Reform proposes less setbacks than the Council's GRDCP.</p>
<p>Vehicular access – Design of basement and ground floor for mid-rise building is not required to accommodate large vehicles entering or turning around within the site. Waste collection method to be detailed in the Waste Management Plan.</p>	<p>The ADG states that the need for large vehicles to enter or turn around within the site should be avoided. Garbage collection, loading and servicing areas are to be screened.</p>	<p>The GRDCP requires for developments on Classified Roads to provide safe vehicle access, adequate sight distances and make provision for vehicles to leave the site in a forward direction in accordance with AS2890.1 (latest edition).</p> <p>The GRDCP requires that the DA be accompanied by a waste management plan.</p>
<p>Communal open space – A minimum of 8sqm of communal open space is to be provided per apartment, up to a maximum 25% of the site area.</p>	<p>Communal open space has a minimum area equal to 25% of the site.</p>	<p>GRDCP requires a minimum area of 25% of the site area, with a minimum dimension of 5m is to be provided and 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.</p> <p>The reduction in communal open space requirement from minimum 25% of site area to a maximum of 25% of the Apartment Design Guide (ADG) will impact on the outdoor recreation opportunities for residents, reduce the "breathing spaces" between apartment buildings and reduce the appeal of apartment buildings and wellbeing of residents.</p>
<p>Carparking – Minimum car parking rates to create a consistent set of appropriate requirements for mid-rise housing across the Six Cities. The rates have not been provided.</p>	<p>For sites within 800m of a railway station the minimum carparking requirement for residential unit development is set out in the Guide to Traffic Generating Developments</p>	<p>Council does not have maximum parking rates in its DCP.</p> <p>However, for residential flat buildings within 800m of the Kogarah Railway Station Council's DCP does not apply – the Guide to Traffic Generating Developments overrules the Council's DCP.</p>

Reforms	ADG	Comment
		<p>For RFBs with 20 or more dwellings the rates are: 0.6 spaces per 1-bedroom unit, 0.9 spaces per 2-bedroom unit, 1.40 spaces per 3-bedroom unit, and 1 space per 5 units (visitor parking).</p> <p>For developments containing 2 to 20 dwellings the rates are: resident parking spaces is 1 space for each unit, plus an additional 1 space per each 5 x 2-bedroom unit or part thereof. Also, an additional 1 space per each 2 x 3 or more-bedroom unit or part thereof is recommended.</p> <p>An additional one space per each five units for visitor parking or part thereof is recommended.</p>

