

ATTACHMENTS EXCLUDED FROM AGENDA

Environment and Planning Committee

Monday, 12 February 2024

7:00 PM

Waratah Room

**Georges River Civic Centre,
Hurstville**



GEORGES RIVER COUNCIL

ENVIRONMENT AND PLANNING COMMITTEE MEETING

ATTACHMENTS EXCLUDED FROM AGENDA

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Planning Proposal

No. 2023/0003

Amendment to Heritage

Item No. I208 – 28 and 28A

Carlton Crescent, Kogarah

Bay

December 2023

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1. INTRODUCTION

This Planning Proposal (PP) seeks to amend the *Georges River Local Environmental Plan 2021* (GRLEP 2021) by amending the listing of Heritage Item No. I208 at 28A Carlton Crescent, Kogarah Bay by:

- Revising the item name from 'House and front garden, "Bayview" to "Bayview" house and garden, boatshed, garage and summerhouse' in Schedule 5 Environmental heritage.
- Revising the address from '28A Carlton Crescent, Kogarah Bay' to '28 and 28A Carlton Crescent, Kogarah Bay' in Schedule 5 Environmental heritage.
- Revising the property description to include both Lots 21 and 22 in Section 15 of Deposited Plan (DP) 1963 in Schedule 5 Environmental heritage.
- Updating the Heritage Map to reflect the above changes.

The Site is identified as Lot 21 in Section 15 of DP 1963 (known as 28A Carlton Crescent, Kogarah Bay) and Lot 22 in Section 15 of DP 1963 (known as 28 Carlton Crescent, Kogarah Bay). The Site is highlighted in **Figures 1 and 2** below.

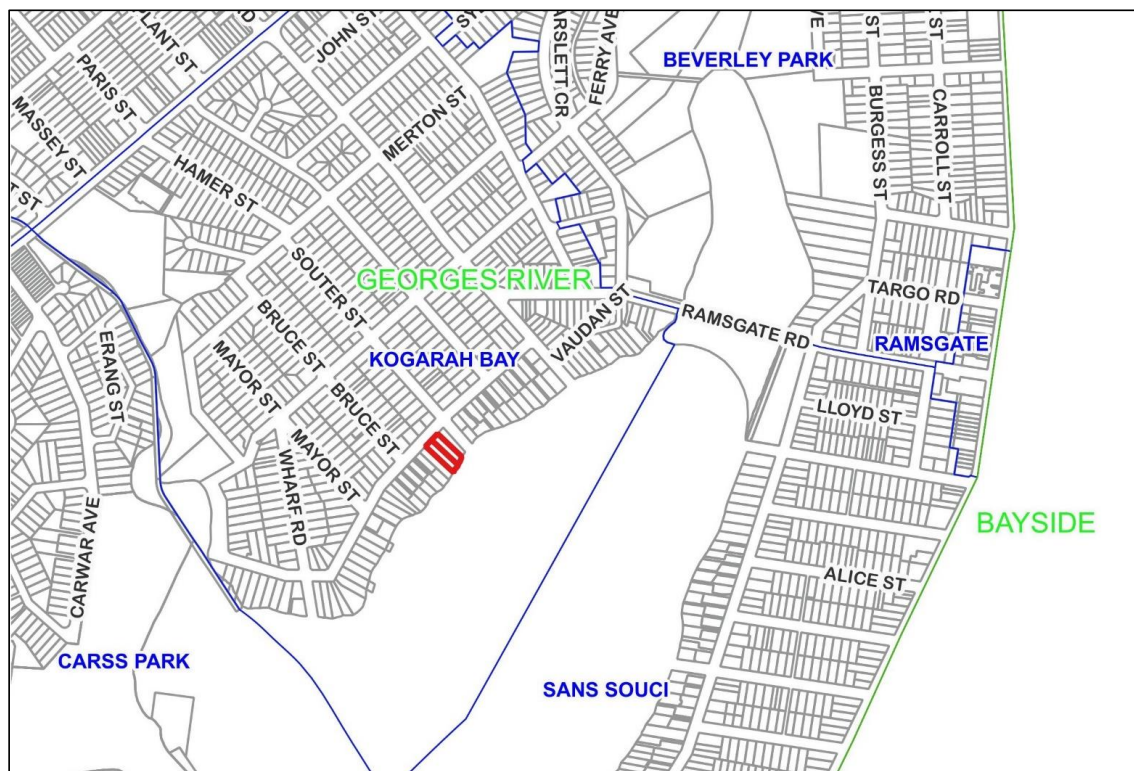


Figure 1 – Locality of the Site (outlined in red)

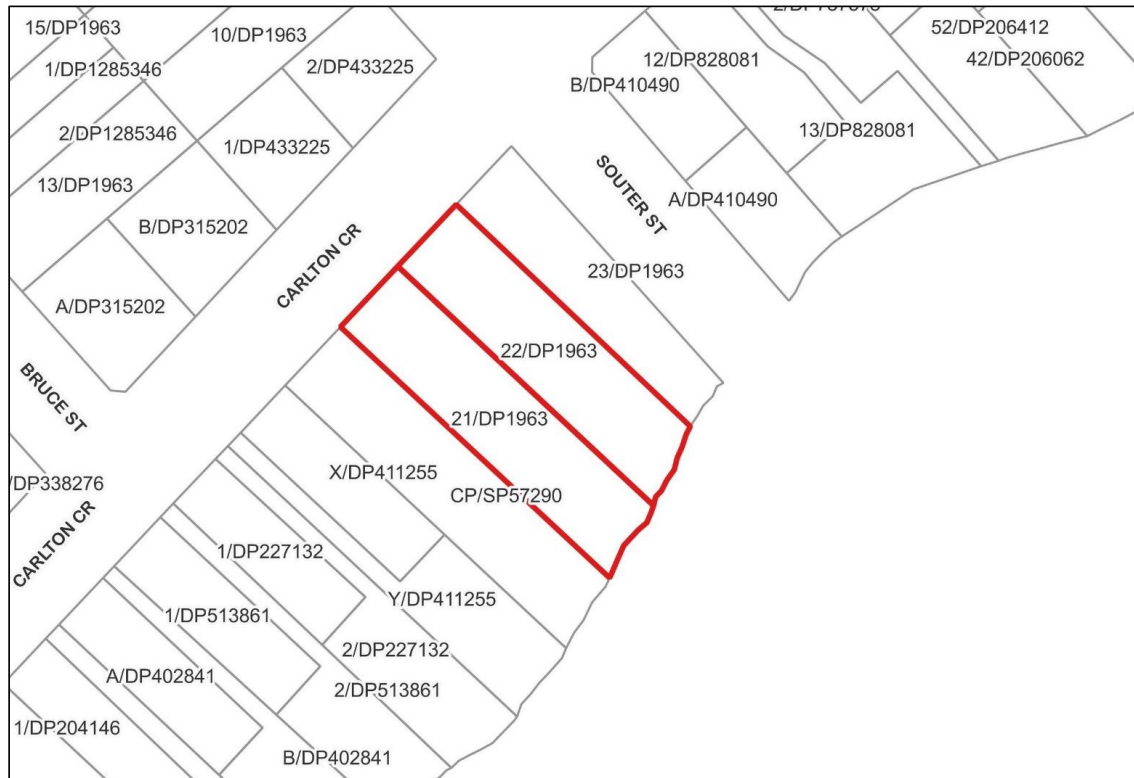


Figure 2 – Subject Land (outlined in red)

The entire Site comprising the two allotments is approximately 1,915m² and backs onto Kogarah Bay on the southern side of Carlton Crescent, Kogarah Bay. Lot 21 (28A Carlton Crescent) contains the dwelling, the former boat shed and numerous semi-mature palms and shrubbery. Lot 22 (28 Carlton Crescent) includes all but one of the mature Canary Island Palms, together with the majority of the circulation paths, the detached garage and detached former teahouse / summerhouse. Both Lots 21 and 22 have been in continual and unsevered ownership since the original purchase in 1916 from the c1911 Kogarah Bay Estate subdivision.

Presently, only part of the Site is listed in Schedule 5 Environmental heritage of the GRLEP 2021 as 'House and front garden, "Bayview"', being Lot 21 Section 15 DP 1963, 28A Carlton Crescent, Kogarah Bay.

The Planning Proposal is supported by a Heritage Significance Assessment Report prepared by Council's Heritage Advisor dated July 2023. A copy of the Report is provided in **Attachment 1**. In summary, the Report concludes that both Lot 21 and Lot 22 are considered to be of equal cultural significance and neither one lot is mutually exclusive – they both rely on each other to complete the historical narrative of the Site, retain the original design intent, and protect the curtilage, setting,

significant fabric and landscaped features as well as physical and visual relationships. There is also clear evidence that the intent of the heritage listing was to include Lot 21 and Lot 22 both in their entirety and to be managed and protected as a single heritage item, though only Lot 21 was identified in Schedule 5 and mapped accordingly. This is considered erroneous and the heritage listing of the Site should in fact be inclusive of both Lots 21 and 22 in Section 15 of DP 1963 so that the entire Site and all of its built and landscape elements of identified cultural significance and value are afforded appropriate statutory protection.

2. BACKGROUND

Development Application

A Development Application (DA2023/0025) for No. 28 (Lot 22 Section 15 DP 1963) and 28A (Lot 21 Section 15 DP 1963) Carlton Crescent, Kogarah Bay, was accepted by Council on 21 March 2023. The DA involves a boundary adjustment, tree removal, demolition of an existing detached garage structure and detached secondary dwelling, construction of a new dwelling house with associated in-ground swimming pool and construction of a new hardstand carparking space and vehicular access driveway to Lot 21. The DA is currently subject to a court appeal with the NSW Land and Environment Court.

Given No. 28A (Lot 22) Carlton Crescent, Kogarah Bay is mapped as a local heritage item in the GRLEP 2021 (House and front garden – “Bayview”), the DA was referred to Council’s Heritage Advisor for review and comment.

Heritage Advisor Comments

Situated on No. 28A is a single storey, detached style dwelling house which displays the principal characteristics attributed to the early 20th century Inter-War period and of the Inter-War Californian Bungalow architectural style. The dwelling displays a remarkably intact form, with many distinguishing features that amplify and accentuate the aesthetic significance and architectural interest and value, making it a good representative example of the style and class.

The dwelling is set within an established landscaped garden setting, comprised of two individual allotments. The Site benefits from direct water access to the Georges River at the rear. No. 28A (Lot 21) contains the dwelling house (towards the front of the Site), with a detached (former) boat shed at the very rear of the Site. No. 28 (Lot 22) contains the detached garage structure (at the front of the Site) and a (former) summerhouse or teahouse at the rear.

Each of the detached structures are positioned in each of the four corners of the Site, interconnected by established landscaped gardens comprising numerous mature Canary Island Palms, lawn areas and circulation paths. Cumulatively, they form a pleasant and deliberately arranged relationship that evokes a strong early 20th century Inter-War period character. The positioning of the dwelling, echoed through the arrangement of large bay windows and the verandahs, evidence a deliberate

design that takes advantage of the double-lot, with outward facing views to the northeast over the sprawling garden setting and to the southeast towards the Georges River.

The deliberate design of the dwelling and arrangement of ancillary structures is evident on the 1937 and 1943 aerial photos, from which the following key observations can be made:

- a. The extant structures and landscaped setting (inclusive of the numerous Canary Island Palms) on the Site display a high degree of integrity, having been largely unaltered since the early inception of the Site, whereby having historical significance.
- b. The footprint of the dwelling is substantially larger by comparison to other extant dwellings in the street at the time, demonstrating a deliberate and clear intent for a more 'substantial' dwelling and garden setting, and the design of the dwelling to have a strongly defined side elevation that exploits views over the garden setting.

The name of the heritage item in Schedule 5 of the GRLEP 2021 identifies the heritage item as '*House and front garden, "Bayview"*' and identifies the listing as relating to 28A Carlton Crescent (which can be taken to be the entire Site), though lists only Lot 21. This is evident in the mapping accompanying the LEP, showing only half the Site as being heritage listed – that is, Lot 21 which contains the dwelling, former boat shed and numerous semi-mature palms. All but one of the mature Canary Island Palms, together with the majority of the circulation paths, the detached garage and detached former teahouse are situated on Lot 22.

It is evident from a visual examination of the Site together with historical land titles, that the Site was always intended to be comprised of both lots, evident in the original purchase of two adjoining lots and continued ownership of the same, together with the deliberate regard the dwelling has for its broader landscaped setting and visual relationship with the ancillary structures. Both Lot 21 and Lot 22 are therefore considered to be of equal cultural significance and neither one lot is mutually exclusive – they both rely on each other to complete the historical narrative of the Site, retain the original design intent, and protect the curtilage, setting, significant fabric and landscaped features as well as physical and visual relationships.

Photographs of the heritage item from the 1993 *Kogarah Heritage Study* clearly depict the substantial garden setting (inclusive of both Lots 21 and 22) as forming the key elements of significance.

Schedule 5 of the GRLEP 2021 references the house and 'front garden'. An examination of the existing front garden in the conventional sense of the word, that is, the landscaped area between the street-facing front boundary and the street-facing front elevation of the dwelling, comprises a simple landscaped area, mostly open grass with a dense *Murraya* hedge delineates the front boundary, which is considered a contemporary planting to the Site. There are no other notable or distinguishing features within the 'front garden' area. Consequently, it is understood that the intent

of the listing of the 'front garden' was to in fact include the substantial gardens that envelope the dwelling from the front elevation, wrapping around the northeastern side (Lot 22) and to the rear.

Interim Heritage Order

The *Heritage Act 1977* (Section 25(2)) allows councils, subject to the authorisation by the Minister, to make an Interim Heritage Order (IHO) over a property, where a council has a reasonable belief that the place or item may have potential heritage significance and that a 'threat of harm' either exists or is perceived to exist. In this case, the lodgement of the current DA (DA2023/0025) constitutes such a threat of harm.

Council considered preliminary heritage advice from Michael Edwards, Heritage Advisor to Georges River Council, dated 24 April 2023, which found that:

- a. There is clear evidence that the intent of the heritage listing for 28A Carlton Crescent was to include 28 Carlton Crescent, though only 28A is identified in Schedule 5 of the GRLEP 2021 and mapped accordingly.
- b. This is considered to incorrect and incomplete, and the heritage listing of the Site should in fact be both 28 and 28A.
- c. 28 Carlton Crescent does not appear to be afforded any statutory heritage protection, meaning the demolition of the garage, summerhouse / teahouse and mature Canary Island Palms could potentially occur via a Complying Development Certificate (CDC). Demolition of those described features would have an adverse impact on the identified heritage values and significance of the Site.
- d. The Development Application which proposes demolition of the garage and summerhouse, together with the construction of a new two-storey dwelling house at 28 Carlton Crescent presents a threat of harm to the heritage item and Council should consider urgently placing an IHO on 28 (Lot 22) to prevent demolition and to allow the anomaly of the heritage listing to be corrected in Schedule 5.

A report to Council on the potential heritage listing of No. 28 Carlton Crescent, Kogarah Bay, was considered by Council at its meeting on 22 May 2023 where it was resolved:

- (a) *That Council acknowledges that the potential heritage listing over No. 28 Carlton Crescent Kogarah Bay is necessary for the protection of the heritage integrity of No. 28A Carlton Crescent as both Nos. 28 and 28A create an historic narrative through retaining the original design intent and the physical and visual relationship of both sites.*
- (b) *That Council make an Interim Heritage Order over No. 28 Carlton Crescent Kogarah Bay (Lot 22, Section 15, DP1963) as the potential heritage item:*
 - a. *is likely to be of heritage significance*
 - b. *is under threat of demolition and unsympathetic alteration through any consent given to Development Application No. 2023/0025*
 - c. *does not have statutory heritage protection under the Environmental Planning and Assessment Act 1979 or the Heritage Act 1977.*

- (c) *That Council authorise the preparation of a detailed assessment of the heritage significance of No. 28 Carlton Crescent Kogarah Bay in accordance with Heritage Council guidelines.*
- (d) *That if the heritage assessment prepared in (c) above determines that No. 28 Carlton Crescent is of heritage significance then Council resolve to prepare a Planning Proposal to amend the listing for Item I208 to include both No. 28 (Lot 22) and No. 28A (Lot 21) Carlton Crescent Kogarah Bay, as a local heritage item in Schedule 5 to the Georges River LEP 2021.*

In accordance with Council's resolution, the Director Environment and Planning used her delegation to make the IHO for 28 Carlton Crescent, Kogarah Bay on 24 May 2023. The IHO was gazetted on Friday, 26 May 2023. The IHO was gazetted on Friday, 26 May 2023. A copy of the notice published in the NSW Government Gazette is provided in Appendix C of the Heritage Significance Assessment in **Attachment 1**. It is noted that the IHO will lapse six months from the date that it is made unless, in the case of an item which, in the council's opinion, is of local significance, the local council has passed a resolution before that date to place the item on the heritage schedule of a local environmental plan. The IHO allowed further heritage assessments to be undertaken to inform an understanding of the cultural significance of the Site and whether Council should proceed with the heritage listing.

Heritage Significance Assessment

Council commissioned its Heritage Advisor to prepare a Heritage Significance Assessment Report to establish the cultural heritage significance of the dwelling 'Bayview' and its setting at the Site to assist in determining whether the Site reaches the threshold for heritage listing.

A Heritage Significance Assessment Report was completed in July 2023 by Council's Heritage Advisor. The Report provides an assessment of the heritage values and cultural significance of the Site and its heritage curtilage in accordance with 'Assessing Heritage Significance – Guidelines for assessing places and objects against the Heritage Council of NSW criteria' (NSW Department of Planning and Environment, 2023). The Report also provides preliminary guidelines and recommendations to ensure that any identified heritage values are retained, protected and appropriately managed. A copy of the Report is provided in **Attachment 1**.

The Report assessed the Site against the NSW Heritage Assessment criteria, and found that it meets the following Criterion at a Local level:

- Criterion (a) Historical Significance
- Criterion (b) Historical Association Significance
- Criterion (c) Aesthetic Significance
- Criterion (d) Social Significance
- Criterion (e) Technical / Research Significance
- Criterion (f) Rarity
- Criterion (g) Representativeness

In terms of Criterion (a) Historical Significance (*An item or place is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)*), the following is to be noted:

- 'Bayview' at 28 Carlton Crescent, Kogarah Bay, is of historical significance at the local level as it evidences early residential development in Kogarah Bay following the speculative subdivisions of earlier land grants into residential allotments and the resulting residential development that ensued.
- 'Bayview' is historically significant as it evidences the changing attitudes to living in the city and established populated areas, preferring instead to develop the outer suburbs in a desire for a healthier lifestyle and environment.
- 'Bayview' is historically significant as it retains strong evidence of the original 1911 subdivision pattern, together with its original boathouse, garage / workshop and summerhouse, together with much of the original landscape plantings and theme, which allows the property to be easily understood as a representation of its early 20th century history.

'Bayview' satisfies Criterion (a) in demonstrating historical significance at a local level.

In terms of Criterion (b) Historical Association Significance (*An item or place has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area)*), the following is to be noted:

- 'Bayview' is of historical associative significance for its strong association with builder, Frederick Rowe, who is attributed with building the dwelling and ancillary structures in or about 1928 as his own home and place of business. Rowe is attributed with having built numerous houses in and around Kogarah throughout the 1920s and 1930s period.
- 'Bayview' was also likely used by Rowe to showcase his craftsmanship to prospective clients, exhibiting an unequivocal superiority to the other examples of his work and demonstrates features which are unparalleled in his other work, with a high degree of ornamentation and quality craftsmanship.

'Bayview' satisfies Criterion (b) in demonstrating historical associative significance at a local level.

In terms of Criterion (c) Aesthetic Significance (*An item or place is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)*) the following is to be noted:

- 'Bayview' exhibits quality craftsmanship with overt detailing and embellishments, making it a fine and highly distinctive example of an early 20th century Inter-War Californian Bungalow.
- The aesthetic qualities and visual distinctiveness of 'Bayview' is directly enhanced by the double allotment width, which creates a generously proportioned garden setting with numerous significant landscape plantings extant, protected and reinforced through the

deliberate positioning of the dwelling, boatshed, garage / workshop and summerhouse to sit in each of the four corners of the site.

- The sensory appeal and aesthetic values of the site are also directly enhanced by uninterrupted wide sweeping waterfront views and relationship to Kogarah Bay at the rear, with the original allotment configuration having been retained.
- The incorporation of multiple large bay windows and verandahs to the dwelling evidence a deliberate design approach to celebrate the contrived aesthetic values of the expansive garden setting and water views.
- 'Bayview' and its garden setting is visually distinctive in the street and broader landscape through the uncharacteristically wide presentation to Carlton Crescent, with the property distinguished by the large collection of mature Canary Island Palms.
- 'Bayview' exhibits a high degree of aesthetic quality that is unparalleled in other similar Inter-War period bungalows, with 'Bayview' retaining its original elements, site features, garden setting, subdivision pattern and visual and physical relationships. This makes 'Bayview' visually distinctive and an exemplar of its style and class because of its setting.

'Bayview' satisfies Criterion (c) in demonstrating aesthetic significance at a local level.

In terms of Criterion (d) Social Significance (*An item or place has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons*) the following is to be noted:

- 'Bayview' contributes to the community's sense of place, being a visually distinctive feature of the local landscape.
- Having functioned throughout the 1950s until the late 1980s as a function centre, hosting weddings, parties and other social events, 'Bayview' is likely to have social significance and importance to the local and broader community, particularly those who attended social events at the property.

'Bayview' satisfies Criterion (d) in demonstrating social significance at a local level.

In terms of Criterion (e) Technical / Research Significance (*An item or place has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)*) the following is to be noted:

- 'Bayview' exhibits an unusually high degree of ornamentation and quality craftsmanship, with numerous distinguishing, unusual and uncommon features that suggest Rowe used the dwelling to showcase his craftsmanship to prospective clients.
- The dwelling exhibits construction techniques and features which are uncommon to the style and class of domestic building, particularly evidenced in the large floor area and matching ceiling span of the formal lounge room, being uninterrupted by support columns or partition walls and the innovative use of the splayed ceiling panelling to follow the roof profile and maximise the perceived and actual spaciousness internally.

- The high-quality craftsmanship combined with the incorporation of uncommon construction techniques and features, makes 'Bayview' an important benchmark and reference site.

'Bayview' satisfies Criterion (e) in demonstrating technical / research significance at a local level.

In terms of Criterion (f) Rarity (*An item or place possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)*), the following is to be noted:

- 'Bayview' is attributed to the work of local builder Frederick Rowe, having been built c1928. Rowe is credited with having built numerous houses around Kogarah during the 1920s and 1930s period, however 'Bayview' is considered his best and most distinguished work.
- Other examples of Rowe's domestic work display similarities in themselves, yet 'Bayview' exhibits an unparalleled superiority in the quality of craftsmanship and detailing, containing numerous design features that are unique to 'Bayview', including the distinctive large bay windows and curved balcony as well as many distinct internal features, including the elaborate leadlight windows, timber flooring and ceiling panelling.
- 'Bayview' is a highly intact early 20th century residential property which displays deliberate design intent to address the expansive garden setting and waterfrontage, and is both unusual and uncommon as it is spread across two adjoining allotments, having been originally purchased together and continually maintained as such.
- 'Bayview' evidences early 20th century marine activity, including a boatshed and summerhouse, both built right on the water's edge and the retention of the boatshed, garage / workshop and summerhouse is exceptionally rare in the local context, demonstrating rarity significance accordingly.

'Bayview' satisfies Criterion (f) in demonstrating significance through the item's rarity at a local level.

In terms of Criterion (g) Representativeness (*An item or place is important in demonstrating the principal characteristics of a class of NSW's: • Cultural or natural places; or • Cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments.)*) the following is to be noted:

- 'Bayview' is described as a single storey dwelling, which displays characteristics attributed to the early 20th century Inter-War period and of the Californian Bungalow architectural style.
- Built c1928 by local builder Frederick Rowe, the dwelling exhibits a high degree of design integrity, having been little altered. It exhibits fine craftsmanship, with exceptional detailing that is uncommon to the architectural style and domestic scale of the building. 'Bayview' is considered of remarkable quality and detailing, making it of high architectural interest and value as an excellent representative example of the style and class.
- The dwelling is complemented by a freestanding boatshed, garage / workshop and summerhouse, each of which exhibit similarity in design and language, having each been constructed around the same time. The high degree of design integrity and intactness of

each of the structures make an important group setting of outstanding quality, enhanced by the retention of the original allotment boundaries and garden setting. Collectively, the site is representative of an early 20th century waterfront property.

- The garden setting spread over two adjoining allotments continue to communicate the early functions and relationships, retaining many original landscape plantings including the Canary Island Palms, pathways and front fence.

‘Bayview’ satisfies Criterion (g) in demonstrating representative significance at a local level.

Based upon the assessed cultural significance, the Report provides the following Statement of Cultural Significance:

‘Bayview’ at 28 Carlton Crescent, Kogarah Bay, is an Inter-War period waterfront property, containing the main dwelling known as ‘Bayview’, together with its original detached boatshed, garage / workshop and summerhouse – all of which have been designed in the Inter-War Californian Bungalow architectural style and exhibit deliberate relationship to each other.

The property is of historical importance as it evidences early residential development in Kogarah Bay and the changing attitudes to living in the city, instead preferring the outer suburbs in a desire for a healthier lifestyle and environment. This is further demonstrated through the original purchase of two adjoining lots to create a high-quality waterfront property.

Constructed c1928 by local builder Frederick Rowe as his place of residence and likely used to showcase his fine craftsmanship to prospective clients, the house exhibits exceptionally fine craftsmanship and detailing that is uncommon to the architectural style and domestic scale of the building. This detailing is unparalleled in Rowe’s other domestic work, making ‘Bayview’ arguably his best and most distinguished work.

‘Bayview’ is considered an important benchmark and reference site for the incorporation of many distinguishing and unique features uncommon to the architectural style and domestic scale of building, notably the large ceiling span of the formal lounge room, being uninterrupted by support columns or partition walls and elaborately detailing internal flooring, ceilings and leadlight windows.

Each of the buildings retain a high degree of design integrity, having been little altered and collectively, the group is considered of outstanding quality, making it of high architectural interest and value as an excellent representative example of an early 20th century Inter-War period waterfront property.

The property has high aesthetic value and significance, being visually distinctive and unique for it comprises two adjoining allotments that create a generously proportioned and well established garden setting with numerous original landscape plantings extant, including a large collection of Canary Island Palms. The garden setting has been self-protected and reinforced through the deliberate positioning of the dwelling, boatshed, garage / workshop and summerhouse to sit in each of the four corners of the site. The deliberate placement of the large bay windows in the dwelling provides a commanding and pleasant outlook over the expansive garden setting and wide water frontage.

'Bayview' and its setting is considered an exemplar of its style and class, retaining its original lot configuration and proportion and is strongly associated with water activity, evident through the boatshed and summerhouse and the uninterrupted wide sweeping waterfront views and relationship to Kogarah Bay.

Collectively, the site is considered a rare and substantially intact example of an early 20th century Inter-War period waterfront property.

'Bayview' has some social significance having been used throughout the 1950s until the late 1980s as a function centre, hosting weddings, parties and other social events.

In summary, the Heritage Significance Assessment Report concludes that both Lot 21 and Lot 22 in Section 15 of DP 1963 are considered to be of equal cultural significance and neither one lot is mutually exclusive – they both rely on each other to complete the historical narrative of the Site, retain the original design intent, and protect the curtilage, setting, significant fabric and landscaped features as well as physical and visual relationships. There is also clear evidence that the intent of the heritage listing was to include Lot 21 and Lot 22 both in their entirety and to be managed and protected as a single heritage item, though only Lot 21 was identified in Schedule 5 and mapped accordingly. This is considered erroneous and the heritage listing of the Site should in fact be inclusive of both Lots 21 and 22 in Section 15 of DP 1963 so that the entire Site and all of its built and landscape elements of identified cultural significance and value are afforded appropriate statutory protection.

The Statement of Significance above which explains the elements of the Site that form the proposed heritage listing has been incorporated into a draft heritage inventory sheet for the Site and a copy is provided in Appendix D of the Heritage Significance Assessment Report in **Attachment 1**.

3. OBJECTIVE AND INTENDED OUTCOME

3.1 Objective

The objective of the PP is to include 28 and 28A Carlton Crescent, Kogarah Bay as a local heritage item to retain the original design intent, and protect the curtilage, setting, significant fabric and landscaped features as well as physical and visual relationships so that both lots can be managed and protected as a single heritage item.

3.2 Intended Outcome

The intended outcome of the PP is to:

- Amend the listing in Schedule 5 for Heritage Item No. I208 by revising the item name, address and property description to include both Lots 21 and 22.
- Assist in conserving the environmental heritage of the Georges River Local Government Area.
- Conserve the heritage significance of the Site, including all built and landscape elements with identified cultural significance and value.

4. EXPLANATION OF PROVISIONS

To achieve the objectives and intended outcomes, the PP proposes to amend the GRLEP 2021 as explained in the following sections.

4.1 Amendment to Schedule 5 of the Georges River LEP 2021

To amend the listing of Heritage Item No. I208 by:

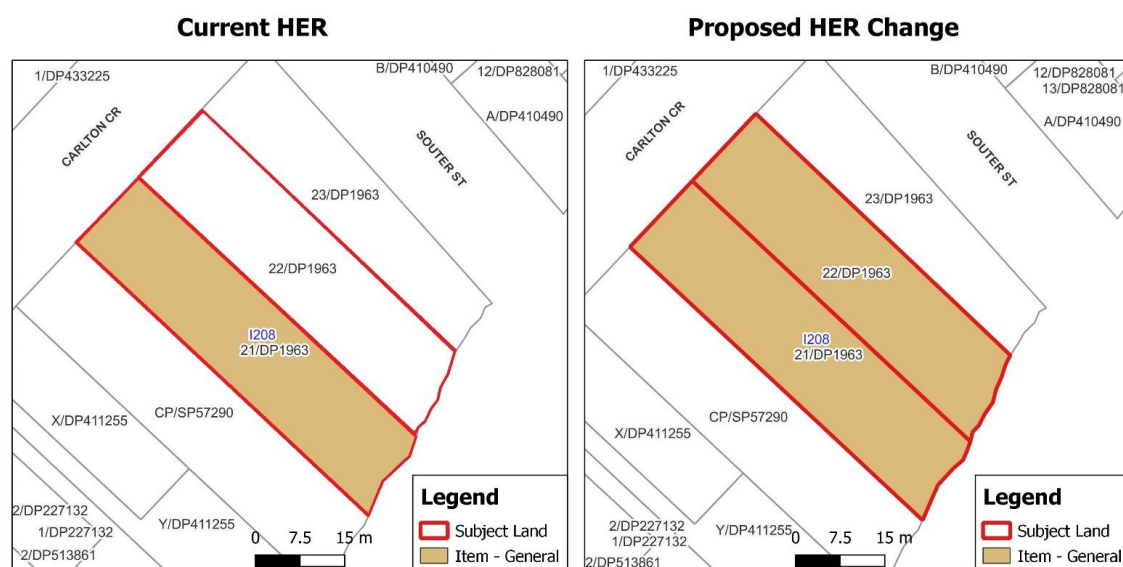
- Revising the item name from 'House and front garden, "Bayview"' to '"Bayview" house and garden, boatshed, garage and summerhouse'.
- Revising the address from '28A Carlton Crescent, Kogarah Bay' to '28 and 28A Carlton Crescent, Kogarah Bay'.
- Revising the property description to include both Lots 21 and 22 in Sec 15 of DP 1963.

Existing Schedule 5	Proposed Schedule 5
Suburb: Kogarah Bay Item name: House and front garden, "Bayview" Address: 28A Carlton Crescent Property description: Lot 21, Section 15, DP 1963 Significance: Local Item No: I208	Suburb: Kogarah Bay Item name: House and front garden, "Bayview" "Bayview" house and garden, boatshed, garage and summerhouse Address: 28A 28 and 28A Carlton Crescent Property description: Lots 21 and 22, Section 15, DP 1963 Significance: Local

	Item No: I208
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4.2 Heritage Map

To amend Heritage Map Sheet HER_011 to map No. 28 and 28A Carlton Crescent, Kogarah Bay as "Item – General" and labelled I208 ("Bayview" house and garden, boatshed, garage and summerhouse).



5. JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

5.1 Section A – Need for the planning proposal

Question	Considerations
1. Is the planning proposal a result of an endorsed LSPS, strategic study or report?	<p>The PP is the result of the Heritage Significance Assessment Report by Edwards Heritage Consultants (EHC) dated July 2023.</p> <p>While it is not a direct result of an endorsed LSPS or strategic study, it is consistent with the following Council adopted documents:</p> <ul style="list-style-type: none"> Council's <i>Community Strategic Plan 2022-2032</i> Goal 1.4 "Georges River area heritage and history are protected" and Strategy 1.4.1 "Encourage and promote heritage and history through collections, programs, heritage trails and protection policies." <i>Georges River Local Strategic Planning Statement 2040</i> ('LSPS 2040') Planning Priority P11 "Aboriginal and other heritage is protected and promoted."

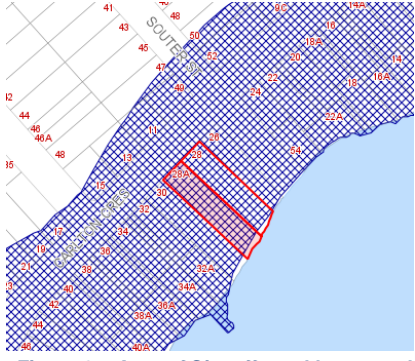
Question	Considerations
	<p>The Heritage Significance Assessment finds that the Site meets the following NSW Heritage Assessment Criterion at a Local level:</p> <ul style="list-style-type: none"> • Criterion (a) Historical Significance • Criterion (b) Historical Association Significance • Criterion (c) Aesthetic Significance • Criterion (d) Social Significance • Criterion (e) Technical / Research Significance • Criterion (f) Rarity • Criterion (g) Representativeness
2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	<p>The PP represents the best means of achieving the intended outcomes established in Section 3.</p> <p>Only part of the Site (i.e. 28A Carlton Crescent, Kogarah Bay) is currently listed as a heritage item in Schedule 5 of the GRLEP 2021. An IHO was made over part of the Site that is not heritage listed (i.e. 28 Carlton Crescent, Kogarah Bay) on 24 May 2023 to afford the Site protection whilst further heritage assessment is undertaken to inform an understanding of the heritage significance of 28 Carlton Crescent, Kogarah Bay and whether Council should proceed with the planning proposal process to list the Site as a heritage item in the LEP.</p>

5.2 Section B – Relationship to the strategic planning framework

Question	Considerations
3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?	<p>Yes. The PP gives effect to the following objective within the <i>Greater Sydney Region Plan – A Metropolis of Three Cities</i>:</p> <ul style="list-style-type: none"> • <i>Objective 13. Environmental heritage is identified, conserved and enhanced.</i> <p>Comment: The PP gives effect to this objective by seeking to amend the listing for Heritage Item No. I208 in Schedule 5 Environmental heritage of the GRLEP 2021 to include both Lot 21 and 22, therefore ensuring all built and landscape elements of identified cultural significance and value on the Site are afforded appropriate statutory protection.</p> <p>The PP also gives effect to the following planning priority of the <i>South District Plan</i>:</p> <ul style="list-style-type: none"> • <i>Planning Priority S6. Creating and renewing great places and local centres, and respecting the District's heritage.</i> <p>Comment: The PP gives effect to this planning priority by amending the listing of Heritage Item No. I208 in Schedule 5 Environmental heritage and the corresponding Heritage Map of the GRLEP 2021 to include both Lot 21 and Lot 22, therefore ensuring all built and landscape elements of identified cultural significance and value on the Site are afforded appropriate statutory protection.</p>

Question	Considerations				
4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?	<p>Yes. The PP is consistent with the endorsed <i>Georges River Local Strategic Planning Statement 2040</i> ('LSPS 2040'), specifically the following planning priorities:</p> <ul style="list-style-type: none"> • <i>P11. Aboriginal and other heritage is protected and promoted.</i> The PP is consistent with this priority as it seeks to amend Schedule 5 Environmental heritage and the Heritage Map within the GRLEP 2021 to include both Lot 21 and 22 as comprising the listing for Heritage Item No. I208. • <i>P17. Tree canopy, bushland, landscaped settings and biodiversity are protected, enhanced and promoted.</i> The PP is consistent with this priority as it proposes to include both Lot 21 and 22 in the listing of Heritage Item No. I208 in Schedule 5 Environmental heritage of the GRLEP 2021, therefore ensuring all built and landscape elements of identified cultural significance and value on the Site are afforded appropriate statutory protection. 				
5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?	There are no other applicable State and regional studies or strategies.				
6. Is the planning proposal consistent with applicable SEPPs?	<p>The PP is consistent with the following SEPPs:</p> <table> <tr> <th>SEPP</th><th>Comment on consistency</th></tr> <tr> <td><i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i></td><td> <p>This SEPP consolidates, transfers and repeals provisions of the following 11 SEPPs (or deemed SEPPs):</p> <ul style="list-style-type: none"> • <i>SEPP (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP)</i> • <i>SEPP (Koala Habitat Protection) 2020 (Koala SEPP 2020)</i> • <i>SEPP (Koala Habitat Protection) 2021 (Koala SEPP 2021)</i> • <i>Murray Regional Environmental Plan No 2—Riverine Land (Murray REP)</i> • <i>SEPP No 19—Bushland in Urban Areas (SEPP 19)</i> • <i>SEPP No 50—Canal Estate Development (SEPP 50)</i> • <i>SEPP (Sydney Drinking Water Catchment) 2011 (Sydney Drinking Water SEPP)</i> • <i>Sydney Regional Environmental Plan No 20 – Hawkesbury – Nepean River (No 2 – 1997) (Hawkesbury–Nepean River SREP)</i> • <i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour Catchment SREP)</i> • <i>Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment (Georges River REP)</i> </td></tr> </table>	SEPP	Comment on consistency	<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>	<p>This SEPP consolidates, transfers and repeals provisions of the following 11 SEPPs (or deemed SEPPs):</p> <ul style="list-style-type: none"> • <i>SEPP (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP)</i> • <i>SEPP (Koala Habitat Protection) 2020 (Koala SEPP 2020)</i> • <i>SEPP (Koala Habitat Protection) 2021 (Koala SEPP 2021)</i> • <i>Murray Regional Environmental Plan No 2—Riverine Land (Murray REP)</i> • <i>SEPP No 19—Bushland in Urban Areas (SEPP 19)</i> • <i>SEPP No 50—Canal Estate Development (SEPP 50)</i> • <i>SEPP (Sydney Drinking Water Catchment) 2011 (Sydney Drinking Water SEPP)</i> • <i>Sydney Regional Environmental Plan No 20 – Hawkesbury – Nepean River (No 2 – 1997) (Hawkesbury–Nepean River SREP)</i> • <i>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour Catchment SREP)</i> • <i>Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment (Georges River REP)</i>
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Question	Considerations
	<ul style="list-style-type: none"> <i>Willandra Lakes Regional Environmental Plan No 1 – World Heritage Property (Willandra Lakes REP)</i> <p>The PP is not inconsistent with the SEPP.</p>
	<p><i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i></p> <p>The PP is not inconsistent with the SEPP.</p>
	<p><i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i></p> <p>The PP is not inconsistent with the SEPP.</p>
	<p><i>State Environmental Planning Policy (Housing) 2021</i></p> <p>The PP is not inconsistent with the SEPP. The PP does not change the existing zoning, height or FSR provisions relating to the Site.</p>
	<p><i>State Environmental Planning Policy (Industry and Employment) 2021</i></p> <p>This SEPP consolidates, transfers and repeals the provisions of the following 2 SEPPs:</p> <ul style="list-style-type: none"> <i>SEPP (Western Sydney Employment Area) 2009 (Western Sydney Employment SEPP)</i> <i>SEPP 64 – Advertising and Signage (SEPP 64)</i> <p>The PP is not inconsistent with the SEPP.</p>
	<p><i>State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</i></p> <p>The PP is not inconsistent with the SEPP.</p>
	<p><i>State Environmental Planning Policy (Planning Systems) 2021</i></p> <p>This SEPP consolidates and repeals the provisions of the following 3 SEPPs:</p> <ul style="list-style-type: none"> <i>SEPP (State and Regional Development) 2011 (State and Regional Development SEPP)</i> <i>SEPP (Aboriginal Land) 2019 (Aboriginal Land SEPP)</i> <i>SEPP (Concurrences and Consents) 2018 (Concurrence SEPP)</i> <p>The PP is not inconsistent with the SEPP.</p>
	<p><i>State Environmental Planning Policy (Precincts - Eastern Harbour City) 2021</i></p> <p>The PP is not inconsistent with the SEPP. The Site is not the subject of a Precinct identified by the SEPP.</p>
	<p><i>State Environmental Planning Policy (Primary Production) 2021</i></p> <p>This SEPP consolidates, transfers and repeals the provisions of the following SEPPs:</p> <ul style="list-style-type: none"> <i>SEPP (Primary Production and Rural Development) 2019 (Primary Production and Rural Development SEPP)</i> <i>Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas) (Central Coast Plateau SREP)</i> <p>The PP is not inconsistent with the SEPP.</p>

Question	Considerations
	<p><i>State Environmental Planning Policy (Resilience and Hazards) 2021</i></p> <p>This SEPP consolidates and repeals the provisions of the following 3 SEPPs:</p> <ul style="list-style-type: none"> SEPP (Coastal Management) 2018 (Coastal Management SEPP) SEPP 33 – Hazardous and Offensive Development (SEPP 33) SEPP 55 – Remediation of Land (SEPP 55) <p>The PP is not inconsistent with the SEPP. The Site is within a coastal use area as identified by the former <i>State Environmental Planning Policy (Coastal Management) 2018</i>. Refer to Figure 3 below. The Planning Proposal does not propose a rezoning nor intensification of uses permitted. The Planning Proposal only proposes to amend the Heritage Map in the GRLEP 2021 and not the other maps relating to coastal management.</p>  <p>Figure 3 – Area of Site affected by coastal use area</p>
	<p><i>State Environmental Planning Policy (Resources and Energy) 2021</i></p> <p>This SEPP consolidates and repeals the provisions of the following 2 SEPPs:</p> <ul style="list-style-type: none"> SEPP (Mining, Petroleum Production and Extractive Industries) 2007 (Mining SEPP) Sydney Regional Environmental Plan No. 9 – Extractive Industries (No 2 – 1995) (Extractive Industries SREP) <p>The PP is not inconsistent with the SEPP.</p>
	<p><i>State Environmental Planning Policy (Sustainable Buildings) 2021</i></p> <p>The PP is not inconsistent with the SEPP.</p>
	<p><i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i></p> <p>This SEPP consolidates and repeals the provisions of the following 4 SEPPs:</p> <ul style="list-style-type: none"> SEPP (Infrastructure) 2007 (Infrastructure SEPP)

Question	Considerations																										
	<ul style="list-style-type: none"> SEPP (Educational Establishments and Childcare Facilities) 2017 (Education and Childcare SEPP) SEPP (Major Infrastructure Corridors) 2020 (Corridor SEPP) SEPP (Three Ports) 2013 (Three Ports SEPP) <p>The PP is not inconsistent with the SEPP.</p>																										
7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?	<p>The PP is consistent with the applicable Ministerial Directions as follows:</p> <table> <tr> <th>Ministerial Direction</th><th>Comment on Consistency</th></tr> <tr> <td colspan="2">1 Planning Systems</td></tr> <tr> <td>1.1 Implementation of Regional Plans</td><td>Consistent – The PP is consistent with: <ul style="list-style-type: none"> A Metropolis of Three Cities – Greater Sydney Region Plan – see previous discussion on Question 3. South District Plan – see previous discussion on Question 3. </td></tr> <tr> <td>1.2 Development of Aboriginal Land Council land</td><td>N/A – The PP does not affect land shown on the Land Application Map of State Environmental Planning Policy (Planning Systems) 2021.</td></tr> <tr> <td>1.3 Approval and Referral Requirements</td><td>Consistent – The PP does not seek to make any additional provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority.</td></tr> <tr> <td>1.4 Site Specific Provisions</td><td>Consistent – The PP does not place unnecessarily restrictive site specific planning controls on the Site as it is informed by a Heritage Significance Assessment which recommends the heritage listing of the Site to ensure all built and landscape elements of identified cultural significance and value on the Site are afforded appropriate statutory protection.</td></tr> <tr> <td colspan="2">1 Planning Systems – Place-based</td></tr> <tr> <td>1.5 Parramatta Road Corridor Urban Transformation Strategy</td><td>NA</td></tr> <tr> <td>1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan</td><td>NA</td></tr> <tr> <td>1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</td><td>NA</td></tr> <tr> <td>1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</td><td>NA</td></tr> <tr> <td>1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor</td><td>NA</td></tr> <tr> <td>1.10 Implementation of the Western Sydney Aerotropolis Plan</td><td>NA</td></tr> </table>	Ministerial Direction	Comment on Consistency	1 Planning Systems		1.1 Implementation of Regional Plans	Consistent – The PP is consistent with: <ul style="list-style-type: none"> A Metropolis of Three Cities – Greater Sydney Region Plan – see previous discussion on Question 3. South District Plan – see previous discussion on Question 3. 	1.2 Development of Aboriginal Land Council land	N/A – The PP does not affect land shown on the Land Application Map of State Environmental Planning Policy (Planning Systems) 2021.	1.3 Approval and Referral Requirements	Consistent – The PP does not seek to make any additional provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority.	1.4 Site Specific Provisions	Consistent – The PP does not place unnecessarily restrictive site specific planning controls on the Site as it is informed by a Heritage Significance Assessment which recommends the heritage listing of the Site to ensure all built and landscape elements of identified cultural significance and value on the Site are afforded appropriate statutory protection.	1 Planning Systems – Place-based		1.5 Parramatta Road Corridor Urban Transformation Strategy	NA	1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	NA	1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NA	1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	NA	1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	NA	1.10 Implementation of the Western Sydney Aerotropolis Plan	NA
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Question		Considerations
	1.11 Implementation of Bayside West Precincts 2036 Plan	NA
	1.12 Implementation of Planning Principles for the Cooks Cove Precinct	NA
	1.13 Implementation of St Leonards and Crows Nest 2036 Plan	NA
	1.14 Implementation of Greater Macarthur 2040	NA
	1.15 Implementation of the Pyrmont Peninsula Place Strategy	NA
	1.16 North West Rail Link Corridor Strategy	NA
	1.17 Implementation of the Bays West Place Strategy	NA
	1.18 Implementation of the Macquarie Park Innovation Precinct	NA
	1.19 Implementation of the Westmead Place Strategy	NA
	1.20 Implementation of the Camellia-Rosehill Place Strategy	NA
	1.21 Implementation of the South West Growth Area Structure Plan	NA
	1.22 Implementation of the Cherrybrook Station Place Strategy	N/A
	2 Design and Place	
	3 Biodiversity and Conservation	
	3.1 Conservation Zones	Consistent – The PP does not affect land within a conservation zone or land otherwise identified for environment conservation/protection purposes in a LEP.
	3.2 Heritage Conservation	Consistent – Heritage conservation is covered by a compulsory clause in the <i>Standard Instrument (Local Environmental Plans) Order 2006</i> . The GRLEP 2021 has adopted the Standard Instrument and does identify such items, areas, objects or places of environmental heritage significance or indigenous heritage significance as are relevant to the terms of this direction on the Heritage Map and relevant Schedule of the LEP. The PP seeks to amend the listing for Heritage Item No. I208 within Schedule 5 Environmental heritage and on the Heritage Map within the GRLEP 2021 to include both Lot 21 and 22 to ensure the significant features of the Site are protected and conserved. The proposed listing is supported by a Heritage Significance Assessment Report included in Attachment 1 .
	3.3 Sydney Drinking Water Catchments	NA – the PP affects the Georges River LGA which the Direction does not apply to.
	3.4 Application of C2 and C3 Zones and Environmental	NA

Question	Considerations
	Overlays in Far North Coast LEPs 3.5 Recreation Vehicle Areas Consistent – The PP does not enable land to be developed for the purpose of a recreation vehicle area (within the meaning of the <i>Recreation Vehicles Act 1983</i>). 3.6 Strategic Conservation Planning NA – The PP does not affect land under the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> that is identified as avoided land or a strategic conservation area. 3.7 Public Bushland Consistent – The PP does not propose any changes to existing controls protecting bushland in urban areas. 3.8 Willandra Lakes Region NA 3.9 Sydney Harbour Foreshores and Waterways Area NA – The PP does not affect land within the Foreshores and Waterways Area as defined in the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> . 3.10 Water Catchment Protection N/A – The PP does not propose any changes to controls that would impact on water catchments. 4 Resilience and Hazards 4.1 Flooding Consistent – The PP does not create, remove or alter a zone or provision that affects flood prone land. 4.2 Coastal Management Consistent – The PP affects land within the coastal zone, however, it does not propose an intensification of uses permitted. The PP does not propose any changes relating to coastal management. 4.3 Planning for Bushfire Protection Consistent – The PP does not result in controls that place development in hazardous areas. It does not change any existing provisions relating to bushfire prone land. 4.4 Remediation of Contaminated Land Consistent – The PP does not affect any known contaminated land. 4.5 Acid Sulfate Soils Consistent – The PP does not seek to introduce or change provisions relating to Acid Sulfate Soils. 4.6 Mine Subsidence and Unstable Land Consistent – The PP does not permit development on land that: (a) is within a mine subsidence district, or (b) has been identified as unstable in a study, strategy or other assessment undertaken: (i) by or on behalf of the relevant planning authority, or (ii) by or on behalf of a public authority and provided to the relevant planning authority. 5 Transport and Infrastructure 5.1 Integrating Land Use and Transport Consistent – The PP will not create, alter or remove a zone or provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes. 5.2 Reserving Land for Public Purposes Consistent – The PP does not seek to create, alter or reduce existing zonings or reservations of land for public purposes.

Question	Considerations
5.3 Development Near Regulated Airports and Defence Airfields	NA – The PP does not create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.
5.4 Shooting Ranges	NA – The PP does not seek to affect, create, alter or remove a zone or a provision relating to land adjacent to and/ or adjoining an existing shooting range.
6 Housing	
6.1 Residential Zones	Consistent – The PP does not propose changes to the existing R2 Low Density zone of the Site.
6.2 Caravan Parks and Manufactured Home Estates	Consistent – The PP does not propose to permit development for the purposes of a caravan park or manufactured home estate.
7. Industry and Employment	
7.1 Employment Zones	N/A – The PP does not affect land within an existing or proposed employment zone (including the alteration of any existing employment zone boundary).
7.2 Reduction in non-hosted short-term rental accommodation period	NA – The PP does not cover the Byron Shire Council area or identify or reduce the number of days that non-hosted short-term rental accommodation may be carried out within the LGA.
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	NA
8 Resources and Energy	
8.1 Mining, Petroleum Production and Extractive Industries	NA – The PP does not have the effect of: (a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.
9 Primary Production	
9.1 Rural Zones	NA – The PP does not affect any land within an existing or proposed rural zone.
9.2 Rural Lands	NA
9.3 Oyster Aquaculture	NA – The PP does not propose a change in land use which could impact on a Priority Oyster Aquaculture Area.
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	NA

5.3 Section C – Environmental, social and economic impact

Question	Considerations
8. Is there any likelihood that critical habitat or	No. The PP proposes to amend the listing for Item No. I208 in Schedule 5 Environmental heritage of the GRLEP 2021 to include both Lot 21 and 22 of

Question	Considerations
threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?	Section 15 in DP 1963, so it is not expected that any critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal.
9. Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?	No other environmental impacts are anticipated.
10. Has the planning proposal adequately addressed any social and economic effects?	<p>The PP seeks to amend the listing for Item No. I208 in Schedule 5 Environmental heritage of the GRLEP 2021 to include both Lot 21 and 22 of Section 15 in DP 1963.</p> <p>The Heritage Significance Assessment notes that the identified and reassessed cultural significance of the property does not preclude any further development or changes being made or undertaken to the building and Site. However, the following activities would not be considered acceptable:</p> <ul style="list-style-type: none"> i. Demolition of the dwelling or its ancillary structures. ii. Removal of significant trees and other landscape elements. iii. Further subdivision of the allotments (except a boundary adjustment to amalgamate Lots 21 and 22). iv. Vertical additions to the existing dwelling. v. Horizontal additions to the existing dwelling that involve the obscuration or removal of significant features and elements or serve visual and physical relationships. vi. New development that obscures or severs visual and physical relationships. vii. Removal of the existing heritage listing.

5.4 Section D – Infrastructure (Local, State and Commonwealth)

Question	Considerations
11. Is there adequate public infrastructure for the planning proposal?	The PP does not create additional requirements for public infrastructure.

5.5 Section E – State and Commonwealth Interests

Question	Considerations
12. What are the views of state and federal public	Council did not consult any government agencies to inform the Gateway Determination. However, in accordance with the Gateway Determination issued

local plan-making authority. The Gateway Determination required exhibition for a minimum of 20 working days, and consultation with the Department of Planning and Environment – Environment and Heritage, and National Trust of Australia (NSW).

8. COMMUNITY CONSULTATION

Council exhibited the PP in accordance with the requirements of Schedule 1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and any other requirements as determined by the Gateway process. The PP was exhibited for a minimum period of 28 days from 1 November 2023 to 1 December 2023.

The PP was available for viewing at:

- Council's Your Say website;
- Georges River Civic Centre, MacMahon Street, Hurstville, between 8.30am and 5.00pm, Monday to Friday;
- Clive James (Kogarah) Library and Service Centre, during library hours; and
- Hurstville Library, during library hours.

One (1) community submission was received in support of the Planning Proposal.

Consultation was also undertaken with the following public authorities / organisations as conditioned by the Gateway Determination:

- Department of Planning and Environment – Environment and Heritage; and
- National Trust of Australia (NSW).

DPE – Heritage NSW responded in support of Council's efforts to provide heritage protection to both identify new heritage items and existing listings through amendments to their environmental planning instruments. HNSW encourages Local Councils to ensure that all necessary due diligence, assessments and notifications have been undertaken prior to finalisation of the planning proposal and that Council should be satisfied that this is the case.

A response was not received from the National Trust.

9. PROJECT TIMELINE

The project timeframe is as follows:

Indicative project timeline

Stage	Timeframe/date
Consideration by the Georges River LPP	17 August 2023
Report to Council's Environment & Planning Committee seeking endorsement to forward the PP for a Gateway Determination	11 September 2023
Report to Council seeking endorsement to forward the PP for a Gateway Determination	25 September 2023
Gateway Determination	9 October 2023

Stage	Timeframe/date
Pre-exhibition	October 2023
Commencement and completion of public exhibition period	November - December 2023
Consideration of submissions	December 2023 - January 2024
Post-exhibition review and additional studies	January 2024
Report to Council on the results of the community consultation and finalisation of the PP	February 2024
Submission to the Department for finalisation	March 2024
Gazettal of LEP amendment	April 2024

Attachments

1. Heritage Significance Assessment dated July 2023

2. Gateway Determination dated 9 October 2023



Department of Planning and Environment

Gateway Determination

Planning proposal (Department Ref: PP-2023-2145): To list 28 and 28A Carlton Crescent, Kogarah Bay as a heritage item of local significance.

I, the Manager, Eastern and South Districts at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Georges River Local Environmental Plan 2021 to list 28 and 28A Carlton Crescent, Kogarah Bay as a heritage item of local significance should proceed subject to the following conditions:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 4 April 2024.

Gateway Conditions

1. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (a) the planning proposal is categorised as basic as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
2. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:
 - Department of Planning and Environment – Environment and Heritage; and
 - National Trust of Australia (NSW).

3. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 9 October 2023



Alexander Galea
Manager
Eastern and South Districts
Department of Planning and Environment

**Delegate of the Minister for Planning and
Public Spaces**

PP-2023-2145 (IRF23/2562)



Heritage Significance Assessment

'Bayview' 28 Carlton Crescent, Kogarah Bay

July 2023
EHC2023/0158

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Document Control					
Project No.	Issue Date	Revision	Issue	Prepared	Reviewed
EHC2023/0158	10/07/2023	A	Initial Draft	ME / LC	ME
	26/07/2023	B	Reviewed		
	27/07/2023	C	Client issue		

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1.0 EXECUTIVE SUMMARY

1.1 Context of the Report

This Heritage Significance Assessment has been prepared at the request of Georges River Council to analyse, assess and establish the heritage values and cultural significance of 'Bayview' and to provide recommendations on the future management of the place.

1.2 Background

Situated within the Georges River Council local government area and in the locality of Kogarah Bay, which is 16 kilometres south of Sydney city, the site comprises Lots 21 and 22 in Deposited Plan 1963, respectively known as 28 and 28a Carlton Crescent, Kogarah Bay.

'Bayview' is a single storey, detached-style dwelling house which displays characteristics attributed to the early 20th century Inter-War period and of the Californian Bungalow architectural style. 'Bayview' retains a high degree of design integrity, making it a good and representative example of its style and class, which is directly enhanced by the established garden setting that extends across two adjoining allotments (Lot 21 and 22). 'Bayview' is situated on Lot 21, together with a small boatshed at the southernmost rear corner of the site. A garage structure and summerhouse are situated on Lot 22, together with numerous established landscape plantings, including a notable group of Canary Island Palms. The four buildings are effectively positioned at all four corners of the collective site and are interconnected by circulation paths. Cumulatively, 'Bayview' evokes strong evidence of an early 20th century 'way of life' and has high aesthetic values.

'Bayview' is presently identified as an item of local heritage significance and is listed on Schedule 5 Environmental Heritage of the *Georges River Local Environmental Plan (LEP) 2021*.

The inscription on Schedule 5 of the *Georges River LEP 2021* describes the item as 'House and front garden, "Bayview"' and identifies the site as Lot 21 at 28A Carlton Crescent, Kogarah Bay. This is supported by the mapping in the *Georges River LEP 2021*, showing only half the site as being heritage listed – that is, Lot 21 which contains the dwelling, the former boat shed and numerous semi-mature palms and shrubbery. All but one of the mature Canary Island Palms, together with the majority of the circulation paths, the detached garage and detached former teahouse / summerhouse are situated on Lot 22.

A Development Application was submitted to Georges River Council in early 2023 (DA2023/0025), which proposes the boundary adjustment of Lots 21 and 22, tree removal, demolition of the existing detached garage structure and detached secondary dwelling on Lot 22 of Section 15, construction of a new dwelling house with associated in-ground swimming pool (also on Lot 22) and construction of a new hardstand carparking space and vehicular access driveway to Lot 21.

In consequence of the lodgement of the Development Application, on 24 May 2023, Georges River Council made an Interim Heritage Order ('IHO') relating to Lot 22 in Deposited Plan 1963. Interim Heritage Order No.2 was published in the NSW Government Gazette No.227 on Friday 26 May 2023, providing temporary statutory protection to Lot 22 while the significance of the site is further investigated.

The IHO obligates Georges River Council to undertake an assessment of significance of the site to determine whether it reaches the threshold for heritage listing and to decide within six (6) months of the gazettal of the IHO, whether to proceed with listing the site as an item of heritage significance on Schedule 5 of the *Georges River Local Environmental Plan 2021*.

This Heritage Significance Assessment has reviewed the existing heritage listing and undertaken further analysis of the site and the built and landscape features thereon, additional historical research and an assessment of cultural significance, applying the NSW Heritage Assessment Criteria as established by the Heritage Council of NSW and the NSW Department of Planning and Environment.

Lot 21 and Lot 22 are both considered of equal cultural significance and neither one lot is mutually exclusive – they both rely on each other to complete the historical narrative of the site, retain the original design intent, and protect the curtilage, setting, significant fabric and landscaped features as well as physical and visual relationships.

In light of the reassessed heritage significance, a revised and updated Statement of Significance has been produced for 'Bayview', which considers the site to be of historical, associative, aesthetic, social, technical, rarity and representative significance at the local level.

1.3 Recommendations on future management

The existing heritage listing of the site (Lot 21) under Schedule 5 of the *Georges River Local Environmental Plan 2021* is warranted and it is appropriate that the site continue to be managed and recognised as an item of local heritage significance.

However, the existing heritage listing is incomplete and should be expanded to include Lot 22 so that the entire site is afforded statutory heritage protection and thus ensuring all built and landscape elements of identified cultural significance and value are afforded appropriate statutory protection.

On the basis of this Heritage Significance Assessment, the following key recommendations are made on the future management of 'Bayview' at 28 Carlton Crescent, Kogarah Bay:

1. 'Bayview' should continue to be identified as an item of local heritage significance and remain listed on Schedule 5 of the *Georges River LEP 2021*.
2. Council should prepare a Planning Proposal to amend the listing of Heritage Item No.1208 on Schedule 5 of the *Georges River LEP 2021* by making the following changes:
 - i) Revise the item name from 'House and front garden, "Bayview"' to "'Bayview" house and garden, boatshed, garage and summerhouse'.
 - ii) Revise the address from '28A Carlton Crescent, Kogarah Bay' to '28 and 28A Carlton Crescent, Kogarah Bay'.
 - iii) Revise the property description to include both Lots 21 and 22 in Section 15 of Deposited Plan 1963.
 - iv) Update the Heritage Map in the *Georges River LEP 2021* to correspond with the above changes.
3. The citation for the heritage item on the NSW State Heritage Inventory Database should be revised and updated to reflect the attached revised and updated Inventory Sheet (see **Appendix D**).

2.0 INTRODUCTION

2.1 Acknowledgement of Country

Edwards Heritage Consultants Pty Ltd (herein referred to as 'EHC') acknowledges the traditional custodians of the land on which we work and we recognise their continuing connection to land, waters and culture.

We pay our respects to Aboriginal Elders past, present and emerging, for they hold the memories, the traditions, the culture and hopes of Aboriginal peoples across the State.

EHC recognises that a better understanding and respect for Aboriginal cultures develops an enriched appreciation of Australia's cultural heritage and is essential to the maturity of Australia as a nation and fundamental to the development of our collective Australian identity.

2.2 Context of the report

'Bayview' is presently identified as an item of local heritage significance and is listed on Schedule 5 Environmental Heritage of the *Georges River Local Environmental Plan 2021*.

The inscription on Schedule 5 of the *Georges River LEP 2021* describes the item as 'House and front garden, "Bayview"' and identifies the site as Lot 21 at 28A Carlton Crescent, Kogarah Bay. This is supported by the mapping in the *Georges River LEP 2021*, showing only half the site as being heritage listed – that is, Lot 21 which contains the dwelling, the former boat shed and numerous semi-mature palms and shrubbery. All but one of the mature Canary Island Palms, together with the majority of the circulation paths, the detached garage and detached former teahouse / summerhouse are situated on Lot 22.

A Development Application was submitted to Georges River Council in early 2023 (DA2023/0025), which proposes the boundary adjustment of Lots 21 and 22, tree removal, demolition of the existing detached garage structure and detached secondary dwelling on Lot 22, construction of a new dwelling house with associated in-ground swimming pool (also on Lot 22) and construction of a new hardstand carparking space and vehicular access driveway to Lot 21.

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This Heritage Significance Assessment has been prepared at the request of Georges River Council to establish the cultural heritage significance of 'Bayview' and its setting at 28 Carlton Crescent, Kogarah Bay and to provide recommendations on the future management of the place.

This report considers:

1. An analysis of the physical attributes and characteristics of the property.
2. An analysis of the historical context of the property.
3. A comparative analysis with other items or places displaying similar characteristics and attributes.
4. An assessment of the property to establish its cultural heritage significance, using the NSW Heritage Significance Assessment Criteria, with the formulation of a Statement of Significance.
5. Recommendations on future management of the item or place, including recommendations on future heritage listing.
6. Completion of an updated Heritage NSW – State Heritage Inventory (SHI) listing sheet.

2.3 Methodology

This report has been prepared in accordance with 'Assessing Heritage Significance – Guidelines for assessing places and objects against the Heritage Council of NSW criteria' (NSW Department of Planning and Environment, 2023).

The assessment is based on a visual examination of the subject site and analysis of the site in its context. The historical analysis is based on material sourced from the State Heritage Inventory (SHI), Georges River Council files and Local Studies Library, NSW Land and Property Information and other various archival resources and information repositories.

The analysis of the site in its context and historical analysis is then proceeded by a significance based desktop assessment of the cultural significance of the subject site.

The overarching philosophy and approach to this report is guided by the conservation principles and guidelines of the Australia ICOMOS *Charter for the Conservation of Places of Cultural Significance (Burra Charter)* 2013.

The objective of this report is to analyse, assess and establish the heritage values and cultural significance of the subject site and its heritage curtilage, followed by providing preliminary guidelines and recommendations to ensure that any identified heritage values are retained, protected and appropriately managed.

2.4 Authorship

This report has been prepared by Michael Edwards B.Env.Plan M.Herit.Cons, M.ICOMOS, JP, Director & Principal Heritage Consultant / Advisor, Bethany Robinson BA, M.Mus&Herit, Senior Heritage Consultant and Lucy Cooper BA, M.Mus&Herit, Graduate Heritage Consultant for EHC Pty Ltd. The report has been reviewed and endorsed by Michael Edwards.

Mr Edwards has over 17 years extensive experience in both the town planning and heritage conservation disciplines and has held previous positions in Local and State Government. Mr Edwards has previously worked with the former Heritage Division of the NSW Office of Environment and Heritage and is currently Heritage Advisor to Cessnock City Council and Georges River Council.

Unless otherwise noted, all contemporary photography in this report is by EHC.

2.5 Limitations

This Heritage Significance Assessment:

- Considers the site, external structures and internal rooms and spaces that were visually and physically accessible by EHC on the day of the inspection.
- Is limited to the investigation of the non-Aboriginal cultural heritage of the site. Therefore, it does not include any identification or assessment of Aboriginal significance of the place.
- Is limited to a due-diligence archaeological assessment only and does not present a detailed archaeological assessment of the site.
- Does not provide a structural assessment or advice. Subsequently, this report should be complemented by advice from a Structural Engineer with demonstrated heritage experience.
- Is not intended to establish a comprehensive conservation management framework to guide the ongoing use, management and protection of the place.

2.6 Terminology

The terminology used throughout this report is consistent with the NSW Heritage Manual and the *Burra Charter*.

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A glossary of common terms used is listed in Appendix A.

2.7 Physical evidence

A visual examination of the site and the surrounding area was undertaken on 30 April 2023. All contemporary photography used in Section 2 of this report was captured at this time.

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3.0 SITE ASSESSMENT

3.1 Location and Context

The subject site is situated within the Georges River Council local government area and in the locality of Kogarah Bay, which is 16 kilometres south of Sydney city. The site comprises Lots 21 & 22 of Section 15 in Deposited Plan 1963, commonly and collectively known as 28 and 28a Carlton Crescent, Kogarah Bay.



Figure 1: Aerial view of the site, subject site denoted in red.
[Source: NSW Land and Property Information, 2023, with EHC overlay]



Figure 2: Aerial view of the locality. The subject site is denoted by red outline.
[Source: NSW Land and Property Information, 2023 with EHC overlay]

3.2 Description of the site

The subject site is located on the southeastern side of Carlton Crescent and is situated within an established urban streetscape, which is largely characterised by detached-style residential housing.

Carlton Crescent has a varied housing typology and architectural style, with many of the surrounding allotments containing large scaled contemporary two-storey dwellings (particularly on the lower side of Carlton Crescent), evidencing renewal of older housing stock, with some surviving examples of original single-storey Inter-War bungalows from the 1920s and 1930s period. Many of the allotments on the lower side of Carlton Crescent have been further subdivided, creating battle-axe allotments, doubling the housing density on this side of the street.

The site itself comprises two separate but adjoining allotments (Lots 21 and 22). Individually and cumulatively, they have a mostly rectangular shape, with direct frontage to Carlton Crescent and an irregularly formed rear boundary that adjoins Kogarah Bay and defined by the mean high water mark.

The site falls from the street front boundary towards Kogarah Bay at the rear and has an undulating surface, with a near-level platform at the front of the site.



Figure 3: View of the site from Carlton Crescent.

3.3 The buildings – exterior

Situated on the site are a number of built structures which are described below.

The dwelling

The most prominent and largest of the buildings on the site, is the dwelling house. Known as 'Bayview', the dwelling is situated entirely on Lot 21 and within close proximity to the front boundary, where the dwelling takes advantage of the higher elevation in topography.

The dwelling is described as single storey and detached style. It is of brick construction typically of stretcher bond, sitting atop of a solid brick wall skirt that conceals the foundations. Owing to the fall in

topography, the brick wall skirt is expressed at the front as only a few string courses in height, increasing in height to a near full storey equivalent at the rear. The entirety of the brick wall skirt has been finished in stucco, with a rendered horizontal band that provides definition between the transition to the residual walls which are of dark 'liver' facebrick.

All elevations of the dwelling are asymmetrically composed, yet the primary front elevation features a striking large single gable that spans the full width of the dwelling. The gabled face features a symmetrical design, with vertical timber battens applied over the panelling and detailed timber lattice battening to the upper apex of the gable framed by a series of small timber brackets arranged in pairs. A rotated square panel containing a cherub in bas-relief plaster, is centrally positioned just below the apex.

The front elevation below the wide gable, contains a verandah that wraps around to the eastern side elevation and finished in decorative tessellated tiles. The verandah is framed by a low-height brick wall with a scalloped string course of bullnosed bricks, supporting trapezoidal shaped brick verandah posts that have been finished in stucco to match the skirt wall. The stuccoed verandah posts continue to the underside of the ceiling, to frame the verandah in a series of openings. A three-sided bay window projects off the western side of the front entry. The main front entry door is of timber joinery and features sidelight and transom windows – all in elaborately detailed leadlight glass. Windows throughout the dwelling are timber framed casements with a consistent leadlight glass pattern.

The eastern side elevation carries the front verandah through before returning to a full height masonry wall that bookends the verandah and contains a three-sided bay window matching the one in the front elevation. The most striking feature of the eastern elevation is the large eight-sided bay window sitting atop of the matching curved facebrick wall in a stacked header bond and awning roof. The stuccoed skirt wall below the centre line of the bay window, features a rotated square panel containing a cherub in bas-relief plaster, matching that to the front gable.

The rear elevation features a large singular gable (matching the detailing to the front elevation) and below the gable is the largest of the bay windows in the house, with a twelve-sided bay window projecting directly of the rear elevation, the detailing of which matches that of the eastern side elevation complete with the cherub bas-relief panel. A large open balcony projects off the rear elevation, framed by a semi-circular wall with castellated string course to form the top of the brick balustrade and with tessellated tile flooring. Separating the semi-circular elevated balcony and semi-circular bay window, is a curved set of external stairs which lead to the back garden.

The western side elevation is the most simplistically formed and detailed of the entire dwelling, sitting in close proximity and parallel to the side property boundary.

A large gabled roof form spans the near entirety of footprint of the dwelling with a smaller gable projecting partly over the rear semi-circular balcony. There are no chimneys, save for a small contemporary steel flue punctuating the eastern roof plane. The roof is clad in unglazed terracotta tiles and features a scrolled finial at the apex of the front and rear gables. Bargeboards are planar and the soffits are all lined with painted tongue-and-groove timber lining boards.

The definitive framework for identifying architectural styles within Australia is that developed by Apperly, Irving and Reynolds in *'Identifying Australian Architecture: Style and Terms from 1788 to the Present'*. The authors provide a perceptive account of what constitutes and defines a style. Mostly concerned with 'high' or 'contrived' architectural styles, rather than the 'popular' styles or the vernacular, it is accepted that the boundaries between identified styles are not always clear-cut.

Subsequently, the terminology for a style and the framework to be applied in defining the style, comprises two parts, firstly identifying the period in which the building belongs and secondly describing the major characteristics.

In this manner, the dwelling displays characteristics that are attributed to the Inter-War period of the early 20th century and of the Californian Bungalow architectural style.



Figure 4: View of the dwelling from the front entry gate.



Figure 5: View of the dwelling from the front garden area.



Figure 6: View of the eastern side elevation bay window.



Figure 7: View of the bay window detailing to the eastern side elevation.



Figure 8: View of the cherub bas-relief panel applied beneath the bay window on the eastern side elevation.

