

## **AGENDA**

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### **Environment and Planning Committee**

**Monday, 09 October 2023**

**7:00 PM**

**Dragon Room**

**Georges River Civic Centre,  
Hurstville**



### **OATH OF OFFICE OR AFFIRMATION OF OFFICE**

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

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

### **DISCLOSURES OF INTEREST**

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

**ENVIRONMENT AND PLANNING****ORDER OF BUSINESS****OPENING****ACKNOWLEDGEMENT OF COUNTRY****APOLOGIES / LEAVE OF ABSENCE****REQUEST TO JOIN VIA AUDIO VISUAL LINK****NOTICE OF WEBCASTING****DISCLOSURES OF INTEREST****PUBLIC FORUM****CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

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## CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

**Item:** ENV035-23 Confirmation of the minutes of the previous meeting held on 11 September 2023

**Author:** Executive Services Officer

**Directorate:** Office of the General Manager

**Matter Type:** Previous Minutes

ENV035-23

### RECOMMENDATION:

That the Minutes of the Environment and Planning Committee Meeting held on 11 September 2023 be confirmed.

### ATTACHMENTS

Attachment [↓](#)1 UNCONFIRMED Minutes of the Environment and Planning Committee - 11/09/2023



## MINUTES

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### Environment and Planning Committee

Monday, 11 September 2023

7:00pm

Georges River Civic Centre,  
Hurstville

UNCONFIRMED MINUTES



GEORGES RIVER COUNCIL

## **PRESENT**

### **COUNCIL MEMBERS**

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

### **COUNCIL STAFF**

General Manager – David Tuxford, Director Environment and Planning - Meryl Bishop, Manager Environment Health and Regulatory Services –Andrew Spooner, Coordinator Strategic Planning - Stephanie Lum, Coordinator Parking and Rangers – Haemish Bongers, Strategic Planner – Molly Porter, Strategic Planner/Information Management – Andy Zhou, General Counsel - James Fan, Executive Manager City Futures – Simon Massey, Manager Office of the General Manager – Vicki McKinely, Executive Services Officer, Marisa Severino and Mark Tadros – Acting Team Leader Technology Business Support.

### **GUESTS**

Alan Ginns – Director Godwana Consulting

## **OPENING**

Deputy Mayor, Councillor Landsberry, opened the meeting at 7pm.

## **ACKNOWLEDGEMENT OF COUNTRY**

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

## **APOLOGIES/LEAVE OF ABSENCE**

There were no apologies or requests for leave of absence.

## **REQUEST TO ATTEND MEETING VIA VISUAL AUDIO LINK**

There were no apologies or requests for leave of absence.

## **NOTICE OF WEBCASTING**

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

## **DISCLOSURES OF INTEREST**

There were no disclosures of interest made.

**PUBLIC FORUM**

ITEM	SPEAKER
<b>ENV033-23</b> Companion Animal Identification and De-Sexing Program	Ms Tania Katsanis
<b>ENV030-23</b> Public Exhibition of Draft Plan of Management and Master Plan for Donnelly Park	Mr Matthew Montgomery
<b>ENV030-23</b> Public Exhibition of Draft Plan of Management and Master Plan for Donnelly Park	Ms Annabela Lima

**CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**ENV029-23 Confirmation of the minutes of the previous meeting held on 14 August 2023**  
 (Report by Executive Services Officer)

**RECOMMENDATION:** Councillor Borg and Councillor Mahoney

That the Minutes of the Environment and Planning Committee Meeting held on 14 August 2023 be confirmed.

**Record of voting:**

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

It was noted that the motion was carried unanimously.