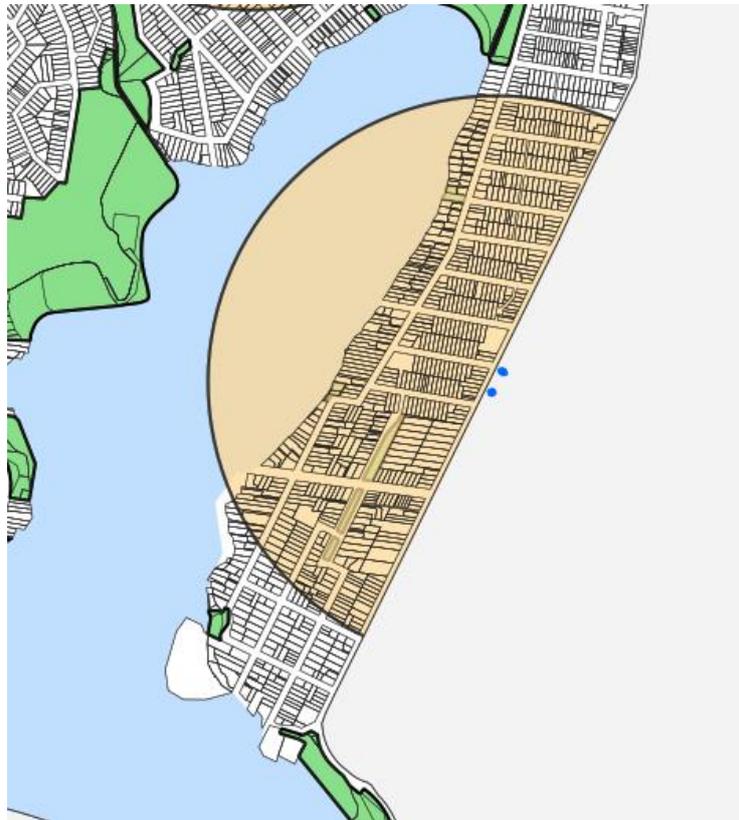
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80. The original purpose of the Design Criteria within the ADG was to provide a quantitative benchmark and a numerical representation of the Design Quality Principles of SEPP 65. By the repeal of SEPP 65 and the inclusion of the design principles in the Housing SEPP (with its provision that compliance with design criteria specified in the ADG is not required) will undermine good design and the amenity of residential apartment developments.
81. The Housing Reforms relating to low and mid-rise housing will further undermine the ADG as they propose standards (in privacy and building separation) less stringent than the ADG. Without compliance with the ADG, Council’s primary concern is that in a housing sector where the majority of the developments are being provided by the private sector, new developments of very poor quality will ultimately filter down to every scale of development due to the precedent this will set.
82. The removal of the requirement for developments to comply with the ADG will result in adverse amenity outcomes such as reductions in building separation leading to privacy and overshadowing issues, reductions in the number of units with adequate solar access and cross ventilation leading to poor indoor environmental quality, which in turn causes an increased reliance on mechanical heating and cooling in an unsustainable manner.
83. Under the proposed changes, councils will have no power to enforce the ADG’s Design Criteria, resulting in apartment developments with the worst amenity to date being developed in NSW. This will be further exacerbated by the Land and Environment Court’s literal application of legislated controls, which will ultimately lead to the irrelevance of the ADG and the redundancy of essential amenity outcomes that it currently guaranteed for apartment occupants.

POTENTIAL INCREASE IN DWELLING NUMBERS AND POPULATION

84. To understand the development capacity created by the Reforms, preliminary urban design testing was conducted on a sample “station and town centre precinct”.
85. The area of Sans Souci (see **Figure 8** below) is selected as it is an existing low-density neighbourhood with minimal increase in residential density in recent times and therefore more likely to experience widespread uptake of the increased development potential offered by the Reforms.

Figure 8 – Location of the potential Sans Souci “Station and Town Centre Precinct”



- 86. There are currently approx. 700 dwellings within the 800m radius around the Sans Souci Town Centre. The town centre is located within the Bayside LGA, but the affected area has been selected to capture Georges River LGA properties only.
- 87. The majority of the affected area is zoned R2 Low Density Residential. There is a small pocket of R3 Zoned properties between Endeavour and Nelson Streets. There is also a small segment of E1 Zoned centre located between Newcombe and Broughton Streets.
- 88. The maximum development potential offered by the Reforms has been applied to all properties located within the potential Sans Souci “Station and Town Centre Precinct”. This is comprised of allowing 5 storey RFBs in the existing R3 Zone, 7 storeys shop top housing in the E1 Zone and either dual occupancies or manor houses in the R2 Zones. The potential increase in density and dwellings is outlined below in **Table 11**.

Table 11 – Potential increase in dwelling numbers and population

	Total Dwellings	Additional Dwellings	Dwellings per hectare	Equivalent Population
Existing Dwellings	695	N/A	17	Approx. 1,880
Full take up of dual occupancies	2,598	1,903	62	Approx. 7,000
Full take up of manor houses	3,925	3,230	94	Approx. 10,600
Full take up of manor houses with affordable housing	5,103	4,408	122	Approx. 11,900

	Total Dwellings	Additional Dwellings	Dwellings per hectare	Equivalent Population
bonus				

89. In summary, the Reforms has the potential to create capacity for over 4,400 additional dwellings in the Sans Souci “Station and Town Centre Precinct”. Cumulatively, the Reforms is likely to create capacity for up to 150,000 additional dwellings across the whole LGA.