The Boatshed

At the southernmost corner of the site (on Lot 21) is a small freestanding boatshed. This structure has a simple utilitarian form and language, with a rectangular footprint and gabled roof form. The gables present to the northern and southern (waterfront) elevations and feature panelling with vertically applied timber battens matching the language of the gables to the main dwelling.

The boathouse is of brick construction and appears to be in stretcher bond, though has been painted externally and in part, rendered to mimic the stuccoed finish of the dwelling.

Both gabled elevations feature large rectangular openings, which hint at the original use and function of the structure (together with its waterfront placement). These openings have both been later enclosed and contain windows and doors. The gabled roof is clad in unglazed terracotta tiles with scrolled finials to the apex of both gabled ends.

Though utilitarian in form and function, the boatshed displays characteristics that are similar to the main dwelling and is also attributed to the Inter-War period of the early 20th century and of the Californian Bungalow architectural style.



Figure 9: View of the boatshed from the Kogarah Bay shoreline.



Figure 10: View of the boatshed.

The Garage

Situated towards the northernmost corner of the site (on Lot 22) and within proximity to the front boundary, is a freestanding double car garage structure.

The garage sits forward of the alignment of the dwelling, though owing to the spatial separation afforded between the two structures, the garage does not dominate the dwelling.

The garage is of brick construction in stretcher bond, with dark 'liver' bricks used to the front elevation and quoins to windows and doors, while the remainder of the structure uses 'common' bricks of a lighter colour.

Consistent with the main dwelling, the garage has a large rectangular footprint and gabled elevations presenting to the front and rear. The gables both feature panelling with vertically applied timber battens. The gabled roof is clad in unglazed terracotta tiles and feature scrolled finials to the apex of both gabled ends. Fascia boards feature a simple quirk.

A large panelled garage door presents to the front elevation, while the rear and western side elevations contain casement windows and four-panelled timber doors. Window and door openings have a painted concrete lintel inserted.

Though utilitarian in form and function, the garage displays characteristics that are similar to the main dwelling and is also attributed to the Inter-War period of the early 20th century and of the Californian Bungalow architectural style.



Figure 11: View of the garage from the front boundary.

The Summerhouse

Towards the easternmost corner of Lot 22 at the water's edge is a freestanding summerhouse / self-contained cottage.

This structure has an elongated rectangular footprint with a simple gabled form, with the gabled elevations oriented to the front and rear in the same manner as the dwelling, the boatshed and the garage.

The summerhouse is of brick construction, rendered with a stucco finish to the external walls. The gables feature panelling with vertically applied timber battens and planar bargeboards. The gabled roof is clad in unglazed terracotta tiles and, consistent with the roofs of other structures on the site, features a scrolled finial to both apex ends of the roof.

The northern elevation is devoid of any windows or doors, while the two side elevations feature timber framed windows. The rear (waterfront) elevation features large aluminium framed sliding doors – presumably having originally been an open verandah to take advantage of the prevailing breeze.

The summerhouse displays characteristics that are similar to the main dwelling and is also attributed to the Inter-War period of the early 20th century and of the Californian Bungalow architectural style.



Figure 12: View of the summerhouse from the rear of the site.



Figure 13: View of the northern elevation of the summerhouse facing towards Kogarah Bay.



Figure 14: View of the side passageway of the Summerhouse towards Kogarah Bay.



Figure 15: View of the southern (waterfront) elevation of the summerhouse, facing west.

3.4 The buildings – interior

The interior of the buildings were not inspected. Consequently, an analysis is undertaken on the availability of photography of the interior in relation to a recent real estate marketing campaign, available online.

The dwelling

The interior of the dwelling is centred off the main hallway, with a series of rooms accessed from both sides of the hall. The short hallway leads to the large formal lounge room, separated by a hallway door complete with sidelight and transom windows matching the primary front entry door with ornate leadlight glazing.

Flooring appears to be timber tongue-and-groove boards throughout, arranged in a parquet pattern in the hallway and a radiating geometric shape to the formal lounge room, which is considered the most striking room of the dwelling, given its uncharacteristically large open floor plan that is uninterrupted by vertical support columns or partition walls. A brick chimneybreast sits flush with the splayed wall in the formal lounge room.

The ceilings are ornately finished, likely with fibrous plaster panels and timber battening arranged in a geometric pattern. The same turned square panel featuring a cherub in bas-relief plaster is applied to the walls of bedrooms and in a repeat pattern around the splayed ceiling framing the formal lounge room.

The bay windows feature built-in window seat joinery.

The kitchen and bathroom appear to have been contemporaneously refit with modern joinery and fixtures.



Figure 16: View of the formal lounge room.
[Source: Realestate.com.au, c2010]



Figure 17: View of the kitchen.



Figure 18: View of the bathroom.



Figure 19: View of the hallway facing towards the lounge room.



Figure 20: View of the front bedroom
[Source: Realestate.com.au, c2010]



Figure 21: View of the master bedroom at the rear of the dwelling, facing onto the rear semi-circular balcony.
[Source: Realestate.com.au, c2010]

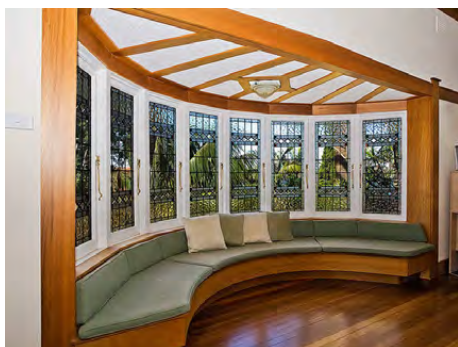


Figure 22: View of the eastern side bay window off the formal lounge room.
[Source: Realestate.com.au, c2010]



Figure 23: View of the rear elevated balcony.
[Source: Realestate.com.au, c2010]

The Boatshed

Not inspected.

The Garage

Not inspected.

The Summerhouse

The Summerhouse contains a simple three-roomed configuration, with a combined lounge room and kitchen comprising the southern portion of the interior, leading to a small entry lobby off the eastern side elevation at the centre, from which a small bathroom and bedroom are accessed.

The Summerhouse has timber tongue-and-groove floorboards throughout, which appear Cyprus Pine. Walls are plastered and feature decorative timber plate-rails. The southern end of the current lounge room space has a corbelled bulkhead projecting from the ceiling level, suggesting the presence of windows and a centrally positioned door which have been removed to make the present singular opening.



Figure 24: View of the interior of the summerhouse.

3.5 Landscape

'Bayview' is set within an established landscaped garden setting, comprised over two individual lots. The site benefits from direct water access to the Georges River at the rear.

The four structures (dwelling, boatshed, garage and summerhouse) are positioned in each of the four corners of the site, interconnected by established landscaped gardens comprising numerous mature Canary Island Palms (*Phoenix canariensis*), lawn areas and circulation paths.

Cumulatively, they form a pleasant and deliberately arranged relationship that evokes a strong early 20th century Inter-War period character. The positioning of the dwelling, echoed through the arrangement of large bay windows and the verandahs, evidence a deliberate design that takes advantage of the double-lot, with outward facing views to the northeast over the sprawling garden setting and to the southeast towards the Georges River.

The front boundary of the site is delineated by a low-height brick fence that has a central soldier course with spacing to provide the appearance of an open-style fence. Immediately behind the brick fence is an established hedge of Lilly Pilly. A concrete driveway leads from the street to the front of the garage, with a concrete apron wrapping around the western side of the garage to create a partly elevated hardstand area immediately to the rear of the garage. The driveway is delineated by aluminium gates.

The Canary Island Palms are planted in a structured manner, with the majority planted in a straight line running parallel to the eastern side elevation of the dwelling. Two Canary Island Palms were originally planted immediately at the front of the dwelling, though only one remains.

Circulation paths that connect the various buildings are comprised of terracotta tiles arranged in a two-toned geometric pattern, with continuous-formed concrete edging that has been painted. Towards the rear of the site is a contemporary timber gazebo structure.



Figure 25: View of the front gardens.



Figure 26: View of the front gardens.



Figure 27: View of the front gardens from the driveway.



Figure 28: View of the gardens along the eastern side of the dwelling. The existing boundary between Lot 21 and Lot 22 is approximated by red outline.



Figure 29: View of the concrete apron behind the garage.



Figure 30: View from the concrete apron behind the garage facing west towards the dwelling.



Figure 31: View of the mature-sized Canary Island Palms.



Figure 32: View of the gardens along the eastern side of the dwelling.



Figure 33: View of the outlook towards Kogarah Bay from the central path.



Figure 34: View of elevated garden bed of a removed Canary Island Palm, facing north.



Figure 35: View of the dwelling from the central path approaching from the Summerhouse.



Figure 36: View of the rear of the dwelling facing towards Carlton Crescent as viewed from the gazebo and Summerhouse.



Figure 37: View of the concrete seawall facing northeast.

3.6 Streetscape contribution

Built c1928, 'Bayview' is situated within an established residential streetscape. As identified earlier in this report, the site is situated on the southern and lower side of Carlton Crescent, where many of the allotments have been further subdivided to create battle-axe allotments. Many of the earlier housing stock have been redeveloped and replaced with large two-storeyed dwellings, yet are themselves constrained by their respective allotment configuration and dimensions.

The site presents as an anomaly within the street as it comprises two adjoining allotments, with the various built and landscape features spreading across both Lot 21 and Lot 22, creating a generously proportion landscaped garden setting and has an uncharacteristically wide frontage to Carlton Crescent.

Despite the single storey scale of the dwelling, the dwelling and its garden setting are considered visually distinctive, with the elaborately detailed gable of the dwelling being expressly visible to the street and the site readily distinguished by the numerous mature Canary Island Palms, which were often planted in the early 20th century for demarcation given their height at maturity.

3.7 Integrity and condition

The integrity of a site, in terms of its heritage significance, can exist on a number of levels. For instance, a site may be an intact example of a particular architectural style or period and thus have a high degree of significance for its ability to illustrate that style or period. Equally, heritage significance may arise from a lack of architectural integrity where the significance lies in an ability to illustrate an important evolution to the building or change in use.

While a detailed structural assessment is beyond the scope of this report, a non-invasive visual inspection of the exterior of the various structures has been undertaken.

Each of the buildings display some evidence of previous cosmetic and structural changes, though the original silhouette and form of the structures remain remarkably intact. Original detailing and features also appear remarkably intact.

Similarly, the landscaped gardens evidence some changes by comparison with contemporary examination and historical documentary evidence. Overall however, the garden setting remains substantially intact and unaltered.

Notable changes to the dwelling include:

- Contemporary cabinetry fitouts to the bathroom and kitchen in the dwelling.
- Construction of a temporary ramp structure at the front entry to the dwelling.
- Likely removal of the original chimney from the western side roof plane.
- Removal of the sub-floor access door on the eastern elevation of the skirt wall.

Notable changes to the boatshed include:

- Changes to the openings on both gabled ends of the building, including the enclosure of the large rectangular opening fronting Kogarah Bay and replacement with windows.

Notable changes to the garage include:

- Replacement of the doors to the front elevation with a contemporary panelled door.

Notable changes to the summerhouse include:

- Contemporary cabinetry fitouts to the bathroom and kitchen in the dwelling.
- Likely removal of an original door and windows on the waterfront elevation to create a large opening and subsequent enclosure of the likely original balcony fronting Kogarah Bay.

Notable changes to the landscaped setting include:

- Removal of the original pathway leading from the front entry to the front boundary and making good the opening to the brick fence along the front boundary, including removal of the two large gateposts (evident in the c1993 photographs).
- Increase in height of brick soldier posts to the driveway opening to support new driveway gates.
- Additional landscape plantings introduced, chiefly the hedge immediately behind the front boundary fence.
- New concrete driveway and apron extending to an elevated hardstand area at the rear of the garage.
- Renewal of the original garden paths with new tiled paths and continuous-formed concrete edging (though the paths appear to retain the original location save for the reconfiguration of the front path from the front entry).
- Removal of at least two established Canary Island Palms, with one removed from immediately out the front of the dwelling in the front garden and one removed from the row along the eastern side elevation.
- Construction of a concrete seawall spanning the rear of the site.

Overall, the changes that have occurred to the buildings and landscaped setting have had little impact on the overall character and appearance when viewed in the context of the streetscape, nor have the changes significantly diminished the integrity of the buildings or the landscaped garden setting.

The boatshed, garage and summerhouse generally appear in sound repair and condition, while the dwelling 'Bayview' appears in a remarkable condition.

4.0 HISTORICAL OVERVIEW

4.1 Introduction

This section attempts to place 'Bayview' into the context of the broader history of the region as well as outlining the sequence of development, occupation and use of the site.

Analysing and understanding the historical context of the site is an important consideration in the assessment of cultural significance (see Section 9), informing the assessment of historical significance and historical associations of significance.

The history of the site is presented in a narrative form and is mainly derived from the published sources referenced throughout. The historical analysis also builds on existing extensive publication and research and assumes a prior knowledge of the Aboriginal history of the area.

4.2 First land grant

When Captain James Cook looked over Botany Bay in 1770, he saw what he regarded as a highly suitable site for European Settlement. He is said to have rowed up Georges River as far as Tom Uglys Point, as well as exploring inland in the Sutherland Shire. Prior to 1800, the district of St George was largely untouched. It was mostly inaccessible, except by water, and much of the land was heavily timbered.

When the First Fleet arrived 18 years later, Captain Arthur Phillip had other ideas, dismissing Cook's choice of settlement site after failing to find fresh water. Additionally, he claimed that Botany Bay did not offer the shelter he required, and that it would be too much work to clear the heavily timbered terrain.¹ Many convicts were forced into building the Cooks River Dam. Timber-getting had become a major attraction for the area; however the land was still considered unsuitable for farming due to the tree growth.

Over the next 36 years, some three million acres were granted, though little of it was put to good use.² Apart from the land granted by the Governors, the British Government sometimes bestowed land upon residents, often without consulting Sydney. One such grant occurred in 1808, when 1950 acres was given to John Townson.

John Townson was an army officer and settler, born in 1759 in Yorkshire, England. After serving several years as a lieutenant in the 18th Regiment, he transferred to the New South Wales Corps in October 1789 and arrived in the colony in 1790.³ Most of Townson's military service was spent at Norfolk Island, where he was stationed for about six years. In 1799, he also acted as lieutenant-governor of Norfolk Island while Lieutenant-Governor Philip Gidley King was absent.

After returning to England and retiring, Townson came back to the colony in 1806 with a letter stating the intention of the Secretary of State to direct to Governor William Bligh to grant him 2000 acres. Governor Bligh declined to do so until he received specific instructions from official authority. Townson was ready to return to England, until 1807 when his brother Robert arrived, and the Secretary of State directed that the grant be made – however, the order had not reached Sydney when the rebellion occurred in January 1808.⁴

In July, major George Johnson granted Townson 1950 acres in the Bexley district, and the following year he received a further 250 acres from Lieutenant-Governor William Paterson. All of his land was then re-granted by Governor Lachlan Macquarie in 1810. The subject site was part of 50 acres, Portion 119 of the Parish of St George, that was granted to Townson in April of 1810.⁵

¹ Davis, P. 'The Hurstville Story', 1986.

² Ibid

³ Austin, M. 'Townson, John (1759-1835)', 1967.

⁴ Ibid

⁵ NSW Land and Property Information, 2023. PA6535.



Figure 38: Extract of Parish of St George Map, John Townson's Portion 119 outlined in red c.1880s.
[Source: NSW Land and Property Information, 2023]

Governor Macquarie made a serious attempt to stop land speculation, and his main task was to restore order in the Colony following the rocky reign of his predecessor, Governor Bligh. Macquarie imposed restrictions on land grants and required those who were granted land to occupy and improve them.

In 1811, Townson sold his land to Simeon Lord. Lord was 20 years old in 1790, when he was sentenced to seven years transportation for theft. Soon after arriving in Sydney, he was assigned to Captain Thomas Rowley, a prominent officer-trader. As soon as Lord received emancipation, Rowley set him up as a baker, and by 1798 he was living in Macquarie Place and on the way to becoming a wealthy businessman.⁶

Lord was quick to realise that land acquisition was a growing industry, and an industry that would continue to grow as the colony itself grew. The purchase of Townson's land was his first major purchase, followed by purchasing King's Grove Farm in 1829. Lord paid 800 pounds for Townson's land, some of the best timber in the St George area. The location then became known as Lord's Bush.

⁶ Davis, P. 'The Hurstville Story', 1986.



Figure 39: Plan of the Carlton Park subdivision.
[Source: NSW Land and Property Information, 2023. Deposited Plan 1963]

4.3 Subdivision of the Estate

In the late 1870s, the land was sold, transferring through several of Lord's trustees. By 1885, the land had been reduced to 48 acres, having been purchased by The Mutual Provident Land Investing and Building Society Limited. Primarily handled by the company's manager Mr Richard William Foxall,⁷ The Mutual Provident Land Investing and Building Society Limited set about surveying the land and prepared a plan of subdivision that carved the estate into multiple residential sized allotments, interconnected by new roads.

Known as 'Carlton Park', the first sale of the newly created allotments occurred in mid-December 1885 at an auction on the ground. In 1892, Lucy Jane Macmillan, wife of James Laker Macmillan, purchased Lots 2-20 (inclusive) of Section 11 of Deposited Plan 1963 (equating to 2 acres, three roods, 1 perch) as well as Lots 17-23 (inclusive) of Section 15 of Deposited Plan 1963 (1 acre 2 roods 2 perches). It was Lots 21 and 22 of Section 15 in Deposited Plan 1963 that were to become the subject site.

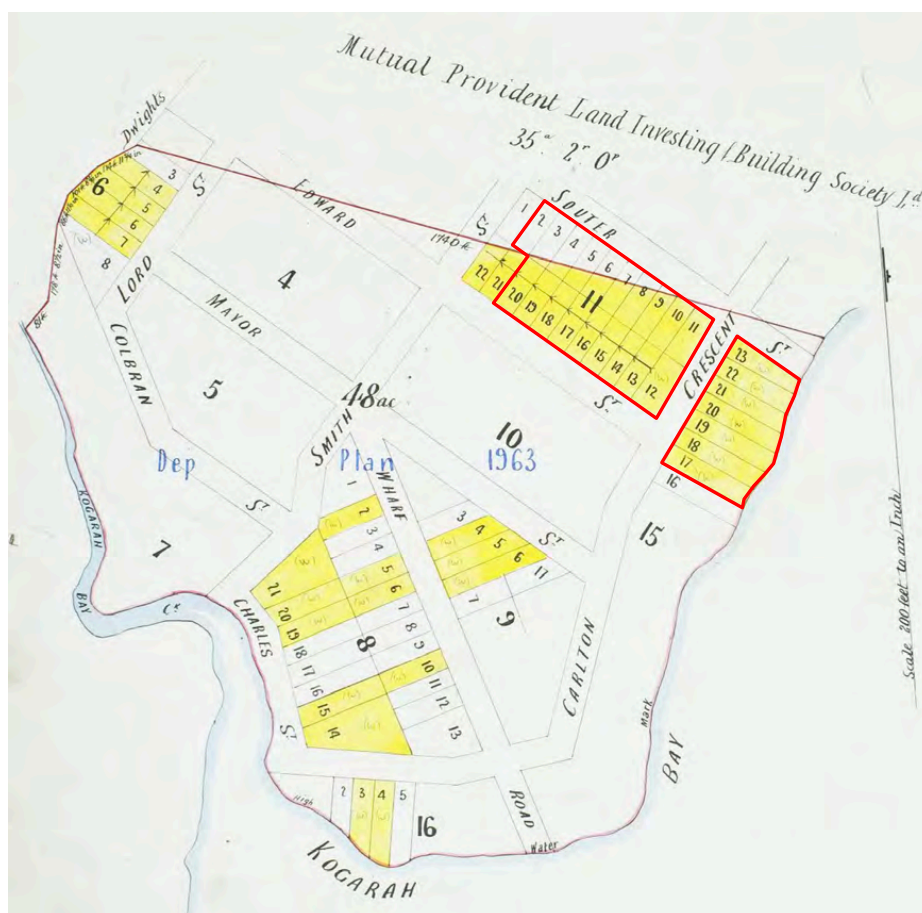


Figure 40: Plan showing the lots purchased by Lucy Macmillan in 1885.

[Source: NSW Land and Property Information 2023. Certificate of Title Vol.1110 Fol.87, with EHC overlay]

⁷ NSW Land and Property Information, 2023. CT Vol. 833 Fol. 100 & CT Vol. 928 Fol. 21.

4.4 Subdivision of the Kogarah Bay Estate

In 1911, Macmillan's land was sold, having been purchased by the New South Wales Realty Co Limited.

Within that same year, the Company had prepared a plan of subdivision, marketing the sale of allotments as the 'Kogarah Bay Estate', though there were no notable changes from the 1885 subdivision.

At an auction on the ground held on 6th May 1911, they began selling the allotments⁸, however not all the allotments would sell at that time.

Lots 21 & 22 of Section 15 (the subject site) were finally purchased in 1916 by Bert Pooley, a Plumber from Annandale.⁹ Each of the allotments within the Kogarah Bay Estate were subject to a building covenant (evident on the 1911 sales poster) which stated that buyers "need not build or improve their lots" however if they were to erect a building thereon, it must "be of a value of not less that £200", also requiring the land to be fenced.¹⁰ This could be the reason why, despite having the land for a number of years, Mr Pooley did not develop it.



Figure 41: Sales poster for the Kogarah Bay Estate, 1911.
[Source: State Library of NSW]

In 1920, Pooley sold the land to Elizabeth Maria Rowe, wife of Kogarah builder Frederick Ernest Rowe¹¹ Frederick Rowe had earlier purchased Lot 19 from the Kogarah Bay Estate, at the time of the initial sale of the estate in 1911.¹²

Throughout the 1920s and 1930s, Frederick Rowe was a prominent figure in the building industry as he was advertised as having conducted numerous building works throughout the Kogarah area. In 1924 under the "Works in Progress" section in *The Daily Telegraph* Rowe is credited to building a 'brick cottage' in Carlton Crescent, Kogarah Bay and in 1927, he was building brick additions to (presumably houses) in Payten and Myee Streets in Kogarah Bay.¹³

⁸ NSW Land and Property Information, 2023. CT Vol. 1053 Fol. 31 Transfer No. 602162.

⁹ NSW Land and Property Information, 2023. CT Vol. 2709 Fol. 243

¹⁰ State Library of NSW, Blakehurst Subdivision Plans Kogarah Bay Estate, accessed 5 July 2023, <https://collection.slnsw.gov.au/record/74VvmK2gpNoy>

¹¹ NSW Land and Property Information, 2023. CT Vol. 2709 Fol. 243 Transfer No. A68464

¹² NSW Land and Property Information, 2023. CT Vol. 2210 Fol. 188

¹³ BUILDING & CONSTRUCTION (1924, April 16). *The Daily Telegraph* (Sydney, NSW : 1883 - 1930), p. 3. Retrieved July 5, 2023, from <http://nla.gov.au/nla.news-article245709915>

For the majority of the 1920s, the Rowe's residence was listed as 9 Carlton Crescent on the corner of Carlton Crescent and Payten Street.¹⁴

This dwelling may have been a prototype for what Rowe would shortly build at 28 Carlton Crescent, as it appears substantially the same in form, detail and language, with the large single gable presenting to the street and rear elevations and with the timber panelling and lattice detailing to the gabled facades. Rowe's cottage at 9 Carlton Crescent would also be a mirror in composition to 28 Carlton Crescent, though as 9 Carlton Crescent was only situated on a single allotment, it would not have the defining bay windows which would be a signature to 28 Carlton Crescent.

In 1928, Frederick Rowe became a joint tenant of the subject site with his wife¹⁵ and the Rowes are listed as residing at 30 Carlton Crescent in the 1931 Sands Directory as well as the electoral rolls of 1931 and 1937. However, at the similar time, Eleanora Eager is listed as living at 32 Carlton Crescent in 1935 then 30 Carlton Crescent in 1938. It is possible that the street numbers shifted during this time and it took time for residents to adjust. Mr Rowe, as a builder, may also have used multiple addresses for his businesses. More likely, Rowe's two adjoining lots probably added confusion – was it No.28 or No.30?



Figure 42: View of the dwelling built by Frederick Rowe at 9 Carlton Crescent in c2011. The dwelling was demolished sometime after 2015. The similarities to 28 Carlton Crescent are remarkable, with this dwelling largely presenting as a mirrored composition, yet lacking the defining bay windows.

[Source: Realestate.com.au, 2011]

4.5 A dwelling is built

In any case, reference to the address '28 Carlton Crescent' first appears in newspapers, the Sands Directory and NSW electoral rolls in 1928, suggesting that Rowe had built a house on the land by this time, coinciding with the transfer of title that same year to Mr and Mrs Rowe as joint tenants.

¹⁴ Wise's New South Wales Post Office Directory 1926. Accessed June 30, 2023, <http://nla.gov.au/nla.obj-601156679>
¹⁵ NSW Land and Property Information, 2023. CT Vol. 2709 Fol. 243 Transfer No. B657480

Designed in what is contemporaneously referred to as the 'Inter-War Californian Bungalow' architectural style, the dwelling was designed as a single storey structure, fashionable for the period and architectural style, yet would occupy an uncharacteristically large footprint by comparison to the other early dwellings that had been erected on their respective lots within the emerging streetscape.

The purchase of Lots 21 and 22 together appears to have largely influenced the design, placement and construction of the dwelling. Despite being constructed entirely upon Lot 21, the dwelling displays a judicious design that exploits the outlook eastwards over the adjoining Lot 22 and Kogarah Bay to the south, with the considered placement of large bay windows.

In 1937, the St George County Council commissioned a run of aerial photography from Adastra Airways, producing the earliest aerial photography for the area.

KOGARAH, New Modern Dark Brick Bungalow, 2 large bedrooms, lounge, dining, breakfast rooms, tiled kitchen, tiled bathroom, shower recess, separate laundry, beautiful leadlight windows, Morris Green fittings throughout, beautiful water views, plenty of cupboards, cement paths, a beautifully-finished job inside and out. Price £850, terms arranged. Rowe, Builder, 28 Carlton Crescent, Kogarah Bay.

Figure 43: Rowe's 1936 advertisement from 'The Propeller' advertising one of his recently completed houses for sale.
[Source: Trove]



Figure 44: Aerial photo of the site from 1937 by Adastra Airways.
[Source: Georges River Council Local Studies Collection, AER37-041LHP1079]

The 1937 aerial photograph evidences the considerably larger footprint of the dwelling by comparison with the other extant dwellings within Carlton Crescent at that time. It also evidences that a number of ancillary structures had been erected on both Lots 21 and 22, including a small boatshed at the southernmost corner of Lot 21, a detached garage structure in the northernmost corner of Lot 22 and a summerhouse / self-contained cottage in the easternmost corner of Lot 22. The various structures were all evidently interconnected by formed pathways, set within what appears as an established landscaped garden setting, with numerous plantings of Canary Island Palms and other shrubbery. A definitive shadow line also evidences the existence of a low-height fence along the street-front boundary. Similarly, a defined rectilinear line at the rear of the site indicates that a seawall had also been constructed to protect the property from the fluctuating tides.

Throughout the 1930s, Frederick Rowe continued to advertise his building services as well as sales of properties with his contact address being listed as 28 Carlton Crescent.¹⁶ With private motor vehicle ownership still relatively uncommon and remaining so until the Post-War period, it is probable that Rowe used what is now the garage as a workshop and shed for the storage of his tools and equipment. The fact that Rowe specifically referenced his address in the newspaper advertisements rather than a telephone number, suggests either Rowe hadn't subscribed to a telephone service, or he deliberately wanted prospective clients to view an example of one of his completed projects, somewhat of a 'display home'.

During this time, Rowe was letting the small summerhouse as a self-contained 3-roomed cottage for 30 shillings a week.¹⁷

It was here that the Rowe's continued to reside until 1949, when Frederick died at the age of 70 at St George Hospital in May.¹⁸ By November 1949, an advertisement appeared in the local newspaper *The Propeller*, advertising inspections of a '*Luxurious Waterfront Home*' describing the subject site as '*face brick and double fronted in new condition*'.¹⁹ The site was said to have land of 100ft. and a frontage of 200 ft. with the additional 3-roomed self-sustained cottage.

The sales advertisement also particularly noted that the house contained a ballroom with a polished Jarrah timber floor, large verandahs, with a double garage, large workshop, boat shed and tiled and cement paths that led to the waterfront from the front entrance and that the property was '*well-laid out with palms and gardens*'.

Following Frederick's death, the property transferred into the sole ownership of his wife, who in turn was looking to sell it for immediate possession for £6,500.²⁰



Figure 45: Aerial view of the site in 1943.
[Source: NSW Land and Property Information, 2023 with EHC overlay]



Figure 46: Aerial view of the site in 1951.
[Source: NSW Land and Property Information, 2023 with EHC overlay]

¹⁶ Advertising (1936, May 7). *The Propeller* (Hurstville, NSW : 1911 - 1954), p. 5. Retrieved July 5, 2023, from <http://nla.gov.au/nla.news-article235632575>

¹⁷ Advertising (1938, July 21). *The Propeller* (Hurstville, NSW : 1911 - 1954), p. 5. Retrieved July 5, 2023, from <http://nla.gov.au/nla.news-article235631962>

¹⁸ Family Notices (1949, May 9). *The Sydney Morning Herald* (NSW : 1842 - 1954), p. 14. Retrieved July 5, 2023, from <http://nla.gov.au/nla.news-article27579312>

¹⁹ Advertising (1949, November 10). *The Propeller* (Hurstville, NSW : 1911 - 1954), p. 4. Retrieved July 5, 2023, from <http://nla.gov.au/nla.news-article235267216>

²⁰ Advertising (1949, November 10).

4.6 The 'Bay-Vista'

Interestingly, the sales advertisement from 1949 noted that a possible function for the "beautiful home" would be to convert it into a private hospital.²¹

Instead, it was purchased in 1950 by Mervyn Augustus Vollmer of Kogarah and his registered trade was a 'taxi proprietor', who was known for often using his black cabs as wedding cars.²² That same year, Vollmer mortgaged the property to the Commercial Bank of Australia and within three years, advertisements started to appear in newspapers advertising "Bay-Vista" for wedding receptions and other parties.

Vollmer began using the property commercially for wedding receptions in November 1952 and from then till 1969, approximately two functions were hosted there each week.²³ The events would usually take place inside, and no outside wedding ceremonies were conducted on site.

These advertisements boasted the property's ballroom and noted that they had an orchestra for hire and a bride's room. This is the first documented use of the name 'Bay-Vista' for the property that over time, transformed into 'Bayview' as the property remains known to the present-day.

Mervyn Vollmer, a former member of the RAAF, was also listed as living at the property with his wife Patricia Vollmer – possibly residing in the small summerhouse / cottage on Lot 22.

A few years previously, Mr Vollmer had been in the news in a very public divorce case involving his previous wife Rona Vollmer, who discovered his affair with Mrs Patricia Harrison and took him to court. The Vollmers are listed as living at 28 Carlton Crescent for the decade of the 1950s, however by 1963, Mervyn Vollmer was listed as living in Windsor as a farmer whilst Patricia's address remains at Carlton Crescent until 1968.

In 1968, 'Bay-Vista' was sold, transferring in ownership to Elise Linda Burcher, a widow of Hurstville. Burcher did not live at the property, but did live close-by at 22a Carlton Crescent in the late 1970s and early 1980s. 'Bay-Vista' was leased to Gavin George Robert Morton and his wife Joan Mary Morton in 1968, with both the Mortons professions being recorded as 'caterers'. It is evident through newspaper



Figure 48: Advertisement for the "Bay-Vista" 1954.
[Source: The St George Call (Kogarah, NSW: 1904-1957)]



Figure 47: Advertisement for the "Bay-Vista" 1981.
[Source: The St George District Amateur Athletic Club]

²¹ Ibid.

²² NSW Land and Property Information, 2023. CT Vol. 2709 Fol. 243 Transfer F188751

²³ Kyriacos Kyriacou, Mary Kyriacou and Bonhomie Pty Limited v Kogarah Municipal Council and Sophie Antoniadis No. 13869/92 [1995] NSWSC 32 (8 September 1995). Early 1990s Statutory Declaration made by Mrs Patricia Vollmer.

articles regarding weddings and advertisements that the subject site continued to be used as the Bay-Vista function centre.²⁴ When Elise Burcher died in 1988, the property was sold, transferring in equal shares to her children Leslie Ronald Burcher and Norma Winifred Treloar.²⁵

'Bay Vista' or 'Bayview' as it had also become known, was subsequently advertised for sale by auction in 1989, advertised as a '*prestige waterfront subdividable land*' with '*existing use rights for Wedding receptions*.'

It was purchased by Kyriacos and Mary Kyriacou who had just recently sold their wedding car hire business that same year. Several years of legal challenges ensued, with the Kyriacou's trying to continue and expand the function centre use of the site, with such a land use being otherwise prohibited in the residential zoning under the Council's planning regime. In 1991, the NSW Land and Environment Court granted injunctions, restraining the Kyriacou's from using the property for any other purpose other than as a private dwelling house.²⁶

This likely prompted the sale of the property in 1992, when it was purchased by Demetre Dimitropolous and in 1995, new legal proceedings were commenced against the (then) Kogarah Municipal Council and their Solicitor Sophie Antoniadis for negligence. The case of *Kyriacou v Kogarah MC (1995)* dealt with the issue of existing use rights and whether or not the Council and Council's Solicitor were negligent in misinforming the Kyriacou's about their lawful ability to use the property as a wedding reception centre. The Kyriacous were awarded costs of \$1,353, 426²⁷ and the case has since been regularly cited, having influenced reforms to conveyancing laws.

4.7 Heritage listing

Towards the latter half of the 20th Century, there was increasing interest and awareness in the conservation and protection of significant buildings and places. This led to the introduction of the *Heritage Act* in 1977 and the establishment of very early heritage studies across NSW.

In the early 1990s, a heritage study was undertaken across the Kogarah Municipal Council local government area as part of the NSW National Estate Grants Program 1990/91 and 1992/93. Undertaken by Tropman and Tropman Architects in conjunction with Kogarah Municipal Council, '*Kogarah Heritage Study Stages I and II*' ('the study') sought to '*identify and analyse the environmental heritage and significance of the Kogarah municipality and allow practical recommendations to be established for its conservation and management*'.²⁸

The study identified numerous individual places and sites of potential heritage significance across the Kogarah Municipal Council local government area. The study area was divided into smaller precincts, with Kogarah Bay falling within 'Area 1'.

Within Area 1, a total of 66 potential items of heritage significance were identified by the study, which represented '*...examples of the development that grew along the main transport routes (Kogarah Road, now Princes Highway and Rocky Point Road) from c1850s; the later developments c1890s that emerged with the establishment of the Illawarra Railway; and the overlays of the large Federation estates c1900s-1920s as the areas close to the bay were opened up*...'²⁹

The study identified 'Bayview' at 28 Carlton Crescent, Kogarah Bay as an item of potential heritage significance, with the significance of the property being recorded as 'house & garden'.

²⁴ St George District Amateur Athletic Club, *60th Annual Report and Statement of Accounts 1981*, accessed 4 July 2023, https://sgdac.runchive.com/files/documents/annual_report/60th_Annual_Report.pdf

²⁵ NSW Land and Property Information, 2023. CT Vol. 14785 Fol. 164 & Fol.165

²⁶ Kyriacos Kyriacou, Mary Kyriacou and Bonhomie Pty Limited v Kogarah Municipal Council and Sophie Antoniadis No. 13869/92 [1995] NSWSC 32 (8 September 1995)

²⁷ Ibid.

²⁸ Tropman and Tropman Architects, October 1994. '*Kogarah Heritage Study Stages I and II*'.

²⁹ Ibid.

TROPMAN & TROPMAN ARCHITECTS
KOGARAH HERITAGE STUDY

60
OCTOBER 1994
REFERENCE

GROUP 1

INVENTORY FOR KOGARAH HERITAGE STUDY

AREA 1	2217: KOGARAH, BEVERLEY PARK, KOGARAH BAY	As at October 1994
26	1.68 ENGLISH STREET HOUSE GROUP 52 English Street (house & garden) See English Street House Group GROUP 2	RN 8762/NN 05
27	1.85 186 Princes Highway, McWilliam House (house & garden)	RN 3058/NN 09/10
28	1.89 28 Carlton Crescent 'Bayview', (house & garden)	RN 2053/NN 19 RN 1698/NN 25
29	1.90 6 - 8 Victor Street, 'Undhurst Gallery'	RN 8370/NN 17

Figure 49: Extract of the Kogarah Heritage Study showing the identification of the site as a potential item of heritage significance.
[Source: EHC technical library]



Figure 50: 'Bayview' as viewed from Kogarah Bay, c1993. This image was included in the inventory sheet for the site per the Kogarah Heritage Study 1994.

[Source: Georges River Library Local Studies Collection]

'Bayview' was subsequently identified as an item of local heritage significance on *Schedule 3 Heritage Items* of the *Kogarah Local Environmental Plan 1998*. The heritage item was identified by name, address, description of the item and classification (level of listed significance).

The heritage listing of 'Bayview' was identified as Lot 21, 28 Carlton Crescent, Kogarah Bay and described as 'house and front garden'.³⁰

³⁰ NSW Legislation website. *Kogarah Local Environmental Plan 1998* – Schedule 3 Part 1 Heritage Items.



Figure 51: 'Bayview' as viewed from Carlton Crescent c1993. This image was included in the inventory sheet for the site per the *Kogarah Heritage Study 1994*.

[Source: Georges River Library Local Studies Collection]

4.8 Late 20th century to the present-day

'Bayview' was sold in 1998 and then again in 2001, before being sold in 2010 to the present owners.

In early 2023, a Development Application was submitted to Georges River Council involving the boundary adjustment of Lots 21 and 22, tree removal, demolition of the existing detached garage structure and detached secondary dwelling on Lot 22, construction of a new dwelling house with associated in-ground swimming pool (also on Lot 22) and construction of a new hardstand carparking space and vehicular access driveway to Lot 21.

On 24 May 2023, Georges River Council made an Interim Heritage Order No.2 relating to Lot 22 of Section 15 in Deposited Plan 1963. Interim Heritage Order No.2 was published in the NSW Government Gazette No.227 on Friday 26 May 2023.

5.0 HERITAGE LISTING STATUS

5.1 Introduction

Identification of the existing statutory and non-statutory heritage listings applicable to the subject site is as follows:

5.2 Statutory heritage listings

Statutory registers and lists provide legal protection for heritage items. Within New South Wales, legal protection generally comes from the *Heritage Act 1977* and the *Environmental Planning and Assessment Act 1979* (EP&A 1979).

Places on the National Heritage List are protected under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act 1999).

The following identifies the statutory heritage listings applicable to 'Bayview', 28 Carlton Crescent, Kogarah Bay.

a) *UNESCO – World Heritage Register*

The site is not listed on the World Heritage Register.

b) *Australian Heritage Council – Australian Heritage Database*

The site is not listed on the Australian Heritage Database.

c) *Heritage Council of NSW – State Heritage Register*

The site is not listed on the State Heritage Register (SHR).

d) *Georges River Local Environmental Plan 2021*

The site **is** listed as an item of local heritage significance (Item No.1208) on Schedule 5 Environmental Heritage of the *Georges River Local Environmental Plan 2021*.

However, the listing of Item 1208 (described as 'House and front garden, "Bayview"') relates only to Lot 21 in Section 15 of Deposited Plan 1963, with the listing referring to the property as 28A Carlton Crescent.

The site **is not** located within a Heritage Conservation Area (under Schedule 5 of the *Georges River Local Environmental Plan 2021*).



Figure 52: Map showing the heritage status of the subject site and surrounding allotments. The subject site is denoted by red outline. [Source: *Georges River LEP 2021*, Heritage Map HER_011, with EHC overlay]

e) *Heritage Act 1977 – Interim Heritage Order*

The inscription of the heritage item on Schedule 5 Environmental Heritage of the *Georges River LEP 2021* identifies the heritage item as 'house and front garden' and identifies the listing as relating to 28A Carlton Crescent and only Lot 21.

This is evident in the mapping in the *Georges River LEP 2021*, showing only half the site as being heritage listed – that is, Lot 21 which contains the dwelling known as 'Bayview', the former boat shed and numerous semi-mature palm trees. All but one of the mature Canary Island Palms, together with the majority of the circulation paths, the detached garage and detached former teahouse / summerhouse are situated on Lot 22.

A Development Application was submitted to Georges River Council in early 2023 (DA2023/0025), which proposes the boundary adjustment of Lots 21 and 22, tree removal, demolition of the existing detached garage structure and detached secondary dwelling on Lot 22, construction of a new dwelling house with associated in-ground swimming pool (also on Lot 22) and construction of a new hardstand carparking space and vehicular access driveway to Lot 21.

On 24 May 2023, Georges River Council made an Interim Heritage Order ('IHO') relating to Lot 22 of Section 15 in Deposited Plan 1963. Interim Heritage Order No.2 was published in the NSW Government Gazette No.227 on Friday 26 May 2023.

In this manner, Lot 22 is afforded temporary statutory protection by the IHO, with the IHO remaining in force for a period of six (6) months from the date of publication in the NSW Government Gazette, meaning the IHO remains in place until 26 November 2023.

A copy of the IHO is appended to this report (see **Appendix C**).

5.3 Non-statutory heritage listings

Non-statutory registers and listings are an advisory registry of items or places, which have heritage significance.

Unlike statutory registers, non-statutory registers and lists do not provide legal protection.

The following identifies the non-statutory heritage listings applicable to 'Bayview' 28A Carlton Crescent, Kogarah Bay.

a) *Commonwealth Government – Register of the National Estate*

The site is not listed on the Register of the National Estate.

b) *National Trust of Australia – National Trust Register*

The site is not listed on the National Trust Register.

c) *Royal Australian Institute of Architects – 20th Century Buildings Register*

The site is not listed on the 20th Century Buildings Register.

d) *Art Deco Society*

The site is not listed on the Register.

e) *Section 170 Register*

The site is not owned by a government agency; therefore it is not listed on any s170 Register.

5.4 Items of heritage significance within the vicinity of the site

For the purposes of this assessment, the term 'in the vicinity' is taken to be any item or items that:

- i) Are within an approximate 100m radius of the boundaries of the subject site.
- ii) Have a physical relationship to the subject site i.e., adjoin the property boundary.
- iii) Are identified as forming a part of a group i.e., a row of terrace houses.
- iv) Have a visual relationship to and from the site.
- v) Are a combination of any of the above.

In applying the above criteria, there are no items of local heritage significance (listed under Schedule 5 of the *Georges River LEP 2021*) within the vicinity of the subject site.

There are no items of State heritage significance (listed on the State Heritage Register (SHR) under the *Heritage Act 1977*) within the vicinity of the subject site.

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6.0 EXISTING HERITAGE SIGNIFICANCE ASSESSMENTS

6.1 Existing description of the heritage item – 'House and front garden, "Bayview"'

The NSW State Heritage Inventory (SHI No.1870558) (see **Appendix B**) provides a physical description of 'House and front garden, "Bayview"' as follows:

'Face brick with stucco gables. Lead light windows. Tiled Roof. Mature plantings of phoenix canaviensis.' [sic]

6.2 Existing Statement of Cultural Significance – 'House and front garden, "Bayview"'

The NSW State Heritage Inventory (SHI No.1870558) (see **Appendix B**) provides a Statement of Cultural Significance of 'House and front garden, "Bayview"' as follows:

'The bungalow located on the water represents a transition of people with a changing perception of the dirty city, to a healthy area that provided water facilities such as boating and fishing etc close at hand.'

'It is an excellent example of a Federation Californian Bungalow and garden.'

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7.0 HERITAGE CURTILAGE ASSESSMENT

7.1 Introduction to heritage curtilage

The NSW Heritage Council publication *Heritage Curtilages*³¹ defines 'curtilage' as the area of land surrounding an item or area of heritage significance, which is essential for retaining and interpreting its heritage significance.

This area is most commonly, but not always, the lot or lots on which the item is situated and is usually, but not always, restricted to land in the same ownership as the item.

It is important to note that the heritage curtilage for an item or place or heritage significance does not preclude development within the defined heritage curtilage boundary, but requires particular care in the consideration of the nature and extent of such development.

A suitable heritage curtilage should contain all elements, structures and features that contribute to the heritage significance of the site, including, but not limited to:

- a) The historic site boundaries;
- b) Significant buildings and structures including their settings;
- c) Spatial relationships between buildings, landscape features and other important structures;
- d) Significant or important views both to and from the place; and
- e) Any items of moveable heritage significance.

The Australia ICOMOS *Burra Charter 2013* places increased emphasis on the importance of the settings of cultural heritage places, which states that:

'Conservation requires the retention of an appropriate visual setting and other relationships that contribute to the cultural significance of the place.

New construction, demolition, intrusions, or other changes that would adversely affect the setting or relationship are not appropriate' (Article 8).

The Heritage Council of NSW publication *Heritage Curtilages*³² identifies four different types of heritage curtilages:

TABLE 1 – Heritage curtilage definitions	
Heritage Curtilage Type	How is the heritage curtilage defined?
<i>Lot boundary heritage curtilage</i>	The legal boundary of the allotment is defined as the heritage curtilage. The allotment will in general contain all related features, for example outbuildings and gardens within its boundaries.
<i>Reduced heritage curtilage</i>	An area less than total allotment is defined as the heritage curtilage, and is applicable where not all parts of a property contain places associated with its significance.
<i>Expanded heritage curtilage</i>	The heritage curtilage is actually larger than the allotment, and is predominantly relevant where views to and/or from a place are significant to the place.
<i>Composite heritage curtilage</i>	The heritage curtilage relates to a larger area that includes a number of separate places, such as heritage conservation areas based on a block, precinct or whole village.

Subsequently, care must be taken in the development and management of the surroundings of a significant cultural heritage place.

³¹ NSW Heritage Office and the Department of Urban Affairs and Planning. 1996. *'Heritage Curtilages'*
³² Ibid.

7.2 Heritage curtilage assessment

The site is presently identified as an item of local heritage significance, listed on Schedule 5 of the *Georges River LEP 2021*.

The existing heritage listing relates to Lot 21 of Section 15 in Deposited Plan 1963, which means that the heritage listing is defined by and relates to, the entirety of Lot 21, or in other words, defined by the lot boundaries.

The existing heritage listing of the site (Lot 21) references the house and 'front garden', implying that the landscaped gardens extending over onto Lot 22 and even at the rear of the dwelling on Lot 21, are of lesser significance, or no significance at all.

An examination of the existing front garden in the conventional sense of the word, that is, the landscaped area between the street-facing front boundary and the street-facing front elevation of the dwelling, comprises a simple landscaped area, mostly open grass with a dense hedge that delineates the front boundary, of which is considered a contemporary planting to the site. One of the mature Canary Island Palms are situated within the front garden areas immediately in front of the dwelling, however there are no other notable or distinguishing features within the 'front garden' area. Consequently, the listing of the 'front garden' is erroneous as it fails to capture the substantial gardens that envelope the dwelling from the front elevation, wrapping around the northeastern side (Lot 22) and back to the rear of Lot 21.

It is evident from a visual examination of the site together with historical land titles, that the site was always intended to be comprised of both Lot 21 and Lot 22, evident in the original purchase of two adjoining lots and continued ownership of the same, together with the deliberate regard the dwelling has for its broader landscaped setting and visual relationship with the ancillary structures. Both Lot 21 and Lot 22 rely on each other to complete the historical narrative of the site, retain the original design intent, and protect the setting, significant fabric and landscaped features as well as physical and visual relationships.

The deliberate design of the dwelling and arrangement of ancillary structures is evident in 1937 and 1943 aerial photography, from which the following key observations can be made:

- a) The extant structures and landscaped setting (inclusive of the numerous Canary Island Palms) on the site display a high degree of integrity, having been largely unaltered since the early inception of the site, whereby having historical significance.
- b) The dwelling, boatshed, garage and summerhouse are each positioned in each of the four corners of the site, creating a large landscaped garden area, with interconnecting pathways.
- c) The footprint of the dwelling is substantially larger by comparison to other extant dwellings in the street at the time, demonstrating a deliberate and clear intent for a more 'substantial' dwelling and garden setting, and the design of the dwelling to have a strongly defined side elevation that exploits views over the garden setting.

7.3 Recommended heritage curtilage

The curtilage assessment establishes that an expanded heritage curtilage (defined by the existing allotment boundaries, but comprising both Lot 21 and Lot 22 in Section 15 of Deposited Plan 1963) is appropriate in any future management of the site as a heritage item, so as to preserve the context, setting and visual and physical relationships.



Figure 53: Recommended lot-boundary heritage curtilage for 'Bayview'.
[Source: NSW Land and Property Information, 2023 with EHC overlay]

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8.0 COMPARITIVE ANALYSIS

8.1 Introduction

Comparative analysis of the site is an important consideration in the assessment of cultural significance (see Section 9), helping to determine whether a place is 'rare' or 'representative' and helps to locate it within patterns of history or activity.

The level of design and condition integrity may impact upon how a site compares with other similar examples.

It is important that the comparative analysis is based upon selected examples that display similarities in terms of context of place, or share key features, use, characteristics, attributes, style, association and / or historic themes.

This section of the report examines 'Bayview' in the context of place, with the following selection criteria applied:

- Early 20th century Inter-War period waterfront housing with ancillary structures such as boat sheds in the Georges River Council local government area and built following speculative residential subdivision (i.e not built pre-dating the subdivision of the surrounding allotments).
- Houses built by Frederick Rowe in the surrounding locality.

8.1.1 Selection of comparative examples

Given the lineal distance of waterfront land within the Georges River Council local government area, there are many residential properties that benefit from direct waterfrontage. A review of contemporary aerial photography shows numerous waterfront properties with boatsheds and other similar ancillary structures, meaning waterfront residential properties with a boatshed and other ancillary structures are not uncommon.

Distilling this, a search of the NSW State Heritage Inventory (SHI) and the various heritage studies of the Georges River Council local government area (LGA), identifies numerous heritage items that are residential properties enjoying a waterfront situation. These range from:

- 'Carss Cottage' in Carss Park, which is a late 19th century Victorian era property [Item No.145]
- 'Palmyra' in Vista Street, Sans Souci, which is an early 20th century Federation period dwelling [Item No.1310].
- 'House and garden' in Stuart Street, Blakehurst, which is a mid-20th century dwelling [Item No.114].
- 'Cuzco' in The Promenade, Sans Souci, which is an early 20th century Inter-War bungalow [Item No.1309].

8.1.2 Early 20th century Inter-War period waterfront housing in Georges River

Of the search results, 'Cuzco' at 169 The Promenade, Sans Souci [Item No.1309] is the only example of an early 20th century Inter-War Bungalow that has ancillary structures and garden setting listed and is a waterfront property.

A comparative analysis of the selected example is provided below.

a) 'Cuzco' – 169 The Promenade, Sans Souci

'Cuzco' is a fine representative example of a substantially intact single-storey Inter-War Californian Bungalow, notable for its overall design, contemporary garage and original brick and iron front boundary fence.

Situated on a corner allotment, the site has visual prominence in the streetscape, with a hatchet-shaped allotment extending to the waterfront where the property has direct access to Kogarah Bay. The present subdivision pattern evidences that the site has been further subdivided, having originally had wider frontage to Kogarah Bay.

The dwelling is described as making a positive contribution to the streetscape and retains many original distinctive features, such as the gabled roof form with large gables presenting to the side elevations, facebrick walls in a stretcher bond and of dark 'liver' bricks to the front elevation and common brick to the remainder of the dwelling, with a rendered stucco base to the walls.

The dwelling retains a garden setting, with numerous established plantings, including palms and has a defining masonry and iron fence along the front boundary.

TABLE 2 – Comparative analysis evaluation		
Indicator	Response	Similar ✓/X
Class of building	'Cuzco' is a detached style dwelling	✓
Level of significance	'Cuzco' is identified as an item of local heritage significance	✓
Context	'Cuzco' is situated on a corner allotment	X
Allotment	'Cuzco' is situated on a single allotment	X
Location	'Cuzco' has waterfront access, but via a small access handle	✓
Design integrity	'Cuzco' is considered substantially intact	✓
Condition	'Cuzco' is considered in very good repair	✓
Setting	Set within an established garden setting	✓
Use	'Cuzco' maintains a residential land use	✓
Remaining structures	Detached garage	✓
Architectural Style	Inter-War Californian Bungalow	✓
Materiality	Face brick with terracotta tile roofing	✓
Scale	Single storey with large building footprint	✓

'Cuzco' displays similarities to 'Bayview', however there are a number of distinct differences. 'Cuzco' is situated on a single allotment, which evidences previous re-subdivision and subsequent development of the intervening allotment, whereby 'Cuzco' no longer has uninterrupted views and relationship to Kogarah Bay. 'Bayview' is situated over two allotments and retains the original subdivision pattern from 1911, together with its uninterrupted views and relationship to Kogarah Bay.

'Cuzco' is considered a very fine and representative example of the Inter-War Californian Bungalow architectural style, yet does not exhibit the same level of overt detailing and embellishment found in 'Bayview'. In particular, 'Cuzco' employs the traditionally more expensive 'liver bricks' to the front elevation with common bricks used on all other elevations of the dwelling, whereas 'Bayview' is consistently comprised of dark liver bricks on all full elevations.

'Cuzco' has an asymmetrical composition, which is similar to 'Bayview', but has a loft level within the roof form, whereas 'Bayview' is single storey. 'Cuzco' has also been modified from its original form, with sympathetic additions extending off the rear (waterfront) elevation, whereas 'Bayview' retains a high degree of design integrity, having not previously been extended horizontally or vertically.

The garden setting of 'Cuzco' complements the dwelling, though much of the space has been lost from subdivision and the remaining garden areas are largely at the front of the dwelling and do not contain any significant or notable early plantings. There are two extant Cocos Palms, which appear to have been planted in the late 20th century.

While 'Cuzco' is considered a fine example of its style and class and is identified as a listed item of local heritage significance in its own right, 'Cuzco' has distinct differences from 'Bayview',

amplifying the rarity and unique and uncommon characteristics of 'Bayview' and its garden setting.

8.1.3 Houses built by Frederick Rowe

Section 4 of this report establishes the historical context of 'Bayview', which evidences that the dwelling was built c1928 by local builder Frederick Rowe.

Frederick Rowe is documented as having built numerous houses and commercial buildings in the Kogarah locality, with 28 Carlton Crescent, Kogarah Bay listed not only as his place of residency (per Sands Directories and land title records) but also as his business address (per newspaper advertisements).

Known examples of Rowe's residential works include:

- i) A house at 9 Carlton Crescent, Kogarah Bay (demolished c2015), which is where Rowe is recorded as residing prior to building 'Bayview' (see Figure 42 of this report).
- ii) Two houses in Torwood Street, Sans Souci (possibly No.9 and No.15).
- iii) A house in Ramsgate Road, Beverley Park (possibly No.50).
- iv) A house in Park Road, Kogarah Bay (possibly No.100).

None of the above listed examples are identified as listed items of heritage significance and a detailed historical analysis of each property has not been undertaken so they cannot be cogently attributed to the work of Rowe.

Each of the above listed examples display characteristics attributed to the early 20th century Inter-War period and of the Californian Bungalow architectural style, with a mix of detached style and semi-detached dwellings.

The former dwelling at 9 Carlton Crescent displayed a remarkable resemblance to 'Bayview', being a near exact mirror in composition, with a single large and elaborately detailed gable presenting to the front and rear, three-sided bay windows on the side elevation and a deep verandah framed by bullnosed brick balustrade and scalloped edges. The design integrity of 9 Carlton Crescent however, had been diminished by what appears a later conversion of the roof void for an attic level, with large dormer windows punctuating the roof planes. The external brick walls had also been rendered.

9 Carlton Crescent was also situated on a single allotment and occupied a corner site, making it visually distinctive in the street, but did not enjoy the deep landscaped garden setting as exists at 'Bayview'. Furthermore, 9 Carlton Crescent did not include any ancillary structures such as a shed or garage nor did it have direct water frontage. It would nonetheless, likely have enjoyed some water views being situated on the higher side of Carlton Crescent.

The other known examples of Rowe's work each display similarities in themselves, particularly through the large single gable presenting to the street front elevation, which is a consistent (and possibly a 'signature') design element evident in each of Rowe's domestic work. However, a consistent feature of the other examples is that they are modest sized dwellings, typically situated on a single allotment. None of the other examples enjoy waterfrontage nor do they include ancillary structures that demonstrate a deliberate regard to the dwelling. They are each considered typical but unremarkable examples of the style and class.

8.1.4 Summary observations of the comparative analysis

From the comparative analysis, there is only one other known example of an early 20th century Inter-War Californian Bungalow with water frontage and ancillary structures that demonstrate a deliberate regard to the dwelling.

As discussed above, the example of 'Cuzco' at 169 The Promenade, Sans Souci, shows some similarities to 'Bayview', however is more dissimilar than it is similar, with 'Bayview' displaying superiority in its design, architectural embellishments and detailing. 'Bayview' retains its original boatshed, garage and summerhouse, expanding over two adjoining allotments and with those lots together retaining their original c1911 configuration. 'Bayview' has also retained an uninterrupted view and relationship with Kogarah Bay.

'Bayview' retains its original established landscaped garden, while 'Cuzco' has been reduced and diminished from subdivision. 'Cuzco' also does not contain significant tree plantings or other landscape features. Unlike 'Bayview', 'Cuzco' has a higher degree of visual prominence in the streetscape, being situated on a corner allotment and not obscured by existing vegetation.

In considering other known domestic work by Frederick Rowe, while the selected examples cannot be cogently attributed to Frederick Rowe, they do show similarities and consistencies which strongly hint at being Rowe's work. The former dwelling at 9 Carlton Crescent (demolished c2015) is the only other known example to show remarkable resemblance to 'Bayview', being a near mirror image of the dwelling.

Despite the similarities between 9 and 28 Carlton Crescent, 9 Carlton Crescent is more restrained in its detailing, lacking the large distinctive bay windows and numerous other embellishments that have been employed at 'Bayview', such as the stucco render and the bas-relief plaster panels. However, imagery available online from a c2011 real estate sales campaign for 9 Carlton Crescent, showed that the dwelling had elaborately detailed leadlight glass windows and tessellated tile flooring to the verandah. Internally, timber floors were laid in a herringbone pattern, with the dwelling displaying a higher-than-usual degree of craftsmanship and detailing.

The historical analysis in Section 4 documents that Rowe lived at 9 Carlton Crescent before relocating to 28 Carlton Crescent and it is thought that Rowe may have built 9 Carlton Crescent as a prototype to what would be built at 28 Carlton Crescent.

'Bayview' was also likely used by Rowe to showcase his craftsmanship to prospective clients, exhibiting an unequivocal superiority to the other examples of his work and demonstrates features which are inconsistent with the numerous indicators applied, appearing to be a rare example of its style and class.

The size and integrity of the site makes it particularly unique in comparison to other similar sites selected. Each of the other examples lack the integrity of their early 20th century curtilage and the physical and visual connections with the waterfront, which is demonstrated in 'Bayview'. 'Bayview' retains its original 1911 allotment boundaries and is unique in that the placement of the extant structures in all four corners of the cumulative site, demonstrates a deliberate intent for the site to have been developed as two adjoining lots. None of the other examples retain, or ever had, a separate boatshed, garage and summerhouse, nor do any of the other sites have an expansive garden setting.

'Bayview' is considered easily understood as a representation of its early 20th century history and appears to be rare and unique within the local context, having no known equal.

9.0 ASSESSMENT OF CULTURAL SIGNIFICANCE

9.1 Introduction

Within New South Wales, there are different types of statutory heritage listings for local, State and national heritage items.

A property is considered a 'heritage item' if it is:

- Listed in the heritage schedule of a local Council's Local Environmental Plan (LEP) or a State Environmental Planning Policy (SEPP); or
- Listed on the State Heritage Register (SHR), a register of places and items of particular importance to the people of NSW; or
- Listed on the National Heritage List established by the Australian Government to list places of outstanding heritage significance to Australia.

9.2 Identifying heritage significance

Assessments of heritage significance aim to identify whether a place has heritage values, establish what those values may be, and determine why the item or place (or element of a place) may be considered important and valuable to the community.

The terms 'heritage value' and 'heritage significance' are broadly synonymous with 'cultural significance', which is the term that the Burra Charter uses to mean '*aesthetic, historic, scientific or social value for past, present or future generations*'³³.

These definitions are broadly consistent with the definitions used and adopted by other organisations including the Australian Heritage Council, the National Trust of Australia (NSW) and the Heritage Division (Office of Environment and Heritage).

Assessments of cultural significance rely on an understanding and analysis of these values, which have been derived from an examination of the context of the item or place, the way in which the extant fabric demonstrates function, associations and aesthetic qualities. An understanding of the historical context of an item or place and consideration of the physical evidence are therefore, key components in the heritage significance assessment.

In order to make informed decisions regarding the ongoing use and future management of 'Bayview', it is necessary to establish the nature of the significance involved.

Article 26.1 of the *Burra Charter* states that:

'Work on a place should be preceded by studies to understand the place which should include analysis of physical, documentary oral and other evidence, drawing on appropriate knowledge, skills and disciplines'.

9.3 Methodology

The assessment of cultural significance follows the methodology recommended in *Assessing Heritage Significance*³⁴ by using the NSW Heritage Assessment Criteria and is consistent with the guidelines as set out in the *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter 2013)*³⁵.

³³ Australia ICOMOS, 2013. '*The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*', 2013.

³⁴ NSW Heritage Branch, 2001. '*Assessing Heritage Significance*'.

³⁵ Australia ICOMOS, 2013. '*Burra Charter*'.

An item or place will be considered to be of heritage significance if it meets at least one or more of the following criteria:

TABLE 3 – Significance Assessment Criteria		
Criterion:	Significance theme:	Explanation:
Criterion (a)	Historical	An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).
Criterion (b)	Historical association	An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).
Criterion (c)	Aesthetic	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).
Criterion (d)	Social	An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.
Criterion (e)	Technical / Research	An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).
Criterion (f)	Rarity	An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).
Criterion (g)	Representative	An item is important in demonstrating the principal characteristics of a class of NSW's (or the local area's) cultural or natural places or cultural or natural environments.

It is important to note that only one of the above criteria needs to be satisfied for an item or place to have heritage significance. Furthermore, an item or place is not excluded from having heritage significance because other items with similar characteristics have already been identified or listed.

9.4 Assessment against NSW Heritage Assessment Criteria

9.4.1 Criterion (a) – Historical Significance

An item or place is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

TABLE 4 – Criterion (a) – Historical Significance			
Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
• Shows evidence of a significant human activity.	✓	• Has incidental or unsubstantiated connections with historically important activities or processes.	X
• Is associated with a significant activity or historical phase.	✓	• Provides evidence of activities or processes that are of dubious historical importance.	X
• Maintains or shows the continuity of a historical process or activity.	✓	• Has been so altered that it can no longer provide evidence of a particular association.	X

Assessment of Significance

- 'Bayview' at 28 Carlton Crescent, Kogarah Bay, is of historical significance at the local level as it evidences early residential development in Kogarah Bay following the speculative subdivisions of earlier land grants into residential allotments and the resulting residential development that ensued.
- 'Bayview' is historically significant as it evidences the changing attitudes to living in the city and established populated areas, preferring instead to develop the outer suburbs in a desire for a healthier lifestyle and environment.

- 'Bayview' is historically significant as it retains strong evidence of the original 1911 subdivision pattern, together with its original boathouse, garage / workshop and summerhouse, together with much of the original landscape plantings and theme, which allows the property to be easily understood as a representation of its early 20th century history.

'Bayview' satisfies this criterion in demonstrating historical significance at a local level.

9.4.2 Criterion (b) – Historical Association Significance

An item or place has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

TABLE 5 – Criterion (b) – Historical Association Significance

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
<ul style="list-style-type: none"> Shows evidence of a significant human occupation. 	✓	<ul style="list-style-type: none"> Has incidental or unsubstantiated connections with historically important people or events. 	X
<ul style="list-style-type: none"> Is associated with a significant event, person or group of persons. 	✓	<ul style="list-style-type: none"> Provides evidence of people or events that are of dubious historical importance. 	X
		<ul style="list-style-type: none"> Has been so altered that it can no longer provide evidence of a particular association. 	X

Assessment of Significance

- 'Bayview' is of historical associative significance for its strong association with builder, Frederick Rowe, who is attributed with building the dwelling and ancillary structures in or about 1928 as his own home and place of business. Rowe is attributed with having built numerous houses in and around Kogarah throughout the 1920s and 1930s period.
- 'Bayview' was also likely used by Rowe to showcase his craftsmanship to prospective clients, exhibiting an unequivocal superiority to the other examples of his work and demonstrates features which are unparalleled in his other work, with a high degree of ornamentation and quality craftsmanship.

'Bayview' satisfies this criterion in demonstrating historical associative significance at a local level.

9.4.3 Criterion (c) – Aesthetic Significance

An item or place is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

TABLE 6 – Criterion (c) – Aesthetic Significance

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
<ul style="list-style-type: none"> Shows or is associated with, creative or technical innovation or achievement. 	✓	<ul style="list-style-type: none"> Is not a major work by an important designer or artist. 	X
<ul style="list-style-type: none"> Is the inspiration for a creative or technical innovation or achievement. 	✓	<ul style="list-style-type: none"> Has lost its design or technical integrity. 	X
<ul style="list-style-type: none"> Is aesthetically distinctive. 	✓	<ul style="list-style-type: none"> Its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded. 	X
<ul style="list-style-type: none"> Has landmark qualities. 	✓	<ul style="list-style-type: none"> Has only a loose association with a creative or technical achievement. 	X
<ul style="list-style-type: none"> Exemplifies a particular taste, style or technology 	✓		

Assessment of Significance

- 'Bayview' exhibits quality craftsmanship with overt detailing and embellishments, making it a fine and highly distinctive example of an early 20th century Inter-War Californian Bungalow.
- The aesthetic qualities and visual distinctiveness of 'Bayview' is directly enhanced by the double-allotment width, which creates a generously proportioned garden setting with numerous significant landscape plantings extant, protected and reinforced through the deliberate positioning of the dwelling, boatshed, garage / workshop and summerhouse to sit in each of the four corners of the site.
- The sensory appeal and aesthetic values of the site are also directly enhanced by uninterrupted wide sweeping waterfront views and relationship to Kogarah Bay at the rear, with the original allotment configuration having been retained.
- The incorporation of multiple large bay windows and verandahs to the dwelling evidence a deliberate design approach to celebrate the contrived aesthetic values of the expansive garden setting and water views.
- 'Bayview' and its garden setting is visually distinctive in the street and broader landscape through the uncharacteristically wide presentation to Carlton Crescent, with the property distinguished by the large collection of mature Canary Island Palms.
- 'Bayview' exhibits a high degree of aesthetic quality that is unparalleled in other similar Inter-War period bungalows, with 'Bayview' retaining its original elements, site features, garden setting, subdivision pattern and visual and physical relationships. This makes 'Bayview' visually distinctive and an exemplar of its style and class because of its setting.

'Bayview' satisfies this criterion in demonstrating aesthetic significance at a local level.

9.4.4 Criterion (d) – Social Significance

An item or place has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

TABLE 7 – Criterion (d) – Social Significance

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
• Is important for its associations with an identifiable group.	✓	• Is only important to the community for amenity reasons.	X
• Is important to a community's sense of place.	✓	• Is retained only in preference to a proposed alternative.	X

Assessment of Significance

- 'Bayview' contributes to the community's sense of place, being a visually distinctive feature of the local landscape.
- Having functioned throughout the 1950s until the late 1980s as a function centre, hosting weddings, parties and other social events, 'Bayview' is likely to have social significance and importance to the local and broader community, particularly those who attended social events at the property.

'Bayview' satisfies this criterion in demonstrating social significance at a local level.

9.4.5 Criterion (e) – Technical / Research Significance

An item or place has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

TABLE 8 – Criterion (e) – Technical / Research Significance

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
• Has the potential to yield new or further substantial scientific and/or archaeological information	✓	• The knowledge gained would be irrelevant to research on science, human history or culture.	X
• Is an important benchmark or reference site or type.	✓	• Has little archaeological or research potential.	X
• Provides evidence of past human cultures that is unavailable elsewhere.	X	• Only contains information that is readily available from other resources or archaeological sites.	✓

Assessment of Significance

- 'Bayview' exhibits an unusually high degree of ornamentation and quality craftsmanship, with numerous distinguishing, unusual and uncommon features that suggest Rowe used the dwelling to showcase his craftsmanship to prospective clients.
- The dwelling exhibits construction techniques and features which are uncommon to the style and class of domestic building, particularly evidenced in the large floor area and matching ceiling span of the formal lounge room, being uninterrupted by support columns or partition walls and the innovative use of the splayed ceiling panelling to follow the roof profile and maximise the perceived and actual spaciousness internally.
- The high-quality craftsmanship combined with the incorporation of uncommon construction techniques and features, makes 'Bayview' an important benchmark and reference site.

'Bayview' satisfies this criterion in demonstrating technical / research significance at a local level.

9.4.6 Criterion (f) – Rarity

An item or place possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

TABLE 9 – Criterion (f) – Rarity Significance

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
• Provides evidence of a defunct custom, way of life, or process.	✓	• Is not rare.	X
• Demonstrates a process, custom or other human activity that is in danger of being lost.	X	• Is numerous but under threat.	X
• Shows unusually accurate evidence of a significant human activity.	✓		
• Is the only example of its type.	✓		
• Demonstrates designs or techniques of exceptional interest.	✓		
• Shows rare evidence of a significant human activity important to the community	✓		

Assessment of Significance

- 'Bayview' is attributed to the work of local builder Frederick Rowe, having been built c1928. Rowe is credited with having built numerous houses around Kogarah during the 1920s and 1930s period, however 'Bayview' is considered his best and most distinguished work.
- Other examples of Rowe's domestic work display similarities in themselves, yet 'Bayview' exhibits an unparalleled superiority in the quality of craftsmanship and detailing, containing numerous design features that are unique to 'Bayview', including the distinctive large bay windows and curved balcony as well as many distinct internal features, including the elaborate leadlight windows, timber flooring and ceiling panelling.
- 'Bayview' is a highly intact early 20th century residential property which displays deliberate design intent to address the expansive garden setting and waterfrontage, and is both unusual and uncommon as it is spread across two adjoining allotments, having been originally purchased together and continually maintained as such.
- 'Bayview' evidences early 20th century marine activity, including a boatshed and summerhouse, both built right on the water's edge and the retention of the boatshed, garage / workshop and summerhouse is exceptionally rare in the local context, demonstrating rarity significance accordingly.

'Bayview' satisfies this criterion in demonstrating significance through the item's rarity at a local level.

9.4.7 Criterion (g) - Representativeness

An item or place is important in demonstrating the principal characteristics of a class of NSW's:

- Cultural or natural places; or
- Cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments.).

TABLE 10 – Criterion (g) – Representative Significance

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
• Is a fine example of its type.	✓	• Is a poor example of its type.	X
• Has the principal characteristics of an important class or group of items.	✓	• Does not include or has lost the range of characteristics of a type.	X
• Has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity.	✓	• Does not represent well the characteristics that make up a significant variation of a type.	X
• Is a significant variation to a class of items.	✓		
• Is part of a group which collectively illustrates a representative type.	✓		
• Is outstanding because of its setting, condition or size.	✓		
• Is outstanding because of its integrity or the esteem in which it is held.	✓		

Assessment of Significance

- 'Bayview' is described as a single storey dwelling, which displays characteristics attributed to the early 20th century Inter-War period and of the Californian Bungalow architectural style.
- Built c1928 by local builder Frederick Rowe, the dwelling exhibits a high degree of design integrity, having been little altered. It exhibits fine craftsmanship, with exceptional detailing that is

uncommon to the architectural style and domestic scale of the building. 'Bayview' is considered of remarkable quality and detailing, making it of high architectural interest and value as an excellent representative example of the style and class.

- The dwelling is complemented by a freestanding boatshed, garage / workshop and summerhouse, each of which exhibit similarity in design and language, having each been constructed around the same time. The high degree of design integrity and intactness of each of the structures make an important group setting of outstanding quality, enhanced by the retention of the original allotment boundaries and garden setting. Collectively, the site is representative of an early 20th century waterfront property.
- The garden setting spread over two adjoining allotments continue to communicate the early functions and relationships, retaining many original landscape plantings including the Canary Island Palms, pathways and front fence.