Note – Councillor Mort and Symington arrived at 7.12pm

**COMMITTEE REPORTS**

**ENV030-23 Public Exhibition of Draft Plan of Management and Master Plan for Donnelly Park**  
 (Report by Strategic Planner/Information Management)

**RECOMMENDATION:** Councillor Ambihaipahar and Councillor Borg

- (a) That Council notify the draft Plan of Management and Master Plan to the NSW Department of Planning and Environment, as the representative landowner of part of the land under section 39 of the *Local Government Act 1993*, to obtain owner’s consent prior to public exhibition.
- (b) That Council seek written consent from the NSW Department of Planning and Environment to adopt the draft Plan of Management, in accordance with section 3.23(6) of the *Crown Land Management Act 2016*.
- (c) That Council delegates authority to the General Manager to make any further amendments to the draft Donnelly Park Plan of Management and Master Plan to address any points raised by the NSW Department of Planning and Environment and make minor modifications to any numerical, typographical, interpretation and formatting errors if required.
- (d) That Council endorse the draft Donnelly Park Plan of Management and Master Plan for public exhibition for a period of no less than 28 days and allow submissions to be received up until 42 days in accordance with section 38 of the *Local Government Act 1993*.
- (e) That Council endorse the proposed changes to the land categorisation and hold a public

hearing under section 40A of the *Local Government Act 1993*.

**Record of voting:**

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

It was noted that the motion was carried unanimously.

Note- Councillor Ficarra arrived at 7.28pm

**ENV031-23 Abandoned Shopping Trolley Update**  
(Report by Manager Environment Health & Regulatory Services)

**RECOMMENDATION:** Councillor Katris and Councillor Borg

That Council receive and note the information contained within this report.

**Record of voting:**

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

It was noted that the motion was carried unanimously.

**ENV032-23 Swimming Pool Compliance Policy and Program - Post Exhibition**  
(Report by Manager Environment Health & Regulatory Services)

**RECOMMENDATION:** Councillor Jamieson and Councillor Mahoney

That Council adopt the Swimming Pool Compliance Policy 2023 and Swimming Pool Inspection Program 2023, contained in Attachment 1 and 2 to this report.

**Record of voting:**

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

It was noted that the motion was carried unanimously.

**ENV033-23 Companion Animal Identification and De - sexing Program**  
(Report by Manager Environment Health & Regulatory Services)

**RECOMMENDATION:** Councillor Jamieson and Councillor Borg

- (a) That Council receive and note the information contained in this report.
- (b) That Council endorse consideration of funding the Companion Animal De- sexing Program in the 2024/2025 budget.

**Record of voting:**

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

It was noted that the motion was carried unanimously.



**ENV034-23 Proposed Planning Proposal for 28 Carlton Crescent, Kogarah Bay**  
(Report by Strategic Planner)

**RECOMMENDATION:** Councillor Borg and Councillor Ambihaipahar

- (a) That Council acknowledge the Heritage Significance Assessment Report for 28 Carlton Crescent, Kogarah Bay, prepared by Edwards Heritage Consultants dated July 2023.
- (b) That Council forward the Planning Proposal No. 2023/0003 enclosed in **Attachment 1** to the Department of Planning and Environment for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
- (c) That Council endorse to publicly exhibit the Planning Proposal in accordance with the terms of the Gateway Determination issued by the Department of Planning and Environment and the Georges River Council Engagement Strategy.

**Record of voting:**

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

It was noted that the motion was carried unanimously.

**CONCLUSION**

The Meeting was closed at 8.07pm.

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Chairperson

**COMMITTEE REPORTS**

**Item:** ENV036-23 Report on Submissions - Mortdale Local Centre Master Plan - Exhibition of Two Options

**Author:** Strategic Planner

**Directorate:** Environment and Planning

**Matter Type:** Committee Reports

ENV036-23

**RECOMMENDATION:**

- (a) That Council note the submissions received during the public exhibition of the two draft Mortdale Local Centre Master Plan options.
- (b) That Council adopt the Mortdale Local Centre Master Plan Option 1A as exhibited with the following amendments in response to submissions received:
  - a. Amend the heights along Victoria Avenue to be 13m / 4 storeys.
  - b. Provide additional clarification on dedicated cycleways.
  - c. State that the proposed Martin Place road closure can be trialled with a temporary closure to test traffic impacts and use before any permanent changes are implemented.
- (c) That Council prepare a Planning Proposal, amendment to the *Georges River Development Control Plan 2021*, and amendment to the *Georges River Local Infrastructure Contributions Plan 2021* to implement the Mortdale Local Centre Revised Master Plan Option 1A (Post Exhibition Version), subject to a successful budget bid in the 2024/25 financial year.
- (d) That Council write to the NSW Department of Planning and Environment requesting the adopted Mortdale Local Centre Revised Master Plan Option 1A (Post Exhibition Version) be endorsed as a strategic study.
- (e) That all persons who made a submission be advised of Council's decision on this matter.