INFRASTRUCTURE PROVISION

90. Council adopted the Georges River Council Local Infrastructure Contributions Plan 2021 (Section 7.11 and Section 7.12) (the Plan) at its meeting held 25 October 2021. The Plan became effective on 1 December 2021.

91. The Plan is based on the forecast change in resident population and employment for the period 2021-2036 with:

- (a) A large proportion of this growth is forecast to occur in the strategic centres of Hurstville and Kogarah,
- (b) The total residential population in the LGA is expected to grow from 162,794 in 2021 to 185,346 in 2036, an additional of 22,552 persons over this period,
- (c) The total worker population employed in the LGA is expected to grow from 52,794 in 2021 to 63,292 workers by 2036, being an additional 10,508 workers employed in the LGA over this period.

92. Recent work by .id has indicated that the LGA’s population is forecast to reach 184,426 residents by 2046 – an increase of 31,699 residents from 2021 to 2046. Work undertaken by HillPDA for Council on the impact of COVID on employment estimates that the worker population will now be 53,935 jobs by 2036.

93. The Reform Paper on low and mid-rise housing indicates the following in respect of infrastructure provision:

- (a) From 1 October 2023 all residential development that intensifies land use (where new dwellings are created) are subject to the Housing and Productivity Contribution (HPC). HPC contributions go towards the provision of state and regional infrastructure such as roads, parks, hospitals and schools. The base rates are in **Table 12** below. However, the NSW Government has not specified how the HPC will be allocated, and it is unknown if the HPC collected from the Georges River LGA will be given to Council or another area in Greater Sydney.
- (b) Councils will still be able to continue to require the payment of Section 7.11 and/or Section 7.12 contributions in accordance with contributions plans. The current rates for residential development is in **Table 13** below.
- (c) It is acknowledged by the DPHI that infill areas will have additional housing supply, but existing contributions plans will allow councils to collect more revenue as more dwellings are built.
- (d) It is acknowledged by DPHI that some changes may be needed to current contributions frameworks to allow for anticipated growth.

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Table 12 - Extract from the Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023

Region	HPC class of development	Amount	HPC unit
Greater Sydney	Residential subdivision	\$12,000	new dwelling lot
	Residential strata subdivision	\$10,000	new strata dwelling lot
	High-density residential development	\$10,000	new high-density dwelling
	Commercial development	\$30	square metre of new GFA
	Industrial development	\$15	square metre of new GFA

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Table 13 – S7.11 Contribution Rates as at 11/01/2024 for Residential Development

Broad category	Per equivalent resident	Per secondary dwelling (1 bedroom)	Per secondary dwelling (2 bedroom)	Per seniors living (self-contained units)	Per bedsit studio or 1 bed dwelling	Per 2 bed dwelling	Per 3 or more bed dwelling / per residential lot
Open space facilities	\$6,637.60	\$5,376.27	\$7,958.06	\$7,897.78	\$10,753.68	\$13,958.00	\$13,958.00
Community and recreational facilities	\$2,093.86	\$1,698.07	\$2,511.28	\$2,491.94	\$3,395.00	\$4,404.00	\$4,404.00
Traffic and Transport Facilities	\$216.09	\$175.15	\$259.32	\$257.04	\$350.30	\$455.00	\$455.00
Public Domain	\$454.94	\$368.50	\$544.79	\$541.38	\$737.01	\$957.00	\$957.00
Plan administration	\$106.92	\$87.57	\$128.52	\$127.39	\$174.02	\$226.00	\$226.00
Total	\$9,509.42	\$7,705.57	\$11,401.97	\$11,315.52	\$15,410.01	\$20,000.00	\$20,000.00