'Bayview' satisfies this criterion in demonstrating representative significance at a local level.

9.5 Summary level of significance

The following table summarises the assessed level of significance against each criterion for assessing heritage significance:

TABLE 11 – Assessed levels of significance

Criterion	What is the assessed level of significance?
Criterion (a) – Historical Significance	LOCAL
Criterion (b) – Historical Association Significance	LOCAL
Criterion (c) – Aesthetic Significance	LOCAL
Criterion (d) – Social Significance	LOCAL
Criterion (e) – Technical / Research Significance	LOCAL
Criterion (f) – Rarity Significance	LOCAL
Criterion (g) – Representativeness Significance	LOCAL
Overall assessed level of cultural significance	LOCAL

9.6 Statement of Cultural Significance

A statement of cultural significance is a declaration of the value and importance given to a place or item, by the community. It acknowledges the concept of a place or item having an intrinsic value, which is separate from its economic value.

Based upon the assessment of cultural significance in Section 9 above, a Statement of Cultural Significance has been developed as follows:

'Bayview' at 28 Carlton Crescent, Kogarah Bay, is an Inter-War period waterfront property, containing the main dwelling known as 'Bayview', together with its original detached boatshed, garage / workshop and summerhouse – all of which have been designed in the Inter-War Californian Bungalow architectural style and exhibit deliberate relationship to each other.

The property is of historical importance as it evidences early residential development in Kogarah Bay and the changing attitudes to living in the city, instead preferring the outer suburbs in a desire for a healthier lifestyle and environment. This is further demonstrated through the original purchase of two adjoining lots to create a high-quality waterfront property.

Constructed c1928 by local builder Frederick Rowe as his place of residence and likely used to showcase his fine craftsmanship to prospective clients, the house exhibits exceptionally fine craftsmanship and detailing that is uncommon to the architectural style and domestic scale of the building. This detailing is unparalleled in Rowe's other domestic work, making 'Bayview' arguably his best and most distinguished work.

'Bayview' is considered an important benchmark and reference site for the incorporation of many distinguishing and unique features uncommon to the architectural style and domestic scale of building, notably the large ceiling span of the formal lounge room, being uninterrupted by support columns or partition walls and elaborately detailing internal flooring, ceilings and leadlight windows.

Each of the buildings retain a high degree of design integrity, having been little altered and collectively, the group is considered of outstanding quality, making it of high architectural interest and value as an excellent representative example of an early 20th century Inter-War period waterfront property.

The property has high aesthetic value and significance, being visually distinctive and unique for it comprises two adjoining allotments that create a generously proportioned and well-established garden setting with numerous original landscape plantings extant, including a large collection of Canary Island Palms. The garden setting has been self-protected and reinforced through the deliberate positioning of the dwelling, boatshed, garage / workshop and summerhouse to sit in each of the four corners of the site. The deliberate placement of the large bay windows in the dwelling provides a commanding and pleasant outlook over the expansive garden setting and wide water frontage.

'Bayview' and its setting is considered an exemplar of its style and class, retaining its original lot configuration and proportion and is strongly associated with water activity, evident through the boatshed and summerhouse and the uninterrupted wide sweeping waterfront views and relationship to Kogarah Bay.

Collectively, the site is considered a rare and substantially intact example of an early 20th century Inter-War period waterfront property.

'Bayview' has some social significance having been used throughout the 1950s until the late 1980s as a function centre, hosting weddings, parties and other social events.

10.0 CONCLUSION AND RECOMMENDATIONS

10.1 Conclusion

This Heritage Significance Assessment has been prepared at the request of Georges River Council to establish the cultural heritage significance of the dwelling 'Bayview' and its setting at 28 Carlton Crescent, Kogarah Bay.

The objective of this report is to analyse, assess and establish the heritage values and cultural significance of 'Bayview' and to provide recommendations on the future management of the place.

'Bayview' is presently identified as an item of local heritage significance and is listed on Schedule 5 Environmental Heritage of the *Georges River Local Environmental Plan 2021*.

The item name on Schedule 5 of the *Georges River LEP 2021* describes the item as 'House and front garden, "Bayview"' and identifies the site as Lot 21 at 28A Carlton Crescent, Kogarah Bay. This is supported by the mapping in the *Georges River LEP 2021*, showing only half the site as being heritage listed – that is, Lot 21 which contains the dwelling, the former boat shed and numerous semi-mature palms and shrubbery. All but one of the mature Canary Island Palms, together with the majority of the circulation paths, the detached garage and detached former teahouse / summerhouse are situated on Lot 22.

It is evident from a visual examination of the site together with the historical analysis, that there was clear intention for the site to be comprised of both Lot 21 and Lot 22. This evidence is expressed through:

- i) The original purchase in 1916 of two adjoining lots from the c1911 Kogarah Bay Estate subdivision.
- ii) The continual and unsevered ownership of both of those lots since first purchase in 1916 to the present-day.
- iii) The uncharacteristically large footprint of the dwelling by comparison with other modestly-sized early dwellings in the street, made possible by the available open space on Lot 22.
- iv) The deliberate regard the dwelling has for its broader landscaped setting and visual and physical relationships with the ancillary structures, including the former boatshed, garage and teahouse / summerhouse – all interconnected by various circulation paths and set within a pleasant established garden setting that comprises a number of mature Canary Island Palms.

This Heritage Significance Assessment has reviewed the existing heritage listing and undertaken further analysis of the site and the built and landscape features thereon, additional historical research and an assessment of cultural significance, applying the NSW Heritage Assessment Criteria as established by the Heritage Council of NSW.

Both Lot 21 and Lot 22 are considered to be of equal cultural significance and neither one lot is mutually exclusive – they both rely on each other to complete the historical narrative of the site, retain the original design intent, and protect the curtilage, setting, significant fabric and landscaped features as well as physical and visual relationships.

The first identification of the site as a potential heritage item by the *Kogarah Heritage Study 1994* includes photographs that clearly depicts the substantial garden setting (inclusive of both Lots 21 and 22) as forming the key elements of significance. That study also described the site as 'house and garden', rather than the contemporary description of 'house and front garden' as appears in Schedule 5 of the *Georges River LEP 2021*.

An examination of the existing front garden in the conventional sense of the word, that is, the landscaped area between the street-facing front boundary and the street-facing front elevation of the dwelling, comprises a simple landscaped area, mostly open grass with a dense *Murraya paniculata* hedge that delineates the front boundary, which is considered a contemporary planting to the site. There are no

other notable or distinguishing features within the 'front garden' area. Consequently, it is understood that the intent of the listing of the 'front garden' was to in fact include the substantial gardens that envelope the dwelling from the front elevation, wrapping around the northeastern side (extending over Lot 22) and to the rear of the dwelling (on Lot 21).

In light of the above, there is clear evidence that the intent of the heritage listing was to include Lot 21 and Lot 22 both in their entirety and to be managed and protected as a single heritage item, though only Lot 21 was identified on Schedule 5 and mapped accordingly. This is considered erroneous and the heritage listing of the site should in fact be inclusive of both Lots 21 and 22 in Section 15 of Deposited Plan 1963.

The gazettal of Interim Heritage Order No.2 affords temporary statutory heritage protection to Lot 22. While IHO No.2 remains in force, approval is required pursuant to Section 57(1) of the *Heritage Act 1977* for any works including inter-alia, demolition, excavation, altering the building or destroying any tree or vegetation on the land.

If IHO No.2 lapses or is revoked, the demolition of the garage, summerhouse / teahouse and mature Canary Island Palms could potentially occur via a Complying Development Certificate. Demolition of those described features would have an adverse and irreversible impact on the identified heritage values and significance of the site.

Consequently, the existing heritage listing of the site (Lot 21) under Schedule 5 of the *Georges River LEP 2021* is warranted and it is appropriate that the property continue to be managed and recognised as an item of local heritage significance. However, the existing heritage listing is incomplete and should be expanded to include Lot 22 so that the entire site is afforded statutory heritage protection and thus ensuring all built and landscape elements of identified cultural significance and value are afforded appropriate statutory protection.

10.2 Recommendations on future management

On the basis of this Heritage Significance Assessment, the following key recommendations are made on the future management of 'Bayview' at 28 Carlton Crescent, Kogarah Bay:

1. 'Bayview' should continue to be identified as an item of local heritage significance and remain listed on Schedule 5 of the *Georges River LEP 2021*.
2. Council should prepare a Planning Proposal to amend the listing of Heritage Item No.1208 on Schedule 5 of the *Georges River LEP 2021* by making the following changes:
 - i) Revise the item name from 'House and front garden, "Bayview"' to "'Bayview" house and garden, boatshed, garage and summerhouse'.
 - ii) Revise the address from '28A Carlton Crescent, Kogarah Bay' to '28 and 28A Carlton Crescent, Kogarah Bay'.
 - iii) Revise the property description to include both Lots 21 and 22 in Section 15 of Deposited Plan 1963.
 - iv) Update the Heritage Map in the *Georges River LEP 2021* to correspond with the above changes.
3. The citation for the heritage item on the NSW State Heritage Inventory Database should be revised and updated to reflect the attached revised and updated Inventory Sheet (see **Appendix D**).
4. It is important to recognise that the identified and reassessed cultural significance of the property does not preclude any further development or changes being made or undertaken to the building and site. However, the following activities would not be considered acceptable:
 - i) Demolition of the dwelling or its ancillary structures.

- ii) Removal of significant trees and other landscape elements.
 - iii) Further subdivision of the allotments (except a boundary adjustment to amalgamate Lots 21 and 22).
 - iv) Vertical additions to the existing dwelling.
 - v) Horizontal additions to the existing dwelling that involve the obscuration or removal of significant features and elements or sever visual and physical relationships.
 - vi) New development that obscures or severs visual and physical relationships.
 - vii) Removal of the existing heritage listing.
5. As an overarching principle, any changes to the site (whether through alterations and additions, change of use or new development), should be sympathetic to the identified heritage values and cultural significance of the site.
 6. It is necessary to recognise that elements and fabric identified as having exceptional and high significance have very little tolerance to change and should be retained in-situ and unaltered, excepting conservation works to ensure survival.
 7. Elements and fabric identified as having moderate significance generally have a reasonable degree of tolerance to change and adaptation, providing that any such changes are carefully considered and well informed with no resulting negative impacts on highly significant fabric or features.
 8. Elements and fabric identified as being of low significance may be retained or replaced as required, subject to exercising due care.
 9. Good conservation practice encourages change, adaptation or removal of elements that have a lesser contribution to the overall significance of the item, whereas elements that provide a high contribution to the overall significance should generally be left intact or altered in a most sympathetic manner that does not detract from the interpretation or understanding of the heritage significance.
 10. Although the zoning and the principal development standards³⁶ applicable to the site as specified in the *Georges River LEP 2021* may suggest a higher yield could be achieved on the site than what is currently achieved through the present built form, it is necessary to consider that these development controls are intended to be a 'guide' and are not a 'given right'. In this regard, the particular circumstances of the site, including environmental and built form constraints, would be taken into consideration in any redevelopment.
 11. Clause 5.10 of the *Georges River LEP 2021* establishes the statutory framework for the management, identification and protection of listed items of heritage significance. The 'heritage incentive' provisions of clause 5.10(10) are a means of exploring options for alternative uses of a heritage item. For instance, within a residential zone, certain commercial land uses may be prohibited. The heritage incentive provisions allow Council to exercise flexibility and gives the ability to grant consent to what would otherwise be a prohibited land use in the zoning of the site, provided it can be demonstrated that such a new use would result in a positive heritage outcome. It is far better to have a heritage building being occupied than one that is unoccupied, as occupied buildings are more likely to be 'looked after' and afforded the required care and ongoing maintenance.
 12. While it goes beyond the scope of this Heritage Significance Assessment to assess in detail any available opportunities for alterations and additions or new development, it may be possible to:

³⁶ Principal Development Standards are specific in Part 4 of *Georges River Local Environmental Plan 2021* and include such development controls as building height, floor space ratio and minimum lot sizes.

HERITAGE SIGNIFICANCE ASSESSMENT | 'Bayview' 28 Carlton Crescent, Kogarah Bay

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-
- Adaptively re-use the existing building for alternative compatible land use activities.
 - Adaptively re-use the ancillary structures for small-scaled, low-intensity and low-impact uses that provide an active and viable use of the site overall.
 - Maintain the existing single residential use.
 - Undertake small-scaled sympathetic alterations and additions.
13. A detailed heritage impact assessment would be required as part of a Development Application for any such proposal. The heritage impact assessment would need to consider in detail the impact/s that such development would have on the cultural significance of the heritage item and to demonstrate that the works would not adversely impact on or obscure, the identified heritage values.
14. Prior to the development of a specific proposal for the site, further specialist heritage advice should be sought to assist in the formulation of the proposal and to appropriately guide changes to the place.

End of Report

HERITAGE SIGNIFICANCE ASSESSMENT | 'Bayview' 28 Carlton Crescent, Kogarah Bay

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Appendix A

Common Terms Used

The following is a list of terms and abbreviations adopted for use in the NSW Heritage Manual (prepared by the Heritage Council of NSW), and other terms used by those involved in investigating, assessing and managing heritage, including terms used within this Heritage Significance Assessment:

Aboriginal significance: An item is of Aboriginal heritage significance if it demonstrates Aboriginal history and culture. The National Parks and Wildlife Service has the primary responsibility for items of Aboriginal significance in New South Wales.

Adaptation: Modification of a heritage item to suit a proposed, compatible use.

Aesthetic significance: An item having this value is significant because it has visual or sensory appeal, landmark qualities and/or creative or technical excellence.

Archaeological assessment: A study undertaken to establish the archaeological significance (research potential) of a particular site and to propose appropriate management actions.

Archaeological feature: Any physical evidence of past human activity. Archaeological features include buildings, works, relics, structures, foundations, deposits, cultural landscapes and shipwrecks. During an archaeological excavation the term 'feature' may be used in a specific sense to refer to any item that is not a structure, a layer or an artefact (for example, a post hole).

Archaeological significance: A category of significance referring to scientific value or 'research potential' that is, the ability to yield information through investigation.

Archaeological sites: A place that contains evidence of past human activity. Below-ground archaeological sites include building foundations, occupation deposits, features and artefacts. Above-ground archaeological sites include buildings, works, industrial structures and relics that are intact or ruined.

Archaeology: The study of material evidence to discover human past. See also historical archaeology.

Artefacts: Objects produced by human activity. In historical archaeology the term usually refers to small objects contained within occupation deposits. The term may encompass food or plant remains (for example, pollen) and ecological features.

Australia ICOMOS: The national committee of the International Council on Monuments and Sites.

Burra Charter: (and its guidelines). Charter adopted by Australia ICOMOS which establishes the nationally accepted principles for the conservation of places of cultural significance.

Comparative significance: In the NSW Heritage Assessment Procedure there are two

values used to compare significance: representativeness and rarity.

Compatible use: A use for a heritage item, which involves no change to its culturally significant fabric, changes which are substantially reversible or changes, which make a minimal impact.

Cultural landscapes: Those areas of the landscape, which have been significantly modified by human activity. They include rural lands such as farms, villages and mining sites, as well as country towns.

Cultural significance: A term frequently used to encompass all aspects of significance, particularly in guidelines documents such as the Burra Charter. Also one of the categories of significance listed in the Heritage Act 1977.

Curtilage: The geographical area that provides the physical context for an item, and which contributes to its heritage significance. Land title boundaries and heritage curtilages do not necessarily coincide.

Demolition: The damaging, defacing, destroying or dismantling of a heritage item or a component of a heritage conservation area, in whole or in part.

Conjectural reconstruction: Alteration of a heritage item to simulate a possible earlier state, which is not based on documentary or physical evidence. This treatment is outside the scope of the Burra Charter's conservation principles.

Conservation: All the processes of looking after an item so as to retain its cultural significance. It includes maintenance and may, according to circumstances, include preservation, restoration, reconstruction and adaptation and will be commonly a combination of more than one of these.

Conservation Management Plan: (CMP) A document explaining the significance of a heritage item, including a heritage conservation area, and proposing policies to retain that significance. It can include guidelines for additional development or maintenance of the place.

Conservation policy: A proposal to conserve a heritage item arising out of the opportunities and constraints presented by the statement of heritage significance and other considerations.

Contact sites: Sites which are associated with the interaction between Aboriginal and non-Aboriginal people.

Excavation permit: A permit issued by the Heritage Council of New South Wales under

section 60 or section 140 of the Heritage Act 1977 to disturb or excavate a relic.

Façade: The elevation of a building facing the street.

Heritage Act 1977: The statutory framework for the identification and conservation of heritage in New South Wales. The Act also describes the composition and powers of the Heritage Council.

Heritage Advisor: A heritage consultant engaged by a local council, usually on a part-time basis, to give advice on heritage matters to both the council and the local community.

Heritage assessment criteria: Principles by which values for heritage significance are described and tested. See historical, aesthetic, social, technical/ research, representativeness, rarity.

Heritage conservation area: An area which has a distinctive character of heritage significance, which it is desirable to conserve.

Heritage Council: The New South Wales Government's heritage advisory body established under the Heritage Act 1977. It provides advice to the Minister for Urban Affairs and Planning and others on heritage issues. It is also the determining authority for section 60 applications.

Heritage fabric: All the physical material of an item, including surroundings and contents, which contribute to its heritage significance.

Heritage inventory: A list of heritage items, usually in a local environmental plan or regional environmental plan.

Heritage item: A landscape, place, building, structure, relic or other work of heritage significance.

Heritage Division: The State Government agency of the Office of Environment and Heritage, responsible for providing policy advice to the Minister for Heritage, administrative services to the Heritage Council and specialist advice to the community on heritage matters.

Heritage precinct: An area or part of an area which is of heritage significance. See also heritage conservation area.

Heritage significance: Of aesthetic, historic, scientific, cultural, social, archaeological, natural or aesthetic value for past, present or future generations.

Heritage study: A conservation study of an area, usually commissioned by the local council. The study usually includes a historical

context report, an inventory of heritage items within the area and recommendations for conserving their significance.

Heritage value: Often used interchangeably with the term 'heritage significance'. There are four nature of significance values and two comparative significance values. See heritage significance, nature of significance, comparative significance.

Hierarchy of significance: Used when describing a complex heritage site where it is necessary to zone or categorise parts of the area assigning each a particular significance. A commonly used four level hierarchy is: considerable, some, little or no, intrusive (that is, reduces the significance of the item).

Industrial archaeology: The study of relics, structures and places involved with organised labour extracting, processing or producing services or commodities; for example, roads, bridges, railways, ports, wharves, shipping, agricultural sites and structures, factories, mines and processing plants.

Integrity: A heritage item is said to have integrity if its assessment and statement of significance is supported by sound research and analysis, and its fabric and curtilage are still largely intact.

International Council on Monuments and Sites (ICOMOS): An international organisation linked to UNESCO that brings together people concerned with the conservation and study of places of cultural significance.

There are also national committees in sixty countries including Australia.

Level of significance: There are three management levels for heritage items in New South Wales — local, regional and state. The level is determined by the context in which the

item is significant. For example, items of state heritage significance will either be fine examples or rare state-wide or will be esteemed by a state-wide community.

Local significance: Items of heritage significance which are fine examples, or rare, at the local community level.

Moveable heritage: Heritage items not fixed to a site or place (for example, furniture, locomotives and archives).

Occupation deposits: (In archaeology.) Accumulations of cultural material that result from human activity. They are usually associated with domestic sites, for example, under-floor or yard deposits.

Post-contact: Used to refer to the study of archaeological sites and other heritage items dating after European occupation in 1788 which helps to explain the story of the relationship between Aborigines and the new settlers.

Preservation: Maintaining the fabric of an item in its existing state and retarding deterioration.

Rarity: An item having this value is significant because it represents a rare, endangered or unusual aspect of our history or cultural heritage.

Reconstruction: Returning a place as nearly as possible to a known earlier state by the introduction of new or old materials into the fabric (not to be confused with conjectural reconstruction).

Relic: The Heritage Act 1977 defines relic as: '...any deposit, object or material evidence relating to non-Aboriginal settlement which is more than fifty years old.' The National Parks and Wildlife Act 1974 defines a relic as: '...any

deposit, object or material evidence (not being a handicraft made for sale) relating to indigenous and non-European habitation of the area that comprises New South Wales, being habitation both prior to and concurrent with the occupation of that area by persons of European extraction, and includes Aboriginal remains.'

Representativeness: Items having this value are significant because they are fine representative examples of an important class of significant items or environments.

Restoration: Returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without introducing new material.

Social significance: Items having this value are significant through their social, spiritual or cultural association with a recognisable community.

State heritage inventory: A list of heritage items of state significance developed and managed by the Heritage Division. The inventory is part of the NSW Heritage Database.

State significance: Items of heritage significance which are fine examples, or rare, at a state community level.

Statement of heritage significance: A statement, usually in prose form which summarises why a heritage item or area is of importance to present and future generations.

Technical/research significance: Items having this value are significant because of their contribution or potential contribution to an understanding of our cultural history or environment.

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Appendix B

Existing SHI Database Sheets

Item Details

Name

House and front garden, "Bayview"

SHR/LEP/S170

LEP #

Address

28A Carlton Crescent KOGARAH BAY NSW 2217

Local Govt Area

Georges River

Local Aboriginal Land Council

Unknown

Item Type

Built

Group/Collection

Residential buildings (private)

Category

House

All Addresses

Addresses

Records Retrieved: 1

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
28A	Carlton Crescent	KOGARAH BAY/NSW/2217	Georges River	Unknown			Unknown	Primary Address

Significance

Statement Of Significance

The bungalow located on the water represents a transition of people with a changing perception of the dirty city, to a healthy area that provided water facilities such as boating and fishing etc close at hand. It is an excellent example of a Federation Californian Bungalow and garden.

Owners

Records Retrieved: 0

Organisation	Stakeholder Category	Date Ownership Updated
No Results Found		

Description

Designer

Builder/Maker

Physical Description

Updated

Face brick with stucco gables. Lead light windows. Tiled Roof. Mature plantings of phoenix canaviensis.

Physical Condition

Updated

Modifications And Dates

Further Comments

Lot 21 only.

Current Use

Former Use

Listings

Listings

Records Retrieved: 3					
Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Georges River Local Environmental Plan 2021	I208	1/25/2013 12:00:00 AM		
Local Environmental Plan			10/2/1998 12:00:00 AM		
Heritage study					

Procedures/Exemptions

Records Retrieved: 0					
Section of Act	Description	Title	Comments	Action Date	Outcome
No Results Found					

History

Historical Notes or Provenance

Updated

Historic Themes

Records Retrieved: 0

National Theme	State Theme	Local Theme
No Results Found		

Recommended Management

Management Summary

Management

Records Retrieved: 0

Management Category	Management Name	Date Updated
No Results Found		

Report/Study

Heritage Studies

Records Retrieved: 1

Report/Study Name	Report/Study Code	Report/Study Type	Report/Study Year	Organisation	Author
Kogarah Heritage Study 1994			1994		Tropman & Tropman

Reference & Internet Links

References

Records Retrieved: 0

Type	Author	Year	Title	Link
No Results Found				

Data Source

The information for this entry comes from the following source:

Data Source	Record Owner	Heritage Item ID
Local Government	Georges River Council	1870558

Every effort has been made to ensure that information contained in the State Heritage Inventory is correct. If you find any errors or omissions please send your comments to mail@georgesriver.nsw.gov.au

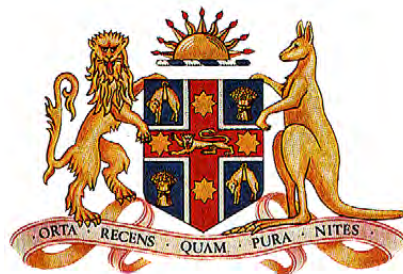
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Appendix C

Interim Heritage Order No.2



Government Gazette

of the State of
New South Wales

Number 227–Planning and Heritage
Friday, 26 May 2023

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, non-government and other notices.

Each notice in the Government Gazette has a unique reference number that appears in parentheses at the end of the notice and can be used as a reference for that notice (for example, (n2019-14)).

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website (www.legislation.nsw.gov.au) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal, see the Gazette page.

HERITAGE ACT 1977

INTERIM HERITAGE ORDER NO. 2

28 Carlton Crescent Kogarah Bay

Under Section 25 of the *Heritage Act*, 1977 Georges River Council does by this order:

1. Make an interim heritage order to cover the item of the environmental heritage specified or described in **Schedule 'A'**; and
2. Declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in **Schedule 'B'**.

This Interim Heritage Order will lapse six months from the date that it is made unless the local council has passed a resolution before that date either:

- 1) In the case of an item which, in the council's opinion, is of local significance, to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; and
- 2) In the case of an item which in the council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.

Ms Meryl Bishop

Director Environment and Planning, Georges River Council

Sydney, 24 May 2023

Schedule 'A'

The property located at 28 Carlton Crescent, Kogarah Bay on land described in Schedule 'B'.

Schedule 'B'

All those pieces or parcels of land known as Lot 22, Section 15 DP 1963 in Parish of St George, County of Cumberland.

HERITAGE ACT 1977

INTERIM HERITAGE ORDER UNDER SECTION 25

Under section 25(2) of the *Heritage Act 1977*, Willoughby City Council does by this order:

- i. make an Interim Heritage Order to cover the item of environmental heritage specified or described in Schedule 'A'; and
- ii. declare that the Interim Heritage Order shall apply to the curtilage or site of such item, being the land described in Schedule 'B'.

This Interim Heritage Order will lapse six months from the date that it is made unless Willoughby City Council has passed a resolution before that date either:

1. in the case of an item which, in Council's opinion, is of local significance, to place the item on the heritage schedule of a local environmental plan with appropriate provisions for protecting and managing the item; and
2. in the case of an item which, in Council's opinion, is of State heritage significance, nominate the item for inclusion on the State Heritage Register.

Schedule 'A'

The place located at 43 Donnelly Road, Naremburn (Lot 1 in Deposited Plan 115889, Lot A in Deposited Plan 341975 and Lot 1 in Deposited Plan 320984), except for all of the land identified as Item 1160 listed in Schedule 5 to the *Willoughby Local Environmental Plan 2012*, described as 'St Leonards Church (including original interiors)'.

Schedule 'B'

All those pieces or parcels of land legally described as Lot 1 in Deposited Plan 115889, Lot A in Deposited Plan 341975 and Lot 1 in Deposited Plan 320984, excluding all of the land identified as Item 1160 listed in Schedule 5 to the *Willoughby Local Environmental Plan 2012*, described as 'St Leonards Church (including original interiors)'.

HERITAGE SIGNIFICANCE ASSESSMENT | 'Bayview' 28 Carlton Crescent, Kogarah Bay

EHC2023/0158

Appendix D

Updated NSW SHI Database Sheet



NSW
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ITEM DETAILS					
Name of Item	'Bayview' including garden setting, boatshed, garage and summerhouse				
Other Name/s Former Name/s	'Bayview' / 'Bay Vista'				
Item type (if known)	House				
Item group (if known)					
Item category (if known)					
Area, Group, or Collection Name					
Street number	28 and 28A				
Street name	Carlton Crescent				
Suburb/town	Kogarah Bay	Postcode	2217		
Local Government Area/s	Georges River Council				
Property description	<p>'Bayview' is situated within the Georges River Council local government area and in the locality of Kogarah Bay.</p> <p>'Bayview' comprises Lots 21 & 22 of Section 15 in Deposited Plan 1963, commonly and collectively known as 28 and 28A Carlton Crescent, Kogarah Bay.</p>				
Location - Lat/long	Latitude	-33.98507		Longitude	151.12581
Location - AMG (if no street address)	Zone		Easting		Northing
Owner					
Current use	Dwelling house				
Former Use	Dwelling house				
Statement of significance	<p>'Bayview' at 28 and 28A Carlton Crescent, Kogarah Bay, is an Inter-War period waterfront property, containing the main dwelling known as 'Bayview', together with its original detached boatshed, garage / workshop and summerhouse – all of which have been designed in the Inter-War Californian Bungalow architectural style and exhibit deliberate relationship to each other.</p> <p>The property is of historical importance as it evidences early residential development in Kogarah Bay and the changing attitudes to living in the city, instead preferring the outer suburbs in a desire for a healthier lifestyle and environment. This is further demonstrated through the original purchase of two adjoining lots to create a high-quality waterfront property.</p> <p>Constructed c1928 by local builder Frederick Rowe as his place of residence and likely used to showcase his fine craftsmanship to prospective clients, the house exhibits exceptionally fine craftsmanship and detailing that is uncommon to the architectural style and domestic scale of the building. This detailing is unparalleled in Rowe's other domestic work, making 'Bayview' arguably his best and most distinguished work.</p>				



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	<p>'Bayview' is considered an important benchmark and reference site for the incorporation of many distinguishing and unique features uncommon to the architectural style and domestic scale of building, notably the large ceiling span of the formal lounge room, being uninterrupted by support columns or partition walls and elaborately detailing internal flooring, ceilings and leadlight windows.</p> <p>Each of the buildings retain a high degree of design integrity, having been little altered and collectively, the group is considered of outstanding quality, making it of high architectural interest and value as an excellent representative example of an early 20th century Inter-War period waterfront property.</p> <p>The property has high aesthetic value and significance, being visually distinctive and unique for it comprises two adjoining allotments that create a generously proportioned and well-established garden setting with numerous original landscape plantings extant, including a large collection of Canary Island Palms. The garden setting has been self-protected and reinforced through the deliberate positioning of the dwelling, boatshed, garage / workshop and summerhouse to sit in each of the four corners of the site. The deliberate placement of the large bay windows in the dwelling provides a commanding and pleasant outlook over the expansive garden setting and wide water frontage.</p> <p>'Bayview' and its setting is considered an exemplar of its style and class, retaining its original lot configuration and proportion and is strongly associated with water activity, evident through the boatshed and summerhouse and the uninterrupted wide sweeping waterfront views and relationship to Kogarah Bay.</p> <p>Collectively, the site is considered a rare and substantially intact example of an early 20th century Inter-War period waterfront property.</p> <p>'Bayview' has some social significance having been used throughout the 1950s until the late 1980s as a function centre, hosting weddings, parties and other social events.</p>	
Level of Significance	State <input type="checkbox"/>	Local <input checked="" type="checkbox"/>



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DESCRIPTION	
Designer	Unknown
Builder/ maker	Frederick Rowe
Physical Description	<p>Situated on the site are a number of built structures which are described below.</p> <p>The dwelling</p> <p>The most prominent and largest of the buildings on the site, is the dwelling house. Known as 'Bayview', the dwelling is situated entirely on Lot 21 and within close proximity to the front boundary, where the dwelling takes advantage of the higher elevation in topography.</p> <p>The dwelling is described as single storey and detached style. It is of brick construction typically of stretcher bond, sitting atop of a solid brick wall skirt that conceals the foundations. Owing to the fall in topography, the brick wall skirt is expressed at the front as only a few string courses in height, increasing in height to a near full storey equivalent at the rear. The entirety of the brick wall skirt has been finished in stucco, with a rendered horizontal band that provides definition between the transition to the residual walls which are of dark 'liver' facebrick.</p> <p>All elevations of the dwelling are asymmetrically composed, yet the primary front elevation features a striking large single gable that spans the full width of the dwelling. The gabled face features a symmetrical design, with vertical timber battens applied over the panelling and detailed timber lattice battening to the upper apex of the gable framed by a series of small timber brackets arranged in pairs. A rotated square panel containing a cherub in bas-relief plaster, is centrally positioned just below the apex.</p> <p>The front elevation below the wide gable, contains a verandah that wraps around to the eastern side elevation and finished in decorative tessellated tiles. The verandah is framed by a low-height brick wall with a scalloped string course of bullnosed bricks, supporting trapezoidal shaped brick verandah posts that have been finished in stucco to match the skirt wall. The stuccoed verandah posts continue to the underside of the ceiling, to frame the verandah in a series of openings. A three-sided bay window projects off the western side of the front entry. The main front entry door is of timber joinery and features sidelight and transom windows – all in elaborately detailed leadlight glass. Windows throughout the dwelling are timber framed casements with a consistent leadlight glass pattern.</p> <p>The eastern side elevation carries the front verandah through before returning to a full height masonry wall that bookends the verandah and contains a three-sided bay window matching the one in the front elevation. The most striking feature of the eastern elevation is the large eight-sided bay window sitting atop of the matching curved facebrick wall in a stacked header bond and awning roof. The stuccoed skirt wall below the centre line of the bay window, features a rotated square panel containing a cherub in bas-relief plaster, matching that to the front gable.</p> <p>The rear elevation features a large singular gable (matching the detailing to the front elevation) and below the gable is the largest of the bay windows in the house, with a twelve-sided bay window projecting directly of the rear elevation, the detailing of which matches that of the eastern side elevation complete with the cherub bas-relief panel. A large open balcony projects off the rear elevation, framed by a semi-circular wall with castellated string course to form the top of the brick balustrade and with tessellated tile flooring. Separating the semi-circular elevated balcony and semi-circular bay window, is a curved set of external stairs which lead to the back garden.</p> <p>The western side elevation is the most simplistically formed and detailed of the entire dwelling, sitting in close proximity and parallel to the side property boundary.</p>



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	<p>A large gabled roof form spans the near entirety of footprint of the dwelling with a smaller gable projecting partly over the rear semi-circular balcony. There are no chimneys, save for a small contemporary steel flue punctuating the eastern roof plane. The roof is clad in unglazed terracotta tiles and features a scrolled finial at the apex of the front and rear gables. Bargeboards are planar and the soffits are all lined with painted tongue-and-groove timber lining boards.</p> <p>Overall, the dwelling displays characteristics that are attributed to the Inter-War period of the early 20th century and of the Californian Bungalow architectural style.</p> <p>The Boatshed</p> <p>At the southernmost corner of the site (on Lot 21) is a small freestanding boatshed. This structure has a simple utilitarian form and language, with a rectangular footprint and gabled roof form. The gables present to the northern and southern (waterfront) elevations and feature panelling with vertically applied timber battens matching the language of the gables to the main dwelling.</p> <p>The boathouse is of brick construction and appears to be in stretcher bond, though has been painted externally and in part, rendered to mimic the stuccoed finish of the dwelling.</p> <p>Both gabled elevations feature large rectangular openings, which hint at the original use and function of the structure (together with its waterfront placement). These openings have both been later enclosed and contain windows and doors. The gabled roof is clad in unglazed terracotta tiles with scrolled finials to the apex of both gabled ends.</p> <p>Though utilitarian in form and function, the boatshed displays characteristics that are similar to the main dwelling and is also attributed to the Inter-War period of the early 20th century and of the Californian Bungalow architectural style.</p> <p>The Garage</p> <p>Situated towards the northernmost corner of the site (on Lot 22) and within proximity to the front boundary, is a freestanding double car garage structure.</p> <p>The garage sits forward of the alignment of the dwelling, though owing to the spatial separation afforded between the two structures, the garage does not dominate the dwelling.</p> <p>The garage is of brick construction in stretcher bond, with dark 'liver' bricks used to the front elevation and quoins to windows and doors, while the remainder of the structure uses 'common' bricks of a lighter colour.</p> <p>Consistent with the main dwelling, the garage has a large rectangular footprint and gabled elevations presenting to the front and rear. The gables both feature panelling with vertically applied timber battens. The gabled roof is clad in unglazed terracotta tiles and feature scrolled finials to the apex of both gabled ends. Fascia boards feature a simple quirk.</p> <p>A large panelled garage door presents to the front elevation, while the rear and western side elevations contain casement windows and four-panelled timber doors. Window and door openings have a painted concrete lintel inserted.</p> <p>Though utilitarian in form and function, the garage displays characteristics that are similar to the main dwelling and is also attributed to the Inter-War period of the early 20th century and of the Californian Bungalow architectural style.</p>
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	<p>The Summerhouse</p> <p>Towards the easternmost corner of Lot 22 at the water's edge is a freestanding summerhouse / self-contained cottage.</p> <p>This structure has an elongated rectangular footprint with a simple gabled form, with the gabled elevations oriented to the front and rear in the same manner as the dwelling, the boatshed and the garage.</p> <p>The summerhouse is of brick construction, rendered with a stucco finish to the external walls. The gables feature panelling with vertically applied timber battens and planar bargeboards. The gabled roof is clad in unglazed terracotta tiles and, consistent with the roofs of other structures on the site, features a scrolled finial to both apex ends of the roof.</p> <p>The northern elevation is devoid of any windows or doors, while the two side elevations feature timber framed windows. The rear (waterfront) elevation features large aluminium framed sliding doors – presumably having originally been an open verandah to take advantage of the prevailing breeze.</p> <p>The summerhouse displays characteristics that are similar to the main dwelling and is also attributed to the Inter-War period of the early 20th century and of the Californian Bungalow architectural style.</p>				
<p>Physical condition and Archaeological potential</p>	<p>The boatshed, garage and summerhouse generally appear in sound repair and condition, while the dwelling 'Bayview' appears in a remarkable condition.</p> <p>The site has low potential to yield European built archaeology, with the existing dwelling being the first known built improvement on the site and that there has been very little change to the site since construction of the dwelling in c1928.</p>				
<p>Construction years</p>	<p>Start year</p>	<p>c1928</p>	<p>Finish year</p>	<p>c1928</p>	<p>Circa <input checked="" type="checkbox"/></p>
<p>Modifications and dates</p>	<p>Notable changes to the dwelling include:</p> <ul style="list-style-type: none"> • Contemporary cabinetry fitouts to the bathroom and kitchen in the dwelling. • Construction of a temporary ramp structure at the front entry to the dwelling. • Likely removal of the original chimney from the western side roof plane. • Removal of the sub-floor access door on the eastern elevation of the skirt wall. <p>Notable changes to the boatshed include:</p> <ul style="list-style-type: none"> • Changes to the openings on both gabled ends of the building, including the enclosure of the large rectangular opening fronting Kogarah Bay and replacement with windows. <p>Notable changes to the garage include:</p> <ul style="list-style-type: none"> • Replacement of the doors to the front elevation with a contemporary panelled door. <p>Notable changes to the summerhouse include:</p> <ul style="list-style-type: none"> • Contemporary cabinetry fitouts to the bathroom and kitchen in the dwelling. • Likely removal of an original door and windows on the waterfront elevation to create a large opening and subsequent enclosure of the likely original balcony fronting Kogarah Bay. <p>Notable changes to the landscaped setting include:</p>				



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	<ul style="list-style-type: none"> Removal of the original pathway leading from the front entry to the front boundary and making good the opening to the brick fence along the front boundary, including removal of the two large gateposts (evident in the c1993 photographs). Increase in height of brick soldier posts to the driveway opening to support new driveway gates. Additional landscape plantings introduced, chiefly the hedge immediately behind the front boundary fence. New concrete driveway and apron extending to an elevated hardstand area at the rear of the garage. Renewal of the original garden paths with new tiled paths and continuous-formed concrete edging (though the paths appear to retain the original location save for the reconfiguration of the front path from the front entry). Removal of at least two established Canary Island Palms, with one removed from immediately out the front of the dwelling in the front garden and one removed from the row along the eastern side elevation. Construction of a concrete seawall spanning the rear of the site. <p>Overall, the changes that have occurred to the buildings and landscaped setting have had little impact on the overall character and appearance when viewed in the context of the streetscape, nor have the changes significantly diminished the integrity of the buildings or the landscaped garden setting.</p>
Further comments	<p>'Bayview' is identified as an item of local heritage significance and is listed on Schedule 5 Environmental Heritage of the Georges River Local Environmental Plan 2021.</p> <p>The inscription on Schedule 5 of the Georges River LEP 2021 describes the item as 'House and front garden, "Bayview"' and identifies the site as Lot 21 at 28A Carlton Crescent, Kogarah Bay. This is supported by the mapping in the Georges River LEP 2021, showing only half the site as being heritage listed – that is, Lot 21 which contains the dwelling, the former boat shed and numerous semi-mature palms and shrubbery. All but one of the mature Canary Island Palms, together with the majority of the circulation paths, the detached garage and detached former teahouse / summerhouse are situated on Lot 22.</p> <p>On 24 May 2023, Georges River Council made an Interim Heritage Order ('IHO') relating to Lot 22 of Section 15 in Deposited Plan 1963. Interim Heritage Order No.2 was published in the NSW Government Gazette No.227 on Friday 26 May 2023.</p>



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HISTORY	
Historical notes	<p>In 1808, 1,950 acres was granted to John Townson, an army officer and settler, born in 1759 in Yorkshire, England. After serving several years as a lieutenant in the 18th Regiment, he transferred to the New South Wales Corps in October 1789 and arrived in the colony in 1790. Most of Townson's military service was spent at Norfolk Island, where he was stationed for about six years. In 1799, he also acted as lieutenant-governor of Norfolk Island while Lieutenant-Governor Philip Gidley King was absent.</p> <p>After returning to England and retiring, Townson came back to the colony in 1806 with a letter stating the intention of the Secretary of State to direct to Governor William Bligh to grant him 2,000 acres. Governor Bligh declined to do so until he received specific instructions from official authority. Townson was ready to return to England, until 1907 when his brother Robert arrived, and the Secretary of State directed that the grant be made – however, the order had not reached Sydney when the rebellion occurred in January 1808.</p> <p>In July, major George Johnson granted Townson 1,950 acres in the Bexley district, and the following year he received a further 250 acres from Lieutenant-Governor William Paterson. All of his land was then re-granted by Governor Lachlan Macquarie in 1810. The subject site was part of 50 acres, Portion 119 of the Parish of St George, that was granted to Townson in April of 1810.</p> <p>In 1811, Townson sold his land to Simeon Lord, who was quick to realise that land acquisition was a growing industry, and an industry that would continue to grow as the colony itself grew. The purchase of Townson's land was his first major purchase, followed by purchasing King's Grove Farm in 1829. Lord paid £800 for Townson's land, some of the best timber in the St George area. The location then became known as Lord's Bush.</p> <p>In the late 1870s, the land was sold and by 1885, the land had been reduced to 48 acres, having been purchased by The Mutual Provident Land Investing and Building Society Limited. They set about surveying the land and prepared a plan of subdivision that carved the estate into multiple residential sized allotments, interconnected by new roads.</p> <p>Known as 'Carlton Park', the first sale of the newly created allotments occurred in mid-December 1885 at an auction on the ground. In 1892, Lucy Jane Macmillan purchased Lots 2-20 (inclusive) of Section 11 of Deposited Plan 1963 (equating to 2 acres, three roods, 1 perch) as well as Lots 17-23 (inclusive) of Section 15 of Deposited Plan 1963 (1 acre 2 roods 2 perches). It was Lots 21 and 22 of Section 15 of Deposited Plan 1963 that were to become the subject site.</p> <p>In 1911, Macmillan's land was sold to the New South Wales Realty Co Limited. They then prepared a plan of subdivision, marketing the sale of allotments as the 'Kogarah Bay Estate', though there were no notable changes from the 1885 subdivision. At an auction on the ground held on 6th May 1911, they began selling the allotments, however not all the allotments would sell at that time.</p> <p>Lots 21 & 22 of Section 15 were finally purchased in 1916 by Bert Pooley. In 1920, Pooley sold the land to Elizabeth Maria Rowe, wife of Kogarah builder Frederick Ernest Rowe, who had earlier purchased Lot 19 from the Kogarah Bay Estate.</p> <p>Throughout the 1920s and 1930s, Frederick Rowe was a prominent figure in the building industry as he was advertised as having conducted numerous building works throughout the Kogarah area. In 1924 under the "Works in Progress" section in The Daily Telegraph Rowe is credited to building a 'brick cottage' in Carlton Crescent, Kogarah Bay and in 1927, he was building brick additions (presumably houses) in Payten and Myee Streets in Kogarah Bay.</p> <p>For the majority of the 1920s, the Rowe's residence was listed as 9 Carlton Crescent on the corner of Carlton Crescent and Payten Street.</p>



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	<p>This dwelling may have been a prototype for what Rowe would shortly build at 28 Carlton Crescent, as it appears substantially the same in form, detail and language, with the large single gable presenting to the street and rear elevations and with the timber panelling and lattice detailing to the gabled facades. Rowe's cottage at 9 Carlton Crescent would also be a mirror in composition to 28 Carlton Crescent, though as 9 Carlton Crescent was only situated on a single allotment, it would not have the defining bay windows which would be a signature to 28 Carlton Crescent.</p> <p>In 1928, Frederick Rowe became a joint tenant of the subject site with his wife and the Rowes are listed as residing at 30 Carlton Crescent in the 1931 Sands Directory as well as the electoral rolls of 1931 and 1937. However, at the similar time, Eleanora Eager is listed as living at 32 Carlton Crescent in 1935 then 30 Carlton Crescent in 1938. It is possible that the street numbers shifted during this time and it took time for residents to adjust. Mr Rowe, as a builder, may also have used multiple addresses for his businesses. More likely, Rowe's two adjoining lots probably added confusion – was it No.28 or No.30?</p> <p>In any case, reference to the address '28 Carlton Crescent' first appears in newspapers, the Sands Directory and NSW electoral rolls in 1928, suggesting that Rowe had built a house on the land by this time, coinciding with the transfer of title that same year to Mr and Mrs Rowe as joint tenants.</p> <p>Designed in what is contemporaneously referred to as the 'Inter-War Californian Bungalow' architectural style, the dwelling was designed as a single storey structure, fashionable for the period and architectural style, yet would occupy an uncharacteristically large footprint by comparison to the other early dwellings that had been erected on their respective lots within the emerging streetscape.</p> <p>The purchase of Lots 21 and 22 together appears to have largely influenced the design, placement and construction of the dwelling. Despite being constructed entirely upon Lot 21, the dwelling displays a judicious design that exploits the outlook eastwards over the adjoining Lot 22 and Kogarah Bay to the south, with the considered placement of large bay windows.</p> <p>In 1937, the St George County Council commissioned a run of aerial photography from Adastra Airways, producing the earliest aerial photography for the area. The 1937 aerial photograph evidences the considerably larger footprint of the dwelling by comparison with the other extant dwellings within Carlton Crescent at that time. It also evidences that a number of ancillary structures had been erected on both Lots 21 and 22, including a small boatshed at the southernmost corner of Lot 21, a detached garage structure in the northernmost corner of Lot 22 and a summerhouse / self-contained cottage in the easternmost corner of Lot 22. The various structures were all evidently interconnected by formed pathways, set within what appears as an established landscaped garden setting, with numerous plantings of Canary Island Palms and other shrubbery. A definitive shadow line also evidences the existence of a low-height fence along the street-front boundary. Similarly, a defined rectilinear line at the rear of the site indicates that a seawall had also been constructed to protect the property from the fluctuating tides.</p> <p>Throughout the 1930s, Frederick Rowe continued to advertise his building services as well as sales of properties with his contact address being listed as 28 Carlton Crescent. With private motor vehicle ownership still relatively uncommon and remaining so until the Post-War period, it is probable that Rowe used what is now the garage as a workshop and shed for the storage of his tools and equipment. The fact that Rowe specifically referenced his address in the newspaper advertisements rather than a telephone number, suggests either Rowe hadn't subscribed to a telephone service, or he deliberately wanted prospective clients to view an example of one of his completed projects, somewhat of a 'display home'.</p> <p>During this time, Rowe was letting the small summerhouse as a self-contained 3-roomed cottage for 30 shillings a week.</p>
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	<p>It was here that the Rowe's continued to reside until 1949, when Frederick died at the age of 70 at St George Hospital in May. By November 1949, an advertisement appeared in the local newspaper The Propeller, advertising inspections of a 'Luxurious Waterfront Home' describing the subject site as 'face brick and double fronted in new condition. The site was said to have land of 100ft. and a frontage of 200 ft. with the additional 3-roomed self-sustained cottage.</p> <p>The sales advertisement also particularly noted that the house contained a ballroom with a polished Jarrah timber floor, large verandahs, with a double garage, large workshop, boat shed and tiled and cement paths that led to the waterfront from the front entrance and that the property was 'well-laid out with palms and gardens'.</p> <p>Following Frederick's death, the property transferred into the sole ownership of his wife, who in turn was looking to sell it for immediate possession for £6,500. Interestingly, the sales advertisement from 1949 noted that a possible function for the "beautiful home" would be to convert it into a private hospital.</p> <p>Instead, it was purchased in 1950 by Mervyn Augustus Vollmer of Kogarah and his registered trade was a 'taxi proprietor', who was known for often using his black cabs as wedding cars. Within three years, advertisements started to appear in newspapers advertising "Bay-Vista" for wedding receptions and other parties. Vollmer began using the property commercially for wedding receptions in November 1952 and from then till 1969, approximately two functions were hosted there each week.</p> <p>These advertisements boasted the property's ballroom and noted that they had an orchestra for hire and a bride's room. This is the first documented use of the name 'Bay-Vista' for the property that over time, transformed into 'Bayview' as the property remains known to the present-day.</p> <p>A few years previously, Mr Vollmer had been in the news in a very public divorce case involving his previous wife Rona Vollmer, who discovered his affair with Mrs Patricia Harrison and took him to court. The Vollmers are listed as living at 28 Carlton Crescent for the decade of the 1950s, however by 1963, Mervyn Vollmer was listed as living in Windsor as a farmer whilst Patricia's address remains at Carlton Crescent until 1968.</p> <p>In 1968, 'Bay-Vista' was sold, transferring in ownership to Elise Linda Burcher. Burcher did not live at the property, but did live close-by. 'Bay-Vista' was leased to Gavin George Robert Morton and his wife Joan Mary Morton in 1968, with both the Mortons professions being recorded as 'caterers'. It is evident through newspaper articles regarding weddings and advertisements that the subject site continued to be used as the Bay-Vista function centre. When Elise Burcher died in 1988, the property was sold, transferring in equal shares to her children Leslie Ronald Burcher and Norma Winifred Treloar.</p> <p>'Bay Vista' or 'Bayview' as it had also become known, was subsequently advertised for sale by auction in 1989, advertised as a 'prestige waterfront subdividable land' with 'existing use rights for Wedding receptions.'</p> <p>It was purchased by Kyriacos and Mary Kyriacou who had just recently sold their wedding car hire business that same year. Several years of legal challenges ensued, with the Kyriacou's trying to continue and expand the function centre use of the site, with such a land use being otherwise prohibited in the residential zoning under the Council's planning regime. In 1991, the NSW Land and Environment Court granted injunctions, restraining the Kyriacou's from using the property for any other purpose other than as a private dwelling house.</p> <p>This likely prompted the sale of the property in 1992, when it was purchased by Demetre Dimitropoulos and in 1995, new legal proceedings were commenced against the (then) Kogarah Municipal Council and their Solicitor Sophie Antoniadis for negligence. The case of <i>Kyriacou v</i></p>
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	<p>Kogarah MC (1995) dealt with the issue of existing use rights and whether or not the Council and Council's Solicitor were negligent in misinforming the Kyriacou's about their lawful ability to use the property as a wedding reception centre. The Kyriacous were awarded costs and the case has since been regularly cited, having influenced reforms to conveyancing laws.</p> <p>'Bayview' was sold in 1998 and then again in 2001, before being sold in 2010 to the present owners.</p> <p>In early 2023, a Development Application was submitted to Georges River Council involving the boundary adjustment of Lots 21 and 22, tree removal, demolition of the existing detached garage structure and detached secondary dwelling on Lot 22, construction of a new dwelling house with associated in-ground swimming pool (also on Lot 22) and construction of a new hardstand carparking space and vehicular access driveway to Lot 21.</p> <p>On 24 May 2023, Georges River Council made an Interim Heritage Order No.2 relating to Lot 22 of Section 15 in Deposited Plan 1963. Interim Heritage Order No.2 was published in the NSW Government Gazette No.227 on Friday 26 May 2023.</p>
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APPLICATION OF CRITERIA	
Historical significance SHR criteria (a)	<ul style="list-style-type: none"> 'Bayview' at 28 Carlton Crescent, Kogarah Bay, is of historical significance at the local level as it evidences early residential development in Kogarah Bay following the speculative subdivisions of earlier land grants into residential allotments and the resulting residential development that ensued. 'Bayview' is historically significant as it evidences the changing attitudes to living in the city and established populated areas, preferring instead to develop the outer suburbs in a desire for a healthier lifestyle and environment. 'Bayview' is historically significant as it retains strong evidence of the original 1911 subdivision pattern, together with its original boathouse, garage / workshop and summerhouse, together with much of the original landscape plantings and theme, which allows the property to be easily understood as a representation of its early 20th century history.
Historical association significance SHR criteria (b)	<ul style="list-style-type: none"> 'Bayview' is of historical associative significance for its strong association with builder, Frederick Rowe, who is attributed with building the dwelling and ancillary structures in or about 1928 as his own home and place of business. Rowe is attributed with having built numerous houses in and around Kogarah throughout the 1920s and 1930s period. 'Bayview' was also likely used by Rowe to showcase his craftsmanship to prospective clients, exhibiting an unequivocal superiority to the other examples of his work and demonstrates features which are unparalleled in his other work, with a high degree of ornamentation and quality craftsmanship.
Aesthetic significance SHR criteria (c)	<ul style="list-style-type: none"> 'Bayview' exhibits quality craftsmanship with overt detailing and embellishments, making it a fine and highly distinctive example of an early 20th century Inter-War Californian Bungalow. The aesthetic qualities and visual distinctiveness of 'Bayview' is directly enhanced by the double-allotment width, which creates a generously proportioned garden setting with numerous significant landscape plantings extant, protected and reinforced through the deliberate positioning of the dwelling, boatshed, garage / workshop and summerhouse to sit in each of the four corners of the site. The sensory appeal and aesthetic values of the site are also directly enhanced by uninterrupted wide sweeping waterfront views and relationship to Kogarah Bay at the rear,



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	<p>with the original allotment configuration having been retained.</p> <ul style="list-style-type: none"> The incorporation of multiple large bay windows and verandahs to the dwelling evidence a deliberate design approach to celebrate the contrived aesthetic values of the expansive garden setting and water views. 'Bayview' and its garden setting is visually distinctive in the street and broader landscape through the uncharacteristically wide presentation to Carlton Crescent, with the property distinguished by the large collection of mature Canary Island Palms. 'Bayview' exhibits a high degree of aesthetic quality that is unparalleled in other similar Inter-War period bungalows, with 'Bayview' retaining its original elements, site features, garden setting, subdivision pattern and visual and physical relationships. This makes 'Bayview' visually distinctive and an exemplar of its style and class because of its setting.
Social significance SHR criteria (d)	<ul style="list-style-type: none"> 'Bayview' contributes to the community's sense of place, being a visually distinctive feature of the local landscape. Having functioned throughout the 1950s until the late 1980s as a function centre, hosting weddings, parties and other social events, 'Bayview' is likely to have social significance and importance to the local and broader community, particularly those who attended social events at the property.
Technical/Research significance SHR criteria (e)	<ul style="list-style-type: none"> 'Bayview' exhibits an unusually high degree of ornamentation and quality craftsmanship, with numerous distinguishing, unusual and uncommon features that suggest Rowe used the dwelling to showcase his craftsmanship to prospective clients. The dwelling exhibits construction techniques and features which are uncommon to the style and class of domestic building, particularly evidenced in the large floor area and matching ceiling span of the formal lounge room, being uninterrupted by support columns or partition walls and the innovative use of the splayed ceiling panelling to follow the roof profile and maximise the perceived and actual spaciousness internally. The high-quality craftsmanship combined with the incorporation of uncommon construction techniques and features, makes 'Bayview' an important benchmark and reference site.
Rarity SHR criteria (f)	<ul style="list-style-type: none"> 'Bayview' is attributed to the work of local builder Frederick Rowe, having been built c1928. Rowe is credited with having built numerous houses around Kogarah during the 1920s and 1930s period, however 'Bayview' is considered his best and most distinguished work. Other examples of Rowe's domestic work display similarities in themselves, yet 'Bayview' exhibits an unparalleled superiority in the quality of craftsmanship and detailing, containing numerous design features that are unique to 'Bayview', including the distinctive large bay windows and curved balcony as well as many distinct internal features, including the elaborate leadlight windows, timber flooring and ceiling panelling. 'Bayview' is a highly intact early 20th century residential property which displays deliberate design intent to address the expansive garden setting and waterfrontage, and is both unusual and uncommon as it is spread across two adjoining allotments, having been originally purchased together and continually maintained as such. 'Bayview' evidences early 20th century marine activity, including a boatshed and summerhouse, both built right on the water's edge and the retention of the boatshed, garage / workshop and summerhouse is exceptionally rare in the local context, demonstrating rarity



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	significance accordingly.
Representativeness SHR criteria (g)	<ul style="list-style-type: none"> 'Bayview' is described as a single storey dwelling, which displays characteristics attributed to the early 20th century Inter-War period and of the Californian Bungalow architectural style. Built c1928 by local builder Frederick Rowe, the dwelling exhibits a high degree of design integrity, having been little altered. It exhibits fine craftsmanship, with exceptional detailing that is uncommon to the architectural style and domestic scale of the building. 'Bayview' is considered of remarkable quality and detailing, making it of high architectural interest and value as an excellent representative example of the style and class. The dwelling is complemented by a freestanding boatshed, garage / workshop and summerhouse, each of which exhibit similarity in design and language, having each been constructed around the same time. The high degree of design integrity and intactness of each of the structures make an important group setting of outstanding quality, enhanced by the retention of the original allotment boundaries and garden setting. Collectively, the site is representative of an early 20th century waterfront property. The garden setting spread over two adjoining allotments continue to communicate the early functions and relationships, retaining many original landscape plantings including the Canary Island Palms, pathways and front fence.
Integrity	<p>Each of the buildings display some evidence of previous cosmetic and structural changes, though the original silhouette and form of the structures remain remarkably intact. Original detailing and features also appear remarkably intact.</p> <p>Similarly, the landscaped gardens evidence some changes by comparison with contemporary examination and historical documentary evidence. Overall, the garden setting remains substantially intact and unaltered.</p>



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HERITAGE LISTINGS	
Heritage listing/s	Schedule 3 – Kogarah Local Environmental Plan 1998
	Schedule 5 – Kogarah Local Environmental Plan 2012
	Schedule 5 – Georges River Local Environmental Plan 2021 [Item No.1208] (Lot 21 only)
	Interim Heritage Order No.2 (relating to Lot 22 in Section 15 of DP 1963) made 24 May 2023 and gazetted on 26 May 2023

INFORMATION SOURCES				
Include conservation and/or management plans and other heritage studies.				
Type	Author/Client	Title	Year	Repository
Study	Tropman and Tropman Architects	Kogarah Heritage Study	1993	Georges River Council archives
Study	Edwards Heritage Consultants Pty Ltd	Heritage Significance Assessment – 28 Carlton Crescent, Kogarah Bay	2023	Georges River Council archives

RECOMMENDATIONS	
Recommendations	<ol style="list-style-type: none"> 'Bayview' should continue to be identified as an item of local heritage significance and remain listed on Schedule 5 of the Georges River LEP 2021. Council should prepare a Planning Proposal to amend the listing of Heritage Item No.1208 on Schedule 5 of the Georges River LEP 2021 by making the following changes: <ol style="list-style-type: none"> Revise the item name from 'House and front garden, "Bayview"' to "'Bayview" house and garden, boatshed, garage and summerhouse'. Revise the address from '28A Carlton Crescent, Kogarah Bay' to '28 and 28A Carlton Crescent, Kogarah Bay'. Revise the property description to include both Lots 21 and 22 in Section 15 of Deposited Plan 1963. Update the Heritage Map in the Georges River LEP 2021 to correspond with the above changes. The citation for the heritage item on the NSW State Heritage Inventory Database should be revised and updated to reflect this revised and updated Inventory Sheet.

SOURCE OF THIS INFORMATION			
Name of study or report	Heritage Significance Assessment – 'Bayview' 28 Carlton Crescent, Kogarah Bay (July 2023)	Year of study or report	2023
Item number in study or report			
Author of study or	Edwards Heritage Consultants Pty Ltd		



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report			
Inspected by	Michael Edwards		
NSW Heritage Manual guidelines used?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
This form completed by	Michael Edwards	Date	July 2023



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IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	View of 'Bayview' from the front garden.				
Image year	2023	Image by	Edwards Heritage Consultants Pty Ltd	Image copyright holder	Edwards Heritage Consultants Pty Ltd





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Please supply images of each elevation, the interior and the setting.

Image caption	Aerial view of the site (NSW Land and Property Information aerial imagery with EHC overlay)				
Image year	c2017	Image by	Edwards Heritage Consultants Pty Ltd	Image copyright holder	Edwards Heritage Consultants Pty Ltd





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IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	View of 'Bayview' and garage, together with the garden setting.				
Image year	2023	Image by	Edwards Heritage Consultants Pty Ltd	Image copyright holder	Edwards Heritage Consultants Pty Ltd





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IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	View of 'Bayview' from the summerhouse.				
Image year	2023	Image by	Edwards Heritage Consultants Pty Ltd	Image copyright holder	Edwards Heritage Consultants Pty Ltd





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Please supply images of each elevation, the interior and the setting.

Image caption	View of the summerhouse and garden setting.				
Image year	2023	Image by	Edwards Heritage Consultants Pty Ltd	Image copyright holder	Edwards Heritage Consultants Pty Ltd





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IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Aerial view of the site in 1937 by Adastra Airways with EHC overlay.				
Image year	1937	Image by	Georges River Council	Image copyright holder	Georges River Council



Attachment 1 - Summary of submissions, Council responses and recommendations					
CM9	Date	Submitter	Suburb	Summary of Submission	Response to Submission and Recommendation
Key Stakeholder Submissions					
D23/303019	22/11/2023	Football St George, Penshurst West Football Club (PWFC) and Football NSW		<ul style="list-style-type: none"> Fencing the perimeter of the Olds Park football ground is an "essential safety enhancement" that would reduce risk, liability and accident potential and enhance experience for all. Fencing would improve player safety by creating a clear boundary between the playing area and spectators and preventing accidental entry to the playing area. Spectators would have safer/secure viewing areas with less risk of accidents, crowding and spectator movement could be better managed, and assist in managing any inappropriate "unsporting like" conduct. Referees/officials would have a safer environment with reduced potential for conflict. PWFC would meet cost of fencing, and would be willing to work with Council regarding design and project management. Fencing proposal has the "strong support" of Football St George, and the "full and unequivocal support" of Football NSW (especially with the expected increase in female participation levels). 	<ul style="list-style-type: none"> The existing football field is smaller than the standard senior football field size in accordance with the Football NSW guideline, the installation of a fence would further decrease the size. Irrespective of the size of the field there is insufficient space for new perimeter fencing given the site constraints, which include the existing drainage channel bordering three sides of the field, together with sloping grounds. If fencing were to be installed, the football field will be reduced to approximately 55m x 94m which is considerably smaller than the Football NSW guideline of 64m x 100m. Additionally, this field has been identified in the previous and current draft Master Plan for the use of javelin throwing. Any fencing will hinder this activity. The placement of a fence, restricting other uses is in contrast to Council's Draft Georges River Community Infrastructure Needs Assessment and Acquisition Area Strategy which highlights the need for multi-use/ multi-purpose facilities. The inclusion of a fence also poses operational and maintenance issues for Council staff in the form of ongoing upkeep and repairs of the fence, as well as mowing and other turf maintenance activities. Beyond the scope of the amendment – no further changes to the Draft Master Plan recommended.
D23/288845	14/11/2023	Australian Football League (AFL)		<ul style="list-style-type: none"> Support for proposed Master Plan amendments. The amendments to the Master Plan will allow for significant improvements that will enhance the experience for the AFL clubs and community. These facilities are critical to AFL NSW/ACT's ambition to host elevated content at the site in the year ahead. Strongly recommend the provision of a universally inclusive umpires' room within the Master Plan. It is of utmost importance that the existing AFL clubs are provided access to the clubroom throughout the year for training, match play and club events. It is the position of AFL NSW/ACT that our tenant clubs should be provided the opportunity to display memorabilia and other club items in this club room in recognition of their long history at the site and contribution to the Georges River community. 	<ul style="list-style-type: none"> The provision of a universally inclusive umpires' room has been added to the scope of works for the proposed redeveloped sport/community facility. The proposed redeveloped sport/community facility is intended to accommodate sporting clubs using the Park's main oval and to serve as a community space. The final access and use arrangements will be as determined by Council in discussion with sporting and community groups and the wider community, and set out in appropriate lease/licence agreements. No further changes to the Draft Master Plan recommended.
Community Submissions					
D23/267849	27/10/2023			<ul style="list-style-type: none"> Improved lighting required for enhanced safety in the Park's south-west corner and western carpark – especially during winter. Solar lighting suggested. Western carpark (accessed off Holley Road) is heavily used, and warrants "updating" and additional capacity. Improved lighting required in area west of existing (western) toilet block, and improved drainage and "beautification", to make this area safer and more appealing/usable. Also address hazard from falling tree branches in this area. Support for proposed Master Plan amendments is unclear. 	<ul style="list-style-type: none"> The Master Plan (as adopted) currently includes the directions to "maximise parking spaces" and upgrade the Western carpark (off Holley Road) with "line marking, pedestrian pathways, security lighting, shade tree planting or built shelter" as well as "electric vehicle parking and chargers". Tree safety audits and hazard management measures are operational issues. Beyond the scope of the amendment – no further changes to the Draft Master Plan recommended.
D23/271928	27/10/2023		Mortdale	<ul style="list-style-type: none"> Request for additional basketball courts as there "are not enough in this area". Support for proposed Master Plan amendments. 	<ul style="list-style-type: none"> Current redevelopment of the Park's "Skate Park and Netball Courts Precinct" includes two upgraded multi-sport courts which will cater for basketball. Inadequate available space at Olds Park to provide additional (dedicated) outdoor basketball courts – without displacing other existing uses. Beyond the scope of the amendment – no further changes to the Draft Master Plan recommended.

D23/271931	27/10/2023		Oatley	<ul style="list-style-type: none"> • Reconstruction works should not impact on the health of remnant native trees in/around the current or proposed facilities. • Comparable funding should be provided for "reforesting" areas of the Park with remnant Sydney Turpentine and Ironbark Forest (STIF) which is a listed Endangered Ecological Community in the Sydney Basin, and is already present in the Park. • Does not support proposed Master Plan amendments if tree health impacted. 	<ul style="list-style-type: none"> o Retention or removal of existing trees in the Park's south-east corner – in and around the proposed improvement/works – will be addressed in the detailed design process. o The proposed Master Plan amendments include provision for "landscape/screening plantings" around the new sport/community facility. o The Master Plan (as adopted) currently provides for protecting the cluster of remnant Sydney Turpentine-Ironbark Forest tree species in the Park's central west, using "low under-plantings", as well as general directions to "plant more trees to create cool zones, for biodiversity, habitat and climate amelioration" and to "plant locally occurring native species". o Beyond the scope of the amendment – no further changes to the Draft Master Plan recommended.
D23/271932	27/10/2023		Beverly Hills	<ul style="list-style-type: none"> • Redeveloped sport/community facility should be accessible to all community members, not just those associated with sporting clubs. • Toilets should be "all gender" or "gender-neutral". • Provide more shaded seating along Forest Road facing the oval/sports field. • Provide maintenance and information regarding the existing "Liberty Swing". • Support for proposed Master Plan amendments if accessible to all community members. 	<ul style="list-style-type: none"> o The proposed redeveloped sport/community facility is intended to accommodate sporting clubs using the Park's main oval and to serve as a community space. The final access and use arrangements will be as determined by Council in discussion with sporting and community groups and the wider community, and set out in appropriate lease/licence agreements. o The proposed Master Plan amendments include provision of "accessible public toilets/amenities" as part of the redeveloped sport/community facility. The various elements of the redeveloped sport/community facility will be subject to the detailed design process – including the type and set-out of the proposed public toilets. o The Master Plan (as adopted) currently provides for a "cool zone" with shaded facilities, including seating, and tree planting along the rear of the proposed terraced spectator seating on the bank south-east and south of the main oval (north of Forest Road). o The proposed Master Plan amendments include removal of the "liberty swing" following the provision of all-abilities accessible play equipment in the nearby up-graded playground. o Amend Draft Master Plan text box re the redeveloped sport/community facility to specify "large clubroom/community space to service all tenant clubs and serve as a community space" and "accessible inclusive public toilets/amenities".
D23/271933	27/10/2023		Penshurst	<ul style="list-style-type: none"> • Request for provision of a tennis court. • Request for provision of multiple outdoor table tennis tables to better accommodate a variety of sports/leisure uses. • Unsure re support for proposed Master Plan amendments. 	<ul style="list-style-type: none"> o Inadequate available space at Olds Park to provide a viable tennis facility – without displacing other existing uses. o The Master Plan (as adopted) currently provides for a number of "cool zones" and "facilities area" around the Park which would be appropriate settings to accommodate outdoor table tennis tables. However, it is not considered necessary to specify this detail at the Master Plan level. o Beyond the scope of the amendment – no further changes to the Draft Master Plan recommended.
D23/271935	28/10/2023		Penshurst	<ul style="list-style-type: none"> • Request for provision of a parent's and children's toilet block. • Suggestion for upgrading play equipment "in both parts of the Park". • Suggestion for gated play areas, due to proximity of both play areas to carparks. • South-eastern play area is on a slope, preference for relocation to a flatter area. • Suggestion for additional car parking capacity. • Support for proposed Master Plan amendments. 	<ul style="list-style-type: none"> o The proposed Master Plan amendments include provision of "accessible public toilets/amenities" as part of a redeveloped sport/community facility. o The proposed Master Plan amendments include upgrading the picnic/play zone in the Park's south-east with high quality items, all-abilities accessible play equipment, and appropriate soft-fall – but largely in its present location. Relocation lower on the slope is not possible due to the provision of terraced spectator seating on this section of the bank around the main oval as proposed by the Master Plan amendments. o The Master Plan (as adopted) currently provides upgrading of the western play area as "an accessible adventure playground for younger and older aged groups" with shade, soft-fall and upgraded picnic facilities. o Enclosing the Park's two existing or proposed playgrounds may be considered at the detailed design stage. o The Master Plan (as adopted) currently includes the directions to reconfigure and upgrade the south-eastern carpark (off Forest Road), and to "maximise parking spaces" and upgrade the Western carpark (off Holley Road). o No further amendments to Draft Master Plan recommended.