**EXECUTIVE SUMMARY**

1. On 26 September 2022, Council considered a report on the public exhibition of the draft Mortdale Master Plan and resolved (in summary):
  - a. Not to proceed with the previously exhibited draft Mortdale Master Plan.
  - b. To prepare two revised Master Plan options for exhibition for 60 days.
  - c. To prepare a Traffic, Transport and Parking Study for both options prior to exhibition.
  - d. To update the draft Public Domain Upgrade Works for both options prior to exhibition.

- e. Not to proceed with a draft Affordable Housing Contributions Scheme in the Mortdale Local Centre at this stage and to investigate a scheme that applies across the whole LGA.
2. Subsequently, two draft Mortdale Master Plan Options were prepared to provide a strategic framework to guide future growth in the centre and to:
    - a. increase business floor space and employment opportunities;
    - b. increase residential choice;
    - c. improve the public space network, including road closure plazas, town square, new park, library and community hub; and
    - d. improve the public domain, including active transport upgrades, potential through site links, laneway upgrades and road closure plazas.

#### Option 1A

3. Option 1A provides for an additional 578 residential dwellings through shop-top housing, terraces/townhouses and residential flat buildings.
4. An expanded and rationalised E1 Local Centre zone north of the station would provide for additional employment and living opportunities, with a total non-residential gross floor area (GFA) of 27,685sqm (note this is the same as proposed in Option 2A). A minimum 0.75:1 FSR is proposed for non-residential development.
5. Along Morts Road, maximum building heights are limited to 4 storeys with a 2-storey street wall height. Closer to the station along Pitt Street, maximum building heights are 6 storeys with a 4-storey street wall height.
6. New residential zones to the northeast of the E1 Local Centre zone are also proposed with a R3 Medium Density Residential zone with a maximum of 9m / 2.5 storeys and a R4 High Density Residential zone with heights to a maximum of 13m / 4 storeys and 9m / 2.5 storeys along Victoria Avenue.