94. The DPHI is seeking feedback on Council’s preferred approach to identifying and addressing additional infrastructure needs that arise as a result of the Reform. The Reforms will have an impact on population growth and the resulting services required to cater for that population growth.
95. Council recently placed on community consultation (22 December 2023 to 20 February 2024) the Georges River Community Infrastructure Needs Assessment and Acquisition Area Strategy. The population in the Strategy are based on the recent work by .id.
96. The draft Strategy (on pp. 114-115) raises the following issues with the Council’s existing community infrastructure based on the recent population work by .id:
 - (a) *Poor western access: Existing facilities are concentrated in the central and eastern parts of the LGA. With the exception of open space, sports fields and courts, the western regions of Lugarno and Peakhurst have no local allocations of community facilities and are the most constrained due to river frontage limiting access to facilities in neighbouring LGAs.*
 - (b) *Competition for land uses. As urban renewal occurs in existing highly developed areas, the availability of land and space to dedicate to single purpose community facilities becomes more limited. This is particularly an issue for facilities that require larger land areas, such as sport fields. As demand for housing increases, competition for land between residential and community uses may also intensify. As more people begin to live in higher density housing typologies, reliance on shared community spaces increases. However, land costs for inner and central locations can, in some*

cases, price out the public sector to provide assets in these spaces, relying instead on the renewal of existing assets or developer contributions.

- (c) *Not fit for purpose. Many sporting facilities were seen to have poor drainage, grass coverage and uneven surfaces, while others have old amenities and outdated facilities, poor/no lighting, lack of toilets, and roof leaks. The closure of sites for long periods due to inundation impacts the quality and maintenance of other sites with reduced rest periods and ability to remediate pitches. Lack of lighting reduces the use of sporting fields for training and competition forcing teams to hire venues outside the LGA.*
- (d) *Co-location and integration. Community facilities are increasingly being integrated into mixed use precincts or delivered as part of school campuses. Co-location of complementary services reduces travel costs by encouraging multi-purpose trips, facilitates referrals and or interaction between different services better connecting people to available resources, increases utility of assets through diverse usage and improves safety by increasing visitation and diversifying the audience.*
- (e) *Upgrading assets to maximise utility. Guaranteeing ease of physical access for open space and community facilities is vital in ensuring maximum benefit to the widest possible community, making community assets inclusive but also improving the utility of the spaces.*
- (f) *Simple booking platforms. Centralised, clear and consistent systems for accessing community facilities can improve community interaction with assets and better distribute demand. Live registers of community facilities and service provides enables Government to oversee utilisation and identify opportunities for expansion or integration of facilities on an ongoing basis.*
- (g) *New sporting audiences require different facilities. Sporting clubs identified an increased uptake in female participation, people from cultural and linguistically diverse (CALD) backgrounds, people of mixed abilities and younger children in organised sport. These cohorts are changing the demand for types of ancillary spaces, such as separate change rooms, parents' rooms and canteen services. There are significant demand pressures for car parking at venues on Saturday mornings for junior competitions.*
- (h) *Growth and typology change. The Georges River population is not growing as rapidly as the LGAs around it. It has an older population than its neighbouring LGAs with the largest growing demographic those aged 65+, the highest representation being in Hurstville Central. Apartments now account for one third of the housing stock across Georges River.*

97. The Strategy identifies the current gaps as follows:

- (a) Community Centres – current and future gap
- (b) Open Space –future gap
- (c) Sports courts – current and future gap
- (d) Sports fields – future gap
- (e) Libraries – no gap identified, however, consultation suggestive of demand pressures

98. The Housing Reforms will further exacerbate the infrastructure issues and gaps identified by SGS in the *Georges River Community Infrastructure Needs Assessment and Acquisition Area Strategy*, especially in light of the potential 400,000 additional residents that is enabled by the Housing Reforms.