D23/271938	31/10/2023		Penshurst	<ul style="list-style-type: none"> Does not support the proposed Master Plan amendments for the following reasons Park generated traffic is causing congestion, and accidents, in surrounding streets and intersections – and making access for residents very difficult. Emergency vehicle access along Forest Road being impacted. Request for provision of considerably more car parking capacity within the Park. Concern re after hours parties and noise from the Park, requests improved more effective perimeter fencing. 	<ul style="list-style-type: none"> Inadequate available space at Olds Park to provide significantly increased car parking capacity – without displacing other existing uses/users (including use of the Olds Park Sports Club bowling greens) or developing multi-level parking facility with consequent impacts on Park character/appearance and neighbour amenity. The Master Plan (as adopted) currently includes the directions to reconfigure and upgrade the south-eastern carpark (off Forest Road), and to "maximise parking spaces" and upgrade the Western carpark (off Holley Road). Management of inappropriate after-hours activity is an operational/enforcement issue – and not suited for specification in a Master Plan. Exclusion perimeter fencing would reduce Park's accessibility and appeal. <p>Beyond the scope of the amendment – no further changes to the Draft Master Plan recommended.</p>
D23/276323	2/11/2023		Peakhurst Heights	<ul style="list-style-type: none"> Does not support the proposed Master Plan amendments because Provision of a public swimming pool, or a public lap pool, is a greater need than upgrading existing facilities. 	<ul style="list-style-type: none"> Inadequate available space at Olds Park to provide a viable public swimming pool or lap pool – without displacing other existing uses. Council is currently completing a business case for an additional aquatic facility in the LGA. <p>Beyond the scope of the amendment – no further changes to the Draft Master Plan recommended.</p>
D23/291448	16/11/2023		Mortdale	<ul style="list-style-type: none"> Support for provision of new facilities to meet changing community and local government needs, and best practice development for infrastructure and public open space. Looks forward to opening of upgraded skate park. Support for proposed Master Plan amendments. 	<ul style="list-style-type: none"> Redevelopment of the Park's "Skate Park and Netball Courts Precinct" is underway. Includes "flowy street style" skatepark, shaded seating areas, and skateboard (and bike) repair stations. <p>No further amendments to Draft Master Plan recommended.</p>
D23/291976	17/11/2023		Kogarah	<ul style="list-style-type: none"> Support for proposed Master Plan amendments – if "public use basketball courts" are included. 	<ul style="list-style-type: none"> Current redevelopment of the Park's "Skate Park and Netball Courts Precinct" includes two upgraded multi-sport courts which will both cater for basketball. Inadequate available space at Olds Park to provide additional (dedicated) outdoor basketball courts – without displacing other existing uses. <p>Beyond the scope of the amendment – no further changes to the Draft Master Plan recommended.</p>
D24/4085	18/11/2023		Penshurst	<ul style="list-style-type: none"> Comments relate to a different park (Penshurst Park). Lack of soccer facilities/area at Penshurst Park which are accessible and available to residents and the general community – "local kids and parents" and Penshurst Public School. Especially problematic during winter season. Suggestion to convert "outdoor cricket space", at Penshurst Park, into a small futsal field. Support for proposed Master Plan amendments is unclear. 	<ul style="list-style-type: none"> Comments relate to Penshurst Park, not Olds Park and the proposed Master Plan amendments. <p>Comments relate to Penshurst Park – no further changes to the Olds Park Draft Master Plan recommended.</p>
D23/297796	26/11/2023		Lugarno	<ul style="list-style-type: none"> Existing facilities are aging and would benefit from an upgrade. Integrate design, and possibly source additional funding, with the new skatepark – such as improved "shared paths, lighting, way finding, etc." Will toilets be accessible to the public? If toilets are for sporting clubs' use only, will their upkeep be included in facility usage agreements? Support for proposed Master Plan amendments. 	<ul style="list-style-type: none"> New skatepark is nearing completion as part of the current redevelopment of the Park's "Skate Park and Netball Courts Precinct". The Master Plan (as adopted) currently includes directions for improved signage and lighting of the Park's perimeter/circuit shared path, as well as providing for improved paved access to/from the upgraded "Skate Park and Netball Courts Precinct". The proposed Master Plan amendments include provision of "accessible public toilets/amenities" as part of the redeveloped sport/community facility – these will be open/available for use by all members of the community. <p>No further amendments to Draft Master Plan recommended.</p>



Summary of Submission and recommendations - GRDCP 2021 Amendment 5 Subdivision, Lot Consolidation and Boundary Adjustments in Heritage Conservation Areas				
Date of Submission	Suburb	Summary of Submission	Response to Submission	Recommendation
8/11/2023	Hurstville	Supports the proposed amendment as it will maintain the character of the HCA.	Noted.	No change to the exhibited DCP amendment
9/11/2023	Penshurst	Understands the need to increase population density, in particular for the elderly and people with a disability but this should occur without destroying heritage properties and areas. Development undertaken needs to preserve HCAs and take into account visual impact, form and scale of the development.	The purpose of the draft amendment to the GRDCP 2021 is to ensure a cohesive streetscape character and rhythm in the built forms and landscaped settings throughout the HCAs. In particular, any subdivision, boundary adjustment or lot consolidation is to consider the impact on the established subdivision pattern of the area, including visual and physical impacts on the built and natural environment.	No change to the exhibited DCP amendment
10/11/2023	Hurstville	Happy for the heritage rating to change on their property as they believe the current heritage policy means they cannot make improvements to their property.	The heritage status of properties does not prevent development. Council at its meeting held 23 October 2023 resolved to undertake a heritage study to review heritage items. This is subject to a budget bid for FY24/25. A review of heritage controls in the DCP relating to the HCAs will commence in January 2024. This review will include the HCA maps to ensure they accurately reflect the contribution status of the building stock.	No change to the exhibited DCP amendment
10/11/2023	Penshurst	The submitter's house is a local heritage item which includes the curtilage around the streetscape and house. Planning controls were incorporated in the DCP for the appropriate subdivision and construction of four townhouses subject to Council and heritage constraints in the backyard. They also note that their property was excluded from the Low Rise Medium Density Housing Planning Proposal as the site is over 1500sqm. Requests information on their property's status with respect to the proposed amendment to the GRDCP and a written exemption from the amendment.	Site specific controls for the development of the site are contained with Clause 2.2 Heritage Items - Site Specific Requirements in Appendix 2 of the GRDCP. These controls require the subject site to be redeveloped in accordance with a diagram provided and is to provide an appropriate building scale and external appearance complementary to the existing dwelling and general character of the HCA. Furthermore, Schedule 1 Additional permitted uses of the Georges River Local Environmental Plan 2021 allows the site to be developed for dual occupancies (detached). The draft amendment to the GRDCP does not change the permissibility of the site to be developed for dual occupancies (detached) or the applicability of the site specific controls under Clause 2.2 in Appendix 2 of the GRDCP. The proposed amendment to the GRDCP provides additional controls to ensure developments consider the impacts on the established subdivision pattern within HCAs as lot sizes and configurations can be a characteristic of the established rhythm and defining subdivision pattern.	No change to the exhibited DCP amendment
18/11/2023	Penshurst	Opposed to medium and high density development as it changes the volume of traffic and street parking availability and takes away the ambience and attractiveness of the area. The character of the area should be maintained.	The current R2 Low Density Residential zoning and 9m maximum height limit in the HCAs is not proposed to be amended. Conversely, the proposed amendments to the GRDCP aim to ensure that any subdivision, boundary adjustment or lot consolidation in the HCAs considers the impacts on the established subdivision pattern of the area, including visual and physical impacts on the built and natural environment.	No change to the exhibited DCP amendment
6/12/2023	Kogarah	Opposed to the development of seniors housing in HCAs as it is not possible to keep the characteristics of a HCA and develop large senior housing complexes and would be detrimental to the history and heritage of HCAs in Kogarah.	Seniors housing will become permissible in HCAs from 1 January 2024 under the Housing SEPP. Council does not have the ability to amend the permissibility of seniors housing under State Government legislation. However, the purpose of the draft amendment to the GRDCP 2021 is to ensure a cohesive streetscape character and rhythm in the built forms and landscaped settings throughout the HCAs. In particular, any subdivision, boundary adjustment or lot consolidation is to consider the impact on the established subdivision pattern of the area, including visual and physical impacts on the built and natural environment.	No change to the exhibited DCP amendment
6/12/2023	Kogarah	Opposed to the development of seniors housing in HCAs as there are plenty of alternative areas.	Seniors housing will become permissible in HCAs from 1 January 2024 under the Housing SEPP. Council does not have the ability to amend the permissibility of seniors housing under State Government legislation.	No change to the exhibited DCP amendment

9/12/2023	Hurstville	Supports the proposed amendment and strict requirements on compliance with scale, form and character of HCAs for seniors housing developments built under the SEPP to minimise impact on the existing community.	Noted.	No change to the exhibited DCP amendment
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Appendices



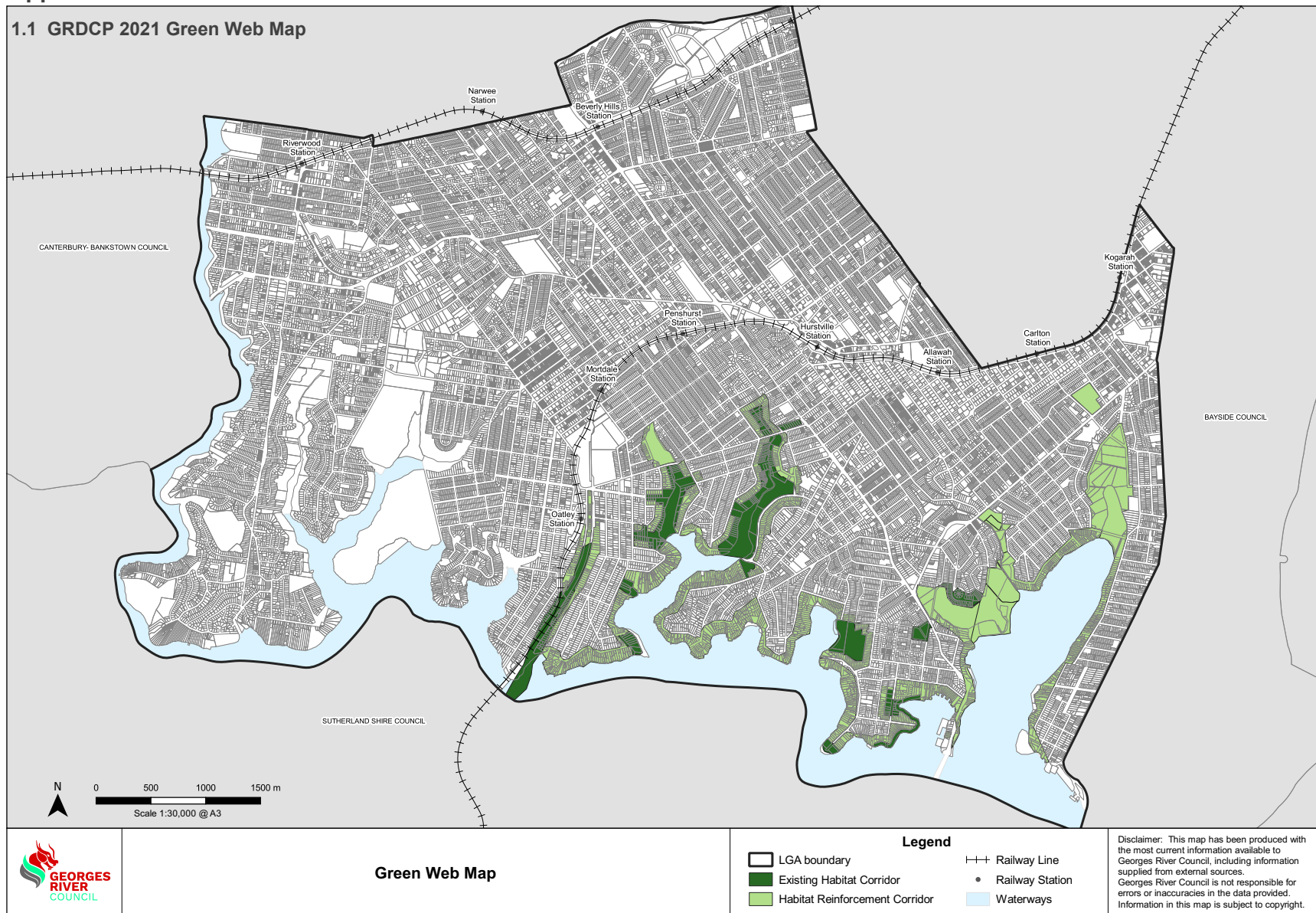
Appendices

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Appendix 1 Green Web

1.1 GRDCP 2021 Green Web Map



Appendix 2 Heritage Items and Heritage Conservation Areas

2.1 Introduction

This part supports Schedule 5 of the Georges River LEP ~~2020~~2021, providing detailed development controls for sites identified as heritage items or located within a Heritage Conservation Area.

In addition to the listed heritage items, three (3) Heritage Conservation Areas are also listed within Schedule 5 of the Georges River LEP ~~2020~~2021, being:

1. Penshurst Heritage Conservation Area;
2. Kogarah South Heritage Conservation Area; and
3. O'Brien's Estate Heritage Conservation Area.

The objectives and this part are listed below.

Objectives

- (a) Ensure development protects and enhances the environmental and cultural heritage of Georges River;
- (b) Ensure proposed development is sympathetic to heritage items and Heritage Conservation Areas;
- (c) Provide guidance on appropriate design, siting, bulk, materials, landscaping and streetscape character.

2.2 Heritage Items – Site Specific Requirements

2.2.1 No. 24 (Lot 2, DP 320644) Penshurst Avenue, Penshurst

Note:

The subject site is identified in Clause [8-10](#) of Schedule 1 of the Georges River LEP [20202021](#).

Objective

- (a) Ensure development of the site responds to the heritage item and respects the streetscape qualities of the Penshurst Heritage Conservation area.

Controls

1. Where the site is redeveloped in accordance with Clause [8-10](#) of Schedule 1, development on the site is to comply with the requirements of **Figure 1** below.

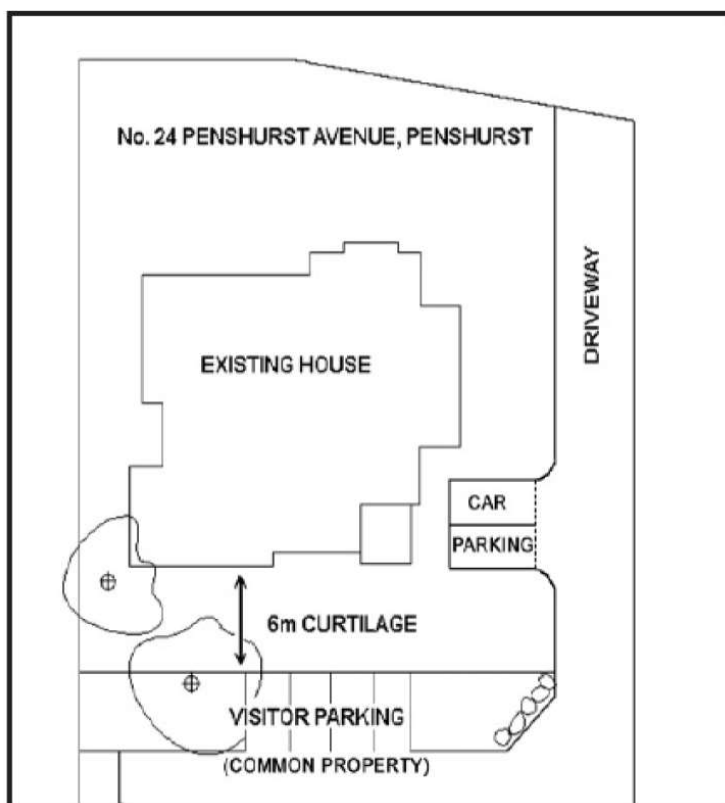


Figure 1 No. 24 Penshurst Avenue, Penshurst

2. Development of the site must provide an appropriate building scale and external appearance complementary to the existing dwelling and general character of the Heritage Conservation Area.
3. Any application for redevelopment of the site in accordance with Clause ~~8-10~~ of Schedule 1 must be accompanied by a heritage management document and heritage conservation management plan prepared by an appropriately qualified professional.

2.2.2 Nos. 211-~~217~~ 219 Rocky Point Road, Ramsgate Objective

- (a) Minimise the impact of development on the adjoining heritage building

Controls

1. Development adjacent to the heritage listed buildings at Nos. 211-21~~9~~ Rocky Point Road, Ramsgate is to step down to a maximum of two (2) levels to reduce the impact on the heritage listed building.

2.3 Heritage Conservation Areas

While the individual buildings that comprise a Heritage Conservation Area may not have sufficient significance to be listed as heritage items, collectively they are considered to possess a value worth retaining, having consistent streetscapes, landscapes and building characteristics. Buildings within a Heritage Conservation Area usually contribute to the quality of the area; however some individual buildings might not be worth retaining. Accordingly, buildings are nominated as Contributory, Neutral or Intrusive items, thus identifying those which reinforce heritage significance and should be conserved as well as buildings that could be replaced by new development that is more sympathetic to the values of the Heritage Conservation Area. Council has prepared Heritage Conservation Area Assessment Guidelines for the Penshurst, O'Brien's Estate and Kogarah South Heritage Conservation Areas which provide information for owners intending to develop their properties. These guidelines are included in Appendix 3.

Applicants are strongly advised to contact Council prior to preparing any plans for new development in a Heritage Conservation Area so as to ensure that what is being proposed is consistent with the requirements within the specific Heritage Conservation Area. To discuss your proposal contact Council's Customer Service Centre directly.

The three (3) Heritage Conservation Areas within the LGA are identified as follows:



Figure 2 Kogarah South Heritage Conservation Area

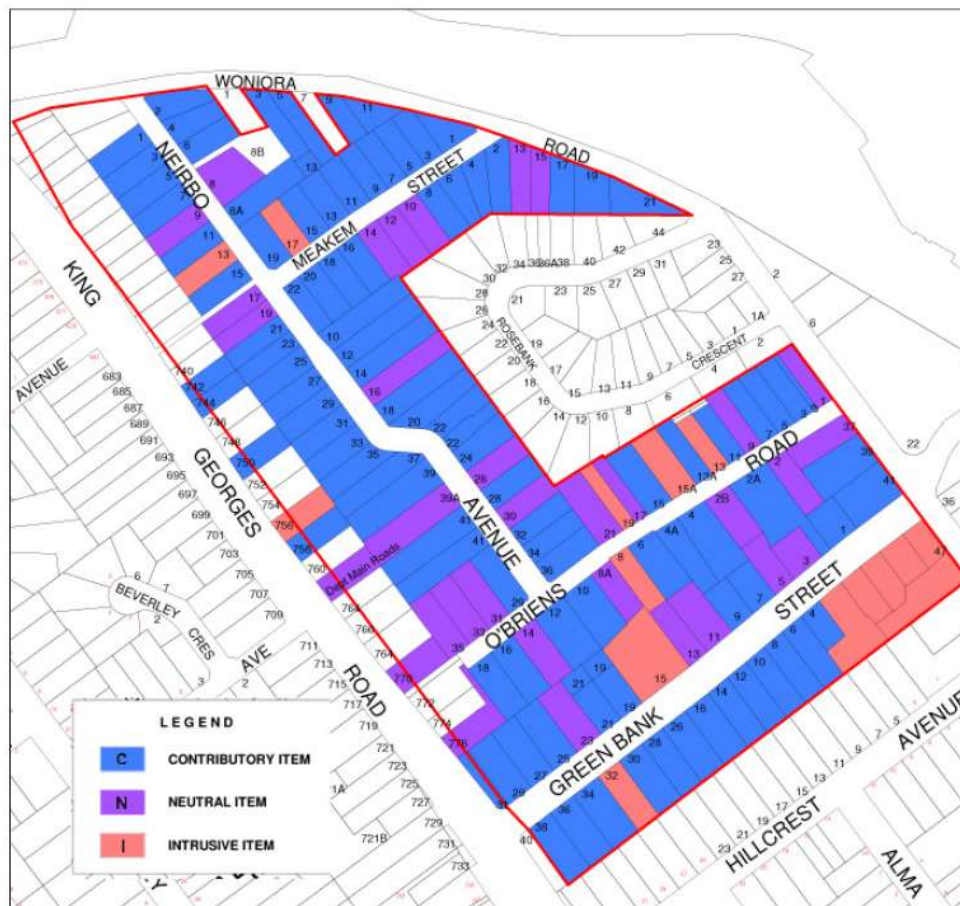


Figure 3 O'Brien's Heritage Conservation Area



Figure 4 Penshurst Heritage Conservation Area

Objectives

- (a) To provide guidelines and controls which seek to protect the significant character of Georges River Council's Heritage Conservation Areas and which encourage design which responds appropriately to the streetscape character.
- (b) New development and/or alterations and additions in Heritage Conservation Areas must respect the architectural character and complement and enhance the significance of conservation areas and their settings.
- (c) Existing dwellings in the Heritage Conservation Areas are to be retained.

- (d) New dwellings in Heritage Conservation Areas must respect the architectural character and complement and enhance the significance of conservation areas and their settings.

Controls

1. Any development in the Heritage Conservation Areas is to address and respond to the requirements of the relevant Heritage Conservation Area Guidelines contained in Appendices ~~1 to 2~~ and 3.
2. New development must demonstrate how it respects the heritage values of the Heritage Conservation Area (as detailed in the Heritage Conservation Area guidelines).
3. Council may require the submission of a heritage management document that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the Heritage Conservation Area [Clause 5.10(5) of ~~the Georges River C~~ LEP 2020~~1~~].
4. Demolition of dwellings in the Heritage Conservation Areas identified as Contributory or Neutral will generally not be supported, unless a structural assessment has been undertaken by a suitably qualified professional and a report is submitted to Council confirming that the building is structurally unsound.
5. An owner may commission the preparation of a structural report and submit this to Council, however if Council is not satisfied that the report conclusively and adequately proves that the dwelling is unsound, Council may commission the preparation of a second report by an independent structural engineer. The cost of this report is to be borne by the owner.
6. Alternatively, an owner may elect to have the initial structural assessment undertaken by a Council appointed engineer. A formal process of exchange of letters of agreement between Council and an owner has been developed. A quote would be sought by Council and written commitment by the owner to pay the fee would be obtained prior to the assessment being undertaken.
7. Council will only consider a replacement dwelling in a Heritage Conservation Area when it has been established, and Council is satisfied, that the existing dwelling is structurally unsound.
8. Concept drawings for a replacement dwelling are to be submitted to Council prior to the lodgement of a Development Application.
9. Council will only accept a joint application which includes the demolition of the existing dwelling and the construction of a replacement dwelling in a Heritage Conservation Area.

Appendix 3 Heritage Conservation Areas

3.1 Penshurst Heritage Conservation Area

1.0 Purpose of Guidelines

Penshurst Heritage Conservation Area has a particular character which residents wish to see preserved. The design of additions to existing buildings and new buildings located within the Conservation Area should aim to maintain and enhance the distinctive historic character of the locality.

Many owners buy houses in the Penshurst area because of its particular character, and are keen to see that character preserved. This does not mean that old homes cannot be brought up to modern standards of convenience and comfort. However, it is necessary to conserve those features of the building and its surrounding environment which give it heritage significance.

The significance of a heritage conservation area is the special value that such an area, and the buildings and items of which it is comprised, should have for past, present and future generations. This value represents historic links, aesthetic or technical achievements, scientific potential or community esteem. That significance is embodied in the remaining original physical fabric of a building or place and in its relationship with its setting and with the historical documentation which tells its story.

The overall guiding principle for the design of any new development in the Penshurst Heritage Conservation Area is that it complements the scale, form, siting, materials, colours, detailing and general appearance of existing original buildings and landscape features in the streetscape, and will preserve and be sympathetic with those special qualities which define the historic character of the locality.

1.1 Relationship with Other Council Plans

These Guidelines are a Council endorsed policy document which provides information for owners intending to develop their property and Council staff, on the background to the nomination of the Penshurst Heritage Conservation Area and how this listing will affect development in the area. As required by Clause 5.10(5) of [the](#) Georges River LEP 2021¹⁰, these Guidelines must be addressed in a heritage impact statement accompanying an application for development in the Penshurst Heritage Conservation Area. In particular, this must include consideration of how any proposed development satisfies the provisions of these Guidelines.

In preparing an application for development within the Conservation Area, these Guidelines are to be used in conjunction with [the](#) Georges River Development Control Plan 2021¹⁰ (DCP 2021¹⁰). Where there is an inconsistency between the Guidelines and the controls of DCP 2021¹⁰, the Guidelines take precedence. Accordingly, variations to the requirements of DCP

2020¹, such as side and rear setbacks and the maximum depth of a second storey component, will be considered where it will allow for a development that maintains the existing building scale and pattern.

These Guidelines will be used by Council when assessing any application for change in the Conservation Area. It is strongly advised that any owner wishing to make additions or modifications to their property discuss those works with Council staff or Council's Heritage Advisor prior to preparing plans or lodging a Development Applications.

1.2 Where do These Guidelines Apply?

These Guidelines will be taken into consideration for any proposed works within the area nominated on the following map. This will include any works undertaken within the public domain including road works, street planting, paving, fences, lighting and signage. Generally any works that will impact on the setting and external appearance of a building visible from the streetscape including front fencing, front garden, driveway access, and parking arrangements will require Council's consideration.

Advice on landscaping or internal works can be provided by Council if requested.



Figure 5 Map of Penshurst Heritage Conservation Area

1.3 Why is this a Heritage Conservation Area?

The main purpose of identifying conservation areas in Sydney is to conserve the history of the development of the metropolitan area. They are also special places in their own right, often with distinctive streetscapes, landscapes and building characters that create a sense of place that is worth retaining.

The Penshurst Conservation Area reflects two (2) waves of development. The original large land grant holdings were divided to establish the Victorian Estate subdivisions (c. 1885) that emerged with the construction of the Illawarra Railway Line. The overall subdivision layout reflects this early "estate style" development with some remaining examples of late nineteenth century housing in mansions such as "Kintail" in Laycock Road and "West Maling" now in Penshurst Avenue. Both of these properties are individually listed as heritage items.

The second wave was the development of the "progressive suburbs" of the 1920s and 30s, exemplified by McRaes Estate, which saw building covenants applied to development in the area and reflects the flight of the middle class from the denser inner suburbs.

The subdivision pattern and the style and character of original development in the area reflect these themes and it is these elements that are meant to be retained.

In summary, the Penshurst Heritage Conservation Area is important because:

1. The precinct possesses streetscape integrity due to it being largely developed during a single period.
2. The area has a uniform housing character which is displayed in its original fabric, scale, form and architectural details that gives the area a harmonious appearance.
3. The predominance of California Bungalows shows the importance of the American influence on housing and lifestyles in the Inter-War Period. The area has a large number of 1930s bungalows that are excellent examples of middle class housing of the Inter-War period.
4. The Penshurst Heritage Conservation Area reflects the availability of finance enabling the middle class to borrow money and finance the purchase of a house and epitomises the great diversion of funds in Australia from private investment in industry and infrastructure to "non-productive" investments in private housing.

1.4 Are all Buildings Treated the Same?

Georges River Council recognises that conservation areas are not museum pieces and stresses that the important principle is to respect their essential character by conserving significant elements and adding new sympathetically designed elements.

Buildings in the Penshurst Heritage Conservation Area generally fall into one of three (3) categories:

1. Contributory Items
2. Neutral Items
3. Intrusive Items

1.4.1 Contributory Items

There are many buildings, structures and landscape features within the area which contribute to the heritage significance of the Penshurst Heritage Conservation Area because of their age, particular characteristics and integrity. These are called Contributory items. Individually, they are not necessarily items of heritage significance, otherwise they would be listed as such, but they do add to a collective significance. Loss of any one of them will erode the heritage significance of the area as a whole.

There are also a small number of very significant properties in the conservation area that are individually listed as heritage items. Accordingly, Council controls the removal or demolition of any building in the area, as the effect it would have on the heritage significance of the conservation area must be assessed.

Adaptations are often needed to homes to accommodate modern working or lifestyle requirements. These may include the addition of bathroom or kitchen facilities, additional bedrooms or off-street parking. As long as the heritage significance of the place and the conservation area as a whole is not adversely affected, such changes may be perfectly acceptable.

Demolition of Contributory items will generally not be supported and will only be considered where a strong case can be presented that the building is totally unsound structurally and cannot be restored at a reasonable cost. This assessment may include Council commissioning an independent consultant assessment, the cost of which would also need to be met by the applicant.

Applications for demolition must be accompanied by a Heritage Impact Statement (prepared by a suitably qualified heritage consultant approved by Council), which will need to address the replacement dwelling and its capacity to contribute and improve the character and significance of the conservation area, as well as demonstrating that retention of the building is not achievable. Council will require a joint application for demolition and development.

1.4.2 Neutral Items

Neutral items are generally dwellings which have had their contribution reduced by intrusive alterations and modifications to the dwelling, front garden, front boundary fence, pathways and driveways, and landscaping, but may only need relatively minor or small changes to bring them back to a contributory nature. Neutral items can also be more modern dwellings than the original, which may contribute little to the character of the Conservation Area but, conversely, are not considered to be intrusive.

Altered buildings should only be considered for demolition if they are proven to be totally unsound structurally as for Contributory items, and their replacement will contribute and improve the character of the Conservation Area. Applications for demolition must be accompanied by an

application for the replacement building and a Heritage Impact Statement as noted for Contributory items. Any additions and alterations should look to restore the former character of modified buildings, or modify more modern buildings to respond to the character elements of the area.

1.4.3 Intrusive Items

These items are buildings or landscape features which have been altered or modified to the extent that they do not reflect the conservation values of the area.

Demolition in this group of buildings will be considered if replacement buildings will contribute, improve and be sympathetic to the character and significance of the Conservation Area. Council strongly encourages a joint application for demolition and development.

1.5 What Category is my Building?

All items within the Penshurst Heritage Conservation Area have been given a classification as either Contributory, Neutral or Intrusive items. Please refer to **Figure 5** ~~located on page 12~~.

1.6 What Characteristics Need to be Conserved?

This section identifies key elements which define the character of the Penshurst Heritage Conservation Area, and which need to be understood by homeowners and consultants when designing alterations, additions and new buildings.

The historic significance of the streetscape of the Penshurst Heritage Conservation Area have been influenced and shaped by the following factors:

Landform and street plantings

- Sloping topography with distinctive landform features.
- Narrow grassed nature strips with some street plantings.

Date, type and style of the buildings

- A fairly homogenous collection of predominantly Inter-War Period California Bungalows with some late Federation Period residences and an occasional late Victorian Period house. There are some infill houses dating from the 1940s to the present.

Scale and form

- The majority of buildings present as single-storey to the street elevation with additional

space under the main floor to the rear. In some areas the “high side” of the street is characterised by a two-storey street front, with space for a garage within the footprint of the building, below the principal living area.

- Predominantly double-fronted bungalows embellished with bay windows, street facing gables and verandahs mostly located under the main roof.
- A wide variety in the shape and form of window and door openings with generally vertical proportions.
- Roofs display multiple hips and gables, with a consistency of roof pitch throughout.

Subdivision pattern

- The subdivision of the area has created generally small allotments which suited the housing styles of the period, which had either no garage, or garages located down a side driveway in rear yards.

Setbacks and siting

- Consistent front boundary setbacks with generally small front gardens.
- Predominantly double-fronted residences built from side boundary to side boundary, with some houses set well back from the street boundary.

Materials, building techniques and details

- Residences primarily built in face brickwork in a range of brick colours and styles, generally of darker tones.
- Most dwellings are roofed with Marseilles pattern tiles.
- Original window fenestration typically consisting of painted timber casements or double-hung sashes, some with steel framed windows. Window frames occasionally mounted on outside face of wall with skirts of shingles or boards.
- Windows are in bays of two/three openings, or where a single unit is used it is broken into smaller, vertically proportioned elements with strong structural elements, such as central mullions and surrounds, emphasised by brick or rendered header courses and sills.
- Verandah roof supported on substantial masonry piers or timber columns with original roof covering consisting of bituminous felt.
- Door openings are generally recessed within the verandah and are single leaf openings.

Carports or garages and driveways

- Garages were typically sited to the rear of the property.

- There are some original garages built on the street boundary – usually on the high side of the street. Several houses built on the low side of the street have garages located within the footprint of the house – below the principal living area.
- Driveways are single-width, and are generally set to the side boundary.

Fencing

- Fencing along the street boundary is generally low brickwork, matching the brickwork of the dwelling. Side boundary fencing is generally timber paling.

Front gardens

- Generally houses feature well developed front gardens with lawns and shrubs with the occasional signature tree.

1.7 Guideline Statements

This section indicates the limits to which existing buildings can be expanded, and provides design criteria which need to be considered when designing alterations, additions or new infill buildings in the Penshurst Heritage Conservation Area.

The successful design of alterations and additions and new buildings in the Conservation Area must have regard to, and be appropriate under the following design criteria:

- Character;
- Scale;
- Form;
- Siting; ~~and~~
- Materials, colour and detailing; ~~and~~
- Subdivision and lot consolidation.

The above design criteria are discussed in detail in the following sections.

When designing additions to single-storey dwellings, which is the predominant building type in the Conservation Area, consideration should first be given to the extent and placement of new development. In order of preference from a heritage point of view, the following is a guide to the placement of new development for additions to existing single-storey dwellings:

- Single-storey development located to the rear of the house;
- Additional accommodation within the existing roof space; or

- Two (2) storey development located at the rear of the existing dwelling, separated by a new single-storey 'link' building.

The above are discussed in more detail in the following sections.

First floor additions proposed to be located over the existing dwelling and within the existing front roof plane, which usually require removal of the existing roof or a substantial part of, will be considered the least desirable option by Council and will generally not be supported.

Additions to two (2) storey dwellings should generally be located to the rear of the house. In order of preference from a heritage point of view, the following is a guide to the placement of new development for additions to existing two (2) storey dwellings:

- Single-storey development located to the rear of the house; or
- Additional accommodation within the existing roof space.

Where existing dwellings are located on elevated or sloping sites, consideration should be given to the impact of any new development on the wider townscape.

1.7.1 Character

The design of alterations and additions and new buildings in the Penshurst Heritage Conservation Area requires careful analysis and examination of the locality to identify those elements which contribute to its historic character. As previously noted, the character of the conservation area has been shaped by the following factors:

- The predominate landform;
- Street landscaping;
- The date, type and style of buildings;
- The scale and form of buildings;
- Street and subdivision patterns;
- The setback and siting of houses, carport and garages;
- Fencing and front gardens; and
- Materials, colour, building techniques and details.

Due to the diversity of predominantly Inter-War housing styles, it is very important for applicants proposing alterations and additions to understand the stylistic characteristics and elements which are unique to their property, and appropriately interpret and design new works which are sympathetic and in harmony with the character of the dwelling.

Additions should not mimic detail to the point of being perceived as part of the original building, but rather should be able to be interpreted as later additions, however, they should be of a form, style and finish which does not detract from the character of the original building.

Each of the design criteria discussed below collectively contribute to and influence, the overall historic character and distinctive streetscapes of the Conservation Area.

1.7.2 Scale

Scale, which encompasses proportion, height and bulk, relates to the size of buildings relative to surrounding buildings. Maintenance of the general scale of residences in the Conservation Area is a critical element in preserving the character of the locality. Where single-storey buildings predominate in a streetscape any additions should maintain that essential character when viewed from the street or surrounding townscape.

In designing new additions to existing buildings and new buildings, the following factors related to building scale should be considered:

(i) Additions to single-storey houses:

a) Single storey additions

- Council will consider single-storey additions located to the rear of the existing building. New roof and building mass should not project above or dominate the existing building scale, and in addition, a single run of long wall (as an extension to the existing wall) is to be avoided.
- The overall length of any extension is to be less than, and secondary to, the original building.

b) Roof space additions

Additional floor space should preferably be within the existing roof space, with possible dormers and/or skylight additions as part of an attic style addition, but only where such elements do not dominate the roof qualities. Dormers and/or skylights should preferably be located on the rear roof plane as a general rule.

c) Two-storey additions

- Two-storey additions to single-storey buildings are less desirable than single-storey additions, and will only be considered where there is no scope for roof space additions or single storey additions. Second storey additions which dominate the existing building will not be considered acceptable.
- Two-storey additions are to be substantially setback to the rear of the existing house and are to be visually subservient to the front.

- In addition to the above, two-storey additions should be separated from the rear of the existing house by a single-storey 'link' addition. Separation between large built forms (existing house and two-storey addition) should be maximised as much as possible (see **Figure 6**).
- Two-storey additions which have an adverse visual impact on the streetscape and wider townscape will not be considered acceptable.

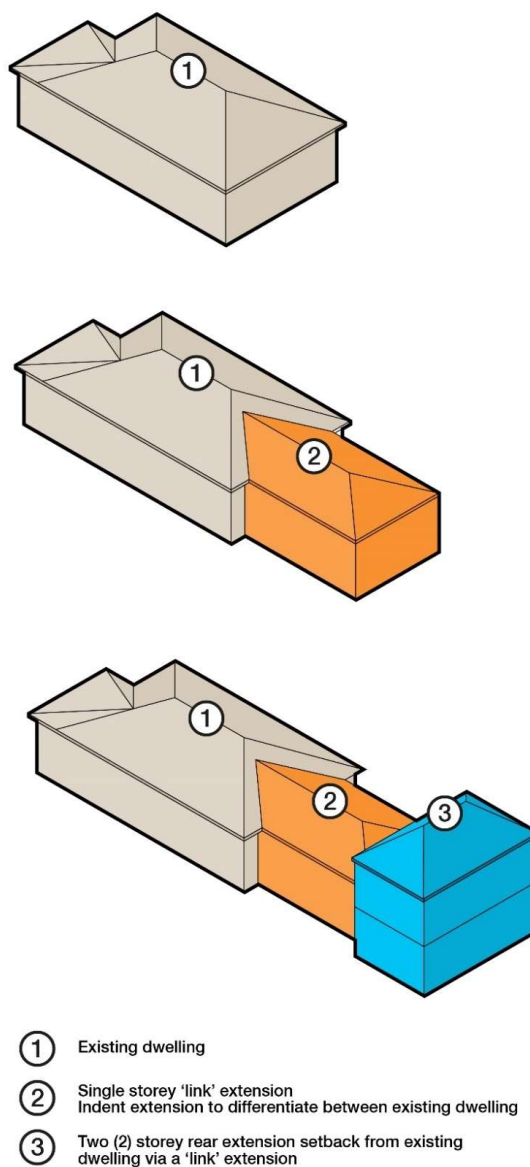


Figure 6 Additions to existing single storey dwellings

(ii) Additions to two (2) storey buildings

- Additions to existing two-storey residences should preferably be single storey, or double storey with justification. Any new development should generally be located to the rear of the existing building, but may be varied to suit specific site conditions.

- Additions should not dominate the existing house in its scale, bulk, massing, roof form and materials.
- An exception may be granted in the case of a Neutral or Intrusive item where any proposed works at the front of the building provide a design outcome that is an improvement, more consistent with the general character of the area and complies with all other aspects of these Guidelines.
- Two-storey additions which have an adverse visual impact on the streetscape and wider townscape will not be considered acceptable.

(iii) New buildings

- Replacement buildings must respond in scale and height to the surrounding Contributory items, particularly if there is a general consistency in the building scale along that stretch of street, and from around the local townscape.
- If adjoining sites are single-storey, new buildings will generally be limited to single storey. Where there is some variation in Contributory building heights along a street a two-storey element to the rear of the building may be considered if appropriate.
- Council will consider variation to the maximum site cover requirements to allow new buildings to be kept to single-storey.
- New two-storey buildings may be appropriate where adjoining buildings are two-storey and the proposal will provide a design outcome that is consistent with the general character of the area and complies with all other aspects of these guidelines.

(iv) Carports

- Carports should be designed to minimise their bulk with maximum eave heights of 2.4 metres and single car width.

1.7.3 Form

Form relates to the overall shape and volume of a building, and the arrangement of its parts including, and very importantly related to, the roof and facade. In designing new additions to existing buildings and new infill buildings, the following factors related to building form need to be considered. It is noted that the form of new development need not copy exactly that of adjacent historic properties, but should however visually respect and relate to them in a positive way.

(i) Roof form

a) Generally

- Roof forms play an important part in shaping the character of a locality. The design of roofs should respect the scale, form, detail, and pitch of the existing

building in the case of additions to existing houses, or adjoining and adjacent Contributory buildings in the case of new infill buildings. Roof additions should generally be confined to the rear of an existing building and be subservient to the main existing roof.

- Changes to original roofs, particularly if seen from the street, should be minimal and should be determined by the street and building context. Roof elements such as dormers and skylights should not be located where visually prominent. Skylights may be preferable to dormer windows depending on impact from angles of view.
- b) Additions to existing buildings
- New work to the rear of an existing house can either extend the existing roof form, pitch and eaves, or, where the roofline is not maintained, be of a more subservient/differential style such as a skillion or flat/parapet style roof. In both instances the ridge of the new roof is to be lower than the existing roof, and the impact of the added roof is not to dominate the existing house and views from the street.
 - Where new roofing of a visually detached addition projects above the existing roofline in the case of a second storey addition, it should be of similar pitch and form to the original.
- c) New buildings
- All new buildings must provide a pitched and tiled roof (or possibly slate) for that part of the building that is visible from the street. Rear elements may adapt a different form or materials as long as the other sections of these guidelines are met.
 - A range of roof forms and pitch is displayed throughout the Conservation Area. Roof forms should be drawn from surrounding Contributory dwellings.
- d) Ancillary elements including dormers and chimneys
- Dormers to the front or side of existing roofs, where acceptable, should be of traditional vertical proportions with either gable, hipped or skillion roof forms. Where not visible from the street, a wider dormer form may be considered.
 - Original chimneys should not be demolished, unless they are proven to be structurally unsound and only when followed by immediate reconstruction in the original detail.
 - Other elements such as solar hot water heaters, ventilators, antennae, solar panels and the like should be placed in locations where they are not visually dominant.
- e) Carports and garages

- Roof pitches similar to the house are generally acceptable for garages/carports located to the rear or side of a building. Flat (shallow pitched) carports may be considered if original design and details of the house permit.
- Use of parapets along the front façade, with a shallow pitched roof behind is generally acceptable for carports sited to the side or rear of the building.

(ii) Building form

The Conservation Area has a variety of building forms and styles which have a strong influence on the character of the streetscape. This is reinforced by a fairly consistent setback and the rhythm of the buildings in the street.

a) Existing Buildings

- The original articulation of the front elevation of existing buildings, which typically is a double-fronted façade with a projecting and a recessive building bay (often the recessive bay has a verandah front) must be maintained and not subject to change. In addition, the proportion, material and openings of the façade must be retained.
- Existing buildings which have had the form of their facades altered may be subject to reconstruction to reinstate original details. This may include reconstruction of door and window openings and enclosed verandahs subject to strong evidence for reinstating original details. When no surviving physical or documentary evidence of the original can be found, reconstruction similar to appropriate surrounding Contributory dwellings is encouraged.
- Council will generally support the removal of recent inappropriate additions and alterations to dwellings and the restoration or reconstructions of damaged or missing elements such as: removal of modern render from brick walls, removal of paint from brickwork, reversal of re-skinning, and removal of windows from in-filled verandah openings etc.

b) New buildings

- The form of new buildings should complement the form of original adjacent Contributory buildings, particularly when viewed from the street and the overall character of the Conservation Area. Generally this entails a double fronted façade with a projecting and a recessive building bay – often the recessive bay has a verandah front, and pitched roofs to respect surrounding Contributory items.
- The treatment of facades and side elevations visible from the street should be proportioned and articulated in a manner which responds positively to adjacent original buildings and the overall character of the street. Long, unbroken walls and roofs are to be avoided.

- The relationship of solid to void and use of verandahs in the design of the front elevation is to be encouraged. A long uninterrupted wall to the front façade or side elevation with no articulation is to be avoided.
- Generally single-fronted facades to the street will not be supported.
- Prominent garage doors proposed in the streetscape façade will generally not be supported by Council.

1.7.4 Siting

Siting relates to the positioning of buildings on allotments, which in this instance includes houses, garages and carports. The Conservation Area has a fairly consistent rhythm and spacing in the siting of buildings, established by the consistency of lot sizes and dimensions, and uniform front and side boundary setbacks. Some of the more substantial houses are set well back from the street boundary.

The following guidelines are designed to maintain the established pattern of uniform siting of buildings in the Conservation Area:

- (i) Existing buildings
 - Maintenance of the building siting is mandatory for Contributory items.
 - Neutral or Intrusive items could be modified by sympathetic additions if it improves their siting in relation to adjacent original buildings.
 - Additions to the side of buildings should be designed so that they are setback as far as possible from the front building line.
- (ii) New buildings
 - New buildings must be sited to reinforce the rhythm and spacing of buildings in the Conservation Area.
 - The façade of new buildings must be orientated to the street frontage to be consistent with adjacent Contributory buildings.
 - The setback of new buildings to the street and side boundaries must maintain the established significant pattern of setbacks in the streetscape.
- (iii) Ancillary buildings including carports and garages
 - Garages and carports should generally be detached elements and located only in traditional positions, that is to the rear or side of the dwelling and set back from the front façade.
 - Garages and carports sited forward of the building will generally not be supported by Council.
 - In some cases car access may be available to rear yards, between two existing dwellings, which may be achieved through the creation of a shared right of

carriageway between the adjoining buildings, assuming there is sufficient width and appropriate grades. Where such an opportunity exists Council will require owners to demonstrate that approaches have been made to adjoining owners and that this option has been considered.

- Where possible, concrete wheel tracks at the side of dwellings leading to garages in the rear yard should be retained.

1.7.5 Materials, Colours & Detailing

The historic character of the Conservation Area exhibits a consistency in the materials, colours and detailing of elements which combined contribute to the special character of the locality.

Removal of or alteration to original facades of contributory items is generally not supported. Alterations to the principal elevations of neutral items should aim to re-instate lost elements or use materials and colours more consistent with the character of the area.

Additions and new buildings should exhibit in their composition with regard to material and colour selection a harmonious compatibility with materials, colours and textures of adjacent Contributory buildings.

The design of alterations and addition and new buildings need not mimic exactly existing original details, but rather re-interpret and be complementary with existing dwellings, responding to the following guidelines.

Roofs

- The general consistency in roofing materials throughout the Conservation Area is a strong visual element and influence on the character of the area.
- New roofing must be consistent with existing materials, or where new buildings are proposed, be generally glazed or unglazed terracotta Marseilles pattern tiles if visible in the streetscape.
- The re-roofing of the main body of the house is not considered desirable, except to match original materials. Original tiles in sound condition should re-used in roof planes that front the street.
- Concrete tiles are not characteristic of the conservation area and will not be generally supported by Council where visible from the streetscape.
- Tile colouring can be drawn from examples on neighbouring Contributory items where original roofing survives.
- Some existing Contributory items have slate or corrugated metal sheet roofing, and use of those materials for additions is encouraged.

Facades / Walls

- Brickwork is the dominant building element in the Conservation Area, generally in darker brick tones.
- New work in elevations that are visible from the street should use materials and colours which are characteristic of the area, such as brickwork. Other materials may be used in lieu of brickwork, or combined with brickwork, but such materials must be acceptable to Council as being harmonious and sympathetic with the character of the area and should be chosen for their complementary qualities in relation to colour, texture and tonal contrast.
- The front façade of new buildings should predominantly be brickwork, but could be combined with other harmonious materials as previously noted. Brickwork should be of a colour and texture similar to adjacent Contributory items.
- Existing brickwork is not to be painted, rendered or bagged.
- Consideration may be given to painting, rendering or bagging buildings that are Intrusive or Neutral items where the design outcome improves the general character of the building and streetscape.
- Re-instatement of original tuck pointing to brick joints which commonly appears on the front façade is strongly encouraged. Evidence of well preserved original tuck pointing can usually be found in areas protected from weathering, such as under eaves or under verandahs.
- Removal of, or alteration to original facades of Contributory items is generally not supported. Alterations to the principal elevations of Neutral items should aim to re-instate lost elements or use materials and colours more consistent with the character of the conservation area to improve its contribution.
- Proposals which involve face brickwork should ensure that re-pointing materials, colours and design are compatible. Original bricks are to be cleaned and re-used wherever possible, especially in all face brickwork.
- It is desirable that previously painted facades be stripped of paint to reveal original face brickwork.

Painted Finishes

- Paintwork should not be applied to any brickwork, stonework, exposed bricks on chimneys, terracotta chimneypots, tessellated or glazed tiling, slate verandah edging and steps, or any other unpainted surfaces.
- New buildings should use colours which harmonise with the traditional colour schemes.
- New exterior brickwork in the front facade is to remain unpainted.

- Re-instatement of traditional colour schemes is strongly encouraged. Evidence of original schemes may be determined by scraping back paint from areas that are not subject to intense weathering.
- Advice may be sought from Council's Heritage Advisor should you wish to pursue a traditional colour scheme for your building.

Doors, Windows and Verandahs

a) Alterations and additions

- Where new doors, windows or verandahs are proposed in street facing elevations or where visible from the street, they should be of similar proportion, size and detailing to existing elements. If there is no indication of original treatment, the design of new doors and windows should be vertically emphasised and kept simple.
- The retention and repair of original architectural details such as doors, windows, verandah piers/columns, decorative timber work to verandahs and gables, roughcast, and tile work in principal elevations is encouraged. Original lead lights and coloured glass panes should be kept.
- Existing incompatible elements (e.g. aluminium windows or doors) in principal elevations should be replaced where alterations or additions are proposed.
- Original verandahs and external detailing in general should be retained or repaired or reinstated where necessary. Removal or infilling of verandahs visible from a public place is not supported.
- New verandahs proposed in elevations visible from the street should be covered by the main roofline or substantive awning (i.e. no projecting balconies) and incorporate appropriately scaled and detailed support posts.

b) New Buildings

- The principal elevation of new buildings should provide a level of detail and design of openings that is in proportion with and similar to that of surrounding Contributory buildings.
- Doorways are generally recessed from the main façade, often with an accompanying verandah, and windows have robust proportions, often multi-paned, with heavy mullion/transom elements and surrounds.

c) Fences and gates

- Existing fencing that is original and consistent with the prevailing scale and materials of Contributory items within the immediate locality must be retained.
- Any demolition of original fencing to accommodate driveway access must include reconstruction – utilising existing materials, mortar etc. of end piers etc.
- Alterations and additions or new buildings must provide for a new fence or appropriate materials, colours and scale where no fencing exists at the moment.

Fencing should be simple with a level of detail compatible with the house and with regard to other like Contributory items adjacent.

d) Garages and carports

- Use recessive or darker colours that reduce visual prominence.
- Designs should be kept simple. Do not necessarily mimic elaborate design elements that may be used on the main dwelling if it over-emphasises the garage/carport appearance.

Driveways and Hardstands

- Driveways and hardstands are restricted to a maximum width of 3.5 metres at the street frontage and should be simple.
- Brushed concrete or dark segmental pavers and the use of “strip” driveways are appropriate.
- Light coloured paving or “faux brick” or stencil finishes are not supported.

1.7.6 Subdivision and Lot Consolidation

The street and subdivision patterns contribute to the character of a heritage conservation area. Any proposals involving subdivision, boundary adjustments or lot consolidation in the Penshurst Heritage Conservation Area will require careful analysis of the impacts on the established subdivision pattern of the area, including visual and physical impacts on the built and natural environments.

The Penshurst Heritage Conservation Area comprises historical ‘speculative’ Estate subdivisions, with strongly defined patterns and consistent allotment configurations. This subdivision pattern directly influences the placement of dwellings and ancillary structures, creating the cohesive streetscape character and rhythm in the built forms and their landscaped settings throughout the Heritage Conservation Area.

Apart from some larger lots that remain around major heritage items, contributory items or established multi dwelling housing blocks, the majority of allotments within the Heritage Conservation Area have reached their maximum subdivision potential. Consequently, the DCP does not envisage that further subdivision will be possible or appropriate. Controls are however provided should a request for subdivision be made.

Subdivision, lot consolidation or boundary adjustments within the Heritage Conservation Area 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 Heritage Conservation Area. Council will not generally support any proposal involving changes to the

established subdivision pattern, unless such proposal involves the re-establishment of the historical subdivision pattern and will enhance the character and significance of the Heritage Conservation Area.

Subdivision (including Torrens or Strata Title), boundary adjustment or lot consolidation will not be supported where clearly defined subdivision patterns are evident and contribute to the significance and curtilage of the heritage item or Heritage Conservation Area.

Subdivision, lot consolidation or boundary adjustments involving land that is identified as a heritage item or within a Heritage Conservation Area must demonstrate that:

- i. significant subdivision patterns and the established pattern of development of the area are not interrupted or obscured; and
- ii. the setting and curtilage of any heritage items or contributory buildings on the site, or within the vicinity, are retained and subdivision does not diminish the historical and aesthetic values; and
- iii. the visual and physical relationships between any significant associated features such as buildings, gardens, trees, natural landform, fences, and outbuildings are retained and not alienated by subdivision; and
- iv. the resulting development on any new allotment is of a form, scale and orientation that is compatible with the predominant subdivision pattern of the area; and
- v. The resulting development on any new allotment does not adversely impact the setting, curtilage, visual relationships and views of the heritage item or contributory building in the Heritage Conservation Area and the streetscape is not adversely impacted by the creation of new lots and potentially intrusive new building envelopes.

Any proposal involving subdivision, lot consolidation or boundary adjustments to land that is identified as a heritage item or within a Heritage Conservation Area, will require a detailed curtilage assessment as part of a Heritage Impact Statement.

3.2 Kogarah South Heritage Conservation Area

1.0 Purpose of Guidelines

Kogarah South Heritage Conservation Area has a particular character which residents wish to see preserved. The design of additions to existing buildings and new buildings located within the Conservation Area should aim to maintain and enhance the distinctive historic character of the locality.

Many owners buy houses in an area because of its particular character and are keen to see that character preserved. This does not mean that old homes cannot be brought up to modern standards of convenience and comfort. However, it is necessary to conserve those features of the building and its surrounding environment which give it heritage significance.

The significance of a heritage conservation area is the special value that such an area, and the buildings and items of which it is comprised, should have for past, present and future generations. This value represents historic links, aesthetic or technical achievements, scientific potential or community esteem. That significance is embodied in the remaining physical fabric of a building or place, its relationship with its setting and with the historical documentation which tells its story.

The overall guiding principle for the design of any new development in the Kogarah South Heritage Conservation Area is that it complements the scale, form, materials, colours, and general appearance of existing original buildings and landscape features in the streetscape, and will preserve and be sympathetic with those special qualities which define the historic character of the locality.

1.1 Relationship with Other Council Plans

These Guidelines are a Council endorsed policy document which provides information for owners intending to develop their property and Council staff, on the background to the nomination of the Penshurst Heritage Conservation Area and how this listing will affect development in the area. As required by Clause 5.10(5) of the Georges River LEP 2021¹⁰, these Guidelines must be addressed in a heritage impact statement accompanying an application for development in the Penshurst Heritage Conservation Area. In particular, this must include consideration of how any proposed development satisfies the provisions of these Guidelines.

In preparing an application for development within the Conservation Area, these Guidelines are to be used in conjunction with the Georges River Development Control Plan 2020¹¹ (DCP 2020¹¹). Where there is an inconsistency between the Guidelines and the controls of DCP 2020¹¹, the Guidelines take precedence. Accordingly, variations to the requirements of DCP 2020¹¹, such as side and rear setbacks and the maximum depth of a second storey component, will be considered where it will allow for a development that maintains the existing building scale and pattern.

These Guidelines will be used by Council when assessing any application for change in the Conservation Area. It is strongly advised that any owner wishing to make additions or modifications to their property discuss those works with Council staff or Council's Heritage Advisor prior to preparing plans or lodging a Development Applications.

1.2 Where Do These Guidelines Apply?

These Guidelines will be taken into consideration for any proposed works within the area nominated on the following map. This will include any works undertaken within the public domain including road works, street planting, paving, fences, lighting and signage. Generally any works that will impact on the setting and external appearance of a building, including front fencing, driveway access and parking arrangements will require Council's consideration. Advice on landscaping or internal works can also be provided by Council if requested.



Figure 7 Map of Kogarah South Heritage Conservation Area

1.3 Why is this a Conservation Area?

The Kogarah South Heritage Conservation Area is associated with the first wave of residential development in the railway suburbs of the Kogarah district. The subdivision layout of Bowns Road and Ocean Street form part of the original subdivisions of Bowns Park Estate 1885 and Bay View Park Estate. The Bay View Park Estate was the first subdivision of the region and was offered for sale in 1880. The subdivisions are indicative of the early speculative building which took place after the opening of the Illawarra Railway link in 1884.

The majority of housing in the area was constructed post 1890 and while it consists mainly of brick Federation one-storey residences, there are a variety of architectural details and high quality of workmanship of the Victorian and Californian Bungalow styles.

The development of the area was linked with that of the adjoining Kogarah Town Centre Area, including its commercial functions, hospital and institutional development.

In summary, the Kogarah South Heritage Conservation Area is important because:

1. It is representative of the first wave of speculative subdivisions and building following the opening of the Illawarra Railway, and indicative of the associated middle class aspirations of the time.
2. The majority of buildings in the area are well maintained and of a consistent scale with some demonstrating a high degree of intactness.
3. The precinct possesses streetscape significance due to the high level of continuity of housing styles, landscaping and fencing.
4. The area is increasingly rare as a group of Federation houses and Californian bungalows, and possesses some excellent examples of Federation houses with fine detailing and a high degree of intactness.

1.4 Are All Buildings Treated the Same?

Council recognises that conservation areas are not museum pieces and stresses that the important principle is to respect their essential character by conserving significant elements and adding new sympathetically designed elements.

Buildings in the area generally fall into one of 3 categories.

1. Contributory Items
2. Neutral Items
3. Intrusive Items

1.4.1 Contributory Items

There are many buildings, structures and landscape features within the area which contribute to the heritage significance of the area because of their age, particular design characteristics and integrity. These are called Contributory items. Individually, they are not necessarily items of heritage significance, otherwise they would be listed as such, but they do possess collective significance. Loss of any one of them will erode the heritage significance of the area as a whole. There are also a small number of very significant building in the Conservation Area that are individually listed as heritage items. Accordingly, Council controls the removal or demolition of any building in the area, as the effect it would have on the heritage significance of the area must be assessed.

Adaptations are often needed to homes to accommodate modern working or lifestyle requirements. These may include the addition of bathroom or kitchen facilities, additional bedrooms or off-street parking. As long as the heritage significance of the place and the Conservation Area as a whole is not adversely affected, such changes may be perfectly acceptable. Demolition of Contributory buildings will generally not be supported and will only be considered where a strong case can be presented that the building is structurally unsound and cannot be restored at a reasonable cost. This assessment may require Council commissioning an independent consultant to assess the item, the cost of which would also need to be met by the applicant. Applications for demolition must be accompanied by a Heritage Impact Statement (prepared by a suitably qualified consultant), which will need to address the replacement dwelling and its capacity to contribute and improve the character and significance of the Conservation Area, as well as demonstrating that retention of the building is not achievable. In this circumstance, Council will require a joint application for demolition and construction of a new dwelling.

1.4.2 Neutral Items

Neutral items are generally dwellings which have had their contribution reduced by intrusive alterations, but may only need relatively minor changes to bring them back to a contributory nature. Neutral items can also be more modern dwellings which may contribute little to the character of the Conservation Area but are not considered to be intrusive. Altered buildings should only be considered for demolition if they are proven to be structurally unsound and the replacement will contribute and improve the character of the Conservation Area. Further, any additions and alterations should look to restoring the former character of modified buildings, or modify more modern buildings to respond to the characteristics of the area. Applications for demolition must be accompanied by an application for the replacement building and a Heritage Impact Statement as noted for Contributory items.

1.4.3 Intrusive Items

These items are buildings or landscape features which have been modified to an extent that they do not reflect the conservation values of the area. Demolition in this group of buildings will be considered if replacement buildings will contribute, improve and be sympathetic to the character and significance of the Conservation Area. Council strongly encourages a joint application for demolition and development.

1.5 What Category is My Building?

All items within the Conservation Area have been given a classification as either Contributory, Neutral or Intrusive. Please refer to **Figure 7-located-on-page 34**.

1.6 What Characteristics Need to be Conserved?

This section identifies key elements which define the character of the Conservation Area and which need to be understood by homeowners and consultants when designing alterations, additions and new buildings.

The historic significance of the streetscapes of the Kogarah South Heritage Conservation Area have been influenced and shaped by the following factors:

Landform and street plantings

- A relatively flat topography devoid of any particular distinctive landform features.
- Typically grassed nature strips, with street plantings regularly spaced and a generally consistent species selection.

Date, type and style of the buildings

- A fairly homogenous collection of predominantly residential dwellings dating from the early twentieth century, with an occasional late nineteenth century residence. There is some infill development from the mid and late twentieth century which can generally be regarded as unsympathetic when considered against the dominant character of the Conservation Area. Predominantly mid to late Federation period bungalows, with some late Victorian Italianate style houses and Inter-War California Bungalows.

Scale and Form

- Predominantly single storey residences, apart from some two storey dwellings and apartment buildings dating from the late twentieth century.

- Predominantly double-fronted residences with a projecting and a recessive building bay – often the recessive bay has a verandah front.
- A consistency in the general placement, shape and form of window openings, doors and verandah elements in the built form.
- Roofs are pitched with hips and gables, and are predominantly tiled with the mass and bulk of the roof generally extending only over the main rooms of a house and skillion roofs to the rear. Tall chimneys help to balance or break up the visually massive roof forms.
- Many residences with front verandahs under the main roof plane, while others have independent flat, skillion or some bullnose profile verandah roofs. Some early residences in the Conservation Area have verandahs supported on cast iron posts, while later residences have verandahs supported on timber posts.

Subdivision pattern

- Relatively small allotments generally which suited early twentieth century house styles. Houses had either no garage, or garages located down a side driveway in rear yards.

Setbacks and siting

- Uniform front and side boundary setbacks.
- Predominantly double-fronted residences built from side boundary to side boundary, with some single-fronted cottages sited close to one side boundary.

Materials, building techniques and details

- Residences primarily built in brickwork, with face brickwork in a range of colours and styles, generally of darker tones.
Most dwellings are roofed with Marseilles pattern tiles, with some roofs covered with corrugated iron and slate.
- There is a general consistency of roof pitch throughout the Conservation Area associated with like styles. Most dwellings have exposed rafter eaves, while some early dwellings have boxed eaves.
- Tall chimneys, heightened by terracotta chimney pots, are prominent within the Conservation Area, particularly among Federation houses. Although many chimneys are no longer used, they remain essential elements in the design of each house and in its architectural decoration.
- Original window fenestration typically consisting of timber casements or double-hung sashes, some with original window awnings.
- Windows are in bays of two/three openings, or where a single unit is used it is broken into smaller, vertically proportioned elements with strong structural elements, such as central

mullions, frames and architraves, emphasised by brick or rendered header courses and sills.

- Verandahs are often characterised by heavy structural elements with solid masonry balustrading, or masonry and timber post supports with timber beams and valances.
- Door openings are generally recessed within the verandah and are single leaf openings.

Carports, garages and driveways

- There are very few carports (generally later additions) or garages in the street setbacks, with most garaging to the side or rear of the properties.
- Gates are often used to close off, disguise and protect access to the back yard.
- Driveways are generally minor, single-width and set to the side boundary.
- Some dwellings do not have provision for car parking on site.

Fencing

- Fencing along the street boundary is generally low brickwork (matching the brickwork of the dwelling) or timber, while some early dwellings have cast iron palisade fencing. Side boundary fencing is generally timber paling.
- A number of Contributory items have intrusive or absent front fencing.

Front gardens

- Many houses feature well developed front gardens with lawns, shrubs and the occasional signature tree.

1.7 Guideline Statements

This section indicates the limits to which existing buildings can be expanded, and provides design criteria which needs to be considered when designing alterations, additions or new infill buildings in the Conservation Area.

The successful design of alterations, additions and new buildings in the Conservation Area must have regard to, and be appropriate under the following design criteria:

- Character;
- Scale;
- Form;
- Siting; ~~and~~

- Materials, colours and detailing; and
- Subdivision and lot consolidation.

The above design criteria are discussed in detail in the following sections.

When designing additions to single storey dwellings - which is the predominant building type in the Conservation Area - consideration should first be given to the extent and placement of new development. In order of preference from a heritage point of view, the following is a guide to the placement of new development for additions to existing single storey dwellings:

- Single storey development located to the rear of the house;
- Additional accommodation within the existing roof space; or
- Two storey development located at the rear of the existing dwelling, separated by a new single storey 'link' building.

First floor additions proposed to be located over the existing dwelling and within existing roof planes, which usually require removal of the existing roof or a substantial part of same, and dominate the existing dwelling, will be considered the least desirable option by Council and will generally not be supported.

1.7.1 Character

The design of alterations, additions and new buildings in the Kogarah South Heritage Conservation Area requires careful analysis and examination of the locality to identify those elements which contribute to its historic character. As noted in Section 2, the character of the Conservation Area has been shaped by the following factors:

- the predominate landform;
- street landscaping;
- the date, type and style of buildings;
- the scale and form of buildings;
- street and subdivision patterns;
- the setback and siting of houses, carports and garages;
- fencing and front gardens; and
- materials, colour, building techniques and details.

Each of the design criteria discussed below collectively contribute to and influence, the overall historic character and distinctive streetscapes of the Conservation Area.

1.7.2 Scale

Scale, which encompasses proportion, height and bulk, relates to the size of buildings relative to surrounding buildings. Maintenance of the general scale of residences in the Conservation Area is a critical element in preserving the character of the locality. Where single storey buildings predominate in a streetscape, any additions should maintain that essential characteristic when viewed from the street or surrounding townscape.

In designing additions to existing buildings and new buildings, the following factors relating to building scale should be considered:

- (i) Additions to single storey dwellings
 - a) Single storey additions
 - Council will consider single storey additions located to the rear of the existing building. New roof and building mass should not project above or dominate the existing building scale, and in addition, a single run of long all (as an extension to the existing wall) is to be avoided.
 - The overall length of any extension is to be less than, and secondary to, the original dwelling.
 - b) Roof space additions
 - Additional floor space should preferably be within the existing roof space, with possible dormers and/or skylight additions as part of an attic style addition, but only where such elements do not dominate the roof qualities. Dormers and/or skylights should preferably be located on the rear roof plane.
 - c) Two storey additions
 - Two storey additions to single storey buildings are less desirable than single storey additions, and will only be considered where there is no scope for roof space additions or single storey additions. Second storey additions which dominate the existing building will not be considered acceptable.
 - Two storey additions are to be substantially setback to the rear of the existing house and are to be visually subservient to the front.
 - In addition to the above, two storey additions should be separated from the rear of the existing house by a single storey 'link' addition. Separation between large built forms (existing house and two storey addition) should be maximised as much as possible (see **Figure 8**).

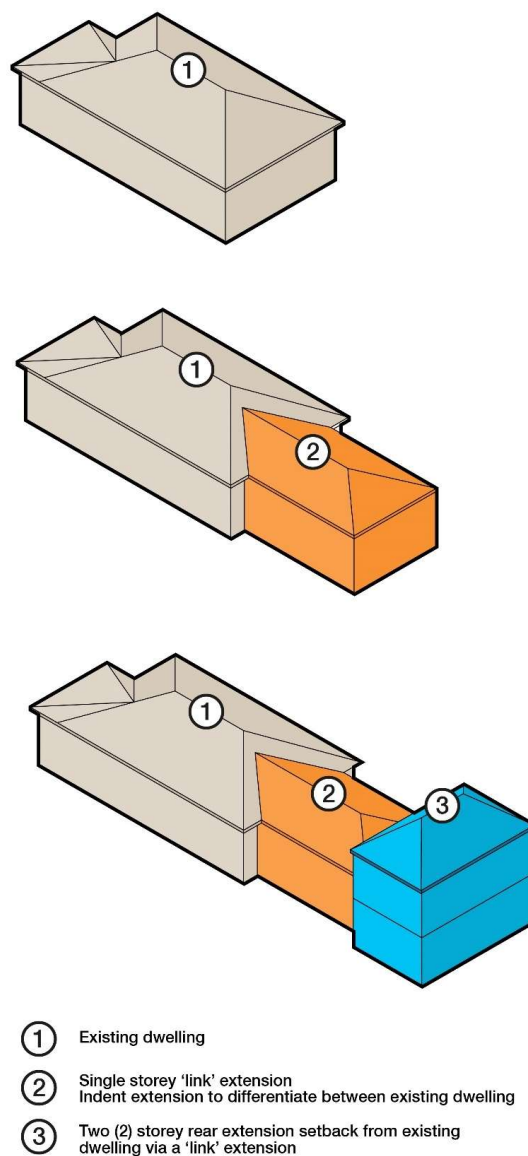


Figure 8 Additions to existing single storey dwellings

(ii) Additions to two storey dwellings

- Additions to existing two storey residences should preferably be single storey, or double storey with justification. Any new development should generally be located to the rear of the existing building, but may be varied to suit specific site conditions.
- Additions should not dominate the existing house in its scale, bulk, massing, roof form and materials.
- An exception may be granted in the case of a Neutral or Intrusive item where any proposed works at the front of the building provide a design outcome that is an improvement, more consistent with the general character of the area and complies with all other aspects of these Guidelines.

(iii) New buildings

- Replacement buildings must respond in scale and height to the surrounding Contributory items, particularly if there is a general consistency in the building scale along that stretch of street, and from around the local townscape.
- If adjoining sites are single storey, new buildings will generally be limited to single storey. Where there is some variation in the height of Contributory buildings along a street, consideration may be given to a two storey element to the rear of the building if appropriate.
- Council will consider variation to the rear setback requirement of the Residential Design Guide to allow new buildings to be kept to single storey.
- New two storey buildings may be appropriate where adjoining Contributory buildings are two storey, and the proposal will provide a design outcome that is consistent with the general character of the area and complies with all other aspects of these guidelines.

(iv) Garages and carports

- Should be designed to minimise their bulk with maximum eave heights of 2.4 metres and single car width.

1.7.3 Form

Form relates to the overall shape and volume of a building, and the arrangement of its parts including, and very importantly related to, the roof and facade. In designing new additions to existing buildings and new infill buildings, the following factors related to building form need to be considered. It is noted that the form of new development need not copy exactly that of adjacent historic properties, but should however visually respect and relate to them in a positive way.

(i) Roof Form

a) Generally

- Roof forms play an important part in shaping the character of a locality. The design of roofs should respect the scale, form, detail and pitch of the existing building in the case of additions to existing houses, or adjoining and adjacent Contributory buildings in the case of new infill buildings. Roof additions should generally be confined to the rear of existing buildings and must be more subservient to the main existing roof.
- Changes to original roofs, particularly if seen from the street, should be minimal and should be determined by the street and building context. Roof elements such as dormers and skylights should not be located where visually prominent. Skylights may be preferable to dormer windows depending on their impact from angles of view.

b) Additions to existing buildings

- New work to the rear of an existing house can either extend the existing roof form, pitch and eaves, or, where the roofline is not maintained, be of a more subservient/differential style such as a skillion or flat/parapet style roof. In both instances the ridge of the new roof is to be lower than the existing roof, and the impact of the added roof is not to dominate the existing house and views from the street.
- Where new roofing of a visually detached addition projects above the existing roofline in the case of a second storey addition, it should be of similar pitch and form to the original.
- Where a building has undergone limited change, restoration and repair of the original front of the building is encouraged.

c) New buildings

- All new buildings must provide a pitched and tiled (or possibly slate) roof for that part of the building that is visible from the street. Rear elements may adapt a different form or materials as long as the other sections of these Guidelines are met.
- A range of roof forms and pitch are displayed throughout the Conservation Area. Roof forms should be drawn from surrounding Contributory dwellings.

d) Ancillary elements including dormers and chimneys

- Dormers to the front or side of existing roofs, where acceptable, should be of traditional vertical proportions with either gable or hipped roof forms. Where not visible from the street, a wider dormer form may be considered.
- Demolition of original chimneys will only be considered if they are proven to be

structurally unsound and only when reconstruction in the original detail is proposed.

- Other elements such as solar hot water heaters, ventilators, antennae, solar tubes and the like should be placed in locations where they are not visible from the street.

e) Garages and carports

- Roof pitches similar to the house are generally acceptable for garages/carports located to the rear or side of a building. Flat (shallow pitched) carports may be considered if original design and details of the house permit.
- Use of parapets along the front façade, with shallow pitched roof behind is generally acceptable for carports sited to the side or rear of the building.

(ii) Building form

- The Conservation Area has consistent and repetitive building forms and styles which have a strong influence on the character of the streetscape. This is reinforced by a generally consistent setback and rhythm of buildings in the street.

a) Existing buildings

- The original articulation of the front elevation of existing buildings, which is typically a double fronted façade with a projecting and a recessive building bay (often the recessive bay has a verandah front), must be maintained and not subject to change. In addition, the proportion, materials and openings of the façade must be retained.

b) New buildings

- The form of new buildings should complement the form of original adjacent Contributory buildings, particularly when viewed from the street, and the overall character of the Conservation Area. Generally this entails a double-fronted façade with a projecting and a recessive building bay – often the recessive bay has a verandah front – and pitched roofs to respect surrounding Contributory items.
- The treatment of facades and side elevations visible from the street should be proportioned and articulated in a manner which responds positively to adjacent original buildings and the overall character of the street. Long, unbroken walls and roofs are to be avoided.
- The relationship of solid to void and use of verandahs in the design of the front elevation is to be encouraged. A long uninterrupted wall to the front façade with no articulation is to be avoided.
- Existing buildings which have had the form of their facades altered may be subject to reconstruction to reinstate original details. This may include reconstruction of door and window openings subject to evidence for reinstating

original details. When no surviving physical or documentary evidence of the original can be found, reconstruction similar to appropriate surrounding Contributory dwellings is encouraged.

- Council will generally support the removal of recent inappropriate additions and alterations to dwellings and the restoration or reconstruction of damaged or missing elements such as, removal of modern render from brick walls and reversal of reskinning.
- Generally single-fronted facades to the street will not be supported.
- Prominent garage doors proposed in the streetscape façade will generally not be supported.

1.7.4 Siting

Siting relates to the positioning of buildings on allotments, which in this instance includes houses, garages and carports. The Conservation Area has a fairly consistent rhythm and spacing in the siting of buildings, established by the consistency of lot sizes and dimensions, and generally uniform front and side boundary setbacks. The following guidelines are designed to maintain the established pattern of uniform siting of buildings in the Conservation Area:

(i) Existing buildings

- Maintenance of the building siting is mandatory for Contributory items.
- Neutral or Intrusive items could be modified by sympathetic additions if it improves their siting in relation to adjacent original buildings.
- Additions to the side of buildings should be designed so that they are setback as far as possible from the front building line.

(ii) New buildings

- New buildings must be sited to reinforce the rhythm and spacing of Contributory buildings in the Conservation Area.
- The façade of new buildings must be orientated to the street frontage to be consistent with adjacent Contributory buildings.
- The setback of new buildings to the street and side boundaries must maintain the established significant pattern of setbacks in the streetscape.
- Garages and carports should be detached elements located only in traditional positions, that is to the rear or side of the dwelling, and set back from the front façade.
- Garages and carports sited forward of the building will not be supported.
- In some cases car access to rear yards may be achieved through the creation of a shared right of carriageway between two adjoining buildings, assuming there is

sufficient width and appropriate grades. Where such an opportunity exists, Council will require owners to demonstrate that approaches have been made to adjoining owners and that this option has been considered.

- Where possible, concrete or brick wheel tracks at the side of dwellings leading to garages in the rear yard should be retained.
- Conversion of existing garaging to habitable floor space, which would then preclude alternative garaging behind the building, will not be supported.

(iii) Ancillary buildings including carports and garages

- All garaging should be restricted to a single garage door (single width) with tandem parking provided if two car spaces are necessary.
- With regard to new buildings, garaging within the front façade will generally not be supported.
- The paving or concreting of traditionally green space at the front of dwellings for the parking of cars, paving or alteration of existing concrete surface material is not desirable.
- Where there is no provision of car parking on site, it is not considered appropriate to provide a hard-stand area at the front of the site.

1.7.5 Materials, colours and detailing

The Conservation Area exhibits a consistency in the materials, colours and detailing of elements which contributes to the historic character of the locality.

Removal of or alteration to original facades of contributory items is generally not supported. Alterations to the principal elevations of neutral items should aim to re-instate lost elements or use materials and colours more consistent with the character of the area.

Additions and new buildings should exhibit in their composition a harmonious compatibility with the materials, colours and textures of adjacent Contributory buildings.

The design of alterations and additions and new buildings need not mimic exactly existing original details, but rather re-interpret and be complementary with existing dwellings, responding to the following guidelines.

(i) Roofs

- The general consistency in roofing materials throughout the Conservation Area is a strong visual element and influence on the character of the area.
- New roofing must be consistent with existing materials, or where new buildings are proposed, be generally glazed or unglazed terracotta Marseilles pattern tiles if visible in the streetscape.
- The re-roofing of the main body of the house is not considered desirable, except to

match original materials. Original tiles should be reused in roof planes that front the street.

- Concrete tiles are not characteristic of the Conservation Area and will generally not be supported by Council where visible from the street.
- Tile colouring can be drawn from examples on neighbouring Contributory items where original roofing survives.
- Some existing Contributory items have slate or corrugated metal sheet roofing, and use of those materials for additions is encouraged.

(ii) Facades/walls

- Brickwork is the dominant building element in the Conservation Area, and is generally in darker tones.
- New work in elevations that are visible from the street should use materials and colours which are characteristic of the area, such as brickwork. Other materials may be used in lieu of brickwork, or combined with brickwork, but such materials must be harmonious and sympathetic with the character of the area and should be chosen for their complementary qualities in relation to colour, texture and tonal contrast.
- The front façade of new buildings should predominantly be brickwork, but could be combined with other harmonious materials as previously noted. Brickwork should be of a colour and texture similar to adjacent Contributory items.
- Existing brickwork is not to be painted, rendered or bagged.
- Consideration may be given to painting, rendering or bagging buildings that are Intrusive or Neutral items where the design outcome improves the general character of the building and streetscape.
- Re-instatement of original tuck pointing to brick joints which commonly appears on the front façade is strongly encouraged. Evidence of well-preserved original tuck pointing can usually be found in areas protected from weathering, such as under eaves or under verandahs.
- Removal of, or alteration to original facades of Contributory items is generally not supported. Alterations to the principal elevations of Neutral items should aim to re-instate lost elements or use materials and colours more consistent with the character of the Conservation Area to improve their contribution.

(iii) Painted finishes

- Paint should not be applied to any brickwork, stonework, exposed bricks on chimneys, terracotta chimneypots, tessellated or glazed tiling, slate verandah edging and steps, or any other unpainted surfaces.
- New buildings should use colours which harmonise with the traditional colour schemes.

- New exterior brickwork in the front façade is to remain unpainted.
- Re-instatement of traditional colour schemes is strongly encouraged. Evidence of original schemes may be determined by scraping back paint from areas that are not subject to intense weathering.
- Advice may be sought from Council's Heritage Advisor should you wish to alter the colour scheme for your building.

(iv) Doors, windows and verandahs

a) Alterations and additions

- Where new doors, windows or verandahs are proposed in street facing elevations or where visible from the street, they should be of similar proportion, size, location and detailing to original elements. If there is no indication of original treatment, the design of new doors and windows should be vertically emphasised and kept simple.
- The retention and repair of original architectural details such as doors, windows, verandah piers/columns, decorative timber work to verandahs and gables, roughcast and tile work in principal elevations is encouraged. Original lead lights and coloured glass panes should be kept.
- Existing incompatible elements (e.g. aluminium windows or doors) in principal elevations should be replaced where alterations or additions are proposed.
- Original verandahs and external detailing in general should be retained or repaired or reinstated where necessary. Removal or infilling of verandahs visible from a public place is not supported.
- New verandahs proposed in elevations visible from the street should be covered by the main roofline or substantive awning (i.e. no projecting balconies) and incorporate appropriately scaled and detailed support posts.

b) New buildings

- The principal elevation of new buildings should provide a level of detail and design of openings that is in proportion with and similar to that of surrounding Contributory buildings.
- Doorways are generally recessed from the main façade, often with an accompanying verandah, and windows have robust proportions, often multi-paned, with heavy mullion/transom elements and surrounds.

(v) Fences and gates

- Existing fencing that is original or consistent with the prevailing scale, design and materials of Contributory items within the immediate locality must be retained.
- Any demolition of original fencing to accommodate driveway access must

include reconstruction – utilising existing materials of end piers etc.

- Alterations and additions or new buildings must provide for a new fence of appropriate materials, colours and scale where no fencing exists at the moment. Fencing should be simple with a level of detail compatible with the house and with regard to other like Contributory items adjacent.

(vi) Garages and carports

- Use recessive or darker colours that reduce visual prominence.
- Designs should be kept simple. Do not necessarily mimic elaborate design elements of the main dwelling if it over-emphasises the garage/carport appearance.

(vii) Driveways and hardstands

- Driveways and hardstands are restricted to a maximum width of 3.5 metres at the street frontage and should be simple.
- Brushed concrete or dark segmental pavers and the use of “strip” driveways are appropriate.
- Light coloured paving, “faux brick” or stencil finishes are not supported.

1.7.6 Subdivision and Lot Consolidation

The street and subdivision patterns contribute to the character of a heritage conservation area. Any proposals involving subdivision, boundary adjustments or lot consolidation in the Kogarah South Heritage Conservation Area will require careful analysis of the impacts on the established subdivision pattern of the area, including visual and physical impacts on the built and natural environments.

The Kogarah South Heritage Conservation Area comprises historical ‘speculative’ Estate subdivisions, with strongly defined patterns and consistent allotment configurations. This subdivision pattern directly influences the placement of dwellings and ancillary structures, creating the cohesive streetscape character and rhythm in the built forms and their landscaped settings throughout the Heritage Conservation Area.

Apart from some larger lots that remain around major heritage items, contributory items or established multi dwelling housing blocks, the majority of allotments within the Heritage Conservation Area have reached their maximum subdivision potential. Consequently, the DCP does not envisage that further subdivision will be possible or appropriate. Controls are however provided should a request for subdivision be made.

Subdivision, lot consolidation or boundary adjustments within the Heritage Conservation Area 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 Heritage Conservation Area. Council will not generally support any proposal involving changes to the

established subdivision pattern, unless such proposal involves the re-establishment of the historical subdivision pattern and will enhance the character and significance of the Heritage Conservation Area.

Subdivision (including Torrens or Strata Title), boundary adjustment or lot consolidation will not be supported where clearly defined subdivision patterns are evident and contribute to the significance and curtilage of the heritage item or Heritage Conservation Area.

Subdivision, lot consolidation or boundary adjustments involving land that is identified as a heritage item or within a Heritage Conservation Area must demonstrate that:

- i. significant subdivision patterns and the established pattern of development of the area are not interrupted or obscured; and
- ii. the setting and curtilage of any heritage items or contributory buildings on the site, or within the vicinity, are retained and subdivision does not diminish the historical and aesthetic values; and
- iii. the visual and physical relationships between any significant associated features such as buildings, gardens, trees, natural landform, fences, and outbuildings are retained and not alienated by subdivision; and
- iv. the resulting development on any new allotment is of a form, scale and orientation that is compatible with the predominant subdivision pattern of the area; and
- v. The resulting development on any new allotment does not adversely impact the setting, curtilage, visual relationships and views of the heritage item or contributory building in the Heritage Conservation Area and the streetscape is not adversely impacted by the creation of new lots and potentially intrusive new building envelopes.

Any proposal involving subdivision, lot consolidation or boundary adjustments to land that is identified as a heritage item or within a Heritage Conservation Area, will require a detailed curtilage assessment as part of a Heritage Impact Statement.

3.3 O'Brien's Estate Heritage Conservation Area

1.0 Purpose of Guidelines

The O'Brien's Estate Heritage Conservation Area has a particular character which residents wish to see preserved. The design of additions to existing buildings and new buildings located within the Conservation Area should aim to maintain and enhance the distinctive historic character of the locality.

Many owners buy houses in an area because of its particular character and are keen to see that character preserved. This does not mean that old homes cannot be brought up to modern standards of convenience and comfort. However, it is necessary to conserve those features of the building and its surrounding environment which give it heritage significance.

The significance of a heritage conservation area is the special value that such an area, and the buildings and items of which it is comprised, should have for past, present and future generations. This value represents historic links, aesthetic or technical achievements, scientific potential or community esteem. That significance is embodied in the remaining physical fabric of a building or place and in its relationship with its setting and with the historical documentation which tells its story.

The overall guiding principle for the design of any new development in the O'Brien's Estate Heritage Conservation Area is that it complements the scale, form, materials, colours and general appearance of existing original buildings and landscape features in the streetscape, and preserve and be sympathetic with those special qualities which define the historic character of the locality.

1.1 Relationship with Other Council Plans

These Guidelines are a Council endorsed policy document which provides information for owners intending to develop their property and Council staff, on the background to the nomination of the Penshurst Heritage Conservation Area and how this listing will affect development in the area. As required by Clause 5.10(5) of the Georges River LEP 2021¹⁰, these Guidelines must be addressed in a heritage impact statement accompanying an application for development in the Penshurst Heritage Conservation Area. In particular, this must include consideration of how any proposed development satisfies the provisions of these Guidelines.

In preparing an application for development within the Conservation Area, these Guidelines are to be used in conjunction with the Georges River Development Control Plan 2020¹¹ (DCP 2020¹¹). Where there is an inconsistency between the Guidelines and the controls of DCP 2020¹¹, the Guidelines take precedence. Accordingly, variations to the requirements of DCP 2020¹¹, such as side and rear setbacks and the maximum depth of a second storey component, will be considered where it will allow for a development that maintains the existing building scale and pattern.

These Guidelines will be used by Council when assessing any application for change in the Conservation Area. It is strongly advised that any owner wishing to make additions or modifications to their property discuss those works with Council staff or Council's Heritage Advisor prior to preparing plans or lodging a Development Applications.

1.2 Where Do These Guidelines Apply?

These Guidelines will be taken into consideration for any proposed works within the area nominated on the following map. This will include any works undertaken within the public domain including road works, street planting, paving, fences, lighting and signage. Generally any works that will impact on the setting and external appearance of a building, including front fencing, driveway access and parking arrangements will require Council's consideration. Advice on landscaping or internal works can be provided by Council if requested.



Figure 9 Map of O'Brien's Estate Heritage Conservation Area

1.3 Why is this a Conservation Area?

The main purpose of identifying conservation areas in Sydney is to conserve the history of the development of the metropolitan area. They are also special places in their own right, often with distinctive streetscapes, landscapes and building characters that create a sense of place that is worth retaining.

The O'Brien's Estate Heritage Conservation Area, also known as "The Dress Circle Estate", is an early 1920's subdivision associated with Hurstville's leading commercial families, public servants and professional people.

The area comprises a high proportion of substantial one and two-storey well designed dwellings, predominantly of the Inter-War period. The Conservation Area is notable for the variety of architectural styles, which include Californian and late Federation style bungalows, and examples of Inter-War Functionalist, Arts and Crafts, Spanish Mission and Tudor Revival style houses, some set in generous gardens.

The visual impact of the Conservation Area is enhanced by its elevation on the higher slopes of Hurstville and the well maintained gardens and residences, some of which enjoy views of the district southwards towards the Georges River.

In summary, the O'Brien's Estate Heritage Conservation Area is important because:

1. It is a representative example of an early Inter-War Period subdivision comprising substantial, well designed bungalows set in generous gardens, which is enhanced by its location on the highest slopes of Hurstville.
2. The majority of houses in the area are well maintained and of a consistent scale with many demonstrating a high degree of intactness.
3. The precinct possesses streetscape significance due to the high level of continuity of housing styles, landscaping and fencing.
4. The area is increasingly rare as an excellent group of substantial Inter-War bungalows of varying styles, displaying fine detailing.

1.4 Are All Buildings Treated the Same?

Council recognises that conservation areas are not museum pieces and stresses that the important principle is to respect their essential character by conserving significant elements and adding new sympathetically designed elements.

Buildings in the area generally fall into one of 3 categories.

1. Contributory Items
2. Neutral Items
3. Intrusive Items

1.4.1 Contributory Items

There are many buildings, structures and landscape features within the area which contribute to the heritage significance of the area because of their age, particular design characteristics and integrity. These are called Contributory items. Individually, they are not necessarily items of heritage significance, otherwise they would be listed as such, but they do possess collective significance. Loss of any one of them will erode the heritage significance of the area as a whole. There are also a small number of very significant building in the Conservation Area that are individually listed as heritage items. Accordingly, Council controls the removal or demolition of any building in the area, as the effect it would have on the heritage significance of the area must be assessed.

Adaptations are often needed to homes to accommodate modern working or lifestyle requirements. These may include the addition of bathroom or kitchen facilities, additional bedrooms or off-street parking. As long as the heritage significance of the place and the Conservation Area as a whole is not adversely affected, such changes may be perfectly acceptable. Demolition of Contributory buildings will generally not be supported and will only be considered where a strong case can be presented that the building is structurally unsound and cannot be restored at a reasonable cost. This assessment may require Council commissioning an independent consultant to assess the item, the cost of which would also need to be met by the applicant. Applications for demolition must be accompanied by a Heritage Impact Statement (prepared by a suitably qualified consultant), which will need to address the replacement dwelling and its capacity to contribute and improve the character and significance of the Conservation Area, as well as demonstrating that retention of the building is not achievable. In this circumstance, Council will require a joint application for demolition and construction of a new dwelling.

1.4.2 Neutral Items

Neutral items are generally dwellings which have had their contribution reduced by intrusive alterations, but may only need relatively minor changes to bring them back to a contributory nature. Neutral items can also be more modern dwellings which may contribute little to the character of the Conservation Area but are not considered to be intrusive. Altered buildings should only be considered for demolition if they are proven to be structurally unsound and the replacement will contribute and improve the character of the Conservation Area. Further, any additions and alterations should look to restoring the former character of modified buildings, or modify more modern buildings to respond to the characteristics of the area. Applications for demolition must be accompanied by an application for the replacement building and a Heritage Impact Statement as noted for Contributory items.

1.4.3 Intrusive Items

These items are buildings or landscape features which have been modified to an extent that they do not reflect the conservation values of the area. Demolition in this group of buildings will be considered if replacement buildings will contribute, improve and be sympathetic to the character and significance of the Conservation Area. Council strongly encourages a joint application for demolition and development.

1.5 What Category is My Building?

All items within the O'Brien's Estate Heritage Conservation Area have been given a classification as either - Contributory, Neutral or Intrusive items. Please refer to **Figure 9.**
~~located on page 49.~~

1.6 What Characteristics Need to Be Conserved?

This section identifies key elements which define the character of the O'Brien's Estate Heritage Conservation Area, and which need to be understood by homeowners and consultants when designing alterations, additions and new buildings.

The historic significance of the streetscapes of the O'Brien's Estate Heritage Conservation Area have been influenced and shaped by the following factors:

Landform and street plantings

- Sloping topography with distinctive landform features.
- Narrow grassed nature strips with some street plantings.

Date, type and style of the buildings

- A fairly homogenous collection of predominantly residential dwellings built between the wars, with some late Federation period and post war residences.
- Predominantly Inter-War California bungalows, with some Inter-War Functionalist, Arts and Crafts, Spanish Mission, Tudor Revival style and some late Federation bungalows.

Scale and Form

- The majority of buildings are single storey, with some two storey residences. There is an aged care facility dating from the late twentieth century.
- Predominantly large double-fronted bungalows embellished with bay windows, street facing gables and verandahs.

- A wide variety in the shape and form of window openings, doors and verandah elements in the built form.
- Multiple pitched roofs with hips, half-hips and gables, and predominantly tiled.
- Some houses have garages located within the footprint of the building, below the principal living area.

Subdivision pattern

- Generally average size allotments, with some larger lots suited to more substantial dwellings.

Setbacks and Siting

- A range of front boundary setbacks.
- Predominantly double-fronted residences built from side boundary to side boundary, with some houses set well back from the street boundary.

Materials, building techniques and details

- Residences primarily built in face brickwork in a range of colours and styles, generally of darker tones.
- Most dwellings are roofed with Marseilles pattern tiles.
- There is a consistency of roof pitch throughout the conservation area. Some houses have front parapets and circular bays.
- Original window fenestration typically consisting of timber casements or double-hung sashes, some with steel framed windows.
- Windows are in bays of two/three openings, or where a single unit is used it is broken into smaller, vertically proportioned elements with strong structural elements, such as central mullions and surrounds, emphasised by brick or rendered header courses and sills.
- Verandahs are characterised by heavy structural elements with solid masonry balustrading and masonry or masonry and timber column supports.
- Door openings are generally recessed within the verandah and are single leaf openings.

Carports, garages and driveways

- The majority of houses have garages located behind the front building line or to the rear of the property.
- There are some original garages built on the street boundary – usually on the high side of the street. Several houses built on the low side of the street have garages located within the footprint of the house – below the principal living area. There are several houses which have a port-cochere.

- Driveways are minor, single-width, and are generally set to the side boundary.

Fencing

- Fencing along the street boundary is generally low brickwork, matching the brickwork of the dwelling. Side boundary fencing is generally timber paling.

Front gardens

- Generally houses feature well developed front gardens comprising lawns and shrubs with the occasional signature tree.

1.7 Guidelines Statement

This section indicates the limits to which existing buildings can be expanded, and provides design criteria which needs to be considered when designing alterations, additions or new infill buildings in the Conservation Area.

The successful design of alterations, additions and new buildings in the Conservation Area must have regard to, and be appropriate under the following design criteria:

- Character;
- Scale;
- Form;
- Siting; ~~and~~
- Materials, colours and detailing; and
- Subdivision and lot consolidation.

The above design criteria are discussed in detail in the following sections.

First floor additions proposed to be located over the existing dwelling and within existing roof planes, which usually require removal of the existing roof or a substantial part of, and dominate the existing dwelling, will be considered the least desirable option by Council and will generally not be supported.

Additions to two-storey dwellings should generally be located to the rear of the house. In order of preference from a heritage point of view, the following is a guide to the placement of new development for additions to existing two-storey dwellings:

- Single-storey development located to the rear of the house; or
- Additional accommodation within the existing roof space.

Where existing dwellings are located on elevated or sloping sites, consideration should be given

to the impact of any new development on the wider townscape.

1.7.1 Character

The design of alterations and additions and new buildings in the O'Brien's Estate Heritage Conservation Area requires careful analysis and examination of the locality to identify those elements which contribute to its historic character. As noted in Section 1.6, the character of the conservation area has been shaped by the following factors:

- The predominate landform;
- Street landscaping;
- The date, type and style of buildings;
- The scale and form of buildings;
- Street and subdivision patterns;
- The setback and siting of houses, carports and garages;
- Fencing and front gardens; and
- Materials, colour, building techniques and details.

Due to the diversity of predominantly Inter-War housing styles, it is very important for applicants proposing alterations and additions to understand the stylistic characteristics and elements which are unique to their property, and appropriately interpret and design new works which are sympathetic and in harmony with the character of the dwelling.

Each of the design criteria discussed below collectively contribute to and influence, the overall historic character and distinctive streetscapes of the conservation area.

1.7.2 Scale

Scale, which encompasses proportion, height and bulk, relates to the size of buildings relative to surrounding buildings. Maintenance of the general scale of residences in the Conservation Area is a critical element in preserving the character of the locality. Where single-storey buildings predominate in a streetscape any additions should maintain that essential character when viewed from the street or surrounding townscape.

In designing new additions to existing buildings and new buildings, the following factors related to building scale should be considered:

- (i) Additions to single-storey dwellings
 - a) Single storey additions
 - Council will consider single-storey additions located to the rear of the existing building. New roof and building mass should not project above or dominate the

existing building scale, and in addition, a single run of long wall (as an extension to the existing wall) is to be avoided.

- The overall length of any extension is to be less than, and secondary to, the original building.

b) Roof space additions

- Additional floor space should preferably be within the existing roof space, with possible dormers and/or skylight additions as part of an attic style addition, but only where such elements do not dominate the roof qualities. Dormers and/or skylights should preferably be located on the rear roof plane.

c) Two-storey additions

- Two-storey additions to single-storey buildings are less desirable than single-storey additions, and will only be considered where there is no scope for roof space additions or single storey additions. Second storey additions which dominate the existing building will not be considered acceptable.
- Two-storey additions are to be substantially setback to the rear of the existing house and are to be visually subservient to the front.
- In addition to the above, two-storey additions should be separated from the rear of the existing house by a single-storey 'link' addition. Separation between large built forms (existing house and two-storey addition) should be maximised as much as possible.
- Two-storey additions which have an adverse visual impact on the streetscape and wider townscape will not be considered acceptable.

(ii) Additions to two-storey buildings

- Additions to existing two- storey residences should preferably be single storey, or double storey with justification. Any new development should generally be located to the rear of the existing building, but may be varied to suit specific site conditions.
- Additions should not dominate the existing house in its scale, bulk, massing, roof form and materials.
- An exception may be granted in the case of a Neutral or Intrusive item where any proposed works at the front of the building provide a design outcome that is consistent with the general character of the area and complies with all other aspects of these Guidelines.
- Two-storey additions which have an adverse visual impact on the streetscape and wider townscape will not be considered acceptable.

(iii) New buildings

- Replacement buildings must respond in scale and height to surrounding Contributory items, particularly if there is a general consistency in the building scale along that stretch of street, and from around the local townscape.

- If adjoining sites are single-storey, new buildings will generally be limited to single storey. Where there is some variation in the height of Contributory buildings along a street, consideration may be given to a two-storey element to the rear of the building if appropriate.
 - Council will consider variation to the rear setback requirements of the RDG to allow new buildings to be kept to single-storey.
 - New two-storey buildings may be appropriate where adjoining buildings are two-storey and the proposal will provide a design outcome that is consistent with the general character of the area and complies with all other aspects of these guidelines.
- (iv) Carports
- Should be designed to minimise their bulk with maximum eave heights of 2.4 metres and single car width.

1.7.3 Form

Form relates to the overall shape and volume of a building, and the arrangement of its parts including, and very importantly related to, the roof and facade. In designing new additions to existing buildings and new infill buildings, the following factors relating to building form need to be considered. It is noted that the form of new development need not copy exactly that of adjacent historic properties, but should however visually respect and relate to them in a positive way.

- (i) Roof form
- a) Generally
- Roof forms play an important part in shaping the character of a locality. The design of roofs should respect the scale, form, detail, and pitch of the existing building, in the case of additions to existing houses, or adjoining and adjacent Contributory buildings in the case of new infill buildings. Roof additions should generally be confined to the rear of existing buildings and must be more subservient to the main existing roof.
 - Changes to original roofs, particularly if seen from the street, should be minimal and determined by the street and building context. Roof elements such as dormers and skylights should not be located where visually prominent. Skylights may be preferable to dormer windows depending on their impact from angles of view.
- b) Additions to existing buildings
- New work to the rear of an existing house can either extend the existing roof form, pitch and eaves, or, where the roofline is not maintained, be of a more subservient/differential style such as a skillion or flat/parapet style roof. In both

instances the ridge of the new roof is to be lower than the existing roof, and the impact of the added roof is not to dominate the existing house and views from the street.

- Where new roofing of a visually detached addition projects above the existing roofline in the case of a second storey addition, it should be of similar pitch and form to the original.

c) New buildings

- All new buildings must provide a pitched and tiled (or possibly slate) roof for that part of the building that is visible from the street. Rear elements may adapt a different form or materials as long as the other sections of these Guidelines are met.
- A range of roof forms and pitch is displayed throughout the Conservation Area. Roof forms should be drawn from surrounding Contributory dwellings.

d) Ancillary elements including dormers and chimneys

- Dormers to the front or side of existing roofs, where acceptable, should be of traditional vertical proportions with either gable or hipped roof forms. Where not visible from the street, a wider dormer form may be considered.

e) Carports and garages

- Roof pitches similar to the house are generally acceptable for garages/carports located to the rear or side of a building. Flat (shallow pitched) carports may be considered if the original design and details of the house permit.
- Use of parapets along the front facade, with a shallow pitched roof behind is generally acceptable for carports sited to the side or rear of the building.

(ii) Building form

- The Conservation Area has a variety of building forms and styles which have a strong influence on the character of the streetscape. This is reinforced by a fairly consistent setback and rhythm of buildings in the street.

a) Existing Buildings

- The original articulation of the front elevation of existing buildings, which typically is a double-fronted façade with a projecting and a recessive building bay (often the recessive bay has a verandah front) must be maintained and not subject to change. In addition, the proportion, material and openings of the façade must be retained.
- Existing buildings which have had the form of their facades altered may be subject to reconstruction to reinstate original details. This may include reconstruction of door and window openings subject to evidence for reinstating original details. When no surviving physical or documentary evidence of the

original can be found, reconstruction similar to appropriate surrounding Contributory dwellings is encouraged.

- Council will generally support the removal of recent inappropriate additions and alterations to dwellings and the restoration or reconstructions of damaged or missing elements such as, removal of modern render from brick walls, removal of paint from brickwork, and reversal of re-skinning etc.

b) New Buildings

- The form of new buildings should complement the form of original adjacent Contributory buildings, particularly when viewed from the street, and the overall character of the Conservation Area. Generally this entails a double-fronted façade with a projecting and a recessive building bay – often the recessive bay has a verandah front – and pitched roofs to respect surrounding Contributory items.
- The treatment of facades and side elevations visible from the street should be proportioned and articulated in a manner that responds positively to adjacent original buildings and the overall character of the street. Long, unbroken walls and roofs are to be avoided.
- The relationship of solid to void and use of verandahs in the design of the front elevation is to be encouraged. A long uninterrupted wall to the front façade with no articulation is to be avoided.
- Generally single-fronted facades to the street will not be supported.
- Prominent garage doors within the streetscape facade will generally not be supported.

1.7.4 Siting

Siting relates to the positioning of buildings on allotments, which in this instance includes houses, garages and carports. The Conservation Area has a fairly consistent rhythm and spacing in the siting of buildings, established by the consistency of lot sizes and dimensions, and generally uniform front and side boundary setbacks. The following guidelines are designed to maintain the established pattern of uniform siting of buildings in the Conservation Area:

- (i) Existing buildings
 - Maintenance of the building siting is mandatory for Contributory items.
 - Neutral or Intrusive items could be modified by sympathetic additions if it improves their siting in relation to adjacent original buildings.
 - Additions to the side of buildings should be designed so that they are setback as far as possible from the front building line.
- (ii) New buildings
 - New buildings must be sited to reinforce the rhythm and spacing of Contributory buildings in the Conservation Area.
 - The façade of new buildings must be orientated to the street frontage to be consistent with adjacent Contributory buildings.
 - The setback of new buildings to the street and side boundaries must maintain the significant pattern of setbacks in the streetscape.
- (iii) Ancillary buildings including carports and garages
 - Garages and carports should be detached elements located only in traditional positions, that is to the rear or side of the dwelling, and set back from the front façade.
 - Garages and carports sited forward of the building will not be supported.
 - In some cases car access to rear yards may be achieved through the creation of a shared right of carriageway between two adjoining buildings, assuming there is sufficient width and appropriate grades. Where such an opportunity exists, Council will require owners to demonstrate that approaches have been made to adjoining owners and that this option has been considered.
 - Where possible, concrete or brick wheel tracks at the side of dwellings leading to garages in the rear yard should be retained.
 - Conversion of existing garaging to habitable floor space, which would then preclude alternative garaging behind the building, will not be supported.
 - All garaging should be restricted to a single garage door (single width) with tandem parking provided if two car spaces are necessary.
 - With regard to new buildings, garaging within the front façade will generally not be

supported.

- The paving or concreting of traditionally green space at the front of dwellings for the parking of cars, paving or alteration of existing concrete surface material is not desirable.
- Where there is no provision of car parking on site, it is not considered appropriate to provide a hard-stand area at the front of the site.

1.7.5 Materials, colours and detailing

The Conservation Area exhibits a consistency in the materials, colours and detailing of elements which contributes to the historic character of the locality.

Removal of or alteration to original facades of contributory items is generally not supported. Alterations to the principal elevations of neutral items should aim to re-instate lost elements or use materials and colours more consistent with the character of the area.

Additions and new buildings should exhibit in their composition a harmonious compatibility with the materials, colours and textures of adjacent Contributory buildings.

The design of alterations and additions and new buildings need not mimic exactly existing original details, but rather re-interpret and be complementary to existing dwellings, responding to the following guidelines.

(i) Roofs

- The general consistency in roofing materials throughout the Conservation Area is a strong visual element and influence on the character of the area.
- New roofing must be consistent with existing materials, or where new buildings are proposed, be generally glazed or unglazed terracotta Marseilles pattern tiles if visible in the streetscape.
- The re-roofing of the main body of the house is not desirable, except to match original materials. Original tiles should be reused in roof planes that front the street.
- Concrete tiles are not characteristic of the Conservation Area and will generally not be supported by Council where visible from the street.
- Tile colouring can be drawn from examples on neighbouring Contributory items where original roofing survives.
- Some existing Contributory items have slate or corrugated metal sheet roofing, and use of those materials for additions is encouraged.

(ii) Facades/walls

- Brickwork is the dominant building element in the Conservation Area, and is generally in darker tones.

- New work in elevations that are visible from the street should use materials and colours which are characteristic of the area, such as brickwork. Other materials may be used in lieu of brickwork, or combined with brickwork, but such materials must be harmonious and sympathetic with the character of the area and should be chosen for their complimentary qualities in relation to colour, texture and tonal contrast.
- The front façade of new buildings should predominantly be brickwork, but could be combined with other harmonious materials as previously noted. Brickwork should be of a colour and texture similar to adjacent Contributory items.
- Existing brickwork is not to be painted, rendered or bagged.
- Consideration may be given to painting, rendering or bagging buildings that are Intrusive or Neutral items where the design outcome improves the general character of the building and streetscape.
- Re-instatement of original tuck pointing to brick joints which commonly appears on the front façade is strongly encouraged. Evidence of well preserved original tuck pointing can usually be found in areas protected from weathering, such as under eaves or under verandahs.
- Removal of, or alteration to original facades of Contributory items is generally not supported. Alterations to the principal elevations of Neutral items should aim to re-instate lost elements or use materials and colours more consistent with the character of the Conservation Area to improve their contribution.
- Removal of or alteration to original facades of Contributory items is generally not supported. Alterations to the principal elevations of Neutral items should aim to re-instate lost elements or use materials and colours more consistent with the character of the Conservation Area to improve their contribution.
- Proposals which involve face brickwork should ensure that repointing materials, colours and designs are compatible. Original bricks are to be cleaned and re-used wherever possible, especially in all face brickwork.
- It is desirable that previously painted facades be stripped of paint to reveal original face brickwork.

(iii) Painted finishes

- Paint should not be applied to any brickwork, stonework, exposed bricks on chimneys, terracotta chimneypots, tessellated or glazed tiling, slate verandah edging and steps, or any other unpainted surfaces.
- New buildings should use colours which harmonise with the traditional colour schemes.
- New exterior brickwork in the front façade is to remain unpainted.
- Re-instatement of traditional colour schemes is strongly encouraged. Evidence of

original schemes may be determined by scraping back paint from areas that are not subject to intense weathering.

- Advice may be sought from Council's Heritage Advisor should you wish to alter the colour scheme of your building.

(iv) Doors, windows and verandahs

a) Alterations and additions

- Where new doors, windows or verandahs are visible from the street, they should be of similar proportion, size, location and detailing to original elements. If there is no indication of original treatment, the design of new doors and windows should be vertically emphasised and kept simple.
- The retention and repair of original architectural details such as doors, windows, verandah piers/columns, decorative timber work to verandahs and gables, roughcast, and tile work in principal elevations is encouraged. Original lead lights and coloured glass panes should be kept.
- Existing incompatible elements (e.g. aluminium windows or doors) in principal elevations should be replaced where alterations or additions are proposed.
- Original verandahs and external detailing in general should be retained or repaired or reinstated where necessary. Removal or infilling of verandahs visible from a public place is not supported.
- New verandahs proposed in elevations visible from the street should be covered by the main roofline or substantive awning (i.e. no projecting balconies) and incorporate appropriately scaled and detailed support posts.

b) New buildings

- The principal elevation of new buildings should provide a level of detail and design of openings that is in proportion with and similar to that of surrounding Contributory buildings.
- Doorways are generally recessed from the main façade, often with an accompanying verandah, and windows have robust proportions, often multi-paned, with heavy mullion/transom elements and surrounds.

(v) Fences and gates

- Existing fencing that is original or consistent with the prevailing scale, design and materials of Contributory items must be retained. Any demolition of original fencing to accommodate driveway access must include reconstruction – utilising existing materials of end piers etc.
- Alterations and additions or new buildings must provide for a new fence of appropriate materials, colours and scale where no fencing exists at the moment.

Fencing should be simple with a level of detail compatible with the house and with regard to adjacent Contributory items.

(vi) Garages and carports

- Use recessive or darker colours that reduce visual prominence.
- Designs should be kept simple. Do not mimic elaborate design elements of the main dwelling if it over-emphasises the garage/carport appearance.

(vii) Driveways and hardstands

- Driveways and hardstands are restricted to a maximum width of 3.5 metres at the street frontage and should be simple.
- Brushed concrete or dark segmental pavers and the use of "strip" driveways are appropriate.
- Light coloured paving, "faux brick" or stencil finishes are not supported.

1.7.6 Subdivision and Lot Consolidation

The street and subdivision patterns contribute to the character of a heritage conservation area. Any proposals involving subdivision, boundary adjustments or lot consolidation in the O'Brien's Estate Heritage Conservation Area will require careful analysis of the impacts on the established subdivision pattern of the area, including visual and physical impacts on the built and natural environments.

The O'Brien's Estate Heritage Conservation Area comprises historical 'speculative' Estate subdivisions, with strongly defined patterns and consistent allotment configurations. This subdivision pattern directly influences the placement of dwellings and ancillary structures, creating the cohesive streetscape character and rhythm in the built forms and their landscaped settings throughout the Heritage Conservation Area.

Apart from some larger lots that remain around major heritage items, contributory items or established multi dwelling housing blocks, the majority of allotments within the Heritage Conservation Area have reached their maximum subdivision potential. Consequently, the DCP does not envisage that further subdivision will be possible or appropriate. Controls are however provided should a request for subdivision be made.

Subdivision, lot consolidation or boundary adjustments within the Heritage Conservation Area 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 Heritage Conservation Area. Council will not generally support any proposal involving changes to the established subdivision pattern, unless such proposal involves the re-establishment of the historical subdivision pattern and will enhance the character and significance of the Heritage Conservation Area.

Subdivision (including Torrens or Strata Title), boundary adjustment or lot consolidation will not be supported where clearly defined subdivision patterns are evident and contribute to the significance and curtilage of the heritage item or Heritage Conservation Area.

Subdivision, lot consolidation or boundary adjustments involving land that is identified as a heritage item or within a Heritage Conservation Area must demonstrate that:

- i. significant subdivision patterns and the established pattern of development of the area are not interrupted or obscured; and
- ii. the setting and curtilage of any heritage items or contributory buildings on the site, or within the vicinity, are retained and subdivision does not diminish the historical and aesthetic values; and
- iii. the visual and physical relationships between any significant associated features such as buildings, gardens, trees, natural landform, fences, and outbuildings are retained and not alienated by subdivision; and
- iv. the resulting development on any new allotment is of a form, scale and orientation that is compatible with the predominant subdivision pattern of the area; and
- v. The resulting development on any new allotment does not adversely impact the setting, curtilage, visual relationships and views of the heritage item or contributory building in the Heritage Conservation Area and the streetscape is not adversely impacted by the creation of new lots and potentially intrusive new building envelopes.

Any proposal involving subdivision, lot consolidation or boundary adjustments to land that is identified as a heritage item or within a Heritage Conservation Area, will require a detailed curtilage assessment as part of a Heritage Impact Statement.

Appendix 4 Waste Management

4.1 General Information

4.1.1 Definitions and Meaning

For the purpose and objectives of this Appendix, construction and demolition 'waste' refers to materials and waste streams collected and managed by private waste collection contractors:-

- a) Putrescible and other non-hazardous household waste;
- b) Dry recyclable materials;
- c) Organic waste (garden organics and/or food waste);
- d) Commercial and industrial waste; and
- e) Construction and demolition waste.

For the purpose and objectives of this Appendix, ongoing operational 'waste' refers to materials and waste streams collected by contractors under Councils Waste Collection Contract:-

- a) Putrescible and other non-hazardous household waste
- b) Dry recyclable materials;
- c) Organic waste (garden organics and/or food waste);
- d) Materials approved to be collected as part of Councils Kerbside 'Clean Up' service; and
- e) Litter from common areas (if applicable) at a development.

4.1.2 Land to which this section applies

This section applies to all land within the Georges River LGA with specific criteria applied to the development types described in

Table 1

Development Applications for all development types must comply with demolition and construction requirements and general waste management requirements as outlined within this Appendix.

Development Types as outlined within **Table 1** must comply with the applicable specific ongoing waste management requirements. The Development Types within **Table 1** are as specified by Council's [DA Guide and Lodgement Requirements Matrix](#).

Table 1: Specific waste management requirements and Waste Management Plan requirements per development type

Development Type	Specific On-going Waste Management Requirement (if applicable)	Waste Management Plan Type
Alterations and additions (residential)	Refer 4.4.2 Single Unit Dwellings	Refer to Attachment 1
Carports, garages	Not applicable	Refer to Attachment 1
Swimming pools	Not applicable	Refer to Attachment 1
New single dwellings, secondary dwellings	Refer 4.4.2 Single Unit Dwellings	Refer to Attachment 1
Multi dwellings (not residential flat buildings)	Refer 4.4.1 Multi-Unit Dwellings and 4.4.3 Non-Residential Developments	A suitably qualified waste management professional is required to complete the WMP for this development type.*
Boarding houses	Refer 4.4.1 Multi-Unit Dwellings	A suitably qualified waste management professional is required to complete the WMP for this development type.
Residential flat buildings	Refer 4.4.1 Multi-Unit Dwellings	A suitably qualified waste management professional is required to complete the WMP for this development type.
Mixed use developments that include a residential component	Refer 4.4.1 Multi-Unit Dwellings 4.4.3 Non-Residential Developments	A suitably qualified waste management professional is required to complete the WMP for this development type.
Childcare centres, places of public worship	Refer 4.4.3 Non-Residential Developments	Refer to Attachment 1
Alterations and additions (non-residential)	Refer 4.4.3 Non-Residential Developments	Refer to Attachment 1
Commercial fit out, change of use where building works will be carried out	Refer 4.4.3 Non-Residential Developments	Refer to Attachment 1
Commercial, retail, and industrial buildings	Refer 4.4.3 Non-Residential Developments	A suitably qualified waste management professional is required to complete the WMP for this development type.
Demolition of dwelling, outbuilding and/or other buildings	Not applicable	Refer to Attachment 1

Development Type	Specific On-going Waste Management Requirement (if applicable)	Waste Management Plan Type
Subdivision of land where the removal of vegetation and excavation activities are carried out	Not applicable	Refer to Attachment 1
Special events (such as festivals, circuses, sporting, cultural or musical events)	Not applicable	Refer to Attachment 1

**Note: A suitably qualified waste management professional may include a waste consultant, or planning consultant with experience considering waste management and collection services at new developments. A professional is considered suitably qualified if holding a tertiary education qualification in planning, environmental science or a related field, and has demonstrated practical experience either planning for, or implementing/managing domestic and commercial bin and hard (bulky) waste collection services.*

4.1.3 Purpose

The purpose of this section is to:

- Assist in the achievement of effective and efficient waste management and minimisation practices across all developments;
- Ensure that where practical all land use activities comply with the relevant provisions of any applicable acts, regulations, and other statutes in relation to waste management and waste minimisation initiatives;
- Satisfy Council's *Waste Management Strategy 2021-2040*;
- Adhere to the State mandate regarding Food Organics and Garden Organics collections and the NSW Environment Protection Authority's *Better practice guide for resource recovery in residential developments* (Better practice guide) (<https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/warrlocal/19p1559-resource-recovery-in-residential-developments.pdf?la=en&hash=C29AFB3B95D416F29A6F711B684C620900174075>) and the *Better practice guide for Waste Management and Recycling in Commercial and Industrial Facilities* (<https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/managewaste/120960-comm-ind.pdf>); and
- Set out the Council's practices and service functions in respect of waste management.

Georges River Council is confident that in adopting this DCP and adhering to its principles and objectives, the outcomes will result in positive, sustainable and tangible benefits to the community and the environment in which we live.

4.1.4 Objectives

The objectives of this section are to:

- a) Require good design and location of waste storage facilities so as to ensure a high standard of urban design and streetscapes.
- b) Define and standardise the minimum design requirements for effective, safe, and efficient waste management practices for each use with regards to managing general waste, recycling and organic waste as well as bulky waste and other types of clean-up materials.
- c) Ensure source separation, minimise waste generation, maximise resource recovery and provide appropriate controls for management of waste in all stages of a development's life, including demolition, design, construction and ongoing operations.
- d) Promote the use of recycled and recyclable materials in the design, construction and operation of buildings and land use activities.
- e) Minimise the environmental and health impacts by preventing the poor design of waste management systems and facilities in new developments.
- f) Ensure the appropriate design and construction of on-site storage of all waste bins and bulky waste for each use whether bins are stored within individual dwellings or within a common storage area;
- g) Ensure that all waste management facilities are:
 - appropriate in size;
 - appropriately designed for the intended uses and capacity;
 - hygienic, safe to access and use;
 - in compliance with any applicable regulations and policies, particularly occupational health and safety requirements;
 - visually compatible with the amenity of the area and neighbouring properties;
 - designed to minimise noise transfer.
- h) Ensure Council's or contracted waste collection vehicle(s) can access and service every development to provide essential waste collection services.
- i) Ensure that applicants are aware of their obligation to satisfy Council's waste management requirements for the proposed developments, including vehicle access requirements.

4.1.5 Waste Management Plan

A Waste Management Plan (WMP) must be submitted with Development Applications for certain development types as specified by Council's [DA Guide and Lodgement Requirements Matrix](#).

A WMP is a plan for the on-site management of all waste that is generated or derived from any, or all of the following activities:

- a) Demolition of buildings or structures;
- b) Excavation works and activities;

- c) Construction of buildings or structures;
- d) Landscaping and site remediation works; and,
- e) Occupation, use of, or the continuation of any activities on any land or premises on an ongoing basis.

Any WMP submitted to Council must include 3 Sections, as follows:

- Section 1 outlines demolition waste management
- Section 2 outlines construction waste management
- Section 3 outlines waste management for the ongoing use of the development.

Some applicants can complete a WMP template included in **Attachment 1** (only acceptable for certain types of development (see Table 1)).

A WMP must specify how the development will meet Council's requirements in terms of access, physical space and layout for safe and efficient waste management practices. A WMP must set out the volume and type of waste that will be generated, how waste is to be managed, treated, stored on-site, collected/removed from the site, how all waste types are to be disposed of, facilities for source separation, the reuse, and recycling of materials, as well as the provision of appropriate waste storage facilities. WMP must be consistent with Architectural Plans and must be updated after every revision of the Architectural Plans.

4.2 Demolition and Construction Waste Management

4.2.1 Waste Management Plan Requirements

- a) A Waste Management Plan is to be completed and submitted with the Development Application to Council for any activities which produce construction or demolition waste. The three key activities which produce construction and demolition waste are:
 - i. Demolition of any existing structure;
 - ii. Construction of a new structure; and
 - iii. Construction and/or demolition work for a change of use of an existing structure.
- b) The Waste Management Plan must address the following details:
 - i. List the types and quantities of waste in accordance with the NSW EPA's Waste Classification Guidelines (<https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste/waste-classification-guidelines>) as estimated to be generated during both demolition and construction activities.
 - ii. Detail how the waste generation will be minimised and avoided, and how waste will be reused, recycled/processed, or disposed.
 - iii. Detail how at least 80% of the generated construction and demolition waste will be diverted from landfill and which licenced waste management facilities will receive the waste.
 - iv. Outline how demolition and construction waste will be sorted and stored in a source-separated manner at the point of generation to maximise reuse and recycling opportunities. When not practicable, the applicant must outline the use

of any waste collection providers who are able to sort mixed loads of construction and demolition waste at appropriately licenced management facilities.

- v. Outline how construction and demolition waste will be avoided and minimised by implementing practices that consider sustainable procurement and the use of building materials that can be reused or recycled.
- vi. Ensure the use of any waste which is reused on-site or offsite is permissible under the *Protection of the Environment Operations Act 1997* and other relevant legislation prior to the application of respective waste to the land.
- vii. Outline a sufficient contingency budget and a plan for dealing with unearthed contamination. The plan will need to cover how the unearthed contamination will be managed and the estimated costs.
- viii. Estimate the quantity and describe handling methods for asbestos or asbestos contaminated materials, including details of the certified asbestos removalist, transportation methods and licenced disposal facility.
- ix. Prepare a site plan clearly displaying the waste management storage areas and how waste collection vehicles will access the site.
- x. Outline the proposed or potential contractors and subcontractors engaged for transporting waste and details of facilities proposed to receive and manage wastes of each type generated during both demolition and construction. Include details of their environmental history and ACN/ABN.
- xi. Consider a reporting and monitoring structure, template, and methods for the management of construction and demolition waste material, including transport monitoring, such as GPS tracking and the use of the NSW Environment Protection Authority's WasteLocate (<https://wastelocate.epa.nsw.gov.au/>) where applicable.
- xii. Outline how recycled materials will be used for the construction of the building, including the types and quantities of the materials.

Details of on-site sorting and storage facilities and all other waste management considerations must be provided on Architectural Plans ensuring consistency with the Waste Management Plan.

Should the developer intend to use a 'Waste Skip Bin' of any size, design or type, an application to store the skip bin on public land shall be made to Council prior to the commencement of any work. The location of the bin and method of collecting and transporting the waste contained therein shall be in accordance with Council's Skip Bin requirements as published on Council's website.

4.2.2 Post-Consent Requirements

The following requirements must also be considered:

- Evidence must be provided in the WMP showing where the waste materials will be reused, recycled or disposed of (e.g., contractor's payment receipts, landfill and/or recycling weighbridge receipts) to ensure compliance with the submitted WMP. The applicant must maintain records of licensed waste management disposal for up to 7 years as evidence of correct management of wastes from the development;

- All demolition and construction activities must comply with any conditions of consent for the Development Application, relevant environmental planning instruments and development controls, and applicable Australian Standards (eg. AS2601-2001 – The Demolition of Structures); and
- All activities must be carried out in accordance with the relative environmental planning instruments and development controls.

4.3 On-going Waste Management

For all development categories, the ongoing management of waste must be considered (see **Table 1**). The conditions listed in Section 4.3.1 below are general requirements for all new development types to address, in addition to the specific conditions required for each development type listed in **Table 1**.

Please refer to the Waste Section of Council's website (<https://www.georgesriver.nsw.gov.au/Services/Waste-en>) for details of the waste collection services provided by Council to inform bin sizes and collection frequencies, among other service details.

As per the *Local Government Act 1993*, a Domestic Waste Management Charge will be levied by Council on each parcel of residential rateable land for which a waste service is available. Waste service charges are listed in the Council's Schedule of Fees and Charges available on Council's website (<https://www.georgesriver.nsw.gov.au/Council/Fees-and-Charges>).

4.3.1 Waste Management Plan Requirements

- a) A Waste Management Plan (WMP) prepared by a suitably qualified waste professional is required for some development types as per **Table 1**. Architectural Plans must support the Waste Management Plan and show the placement of all waste management areas, all waste facilities described below, and each individual bin. In addition, Architectural Plans must show all relevant sizes, dimensions and surface grades for all waste and bin storage and collection areas, waste and bin travel paths and collection vehicle travel paths.
- b) The WMP must outline, at a minimum:
 - Number of residential dwellings and commercial tenancies on the property; intended uses and sizes of commercial tenancies.
 - The waste generation rates used to determine the likely waste streams for all residential and commercial parts of the property and volumes generated at the development during ongoing operation, as per:
 - i. Council's nominated waste generation rates, are as per 4.3.2 of this Appendix, or,
 - ii. if no waste generation rate for a certain use is nominated by Council, the NSW Environment Protection Authority's Better practice guide, as applicable for the non-residential development types.
 - The required bin number and size of bins to store on-site based on the waste generation rate and collection frequencies supported by the Council.
 - Bin wash area in residential and commercial bin rooms.
 - How bins and bulky waste will be moved around a site or stored on each occupied floor of the development.

- The location where bins and bulky waste for residential and commercial parts of the property will be stored ahead of collection.
- The detailed description of the chute system and any other waste management equipment, if applicable.
- The proposed collection point at which a waste collection vehicle will collect the bins and bulky waste for residential and commercial parts of the property.
- WMP and Architectural Plans must clearly describe the collection methods, location of the vehicle and bins during the collection process as well as vehicle swept paths detailing entrance to and exit from the collection point in a forward-moving motion.
- The waste collection contractor proposed to collect bins and bulky waste for non-residential parts of the development.
- Clear responsibility of Strata Management/Owners Corporation and Building Management in relation to waste management arrangements for the development, including the following requirements:
 - i. Collaborate with the Council to facilitate community education, source separation and resource recovery at the development and make any reasonable adjustments in waste management processes and procedures following the Council's request.
 - ii. Facilitate the implementation of separate Food Organics and Garden Organic (FOGO) services in line with the NSW State Government mandate.
 - iii. Communicate with Council on any waste management issue and update Council with relevant information.
 - iv. Present the bins and bulky waste to the agreed collection location and at the specified timeframe as per Council requirements.
 - v. Organise the rotation of bins around the property as necessary and maintain all equipment, systems, facilities, and storage areas used in conjunction with the provision of waste management services in accordance with all applicable regulatory requirements, relevant health, and environmental standards, and to the satisfaction of the Council.
 - vi. Ensure that all bin and waste storage areas are maintained in a clean, safe, and hygienic manner.
 - vii. Ensure that all waste handling equipment and systems used in conjunction with the provision of waste and recycling services shall be manufactured, installed, and maintained in accordance with any applicable regulatory requirements, relevant Australian Standards, and relevant manufacturer's specifications.
 - viii. Bear any additional costs related to waste management at the development.
 - ix. Ensure that all residential tenants have access to residential bins and residential bulky waste disposal areas and do not have access to commercial waste areas. Ensure that commercial tenants have no access to any residential waste areas.

4.3.2 Waste, Recycling and Organic Storage Areas

- c) Waste, recycling and organics storage is to be wholly situated within the confines of the private property in a dedicated room or storage area that is flat, level and ensures bins are not visible from the public domain.
- d) Storage areas are to provide adequate capacity for storing all the waste, recycling and organics bins likely to be required between scheduled collection times, based on expected waste generation and selected bin type(s). Waste storage areas must also accommodate likely peak demand for waste storage capacity and potential changes in the future (such as a change in service or new available technologies). Refer to Section 4.3.4 for Bulky Waste storage requirements.
- e) Council's nominated waste generation rates for residential requirements in every development are:
 - 120L general waste per unit per week,
 - 120L commingled recycling per unit per week,
 - organics calculated per unit per week as follows:
 - 120L organics per unit per week for Single Unit Dwellings (Section 4.4.2)
 - 96L organics per unit per week in Multi-Unit Dwellings (Section 4.4.1).

Note: Waste and recycling generation rates for various non-residential premises are outlined in the NSW EPA's Better practice guide.

The NSW State Government has mandated the implementation of separate Food Organics and Garden Organics (FOGO) collection services for all residential properties by 2030. The Waste Management Plan and Architectural Plans must clarify how waste management practices in the building satisfy those requirements and facilitate FOGO waste resource recovery.

Each resident must have access to FOGO waste disposal options on each occupied floor, which may increase the requirements of FOGO bins for the property. In addition, the Council may increase organic bin requirements on an as-needed basis in the event of large proportions of landscaped areas at a development. If expected organics generation at a development is less than 240L per week in total for all occupied units, storage for at least one 240L organics bin must be provided and be easily accessible by every residential unit at the development.

- f) An Applicant can choose to include additional food waste and compostable material management options at a development, however, this will not reduce the ratios required for FOGO bins. Additional options can include providing space for:
 - i. Composting and worm farming, on an unpaved earth surface, within a garden bed or within a bunded and drained area, for developments with external space or in private courtyards that is to be managed by the development or resident (for private courtyards); or
 - b. An on-site NSW EPA approved food waste processing system.

- g) Storage area(s) should reflect the accommodation of the required equipment, infrastructure, manoeuvring space and potential future waste and recycling needs of the development. Waste storage areas' surfaces must be flat, constructed of non-slip material and free from obstacles and stairs.
- h) Storage area(s) are to be detailed on Development Application plans/drawings and in the WMP submitted to Council. The Plans/drawings and the WMP must be consistent.
- i) Waste storage area(s) are to be located in a position that is accessible for the disposal of waste materials. More than one storage area may be required in order to provide sufficient storage or to satisfy needs for appropriate access and transfer of waste. A waste storage area such as a bin bay or waste equipment such as a chute system must be located within a path of travel of 30 metres (or less) of each residential dwelling.
- j) The siting and layout of storage area(s) are to be designed to encourage resource recovery with ease and separation of multiple waste types and streams by users. Storage area design should consider accessibility, ease of use, bin layout and educational signage at a minimum.
- k) Storage area(s) are to be provided within the premises of the proposed development, in proximity to the proposed onsite collection point and at street level where practicable in accordance with the distances as outlined in Table 2 in Section 4.3.6 below.
- l) A separate bin holding area may be sited nearby the proposed onsite collection point should the bin storage area exceed the acceptable distance from the proposed loading/collection area or if significant bin transfer between buildings or across a site is required. This separate bin holding area will allow for the temporary storage of bins awaiting collection, ahead of the scheduled collection. This separate bin holding area must be able to store all bins for each scheduled collection, as well as residential kerbside clean-up materials (for the instances whereby kerbside clean-up materials and bins are all collected within the same week).
- m) Bin and waste storage areas are not to be located adjacent to habitable areas, occupied units or tenanted lots of a development to prevent odour and noise complaints originating from bin and/or waste storage areas.
- n) Mobile garbage bins and bulky waste (clean up) material are to be always stored within the boundary of the development, within the confines or private property, prior to the scheduled day of collection.
- o) Residential and non-residential storage areas must not be shared. Access may be restricted by a cage, fence, wall, doors and/or secured under lock and key.

4.3.3 General Bin and Management Requirements

Note: The requirements in this Section 4.3.3 must be addressed in the WMP, and are a requirement of using Council's waste collection services.

- a) All waste and recycling bins are to be clearly and correctly labelled to identify which materials are to be placed into which bin. Mobile garbage bins will be designed and colour-coded in accordance with the Australian Standard 4123: Mobile Waste Containers.
- b) Waste and recycling bins will have a fixed lid and a smooth, washable internal surface. Only bins that meet the Australian Standards, and are issued by Council (or a private waste collection contractor if approved by Council), are permitted to be used for storage of general waste, commingled recycling and organics.
- c) Only residential waste, recycling and organics awaiting collection stored in a suitable mobile bin provided by Council (stamped and labelled) will be serviced by Council's waste collection contractor(s).
- d) When presented for collection, bin lids must be closed, and bins must not exceed the weight limits for that bin size.
- e) Non-residential waste collection bins are to display contractor information by way of a stamp or sticker.
- f) Bins must be presented to the kerbside no earlier than 12 hours prior to the collection time and are expected to be returned to the storage areas within 12 hours after collection in Single-unit Dwellings unless otherwise stipulated by Council.
- g) Council reserves the right to cancel waste collection services in the instance of repeat gross contamination of bins or if collection requirements are not met, requiring the Owners Corporation/Building Manager and/or Property Owner to engage private waste collection services at the cost to the residents (in. Domestic waste charges will still be applied in line with the *Local Government Act 1993*).

4.3.4 Storage for Bulky Waste Materials

- a) Separate dedicated space such as a room or screened area (in or adjacent to a waste and recycling storage area) must be provided for the storage and recycling of bulky waste clean-up materials for collection. Bulky waste storage must be clearly indicated on the Architectural Plans and described in the WMP
- b) Residential and commercial bulky waste storage must be separated. Access to residential bulky waste storage areas must be restricted for non-residential site users.

4.3.5 Composting and Wormeries

- a) Compost facilities are recommended for properties with suitably sized garden areas to utilise compostable material. The size of the composting facility must reflect the likely waste generation rates from the property.
- b) Wormeries are generally recommended for flats and units with small backyards or balconies with drainage and for educational facilities. Wormeries generally are not recommended to be used as communal facilities.
- c) Compost facilities and wormeries must be maintained by Strata and Owner's Corporation or delegated person in accordance with approved composting processes and manufacturer instructions where applicable.
- d) All composting and wormery facilities must have appropriate education signage to ensure correct use and only acceptable materials are placed in the facilities.
- e) All composting facilities must be located at an appropriate distance from habitable areas and not be adjacent to any residential, commercial, or recreational facilities with considerations of minimising potential health effects, outdoor, and visual amenities.
- f) Considerations must be given to minimise the environmental effects of composting facilities. They must be located on a level, non-impervious surface and away from stormwater drains and waterways to prevent the leaking of leachate.
- g) All composting and wormery facilities must be easily assessable by residents. Each user must be educated about the correct use of the facility.
- h) Domestic animal droppings are not to be disposed of in wormeries.
- i) Wormeries must be located in shady areas and must be protected from excessive heat and sunlight.

4.3.6 Collection points

- a) The location of the proposed collection point(s) are to be detailed on the Development Application Architectural plans/drawing and in the WMP submitted to Council. Collection points for residential and non-residential waste may be shared, but methods for managing collection times of non-residential waste must be outlined within the WMP.
- b) The collection point must be level, free of obstructions and allow sufficient height clearance to enable the safe mechanical/manual pick-up and set down of bins and bulky waste.
- c) Collection and vehicle access points are not to be located adjacent or close to a habitable area where practicable.
- d) Waste storage and recycling areas are to be easily accessible for the purpose of collection and servicing. The access pathway for transporting bins between a storage point and the collection point is to be level and free of steps or kerbs. It must include a roll kerbside if the applicant is proposing to use the Wheel Out Wheel Back Service (WOWB), whereby

bins are moved from the waste storage area to the collection point on a public roadway. Maximum unassisted manual handling distance between the storage point and the collection point and surface grades for the movements of the bins are determined by the bin size, as per Table 2 below.

Table 2: Handling distance and design standards.

Bin Capacity	Up to 360L	660L-1100L	Bulky waste
Maximum Distance (metres)	30	5	5
Maximum surface grades	1:14	1:24*	1:24
Step or kerbside	None	None	None

* Reduced gradients of 1:14 may be considered when bins are moved with the assistance of a bin tug device

Note: Any proposed variations to the above require further assessment and discussion with Council prior to Development Application submission. The Applicant can also consider the use of equipment to aid the movement of bins and outline such equipment in the WMP. The storage of such equipment must be indicated in Architectural Plans.

- e) The collection point is to be located where the waste collection vehicle(s) can stand safely and be in accordance with Sections 4.3.5.1 and 4.3.5.2 as applicable.
- f) Collection vehicles must be able to service the development without the need to travel any distance in reverse – all vehicular movements must be in a forward-moving direction. If a collection vehicle is required to reverse to complete a collection service, this must be discussed with Council prior to Development Application lodgement and detailed in both the Development Application's Traffic Management Plan and Waste Management Plan.
- g) Waste collection and loading are to be accommodated within new developments in order of preference:
 - i. Collection point at ground level and off-street within the confines of private property within a safe vehicular circulation system;
 - ii. Collection point at ground level within the confines of private property in a dedicated collection or loading bay;
 - iii. Collection point at ground level and appropriate storage areas to enable a Wheel Out Wheel Back (WOWB) service;
 - iv. Collection point from in the building's basement (below ground level) on the provision the requirements of 4.3.5.1 are met.
 - v. Collection point from a front, side or rear frontage suitable to enable a waste collection vehicle to stand and provide kerbside collection services with bins and bulky waste presented kerbside. Applicants must note this method is only supported for Single-unit Dwellings.
- h) If a kerbside collection point is proposed, the applicant must consider existing traffic and/or parking regulations. If any modifications to existing traffic or parking regulations are required, the applicant must detail all modifications within the Development Application. The applicant must outline in the WMP any changes to traffic and/or parking arrangements required for waste management and waste collections.

4.3.6.1 Onsite Collection

- i) Developments of seven or more residential or commercial units are to provide on-site collection of bins and bulky clean-up waste materials by collection contractor vehicles, either by way of:
 - i. A loading dock to enable onsite vehicular access for a waste collection vehicle
 - ii. A design that enables the provision of the WOWB service.
- j) All collection of non-residential waste is to be conducted on-site where practicable. Consideration may be given to smaller developments (commercial only) where this is not possible and will be assessed by Council on a case-by-case basis only.
- k) The property owner or authorised representative must indemnify Council and its waste collection contractor(s) against damage to private property prior to waste collection services commencing.
- l) Where required, all externally located on-site collection points are to be constructed within 15 metres from the property boundary whereby direct access is provided for Council's waste collection contractors to enable the movement of bins and bulky waste. Pin code security systems are required to enable direct access on collection days, enabling the Wheel Out Wheel Back service.
- m) The following allowances are to be made for the nominated collection point:
 - i. A minimum vertical clearance of 4 metres, including clearances of all ducts, pipes and other services.
 - ii. A minimum width of any loading areas of 3.5 metres and a minimum length of 12.5 metres.
 - iii. A minimum design turning radius of 12.5 meters or provision for a truck turn table.
 - iv. All driveways and collection points must be designed to carry collection vehicles and their loads (up to 25 tonnes total). Refer to the *Better practice guide for resource recovery in residential developments* for vehicle specifications.
 - v. The gradient of any basement entry or exit, that must be traversed by a waste collection vehicle shall be a maximum gradient of 1:20 for the first 6 meters from the street, then 1:8 or 1:6 with a transition of 1:12 for 4 meters at a lower end.
 - vi. The gradient of the collection point shall be reasonably flat to allow manoeuvring and loading of receptacles.
 - vii. The gradient of the internal driveways should not exceed 1:10.
 - viii. Collection vehicles should not have to travel more than 50 meters once inside the basement to access the collection point.
 - ix. The collection point must be designed and constructed in line with Australian Standards and Other regulations and appropriately for the collection vehicle to stand and perform the services safely, including, but not limited to the requirements of sufficient space, adequate lighting, and non-slippery surfaces.
- n) Waste storage and recycling areas are to be easily accessible for the purpose of collection and servicing where practicable. In the event that this cannot be achieved, each collection point is to be easily accessible from the nominated waste and recycling storage area. The access pathway for transporting bins between a storage point and the collection point is

to be level and free of steps or kerbs. The maximum unassisted manual handling distance between the storage point and the collection point is in Table 2.

- o) Entry and exit of a collection vehicle from a site must be in a forward direction. It is acceptable to use a vehicle turntable to accomplish this requirement. If a vehicle turntable is used, it must have a 25-tonne capacity and meet the specifications above.
- p) If the designated kerbside collection point is on a State or Regional Road (refer to **Appendix 5**), within a marked Clearway zone, or in a CBD area, the development must be subject to the provisions of Onsite Collection.

4.3.6.2 Kerbside Collection

- q) Residential waste (presented in mobile garbage bins or as bulky clean-up waste materials) from developments with six or less residential or commercial units are permitted to have kerbside collection in the following circumstances:
 - i. Where the space required for presentation at the kerbside does not exceed one-third of the width of the property frontage.
 - ii. Where collection activity complies with traffic regulations and does not cause an illegal hazard or create an obstruction of the roadway or pathway and leaves at least 1800 mm wide path for pedestrians.
 - iii. Where the collection point is located to minimise the impacts of noise and odour during collection.
 - iv. As otherwise assessed on a case-by-case basis.
- r) If the designated kerbside collection point is on a State or Regional Road (refer **Appendix 5**), within a marked Clearway zone, or in a CBD area, the development must be subject to the provisions of Onsite Collection (refer 4.3.5.1);
- s) Where development has access to multiple streets, the nominated collection point must be discussed with Council prior to DA lodgement

4.3.7 Onsite Waste Management

- a) All waste and recycling systems and facilities, including storage areas, chute rooms and access paths (paths of travel for waste and bins) must:
 - i. be easily and safely accessible for all users;
 - ii. allow convenient transfer of bins to collection point;
 - iii. avoid negative impacts of dust, litter, odour and noise;
 - iv. be clean and free of obstructions at all times;
 - v. free from any fittings, facilities or matter not associated with the treatment storage and disposal of waste;
 - vi. be free from stairs or lips that impede the wheeling of bins;
 - vii. have a non-slippery surface with an appropriate gradient;
 - viii. allow safe access and manoeuvrability inside the storage area as well as in and out of the storage area for each bin and bulky waste;
 - ix. appropriately sized and designed to fulfil waste requirements of each residential and commercial unit within the development;
 - x. comply with the Building Code of Australia and all relevant Australian Standards.
- b) Responsibility for regular cleaning and maintenance of waste and recycling storage areas (including mobile bins) rests with the Owners/Strata/managing body or delegated person. The WMP and Architectural Plans must include the appropriate allowances and facilities to support the hygiene of the waste areas, such as a wash bay for bins, appropriately equipped with access to water and draining as per the Building Code of Australia and/or Sydney Water requirements.
- c) Responsibility for regular transfer of bins and bulky waste from storage areas to/from collection areas or around a site, rests with the Owners/Strata/managing body or delegated person. The method for transfer and path of travel is to be detailed in the Waste Management Plan.
- d) All waste and recycling mobile garbage bins are to be maintained in serviceable condition and at the agreed bin numbers at all times. Bin cleaning and regular bin number audits must be conducted by the managing body and a site may be audited by Council.
- e) The WMP and on the Architectural Plans must accommodate standard waste education and source separation signage to be displayed in all waste and recycling storage areas, including chute rooms (if applicable). The signage informing of materials acceptable in each waste stream and the correct use of the waste management system for residential dwellings can be provided by Council upon request.
- f) 'DANGER' warning signs and other appropriate Workplace Health and Safety signage are to be prominently displayed at any point of entry to an area of waste chute discharge, or where balers, crushers or compactors operate.
- g) No waste infrastructure (such as mobile garbage bins) can be stored within a fire exit path. All fire exits are to be free of obstructions at all times. Main emergency evacuation routes from the building must not run through bin rooms and other waste storage areas.

- h) No waste incineration devices are permitted.
- i) Heritage conservation considerations may alter some requirements of the Waste Management Guidelines for the refurbishment of an existing building on agreement with Council.

4.4 On-going Waste Management Specifics per Development Type

Section 4.4. is to be read in conjunction with the general requirements previously outlined in Section 4.3.

4.4.1 Multi-Unit Dwellings (e.g. residential flat buildings, multi dwelling housing, shop top housing)

This section details the waste management requirements for dwellings categorised in accordance with **Table 1**. The term “Multi-Unit Dwellings” applies to residential development types such as residential flat buildings, shop top housing, multi dwelling housing and others as nominated by **Table 1**.

All of the following requirements must be addressed in the Waste Management Plan and Architectural Plans as appropriate. As a minimum, the following conditions apply to any development classified according to the above description:

4.4.1.1 Bin and Bulky Waste Storage

- a) The Waste Management Plan is to identify the storage areas, collection points, collection methods, and management systems for both residential and non-residential waste streams.
- b) Sufficient space is to be allocated inside each residence/unit for the storage of at least two day's generation of waste, recycling and organics, including a space for a kitchen caddy or similar in the kitchen for the separate collection of food waste.
- c) The common waste and recycling storage area is to provide space for waste, recycling (commingled recycling and paper & cardboard bins as separate) and organics mobile garbage bins as well as a separate storage area for bulky clean-up waste materials.
- d) Storage space for mobile garbage bins will be calculated based on a once-weekly collection of each stream and the waste generation rates as per 4.3.2 as standard. Council may approve more frequent collections of bins in some cases. Developers must seek Council's approval prior to submitting WMP with bin allocation that accounts for more frequent collections.
- e) All residential bins are to be provided by Council after construction is completed and a written request is submitted by the Developer or Strata Manager to Council. The request must contain the Development Consent Reference number, attached Residential Waste and Recycling Services Application Form and full Occupation Certificate. The provision of services is subject to a risk assessment that will be scheduled after all documents are

provided. Please allow at least four weeks for the processing of the application. It will be the responsibility of the Developer/Strata Managers to manage and dispose of the waste generated on the property due to the late submission of the application. The size and number of bins provided by the Council may vary depending on the availability, collection arrangements and property set-up.

- f) A lockable cage, designated screened area or, room in or attached to the bin storage area is to be dedicated for bulky waste (bulky clean-up materials such as couches, mattresses and furniture). The space should be appropriate with the minimum total space provided as follows:
 - i) Up to 20 units: a minimum of 4m².
 - ii) From 21 to 50 units: a minimum size of 10m².
 - iii) From 51 to 100 units: a minimum size of 16m².
 - iv) Over 100 units: a minimum of 16m² + 2m² per 50 additional units above 150 units (or part thereof).
- g) If the development is proposing the use of 660L or 1,100L, or the development consists of 21 or more residential units, the design must support the use of bulk bins by allowing the suitable path of bin travel and door widths to enable the use of 660L and/or 1,100L bins.
- h) Storage for paper and cardboard bins must be enabled at all developments with 50 or more units, at the ratio of at least 1 x 660L per bin for every 50 units. Council reserves the right to provide separate paper and cardboard bins, or commingled recycling bins, for the collection of unflattened cardboard boxes.
- i) Additional space must be provided for residential special waste streams such as electrical waste, polystyrene and textile waste in all developments of 20 or more units. A minimum area of 4m² is required for developments from 20 to 50 units and 8m² is required for developments with 51 or more units. This space must be in or attached to the waste storage or bulky waste materials storage area and be accessible for all residents.
- j) The path and distance of travel from each dwelling to their nominated waste disposal areas, including bulky waste disposal is required to be indicated within the WMP and corroborated on the plans/drawings. The maximum walking distance from any entrance of a residential dwelling to the waste disposal areas must not exceed 30 metres and should be located close to lifts and/or stairwells. Additional waste disposal locations may be required for buildings in order not to exceed the maximum travel distance.
- k) Maximum unassisted manual handling distance between the storage point and the collection point and surface grades for the movements of the bins are determined by the bin size, as per Table 2. Path of travel for the bins and bulky waste must be free from stairs, adequately lit, and a suitable width (including all doorways and entry points, or hallways) to allow the movement of proposed bins and utilise rolling kerbsides as required.
- l) A bin wash area of at least 3m² must be provided inside residential and commercial bin

rooms to allow for the mobile garbage bins to be maintained in hygienic conditions to prevent odour and vermin issues. The bin wash area must allow for hot and cold water access, with suitable drainage to the sewer and be constructed as per Sydney Water requirements and other applicable regulations.