Figure 9 - Extract from Georges River Community Infrastructure Needs assessment and Acquisition Area Strategy

TABLE 33: SUPPLY GAPS

Facility type	Current Provision	2021 Need	2021 Gap	2036 Need	2036 Gap
Athletics	2 tracks	1 track	1 track	1 track	1 track
Aquatics	Total capacity for approximately 260,000 people (assuming upper limit capacity)	152,274 capacity	107,726 capacity	177,000 capacity	83,000 capacity
Community centres	8,008sqm	12,181sqm	-4,174sqm	14,160sqm	-6,152sqm Equivalent of approximately five and a half centres similar to Mortdale Community Centre
Libraries	6,201sqm	5,116sqm	1,085sqm	5,947sqm	254sqm
Open space	4,103,625sqm	3,563,212sqm	540,413sqm	4,141,800sqm	-38,175sqm (3.8 ha)
Sport and recreation—courts	43 sports fields	31-38 sports fields	5-13 sports fields	35-44 sports fields	-8 - 1 sports fields
	21 courts	51 courts	-30 courts	59 courts	-38 courts
	15 courts	61 courts	-46 courts	71 courts	-56 courts
	7 courts	38-51 courts	-31-44 courts	44-59 courts	-37--52 courts
	3.5 courts	5-9 courts	-1-6 courts	5-10 courts	-2--7 courts

Source: SGS Economics and Planning 2023

99. Given the implications of the Reforms to significantly increase dwelling capacity across the Georges River LGA, it is recommended that Council responds to the request from DPHI to provide feedback on the preferred approach to identifying and addressing additional infrastructure needs that arise as a result of the proposed changes, which is to amend the Contributions Plan to identify measures to address existing gaps in the supply of infrastructure and to ensure the delivery of local infrastructure occurs at a rate that will keep up with the anticipated growth.
100. Additionally, this report also recommends that Council seek funding from the DPHI to fund the required amendments to its Contributions Plan and to prepare master plans for each of the “station and town centre precincts” affected by the NSW Housing Reforms to ensure that growth is accompanied by the required upgrades to public open space and community facilities, public domain, traffic and pedestrian improvements, drainage, and infrastructure generally.

NEXT STEPS - SUBMISSIONS TO DPHI ON THE HOUSING REFORMS

101. The intent of creating housing capacity and diversity to address the current housing crisis is acknowledged and welcomed. However, Council officers have identified a number of concerns within the Housing Reforms which require further consideration by the NSW Government to ensure any new housing is appropriate to the Georges River LGA context and adequately supported by the necessary infrastructure.

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102. Council staff have submitted a written submission in response to the proposed TOD SEPP expressing concerns regarding the proposed variation to the design criteria in the Apartment Design Guide which will compromise building separations, setbacks, vehicle access, visual privacy and communal open space which leads to poor apartment amenity.
103. A formal submission is currently being prepared in response to the Low and Mid-Rise Housing. The submission will acknowledge and support the need to address the current housing crisis and raise concerns in relation to the blanket 'one-size-fits-all' nature of the Reform and its impact on the valued local character of the LGA. The submission will request DPHI to provide further consideration to the following concerns:
- (a) Overriding the master planning work that has been completed by Council in conjunction with the community for the Mortdale and Beverly Hills Local Centres,
 - (b) Providing uplift to centres that fall within the definition of "station and town centre precincts" without the proper master planning being in place to address community concerns of public domain and infrastructure provision,
 - (c) Providing capacity for up to 150,000 additional dwellings within the Georges River LGA without considerations of the availability of infrastructure to support this growth,
 - (d) Increasing housing capacity by permitting development on smaller allotments with greater height and FSR. This will result in changes to the low-density character of the LGA's suburbs, loss of trees and canopy cover on private land, replacement of on street parking with driveways and increased traffic impacts due to additional density,
 - (e) Permitting manor housing and multi-unit housing in the R2 Zones and residential flat buildings (up to 6 storeys) in the R3 Zones in "station and town centre precincts" undermines the LSPS and the criteria for growth that was developed with the Georges River community which are:
 - (i) The LGA's special characteristics are retained,
 - (ii) Growth is supported by green open space, social and physical infrastructure,
 - (iii) Growth areas are linked to transport corridors and frequent services,
 - (iv) Kogarah and Hurstville are enhanced as strategic centres,
 - (v) All centres have a role in jobs and housing growth,
 - (vi) A hierarchy of residential zones is developed,
 - (vii) Evidence and community consultation provide the framework for strategic planning and decision-making.
 - (f) Permitting manor houses and multi dwelling housing in the R2 Zones and residential flat buildings (of 3 to 6 storeys) in the R3 Zones in "station and town centre precincts" undermines the hierarchy of residential zones developed under the LSPS and implemented through the GRLEP,
 - (g) Applying the Low and Mid-Rise Housing Reforms to Heritage Conservation Areas will compromise the social, built and cultural significance of these areas by permanently altering the historical subdivision pattern. Council is considering a report at its meeting on 26 February 2024 on Amendment No. 5 to the Georges River Development Control Plan (DCP) 2021, being "Subdivision, Lot Consolidation and Boundary Adjustments in Heritage Conservation Areas". This amendment states that subdivision, lot consolidation or boundary adjustments within the HCAs will not generally be considered appropriate or acceptable, as the established subdivision pattern is a primary characteristic that defines and contributes to the significance of the HCA.