- m) The floor must be graded and drained to the appropriate drainage outlet connected to the sewer, the water must not be discharged into stormwater drainage.
- n) Double door access (at least 2500mm) must be provided into the bulky waste storage area, with a wide range of openings to enable ease of manoeuvring large bulky waste such as furniture without doors as obstructions. Bin storage area door access must be at least 1700mm for 240L bins and 2500mm for 660L and 1100L bins. For any developments of 20 or more units, a minimum of 2500mm must be provided for the bin and bulky waste storage area access and for the entire path of bin travel.
- o) Doors in waste and bin storage areas should always be able to be opened from the inside. It is preferable that doors open outwards. Doors should be able to be locked in an open position to facilitate the movement of bins and bulky waste. For handling bulky waste and bulk bins, it is recommended to fit doorways with galvanised iron to protect them from damage.
- p) All waste and bin storage areas must be constructed from approved materials, that are smooth, easily cleanable, non-absorbent, impervious, water resistant and durable. All surfaces should be finished with a light colour.
- q) The ceiling height of waste and bin storage areas must be a minimum of 2100mm.
- r) The floor must be non-slip; constructed of concrete of at least 75 mm thickness or of another approved material.
- s) All storage areas must be well-lit and fitted with artificial sensor lighting. Provision for appropriate lighting must be made to enable the residents to dispose of their waste and allow collection staff to perform the service safely.
- t) All storage areas must be appropriately ventilated to comply with the Building Code of Australia and AS1668.4: The use of ventilation and air conditioning in buildings. Ventilation openings should be protected from flies and vermin and located as near to the ceiling or floor as possible, but away from habitable/occupied areas of the development.
- u) Waste and bin storage areas must be weather isolated and must allow for storage of general waste and organics bins in an area protected from sunlight to prevent odour.
- v) Waste and bin storage areas are to be located, constructed and maintained in a manner that will prevent the entry of vermin, and minimise odour and noise.
- w) If the bin storage area is in a secure street-level holding area, a Council-approved digital pin code key system will be required where necessary to allow a Wheel Out Wheel Back service to be provided. All costs for this system and physical access card or remote when required are to be borne by the property management. In situations

whereby a key or lock system is changed by the managing body, Council must be provided with 2 weeks' notice prior to the change, to enable the continuation of collection services.

- x) Where a residential development and non-residential development occupy the same site, the waste and recycling handling and storage systems for residential waste and non-residential waste are to be separate, secured, and self-contained. Commercial and retail tenants are not permitted to access residential waste and recycling storage area(s) or interim storage bins, or chutes used for residential waste and recycling and vice versa.
- y) For non-residential uses, interim waste storage bins for waste and recycling are to be located on each occupied floor at a minimum, sufficient for at least two days' generation of waste and recycling. Provision is to be made in cleaning contracts for this material to be transferred to a central waste and recycling storage area at least once daily.
- z) Applicants may propose a private waste collection contractor for the ongoing service of the development once operational, however, this does not exempt the development from any requirements outlined in this document or other relevant regulations, including Council vehicle access requirements and bin number requirements. Domestic waste charges will still be applied in line with the *Local Government Act 1993*.
- aa) Private waste collection services are to occur entirely within the confines of private property with bins or bulky waste originating from commercial tenants prohibited from being placed on public land. Private waste collection services must occur in a source-separated manner with all wastes collected separately according to the following streams: general waste, commingled recycling and organics at a minimum.

4.4.1.2 Collection Access - General

- a) Refer to the provision of Section 4.3.5.1 for onsite collection requirements and Section 4.3.5.2 for kerbside collection requirements.

4.4.1.2 Waste disposal systems and Chutes

- a) The following options of residential waste disposal systems are accepted by Council for **general waste** and **commingled recycling** streams in multi-unit developments with residential components:
 - 1.a.1 Dual chute system for general waste and recycling waste, using either rotating or linear tracks at the discharge point. This type of chute system is compulsory for buildings with six or more levels.
 - 1.a.2 Single chute system for general waste stream using either rotating or linear tracks at the discharge point and a bin storage area on each occupied floor, suitable for the storage of at least 2 days' worth of recycling at a ratio of 17.14L per unit, per day. The mobile garbage bins for the collection of commingled recycling are to be rotated with empty bins daily by the managing body. This system can be used in buildings with fewer than six levels. In this case, mobile garbage bin(s) for recycling are to be provided adjacent to the chute system (inlet) on each occupied level, at a ratio to allow for the storage of at least two

days' worth of recycling generated on each occupied level of the development.

- 1.a.3 As an alternative to point 1.a.2 above, a development can propose the use of a single chute system with diverter technology. This option allows for a single chute system for the collection of general waste and recycling by way of using a diverter technology at the inlet and using either rotating or linear tracks at the discharge point. This system can be used in buildings with fewer than six levels only. If the recycling stream is not adequately used by residents, the Body Corporate and Building/Strata Managers will be responsible for sorting the waste and engaging additional waste collection services if required.
- 1.a.4 Bin storage area on each occupied floor, catering for storage of 2 days' worth of recycling and general waste separately at a ratio of 17.14L per stream, per unit, per day. This system can be used in buildings with three or fewer levels. The mobile garbage bins for the collection of commingled recycling are to be rotated with empty bins daily by the managing body.
- b) The general waste and recycling waste disposal systems must be combined with an appropriate organics disposal system. The following options of residential waste disposal systems are accepted by Council for food and garden organic collections in multi-unit developments with residential components:
 - 1.b.1 A third chute system (to support a dual chute system) suitable for Food Organics and Garden Organics (to support a dual chute system for general waste and recycling waste – option 1.a.1 above).
 - 1.b.2 The storage of at least 2 days' worth of organics on each occupied floor calculated at a ratio of 13.71 per unit, per day (to support options 1.a.2, 1.a.3 and 1.a.4 above).
- c) Any bin storage areas on each occupied floor must be adjacent to a chute system inlet (if applicable). The mobile garbage bins are to be rotated with empty bins daily by the managing body (with bins from a central bin storage area on the ground floor).
- d) Bin and waste storage areas must be designed to be accessible for people with disability and comply with all relevant regulations, including to the Disability Discrimination Act 1992.
- e) Chutes are to be provided with an opening on each occupied floor, designed to be used by all residents and enclosed within a chute room. Chutes are not to open onto any habitable space and chute openings are to have an effective self-sealing system.
- f) Chutes are to terminate in a bin storage area and discharge directly into a waste, recycling or organics mobile garbage bin provided by Council (stamped and labelled) in a manner designed to avoid spillage and overflow. Protective skirting between chute and bins are permitted to prevent spillage and minimise dust or spray.

- g) For safety reasons, residents are not permitted to access the area where the chute discharges. All chute discharge rooms must be secured and locked or, alternatively, all mechanical parts of waste management equipment must be securely screened.
- h) The total maximum travel distance from any residential dwelling entry to a chute system on any given storey is not to exceed 30 metres. Additional chutes or bin rooms may be required for buildings to not exceed the maximum travel distance.
- i) The chute room will include (in addition to space for recycling mobile garbage bins as required):
 - i. The chute inlet hopper;
 - ii. Space for spare mobile garbage bins (in case of chute failure) allowing for at least one 240L mobile garbage bin per waste stream for every six residences serviced by that chute – which in the event of a chute failure would be required to be rotated up to twice daily by the managing body; and
 - iii. Space for large cardboard and/or kerbside clean-up materials to reduce the likelihood of blockages in chutes.
- b) Chute rooms are to allow sufficient space to permit easy opening of the chute and chute room door and the storage and manoeuvring of mobile garbage bins. The floor must be sealed and free from steps.
- c) Chute access/inlet areas or rooms are to display instructions on the use of the chutes for each relevant waste stream, including instructions on the correct use of the chute, waste material separation guide, instructions not to dispose of hazardous and large bulky waste materials into the chute, and what materials can be placed in the bin(s) provided.
- d) Responsibility for cleaning and operating chute rooms rests with the managing body. The applicant can consider linear/rotating tracks at the chute discharge area to assist with bin management in order to maintain a clean and sanitary chute discharge room.
- e) Chutes if installed must be certified in design to be constructed to meet the minimum performance requirements for both airborne and impact noise protection, to avoid excessive noise and vibration to habitable areas.
- f) Chute systems must be cylindrical with a diameter of 500 mm or greater and free from bends or corners to prevent waste blockages. Management, operation, and cleaning of the chutes is the responsibility of the Body Corporate/Building Manager.
- g) Chutes, hoppers and service openings are to be constructed with aluminium, stainless steel or other approved metal or material that is non-combustible, durable impervious, non-corrosive, distortion and fire resistant.
- h) Residential chutes are not to carry waste from non-residential developments. A separate chute system must be considered for non-residential components of a development if applicable and necessary.

4.4.1.4 Waste handling and compaction equipment

- a) All waste handling and compaction equipment are to be installed, maintained and serviced according to the manufacturer's instructions and at the expense of the Developer or Owners Corporation. Owners Corporation/Strata Managers or delegated persons shall be responsible for maintaining all equipment, systems and facilities used in conjunction with the provision of waste management services in accordance with all applicable regulatory requirements, relevant health, and environmental standards, manufacturer's instructions and to the satisfaction of the Council.
- b) Service lift for multi-storey developments shall be provided to transfer bins from various building floors to waste storage areas. Alternatively, passenger lifts must be sufficient to transfer all bins proposed for use at the development.
- c) Consideration should be given to the use of garbage and recycling compaction equipment. The equipment is to be located in the waste storage area. All practical measures must be taken to prevent residents from accessing or coming into contact with the compaction equipment.

4.4.2 Single Unit Dwellings

This section details the waste management requirements for dwellings categorised in accordance with **Table 1**.

As a minimum, the following conditions apply to any development classified according to the above description:

4.4.2.1 Bin and Bulky Waste Storage

- a) Space is to be allocated inside each occupied dwelling for the storage of at least two day's generation of waste, recycling and organics. Storage must allow for these three waste streams to be source separated.
- b) Space (for a kitchen caddy or similar) should be allocated in the kitchen for the separation of food/organic waste or compostable material.
- c) Space is to be allocated within each property boundary for the storage of all bins and services as provided by Council and available at the time of lodgement of the Development Application (3x240L bins at the minimum). This space is to be detailed on the Development Application plans.
- d) The total maximum travel distance from any residential dwelling entry to waste disposal locations, including bulky waste disposal location, is not to exceed 30 metres.
- e) A secured and private location (within the development boundary) for kerbside clean-up material storage is to be nominated for multiple villas, townhouses or similar developments (assuming no significant space is provided for each dwelling individually).

4.4.2.1 Collection Access

- a) All waste bins must be presented to the kerbside no earlier than 12 hours prior to collection time (from 6am on collection day) and are expected to be returned to the storage areas within 12 hours or as soon as practicable after collection. Bins will not be permitted to be stored on public land for greater than 12 hours before or after the collection services.
- b) There is to be an access path with sufficient clearance and of a suitable grade no greater than 1:14 to wheel bins from the bin storage within the property boundary to the collection point. The collection point may be at a Council kerbside in closest proximity to the residence or a nominated collection point within the development agreed to by Council. The access path is not to enter or traverse a dwelling.
- c) The distance from the bin storage area to the collection point is not to exceed 30 metres.
- d) The location of the proposed collection point is to be detailed on the Development Application plans.

4.4.3 Non-Residential Developments

This section details the waste management requirements for dwellings categorised in accordance with **Table 1**.

As a minimum, the following conditions apply to any development classified according to the above description:

4.4.3.1 Bin and Bulky Waste Storage

- a) Waste management requirements for the commercial component of development", including for the Change of Use applications, are to be determined based on the commercial tenancy type and relevant EPA regulations, such as the *Better practice guide for resource recovery in residential developments* or other regulatory body regulations applicable for the development type. If tenancy types are not specified, the waste requirements are to be calculated based on a tenancy with the highest generation rates and collection frequency approved by the Council.
- b) There is to be space dedicated for storing bulky waste materials and problem waste for recycling of at least:
 - i. 2m² for developments under 100m²;
 - ii. 4m² for developments between 100m² and 2,000m²; or
 - iii. An additional 4m² is required for each retail, accommodation or entertainment development over 2,000 m² and for every 20,000 m² of office space.
- c) All businesses should include provisions in their waste contracts that allow for the collection and recycling of high-grade and low-grade office paper, cardboard packaging, paper from secure document destruction, soft plastics, food waste, medical or hazardous waste and other recyclable resources from the waste stream as relevant to the development.

- d) Dedicated space (in or attached to the bin storage area) is to be provided for food/beverage retailers, cafes, restaurants and takeaway premises for the storage and recycling of food waste at each commercial premises.
- e) Secure space is to be provided on-site in reasonable proximity to retail or commercial premises to store reusable commercial items such as crates, pallets, kegs, demolition waste and similar items so that storage in a public place is completely avoided. Storage of such materials in public places without approval is prohibited.
- f) Separate dedicated space such as a room or screened area must be provided for the separate interim storage and management of demolition waste for reuse or recycling. Alternatively, this space is not required if the removal of old furniture and material is conducted by a professional demolition service or by the company hired for installing new items and such an arrangement is outlined within the WMP.
- g) Kitchens, office tearooms, and service and food preparation areas are to be designed with sufficient, dedicated space to collect and recycle food waste; this is to be indicated on plans.
- h) Secure space is to be allocated for the separate storage of each waste stream including liquid wastes, commercial cleaning products, chemicals, paints, solvents, and motor and cooking oil. These areas for liquid waste storage are to be bunded, and drained into a grease trap, in accordance with legislation and the requirements of State government authorities and agencies.
- i) The use of cardboard balers/compactors and glass crushers for developments with a high generation of cardboard and glass recyclable waste should be considered. The space allocation for storage of recycling in mobile garbage bins may be reduced and/or collection frequencies reduced if alternative systems demonstrate the need for less storage space or less frequent collections.
- j) Space should be provided for the separate collection of beverage containers suitable for redemption under the NSW Container Deposit Scheme.
- k) Storage space for all waste equipment and mobile garbage bins must be adequate to enable waste collections no more frequent than three times per week in order to prevent potential excessive noise, maintain amenity and reduce truck movements.
- l) Contracts with cleaners, building managers and tenants are to clearly outline the waste management and collection system, and are to clearly allocate responsibilities.
- m) Where communal composting or worm farming is proposed, it is to be managed and well maintained by the managing body (preferably by a caretaker, gardener or facilities management) and located in an accessible and visible area to increase awareness and to ensure minimal impacts from any potential odours and that potential run-off is away from stormwater drainage points.

4.4.3.2 Collection Access

- a) Where collection takes place inside a building/development, appropriate clearances need to be allowed for collection vehicles to enter the premises, clear the waste and recycling bins, and exit the premises. Note that some systems require bins to be lifted above the collection vehicle in order to be emptied (such as front-lifted bulk bins or hook lift bins).
- b) The location of collection points for waste must be located wholly within the boundary of a development and in an area that minimises any noise or odour impacts on the amenity of nearby premises. Onsite access will need to consider waste industry collection vehicle specifications. WMP must outline the specifications of the vehicles proposed to undertake collections and indicate vehicle swept path diagrams alongside the drawings/plans.
- c) Businesses, commercial building tenants and building managers should have written evidence of a valid and current contract (held on-site) with a contractor for waste and recycling collection for disposal or processing. This includes written evidence from any specialist waste contractors for waste streams outlined in a Waste Management Plan (e.g. organics processor, glass crusher, cardboard baler, etc).

4.4.3 Specific requirements for non-residential developments

4.4.3.1 Office(s)

- a) Provision is to be made on each floor, and in the waste and recycling storage area or an interim holding area, for the separation and storage of all recyclable items (including mixed containers, cardboard, paper and paper products) likely to be produced from the premises. Storage of paper and cardboard is to be in a dry, vermin-proof area. Paper and cardboard are not to be stored for more than two weeks to prevent the breeding of vermin in the stored material.
- b) Rooms or areas designated for printing or photocopying are to provide space for the interim storage of wastepaper (in mobile garbage bins up to 240 litres) and used toner and/or printer cartridges for recycling in dedicated recycling facilities.
- c) Each tenancy and common area(s) should have centrally located bin stations for each stream to remove the need for individual waste bins under desks. Provision is to be made in cleaning contracts for waste to be transferred to a central waste and recycling storage area at least once daily.
- d) If the development includes more than 20,000 m² of office space, an area for a cardboard baler or compactor is to be provided within or in close proximity to the waste and recycling storage area.
- e) Fittings should be deconstructed or demolished by methods that permit the reuse or storage of items such as workstations and allow for the separation of valuable resources such as metals for recycling.

4.4.3.2 Retail

- f) For premises with high volumes of cardboard waste or if the development includes more than 2,000 m² of retail space, an area for a cardboard baler/compactor is to be provided within or in close proximity to the waste and recycling storage area.
- g) Additional space or reduction systems for handling and storing plastic shrink-wrap should be allocated where applicable.
- h) Additional space for handling and storage for pallets and reusable crates should be allocated where applicable.

4.4.3.3 Food Retailers and Wholesalers

- a) Food premises are to comply with the waste management requirements of Australian Standard 4674-2004 for the design, construction and fit-out of food premises. Food premises can include food retailers, food producers, restaurants, cafes, grocery stores, supermarkets, pubs, clubs and commercial kitchens.
- b) The following waste is to be collected daily or stored in a refrigerated waste room until collection:
 - i. Equal to or greater than 50 litres of seafood, poultry, and/or meat waste in total each day of operating; or
 - ii. Waste that contains equal to or greater than 20 per cent fish, poultry or meat by weight or volume.
- c) Premises preparing food for wholesale distribution or retail should include waste separation systems within or in close proximity to the preparation area to allow for plastic and cardboard waste to be collected and handled separately from food waste. All waste generated within the preparation area is to be removed daily.

4.4.3.4 Pubs, Clubs and Hotels

- a) Pubs, clubs and hotels should consider the use of glass crushers to minimise the noise impacts of recycling practices on neighbouring premises. If the internal serving area of a club or hotel is larger than 1,000 m², space for a glass crusher is to be allocated.
- b) Cardboard balers/compactors reduce the dedicated space required to manage recycling and eliminate the unnecessary collection of bins filled to less than capacity. Use of glass crushers and the allocation of interim storage areas may reduce the space required for recycling bin storage.
- c) Dedicated space within food preparation areas as well as waste and recycling storage areas is to be provided for the storage and recycling of food waste for collection.
- d) Hotel accommodation premises are to provide space for storage of waste in each habitable room, sufficient for one day's generation of waste and recycling. Provision is to be made in cleaning contracts for this material to be transferred to a central waste and recycling storage area at least once daily in a source-separated manner to facilitate reductions in waste to landfill and increased recovery of recyclables.

4.4.3.5 Health Care Facilities

- a) Waste storage and handling must be in accordance with requirements of NSW Health and relevant Waste Management Guidelines for Health Care Facilities.
- b) Waste storage facilities must allow for physically separated storage of:
 - i. Clinical, hazardous and related waste
 - ii. Garbage and recycling
- c) Clinical and hazardous waste must be clearly colour-coded and labelled as per NSW Health requirements.
- d) All waste generated from Health Care facilities to be managed in accordance with relevant NSW Health and EPA regulations.

4.4.4 Special Events

This section details the waste management requirements in accordance with **Table 1**.

As a minimum, the following conditions apply to any development classified according to the above description:

4.4.4.1 General Requirements

- a) An event organiser must provide adequate waste management based on the type of event being held, and the expected number of attendees. Generally, a rule of one (1) litre of general waste and one (1) litre of recycling per person per meal applies (this does not include back-of-house waste and recycling bin requirements).

Example: For a four (4) hour event with food stalls and a crowd size of 1000 people...

Calculation: 1000 people x 1 litre = 1000 litres of waste and 1000 litres of recycling required

Waste bins required: divide 1000 by 240 litres (a standard wheelie bin) = 4 x waste bins required

Recycling bins required: divide 1000 by 240 litres = 4 x recycling bins required.

- b) From 2030, the NSW EPA will be mandating separate food and organics collections. Therefore, from 2030, the above generation rates will need to be considered, in addition to one (1) litre of organic waste per person per meal (this does not include back-of-house waste and recycling bin requirements).
- c) An event organiser can engage the services of a private waste collection contractor for the provision of waste, recycling and organics collection services, suitable to each event, at cost to the event organiser.

Attachment 1

Waste Management Plan Template

The following template WMP can be submitted to Council for those Development Types listed in Table 1.

Section 1 – Demolition				
Site Address:				
Applicant’s Name and Address:				
Structures Currently on Site:				
Brief Description of Proposal:				
Materials on Site		Destination of Materials		
		Storage, Recycling and Reuse		Disposal
Type of Material	Estimated Volume (m³)	On-site (specify proposed reuse/recycling methods)	Off-site (specify contractor and facility)	Off-site (specify contractor and facility)
Excavation Materials				
Organic waste				
Bricks				
Concrete				
Timber				
Plasterboard				
Metals				
Asbestos				
Other (specify)				

Section 2 – Construction				
Site Address:				
Applicant's Name and Address:				
Brief Description of Proposal:				
Materials on Site		Destination of Materials		
		Storage, Recycling and Reuse		Disposal
Type of Material	Estimated Volume (m ³)	On-site (specify proposed reuse/recycling methods)	Off-site (specify contractor and facility)	Off-site (specify contractor and facility)
Excavation Materials				
Organic waste				
Bricks				
Concrete				
Timber				
Plasterboard				
Metals				
Asbestos				
Other (specify)				

Note: Sections 1 and 2 of the WMP must be submitted with plans that show:

- location of sorting of construction recyclables/waste;
- location of areas that will be used for the storage of construction
- recyclables/waste, including the location of associated bins/skips; and
- The point at which vehicles removing construction recyclables/waste will access the site.

Note: Section 2 of the WMP must be submitted with plans that show:

- The proposed bin storage areas for a designated development (on each occupied floor if applicable);
- The location of areas that will be designated for the storage of bulky waste; and
- The proposed collection point for bins/bulky waste at the kerbside or another location onsite for waste collection service to be provided.

Section 3 – Ongoing Use of Premises	
Site Address:	
Brief Description of Proposal:	
Type of Dwellings:	
Number of Residential Dwellings (units) on Site:	
Number of Commercial Dwellings (units) on Site:	
Number of Council red-lid general waste bins:	Size of waste bins:
Number of Council yellow-lid recycling bins:	Size of recycling bins:
Number of Council green-lid organics bins:	Size of organics bins:
Other bins or waste services if required:	
Describe the designated storage space for all waste bins and arrangements for maintaining bin storage areas and waste management equipment:	
Describe arrangements for cleaning bins, bin storage areas and waste management equipment:	
Describe arrangements for providing all waste services, including service provider, collection frequency, collection point location and set-up. Outline how Council's access requirements are reflected in the design:	
Describe or outline on the architectural plans the path of waste travel from each residential unit on each level (if applicable) to a central bin storage area and then the collection area:	
Describe arrangement for complying with the requirement for hygiene and safety, including fire safety, traffic safety and measures for protecting bins from theft and vandalism:	
Outline the designated storage space and methods of managing bulky waste (mattresses, furniture etc) for disposal:	
Note: Attach Architectural Plans and other supporting documentation that is consistent with the details of this WMP for Council review.	

Appendix 5 State and Regional Road Classifications

State Roads

Forest Road	Queens Road	Henry Lawson Drive
Queens Road	Croydon Road	Forest Road
Stoney Creek Road	Kingsgrove Road	Forest Road
Henry Lawson Drive	Forest Road	Salt Pan Creek
King Georges Road	Princes Highway	Pallamana Parade
Princes Highway	(Tom Ugly's Bridge) Tom Uglys Point	Harrow Road
Rocky Point Road	(Captain Cook Bridge) Rocky Point	Princes Highway
Croydon Road	Forest Road	Queens Road

Regional Roads

Bryant Street	Penshurst Street	Broadarrow Road
Commercial Road	Vanessa Street	Kingsgrove Road
Broadarrow Road	Bonds Road	Bryant Street
Belmore Road	Henry Lawson Drive	Josephine Street
Bonds Road	Josephine Street	Forest Road
Boundary Road	Forest Road	Railway Line
Bridge Street	Penshurst Street	Forest Road
Penshurst Street	Bryant Street	Bridge Street
Lily Street	Forest Road	Railway Line
Forest Road	Lily Street	Croydon Road
Croydon Road	Stoney Creek Road	Queens Road
Kingsgrove Road	Stoney Creek Road	Wolli Creek
Tooronga Terrace	King Georges Road	Bundara Street
Vanessa Street	Bundara Street	Commercial Road
Gloucester Road	Stoney Creek Road	Forest Road
Hurstville Road	Boundary Road	Hillcrest Avenue
Elizabeth Street	Railway Parade	Swanns Lane
Harrow Road	Hegarty Street	Princes Highway
Hegarty Street	Harrow Road	Railway Line
Hillcrest Avenue	Hurstville Road	King Georges Road
Ramsgate Road	Park Road	Stoney Creek Road
Regent Street	Montgomery Street	Princes Highway
Swanns Lane	Elizabeth Street	Park Road
Woniora Road	King Georges Road	Princes Highway

Railway Parade	Montgomery Street	Woniora Road
Park Road	Swanns Lane	Ramsgate Road
Jubilee Avenue	Railway Parade	Rocky Point Road

Appendix 6 Building Heights and Indicative Storeys

Tables 3 and 4 below provide an indicative conversion of building height in metres to a maximum number of storeys for Residential, Business and Industrial zones in the Georges River LEP 2021 and should be read in conjunction with the Clause 4.3 Height of Buildings, the Height of Buildings Maps and the definition of Building Height and Storeys in the Dictionary of the Georges River LEP 2021.

Georges River LEP 2021 (Maximum building height in metres)	Maximum number of storeys
E1 Local Centre	
9 metres	2 storeys
12 metres	3 storeys
13 metres	3 storeys
15 metres	4 storeys
18 metres	5 storeys
19 metres	5 storeys
21 metres	6 storeys
28 metres	8 storeys
E1 National Parks and Nature Reserves	
No height control in metres	No height control in storeys
E4 General Industrial	
12 metres	2-3 storeys (Depending on site context)
16 metres	2-3 storeys (Depending on site context)
R2 Low Density Residential	
9 metres	2 storeys
R3 Medium Density Residential	
9 metres	3 storeys
RE1 Public Recreation	
No height control in metres	No height control in storeys

RE2 Private Recreation	
No height control in metres	No height control in storeys
SP2 Infrastructure	
No height control in metres	No height control in storeys
W2 Recreational Waterways	
No height control in metres	No height control in storeys

Table 3: Indicative conversion of building height in metres

Land Use	Floor to Floor Height in metres
Residential	3.1m
Commercial	4.5m ground floor, 3.6m thereafter
Retail	4.5m ground floor, 3.6m thereafter

Table 4: Number of storeys based on land use and floor to floor/ceiling height

Appendix 7 The Kemp's Estate

The Kemp's Estate - Station, Universal, Broughton, Crump and Kemp's Street, Mortdale (including parts of Morts and Boundary Roads)

Background – from Hatton, D.J., "Mortdale in the Early Years", Hurstville Historical Society Monograph, No 8, 1981.

There were two main farms in the district between Mortdale and Penshurst. The Kemp's Farm, which had an orange orchard, encompassed the site of the present Mortdale township. The Parkes' Farm was further towards Penshurst near Victoria Avenue.

The development of Mortdale township followed the establishment of the Hurstville Steam Brick Company in 1844. The brickworks were built on Kemp's land on the eastern (Kogarah Council) side of the railway line.

The railway, constructed in 1884, cut across the farms. There was no provision for the train to stop between Penshurst and Oatley.

The brickworks siding opened in 1886 and Mortdale Station was not opened until 1897. The brickworks brought families to live in the area, and they originally settled on the eastern (Kogarah) side of the railway line.

The present business side of Mortdale, on the western side of the railway, was known as Newman's Paddock in the 1880s. Mr Newman was the only resident on that side of the railway line. His estate was subdivided and sold in 1893-94 as the Mort's Township Estate, and in 1895 as Kemp's Estate.

Mort's Township Estate was bound by Morts Road, the railway line, Boundary Road and Station Street. It also included Oxford Street, Martin Place, Macquarie Street, Pitt Street, George Street and the Strand.

Kemp's Estate, to the west of Mort's Township Estate, was sold by the Universal Land and Deposit Bank Ltd., whose directors were Messrs. Crump and Broughton. Hence, the naming of Universal, Broughton, Crump and Kemp's Streets.

The Kemp's Estate Subdivision

A copy of the original subdivision is attached. The residential lots were available under Torrens Title. The majority of the sites had a 20 feet frontage with a depth of 120 feet. Each block was cut in half by a laneway, now called The Strand.

Typical of the subdivisions of the time, the layout of the Kemp's Estate bore no relationship to the terrain or to existing dwellings or structures, or for the provision of services.

Remaining pre subdivision structures and possibly the first houses constructed on the subdivision include: 41 Crump Street, 52 and 54 Broughton Street, 13 Broughton Street, and the brick building on The Strand between Station and Universal Street. 35 Kemp's Street is typical of a number of weatherboard cottages of this early period which remain in good condition.

Some substantial brick houses were constructed in the 1910-20s; a good example is 30 Kemp's Street.

The rate notices of 1926 indicate that although the subdivision had been sold, very few houses had been constructed. Landowners had bought two, three, or four adjoining lots and consolidated them for building sites. Many of the consolidated lots were listed as “vacant”. Some owners were possibly purely investors, listed as living, for example, in Maitland and Gunnedah. The rate notices indicate that the consolidation of the lots were not accompanied by newly deposited plans, thereby retaining the original subdivision layout.

The 20’ lots that were isolated under single ownership were listed as “vacant”. The rate building on a 20’ lot was listed as “humpy”.

An aerial photograph of 1932 shows Kemp’s Estate to be partially developed. It is believed that the Estate was not fully developed until after World War II.

The small dwellings that are now located on the 20’ lots are possibly of post World War II construction. Fibro, although available from 1913 onwards, was not used as a major building material until the building boom following the building shortage of the late 1940’s. The consolidated lots were then developed as individual lots and sold, possibly to veterans. Rate notices of 1926 show that 12A – 18 Crump Street were two larger lots that were broken up to regain the original narrow 20’ lots that are now in existence.

Kemp’s Estate Today

An examination of Council’s orthographic maps No’s 33, 34, 43, 44 and 54 show that the original lots of the Kemp’s Estate subdivision are largely intact, except for Station Street, which has been re-developed as residential flats under Strata Title.

Site investigation reveals that the small lots are popular with small families. Kemp’s Estate has many retired occupants and young couples that do not require large sites or large dwellings.

Significance

Kemp’s Estate can be considered significant as it:

Illustrates the history of residential settlement in the area;

- Has rare 6 metre residential lots under Torrens title;
- Has good examples of pre WWII dwellings
- Has good examples of post WWII dwellings, and;
- Encapsulates the character of Mortdale.

There are currently 21 dwellings that are built on single narrow lots. Some of these are in original condition. There are a number of additional dwellings that were built for individual narrow lots that were later re-consolidated into double lots. These dwellings, although altered, retain the character of the Estate and the streetscape. All these buildings are worthy of further examination to determine that significance, and to use as a basis for planning controls.

A photograph based on the original Deposited Plan from 1895 highlights the subdivision pattern (refer **Figure 10**).

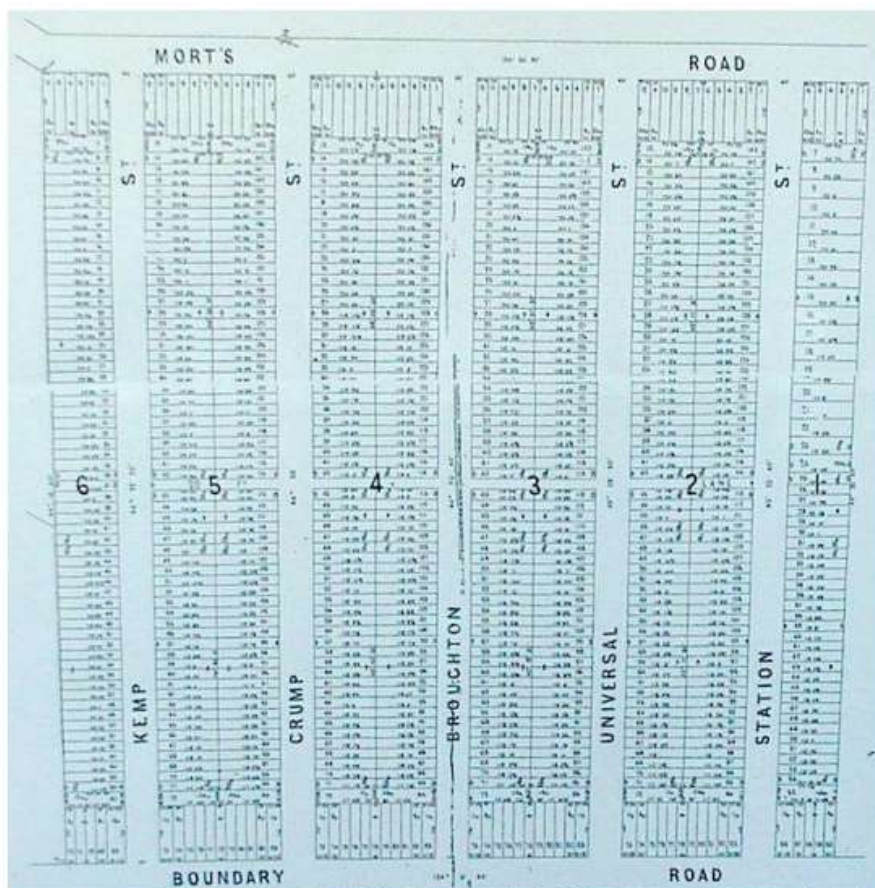


Figure 10 Photograph of the original Deposited Plan from 1895

PART 6

Residential controls



Part 6 Residential Controls

Part 6.1 Dwellings, Dual occupancies (attached and detached), Secondary dwellings and Narrow lot housing (Low Density)

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6.1.1 Introduction

This part applies to dwelling houses, dual occupancy development, secondary dwellings and narrow lot housing. This part of the DCP should be read in conjunction with Part 1 - Introduction, Part 3 – General Planning Considerations, Part 5 – Residential Locality Statements, Part 6.4 Ancillary Development and Part 6.5 – Foreshore Locality Controls.

6.1.2 Single Dwellings

1. Streetscape Character and Built Form

Objectives

- (a) Reflect the dominant and transitioning building pattern of the streetscape with regard to the location, spacing and proportion of built elements in the streetscape.
- (b) Complement, conserve and enhance the visual character of the street and neighbourhood through appropriate building scale, form, setting, details and finishes.
- (c) Ensure that all elements of development visible from the street, waterways and public domain make a positive contribution to the foreshore, streetscape and natural features of the area.

Controls

- 1. New buildings and additions are to consider the Desired Future Character statement in Part 5 of this DCP.
- 2. New buildings and additions are to be designed with an articulated front façade.
- 3. Developments on sites with two (2) or more frontages are to address all frontages.
- 4. Dwelling houses are to have windows presenting to the street from a habitable room to encourage passive surveillance.
- 5. Development must be sensitively designed so as to minimise adverse impacts on the amenity and view corridors of neighbouring public and private property while maintaining reasonable amenity for the proposed development and is to balance this requirement with the amenity afforded to the new development.
- 6. The maximum size of voids at the first floor level should be a cumulative total of 15m² (excluding voids associated with internal stairs).

2. Building Scale and Height

Objectives

- (a) Ensure that buildings are compatible with the height, bulk and scale of the desired future character of the locality.
- (b) Minimise adverse visual impact, disruption of views, loss of privacy and loss of sunshine to existing residential developments.
- (c) Minimise adverse impact on Heritage Conservation Areas, Heritage Items and contributory buildings.
- (d) Reduce the visual dominance of development when viewed from waterways, as well as other public places such as parks, roads and community facilities.

Controls

- 1. New buildings are to consider and respond to the predominant and desired future scale of buildings within the neighbourhood, and consider the topography and form of the site.
- 2. On sites with a gradient or cross fall greater than 1:10, dwellings are to adopt a split-level approach to minimise excavation and fill. The overall design of the dwelling should respond to the topography of the site.
- 3. A maximum of two (2) storeys plus basement is permissible at any point above ground level (existing). Basements are to protrude no more than 1m above existing ground level.
- 4. Where topography conditions require a basement, the area of the basement should not exceed the area required to meet the car parking requirements for the development, access ramp to the parking and a maximum 10m² for storage and 20m² for plant rooms. Additional basement area to that required to satisfy these requirements may be included as floor space area when calculating floor space ratio.
- 5. Where the entry to the basement carpark is visible from the street, the entry should be recessed a minimum of 1m (from the edge of the external wall or balcony) from the levels above and the external walls of the garage differentiated from the walls above through articulation and external materials.

3. Setbacks

Objectives

- (a) Preserve significant vegetation, which contributes to the public domain, and allows for street landscape character to be maintained.
- (b) Integrate new development with the established setback character of the street by ensuring front setbacks are not inconsistent with adjoining buildings.
- (c) Provide opportunities for landscape planting and private open space.

- (d) Maintain a reasonable level of privacy and amenity for neighbours together with adequate access to sunlight.
- (e) Ensure adequate separation between buildings, consistent with the desired character and rhythm of built elements in the street.

Controls

Front Setbacks

1. The minimum setback from the primary street boundary is:
 - i. 4.5m to the main building wall / façade;
 - ii. 5.5m to the front facade of a garage or carport, or at least 1m behind the main building wall / façade, whichever is the greater;
 - iii. Where the prevailing street setback is greater than the minimum, the average setback of dwellings on adjoining lots is to be applied.

Note: The "Prevailing Street Setback" is the setback calculated by averaging the setback of two (2) adjoining residential properties on both sides of the development.

2. Balconies cannot encroach into the front setback space.
3. For corner lots, the setback from the secondary street boundary is to be at least:
 - i. 1.2m to the building line if the site is less than 15m in width (see **Figure 1**); or
 - ii. **2.0m** to the building line if the site is 15m or greater in width (see **Figure 2**).



Figure 1: Setback from secondary street boundary for sites less than 15m in width



Figure 2: Setback from secondary street boundary for sites 15m or greater in width

Side and Rear Setbacks

1. Buildings are to have a minimum rear setback of 15% of the average site length, or 6m, whichever is the greater (excluding detached secondary dwellings – see Point 12 in Section 6.1.2.12- Secondary Dwellings of this DCP).
2. The minimum side setbacks for ground and first floor are:
 - i. 900mm for lots up to 12.5m in width measured at the front building line for the length of the development.
 - ii. 1.2m for lots greater than 12.5m in width measured at the front building line for the length of the development.
 - iii. 1.5m for all lots within the Foreshore Scenic Protection Area measured at the front building line for the length of the development.
3. Where alterations and additions (ground and first floor) to an existing dwelling are proposed, an existing side setback less than the setback required in Control 2 can be maintained, provided the reduced setback does not adversely affect compliance with the solar access and landscaped area controls or adversely impact upon the visual and acoustic amenity of neighbouring dwellings.
4. For battle-axe lots, minimum side and rear boundary setbacks apply, except the front setback of the battle-axe lot without a street frontage, where a minimum setback of 4.0m is to be provided as illustrated in **Figure 3**.
5. Any garages or parking structures fronting rear lanes may encroach upon the rear setback areas but are still to provide a minimum setback of 1m from the lane.

Note: The definition of “building line or setback” is provided in the Georges River Local Environmental Plan 2021 (GRLEP 2021).

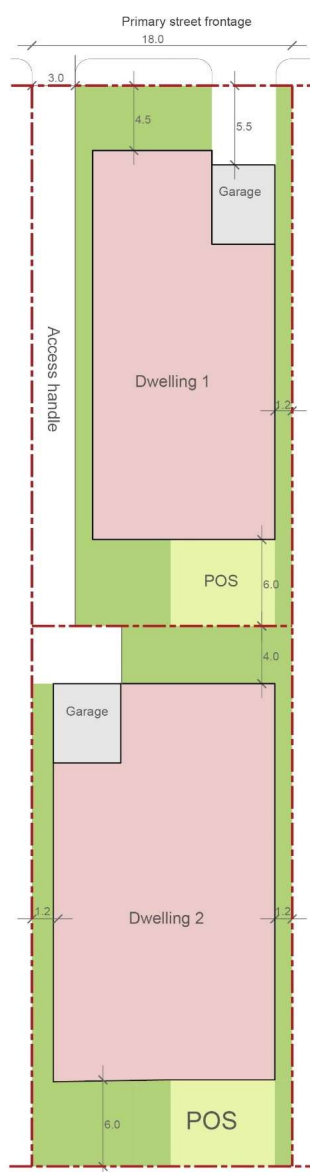


Figure 3: Single dwelling battle-axe street facing (Note: dimensions are in metres)

4. Private Open Space

Objectives

- (a) Ensure that private open space is designed to provide residents with quality usable and functional private outdoor living areas for recreational and outdoor activities.
- (b) Ensure that private open space is designed for privacy, solar access, and is well integrated to be accessed from living areas.
- (c) Provide private open space that facilitates opportunities for active and passive recreation, landscaping and tree planting.

Controls

- 1. Private open space is to be located at the rear of the property and/or behind the building line and is to have a minimum area of 60m² with minimum dimensions of 6m and located on the same level (not terraced or over rock outcrops).
- 2. Private open space is to be provided for all dwellings, (with the exception of secondary dwellings, which are able to share the private open space of the principal dwelling).
- 3. Private open space is to be located so as to maximise solar access.
- 4. Private open space is to be designed to minimise adverse impacts upon the privacy of the occupants of adjacent buildings.

5. Landscaping

Objectives

- (a) Enhance the existing streetscape.
- (b) Enhance the quality and amenity of the built form by reducing the visual and environmental impacts of buildings, structures and hardstand areas.
- (c) Provide privacy and shade.
- (d) Minimise the extent of hard paved areas and facilitate rainwater infiltration to the water table.
- (e) Preserve and enhance native wildlife populations and habitat through appropriate planting of indigenous vegetation.
- (f) Retain and provide for mature vegetation and the healthy growth of canopy trees, particularly large and medium sized trees.
- (g) Provide continuous vegetation corridors.
- (h) Protect existing natural rock outcrops.

Controls

1. Landscaped area (has the same meaning as GRLEP 2021) is to be provided in accordance with the table contained within *Clause 6.12 Landscaped areas in certain residential and conservation zones* of the GRLEP 2021.
2. Soft soil landscaping is to be provided in all landscaped areas as required by the GRLEP 2021 and must have a minimum dimension of 1.2m in all directions. Existing natural rock outcrops can be counted towards the calculation of soft soil landscaping.
3. Provide a landscape setting within the primary and secondary street frontages, where impervious areas are minimised. Impervious areas include hard paving, gravel, concrete, artificial turf, rock gardens (excluding natural rock outcrops) and other material that does not permit soft soil landscaping.
4. Impervious areas are to occupy no more than:
 - (i) 60% of the street setback area where the front setback is less than 6m, or
 - (ii) 50% of the street setback area where the front setback is 6m or greater, or
 - (iii) 50% of the primary street setback area on corner allotments.
5. The front setback area is to have an area where at least one (1) tree capable of achieving a minimum mature height of 6-8m with a spreading canopy can be accommodated. A schedule of appropriate species to consider is provided in Council's Tree Management Policy.
6. Preference is to be given to incorporating locally indigenous plants.

6. Excavation (Cut and Fill)

Objectives

- (a) Have regard to existing natural ground levels and existing landform.
- (b) Create consistency along streetscapes.
- (c) Minimise the extent of excavation and fill.
- (d) Ensure that excavation and fill does not result in an unreasonable loss of privacy or security for neighbours.
- (e) Must not impact the height of the swimming pool fence on the subject site or adjoining sites to ensure compliance with AS1926.

Controls

1. Any excavation must not extend beyond the building footprint, including for any basement car park.
2. The depth of cut or fill must not exceed 1.0m from existing ground level, except where the excavation is for a basement car park.

3. Developments should avoid unnecessary earthworks by designing and siting buildings that respond to the natural slope of the land. The building footprint must be designed to minimise cut and fill by allowing the building mass to step in accordance with the slope of the land.

Note: Refer to Part 3 – General Planning Considerations of the DCP for detailed excavation (cut and fill) requirements.

7. Vehicular Access, Parking and Circulation

Objectives

- (a) Ensure car parking is provided to meet the requirements of Council.
- (b) Ensure vehicular access routes and parking areas are easily accessible and visible to motorists.
- (c) Ensure car access areas and garages/carports do not visually dominate either the development or the streetscape.
- (d) Ensure car parking spaces are designed to ensure ease of access, egress and on-site manoeuvring.

Controls

1. Car parking is to be provided in accordance with the requirements in Part 3 of this DCP.
2. A dwelling is to provide one (1) garage and one (1) tandem driveway parking space forward of the garage (unless otherwise accommodated within the building envelope).
3. Driveways, garages and basements should be accessed from a secondary street or rear lane where this is available.
4. Entry to parking facilities off the rear lane must be setback a minimum of 1m from the lane.
5. Driveway crossings are to be positioned so that on-street parking and landscaping on the site are maximised, and removal or damage to existing street trees is avoided.
6. The maximum driveway width at the street boundary is 4.0m. The driveway width may increase to a maximum of 6.0m to accommodate double garages at the front building line in accordance with **Figure 4** below **to the extent required for a B99 vehicle entry and exit from the garage in accordance with AS2890.1 Parking Facilities (note: forward entry and exit from a site is not required unless the development is on a major road or as advised by Council).** This does not apply to rear lanes.
7. Basements are permitted where the LEP height development standard is not exceeded, and it is demonstrated that there will be no adverse environmental impacts (e.g. affection of watercourses and geological structure).

- (i) Basements on land where the average grade is less than 12.5% are permitted only where they are not considered a storey (see definition in the LEP) and the overall development presents as two (2) storeys to the street.
8. Car parking layout and vehicular access requirements and design are to be in accordance with the Australian Standards, in particular AS 2890.1 (latest edition).
9. The maximum width of a garage opening is 6.0m.

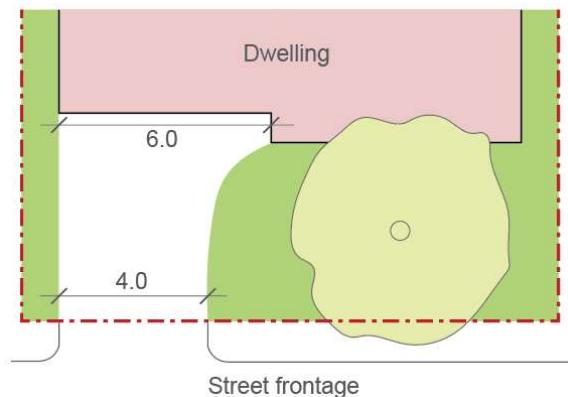


Figure 4: Maximum width of driveways at the street boundary and front building line

8. Visual Privacy

Objectives

- (a) Ensure the siting and design of buildings provides a high level of visual and acoustic privacy for residents and neighbouring dwellings and their private open space.
- (b) Minimise direct overlooking from windows, decks, balconies and terraces.
- (c) Minimise direct overlooking between primary living rooms and private open space on the subject site and that of the adjoining sites.

Controls

1. Windows from active rooms are to be offset with windows in adjacent dwellings, or appropriately treated so as to avoid direct overlooking onto neighbouring windows.
2. For active rooms or balconies on an upper level, the design should incorporate placement of room windows or screening devices to only allow oblique views to adjoining properties.
3. Upper level balconies should not project more than 1500mm beyond the main rear wall alignment so as to minimise adverse visual privacy impacts to adjoining properties.

4. Windows for primary living rooms must be designed so that they reasonably maintain the privacy of adjoining main living rooms and private open space areas.
5. Development applications are to be accompanied by a survey plan or site analysis plan (to AHD) of the proposed dwelling showing the location of adjoining property windows, floors levels, window sill levels and ridge and gutter line levels.
6. Roof top terraces are not permitted on top of dwelling houses, secondary dwellings and ancillary structures, such as boat sheds and garages.

9. Noise

Objectives

- (a) Minimise the intrusion of noise from external sources into habitable rooms, in particular bedrooms.
- (b) Minimise noise transmission between dwellings within the development and from the development to adjoining dwellings.

Controls

1. Noise generators such as plant and machinery including air conditioning units and pool pumps are located away from windows or other openings in habitable rooms; they are to be screened to reduce noise or acoustically treated.

10. Solar Access

Objectives

- (a) Minimise loss of sunlight to adjacent buildings.
- (b) Ensure the required level of mid-winter solar access to main living areas and areas of principal private open space within the site and adjoining sites is provided.
- (c) Maximise mid-winter sunlight to windows of neighbouring living rooms and to the primary private open spaces of adjacent properties.
- (d) Minimises adverse impacts on the overshadowing of neighbouring buildings and primary private open spaces.

Controls

1. New buildings and additions are sited and designed to facilitate a minimum of 3 hours direct sunlight between 9am and 3pm on 21 June onto living room windows and at least 50% of the minimum amount of private open space.

2. To facilitate sunlight penetration to adjoining development, building bulk may be required to be articulated to achieve the required sunlight access.
3. Direct sunlight to north-facing windows of habitable rooms and 50% of the principal private open space area of adjacent dwellings should not be reduced to less than 3 hours between 9.00am and 3.00pm on 21 June.
4. Note: Variations will be considered for developments that comply with all other requirements but are located on sites with an east-west orientation or steeply sloping sites with a southerly orientation away from the street.
5. Shadow diagrams are required to show the impact of the proposal on solar access to the principal private open space and living rooms of neighbouring properties. Existing overshadowing by fences, roof overhangs and changes in level should also be reflected in the diagrams. It may also be necessary to provide elevations or views from sun diagrams to demonstrate appropriate solar access provision to adjoining development.
6. Consider and minimise overshadowing impacts on the solar photovoltaic panels of neighbouring buildings where a variation to the building setbacks or number of storeys is sought.

11. Materials, Colour Schemes and Details

Objectives

- (a) Ensure that the choice of external materials, colour schemes and building details of new development and existing houses visible from a public place, reinforces and enhances any identifiable visual cohesiveness or special qualities evident in the street and the adjoining locality.

Controls

1. Large expansive surfaces of predominantly white, light or primary colours which would dominate the streetscape or other vistas should not be used.
2. New development should incorporate colour schemes that have a hue and tonal relationship with the predominant colour schemes found in the street.
3. Matching buildings in a row should be finished in the same colour or have a tonal relationship.
4. All materials and finishes utilised should have low reflectivity.

12. Secondary Dwellings

Objectives

- (a) Maintain a reasonable level of amenity to the principal dwelling, the site, and surrounding properties.

- (b) Ensure the scale and type of development is compatible with the surrounding built form, the significance and the scale of heritage items and heritage conservation areas.

Controls

1. Where a secondary dwelling is being attached to or incorporated into the building envelope of a new dwelling, or where part of an existing dwelling is being converted into a secondary dwelling, the secondary dwelling and principal dwelling must comply with the height and setback requirements for single dwellings.
2. For a dwelling that includes a secondary dwelling, the minimum private open space requirements for the principal dwelling must be complied with.
3. For properties with rear lane access, a detached secondary dwelling may address the rear lane and incorporate a nil setback from the lane.
4. If a secondary dwelling to a lane is incorporated with garaging, the maximum height of the structure is to be 6m above existing ground level.
5. The maximum building height is one (1) storey where the secondary dwelling is detached from the principal dwelling and not incorporated with a garage to a laneway.
6. The minimum setback to side and rear boundaries is 1500mm, (excluding laneways where a nil setback is permitted).
7. The secondary dwelling is to be located behind the main building setbacks required for a single dwelling to a primary and secondary street frontage.
8. Car parking for the principal dwelling of this DCP must be provided in accordance with the requirements outlined in Part 3 General Issues of this DCP.
9. The minimum landscaped area specified in the Georges River LEP 2021 for single dwelling development is to be provided on the site.
10. Stormwater management is to be provided in accordance with the provisions contained in Dwelling Houses.

Note: Secondary dwellings are to comply with the requirements of clause 5.4(9) of GRLEP 2021. A secondary dwelling cannot be subdivided, including strata subdivision.

13. Site Facilities

Objectives

- (a) Ensure adequate provision is made for site facilities to support residential occupation.
- (b) Ensure that services do not detract from the amenity of neighbourhoods and streets.
- (c) Facilitate a safe, efficient and comfortable living environment.

- (d) Ensure site utilities are accessible, visually unobtrusive and require minimal maintenance.

Controls

1. All dwellings are to be provided with adequate and practical internal and external storage (garage, garden sheds, etc.).
2. Provision for water, sewerage and stormwater drainage for the site shall be nominated on the plans to Council's satisfaction.
3. Each dwelling must provide adequate space for the storage of garbage and recycling bins (a space of at least 3m by 1m must be provided) and this space is not to be located within the front setback.
4. Letterboxes are to be located on the frontage where the address has been allocated in accordance with Australia Post requirements.

6.1.3 Dual Occupancy

1. Streetscape Character and Built Form

Objectives

- (a) Ensure dual occupancy development contributes to the creation of cohesive yet varied and visually interesting streetscapes.
- (b) Ensure development is consistent with the desired future character of the area.
- (c) Ensure development is appropriately setback from the site boundaries to achieve a balance between buildings and open space around buildings.
- (d) Ensure development uses materials, colours and textures that are compatible with the dominant form in the streetscape in terms of type, form and colour.
- (e) Protect the natural scenic landscape qualities of sensitive areas such as the Georges River foreshore.
- (f) Create a high amenity living environment and to maintain existing residential amenity for adjoining or nearby residential development.

Controls

1. Dual occupancies are to have windows in all street-facing elevations. Service rooms such as bathrooms and ensuites are not to be within primary or secondary street frontages.
2. Driveways and accessways should not dominate the streetscape and located to comply with AS2890 (latest edition).
3. The design of the street facing elevation of any dual occupancy development should seek to incorporate design features such as:
 - (i) A defined entry feature;
 - (ii) Awnings, louvers, shutters or other features over windows;
 - (iii) Balcony or window box treatment to any first floor element;
 - (iv) Recessed or projected prominent architectural elements to visibly break up the facade and avoid an expansive blank wall;
 - (v) Open verandahs;
 - (vi) Use of bay windows or similar features along the façade
4. Each dwelling entrance is to be clearly identifiable from the street and recessed a maximum of 1m into the façade of the dwelling.
5. Access to garaging and additional parking spaces for dual occupancy dwellings should not result in large expanses of paved surfaces within the street setback of the development.
6. The maximum size of voids at the first floor level should be a total of 15m² (excluding voids associated with internal stairs) for each of the two dwellings.

7. Garages for each dwelling within an attached dual occupancy development must be a single car space wide only. Two car garages in a tandem arrangement may be acceptable.

2. Building Scale and Height

Objectives

- (a) Ensure that buildings are compatible with the height, bulk and scale of the desired future character of the locality.
- (b) Minimise adverse visual impact, disruption of views, loss of privacy and loss of sunshine to existing residential development.
- (c) Minimise the adverse impact on Heritage Conservation Areas, Heritage Items and contributory buildings.
- (d) Reduce the visual impact of development when viewed from waterways, as well as other public places such as parks, roads and community facilities.

Controls

1. New buildings are to consider and respond to the predominant and desired future scale of buildings within the neighbourhood; and respond to the topography and form of the site.
2. On sites with a gradient or cross fall greater than 1:10, dwellings are to adopt a split-level approach to minimise excavation and fill. The overall design of the dwelling should respond to the topography of the site. On sloping allotments, dwellings are to adopt a split-level approach in the design of the development to minimise excavation and fill and to achieve a design response that relates appropriately to the sloping topography of the site.
3. A maximum of two (2) storeys over a basement is permissible at any point above ground level (existing). Basements are to protrude no more than 1m above the existing ground level.
4. Where topography conditions require a basement, the area of the basement should not exceed the area required to meet the car parking requirements for the development, access ramp to the parking and a maximum 10m² for storage and 20m² for plant rooms. Additional basement area to that required to satisfy these parking requirements may be included as floorspace area when calculating floorspace ratio.
5. Where the entry to the basement carpark is visible from the street, the entry should be recessed a minimum of 1m (from the edge of the external wall or balcony) from the levels above and the external walls of the garage differentiated from the walls above through articulation and external materials.

3. Setbacks

Objectives

- (a) Preserve significant vegetation, which contributes to the public domain, and allows for street landscape character to be enhanced.
- (b) Integrate new development with the desired setback character of the street by ensuring front setbacks are consistent with adjoining buildings.
- (c) Provide opportunities for landscape planting and private open space.
- (d) Maintain a reasonable level of privacy and amenity for neighbours and adequate access to sunlight.
- (e) Ensure adequate separation between buildings, consistent with the desired character and rhythm of built elements in the street.

Controls

Front Setbacks (all street facing dual occupancies)

- 1. Minimum setback from the primary street boundary for ground and first floor is:
 - i. 4.5m to the main building wall / facade;
 - ii. 5.5m to the front wall or door of the garage, carport or on-site parking space;
 - iii. Where the prevailing street setback is greater than the minimum, the average setback of dwellings on adjoining lots is to be applied.

Note: The "Prevailing Street Setback" is the setback calculated by averaging the setback of the two (2) adjoining residential properties on either side of the development.

Side setbacks (attached dual occupancy)

- 2. The minimum side setbacks for ground and first floor are:
 - i. 1.2m for development outside the Foreshore Scenic Protection Area; and
 - ii. 1.5m for lots within the Foreshore Scenic Protection Area.

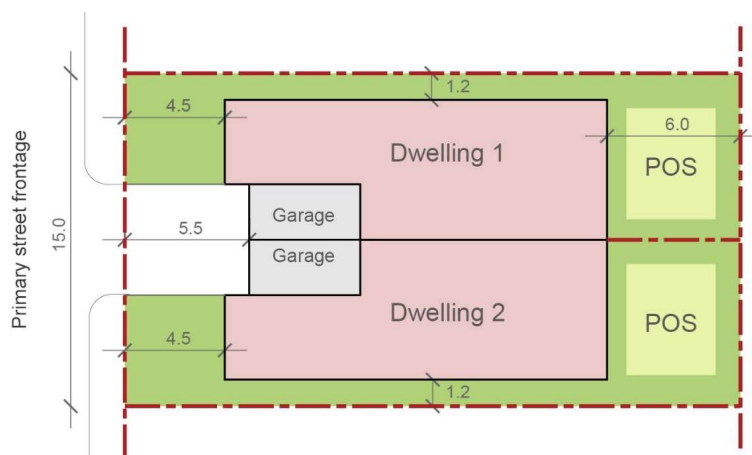


Figure 5: Attached dual occupancy in a 'side by side' configuration. Note: all dimensions are in metres

Side setbacks (detached dual occupancy)

- For detached dual occupancies in a 'side-by-side' configuration where both dwellings address the primary street, the minimum side setback (ground and first floor) to the external side boundaries and the internal allotment boundary is to be a minimum 1.2m for lots outside a Foreshore Scenic Protection Area (creating a separation of 2.4m between dwellings).

For lots within a Foreshore Scenic Protection Area, side setbacks for a detached dual occupancy are to be a minimum of 1.5m (creating a separation of 3m between dwellings).

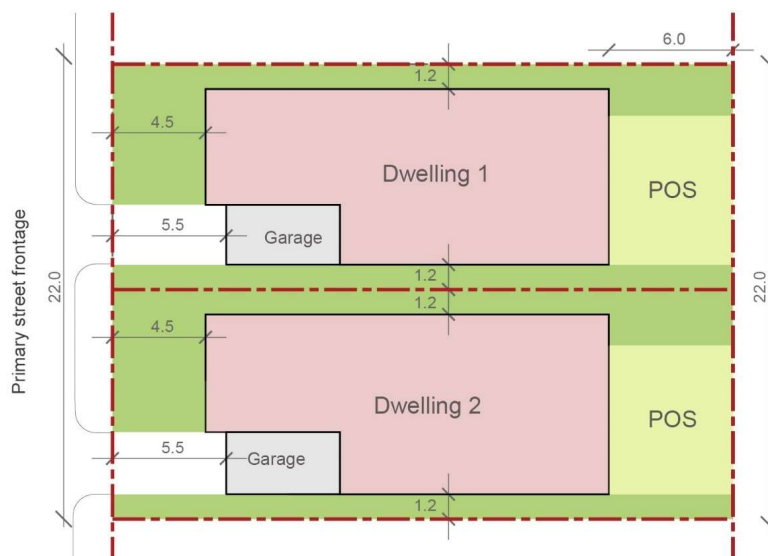


Figure 6: Detached dual occupancy in a 'side by side' configuration. Note: all dimensions are in metres

Rear setbacks (attached and detached dual occupancy in 'side by side' configuration)

4. For attached dual occupancies in a 'side-by-side' configuration where both dwellings address the street, each dwelling is to have a minimum rear setback (ground and first floor) of 15% of the average site length, or 6.0m, whichever is greater.

Side and Rear Setbacks – (detached dual occupancy in a battle axe configuration)

5. The minimum rear setback (ground and first floor) is 4m to the rear boundary of the lot fronting the primary street. The minimum rear setback for the rear lot is 6m.
6. The minimum front setback (ground and first floor) of any building on the non-primary street fronting lot is to be 2.0m, creating a minimum separation of 6.0m between the dual occupancy dwellings.
7. Minimum side boundary setbacks of 1.2m (for lots outside a Foreshore Scenic Protection Area) are to be provided. Within Foreshore Scenic Protection Area zone, minimum side setbacks of 1.5m are to be provided. See **Figure 7**.
8. The minimum side setback of the dwelling with frontage to a primary street to the access handle is to be 1.2m.

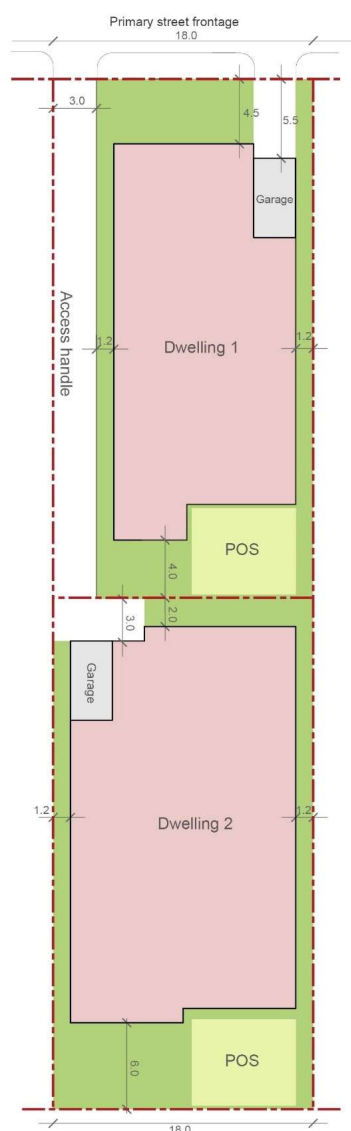


Figure 7: Detached dual occupancy in a battle axe configuration. Note: all dimensions are in metres.

Corner site setbacks (dual frontage) – detached dual occupancy

9. The minimum setback (ground and first floor) to a secondary street is 3m. Garages accessible from the secondary street must be setback a minimum of 5.5m.
10. A minimum side setback (ground and first floor) of 1.2m is required from the internal allotment boundary for the dwelling addressing the secondary frontage for lots outside

the Foreshore Scenic Protection Area. A minimum side setback of 1.5m is to be provided for lots within a Foreshore Scenic Protection Area.

11. The minimum side setback of the dual occupancy dwelling addressing the secondary frontage is 3m, while the minimum rear setback of the dual occupancy dwelling addressing the secondary frontage is 4m. See **Figure 8**.

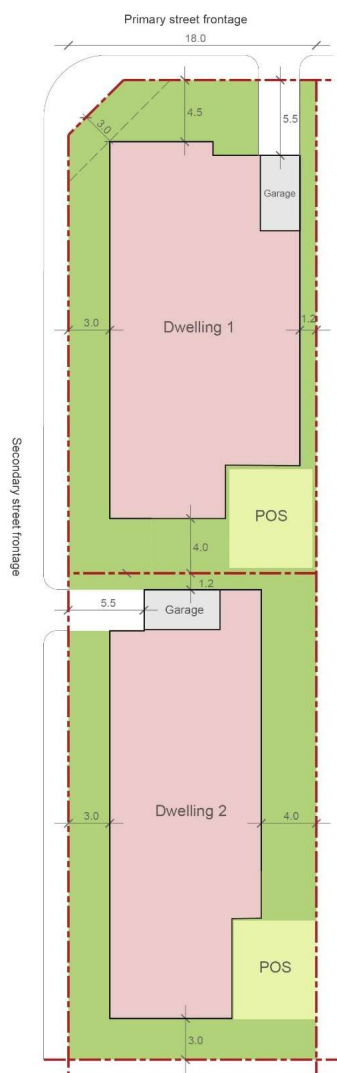


Figure 8: Detached dual occupancy - Corner site (dual frontage). Note: all dimensions are in metres.

12. The minimum rear setback of the dwelling fronting the primary street to the proposed internal allotment boundary is 4m. The front and side setbacks in accordance with Points 1 and 2 in Sections 6.1.3.3 (1) and 6.1.3.3 (2) of this DCP will apply to this dwelling. See **Figure 8**.
13. The minimum front setback of the dwelling fronting the primary street (ground and first floor) is:
 - i. 4.5m to the main building wall / façade.
 - ii. 5.5m to the front facade of a garage or carport; or on-site parking space.
14. The minimum side setback of the dwelling fronting the primary street (ground and first floor) are:
 - i. 1.2m for development outside the Foreshore Scenic Protection Area.
 - ii. 1.5m for lots within the Foreshore Scenic Protection Area.

Corner site setbacks (dual frontage) – attached dual occupancy

15. The minimum setback (ground and first floor) to a secondary street is 3.0m. Garages accessible from the secondary street must be setback a minimum of 5.5m.
16. The minimum side setback of the dwelling addressing the secondary frontage is to be 3m, while the rear setback of the dwelling addressing the secondary frontage requires a minimum setback of 4.0m. See **Figure 9**.



Figure 9: Attached dual occupancy – Corner Site (dual frontage). Note: all dimensions are in metres.

17. The minimum front setback of the dwelling fronting the primary street (ground and first floor) is:
 - i. 4.5m to the main building wall / façade.

- ii. 5.5m to the front wall or door of the garage, carport or on-site parking space.
- 18. The minimum side setbacks of the dwelling fronting the primary street (ground and first floor) are:
 - i. 1.2m for development outside the Foreshore Scenic Protection Area.
 - ii. 1.5m for lots within the Foreshore Scenic Protection Area.

Attached dual occupancy - duplex configuration (one dwelling above another) – single frontage

- 19. Front, side and rear setbacks for an attached dual occupancy will apply, including setbacks of the garage/s behind the street facing building line.

Attached dual occupancy - duplex configuration (one dwelling above another) – corner site

- 20. Front, secondary, side and rear setbacks for an attached dual occupancy will apply, including setbacks of the garage/s behind the street facing building line.

Dual frontage (laneway) - Attached or Detached Dual Occupancy

- 21. A side by side configuration is recommended with parking to be accessed from the laneway. The dwellings are to address the primary frontage. See **Figure 10**.



Figure 10: Attached or Detached Dual Occupancy Dual frontage (laneway). Note: all dimensions are in metres

- 22. Front and side setbacks for an attached or detached dual occupancy as outlined in Points 1 and 2 in Sections 6.1.3.3 (1) and 6.1.3.3 (2) of this DCP apply.

23. Any garages or parking structures fronting rear lanes must be setback a minimum 1m from the lane. However, where a dwelling addresses the laneway, front setbacks of 4.5m to the wall of the dwelling and 5.5m to any garage, will apply.
24. A separation of at least 6m must be provided between the rear wall of a dwelling and the wall of any garage addressing the laneway.

4. Solar Access

Objectives

- (a) Minimise loss of sunlight to adjacent buildings and minimise adverse amenity impacts on adjoining development.
- (b) Ensure an appropriate amount of solar access to main living areas and areas of principal private open space within the site and adjoining sites.
- (c) Encourage the break up and articulation of building bulk to allow sunlight penetration.

Controls

1. New buildings and additions are to provide a minimum of 3 hours direct sunlight between 9am and 3pm on 21 June onto living room windows and at least 50% of the minimum amount of private open space.
2. Direct sunlight to north-facing windows of habitable rooms and 50% of the area of principal private open space of neighbouring dwellings should not be reduced to less than 3 hours between 9.00am and 3.00pm on 21 June.
Note: Variations will be considered for developments that comply with all other requirements but are located on sites with an east-west orientation.
3. Shadow diagrams are to be submitted demonstrating the shadow impacts for the winter solstice (21 June) between 9.00am and 3.00pm.
4. Shadow diagrams are required to show the impact of the proposal on solar access available to the living rooms and main open space of neighbouring properties. Existing overshadowing by fences, roof overhangs and changes in level should also be reflected in the diagrams. It may also be necessary to provide elevational or view from the sun diagrams to demonstrate appropriate solar access provision to adjoining development.
7. Consider and minimise overshadowing impacts on the solar photovoltaic panels of neighbouring buildings where a variation to the building setbacks or number of storeys is sought.

5. Visual Privacy

Objectives

- (a) Ensure development minimises direct overlooking between main living areas and main private open space within the site and adjoining sites.

Controls

1. Windows and balconies of main living areas are to be directed toward the front and rear of a site.
2. Windows and balconies of habitable rooms are not to directly overlook windows, balconies and the open space of adjacent dwellings. To ensure appropriate privacy, consideration should be given to including:
 - i. Physical screening devices such as fixed external timber battens;
 - ii. Splaying or staggering the location of windows;
 - iii. Use of level changes;
 - iv. Use of increased window sill heights or the use of glazing such as frosted glass or glass blocks;
 - v. Avoiding elevated decks or balconies; and
 - vi. Increasing building setbacks from the side boundary.
4. First floor balconies located at the rear of dwellings must not project more than 1500mm beyond the main rear wall alignment and must incorporate fin walls or privacy screens on the sides to prevent overlooking of the living rooms and main private open space areas of adjoining properties.
5. Roof top terraces are not permitted on top of dual occupancies and ancillary structures, such as boat sheds and garages.

6. Noise

Objectives

- (a) Development is to be sited, designed and constructed to:
 - i. To minimise the intrusion of noise from external sources into habitable rooms, in particular bedrooms; and
 - ii. To minimise noise transmission between dwellings within the development and from the development to adjoining dwellings.

Controls

1. In developments sharing a common wall between dwellings, the co-location of quiet uses (such as bedrooms) with noisier rooms (such as bathrooms, laundries and living rooms) should be avoided.
2. Noise generators such as air conditioning units, pool pumps and other plant or equipment are to be located away from windows or other openings in habitable rooms. These are also to be screened or otherwise acoustically treated.

7. Excavation (Cut and Fill)

Objectives

- (a) Retain natural ground levels and existing landform.
- (b) Create consistency along streetscapes.
- (c) Minimise the extent of excavation and fill.
- (d) To ensure that excavation and fill does not result in an unreasonable loss of privacy or security for neighbours.
- (e) Must not impact the height of the swimming pool fence on the subject site or adjoining sites to ensure compliance with AS1926 (latest edition).

Controls

1. Any excavation must not extend beyond the building footprint, including any basement car park.
2. The depth of cut and fill must not exceed 1.0m from existing ground level, except where the excavation is for a basement car park.
3. Developments are to avoid unnecessary earthworks by designing and siting developments to respond to the natural slope of the land. The building footprint must be designed to minimise cut and fill by allowing the building mass to step in accordance with the slope of the land.

8. Vehicle Access, Parking and Circulation

Objectives

- (a) Ensure car parking is provided to meet the requirements of Council.
- (b) Ensure vehicular access routes and parking areas are easily accessible and visible to motorists.
- (c) Ensure car access areas and garages/carports do not visually dominate either the development or the streetscape.
- (d) Ensure car parking spaces are designed to ensure ease of access, egress and on-site manoeuvring.

- (e) Limit the width of driveways and hard surfaces depending on the site frontage.

Controls

1. Each dwelling is to provide one (1) garage and one (1) tandem driveway parking space forward of the garage (unless otherwise accommodated within the building envelope).
2. Car parking is to be provided in accordance with the requirements in Part 3 General Issues of this DCP.
3. Garages should be accessed directly from a rear lane where this is available. Entry to parking facilities off the rear lane must be setback a minimum of 1m from the lane.
4. Driveway crossings are to be positioned so that on-street parking and landscaping on the site and the public domain are maximised, and the removal or damage to existing street trees is avoided.
5. The maximum driveway width between the street boundary and the primary building setback alignment of the garage is 4 metres.
6. For a detached dual occupancy development in a battle-axe allotment configuration, all vehicles must be able to enter and exit the site in a forward direction. Applications are to be supported by a swept path analysis to demonstrate that all required manoeuvring complies with the relevant Australian Standard.
7. Internal driveway grades are to be in accordance with Australian Standard 2890.1 (latest edition).
8. Any basement parking provided is to comply with the setbacks for development at Point 3 in Section 6.1.3.3 – Setbacks of this DCP.
9. Dual occupancy developments are to have only one (1) single width garage per dwelling. Where garaging is provided for two (2) cars, this must be in a tandem parking configuration.

9. Subdivision

Subdivision of dual occupancy development is permitted with consent. The suitability of the dual occupancy development and its impacts upon streetscape and general amenity will guide the suitability of the underlying lots to be created.

The minimum lot sizes that will apply to subdivision of a dual occupancy is contained within the GRLEP 2021 as referenced at Clauses 4.1A Minimum subdivision lot size for dual occupancies.

10. Private Open Space

Objectives

- (a) Ensure that private open space is designed to provide residents with quality useable private outdoor living areas for recreational and outdoor activities.
- (b) Ensure that private open space is designed for privacy, solar access, and is well integrated with living areas.
- (c) Provide private open space that facilitates opportunities for active and passive recreation, landscaping and tree planting.

Controls

- 1. An area of Private Open Space is to be provided which:
 - i. Is located at ground level;
 - ii. Has a minimum dimension of 4m x 5m;
 - iii. Is not steeper than 1 in 20;
 - iv. Is directly accessible from a main living area; and
 - v. May include a covered patio area.
- 2. The private open space is to be located at the rear of the property and/or behind the building line established by the front setback.
- 3. Private open space is to be provided for all dwellings.
- 4. For an attached dual occupancy in a duplex configuration (one dwelling above another) private open space for the upper dwelling is to be provided in the form of a balcony with a minimum area of 12m² and minimum depth of 2.5m. This form of private open space is to be oriented towards the primary or secondary street.
- 5. Private open space is to be located so as to maximise solar access.
- 6. Private open space is to be designed to minimise adverse impacts upon the privacy of the occupants of adjacent sites and within the proposed development.

11. Landscaping

Objectives

- (a) Enhance the existing streetscape.
- (b) Enhance the quality and amenity of the built form by reducing the visual and environmental impacts of buildings, structures and hardstand areas.
- (c) Provide privacy and shade.
- (d) Minimise the extent of hard paved areas and facilitate rainwater infiltration to the water table.

- (e) Preserve and enhance native wildlife populations and habitat through appropriate planting of indigenous vegetation.
- (f) Retain and provide for mature vegetation and the healthy growth of canopy trees, particularly large and medium sized trees.
- (g) Provide continuous vegetation corridors.
- (h) Protect existing natural rock outcrops.

Controls

1. Landscaped area for dual occupancies (has the same meaning as the Georges River LEP 2021) is to be provided in accordance with the table contained within *Clause 6.12 Landscaped areas in certain residential and conservation zones* of the GRLEP 2021.
2. Soft soil landscaping is to be provided in all landscaped areas as required by the GRLEP 2021 and must have a minimum dimension of 1.2m in all directions. Existing natural rock outcrops can be counted towards the calculation of soft soil landscaping.
3. To provide a landscape setting within the primary and secondary street frontages, impervious paved areas are to be minimised. Impervious areas include hard paving, gravel, concrete, artificial turf, rock gardens (excluding natural rock outcrops) and other material that does not permit soft soil landscaping.
4. Impervious areas are to occupy no more than:
 - (i) 70% of the street setback area where the front setback is less than 6m, or
 - (ii) 65% of the street setback area where the front setback is 6m or greater, or
 - (iii) 60% of the primary street setback area on corner allotments.
5. The front setback area is to have an area where at least one (1) tree capable of achieving a minimum mature height of 6-8m with a spreading canopy can be accommodated. A schedule of appropriate species is provided in Council's Tree Management Policy.
6. Preference is to be given to incorporating locally indigenous plants.

12. Materials, Colour Schemes and Details

Objectives

- (a) To ensure that the choice of external materials, colour schemes and building details in new development and existing houses where visible from a public place, reinforces and enhances any identifiable visual cohesiveness or special qualities evident in the street and the locality.

Controls

1. No large expansive surfaces of predominantly white, light or primary colours would dominate the streetscape or other vista should be used.
2. New development should incorporate colour schemes that have a hue and tonal relationship with the predominant colour schemes found in the street.
3. Matching buildings in a row should be finished in the same colour or have a tonal relationship.
4. All materials and finishes utilised should have low reflectivity.

13. Site Facilities

Objectives

- (a) Ensure adequate provision is made for site facilities to support residential occupation of dual occupancy development.
- (b) Ensure that services do not detract from the amenity of neighbourhoods and streets.
- (c) Facilitate a safe, efficient and comfortable living environment.
- (d) Ensure site utilities are accessible, visually unobtrusive and require minimal maintenance.

Controls

1. All dwellings are to be provided with adequate and practical internal and external storage (garage, garden sheds, etc.).
2. Provision for water, sewerage and stormwater drainage for the site shall be nominated on the plans to Council's satisfaction.
3. Each dwelling must provide adequate space for the storage of garbage and recycling bins (a space of at least 3m x 1m per dwelling must be provided) and are not to be located within the front setback.
4. Letterboxes are to be located on the frontage where the address has been allocated in accordance with Australia Post requirements.

6.1.4 Narrow Lot Housing – Bellevue Estate

The following provisions apply to nominated sites within Bellevue Estate, which is bounded by Bellevue Parade, Russell Lane, Buraneer Close and First Avenue. The nominated Narrow Lot sites are shown on the following plan:



Figure 11: Map of nominated narrow lot sites

Where applicable, the specific controls of this Part override any other similar provisions of the DCP. Where this section is silent on a matter, the general controls within Section 6.1.2 - Single Dwellings of this DCP will apply.

Purpose

This estate contains lots that are significantly smaller than the average allotment in the Georges River LGA (previously Kogarah LGA). Some sites within this estate consist of older dwellings that currently straddle multiple lots. Legally these sites (predominantly only 6m wide) can be redeveloped individually. These controls aim to recognise such constraints and to enable development that is contextually appropriate to the scale and character of the existing subdivision pattern and improve the quality and amenity of housing stock within this area.

Objectives

Ensure that good design outcomes and a high level of residential, for both future residents and adjoining neighbours, is achieved.

1. Building Scale

Objectives

- (a) Provide buildings that are proportionate to the existing subdivision pattern and ensure appropriate bulk and scale.

Controls

1. The maximum number of dwellings that may be attached (nil setbacks) is two (2) so as to break up development and minimise bulk.

2. Building Height

Objectives

- (a) Provide consistent and well scaled dwellings and minimise shadowing impacts to adjoining properties.

Controls

1. The maximum permitted number of storeys at any point is two (2).
2. The maximum permitted ceiling height is 6.5m to the underside of the ceiling. This wall height will minimise overshadowing impacts on adjoining properties, which is more substantial due to narrow property widths.
3. Pitched roof forms are strongly encouraged within this area to ensure wall heights are not excessive in relation to property widths.

3. Setbacks

Objectives

- (a) Ensure consistency with the established character and rhythm of built elements in the streetscape by providing adequate separation between buildings and front setbacks.

Controls

1. The ground floor must be setback a minimum of 5.5m from the front boundary. This would enable one (1) car to stand in the driveway.
2. The first floor must have a minimum front setback of 7.5m to relieve the front façade of bulk and create articulation and variety.
3. Dwellings must be setback 1m from the boundary on one side and a nil setback is permitted on the other where it forms part of a multiple lot development application.
4. Dwellings must be setback 1m on both sides where developed individually.
5. Where courtyards are required, dwellings must be positioned a minimum of 2m from the side boundary at both ground and first floor.
6. The ground floor must be setback 13m from the rear boundary to provide opportunity for adequate private open space.
7. The first floor must be setback 15m from the rear boundary to minimise overshadowing and the impact of a long side elevation as viewed from adjoining properties.
8. Where utilising rear lane access, garage setbacks to the lane must be consistent with adjoining garages.

4. Parking / Access

Objectives

- (a) Encourage parking provision relative to lot sizes.

Controls

1. One (1) garage space must be provided. A reduced rate of parking is permitted to reflect the smaller site areas and encourage a lower rate of car usage.
2. Where there is no lane to the rear, garaging must be incorporated within the dwelling (see **Figure 12**).
3. If more than one (1) space is required, the space must be tandem with only a single garage door presenting to the street.
4. The front setback must allow for a car to stand in the driveway so as not to force parking onto the street (minimum 5.5m).

5. Where properties adjoin Burraneer Close to the rear, vehicular access must be via the laneway. Garaging of this nature must be detached from the dwelling and have a maximum floor to ceiling height of 3m.

5. Courtyards

Objectives

- (a) Create courtyards that provide light and ventilation whilst maintaining privacy.

Controls

1. Courtyards are to be incorporated to break up continuous side elevations, provide light wells, ventilation and alternative opportunities for glazing.
2. The maximum length of any wall is 10m. Walls longer than 10m should be articulated by a minimum 300mm projection or indentation in the elevation.
3. For individual dwellings, a courtyard must be located along the setback elevation (see **Figure 12**).
4. For attached dwellings, courtyards are to be provided along both setback elevations (see **Figure 12**).
5. The minimum size required for courtyards is 2m (deep) x 4m (wide).
6. Courtyards are to be offset from courtyards / open space on adjoining properties to maximise privacy.

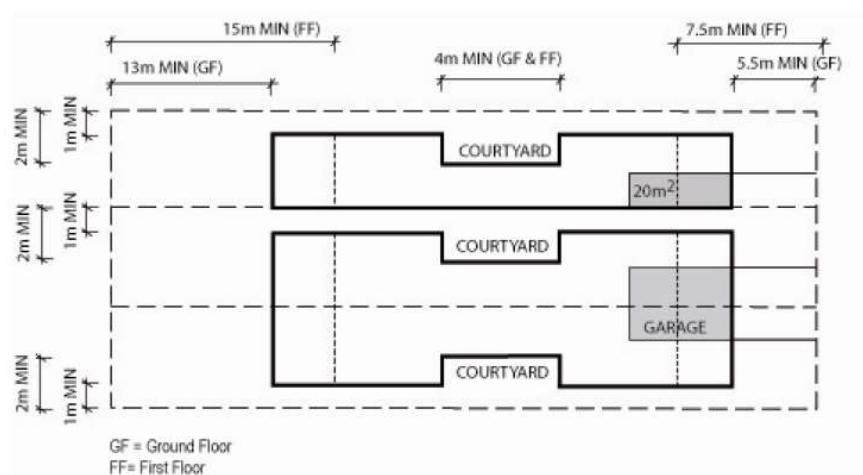


Figure 12: Narrow lot housing setbacks

6. Privacy

Objectives

- (a) Minimise detrimental privacy and noise impacts to adjoining properties.

Controls

1. The maximum permitted width for rear elevated balconies is 2m. This width is 0.5m less than normally permitted as the 3m setback to the side boundary is not required (or practical).
2. Privacy screens are required along the side of balconies to minimise direct overlooking.
3. Window glazing is to be concentrated to front and rear elevations so as to maximise privacy to adjoining properties.
4. In some instances, first floor glazing alongside elevations must be highlight or obscured to prevent direct overlooking.

7. Common Walls

Objectives

- (a) Ensure that developments with a common wall are structurally sound.

Controls

1. Where it is proposed that dwellings share a common wall, a reciprocating easement for support must be placed on each property title adjacent to the position of a common boundary at the common wall.

6.1.5 Narrow Lot Housing – Kemps Estate (6.5m or less)

This Part applies to development for the purposes of a Dwelling House on a small lot (having a width of less than 6.5m), including alterations or additions, including all Dwelling Houses within Kemps Estate, Mortdale (refer **Figure 13** below). **Appendix 7** provides a history of Kemps Estate and its significance to the Georges River Local Government Area.



Figure 13: Kemps Estate

Houses on standard lots (having a width of 6.5m or greater) or outside Kemps Estate, Mortdale will be assessed against the requirements of Section 6.1.2 – Single Dwellings of this DCP.

Objectives

- Ensure consistency with low density, suburban environments.
- Ensure dwelling houses have proportioned facades that are appropriately scaled for narrow allotments and emphasise vertical elements.
- Protect the natural scenic landscape qualities of sensitive areas such as the Georges River foreshore.
- Contribute to the creation of attractive, human scale streetscapes.
- Promote an attractive, comfortable, safe and active public domain.
- Maintain a high level of amenity for adjoining residential development.

- (g) Create a high amenity living environment.
- (h) Achieve a high level of environmental performance.

1. Neighbourhood Character

Objectives

Development is sited and designed to respect existing neighbourhood and streetscape character, including being responsive to:

- (a) The pattern of development of the neighbourhood, including elements that shape the streetscape such as the relationship and interface between the public and private domain.
- (b) The built form, scale and character of surrounding development including height, setbacks, front fencing, roofs and the location and proportions of private open space.
- (c) Notable natural features of the site, including topography and vegetation.

Controls

1. The development application is supported by a Statement of Environmental Effects that:
 - a. Includes a satisfactory neighbourhood and site description, including the identification of the key features of the neighbourhood and site.
 - b. Shows how the siting and design response derives from and responds to the key features identified in the neighbourhood and site description.
 - c. Demonstrates that the residential development proposal respects the existing or preferred neighbourhood character and satisfies objectives of the zone in the GRLEP 2021.
2. The development requirements in **Table 1** are to be complied with. The Statement of Environmental Effects is to indicate how the design applies.

2. Building Height

Objectives

Building height:

- (a) Is compatible with the existing or desired future character of the area.
- (b) Creates low rise streetscapes predominantly comprising buildings of up to two storeys that are surrounded by landscaped open space.
- (c) Is compatible with the scenic qualities of hillside or ridgetop locations and with existing or desired future streetscape character.
- (d) Respects the site's natural topography.

- (e) Creates function and high amenity internal spaces.
- (f) Enables adequate solar access to the main living areas and principal private open space to the development and adjoining sites.
- (g) Facilitates penetration of desirable natural breezes.
- (h) Facilitate view sharing while not restricting the reasonable development of the site.

Controls

1. The minimum floor to ceiling height is 2.4m.
2. Minimum floor to ceiling height of habitable roof space (if proposed) is 1.7m.

3. Setbacks

Objectives

Setbacks:

- (a) Are compatible with predominant patterns of buildings and gardens that define the existing and desired character of the neighbourhood.
- (b) Engage with and activate the street.
- (c) Reduce the appearance of building bulk.
- (d) Enable adequate solar access to the main living areas and principal private open space.
- (e) Facilitate penetration of desirable natural breezes.
- (f) Achieve adequate visual privacy.
- (g) Minimise noise transmission.
- (h) Facilitate view sharing.
- (i) Create deep soil areas that are sufficient to conserve existing trees or accommodate intensive new landscaping.

Controls

1. Minimum setback from the primary street boundary is:
 - i. 4.5m to the main building face;
 - ii. 5.5m to a garage or other roofed car parking structure;
 - or
 - iii. Within 20% of the average setback of dwellings on adjoining lots.

2. Minimum side boundary setbacks are in accordance with **Table 1**.
3. Unless specified otherwise in **Table 1**, minimum rear boundary setbacks are:
 - i. 3m to the ground storey.
 - ii. 6m to any other storey.
4. For battle-axe lots, minimum side boundary setbacks apply to all boundaries.

4. Facades

Objectives

Facades:

- (a) Reduce the appearance of building scale and bulk.
- (b) Facilitate engagement with and activation of open space in the street.
- (c) Achieve a high level of design and architectural quality.

Controls

1. The dwelling house has a front door or window to a habitable room facing the primary street frontage.
2. The dwelling house incorporates at least two of the following building elements facing any street frontage:
 - i. Entry feature or portico.
 - ii. Awnings or other features over windows.
 - iii. Eaves and sun shading.
 - iv. Window Planter box treatment.
 - v. Bay windows or similar features.
 - vi. Wall offsets, balconies, verandas, pergolas and the like.

5. Solar Access

Objectives

- (a) Development ensures an appropriate amount of solar access to main living areas and areas of principal private open space within the site and adjoining sites.

Controls

1. Development allows for at least 3 hours of sunlight on the windows of main living areas and adjoining principal private open space of adjacent dwellings between 9:00am and 3:00pm on 22 June.

***Note:** Variations will be considered for developments that comply with all other requirements but are located on sites with an east-west orientation or steeply sloping sites with a southerly orientation away from the street.*

2. Development to comply with BASIX requirements.
3. Buildings are encouraged to incorporate window shading devices where necessary to minimise exposure to direct summer sun. Alternatively, windows may be shaded by the planting of large trees, including deciduous species. Refer to **Figure 14** below.

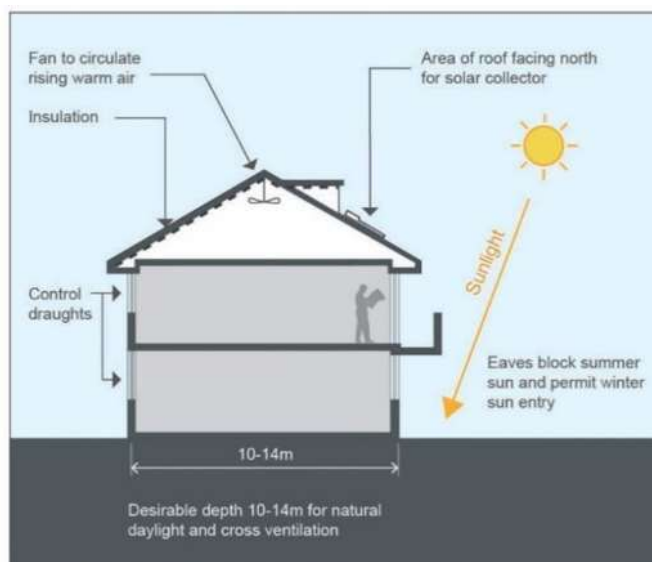


Figure 14: Passive solar design

8. Consider and minimise overshadowing impacts on the solar photovoltaic panels of neighbouring buildings where a variation to the building setbacks or number of storeys is sought.

6. Visual Privacy

Objectives

- (a) Development minimises direct overlooking between main living areas and areas of principal private open space within the site and adjoining sites.

Controls

1. The main windows and balconies of a dwelling are directed toward the front and rear of a site.
2. Windows are not located directly opposite each other.
3. Where windows and balconies cannot be off-set, they are separated by sufficient distance, screened or contain frosted glass or other suitable material.
4. Dormer windows are no wider than 1.5m and are proportional to the roof-scape.
5. First floor balconies located at the rear of dwellings incorporate fin walls or privacy screens on the side.
6. Where privacy screens are used, they are not to be higher than 1.8m and are compatible with the building design.

7. Noise

Objectives

- (a) Habitable rooms, in particular bedrooms, are not subject to unreasonable noise.

Controls

1. Dwellings must be designed so that the internal noise level from outside sources does not exceed the parameters established by the NSW Environment Protection Authority (EPA).
2. Habitable rooms located within 60m of a railway or facing a classified major road satisfy the acoustic criteria contained within the NSW Government's *Development Near Rail Corridors and Busy Roads – Interim Guideline* (2008), or most recent version.

8. Vehicle Access, Parking and Manoeuvring

Objectives

- (a) Vehicle access, parking and manoeuvring is provided on site and:
 - i. Caters for the needs of residents and visitors.
 - ii. Does not visually dominate the streetscape.
 - iii. Enables the safe and efficient movement of vehicles and pedestrians.

Controls

1. Each dwelling is to provide one (1) garage and one (1) driveway space (unless otherwise provided for the in the building envelope).
2. Garages are to be located a minimum 5.5m from the front property alignment and are recessed a minimum 300mm into the front façade of the building.
3. Carport designs complement the appearance and style of the dwelling.
4. Carport roofs are consistent with the roof pitch of the dwelling house.
5. Carports are designed to appear as lightweight elements of the site, and do not visually dominate the streetscape.
6. On corner sites garages are located at the rear of the site facing the secondary street.
7. Where possible, balconies or roof space is to be placed over garages.
8. Driveways have a minimum width of 3m.
9. Attached dwellings (apart from those on a corner) share the same gutter crossing.
10. Gutter crossings preserve existing street trees.
11. Where possible, internal access from the garage for the movement of furniture is provided, particularly when entry corridors are narrow.
12. Internal driveway grades are in accordance with AS – 2890.1

9. Landscaping and Private Open Space

Objectives

Landscaped open space is provided on site and:

- (a) Develops a building setting that encourages visual privacy between properties.
- (b) Provides sufficient and usable private open space in the rear or side yard for the recreational needs of residents and landscape amenity to dwellings.
- (c) Requires new development to integrate and blend into the existing streetscape and neighbourhood character.
- (d) Ensures that new development does not result in excessive excavation and protects any natural rock formations, cliffs, canopy vegetation, or any other significant vegetation on the subject land or adjoining land.
- (e) Ensures that new development provides areas for deep soil landscaping catering for indigenous native plants and animals.
- (f) Contributes to water and stormwater efficiency by integrating landscape design with water and stormwater management to reduce stormwater runoff.

Controls

1. Landscaped area for single dwellings (as defined in the GRLEP 2021) is to be provided in accordance with the table contained within *Clause 6.12 Landscaped areas in certain residential and environmental protection zones* of the GRLEP 2021.
2. Principal private open space:
 - i. is provided at ground level
 - ii. has a minimum dimension of 4m x 5m
 - iii. is not steeper than 1 in 20
 - iv. is directly accessible from a main living area


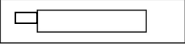

10. Site Utilities

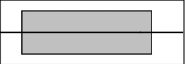
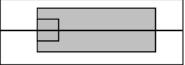
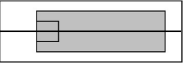
Controls

1. All dwellings are to be provided with adequate and practical internal and external storage (garage, garden sheds, etc.).
2. Provision for water, sewerage and stormwater drainage for the site shall be nominated on the plans to Council's satisfaction.
3. Each dwelling must provide adequate space for the storage of garbage and recycling bins (a space of at least 3m x 1m per dwelling must be provided) and are not to be located within the front setback.
4. Letterboxes are to be located on the frontage where the address has been allocated in accordance with Australia Post requirements.

Building Envelope Summary Table (Table 1)

The building envelopes for eight (8) small lot development options are illustrated on the following pages. This part should be read in conjunction with the Development Requirements in Section 6.1.5 - Narrow Lot Housing – Kemps Estate (6.5m or less) of this DCP.

Building Envelopes – Summary Table								
Option	Footprint (indicative only – not to scale)	Housing Type	Front setback (min.)	Rear setback (min.)	Side setback	Max. external wall height	Max. rec. roof pitch	Parking
1 6m frontage		Existing single dwelling with rear single storey addition	4.5m to the main building face 5.5m to a garage or other roofed car parking structure Within 20% of the average setback of dwellings on adjoining lots	3m	900mm	Existing	Existing	Carport / car space
2 6m frontage		Existing cottage with first floor addition or new 2 storey detached	4.5m to the main building faced 5.5m to a garage or other roofed car parking structure Within 20% of the average setback of dwellings on adjoining lots	3m (ground level) and 6m (second level)	Existing or 900mm for a new dwelling	Existing or 6m for new	Existing or 35° for a new dwelling	Existing – carport New garage
3 6m frontage		1 storey detached	4.5m to the main building face 5.5m to a garage or other roofed car parking structure Within 20% of the average	3m	900mm	3m	35°	Carport

Building Envelopes – Summary Table								
Option	Footprint (indicative only – not to scale)	Housing Type	Front setback (min.)	Rear setback (min.)	Side setback	Max. external wall height	Max. rec. roof pitch	Parking
			setback of dwellings on adjoining lots					
4 2 x 6m frontage		1 storey semi- detached	4.5m to the main building face 5.5m to a garage or other roofed car parking structure Within 20% of the average setback of dwellings on adjoining lots	3m	900mm	3m	35°	Carport or garage
5 2 x 6m frontage		1 storey + habitable roof space	4.5m to the main building face 5.5m to a garage or other roofed carparking structure Within 20% of the average setback of dwellings on adjoining lots	3m (ground level) and 6m (second level)	Ground floor 900mm, upper level walls 1.8m	3.7m	35°	Garage
6 2 x 6m frontage		2 storey attached	4.5m to the main building face 5.5m to a garage or other roofed carparking structure Within 20% of the average setback of dwellings on adjoining lots	3m (ground level) and 6m (second level)	900mm	6m	35°	Garage

Building Envelopes – Summary Table								
Option	Footprint (indicative only – not to scale)	Housing Type	Front setback (min.)	Rear setback (min.)	Side setback	Max. external wall height	Max. rec. roof pitch	Parking
7a 3 x 6m frontage		Two 2 storey attached dwellings, and one 2 storey dwelling.	4.5m to the main building face 5.5m to a garage or other roofed car parking structure Within 20% of the average setback of dwellings on adjoining lots	3m (ground level) and 6m (second level)	900mm	6m	35°	Garage
7b 3 x 6m frontage		Two 1.5 storey attached dwellings and one 1.5 storey dwelling	4.5m to the main building face 5.5m to a garage or other roofed car parking structure Within 20% of the average setback of dwellings on adjoining lots	3m (ground level) and 6m (second level)	Ground Floor 900mm, upper level walls 1.8m	3.7m	35°	Garage
7c 3 x 6m frontage		Two attached 1 storey dwellings and one attached 1 storey dwelling	4.5m to the main building face 5.5m to a garage or other roofed car parking structure Within 20% of the average setback of dwellings on adjoining lots	3m	900mm and nil internal side setback for the detached dwelling	3m	35°	Garage or carport


Building Envelopes – Summary Table								
Option	Footprint (indicative only – not to scale)	Housing Type	Front setback (min.)	Rear setback (min.)	Side setback	Max. external wall height	Max. rec. roof pitch	Parking
Dwelling House Options To ensure consistency of form and setbacks in Kemps Estate, an envelope has been prepared that applies to a single dwelling on standard allotment. The controls detailed below override controls in Section 6.1.2 - Single Dwellings of this DCP, however development must comply with Section 6.1.2 in every other respect.								
8 12m frontage		1 storey detached	5.5m	3m	900mm	3m	35°	Garage
		1 storey detached plus habitable roof	5.5m	3m (ground level) and 6m (second level)	Ground floor 900mm, upper level walls 1.8m	3.7m	35°	Garage
		2 storey detached	5.5m	3m (ground level) and 6m (second level)	1.5m	6m	35°	Garage
Note: Reference to 6m or 12m frontage is approximate only. For example, frontage may be about 6.1m wide.								

Table 1: Building Envelope Summary Table

Attachment 1 - Progress Against LSPS Actions 2024

Themes	Planning Priority	Action	Progress Update October 2023	Status
Access and Movement	Planning Priority 1. We have a range of frequent, efficient transport options to connect people, goods, services, businesses and educational facilities	<p>A1. Advocate to the NSW Government to:</p> <ul style="list-style-type: none"> Alleviate the current and future congestion on the T4 and T8 train lines Provide express train services at Kogarah during peak hours Investigate feasibility of 24 hour rail services between metropolitan and strategic centres to accommodate shift workers Investigate a new on/off ramp to the M5 Motorway to improve access to Western Sydney at Kingsgrove Prioritise the Parramatta to Kogarah mass transit/train link as a rail link between the T4 and T8 lines (10-20 years) Extend the South East mass transit train link between Randwick and Miranda (20 years+) Deliver a new train/mass transit link from Macquarie Park to Hurstville via Rhodes (20 years+) 	<p>Council has delivered a range of Advocacy Actions across 2022/2023. Some of these actions include a Greater Cities Commission submission lodged by Council on the Six Cities Region Discussion Paper, continued promotion of Kogarah's investment opportunities, the delivery of the Lunar New Year event and ongoing relationship with key stakeholders. These actions have been guided by the Council adopted "Advocacy Priorities 2021/22". Council will address these priorities through a range of strategies, including direct lobbying of decision makers, making effective submissions to Federal and State governments, ongoing community consultation, engagement and media campaigns.</p> <p>A new Advocacy Action Plan 2023/24 is currently being developed to guide Council's advocacy actions and report on impact via a new Advocacy Register. Advocacy actions in the LSPS will be considered as part of this process.</p>	Ongoing.
Access and Movement	Planning Priority 1. We have a range of frequent, efficient transport options to connect people, goods, services, businesses and educational facilities	<p>A2. Collaborate with the NSW Government to:</p> <ul style="list-style-type: none"> Work with other councils in the South District to identify and agree on the most strategic and beneficial Stage 2 F6 extension corridor for the District Regularly monitor and improve the transport corridors from Kingsgrove and Kogarah to Sydney CBD, Sydney Airport and Port Botany Protect the efficacy of current and future freight corridors Regularly monitor and explore options to alleviate current and 	<p>Council is currently focused on increasing the pedestrian focus of the Riverwood Town Centre and is also advocating for infrastructure planning and support as a result of the Riverwood Planned Precinct within the Canterbury/ Bankstown Local Government Area (LGA).</p> <p>Council is working with Transport for NSW to manage road widening projects, clear ways and active transport corridors.</p> <p>In the past 6 months, Council Officers contributed to the development of the Central City</p>	Ongoing.

Themes	Planning Priority	Action	Progress Update October 2023	Status
		<p>future congestion on the Princes Highway and King Georges Road</p> <ul style="list-style-type: none"> As part of the Riverwood Planned Precinct: <ul style="list-style-type: none"> Prioritise and identify a preferred corridor for a public and active transport linkage between the T4 and T8 train lines as part of the Riverwood Planned Precinct process and/or as part of the Parramatta to Bankstown to Hurstville/Kogarah rapid bus link investigation Consider cumulative impacts on the local road network surrounding Riverwood and incorporate observed and potential increased parking rates as part of the Riverwood Planned Precinct TMAP Explore options for additional express train services at Riverwood during peak hours as part of the Planned Precinct process Consider the LGA's planned growth precincts in determining the southern alignment of the Central City Strategic Road Corridor, North Connex to Southern Sydney (20 years+) Once committed and funded, identify land to be reserved in future LEPs to deliver longer-term train/mass transit and/or road corridors Explore options for 24 hour bus lanes and/or T3 transit lanes along key corridors 	Strategic Cycle Corridor development and have received over \$800,000 in active transport funding.	

Themes	Planning Priority	Action	Progress Update October 2023	Status
Access and Movement	Planning Priority 2. Everyone can navigate and experience the LGA in safety	A3. Prepare a LGA-wide Transport Strategy for all modes of transport, including active transport with a focus on: <ul style="list-style-type: none"> •Connecting neighbourhoods and centres • Improving external connections • Access to proposed growth precincts • Managing local, district and regional freight routes 	Council has prepared the Georges River Transport Strategy 2021. The Strategy provides policy and directives for Council to enhance existing transport networks and plan for increased transport demand. Council adopted the Strategy at its meeting on 25 October 2021.	Completed.
Access and Movement	Planning Priority 2. Everyone can navigate and experience the LGA in safety	A4. Prepare a TMAP for the Kogarah Collaboration Area	No funding was available in FY21/22, FY 22/23 and FY23/24 budgets.	Yet to commence.
Access and Movement	Planning Priority 2. Everyone can navigate and experience the LGA in safety	A5. Collaborate with the NSW Government to deliver a cycleway along the T4 and T8 lines	Council is currently focused on increasing the pedestrian focus of the Riverwood Town Centre. Council Officers have contributed to the development of the Central City Strategic Cycle Corridor development and have received over \$800,000 in active transport funding.	Ongoing.
Access and Movement	Planning Priority 2. Everyone can navigate and experience the LGA in safety	A6. Collaborate with the NSW Government for safe crossings over King Georges Road, especially at Beverly Hills	As part of the commuter car park development, State Government project, Council Officers continue to advocate for safe crossing points in Beverly Hills which support access to Beverly Hills Station in particular. Improved pedestrian crossings are also being considered as part of the revised draft Beverly Hills Town Centre Master Plan.	Ongoing.

Themes	Planning Priority	Action	Progress Update October 2023	Status
Access and Movement	Planning Priority 2. Everyone can navigate and experience the LGA in safety	A7. Collaborate with the State Government in future investigations regarding the routes for the potential mass transit links to Parramatta and Macquarie Park	River Rail Kogarah to Parramatta corridor preservation noted in the State Infrastructure Strategy 2022-2042 prepared by Infrastructure NSW.	Ongoing.
Access and Movement	Planning Priority 3. Roads, footpaths and cycleways are safe, accessible and free of congestion	A8. Prepare a PAMP for key centres that incorporates safe pedestrian movements	In September 2023 Council approved grant funding of \$2,836,000 to deliver traffic facility upgrades in the Riverwood Town Centre. The funding has been allocated to the Riverwood Town Centre to install a 40km/hour High Pedestrian Activity Area (HPAA). The project will involve the design and construction of various traffic facilities to control the movement and speed of traffic in the Riverwood Town Centre.	Ongoing.
Access and Movement	Planning Priority 3. Roads, footpaths and cycleways are safe, accessible and free of congestion	A9. Advocate to the NSW Government for additional bus stops and routes across the LGA, particularly where growth is proposed	Council is currently undertaking an audit of all existing bus routes. This work will focus on Disability Discrimination Act compliance and understanding the most frequented routes to help future planning.	Ongoing
Access and Movement	Planning Priority 3. Roads, footpaths and cycleways are safe, accessible and free of congestion	A10. Advocate to the NSW Government to investigate on-demand bus services in the south east and south west of the LGA	The advocacy and collaboration with NSW government will commence when growth in areas that require on-demand bus services is proposed.	Ongoing.
Access and Movement	Planning Priority 3. Roads, footpaths and cycleways are safe, accessible and free of congestion	A11. Provide for kiss and ride drop off/pick up zones at stations, major bus interchanges, hospitals and schools as they are renewed	This is an ongoing program of updates and renewals across the traffic and transport program. Specifically, Council's Traffic and Transport team have implemented a school safety program to be proactive in this space. The Kogarah Cluster of schools is the first target area.	Ongoing.

Themes	Planning Priority	Action	Progress Update October 2023	Status
Access and Movement	Planning Priority 3. Roads, footpaths and cycleways are safe, accessible and free of congestion	A12. Provide controls for the provision of facilities to support the operation of car and ride sharing in high density residential and commercial centres in Council's Development Control Plan (DCP) 2020	Controls for the provision of facilities to support the operation of car and ride sharing in high density residential and commercial centres have been incorporated into the Georges River DCP 2021. The DCP became effective in October 2021.	Completed.
Access and Movement	Planning Priority 3. Roads, footpaths and cycleways are safe, accessible and free of congestion	A13. Provide provisions that encourage people to walk or cycle around local neighbourhoods in Council's DCP 2020	Provisions to encourage people to walk or cycle around local neighbourhoods have been incorporated into the Georges River DCP 2021. This includes through site links, improved public domain and widening of roads to provide for footpaths. The DCP became effective in October 2021.	Completed.
Access and Movement	Planning Priority 3. Roads, footpaths and cycleways are safe, accessible and free of congestion	A14. Collaborate with the NSW Government to deliver additional multi-use commuter car parking at train stations to encourage public transport use, such as Beverly Hills	<p>TfNSW acquired the Edgbaston Road car park from Council for the construction of a future multi storey commuter car park has been completed.</p> <p>In May 2022, Transport for NSW approved the multi storey 200 space commuter car park located at Edgbaston Road approximately 70m southwest of Beverly Hills Station. The car park is scheduled to be completed by the end of 2024.</p>	Ongoing.
Access and Movement	Planning Priority 3. Roads, footpaths and cycleways are safe, accessible and free of congestion	A15. Require travel plans for all major new development and businesses in Council's DCP 2020	Council has included controls in the Georges River DCP 2021 to require development to reduce car dependence through the provision of end of trip facilities, bicycle parking, car share and small vehicle parking spaces, electric vehicle charging stations and green travel plans. The DCP became effective in October 2021.	Completed.
Access and Movement	Planning Priority 3. Roads, footpaths and cycleways are safe, accessible and free of congestion	A16. Develop design standards in DCP 2020 to accommodate emergency and service vehicles access to medium and high density development	Council has included controls in the Georges River DCP 2021 to address emergency and service vehicles access to medium and high density development. The DCP became effective in October 2021.	Completed.

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Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A17. Adopt a policy statement that zoning changes will be contingent on the existing or suitable infrastructure provision and services	Council endorsed its Local Housing Strategy in August 2020. The Strategy sets a clear plan for the provision of housing in the Georges River LGA over the next 10 and 20 years. The Strategy provides the link between Council's vision for housing, and the Actions of the South District Plan and Local Strategic Planning Statement (LSPS). Objective 2 - Coordinate growth with infrastructure and the 7 associated actions set a clear policy statement that zoning changes will be contingent on the existing or suitable infrastructure provision and services.	Completed.
Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A18. Investigate appropriate infrastructure funding options where there is an uplift in density	Council endorsed its Local Housing Strategy in August 2020. The Strategy sets a clear plan for the provision of housing in the Georges River LGA over the next 10 and 20 years. The Strategy provides the link between Council's vision for housing, and the Actions of the South District Plan and Local Strategic Planning Statement (LSPS). Objective 2 - Coordinate growth with infrastructure and the 7 associated actions set a clear direction that Council needs to investigate appropriate infrastructure funding options where there is an uplift in density.	Completed.

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Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A19. Review plans and policies relating to the following sections of the Environmental Planning and Assessment Act 1979 (EP&A Act): • Section 7.4 Planning agreements • Section 7.11 Contribution towards provision or improvement of amenities or services and • Section 7.12 Fixed development consent levies	Council's new Local Infrastructure Contributions Plan 2021 (Section 7.11 and Section 7.12) came into effect on 1 December 2021. With respect to the VPA actions a comprehensive review of the Georges River Planning Agreements Policy 2016 has been undertaken to strengthen the Policy in line with best practice and has addressed a number of Notices of Motion by the Council and the audit recommendations. The draft amendments to the Policy were reported to the Environment and Planning Committee meeting on 9 March 2020 and to Council on 20 April 2020. The draft Policy was on public exhibition from Wednesday 3 June 2020 to 3 July 2020. Council resolved at its meeting on 28 September 2020 to defer adoption of the GRC Planning Agreements Policy for further work. A Councillor Briefing was to be held in April 2021 but was deferred due to the issues and requirements within the Practice Note on Planning Agreements issued February 2021. This Practice Note meant that the VPA review and draft document was required to be revisited and this did not commence until FY22/23. Consultants were appointed who have worked with officers to prepare a revised draft Policy. Council was briefed on the VPA process and the work to date on the VPA Policy review on 19 June 2023. The draft Policy will be presented to Council in Q3.	Ongoing
Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A20. Implement a Memorandum of Understanding (MOU) between Council and the NSW Government for shared community and recreation facilities	A MoU has been established and Council is working with the State Government on a case by case basis to support increasing open space access for both passive and active usage. As part of the State Infrastructure NSW Asset Activations program (Department of Education Share our Space), Council	Completed.

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			is investigating activating school premises in the LGA for events.	
Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A21. Advocate to the NSW Government to provide expanded and new education facilities to meet demand, particularly in new housing investigation areas	Council is advocating for infrastructure planning and support to new housing precincts, particularly the Riverwood planned precinct within the Canterbury/ Bankstown LGA.	Ongoing.
Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A22. Explore a District-wide and holistic approach to funding delivery and maintenance of social, asset and recreational infrastructure	<p>The Interim Community Property Strategy 2020-2023 was adopted by Council on 23 November 2020. As part of the Interim Community Property Strategy 2020-2023, innovative funding models and strategic partnerships are explored as a way of delivering asset enhancement and ensure that the property portfolio is well planned to meet the growing needs of the community.</p> <p>Council resolved on 27 March 2023 to enter into a licence agreement with the Nepalese Australian Association (NAA) for a 10 year period under a shared (hybrid) operating model at the former Peakhurst Scout Hall, located at 7A Hedley Street, Riverwood.</p> <p>In June 2023, the NAA advised Council of their acceptance of the licence terms in accordance with Council's resolution of 27 March 2023.</p>	Ongoing.

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Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A23. Provide shade in new and upgraded outdoor Council community and recreation facilities	Council assesses and implements shade infrastructure in community and recreation facilities where required.	Ongoing.
Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A24. Collaborate with adjoining councils on potential infrastructure upgrades in places like Riverwood Planned Precinct, Kogarah Health and Education Precinct, Ramsgate, Narwee and Kingsgrove	There was no budget in FY22/23 to do any master planning work for Riverwood Planned Precinct, Kogarah Health and Education Precinct, Ramsgate, Narwee and Kingsgrove. No budget has been allocated for FY23/24.	Yet to commence.
Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A25. Develop the Hurstville Civic Precinct as the regional cultural hub with premier library, community, performance, museum and gallery facilities	Council resolved on 26 June 2023 to endorse the Planning Proposal for the Hurstville Civic Centre Precinct (subject to amendments outlined in the report) and that it be forwarded to the then Department of Planning and Environment (DPE) for gazettal. An amended Planning Proposal and supporting documents were sent to the then DPE on 4 July 2023 requesting gazettal. The Planning Proposal was gazetted on 27 October 2023.	Completed.
Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A26. Consolidate Netstrata Jubilee Stadium as a regional sporting and entertainment hub, a premier sporting precinct with a range of recreation and entertainment options	A Plan of Management (PoM) for Jubilee Stadium commenced in the FY23/24. Preliminary consultation on the PoM occurred through Council's 'Your Say' webpage with the exhibition from 18 December 2023 to 25 January 2024. The consultation for Jubilee Stadium Precinct Plan of Management has been extended to 1 March 2024.	Ongoing

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Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A27. Create the new Penshurst Park regional sporting hub including the LGA's premier aquatic and indoor recreation facility	Stage 2 of the Penshurst Park Sporting Hub project has been completed. Investigation and funding opportunities to be identified for further stages. Funding continues to be sought to complete Penshurst Park regional sporting hub.	Ongoing.
Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A28. As part of major redevelopments explore mechanisms and precincts to deliver additional infrastructure including education, cultural sporting and aquatic facilities, public spaces, multi-purpose community hubs	As part of major redevelopments Council explores mechanisms to deliver additional infrastructure including education, cultural sporting and aquatic facilities, public spaces, multi-purpose community hubs.	Ongoing.
Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A29. Investigate the needs of emerging communities around infrastructure and public places	<p>Council resolved on 27 March 2023 to enter into a licence agreement with the Nepalese Australian Association (NAA) for a 10 year period under a shared (hybrid) operating model at the former Peakhurst Scout Hall, located at 7A Hedley Street, Riverwood .</p> <p>In June 2023, the NAA accepted the terms stipulated in the Council resolution. An indicative timeline for the building refurbishment was provided to the NAA in Q1 of 2023/2024.</p> <p>A Project Proposal Submission to refurbish the former Hurstville Early Learning Centre, located at Cross Street, adjacent to Westfield Hurstville, was deferred for 2023/24.</p> <p>An Expression of Interest is currently being prepared for the Sub Lease agreement of the property which will seek submissions from eligible community groups. The Sub Lease agreement will require that the successful tenant be responsible for</p>	Ongoing.

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			the refurbishment/fit out costs of the property.	
Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A30. Collaborate with the NSW Government and State owned corporations to deliver adaptive and flexible enabling infrastructure (energy, gas and water), especially in areas of housing and employment growth	Council will need to collaborate with the NSW Government and State owned corporations when preparing planning proposals for land that has been identified for housing and employment growth to deliver adaptive and flexible enabling infrastructure (energy, gas and water).	Ongoing.
Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A31. Investigate Council and partner opportunities for additional sports grounds, playing fields and aquatic facilities	<p>Stage 2 of the Penshurst Park Sporting Hub project has been completed. Investigation and funding opportunities to be identified for further stages. Funding continues to be sought to complete Penshurst Park regional sporting hub.</p> <p>A MoU has been established and Council is working with State Government on a case by case basis to support increasing open space access for both passive and active usage. As part of the State Infrastructure NSW Asset Activations program (Department of Education Share our Space), Council is investigating activating school premises in the LGA for events.</p> <p>A draft Plan of Management and Master Plan is currently being developed for Carrs Bush Park and Todd Park. Opportunities for sporting facilities will be investigated through the development of the Plans.</p> <p>Working on the implementation of actions from Council's Open Space, Recreation and Community Facilities Strategy 2019-2036. Priorities for these are subject to change pending on the recommendations of the</p>	Ongoing.

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			future Open Space Expansion and Acquisition Plan.	
Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A32. Investigate the use of recyclables in the provision of essential infrastructure such as roads, cycleways and public street furniture	Council trialled the use of recycled glass in our road re-sheet program starting 22/23 and expanded the scoping into 23/24. Council has also expressed interest in participating in a trial to use recycled rubber tyres in our roads.	Ongoing.
Infrastructure and Community	Planning Priority 4. Collaboration supports innovation and delivers infrastructure, services and facilities	A33. Develop a smart streets strategy as part of delivering the vision for vibrant streets (Transport 2056) across the LGA	Not started - no funding allocated.	Yet to commence.
Infrastructure and Community	Planning Priority 5. The community is involved in planning our future	A34. Engage the community on land use, development and infrastructure provision and consider the feedback in decision-making	This action is ongoing. At its meeting on 24 July 2023, Council adopted the Georges River Council Community Engagement Strategy 2023-2032. The Strategy establishes guiding principles to ensure community engagement is purposeful, timely, genuine, inclusive and transparent.	Ongoing.
Infrastructure and Community	Planning Priority 5. The community is involved in planning our future	A35. Report to the community on progress of this LSPS during each Council term	A report to the community on the progress on the actions in the Georges River LSPS was reported to Council in June 2021 and will be reported to Council in February 2024.	Ongoing
Infrastructure and Community	Planning Priority 5. The community is involved in planning our future	A36. Engage the community in the review of this LSPS during each Council term.	Council will be commencing an update to the LSPS in February 2024. Preliminary engagement with Councillors will be undertaken through a series of briefing workshops to introduce the new LSPS and to identify areas for growth on a ward by ward basis. A further report to Council will occur following the briefing workshops to outline the community consultation program which will be undertaken to inform the new LSPS.	Ongoing.

Themes	Planning Priority	Action	Progress Update October 2023	Status
			The community will be consulted to inform new actions in the LSPS, criteria for growth and identify new housing investigation areas.	
Infrastructure and Community	Planning Priority 6. Everyone has access to efficient digital connectivity	A37. Implement Smart Cities pilot in three sites to improve access to digital technology for residents, businesses and visitors	Smart Hubs have been installed in Hurstville, Mortdale and Kogarah. Council will be applying for Smart Places Acceleration funding to allow for more hubs across the LGA.	Completed.
Infrastructure and Community	Planning Priority 6. Everyone has access to efficient digital connectivity	A38. Investigate additional free Wi-Fi and technology solutions in new and upgraded Council facilities and in public places through place-making	Smart Hubs delivered in Hurstville, Mortdale and Kogarah. Additional hubs installed as part of the Riverwood Reconnected project.	Completed.
Infrastructure and Community	Planning Priority 6. Everyone has access to efficient digital connectivity	A39. Prepare a Digital Data Policy for safe data capture, analysis and use to guide Council decisions around its Smart Technology Program and Infrastructure provision	The Digital Data Policy has been prepared and was approved on 27 March 2023.	Completed.
Infrastructure and Community	Planning Priority 6. Everyone has access to efficient digital connectivity	A40. Advocate to the Australian Government for priority access to the NBN	Q1 22-23 NBN deployment across the LGA is complete. City centres have access to high speed broadband. NBN / Telstra have provided coverage maps that show the NBN infrastructure and deployment is complete across the LGA and the rollback of existing copper services is being finalised.	Completed.
Infrastructure and Community	Planning Priority 6. Everyone has access to efficient digital connectivity	A41. Collaborate with the Federal Government and private sector service providers to investigate the demand, opportunities and constraints of telecommunications infrastructure provision across the LGA	NBN deployment across the LGA is complete. City centres have access to high speed broadband. NBN / Telstra have provided coverage maps that show the NBN infrastructure and deployment is complete across the LGA and the rollback of existing copper services is being finalised.	Completed.

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Housing and Neighbourhoods	Planning Priority 7. Residential suburbs will be protected and retained unless identified as areas of change or investigation	A42. Identify the key characteristics of each suburb to be protected and/or retained and incorporate into Council's DCP 2020	Character statements for each suburb within the Georges River LGA have been included in the Georges River DCP 2021. The DCP became effective in October 2021.	Completed.
Housing and Neighbourhoods	Planning Priority 7. Residential suburbs will be protected and retained unless identified as areas of change or investigation	A43. Investigate the provision of additional housing and jobs along new transport links as new infrastructure is committed/funded by the State Government	No new transport links have been earmarked in the short term.	Ongoing.
Housing and Neighbourhoods	Planning Priority 7. Residential suburbs will be protected and retained unless identified as areas of change or investigation	A44. Provide zones and development controls that confine higher density development to centres along public transport corridors in Council's LEPs	Completed for Georges River LEP 2021 which includes the rezoning of the Narwee Housing Investigation Area. This action to provide zones and development controls that confine higher density development to centres along public transport corridors in Council's LEPs will be ongoing.	Completed.
Housing and Neighbourhoods	Planning Priority 8. Place-based development, quality building design and public art deliver liveable places	A45. Incorporate design excellence provisions in Council's LEP 2020 and DCP 2020	Design excellence provisions and controls have been included in Council's Georges River Local Environmental Plan (GRLEP) 2021 and the Georges River Development Control Plan (GRDCP) 2021. The GRLEP 2021 and GRDCP 2021 became effective in October 2021.	Completed.
Housing and Neighbourhoods	Planning Priority 8. Place-based development, quality building design and public art deliver liveable places	A46. Include local provisions that facilitate place-making through urban design, urban art and connectivity between social infrastructure and people in Council's DCPs	Local provisions that facilitate place-making through urban design, urban art and connectivity between social infrastructure and people have been included in Council's Georges River Development Control Plan 2021 which came into effect in October 2021.	Completed.
Housing and Neighbourhoods	Planning Priority 9. A mix of well-designed housing for all life stages caters for a range of lifestyle needs and incomes	A47. Complete a Local Housing Strategy that includes planning for District Plan housing targets, a hierarchy of residential zones, providing targets for inclusive housing and addressing housing diversity	The Local Housing Strategy was adopted by Council in August 2020 and sets a clear plan for the provision of housing in the Georges River LGA over the next 10 and 20 years. The Strategy provides the link between Council's vision for housing, and the Actions of the South District Plan and Local	Completed.

Themes	Planning Priority	Action	Progress Update October 2023	Status
			Strategic Planning Statement (LSPS).	
Housing and Neighbourhoods	Planning Priority 9. A mix of well-designed housing for all life stages caters for a range of lifestyle needs and incomes	A48. Facilitate a broader range of housing types across the LGA through rezoning land, including controls for medium density development in Council's LEP and DCP 2020	The Georges River LEP (GRLEP) 2021 contains a hierarchy of residential zones, including rezoning of additional land to a R3 Medium Density Residential Zone. Council's Georges River Development Control Plan (GRDCP) 2021 contains controls for all types of residential housing including controls for medium density development. The GRLEP 2021 and GRDCP 2021 became effective in October 2021.	Completed.
Housing and Neighbourhoods	Planning Priority 9. A mix of well-designed housing for all life stages caters for a range of lifestyle needs and incomes	A49. Investigate the adaptive re-use of large houses (big house conversion) in Council's LEP 2021	Preliminary investigation commenced for the adaptive re-use of existing large family homes through big house conversions for LEP21 to create a new development typology in the R2 Low Density Residential zone which will enable existing, under-utilised family homes to be converted into multiple smaller dwellings while retaining the existing local character. However, the then Department of Planning, Industry and Environment (DPIE) verbally advised Council that this new development typology must be implemented within the existing legal framework established by the Standard Instrument LEP and the creation of a new land use term will not be supported. There are also issues associated with the conversion of existing dwellings, including compliant fire separation, the types of dwellings suitable for conversion and the economic feasibility of adapting an existing house. Council will continue with the above investigations in accordance with the amended LEP program to deliver additional housing choice in a future LEP amendment.	Ongoing.

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Housing and Neighbourhoods	Planning Priority 9. A mix of well-designed housing for all life stages caters for a range of lifestyle needs and incomes	A50. Establish a planning framework to provide housing for people from very low to moderate income households including key workers	Council adopted its Local Housing Strategy and its Inclusive Housing Strategy in August 2020. Council adopted its Georges River Affordable Housing Policy in May 2021 which outlines Council's position and approach to providing affordable housing in the Georges River LGA. The Policy details Council's commitment to increasing the range and supply of affordable housing in the Georges River LGA to meet the growing needs of a range of households, including the very low to moderate income households, singles, families, couples, seniors, people with a disability, students, key workers and the broader residential market, including first home buyers. Council resolved in November 2022 to prepare an affordable housing contributions scheme for the Georges River LGA.	Completed.
Housing and Neighbourhoods	Planning Priority 9. A mix of well-designed housing for all life stages caters for a range of lifestyle needs and incomes	A51. Utilise the provisions in the EP&A Act for affordable housing, drawing from the outcomes of the Inclusive Housing Strategy	Council commenced the preparation of an Affordable Housing Contribution Scheme (AHCS) for the Mortdale Local Centre as part of the draft Master Plan that was prepared and exhibited in 2021. However, Council at its meeting held 26 September 2022 resolved to not proceed with a draft AHCS in the Mortdale Local Centre and to investigate a scheme that applies across the whole LGA. Council resolved in November 2022 to prepare an AHCS for the whole LGA.	Ongoing.
Housing and Neighbourhoods	Planning Priority 9. A mix of well-designed housing for all life stages caters for a range of lifestyle needs and incomes	A52. Provide controls to deliver universal design as part of new residential developments through Council's DCP 2020	The Georges River Development Control Plan (GRDCP) 2021 contains controls to ensure that all publicly accessible buildings provide a safe and continuous path of travel for people with impaired mobility; and that residential development includes adaptable units and accessible residential accommodation to address potential demand. The GRDCP also contains controls relating to accessible	Completed.

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			carparking. The GRDCP became effective in October 2021.	
Housing and Neighbourhoods	Planning Priority 10. Homes are supported by safe, accessible, green, clean, creative and diverse facilities, services and spaces	A53. Include controls in Council's DCP 2020 to ensure accessible green spaces and gradual and appropriate height transitions, landscaping, vista protection and the integration of Crime Prevention through Environmental Design (CPTED) principles	The Georges River Development Control Plan (GRDCP) 2021 contains controls to ensure accessible green spaces and gradual and appropriate height transitions, landscaping, vista protection and the integration of Crime Prevention through Environmental Design (CPTED) principles. The GRDCP 2021 became effective in October 2021.	Completed.
Housing and Neighbourhoods	Planning Priority 10. Homes are supported by safe, accessible, green, clean, creative and diverse facilities, services and spaces	A54. Encourage temporary events through Council's LEP 2020	The Georges River LEP (GRLEP) 2021 contains Clause 2.8 Temporary use of land. The objective of this Clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land. Council can grant development consent for development on land in any zone for a temporary use for a maximum period of 52 days (whether or not consecutive days) in any period of 12 months. The GRLEP 2021 became effective on 8 October 2021.	Completed.
Housing and Neighbourhoods	Planning Priority 11. Aboriginal and other heritage is protected and promoted	A55. Prepare an Aboriginal Commitment Statement and Action Plan in consultation with the local Aboriginal community and Land Council	Development of an Aboriginal and Torres Strait Islander Strategy is underway. The Strategy development will include extensive consultation with the Aboriginal and Torres Strait Islander community and associated groups and organisations. The Strategy will include the development of an Action Plan and Aboriginal Commitment Statement. Consultation with Council's key Aboriginal and Torres Strait Islander community, consultants engaged by Council in early 2022 to develop the Strategy and Council's Staff Working Group for the Strategy determined	Ongoing.

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			<p>that the establishment of a new Aboriginal and Torres Strait Islander Advisory Committee be prioritised prior to the development of the Strategy.</p> <p>During Q3 and Q4, expressions of Interest were received for the new Advisory Committee and consultants engaged by Council provided costs and timelines for consultation sessions with the Advisory Committee and other significant groups in the local community, which will inform the development of the Strategy. Once the Strategy is approved, an Action Plan will follow.</p>	
Housing and Neighbourhoods	Planning Priority 11. Aboriginal and other heritage is protected and promoted	A56. Encourage adaptive reuse of heritage	The Georges River LEP (GRLEP) 2021 contains Clause 5.10 Heritage Conservation. The objective of this Clause is to conserve the environmental heritage of the Georges River LGA, conserve the heritage significance of heritage items and heritage conservation areas, conserve archaeological sites and to conserve Aboriginal objects and Aboriginal places of heritage significance. The GRLEP 2021 became effective on 8 October 2021.	Completed.
Housing and Neighbourhoods	Planning Priority 11. Aboriginal and other heritage is protected and promoted	A57. Implement the Historical Markers Policy	<p>The Historical Markers Policy was originally developed in 2017 in response to community requests to mark places of historical and cultural importance in the Georges River LGA. The Policy was amended and reclassified as an Executive Policy and endorsed on 7 December 2021.</p> <p>In 2018 Council launched the Historical Markers Program. The program recognises people and places of historical and cultural importance, as recommended by</p>	Ongoing.

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			<p>the local community. Each year Council will fund and install up to five new historical markers.</p> <p>The 2023 Historical Markers Program saw the nomination of five historical markers; former brickwork site in Kempt Field, Hurstville; childhood home of Jack Napier in Blakehurst; St Raphael's Church in South Hurstville for John Radecki; walking track in Lime Kiln Bay Reserve; and Silvester's castle on the corner of Yarran Road and Southern Street, Oatley.</p>	
Housing and Neighbourhoods	Planning Priority 11. Aboriginal and other heritage is protected and promoted	A58. Complete the Heritage Review for the Hurstville LEP and implement recommendations in Council's LEP 2020	The Heritage Review for the Hurstville LEP has been completed and the recommendations implemented in the Georges River LEP (GRLEP) 2021. The GRLEP 2021 came into effect on 8 October 2021.	Completed.
Economy and Centres	Planning Priority 12. Land is appropriately zoned for ongoing employment growth	A59. Introduce controls in Council's LEP 2020 to ensure the provision of non-residential floor space in the LGA's commercial centres	Part 1 Centres Analysis was endorsed by Council at its meeting dated 24 June 2019 for public exhibition, and was publicly exhibited with the draft Local Strategic Planning Statement 2040 from 26 June to 7 August 2019. Part 1 Centres Analysis was adopted by Council at its meeting on 24 February 2020. To implement the recommendations of Part 1 Centres Analysis, the draft Georges River LEP (GRLEP) 2021 introduces minimum non-residential floor space ratio (FSR) controls for mixed use developments across the LGA. The Strategic Centres of Kogarah and Hurstville have a minimum non-residential FSR of 1:1, with the Carlton Enterprise Corridor 0.7:1, local centres 0.5:1 and neighbourhood centres 0.3:1. The GRLEP 2021 came into effect on 8 October 2021.	Completed.

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Economy and Centres	Planning Priority 12. Land is appropriately zoned for ongoing employment growth	A60. Introduce a broader range of land uses in the IN2 Industrial Zone in Council's LEP 2020	The Georges River LEP (GRLEP) 2021 contains a broader range of land uses in the IN2 Industrial Zone, now known as E4 General Industrial under the employment zones reform introduced in April 2023. To meet the needs of workers and visitors within industrial precincts, while ensuring that centres remain the focus of business and retail activity, take away food and drink premises, restaurants and cafés are permitted up to a maximum of 20% of the gross floor area of the industrial activity located on the same land or 200sqm, whichever is the lesser. To encourage a diverse range of industries, creative and innovative industries, such as media, advertising, fine arts, design, film and television and performing arts, that do not compete with centres or compromise industrial and urban services, are permitted in the Penshurst Lane (Penshurst) and Halstead Street (South Hurstville) industrial precincts. The GRLEP 2021 came into effect on 8 October 2021.	Completed

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Economy and Centres	Planning Priority 12. Land is appropriately zoned for ongoing employment growth	A61. Retain and manage industrial and urban services land by safeguarding industrial zoned land from residential development and/or mixed-use zones	Georges River Council endorsed the Georges River Industrial Land Review at its meeting on 17 December 2018. The Review provides a detailed analysis of industrial precincts in the Georges River LGA, including a detailed demand and supply analysis of industrial lands and assessment of the suitability of each industrial precinct for local and strategic industrial uses. The Review finds that Georges River LGA currently has a shortage of urban services land and will have a deficit of industrial floor space by 2036. The Georges River Industrial Land Review highlights the need for industrial land to be retained and managed across the Georges River LGA in line with the policy direction in the South District Plan. The Georges River LEP 2021 implements the findings of the review and became effective in October 2021.	Completed.
Economy and Centres	Planning Priority 12. Land is appropriately zoned for ongoing employment growth	A62. Include a character statement for commercial centres drawn from the Commercial Centres Strategy in Council's DCP 2022	Character Statements are provided for the following centres in the Georges River DCP 2021: <ul style="list-style-type: none"> • Kogarah Town Centre (separate part of the DCP) • Beverly Hills • Kingsgrove • Riverwood • Blakehurst • Carlton/ Kogarah Bay • Oatley • Ramsgate • Enterprise Corridor along the Princes Highway. The character statements are drawn from the Commercial Centres Strategy. The DCP became effective in October 2021.	Completed.

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Economy and Centres	Planning Priority 12. Land is appropriately zoned for ongoing employment growth	A63. Include a character statement for industrial precincts drawn from the Industrial Lands Review in Council's DCP 2020	Character statements for the following industrial precincts are included in the Georges River DCP 2021: Beverly Hills, Blakehurst, Carlton, Kingsgrove, Peakhurst, Penshurst – Forest Road, Penshurst - Penshurst Lane and South Hurstville. The character statements cover: <ul style="list-style-type: none"> Desired future character Objectives Precinct controls which cover amalgamation of land if required and landscaped setbacks. The character statements are drawn from the Industrial Lands Review. The DCP became effective in October 2021.	Completed.
Economy and Centres	Planning Priority 12. Land is appropriately zoned for ongoing employment growth	A64. Ensure ongoing review of the zoning and development controls of all centres with the aim of providing sufficient employment floor space to meet future population and employment projections	Part 1 Centres Analysis was endorsed by Council at its meeting dated 24 June 2019 for public exhibition and was publicly exhibited with the draft Local Strategic Planning Statement 2040 from 26 June to 7 August 2019. Part 1 Centres Analysis was adopted by Council at its meeting on 24 February 2020. To implement the recommendations of Part 1 Centres Analysis, the Georges River LEP (GRLEP) 2021 introduces minimum non-residential floor space ratio (FSR) controls for mixed use developments across the LGA. The Strategic Centres of Kogarah and Hurstville have a minimum non-residential FSR of 1:1, with the Carlton Enterprise Corridor 0.7:1, local centres 0.5:1 and neighbourhood centres 0.3:1. The GRLEP 2021 came into effect on 8 October 2021.	Completed.
Economy and Centres	Planning Priority 12. Land is appropriately zoned for ongoing employment growth	A65. Introduce zoning and controls in Council's LEP 2020 that enable tourist and visitor accommodation, medi-hotels and carer accommodation in and adjacent to medical precincts	The Georges River LEP (GRLEP) 2021 includes zoning and controls to enable tourist and visitor accommodation, medi-hotels and carer accommodation in and adjacent to medical precincts. The GRLEP 2021 came into effect on 8 October 2021.	Completed.

Themes	Planning Priority	Action	Progress Update October 2023	Status
Economy and Centres	Planning Priority 12. Land is appropriately zoned for ongoing employment growth	A66. Investigate the role of the Kingsgrove Industrial Precinct as a major industrial precinct that is attractive to regionally significant industries and businesses	This action has not commenced and is subject to a budget funding allocation. It will involve cross collaboration with Bayside and Canterbury/Bankstown Councils and the NSW State Government.	Yet to commence.
Economy and Centres	Planning Priority 12. Land is appropriately zoned for ongoing employment growth	A67. Investigate broader employment uses in all business zones in Council's LEP 2020	The land use table for the E1 Local Centre, E2 Commercial Centre and MU1 Mixed Use zones have been expanded under the Georges River LEP (GRLEP) 2021 to contain broader employment uses. The GRLEP 2021 came into effect on 8 October 2021.	Completed.
Economy and Centres	Planning Priority 13. Planning, collaboration and investment delivers employment growth and attractive, lively, accessible and productive centres	A68. Participate in the Collaboration Area process for the Kogarah Health and Education Precinct in partnership with Bayside Council and relevant State agencies	Council continues to work with stakeholders to deliver the Kogarah Collaboration Area Place Strategy. An emerging issue is the NSW Government decision to move away from collaboration areas and the changing make up of State Government departments.	Ongoing.
Economy and Centres	Planning Priority 13. Planning, collaboration and investment delivers employment growth and attractive, lively, accessible and productive centres	A69. Encourage new housing for professional and key workers in the Kogarah Health and Education Precinct and the Riverwood Planned Precinct	The Riverwood Local Centre Master Plan has not commenced to date due to budget constraints. With respect to the provision of key worker housing Council adopted its Local Housing Strategy and Inclusive Housing Strategy in August 2020. Council also adopted its Affordable Housing Policy in May 2021. Council resolved in November 2022 to prepare an affordable housing contributions scheme for the Georges River LGA.	Yet to commence.

Themes	Planning Priority	Action	Progress Update October 2023	Status
Economy and Centres	Planning Priority 13. Planning, collaboration and investment delivers employment growth and attractive, lively, accessible and productive centres	A70. Commence a prioritised program of public domain improvements and place-making activities that improve liveability and enhance connectivity and vibrancy of centres	There is currently a review of streetscapes being undertaken to determine the priority for upgrades. Traffic facility upgrades to support pedestrian activity in Riverwood will be undertaken, commencing in the 23/24 FY and running through 24/25 FY.	Ongoing.
Economy and Centres	Planning Priority 13. Planning, collaboration and investment delivers employment growth and attractive, lively, accessible and productive centres	A71. Develop a Local Tourism Infrastructure Strategy that aligns with the State Tourism Infrastructure Strategy	This project has not commenced. The project has not been prioritised within existing resourcing constraints.	Yet to commence.
Economy and Centres	Planning Priority 13. Planning, collaboration and investment delivers employment growth and attractive, lively, accessible and productive centres	A72. Develop a Place Strategy for Hurstville Centre with a focus on enhancing the Centre as a Southern Sydney cultural hub	Council endorsed the Place Strategy for Hurstville Centre in December 2019.	Completed.
Economy and Centres	Planning Priority 13. Planning, collaboration and investment delivers employment growth and attractive, lively, accessible and productive centres	A73. Develop an Investment Attraction Strategy for Kogarah Centre creating a desirable place for the growth of the education and health economies, facilitating innovation and looking for opportunities beyond, particularly in the professional services sector	Council endorsed the Investment Attraction Strategy for Kogarah Centre in September 2019.	Completed.
Economy and Centres	Planning Priority 13. Planning, collaboration and investment delivers employment growth and attractive, lively, accessible and productive centres	A74. Develop and implement a public art policy and program for strategic and local centres to facilitate art/culture trails across the LGA	Georges River Council's Public Art Policy was adopted by Council in April 2020. This Policy has been implemented, and provides a framework for the acquisition, assessment, development and management of public art in the Georges River LGA in accordance with community needs and industry best practice. This Policy enables Council to develop, facilitate and support an ongoing program of public art for the LGA that reflects the area's unique character and cultural heritage, and ensures the	Completed.

Themes	Planning Priority	Action	Progress Update October 2023	Status
			<p>ongoing care and maintenance of public artworks within the Georges River LGA.</p> <p>Work is being undertaken to make Georges River Council's public art projects more accessible, with additional artworks added to Council's Public Art webpage, and a Public Art layer added to IntraMaps. This layer in IntraMaps will soon be made available to the public and will help further in developing and creating art/culture trails across the LGA. Another avenue which has helped identify local artists/centres is Georges River Council's Arts, Heritage and Culture Directory which aims to provide a platform for individuals, groups, and organisations to showcase their work and services to the general community.</p>	
Economy and Centres	Planning Priority 13. Planning, collaboration and investment delivers employment growth and attractive, lively, accessible and productive centres	A75. Partner with adjoining councils and the NSW Government to upgrade infrastructure and undertake place-based planning within the Riverwood Planned Precinct	The Riverwood Local Centre Master Plan has not commenced to date due to budget constraints.	Yet to commence.
Economy and Centres	Planning Priority 13. Planning, collaboration and investment delivers employment growth and attractive, lively, accessible and productive centres	A76. Collaborate with the NSW Government to provide new employment opportunities alongside new housing in the Riverwood Planned Precinct	The Riverwood Local Centre Master Plan has not commenced to date due to budget constraints.	Yet to commence.

Themes	Planning Priority	Action	Progress Update October 2023	Status
Economy and Centres	Planning Priority 13. Planning, collaboration and investment delivers employment growth and attractive, lively, accessible and productive centres	A77. Prepare a Master plan and Implementation Plan for the Beverly Hills Town Centre to revitalise the commercial centre and improve the amenity and quality of the built environment	On 24 April 2023, Council resolved to not proceed with the exhibited Beverly Hills Master Plan and to endorse certain principles and elements to guide the preparation of a new Master Plan for the Beverly Hills Town Centre, including amended studies (traffic, public domain, affordable housing, risk). A draft Master Plan for the Beverly Hills Town Centre is currently being prepared as per the principles and elements identified in the Council resolution of 24 April 2023. Public exhibition of the draft Beverly Hills Town Centre Master Plan is expected to occur in mid 2024.	Ongoing.
Economy and Centres	Planning Priority 14. Hurstville, Beverly Hills and Kogarah are supported to grow night-time entertainment, dining and other recreational opportunities	A78. Undertake a night-time economy study to identify and measure night-time activities in appropriate centres for greater activation	Council endorsed the Georges River Night Time Economy Study in March 2021 and its associated action plan.	Completed.
Economy and Centres	Planning Priority 15. All local centres are supported to evolve for long-term viability	A79. Collaborate with neighbouring councils to ensure effective and consistent land use controls and public space amenity, infrastructure and maintenance across boundaries	This action is ongoing in the review of the centres within the Georges River LGA. The centre work along the boundaries of the LGA was to commence in 2022 but has been delayed due to the further work required by Council on the draft Beverly Hills and Mortdale Local Centre Master Plans. No budget was provided in FY23/24 to commence any new master planning work.	Ongoing.
Economy and Centres	Planning Priority 15. All local centres are supported to evolve for long-term viability	A80. Promote activation and ongoing viability by conducting place-based analysis of key centres including the investigation of development standards and centre expansion as part of Council's LEP 2022	The centres work was to commence in 2022 but has been delayed due to the further work required by Council on the draft Beverly Hills and Mortdale Local Centre Master Plans. No budget was provided in FY23/24 to commence any new master planning work for any other centres within the LGA.	Ongoing.