- (h) Applying the minimum lot width of 12m and minimum site area of 450sqm for dual occupancy development across the LGA is a significant reduction from the existing GRLEP requirements of minimum 15m lot with and minimum site area of 650sqm and 1,000sqm outside and within the Foreshore Scenic Protection Area (FSPA) respectively. This is likely to impact the desired future character of the LGA's low density suburbs and the scenic amenity of the Georges River foreshore by allowing more development density, which in turn will compromise the environmental protection of threatened species and their communities.
 - (i) The Reforms do not address the existing infrastructure shortage that currently exists including insufficient open space, community centres, sports courts and libraries, which will put more pressure on Council to address both existing and future populations.
104. In light of the above concerns, the formal submission to Low and Mid-Rise Housing will include a request to defer the implementation of the Reform within the Georges River LGA so Council is given the opportunity to review its LSPS to create capacity for additional and diverse housing through the creation of new R3 and R4 zones within the following 12 "station and town centre precincts":
- (i) Hurstville Railway Station and Hurstville City Centre (Strategic Centre)
 - (ii) Kogarah Railway Station and Kogarah Town Centre (Strategic Centre)
 - (iii) Beverly Hills Railway Station and Beverly Hills (King Georges Road) Local Centre
 - (iv) Kingsgrove Railway Station and Kingsgrove (Kingsgrove Road) Local Centre
 - (v) Mortdale Railway Station and Mortdale (Morts Road) Local Centre
 - (vi) Penshurst Railway Station and Penshurst (Penshurst Street) Local Centre
 - (vii) Riverwood (Belmore Road) Local Centre
 - (viii) South Hurstville (King Georges Road) Local Centre
 - (ix) Oatley Railway Station and Oatley (Mulga Road) Local Centre
 - (x) Allawah Railway Station
 - (xi) Carlton Railway Station
 - (xii) Narwee Railway Station
105. Council is to note the above 12 precincts will be nominated as "station and town centre precincts" in accordance with the criteria provided in DPHI's *"Explanation of Intended Effect: Changes to create low and mid-rise housing" dated December 2023* as they have been identified as Strategic and Local Centres by the Georges River Commercial Centres Strategy (2020).
106. Additionally, this report recommends that Council seek funding from DPHI for the following:
- (a) Preparation of a master plan for the Kogarah Strategic Centre in order to support the objectives of the TOD SEPP and to ensure the planning controls are updated to promote Kogarah as a Strategic Centre,
 - (b) Amendment of the Georges River Council Local Infrastructure Contributions Plan 2021 (Section 7.11 and Section 7.12) to identify measures to address existing gaps in the supply of infrastructure and to ensure the delivery of local infrastructure occurs at a rate that will keep up with the anticipated growth under the Housing Reforms, and

- (c) Preparation of master plans and required technical studies for each of the 12 “station and town centre precincts” affected by the NSW Housing Reforms to ensure that growth is accompanied by the required upgrades to public open space and community facilities, public domain, traffic and pedestrian improvements, drainage, and infrastructure generally.