Themes	Planning Priority	Action	Progress Update October 2023	Status
Environment and Open Space	Planning Priority 16. Our waterways are healthy and publicly accessible	A81. Complete and implement the Georges River Coastal Management Program in conjunction with the Georges Riverkeeper	Council continues to support the Georges River Combined Councils' Committee (GRCCC) each year through an annual Membership and by contributing to the finalisation of a Catchment Management Plan Scoping Study.	Ongoing.
Environment and Open Space	Planning Priority 16. Our waterways are healthy and publicly accessible	A82. Complete the Marine Estate Management Strategy 2018-2028	This is a duplicate of the action above that requires the preparation and implementation of a Coastal Management Plan which is being coordinated by the Georges Riverkeeper on behalf of member councils of the Georges River Combined Councils' Committee (GRCCC).	Ongoing.
Environment and Open Space	Planning Priority 16. Our waterways are healthy and publicly accessible	A83. Review development controls in the foreshore area to protect the Georges River from inappropriate development in Council's LEP 2020 and DCP 2020	The development controls for the foreshore area were reviewed as part of the preparation of the Georges River LEP 2021 and Georges River DCP 2021. Whilst not part of the Action, a further review of the foreshore controls commenced in late 2022 which involved pre-exhibition consultation conducted from October 2022 to March 2023 inclusive. Consultants Ethos Urban finalised their reports on the submissions in June 2023. This review will result in an amended set of foreshore, biodiversity and character controls being presented to the Council and community in 2024.	Ongoing.

Themes	Planning Priority	Action	Progress Update October 2023	Status
Environment and Open Space	Planning Priority 16. Our waterways are healthy and publicly accessible	A84. Expand the Foreshore Scenic Protection Area across the LGA through Council's LEP 2020	<p>The Georges River LEP 2021 contains provisions on the Foreshore Scenic Protection Area (FSPA). Council's Local Planning Panel amended the exhibited FSPA by retaining the existing FSPA as identified by the former Hurstville Local Environmental Plan 2012 FSPA Map and adding the proposed FSPA as exhibited which includes the foreshore localities in the former Kogarah LGA. The Panel also recommended that Council as part of the preparation of the draft Local Environmental Plan in 2021/2022, further define the role, mapped extent and zoning of the FSPA in both the former Hurstville and Kogarah LGAs.</p> <p>A review of the foreshore controls commenced in late 2022 which involved pre-exhibition consultation conducted from October 2022 to March 2023 inclusive. Consultants Ethos Urban finalised their reports on the submissions in June 2023. This review will result in an amended set of foreshore, biodiversity and character controls being presented to the Council and community in 2024.</p>	Ongoing.
Environment and Open Space	Planning Priority 16. Our waterways are healthy and publicly accessible	A85. Develop and implement the Foreshore Access and Improvement Plan to provide infrastructure to improve access to the waterfront of the Georges River	<p>The Georges River Foreshore Access and Improvement Plan (FAIP) was adopted by Council in March 2021. The FAIP includes prioritised actions to improve access to and condition of the public areas of the Georges River foreshore. Council continues to investigate the implementation of the FAIP as grant funding opportunities arise.</p> <p>Council is currently developing detailed designs for Donnelly Park foreshore (a FAIP priority project) for future construction.</p>	Ongoing.

Themes	Planning Priority	Action	Progress Update October 2023	Status
Environment and Open Space	Planning Priority 16. Our waterways are healthy and publicly accessible	A86. Collaborate with National Parks and Wildlife Service to develop a vision for the Georges River National Park and advocate for improved potential amenity in Lugarno	Council collaborates with National Parks and Wildlife Service on a regular basis. Amenity and recreational actions are planned, including the kayak launch area in Lugarno. This is a key action from the Foreshore Access and Improvement Plan. Kayak Launch project to commence 2023/24.	Ongoing.
Environment and Open Space	Planning Priority 16. Our waterways are healthy and publicly accessible	A87. Appropriately plan for, fund and maintain stormwater infrastructure including opportunities for re-naturalisation	Stormwater maintenance activities are ongoing. Lobbying undertaken to support increase to stormwater levy in line with inflation. Re-naturalisation projects considered in stormwater design process. Recent major projects include Beverly Park Golf Course, Gannons Park and Parkside Drive Reserve. Council has contacted Sydney Water regarding a collaboration opportunity at Lime Kiln Bay. Council has yet to hear back from Sydney Water and will continue to look for other collaborative opportunities.	Ongoing.
Environment and Open Space	Planning Priority 17. Tree canopy, bushland, landscaped settings and biodiversity are protected, enhanced and promoted	A88. Implement the Tree Management Policy to increase urban tree canopy and biodiversity across the LGA	Tree planting projects are continuing as funded under the Greening Our Cities Program. Due to particularly wet weather, planting was delayed, with 1000 trees planted by Q1 22/23 and 80 trees planted in Q1 23/24.	Ongoing.
Environment and Open Space	Planning Priority 17. Tree canopy, bushland, landscaped settings and biodiversity are protected, enhanced and promoted	A89. Develop and implement a significant tree register of public and private land to protect significant trees	The project has progressed with an independent review of draft definition and criteria established by Council under which to determine a tree as significant, followed by community consultation for a period of 60 days. Further funding of \$20,000 was provided by Council after a successful budget bid, this will enable the Significant Tree Register to be completed in 23/24.	Ongoing.

Themes	Planning Priority	Action	Progress Update October 2023	Status
Environment and Open Space	Planning Priority 17. Tree canopy, bushland, landscaped settings and biodiversity are protected, enhanced and promoted	A90. Develop a biodiversity strategy informed by the LGA-wide biodiversity study	The Biodiversity Study was undertaken in 2021, completed in early 2022 and is published on Council's website. It informed the development of the Wildlife Protection Area Policy, presented to Council in 2022. A Biodiversity Strategy is yet to be developed as a funding source has not been secured.	Ongoing.
Environment and Open Space	Planning Priority 18. An environmentally friendly approach is applied to all development	A91. Provide provisions in Council's LEP 2020 to ensure development in business, industrial and high density residential zones is consistent with principles of sustainable practice and environmentally sensitive design	The Georges River LEP 2021 contains Clause 6.11 Environmental Sustainability which requires that new commercial, industrial and high density residential buildings and renovations of buildings that are 1,500sqm or greater in gross floor area will need to apply best practice, environmentally sensitive design, such as energy and water efficiency. Council has developed an Environmental Sustainability Calculator to give effect to Clause 6.11 Environmental Sustainability. The commencement date for the Calculator was 1 January 2024.	Completed.
Environment and Open Space	Planning Priority 18. An environmentally friendly approach is applied to all development	A92. Investigate environmentally sustainable design certification of developments in the Kogarah Collaboration Area, strategic centres and hub precincts	Council appointed a consultant in July 2022 to finalise the preparation of an Environmental Sustainability Form to give effect to Clause 6.11 Environmental Sustainability of the Georges River Local Environmental Plan 2021. An Environmental Sustainability Calculator (the Calculator) has been developed jointly by the Environmental Sustainability Team and Strategic Planning Team in conjunction with	Completed.

Themes	Planning Priority	Action	Progress Update October 2023	Status
			external consultants Low Impact Development (LID) Consulting and Organica Engineering. Council's Executive Team endorsed the introduction of the Calculator at its meeting held 26 April 2023. Council has engaged with internal Council staff and the local development industry to finalise the preparation of the Environmental Sustainability Calculator. The commencement date for the Calculator was 1 January 2024.	
Environment and Open Space	Planning Priority 18. An environmentally friendly approach is applied to all development	A93. Include provisions to reduce stormwater run-off in Council's DCP 2020	The Georges River DCP 2021 contains controls in Part 3.10 Water Management relating to the reduction of stormwater run-off. The DCP became effective in October 2021.	Completed.
Environment and Open Space	Planning Priority 18. An environmentally friendly approach is applied to all development	A94. Deliver a green infrastructure policy which encompasses green and blue infrastructure in line with Greener Places 2018 objectives and addresses flood risk requirements for feasibility studies	The Overland Flow Floodplain Risk Management Study and Plan for the Hurstville, Mortdale and Peakhurst Wards was adopted by Council in October 2023. The flood study for the former Kogarah LGA will be undertaken in 23/24 now funding has been secured from the then Department of Planning and Environment (DPE).	Ongoing
Environment and Open Space	Planning Priority 18. An environmentally friendly approach is applied to all development	A95. Include waste and sustainability controls in Council's DCP 2020	The Georges River DCP 2021 contains controls in Part 3.11 Ecologically Sustainable Development and Part 3.12 Waste Management relating to waste and sustainability. The DCP became effective in October 2021.	Completed.

Themes	Planning Priority	Action	Progress Update October 2023	Status
Environment and Open Space	Planning Priority 18. An environmentally friendly approach is applied to all development	A96. Develop a Georges River Coastal Management Program in conjunction with the Georges Riverkeeper	Council continues to support the Georges River Combined Councils' Committee (GRCCC) each year through an annual Membership and by contributing to the finalisation of a Catchment Management Plan Scoping Study.	Ongoing.
Environment and Open Space	Planning Priority 18. An environmentally friendly approach is applied to all development	A97. Promote the use of renewable energy storage through Council's DCP 2020	The Georges River DCP 2021 contains controls in Part 3.11 Ecologically Sustainable Development relating to renewable energy storage. The DCP became effective in October 2021.	Completed.
Environment and Open Space	Planning Priority 18. An environmentally friendly approach is applied to all development	A98. Develop the Resilience Strategy for Council functions, incorporating targets to reduce emissions towards net zero carbon and deliver adaptation and mitigation projects identified in the climate change risk analysis for the LGA	Council has developed an Environmental Sustainability Calculator to assist with the assessment of development applications to bring effect to Clause 6.11 Environmental sustainability of the Georges River Local Environmental Plan 2021. The Climate Change Risk Assessment and Adaptation Plan was integrated into the Environmental Resilience Action Plan (ERAP) and was noted by Council in February 2022. The ERAP is published on Council's website and progress towards the Actions will be reported upon over the life of the Plan. Council continues to participate in Resilient Sydney.	Completed/ongoing.
Environment and Open Space	Planning Priority 18. An environmentally friendly approach is applied to all development	A99. Investigate appropriate locations for and construct a community recycling centre	Liaisons with Bayside Council, and the Community Recycling Centre grant administrator (NSW Environmental Trust) have proven to be unsuccessful in securing the required time, support or location for the Community Recycling Centre to progress within the LGA. On-call recycling options are being considered for implementation throughout the new waste collection contract. Council also offers numerous recycling options on its A-Z Recycling Guide, available	Ongoing.

Themes	Planning Priority	Action	Progress Update October 2023	Status
			to the community on Council's website.	
Environment and Open Space	Planning Priority 19. Everyone has access to quality, clean, useable, passive and active open and green spaces and recreation places	A100. Investigate options to deliver Green Grid connections across the LGA	Green Grid connections have been recommended as part of the Biodiversity Study and will be implemented through the Development Control Plan. Further, Council's progression of tree planting grant projects support green connections and habitat opportunities through street tree plantings in the northern Carlton canopy corridor. Council was successful in obtaining a Greening Our City Grant for Gannons Park.	Ongoing.
Environment and Open Space	Planning Priority 19. Everyone has access to quality, clean, useable, passive and active open and green spaces and recreation places	A101. As part of the Metropolitan Greenspace Program, prepare a detailed master plan for the Green Grid corridor	Council secured funding via the NSW Government Metropolitan Green Space Program to develop a green grid master plan for the Salt Pan Creek priority green grid corridor in partnership with the City of Canterbury/Bankstown. The Salt Pan Creek Metropolitan Green Space spatial framework has been completed. Council continues to investigate the implementation of this framework as grant opportunities arise.	Completed.

Themes	Planning Priority	Action	Progress Update October 2023	Status
Environment and Open Space	Planning Priority 19. Everyone has access to quality, clean, useable, passive and active open and green spaces and recreation places	A102. Prepare required new plans of management for Council-managed parks and reserves that guide the development and embellishment of open space to support a variety of uses and changing needs	In FY23/24 Council has under preparation the following Plans of Management: <ul style="list-style-type: none"> • Donnelly Park Plan of Management and Master Plan • Merriman Reserve Plan of Management and Master Plan • Olds Park Master Plan amendment • Oatley Park Plan of Management and Master Plan • Carss Bush Park and Todd Park Plan of Management and Master Plan • Generic Plans of Management – Amendment 1 – to include Riverwood Park, Rasdall Park and 25 Joffre Street Hurstville <p>There are no funds to commence any new plans of management and master plans in FY23/24.</p>	Completed. <ul style="list-style-type: none"> • Generic Plans of Management • Hurstville Oval and Timothy Reserve, Hurstville • Moore Reserve, Hurstville Grove • Former Oatley Bowling Club Site and Closed Road. • Olds Park, Penshurst • Penshurst Park, Penshurst • Sans Souci Park, Sans Souci
Environment and Open Space	Planning Priority 19. Everyone has access to quality, clean, useable, passive and active open and green spaces and recreation places	A103. When increasing residential density through rezoning, innovative solutions will be required for public open space to be provided in accordance with the South District Plan's standard	This action will be ongoing as land is upzoned for medium and/or high density residential. Under the Georges River LEP 2021 additional land was included on the Land Acquisition Map for open space in areas where a residential density increase was proposed.	Ongoing.
Environment and Open Space	Planning Priority 19. Everyone has access to quality, clean, useable, passive and active open and green spaces and recreation places	A104. Include provisions for green infrastructure (such as plantings, green walls, green roofs and other permeable surfaces) in the private domain through Council's DCP 2020	In Part 3.3 of the Georges River DCP 2021 green roofs and walls are encouraged to be provided in higher density urban environments where opportunities for deep soil landscaping are limited and/or where large walls face active areas of the public domain. The DCP became effective in October 2021.	Completed.

Themes	Planning Priority	Action	Progress Update October 2023	Status
Environment and Open Space	Planning Priority 19. Everyone has access to quality, clean, useable, passive and active open and green spaces and recreation places	A105. Investigate options to improve existing infrastructure to support local community gardens	<p>Council continues to support the Carss Park Community Garden via continued asset management support for the garden at the EcoShed, promotion of the garden to the community, management of membership and support with the operations of the garden throughout the year.</p> <p>In addition, Council provided funding to support the delivery of the Grow it Local program throughout the LGA during 2023/24. Grow it Local is a free online food growing community that fosters and encourages community growing and sharing of locally grown produce. The program aims to support gardening in a wide range of ways, from backyard, to balcony, to community gardens and window-sill gardens.</p> <p>Further, Council continues to promote and encourage the community's participation in the Verge Garden Program.</p>	Ongoing.
Environment and Open Space	Planning Priority 19. Everyone has access to quality, clean, useable, passive and active open and green spaces and recreation places	A106. Develop an open space expansion plan and funding program that includes exploring acquisition of land to create public open space using both government owned land and innovative solutions	The Georges River Community Infrastructure Needs Assessment and Acquisition Area Strategy (formerly Open Space Expansion and Acquisition Plan) was approved by Council at its meeting in December 2023 to be placed on public exhibition. The Strategy is on public exhibition from 22 December 2023 to 20 February 2024. A further report will be presented to Council following the exhibition period, providing a summary of the submissions and any recommended changes to the draft Strategy prior to adoption.	Ongoing.

Themes	Planning Priority	Action	Progress Update October 2023	Status
Environment and Open Space	Planning Priority 19. Everyone has access to quality, clean, useable, passive and active open and green spaces and recreation places	A107. Investigate the extension of the Green Grid adjacent to the Georges River foreshore and collaborate with Bayside Council to extend this on to Botany Bay	The Georges River Foreshore Access and Improvement Plan (FAIP) was adopted by Council in March 2021. The FAIP includes prioritised actions to improve access to and condition of the public areas of the Georges River foreshore. Council continues to investigate the implementation of the FAIP as grant funding opportunities arise. Council is currently developing detailed designs for Donnelly Park foreshore (a FAIP priority project) for future construction. The Salt Pan Creek Metropolitan Green Space spatial framework has been completed. Council continues to investigate the implementation of this framework as grant opportunities arise.	Ongoing.
Environment and Open Space	Planning Priority 19. Everyone has access to quality, clean, useable, passive and active open and green spaces and recreation places	A108. Provide for additional open space in existing high density areas through the DA process	The Georges River DCP 2021 contains controls to provide for additional open space in existing high-density areas by encouraging roof top terraces. The Georges River DCP became effective in October 2021.	Completed.
Environment and Open Space	Planning Priority 20. Development is managed to appropriately respond to hazards and risks	A109. Advocate to the NSW Rural Fire Service to certify the new Georges River Council Bush Fire Prone Lands Map so that bushfire risk can be appropriately managed	The Georges River Bush Fire Prone Land Map was certified on 7 August 2020.	Completed.
Environment and Open Space	Planning Priority 20. Development is managed to appropriately respond to hazards and risks	A110. Develop an LGA wide flood risk management study that holistically looks at water cycle management within the LGA including estuary or riparian assessments for water quality	Council adopted the Overland Flow Floodplain Risk Management Study and Plan for the Hurstville, Mortdale and Peakhurst Wards in October 2023. The flood study for the former Kogarah LGA will be undertaken in 23/24 now funding has been secured from the then Department of Planning and Environment (DPE).	Ongoing.

Themes	Planning Priority	Action	Progress Update October 2023	Status
Environment and Open Space	Planning Priority 20. Development is managed to appropriately respond to hazards and risks	A111. Implement an inspections and repair/rehabilitation program of Council's piped drainage assets	Council renews a small percentage of pipes annually based on condition. In 23/24 the Stormwater Asset Management Plan will be developed.	Ongoing.

Attachment 2 – Progress Against Local Housing Strategy Actions

Actions from Local Housing Strategy

Objective	Action	Short (0-5 years)	Medium (6-10 years)	Long (10+ years)	Status	Comment
Objective 1: Accommodate additional housing growth	HA1. Create additional capacity to meet the 6-10 year housing targets through LEP 2020 by implementing the proposed Housing Investigation Areas	•			Completed	<p>The Georges River LEP (GRLEP) 2021 which was gazetted in October 2021 created the opportunity for the delivery of approximately 650 medium density and high density dwellings by rezoning the following Housing Investigation Areas (HIAs): Hillcrest Avenue, Hurstville; North and West of Peakhurst Park; Apsley Estate, Penshurst; Culwulla Street, South Hurstville; and Connells Point Road, South Hurstville.</p> <p>The Narwee HIA was also upzoned as part of LEP 21. The Narwee HIA contributed to the supply and diversity of housing within the LGA by creating capacity for an additional 310 dwellings – in the form of both medium and high-density development.</p>

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
	HA2. Investigate opportunities to create additional capacity to meet the 6-10 year housing targets through a comprehensive review of existing LEPs		•		Ongoing	<p>The Georges River LEP (GRLEP) 2021 which was gazetted in October 2021 created the opportunity for the delivery of approximately 650 medium density and high density dwellings by rezoning the following Housing Investigation Areas (HIAs): Hillcrest Avenue, Hurstville; North and West of Peakhurst Park; Apsley Estate, Penshurst; Culwulla Street, South Hurstville; and Connells Point Road, South Hurstville.</p> <p>The Narwee HIA was also upzoned as part of LEP 21. The Narwee HIA contributed to the supply and diversity of housing within the LGA by creating capacity for an additional 310 dwellings – in the form of both medium and high-density development.</p>

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						<p>A Master Plan for the Mortdale Local Centre was adopted by Council at its meeting on 23 October 2023. The Master Plan:</p> <ul style="list-style-type: none"> • Sets the future vision for the Mortdale Local Centre; • Assists in managing growth and future development; and • Provides a coordinated strategy for the delivery of new buildings, infrastructure, land use and public space. <p>On 24 April 2023, Council resolved to not proceed with the exhibited Beverly Hills Master Plan and to endorse certain principles and elements to guide the preparation of a new Master Plan for the Beverly Hills Town Centre, including amended studies (traffic,</p>

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						<p>public domain, affordable housing, risk).</p> <p>A draft Master Plan for the Beverly Hills Town Centre is currently being prepared as per the principles and elements identified in the Council resolution of 24 April 2023.</p> <p>Public exhibition of the draft Beverly Hills Town Centre Master Plan is expected to occur in mid 2024.</p>
	HA3. Investigate the role of commercial centres in providing additional housing in LEP 2022 and beyond		•	•	Underway – but behind schedule	<p>Refer to HA2 relating to the Mortdale Master Plan and Beverly Hills Master Plan.</p> <p>Part 1 of the Commercial Centres Strategy was adopted by Council at its meeting on 24 February 2020.</p> <p>The primary purpose of Part 1 was to inform the preparation of the</p>

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						Georges River LEP 2021 and its accompanying development control plan. Subject to a successful budget bid in the 24/25 financial year, Part 2 of the Strategy will be prepared to inform a future amendment to the LEP. Through a place-based planning approach, this Part will consider the roles and functions of the commercial centres and provide centre-specific objectives, built form controls and guidelines and investigate the potential expansion of appropriate centres.
	HA4. Investigate the potential housing growth areas identified by the LSPS 2040 to inform LEP 2025 and beyond			•	Underway	Council at its meeting on 23 October 2023 resolved to adopt the Mortdale Centre Revised Master Plan

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						<p>Option 2A. At that meeting it also resolved to prepare a Planning Proposal, amendment to the GRDCP 2021, and amendment to the <i>Georges River Local Infrastructure Contributions Plan 2021</i> to implement the Master Plan, subject to a successful budget bid in the 2024/25 financial year.</p> <p>A draft Master Plan for the Beverly Hills Town Centre is currently being prepared as per the principles and elements identified in the Council resolution of 24 April 2023.</p> <p>Public exhibition of the draft Beverly Hills Town Centre Master Plan is expected to occur in mid 2024.</p>
Objective 2:	HA5. Ensure rezonings are consistent with	•	•	•	Ongoing	The LSPS 2040

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
Coordinate growth with infrastructure	the criteria to guide growth in LSPS 2040					<p>commits to supporting homes with safe, accessible, green, clean, creative and diverse facilities, services and spaces by establishing a set of Criteria to Guide Growth.</p> <p>A total of 5 HIAs were identified to be upzoned as part of the Georges River LEP 2021.</p> <p>The 5 HIAs were selected based on the 7 guiding principles to guide growth in the LSPS, including access to existing infrastructure and social services, such as schools, community facilities, open space and public transport to promote the efficient use of land and infrastructure.</p>
	HA6. Investigate areas along existing and planned transport links, centres and services		•		Ongoing	The Narwee HIA was also upzoned as part of

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
	that can accommodate additional housing					LEP 21. The Narwee HIA contributed to the supply and diversity of housing within the LGA by creating capacity for an additional 310 dwellings – in the form of both medium and high-density development. Additional areas that can accommodate additional housing will continue to be identified through updates to Council's LSPS, LHS and LEP.
	HA7. Provide additional open space in residential growth areas (note: including through the DA process and opportunities to purchase land for open space)	•			Underway	In response to the LSPS vision to deliver additional open space across the LGA, especially in areas of housing growth, the GRLEP 2021 includes two new areas for RE1 Local open space acquisition by Council The provision of open space is a key

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						<p>consideration when planning for growth. A guiding principle used to select the HIAs include locating HIAs within 400m of good quality open space.</p> <p>Open space has been identified in both the Beverly Hills Master Plan and the Mordale Master Plan. These will be delivered through various planning mechanisms.</p> <p>Council's Open Space, Recreation and Community Facilities Strategy was prepared to ensure that the Georges River community has adequate facilities and open spaces that underpin their way of life.</p> <p>The Strategy provides the following</p>

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						<p>recommendations in relation to open space:</p> <p>Continue with the foreshore access study, embellish pocket parks in areas with high density and lower provision of open space, investigate opportunities to secure additional land for passive open space, undertake an active transport study to identify priority local links within the LGA, develop priority local active transport links into a liveable green network and identify priority bushland areas for regeneration and improved walking tracks.</p> <p>Additional open space will be provided in growth areas in accordance with the Strategy.</p> <p>The Georges River Community</p>

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						Infrastructure Needs Assessment and Acquisition Area Strategy is currently on exhibition until 20 February 2024. The purpose of this Strategy is to provide strategic guidance around open space and community facility provisions with a focus on the identification of gaps in provision at a local government area (LGA) level and local area that should be a focus for future provision.
	HA8. Advocate to the NSW Government to provide expanded and new public transport and education facilities to meet current and future demand, particularly in new housing investigation areas	•	•	•	Ongoing	Council has delivered a range of Advocacy Actions across 2022/2023. Some of these actions include a Greater Cities Commission submission lodged by Council on the Six Cities Region Discussion Paper, continued promotion of Kogarah's investment opportunities, and

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						<p>ongoing relationship with key stakeholders. These actions have been guided by the Council adopted "Advocacy Priorities 2021/22". Council will address these priorities through a range of strategies, including direct lobbying of decision makers, making effective submissions to Federal and State governments, ongoing community consultation, engagement and media campaigns.</p> <p>A new Advocacy Action Plan 2023/24 is currently being developed to guide Council's advocacy actions and report on impact via a new Advocacy Register. Advocacy actions in the LSPS will be considered as part of this process.</p>

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short (0-5 years)	Medium (6-10 years)	Long (10+ years)	Status	Comment
	HA9. Investigate appropriate infrastructure funding options where there is an uplift in density	•	•	•	Ongoing	<p>Council endorsed its Local Housing Strategy in August 2020. The Strategy sets a clear plan for the provision of housing in the Georges River LGA over the next 10 and 20 years. The Strategy provides the link between Council's vision for housing, and the Actions of the South District Plan and Local Strategic Planning Statement (LSPS). Objective 2 - Coordinate growth with infrastructure and the 7 associated actions set a clear direction that Council needs to investigate appropriate infrastructure funding options where there is an uplift in density.</p> <p>For example, an amendment to the <i>Georges River Local Infrastructure</i></p>

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						<i>Contributions Plan 2021</i> will be prepared for the implementation of the Mortdale and Beverly Hills Master Plan.
	HA10. Collaborate with the NSW Government and State owned corporations to deliver adaptive and flexible enabling infrastructure (energy, gas and water), especially in areas of housing and employment growth	•	•	•	Ongoing	Council will need to collaborate with the NSW Government and State owned corporations when preparing planning proposals for land that has been identified for housing and employment growth to deliver adaptive and flexible enabling infrastructure (energy, gas and water).
	HA11. Investigate inclusionary zoning provisions in the LEP to deliver inclusive housing	•			Commenced – but behind schedule	Council commenced the preparation of an Affordable Housing Contribution Scheme (AHCS) for the Mortdale Local Centre as part of the draft Master Plan that was prepared and exhibited in 2021. However, Council at its meeting held 26

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						<p>September 2022 resolved to not proceed with a draft AHCS in the Mortdale Local Centre and to investigate a scheme that applies across the whole LGA.</p> <p>Accordingly, Council resolved in November 2022 to prepare an AHCS for the whole LGA. In March 2023 Council wrote to the then DPE seeking advice on Council's AHCS options.</p> <p>In November 2023, the then DPE responded to Council's request for advice on the AHCS options. In its letter, the then DPE generally supported Council's approach and provided further guidance and advice on how to progress the implementation of an AHCS. Council will proceed with preparing an LGA wide</p>

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Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						AHCS and will be engaging consultants to carry out the necessary analysis to support the preparation of an AHCS as per the then DPE's advice.
Objective 3: Provide affordable and inclusive housing	HA12. Prepare an Inclusive Housing Policy	•			Completed	Council has prepared the <i>Georges River Affordable Housing Policy</i> which outlines Council's position and approach to providing affordable housing in the Georges River LGA. The Policy details Council's commitment to increasing the range and supply of affordable housing in the LGA to meet the growing needs of a range of households, including the very low to moderate income households, singles, families, couples, seniors, people with a disability, students, key workers and the broader residential market, including first home

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Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						buyers. The Policy was adopted by Council in May 2021. Council engaged consultants Hill PDA to prepare the <i>Inclusive Housing Strategy</i> (IHS) and Delivery Plan that aims to encourage housing that meets the needs of all members of the Georges River community. This Strategy seeks to provide a comprehensive framework to advocate for, facilitate, provide and manage affordable housing in the Georges River LGA for the next 20 years. The IHS provides input into the LHS, which is one of the many strategies that informed the GRLEP 2021.
	HA13. Include provisions in the LEP for affordable and inclusive housing (note: includes aims, implementation of the AHCS and dual key dwellings)	•			Not commenced	Council at its meeting held 26 September 2022 resolved that it not proceed with the draft Affordable Housing

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Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						Contributions Scheme (AHCS) for the Mortdale Local Centre and to investigate a scheme that applies across the whole LGA. Council on 28 November 2022 resolved to prepare an AHCS for the Georges River Local Government Area. See HA11 in relation to the status of Council's preparation of an AHCS.
	HA14. Prepare an Affordable Housing Contributions Scheme (note: includes identifying areas)	•			Underway – but behind schedule	Council at its meeting held 26 September 2022 resolved that it not proceed with the draft Affordable Housing Contributions Scheme (AHCS) for the Mortdale Local Centre and to investigate a scheme that applies across the whole LGA. Council on 28 November 2022 resolved to prepare an AHCS for the Georges

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						River Local Government Area. See HA11 in relation to the status of Council's preparation of an AHCS.
	HA15. Facilitate the use of VPAs as a means of providing affordable and inclusive housing (note: includes amending the VPA policy)	•			Commenced	With respect to the VPA actions a comprehensive review of the Georges River Planning Agreements Policy 2016 has been undertaken to strengthen the Policy in line with best practice and has addressed a number of Notices of Motion by the Council and the audit recommendations. The draft amendments to the Policy were reported to the Environment and Planning Committee meeting on 9 March 2020 and to Council on 20 April 2020. The draft Policy was on public exhibition from Wednesday 3 June 2020 to 3 July 2020. Council resolved at its meeting on 28

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Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						September 2020 to defer adoption of the GRC Planning Agreements Policy for further work. A Councillor Briefing was to be held in April 2021 but was deferred due to the issues and requirements within the Practice Note on Planning Agreements issued February 2021. This Practice Note meant that the VPA review and draft document was required to be revisited and this did not commence until FY22/23. Consultants were appointed who have worked with officers to prepare a revised draft Policy. Council was briefed on the VPA process and the work to date on the VPA Policy review on 19 June 2023. The draft Policy will be presented to Council in Q3.

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Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
	HA16. Investigate the adaptive re-use of large houses (big house conversion) in LEP 2021		•		Behind schedule	<p>Preliminary investigation commenced for the adaptive re-use of existing large family homes through big house conversions.</p> <p>However, the then DPIE verbally advised Council that the big house conversion development typology must be implemented within the existing legal framework established by the Standard Instrument LEP and the creation of a new land use term will not be supported.</p> <p>Furthermore, additional consideration is also required due to the complexities associated with the conversion of existing dwellings, including compliant fire separation, the types of dwellings suitable for conversion and the economic feasibility of adapting an existing house.</p>

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Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						<p>The complexities of this housing type in relation to establishing a workable legal land use framework and understanding the construction / built form requirements has meant that this land use has not been included in the GRLEP 2021.</p> <p>Council officers will continue with the above investigations in accordance with the amended LEP program to deliver additional housing choice in a future LEP amendment.</p>
	HA17. Preparation of a policy and procedures via collaborating with community housing providers to support the ongoing delivery and management of affordable housing	•	•	•	Underway – but behind schedule	<p>Council at its meeting held 26 September 2022 resolved that it not proceed with the draft Affordable Housing Contributions Scheme (AHCS) for the Mortdale Local Centre and to investigate a scheme that applies across the whole LGA. Council on 28 November 2022</p>

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						resolved to prepare an AHCS for the Georges River Local Government Area. See HA11 in relation to the status of Council's preparation of an AHCS.
	HA18. Investigate build to rent development, including incentives in the LEP and DCP		•		Completed	In February 2021 the Housing SEPP introduced build to rent (BTR) housing provisions. The provisions include allowing BTR in certain zones and where residential flat buildings and shop top housing are permitted, certain development standards and design requirements and planning pathways.
Objective 4: Provide greater housing choice and diversity	HA19. Facilitate a broader range of housing types across the LGA through rezoning land, including controls for medium density development in the LEP and DCP	•			Completed	Housing investigation areas were rezoned for medium density housing in the GRLEP 2021 which was gazetted on 8 October 2021.

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
	HA20. Rezone land from R2 to R3 to deliver medium density housing in the housing investigation areas	•			Completed	Housing investigation areas were rezoned from R2 to R3 to deliver medium density housing as part of the GRLEP 2021 which was gazetted on 8 October 2021.
	HA21. Provide controls to deliver universal design as part of new residential developments through DCP 2020	•			Completed	The Georges River Development Control Plan (GRDCP) 2021 contains controls to ensure that all publicly accessible buildings provide a safe and continuous path of travel for people with impaired mobility; and that residential development includes adaptable units and accessible residential accommodation to address potential demand. The GRDCP also contains controls relating to accessible carparking. The GRDCP became effective in

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						October 2021.
	HA22. Amend the DCP to require a suitable mix of apartment sizes	•			Completed	The GRDCP 2021 came into effect in October 2021. It implements this action by including controls to encourage a mix of dwellings, including in Part 6.2 – Multi dwelling housing, multi dwelling housing (terraces) and manor houses (medium density) and Part 6.3 – Residential Flat Buildings and residential components of shop top housing (High Density).
	HA23. Investigate the provision of housing for seniors through the LEP		•		Completed	Seniors housing are permitted in the R2,R3 and R4 zones of the GRLEP 2021 and is facilitated by the Housing SEPP 2021.
	HA24. Introduce a dual key apartments provisions in LEP 2020	•			Not applicable	Dual key apartments are no longer a land use

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						listed in the LEP.
	HA25. Investigate “build to rent” provisions		•		Completed	In February 2021, the Housing SEPP introduced build to rent (BTR) housing provisions. The provisions include allowing BTR in certain zones and where residential flat buildings and shop top housing are permitted, certain development standards and design requirements and planning pathways.
Objective 5: Have consistent LEP zones and controls across the LGA	HA26. Establish a hierarchy of residential zones that restricts low, medium and high density development to their respective zones in LEP 2020	•			Completed	The GRLEP 2021 includes a hierarchy of residential zones (R2, R3, R4) to regulate the built form, typology and transition between low, medium and high density zones. This is also to ensure a diverse range of housing is created in appropriate locations.

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Objective	Action	Short (0-5 years)	Medium (6-10 years)	Long (10+ years)	Status	Comment
	HA27. Harmonise the minimum subdivision lot size requirements for R2 Low Density Residential zones in LEP 2020	•			Completed	The GRLEP contains a minimum lot size of 450sqm for R2 zones outside of the Foreshore Scenic Protection Area (FSPA) to ensure a consistent control is applied across the LGA and facilitate the delivery of the 2036 housing target.
	HA28. Review the extent of the FSPA in LEP 2020 in accordance with the LSPS 2040 key action with a specific focus on creating an equitable and consistent application across the LGA	•			Completed	The GRLEP 2021 contains Clause 6.6 Foreshore scenic protection area. Council's Local Planning Panel amended the FSPA exhibited in the GRLEP 2021 by retaining the FSPA as identified by the former Hurstville Local Environmental Plan 2012 Foreshore Scenic Protection Area Map and adding the proposed FSPA as exhibited which includes the foreshore localities

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Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						in the former Kogarah LGA.
	HA29. Further define the role of the FSPA in LEP 2021		•		Underway	The GRLEP 2021 contains Clause 6.6 Foreshore scenic protection area. Council's Local Planning Panel amended the FSPA exhibited in the GRLEP 2021 by retaining the FSPA as identified by the former <i>Hurstville Local Environmental Plan 2012</i> Foreshore Scenic Protection Area Map and adding the proposed FSPA as exhibited which includes the foreshore localities in the former Kogarah LGA. The Panel also recommended that Council as part of the preparation of the draft Local Environmental Plan in 2021/2022, further define the role,

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						mapped extent and zoning of FSPA, in both the former Hurstville and Kogarah LGAs. As discussed above, a further review of the foreshore controls commenced in late 2022 which will result in an amended set of foreshore, biodiversity and character controls being presented to Council and the community in 2024
	HA30. Implement prescriptive building envelope and interface controls in DCP 2020 to address and regulate transitions between different residential zones	•			Completed	Objectives and controls have been included in the GRDCP 2021 to ensure appropriate transitions between higher and lower density residential zones, such as building separation and setback controls in Part 6.3 Residential Flat Buildings and residential components of shop top housing (High Density).

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Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
	HA31. Prepare development controls for manor houses and multi dwelling housing (terraces) in the R3 Medium Density Residential zone in LEP 2021		•		Completed	Development controls for manor houses and multi dwelling housing (terraces) have been included in the GRLEP 2021, such as minimum lot size and lot width controls.
	HA32. Investigate opportunities to utilise the medium density zone as a transition between low and high density zones in LEP 2025 and beyond			•	Ongoing	This will be investigated as part of a future amendment to the LEP.
Objective 6: Enhance and protect the local character	HA33. Identify the key characteristics of each suburb to be protected and retained and incorporate into DCP 2020	•			Completed	Character statements for each suburb within the Georges River LGA have been included in the Georges River DCP 2021. The DCP became effective in October 2021.
	HA34. Advocate to the NSW Government for improvements to the Low Rise Housing Diversity Code to ensure medium density developments respect the established local character	•	•	•	Completed	Council has written a number of submissions to the Department of Planning and Environment (DPE) on the Housing SEPP advocating for residential

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Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						developments to respect the established local character.
	HA35. Continue to protect and promote the character of heritage items and conservation areas through LEP 2020 and DCP 2020	•	•	•	Completed	<p>The GRLEP 2021 contains Clause 5.10 Heritage Conservation. The objective of this Clause is to conserve the environmental heritage of the Georges River LGA, conserve the heritage significance of heritage items and heritage conservation areas, conserve archaeological sites and to conserve Aboriginal objects and Aboriginal places of heritage significance. The GRLEP 2021 became effective on 8 October 2021.</p> <p>The GRDCP 2021 contains Part 3.7 Heritage. The objective of this part is to acknowledge the importance of Aboriginal heritage as part of Georges River heritage resources, protect</p>

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Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						Aboriginal objects and places of significance by minimising the likelihood of disturbance from development and minimise potential for interference with archaeological objects, exposure to areas along the foreshore and to rock outcomes and overhangs. The GRDCP 2021 became effective in October 2021.
	HA36. Introduce landscaping provisions in LEP 2020 for the development of sites	•			Completed	The GRLEP 2021 contains Clause 6.12 Landscaped areas in certain residential and conservation zones. This Clause seeks to ensure landscaping is a significant part of the local character by requiring the retention and provision of vegetation that contributes to biodiversity and enhances the tree canopy of the LGA,

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						whilst minimising urban run-off, the visual impact of development and the urban heat island effect. Minimum landscaped areas are required for residential developments and the C2 Environmental Conservation zone.
	HA37. Introduce design excellence provisions in the LEP 2020	•			Completed	The GRLEP 2021 contains Clause 6.10 Design Excellence. This Clause seeks to ensure a high standard of sustainable architecture and urban design across the LGA. The Clause requires the consent authority to ensure the subject development satisfies the heads of consideration listed in this Clause, which include the suitability of the land for development, the relationship of the development with other

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form, bulk, massing and modulation of buildings.
Objective 7: Facilitate good design and sustainable development practices	HA38. Provide provisions in LEP 2020 to ensure development in high density residential zones is consistent with principles of sustainable practice and environmentally sensitive design	•			Completed	The Georges River LEP 2021 contains Clause 6.11 Environmental Sustainability which requires that new commercial, industrial and high density residential buildings and renovations of buildings that are 1,500sqm or greater in gross floor area will need to apply best practice, environmentally sensitive design, such as energy and water efficiency. Council has developed an Environmental Sustainability Calculator to give effect to Clause

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						6.11 Environmental Sustainability. The commencement date for the Calculator was 1 January 2024.
	HA39. Incorporate design excellence provisions in LEP 2020 and DCP 2020	•			Completed	The GRLEP 2021 contains Clause 6.10 Design Excellence. This Clause seeks to ensure a high standard of sustainable architecture and urban design across the LGA. The Clause requires the consent authority to ensure the subject development satisfies the heads of consideration listed in this Clause, which include the suitability of the land for development, the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks,

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						amenity and urban form, bulk, massing and modulation of buildings. The GRLEP 2021 became effective in October 2021.
	HA40. Include controls in DCP 2020 to ensure accessible green spaces and gradual and appropriate height transitions, landscaping, vista protection and the integration of Crime Prevention through Environmental Design (CPTED) principles	•			Completed	The Georges River Development Control Plan (GRDCP) 2021 contains controls to ensure accessible green spaces and gradual and appropriate height transitions, landscaping, vista protection and the integration of Crime Prevention through Environmental Design (CPTED) principles. The GRDCP 2021 became effective in October 2021.
	HA41. Include waste and sustainability controls in Council's DCP 2020	•			Completed	The Georges River DCP 2021 contains controls in Part 3.11 Ecologically Sustainable Development and Part 3.12 Waste

Attachment 2 – Progress Against Local Housing Strategy Actions

Objective	Action	Short	Medium	Long	Status	Comment
		(0-5 years)	(6-10 years)	(10+ years)		
						Management relating to waste and sustainability. The DCP became effective in October 2021.
	HA42. Provide controls for the provision of facilities to support the operation of car and ride sharing in high density residential developments in DCP 2020	•			Completed	Controls for the provision of facilities to support the operation of car and ride sharing in high density residential and commercial centres have been incorporated into the Georges River DCP 2021. The DCP became effective in October 2021.
	HA43. Promote the use of renewable energy storage through Council's DCP 2020	•			Completed	The Georges River DCP 2021 contains controls in Part 3.11 Ecologically Sustainable Development relating to renewable energy storage. The DCP became effective in October 2021.

Attachment 3 – Progress Against Inclusive Housing Strategy Actions

Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
Goal 1: Establish a policy position that supports the delivery of inclusive housing							
Strategy 1.1: Council to promote its position on inclusive housing							
1.1.1	Specify the delivery of inclusive and affordable housing as a priority in Council's Local Strategic Planning Statement Include a priority in Georges River LSPS to increase the supply of inclusive housing to support development of a more diverse and affordable housing supply Specify that inclusive housing is to meet the need of the Georges River community.	High	0-2 years Completed as part of current LSPS work	GSC, DPIE	LSPS adopted with inclusive housing priorities	Completed	<ul style="list-style-type: none"> The Georges River Local Strategic Planning Statement specifies measures to deliver an increased proportion of affordable housing provision in all new development. This includes planning priorities to deliver: <ul style="list-style-type: none"> P9 A mix of well-designed housing for all life stages caters for a range of lifestyle needs and incomes. A47. Complete a Local Housing Strategy that includes planning for District Plan housing targets, a hierarchy of residential zones, providing targets for inclusive housing and addressing housing diversity. A50 Establish a planning framework to provide housing for people from very low to moderate income households including key workers. A51. Utilise the provisions in the EP&A Act for affordable housing, drawing from the outcomes of the Inclusive Housing Strategy.
1.1.2	Revise Council planning documents and website to reflect	High	0-2 years Completed as part of	-	Inclusive housing page	Completed	<ul style="list-style-type: none"> Council adopted the Affordable Housing Policy on 27 May 2021. The Policy details Council's commitment to increasing the range and supply of affordable housing in the LGA to meet the growing needs of very low to

Attachment 3 – Progress Against Inclusive Housing Strategy Actions

Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	Council's policy position on affordable housing Ensure accurate information is available to the community and industry to encourage inclusive housing deliver		LEP 2021 and Inclusive Housing Policy		on Council's website		moderate income households, singles, families, couples, seniors, people with a disability, students, key workers and the broader residential market, including first home buyers. <ul style="list-style-type: none"> Council's Affordable Housing Policy and Inclusive Housing Strategy are on Council's website at http://www.georgesriver.nsw.gov.au/Development/Planning-Controls/Planning-Strategies-and-Studies/Population-and-housing
1.1.3	Produce promotional material on inclusive and affordable housing Prepare explanatory information on inclusive housing and affordable housing contributions Prepare information to demonstrate how inclusive housing can be incorporated into a	Moderate	3-5 years	Industry	Explanatory and promotional materials prepared	Completed	<ul style="list-style-type: none"> Council adopted the Affordable Housing Policy on 27 May 2021. The Policy details Council's commitment to increasing the range and supply of affordable housing in the LGA to meet the growing needs of very low to moderate income households, singles, families, couples, seniors, people with a disability, students, key workers and the broader residential market, including first home buyers. Council's Affordable Housing Policy and Inclusive Housing Strategy are on Council's website at http://www.georgesriver.nsw.gov.au/Development/Planning-Controls/Planning-Strategies-and-Studies/Population-and-housing

Attachment 3 – Progress Against Inclusive Housing Strategy Actions

Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	development and the implications to the developer.						
Goal 2: Facilitate the provision of affordable housing							
Strategy 2.1: Require an affordable housing contribution on sites experiencing a planning uplift							
2.1.1	<p>Prepare an Affordable Housing Contributions Scheme (AHCS)</p> <p>An affordable housing contributions scheme would be prepared to comply with the Department of Planning, Industry and Environment's Guideline</p> <p>Inclusion of the scheme into Council's LEP 2022 is subject review by DPIE and public exhibition.</p>	High	<p>2 years</p> <p>Completed as part of the LEP 2022; contributions to be levied for 2024</p>	DPIE	AHCS implemented	Behind schedule	<ul style="list-style-type: none"> Council commenced Part 2 of the Commercial Centres Strategy by starting with a detailed review of one local centre (being Mortdale Local Centre) within the LGA through a place-based master planning process. The review of Mortdale Local Centre was to inform the review of the other local centres as part of the preparation of the Commercial Centres Strategy and LEP 2022, as well as providing guidance for the assessment of proponent-led planning proposals in the area. Conybeare Morrison was appointed and as part of the work investigated an Affordable Housing Contributions Scheme (AHCS) tied to the Mortdale Masterplan. Council at its meeting held 26 September 2022 resolved that it not proceed with the draft AHCS for the Mortdale Local Centre and to investigate a scheme that applies across the whole LGA. Council on 28 November 2022 resolved to prepare an AHCS for the Georges River Local Government Area. See Ref: 2.1.2 in relation to the status of Council's preparation of an AHCS.

Attachment 3 – Progress Against Inclusive Housing Strategy Actions

Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
2.1.2	<p>Include affordable housing aims and provisions within the LEP</p> <p>Prepare a planning proposal which includes affordable housing as an aim within the LEP, supported by affordable housing standards where housing is permitted in the LEP</p>	High	<p>2 years</p> <p>To be completed as part of LEP 2022</p>	DPIE	LEP amended to include affordable housing provisions	Behind Schedule	<ul style="list-style-type: none"> Council commenced the preparation of an Affordable Housing Contribution Scheme (AHCS) for the Mortdale Local Centre as part of the draft Master Plan that was prepared and exhibited in 2021. However, Council at its meeting held 26 September 2022 resolved to not proceed with a draft AHCS in the Mortdale Local Centre and to investigate a scheme that applies across the whole LGA. Accordingly, Council resolved in November 2022 to prepare an AHCS for the whole LGA. In March 2023 Council wrote to the then DPE seeking advice on Council's AHCS options including preparing one for the Beverly Hills Local Centre, a LGA wide AHCS with the first applying to the Hurstville City Centre, and a AHCS identifying each of the centres and HIAs identified in Council's LSPS for growth. In November 2023, the then DPE responded to Council's request for advice on the AHCS options. In its letter, the then DPE generally supported Council's approach and provided further guidance and advice on how to progress the implementation of an AHCS. Council will broadly proceed with option 2 to preparing an LGA wide AHCS and will be engaging consultants to carry out the necessary analysis to support the preparation of an AHCS as per the then DPE's advice.
2.1.3	<p>Amend the Planning Agreement Policy in line with the Ministerial Direction for VPAs and</p>	High	<p>0-2 years</p> <p>To be completed as part of LEP 2020</p>	DPIE	Council's VPA policy is consistent with Ministerial Direction for	Underway	<ul style="list-style-type: none"> With respect to the VPA actions a comprehensive review of the Georges River Planning Agreements Policy 2016 has been undertaken to strengthen the Policy in line with best practice and has addressed a number of Notices of Motion by the Council and the audit recommendations. The draft amendments to the Policy were reported to the Environment and Planning Committee meeting on 9 March 2020 and to Council on 20 April 2020. The draft

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	<p>affordable housing</p> <p><i>Environmental Planning and Assessment (Planning Agreements) Direction 2019</i> specifies that a council seeking to negotiate a planning agreement for the provision of affordable housing, will need to prepare and publish a policy that sets out the circumstances in which it may seek out a planning agreement.</p> <p>Amend Council's existing Planning Agreement Policy to align with the Ministerial Direction matters for inclusion.</p>				Affordable Housing.		<p>Policy was on public exhibition from Wednesday 3 June 2020 to 3 July 2020. Council resolved at its meeting on 28 September 2020 to defer adoption of the GRC Planning Agreements Policy for further work. A Councillor Briefing was to be held in April 2021 but was deferred due to the issues and requirements within the Practice Note on Planning Agreements issued February 2021. This Practice Note meant that the VPA review and draft document was required to be revisited and this did not commence until FY22/23. Consultants were appointed who have worked with officers to prepare a revised draft Policy. Council was briefed on the VPA process and the work to date on the VPA Policy review on 19 June 2023. The draft Policy will be presented to Council in Q3.</p> <ul style="list-style-type: none"> Council is also updating its VPA policy in accordance with the requirements of the Environmental Planning and Assessment (Planning Agreements) Direction 2019 dated 28 February 2019 which requires councils to prepare and publish a policy setting out the circumstances to which they may seek to negotiate a planning agreement where the consent authority for development in the LGA is authorised to impose an affordable housing condition. The Policy will not be completed until mid 2024.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
2.1.4	<p>Identify areas to experience a zoning uplift where affordable housing contributions can apply</p> <p>Identify areas where the affordable housing contributions scheme can apply as a recommendation of the Local Housing Strategy.</p> <p>Undertake feasibility testing for affordable housing provision for each area identified, in accordance with DPIE guideline.</p> <p>Commit resources to an ongoing review of precincts suited for inclusion in the AHCS.</p>	High	<p>0-2 years</p> <p>Completed as part of Local Housing Strategy and LEP 2022</p>	DPIE	Schedule/map of sites endorsed for inclusion in LEP	Underway but behind schedule	<ul style="list-style-type: none"> • Council at its meeting held 26 September 2022 resolved that it not proceed with the draft Affordable Housing Contributions Scheme (AHCS) for the Mortdale Local Centre and to investigate a scheme that applies across the whole LGA. • Council on 28 November 2022 resolved to prepare an AHCS for the Georges River Local Government Area. • See Ref: 2.1.2 in relation to the status of Council's preparation of an AHCS.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
2.1.5	<p>Prepare a planning proposal to amend the LEP to:</p> <p>Reference the Affordable Housing Contribution Scheme.</p> <p>Specify a date of commencement two years after publication (to allow the development industry to factor the costs into the purchase price of development sites)</p>	High	<p>0-2 years</p> <p>To be completed as part of LEP 2022</p>	DPIE	LEP amended to include affordable housing provisions	Underway but behind schedule	<ul style="list-style-type: none"> • Council at its meeting held 26 September 2022 resolved that it not proceed with the draft Affordable Housing Contributions Scheme (AHCS) for the Mortdale Local Centre and to investigate a scheme that applies across the whole LGA. • Council on 28 November 2022 resolved to prepare an AHCS for the Georges River Local Government Area. • See Ref: 2.1.2 in relation to the status of Council's preparation of an AHCS.
2.1.6	<p>Undertake a 5 and 10 yearly review of the Affordable Housing Contributions Scheme and LEP to:</p> <p>Undertake development feasibility testing to determine if the</p>	Moderate	5 year and 10 year review	DPIE	5%-10% of dwellings as affordable housing by 2036	Underway – but behind schedule	<ul style="list-style-type: none"> • Council at its meeting held 26 September 2022 resolved that it not proceed with the draft Affordable Housing Contributions Scheme (AHCS) for the Mortdale Local Centre and to investigate a scheme that applies across the whole LGA. • Council on 28 November 2022 resolved to prepare an AHCS for the Georges River Local Government Area. • See Ref: 2.1.2 in relation to the status of Council's preparation of an AHCS.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	affordable housing contribution rate can be increased in the prevailing market conditions, in 5 years' time Determine if the affordable housing contribution rate can be increased, in the prevailing market conditions 10 years after commencement.						
2.1.7	Require affordable housing contributions as part of a Voluntary Planning Agreement on any sites with a planning proposal resulting in an uplift, prior to the preparation of an Affordable Housing Contributions Scheme	High	0-2years	-	VPA's include affordable dwellings or equivalent monetary contribution.	Underway – but behind schedule	<ul style="list-style-type: none"> With respect to the VPA actions a comprehensive review of the Georges River Planning Agreements Policy 2016 has been undertaken to strengthen the Policy in line with best practice and has addressed a number of Notices of Motion by the Council and the audit recommendations. The draft amendments to the Policy were reported to the Environment and Planning Committee meeting on 9 March 2020 and to Council on 20 April 2020. The draft Policy was on public exhibition from Wednesday 3 June 2020 to 3 July 2020. Council resolved at its meeting on 28 September 2020 to defer adoption of the GRC Planning Agreements Policy for further work. A Councillor Briefing was to be held in April 2021 but was deferred due to the issues and requirements within the Practice Note on Planning Agreements issued February 2021. This Practice Note meant that the VPA review and draft document was required to be revisited and this did not commence until FY22/23. Consultants were appointed who have worked

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	<p>Council's VPA policy currently makes provision for contributions towards affordable housing. While the actions above will provide a preferable approach, VPA may be appropriate prior to the Affordable Housing Contributions Scheme being adopted.</p> <p>Review the need for affordable housing contributions once an Affordable Housing Contributions Scheme has been prepared.</p>						with officers to prepare a revised draft Policy. Council was briefed on the VPA process and the work to date on the VPA Policy review on 19 June 2023. The draft Policy will be presented to Council in Q3.
Strategy 2.2: Review opportunities for an affordable housing contribution on infill development							
2.2.1	Discuss with DPIE the potential to include infill	High	0-2 years	DPIE	Agreement to apply a contribution to		<ul style="list-style-type: none"> See Ref: 2.1.2 in relation to the status of Council's preparation of an AHCS.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	development in the Affordable Housing Contributions Scheme If agreed, include appropriate information in the scheme for an affordable housing contribution of 2% of dwellings in developments of 20 or more dwellings, or an equivalent monetary contribution.				infill development	Underway – but behind schedule	
2.2.2	Prepare a planning proposal to amend the Affordable Housing Contributions Scheme Specify a viable affordable housing contribution rate of 2% of dwellings as affordable dwellings or an	High	0-2 years	DPIE	Affordable Housing Contribution Scheme includes infill development	Underway – but behind schedule	<ul style="list-style-type: none"> A planning proposal will be prepared following the preparation of an Affordable Housing Contribution Scheme (AHCS). See Ref: 2.1.2 in relation to the status of Council's preparation of an AHCS.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	equivalent monetary contribution on infill development comprising 20 or more dwellings, subject to feasibility testing.						
2.2.3	Monitor the delivery of affordable housing through this mechanism If feasible, increase the target to 5% after five years, pending market conditions and development feasibility testing	High	5 years	-	Target increased to 5% of dwellings by 2025	Underway – but behind schedule	<ul style="list-style-type: none"> See Ref: 2.1.2 in relation to the status of Council's preparation of an Affordable Housing Contribution Scheme (AHCS).
2.2.4	Identify opportunities to deliver inclusive housing as part of the Kogarah Health and Education Precinct (KH&EP) The Kogarah Health and Education Precinct	High	5+ years	Industry	Inclusive housing requirement established for KHEP	Underway – but behind schedule	<ul style="list-style-type: none"> See Ref: 2.1.2 in relation to the status of Council's preparation of an Affordable Housing Contribution Scheme (AHCS).

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	is the most significant transformation project in the LGA and opportunities to deliver inclusive housing should be maximised.						
Strategy 2.3: Establish appropriate administrative and fund management procedures							
2.3.1	Council to establish an Affordable Housing Fund An affordable housing fund for mandatory and voluntary affordable housing contributions.	High	0-2 years	-	Fund established	Underway – but behind schedule	<ul style="list-style-type: none"> An Affordable Housing Fund will be established following the preparation of an Affordable Housing Contribution Scheme (AHCS). See Ref: 2.1.2 in relation to the status of Council's preparation of an AHCS.
2.3.2	Establish appropriate practices for the dedication and management of affordable dwellings Establishing appropriate conditions of	High	0-2 years	Community Housing providers	Internal working procedures established	Underway – but behind schedule	<ul style="list-style-type: none"> Practices for the dedication and management of affordable dwellings will be established following the preparation of an Affordable Housing Contribution Scheme (AHCS). See Ref: 2.1.2 in relation to the status of Council's preparation of an AHCS.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	development consent to ensure the transfer of funds and affordable dwellings Establish, in consultation with affordable housing managers or community housing providers, the timeframe for affordable dwellings in perpetuity.						
2.3.3	Establish a strong working relationship with community housing providers Good working relationship facilitates ease of sharing ideas, information and commitments	Moderate	0-2 years	Community housing providers	Inclusive housing group formed	Underway – but behind schedule	<ul style="list-style-type: none"> Relationships with community housing providers will be established during the preparation of an Affordable Housing Contribution Scheme (AHCS). See Ref: 2.1.2 in relation to the status of Council's preparation of an AHCS.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
Strategy 2.4: Enhance Council's knowledge of affordable housing practices							
2.4.1	Undertake regular training sessions Attend regular training sessions on affordable housing practices with relevant partners e.g. the Centre for Affordable Housing, Community Housing Providers, fund managers and the like.	Moderate	Ongoing	Various	2 training sessions per annum	Ongoing	<ul style="list-style-type: none"> Council officers have undertaken training sessions on affordable housing and will continue to do so.
2.4.2	Allocate affordable housing responsibilities to a dedicated team member(s) Ensure ongoing allocation of resource to affordable housing.	High	Ongoing	-	Dedicated role established for inclusive housing	Ongoing	<ul style="list-style-type: none"> Council officers within the Strategic Planning team have been working on Council's affordable housing policies and initiatives.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
Goal 3: Encourage housing choice							
Strategy 3.1: Investigate options for Council to deliver inclusive housing							
3.1.1	Undertake a property strategy to identify Council sites suited to inclusive housing project(s) An asset audit can identify land that is surplus to Council's needs and suitable for development as inclusive housing.	Moderate	3-5 years	-	Property strategy completed	Underway – but behind schedule	<ul style="list-style-type: none"> • Council at its meeting held 26 September 2022 resolved that it not proceed with the draft Affordable Housing Contributions Scheme (AHCS) for the Mortdale Local Centre and to investigate a scheme that applies across the whole LGA. • Council on 28 November 2022 resolved to prepare an AHCS for the Georges River Local Government Area. • See Ref: 2.1.2 in relation to the status of Council's preparation of an AHCS.
3.1.2	Partner with Government / developer in joint venture projects on selected sites A joint venture project could deliver inclusive housing in partnership with government / industry. This could provide a	Moderate	3-5 years	Government and industry	Housing for key workers or groups with special housing needs	Underway – but behind schedule	<ul style="list-style-type: none"> • Council can partner with Government / developer in joint venture projects on selected sites following the preparation of an Affordable Housing Contribution Scheme (AHCS). See Ref: 2.1.2 in relation to the status of Council's preparation of an AHCS.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	demonstration project for the LGA.						
3.1.3	Consider the use of Council owned land for a pilot build-to rent scheme This could be a demonstration project for the build-to-rent scheme.	Moderate	3-5 years	Government and industry	Build to rent scheme on Council land	Not yet commenced	<ul style="list-style-type: none"> Consideration of the use of Council owned land for a pilot build to rent (BTR) scheme has yet to commence. In February 2021, the Housing SEPP introduced BTR housing provisions. The provisions include allowing BTR in certain zones and where residential flat buildings and shop top housing are permitted, certain development standards and design requirements and planning pathways.
Strategy 3.2: Plan for low rise medium density housing in suitable locations							
3.2.1	Review zoning in LSPS investigation areas <ul style="list-style-type: none"> Peakhurst (North and West of Peakhurst Park) Precinct South Hurstville – Culwulla Street Precinct South Hurstville 	High	0-2 years As part of 2020 LEP		Investigations completed and LEP amended	Completed	<ul style="list-style-type: none"> A total of five (5) HIAs were upzoned as part of the Georges River Local Environmental Plan (GRLEP) 2021, creating opportunity to deliver an additional 650 dwellings in the form of medium density and high density dwellings in accessible locations across the LGA: <ul style="list-style-type: none"> Hillcrest Avenue – Hurstville North and West of Peakhurst Park – Peakhurst Apsley Estate – Penshurst Culwulla Street – South Hurstville Rowe Street – South Hurstville <p>Note: The Olds Park Precinct was considered unsuitable due to traffic and was not progressed.</p>

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	Hillcrest Avenue Precinct <ul style="list-style-type: none"> Penshurst Apsley Estate Precinct and Olds Park Precinct. 						
Strategy 3.3: Encourage infill affordable housing through SEPP (Affordable Rental Housing) 2009							
3.3.1	Deliver inclusive housing through incentives in SEPP (ARH) Apply SEPP (ARH) to deliver affordable housing including next generation boarding houses Review barriers to the application of the SEPP (ARH) in the LGA.	High	Ongoing	Industry and DPIE	Affordable housing delivery via SEPP (ARH)	Ongoing	<ul style="list-style-type: none"> On 14 December 2023, the NSW Government implemented in-fill affordable housing reforms as part of the Housing SEPP to encourage private developers to boost affordable housing and deliver more market housing.
3.3.2	Promote the incentives in SEPP (ARH) through communications materials	High	Ongoing	Industry	Increased applications for SEPP (ARH) in	Ongoing	<ul style="list-style-type: none"> On 14 December 2023, the NSW Government implemented in-fill affordable housing reforms as part of the Housing SEPP to encourage private developers to boost affordable housing and deliver more market housing.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	targeted to developers Council could encourage developers to consider the incentives provided by the SEPP when discussing development proposals and direct them to communications materials (potentially on Council's website).				suitable locations		
Strategy 3.4: Encourage a mix of dwelling types and apartment sizes							
3.4.1	Amend development control plans to require a mix of dwelling sizes Georges River DCP to include a requirement for a proportion of new dwellings to be one bedroom and three bedroom dwellings, to	High	0-2 years	-	Dwelling mix requirements in DCP	Completed	<ul style="list-style-type: none"> Dwelling mix controls have been included in Part 6.2 – Multi dwelling housing, multi dwelling housing (terraces) and manor housing (medium density) and Part 6.3 – Residential Flat Buildings (High Density) and residential components of shop top housing of the Georges River DCP 2021.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	<p>increase diversity in dwelling sizes. For example:</p> <p><i>All residential developments in excess of 20 dwellings shall provide the following mix dwellings within a development:</i></p> <ul style="list-style-type: none"> • <i>Studio and one bed apartments - Maximum of 20%.</i> • <i>2 bed apartments - Minimum of 30%.</i> • <i>3+ bed apartments - Minimum of 15%.</i> <p>The mix of units may be varied at the discretion of the consent authority.</p>						

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
3.4.2	<p>Investigate and monitor opportunities to allow more apartments in selected locations</p> <p>Identify locations suited to apartment development (see strategy 3.6 below)</p> <p>Revise planning controls to permit apartment development in areas near trains stations and centres.</p>	Moderate	5 years + as part of future Local Housing Strategy	-	See Strategy 3.6 below	Ongoing	<ul style="list-style-type: none"> The Georges River LEP (GRLEP) 2021 which was gazetted in October 2021 created the opportunity for the delivery of approximately 650 medium density and high density dwellings by rezoning the following Housing Investigation Areas (HIAs): Hillcrest Avenue, Hurstville; North and West of Peakhurst Park; Apsley Estate, Penshurst; Culwulla Street, South Hurstville; and Connells Point Road, South Hurstville. The Narwee HIA was also upzoned as part of LEP 21. The Narwee HIA contributed to the supply and diversity of housing within the LGA by creating capacity for an additional 310 dwellings – in the form of both medium and high-density development. A Master Plan for the Mortdale Local Centre was adopted by Council at its meeting on 23 October 2023. The Master Plan: <ul style="list-style-type: none"> Sets the future vision for the Mortdale Local Centre; Assists in managing growth and future development; and Provides a coordinated strategy for the delivery of new buildings, infrastructure, land use and public space. On 24 April 2023, Council resolved to not proceed with the exhibited Beverly Hills Master Plan and to endorse certain principles and elements to guide the preparation of a new Master Plan for the Beverly Hills Town Centre, including amended studies (traffic, public domain, affordable housing, risk). The purpose of the Master Plan is to establish a vision for the Beverly Hills Town Centre. It will provide an urban design framework for the public and private domain to enhance the centre and its immediate

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
							<p>surroundings. The focus is on improving the quality, accessibility and amenity of the public domain. A draft Master Plan for the Beverly Hills Town Centre is currently being prepared as per the principles and elements identified in the Council resolution of 24 April 2023.</p> <p>Public exhibition of the draft Beverly Hills Town Centre Master Plan is expected to occur in mid 2024.</p> <ul style="list-style-type: none"> Part 1 of the Commercial Centres Strategy was adopted by Council at its meeting on 24 February 2020. The primary purpose of Part 1 was to inform the preparation of the Georges River LEP 2021 and its accompanying development control plan. Subject to a successful budget bid in the 24/25 financial year, Part 2 of the Strategy will be prepared to inform a future amendment to the LEP. Through a place-based planning approach, this Part will consider the roles and functions of the commercial centres and provide centre-specific objectives, built form controls and guidelines and investigate the potential expansion of appropriate centres.
3.4.3	<p>Encourage adaptive reuse of large homes to smaller dwellings in the southern parts of the LGA</p> <p>Large homes in the southern parts of the LGA could be converted to</p>	Moderate	LEP 2021	-	LEP permits conversions	Underway	<ul style="list-style-type: none"> Preliminary investigation commenced for the adaptive re-use of existing large family homes through big house conversions. The intent of this investigation is to create a new development typology in the R2 Low Density Residential zone which will enable existing, under-utilised family homes to be converted into multiple smaller dwellings while retaining the existing local character. This will allow housing choice in areas with limited capacity for growth.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	apartments without altering the character or visual appearance of the area Amend LEP to enable conversions of single dwelling to multi dwellings or dual occupancies Consider the need for development controls in the DCP(s)						<ul style="list-style-type: none"> • However, the then Department of Planning, Industry and Environment (DPIE) verbally advised Council that the big house conversion development typology must be implemented within the existing legal framework established by the Standard Instrument LEP and the creation of a new land use term will not be supported. • Furthermore, additional consideration is also required due to the complexities associated with the conversion of existing dwellings, including compliant fire separation, the types of dwellings suitable for conversion and the economic feasibility of adapting an existing house. • The complexities of this housing type in relation to establishing a workable legal land use framework and understanding the construction / built form requirements has meant that this land use has not been included in the GRLEP 2021. • Council officers will continue with the above investigations in accordance with the amended LEP program to deliver additional housing choice in a future LEP amendment.
3.4.4	Identify a trial location for a build to rent scheme Investigate the suitability of Kogarah Health and Education Precinct and centres on train stations for build-	Moderate	LEP 2022	-	Trial project delivered Amend LEP and DCP	Not yet commenced	<ul style="list-style-type: none"> • The trial location for a build to rent (BTR) scheme in certain locations and the use of Council assets for a BTR pilot project has yet to commence. • In February 2021, the Housing SEPP introduced BTR housing provisions. The provisions include allowing BTR in certain zones and where residential flat buildings and shop top housing are permitted, certain development standards and design requirements and planning pathways.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	<p>to-rent developments</p> <p>Select a trial area for the application of incentives for Build-to rent schemes</p> <p>Consider the use of Council assets for a build-to-rent pilot project (see above)</p> <p>Amend LEP to enable, and possibly provide incentives for build-to-rent development and prepare DCP provisions that govern this style of development.</p>						
Strategy 3.5: Retain affordable housing stock							
3.5.1	Investigate mechanisms to retain existing	High	0-2 years LEP 2021	-	Mechanisms in LEP/DCP	Not yet commenced	<ul style="list-style-type: none"> Investigation of mechanisms to retain existing affordable and low cost housing is yet to commence. However, Council has been investigating mechanisms to increase

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	affordable and low cost housing Identify existing low cost and affordable housing supply Develop planning options to protect this housing stock.						the provision of affordable and low cost housing through an Affordable Housing Contributions Scheme (AHCS). <ul style="list-style-type: none"> See Ref: 2.1.2 in relation to the status of Council's preparation of an AHCS.
Strategy 3.6: Develop precinct specific responses to encourage inclusive housing							
3.6.1	Kogarah Health and Education Precinct Negotiate through a voluntary planning agreement a contribution toward affordable housing on any remaining sites suited to key workers Investigate the need for an FSR bonus for affordable housing or build-to-rent scheme to compensate for	High	0-2 years	Industry, Bayside Council, GSC, DPIE	VPA includes affordable housing contribution and/or build to rent	Underway but behind schedule	<ul style="list-style-type: none"> The provision of affordable housing in the Kogarah Health and Education Precinct will be investigated as part of the Affordable Housing Contributions Scheme (AHCS) for the Georges River Local Government Area. See Ref: 2.1.2 in relation to the status of Council's preparation of an AHCS.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	the late introduction of inclusive housing requirement in this precinct (after sites have been acquired)						
3.6.2	Riverwood Centre Require 5% of new dwellings in Riverwood centre as affordable dwellings Advocate for the design of Riverwood Estate redevelopment to integrate with Riverwood centre	High	LEP 2022	Canterbury Bankstown Council, FACS	Required contribution in LEP	Underway but behind schedule	<ul style="list-style-type: none"> The provision of affordable housing in the Riverwood Centre will be investigated as part of the Affordable Housing Contributions Scheme (AHCS) for the Georges River Local Government Area. See Ref: 2.1.2 in relation to the status of Council's preparation of an AHCS.
3.6.3	Hurstville and Allawah Amend DCP to require greater mix of apartment sizes and align housing stock with	High	0-2 years as part of DCP amendments	-	DCP amended to include dwelling mix requirement	Completed	<ul style="list-style-type: none"> Dwelling mix controls have been included in Part 6.2 – Multi dwelling housing, multi dwelling housing (terraces) and manor housing (medium density) and Part 6.3 – Residential Flat Buildings (High Density) and residential components of shop top housing of the Georges River DCP 2021.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
	<p>population needs by:</p> <ul style="list-style-type: none"> Increasing the supply of studios and one bedroom apartments. Increasing the supply of dwellings with three or more bedrooms to address overcrowding. 						
3.6.4	<p>Oatley West/Mulga Road Precinct</p> <p>Investigate the potential for a modest increase in height and FSR controls to encourage more housing in walking distance to the station/Mulga Road shopping strip.</p> <p>Amend the LEP and DCP.</p>	Medium	0-2 years LEP 2022	DPIE	LEP and DCP amended	Not yet commenced	<ul style="list-style-type: none"> This investigation has yet to commence. Due to further work required by Council on the draft Beverly Hills and Mortdale Local Centre Master Plans and no budget allocated, any new master planning work will not commence until 2024.

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Ref	Proposed Actions	Priority	Timeframe	Partner	KPI	Status	Update
3.6.5	Beverly Hills – Narwee – Kingsgrove corridor Investigate the potential for up-zoning land in walking distance of stations.	Medium	LEP 2022	DPIE	LEP amended	Underway	<ul style="list-style-type: none"> The Narwee Housing Investigation Area (HIA) was upzoned as part of LEP 21. The Narwee HIA contributed to the supply and diversity of housing within the LGA by creating capacity for an additional 310 dwellings – in the form of both medium and high-density development. On 24 April 2023, Council resolved to not proceed with the exhibited Beverly Hills Master Plan and to endorse certain principles and elements to guide the preparation of a new Master Plan for the Beverly Hills Town Centre, including amended studies (traffic, public domain, affordable housing, risk). A draft Master Plan for the Beverly Hills Town Centre is currently being prepared as per the principles and elements identified in the Council resolution of 24 April 2023. Public exhibition of the draft Beverly Hills Town Centre Master Plan is expected to occur in mid 2024.