FINANCIAL IMPLICATIONS

107. No budget impact for the current financial year.
108. If Council resolves to amend the LSPS to identify the locations for growth as result of the deferral of the Low and Mid-Rise Housing Reform, a budget bid will be made for FY24/25 to cover the cost of preparing a revised LSPS.
109. If Council resolves to amend its Section 7.11 and 7.12 Contribution Plans, a budget bid will be made for FY24/25 to cover the costs of preparing the amendment.

RISK IMPLICATIONS

110. The Housing Reforms are not facilitated by Council – they are an initiative of the NSW State Government.

COMMUNITY ENGAGEMENT

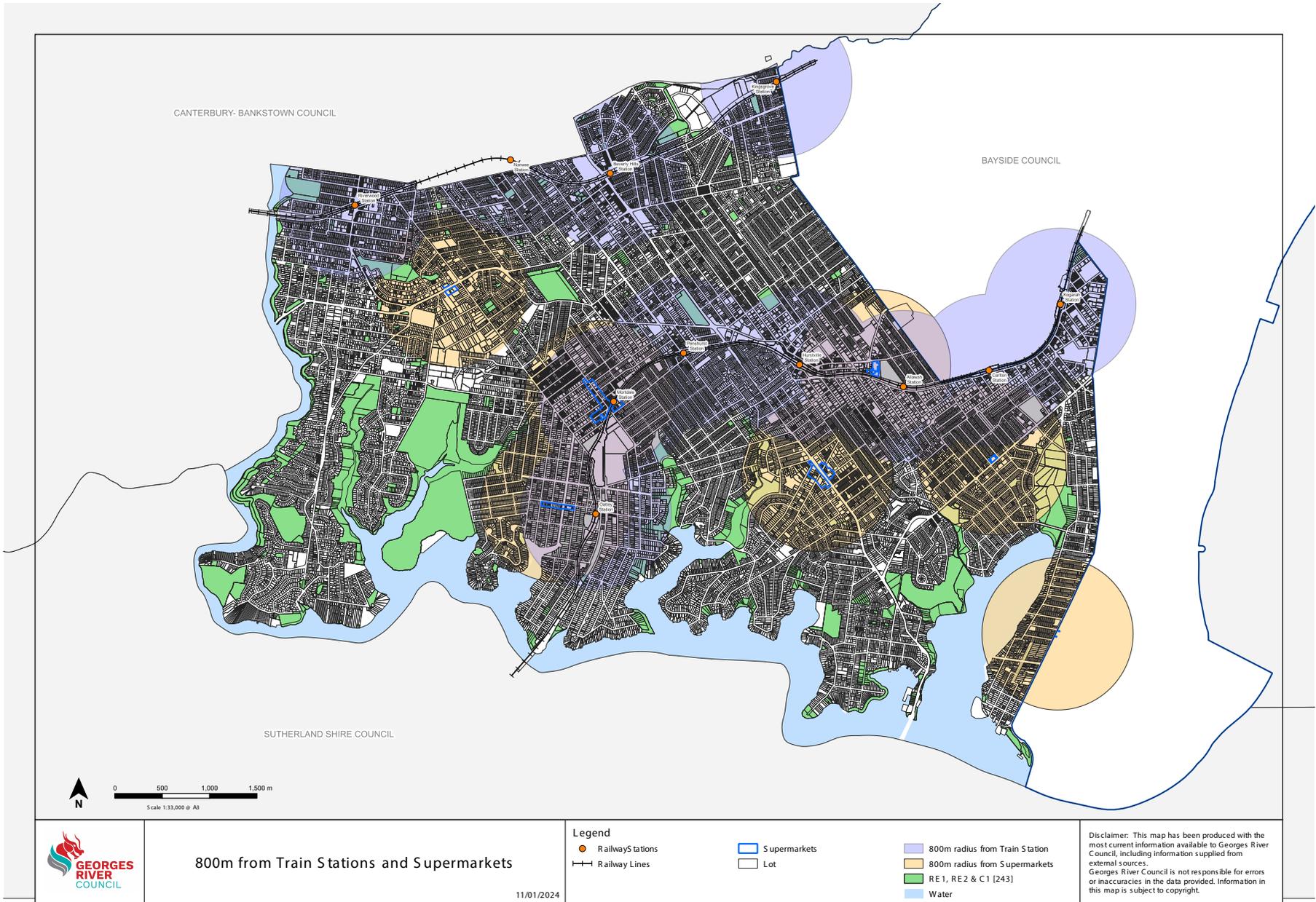
111. Community engagement for the Housing Reforms have been conducted by DPHI.

FILE REFERENCE

D23/319342

ATTACHMENTS

- Attachment 1  List of 48 Centres within Georges River LGA - *published in separate document*
- Attachment [↓](#)2 800m from Trains Stations and Supermarkets
- Attachment 3  DPHI's EIE Changes to Create Low and Mid-Rise Housing - *published in separate document*



ASSETS AND INFRASTRUCTURE

Item: CCL002-24 Venue Hire Agreement - St George Illawarra Rugby League Football Club at Netstrata Jubilee Stadium

Author: Manager Premium Facilities

Directorate: Assets and Infrastructure

Matter Type: Assets and Infrastructure

<Summary Section>

RECOMMENDATION:

- (a) That Council endorse the Venue Hire Agreement between Georges River Council and the St George Illawarra Rugby League Football Club to play home matches at Netstrata Jubilee Stadium from 2024, as per the confidential attachment.
- (b) That Council authorise the General Manager to execute the Venue Hire Agreement on behalf of Georges River Council.

EXECUTIVE SUMMARY

1. Council officers have reached agreement to terms and conditions in relation to the hire of Netstrata Jubilee Stadium by St George Illawarra Rugby League Football Club.
2. The summary of terms and conditions relating to the Venue Hire Agreement are outlined in the attached confidential report.
3. The Venue Hire Agreement is provided as a confidential attachment to this report.

BACKGROUND

4. Georges River Council has managed Netstrata Jubilee Stadium since March 2017.
5. The four-year Venue Hire Agreement that has been in place since 2020 with the St George Illawarra Rugby League Football Club expired at the end of the 2023 National Rugby League (NRL) season.
6. Council officers entered negotiations with authorised representatives of St George Illawarra Rugby League Football Club at the end of the 2023 NRL season and have now reached agreement on the terms and conditions associated with the Venue Hire Agreement.
7. The venue hire agreement was executed by St George Illawarra Rugby League Football Club on 9 January 2024.
8. The General Manager requires the authorisation of Council to execute the Venue Hire Agreement, in accordance with the Georges River Council Instrument of Delegation of Functions to General Manager, 1 October 2022.

FINANCIAL IMPLICATIONS

9. Within budget allocation.

RISK IMPLICATIONS

10. No risks identified.

COMMUNITY ENGAGEMENT

11. Community engagement is not required

FILE REFERENCE

D24/20630

ATTACHMENTS

- Attachment 1 Dragons - Netstrata Jubilee Stadium - Venue Hire Agreement - executed - 10.1.2024 (Confidential)
- Attachment 2 Confidential Report 2 - Venue Hire Agreement Netstrata Jubilee Stadium - St George Illawarra Rugby League Football Club (Confidential)

CCL002-24

CONFIDENTIAL ITEMS (CLOSED MEETING)

Council's Code of Meeting Practice allows members of the public present to indicate whether they wish to make representations to the meeting, before it is closed to the public, as to whether that part of the meeting dealing with any or all of the matters listed should or should not be considered in closed session.

RECOMMENDATION

That in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the following matters be considered in closed Meeting at which the press and public are excluded.

That in accordance with the provisions of Section 11(2) of the Act, the reports and correspondence relating to these matters be withheld from the press and public.

OPEN COUNCIL**CONSIDERATION OF CLOSED COUNCIL RECOMMENDATIONS**