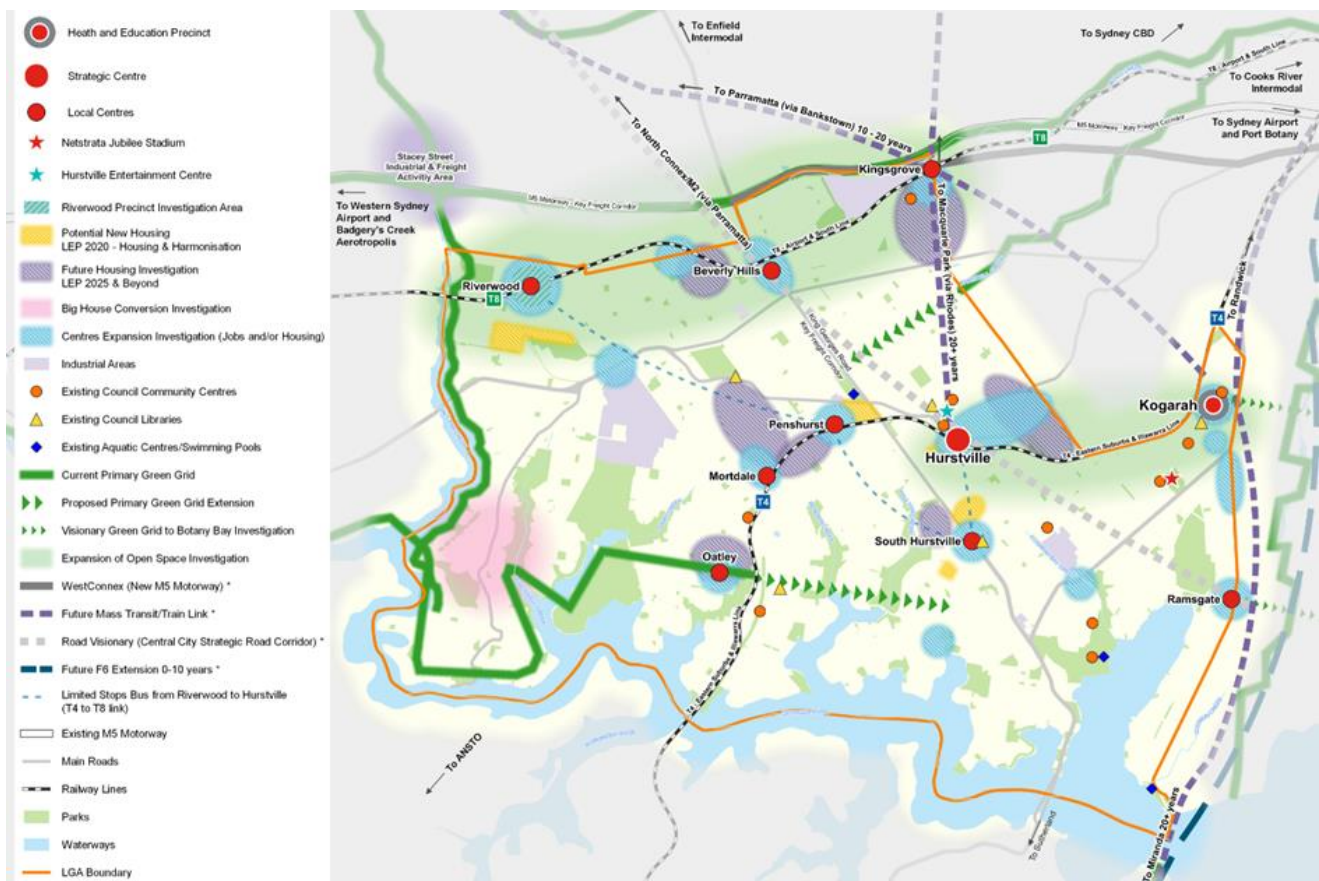
#### Option 2A

7. Option 2A provides for an additional 270 residential dwellings through shop-top housing only.
8. As is the case with Option 1A, an expanded and rationalised E1 Local Centre zone north of the station to provide for additional employment and living opportunities, with a total non-residential GFA of 27,685sqm (same as Option 1A). A minimum 0.75:1 FSR is proposed for non-residential development.
9. Maximum building heights are limited to 4 storeys with a 2-storey street wall height.
10. No new residential zones are provided with the existing R2 Low Density Residential zone adjacent to the E1 Local Centre to the northeast of the Centre being retained.
11. The two draft revised Master Plan options were publicly exhibited from 10 May to 9 July 2023 (inclusive). A total of 968 submissions were received comprising:
  - a. 9 supporting the previously exhibited Master Plan/additional development than what is proposed in the two draft Master Plan Options;
  - b. 396 (including 378 pro forma) supporting Option 1A as exhibited or with minor amendments;
  - c. 30 not specifying a preference for either Option; and
  - d. 525 (including 474 pro forma) supporting Option 2A as exhibited, or generally commenting on no more than four storeys.

- 12. In response to submissions and key issues discussed at the subsequent Councillor workshops, this report recommends that Council adopt Option 1A with the following minor amendments:
  - a. Amend the heights along Victoria Avenue to be 13m / 4 storeys, consistent with the heights adjacent fronting on to Cook Street;
  - b. Include imagery to illustrate a dedicated cycleway, in contrast to the proposed on-road cycling route on Railway Parade; and
  - c. Include additional text that the proposed Martin Place road closure can be trialled before any permanent changes are made.
- 13. Should Council adopt a preferred Master Plan for the Mortdale Local Centre, it is noted that this will not alter planning controls in Council’s planning legislation. Therefore, it is recommended that Council endorse the preparation of a Planning Proposal, Development Control Plan and Contributions Plan amendment to implement the proposed planning controls, heights, zones, floor space ratio and public domain works proposed in the Master Plan, subject to a successful budget bid in the 2024/25 financial year.

**BACKGROUND – STRATEGIC CONTEXT**

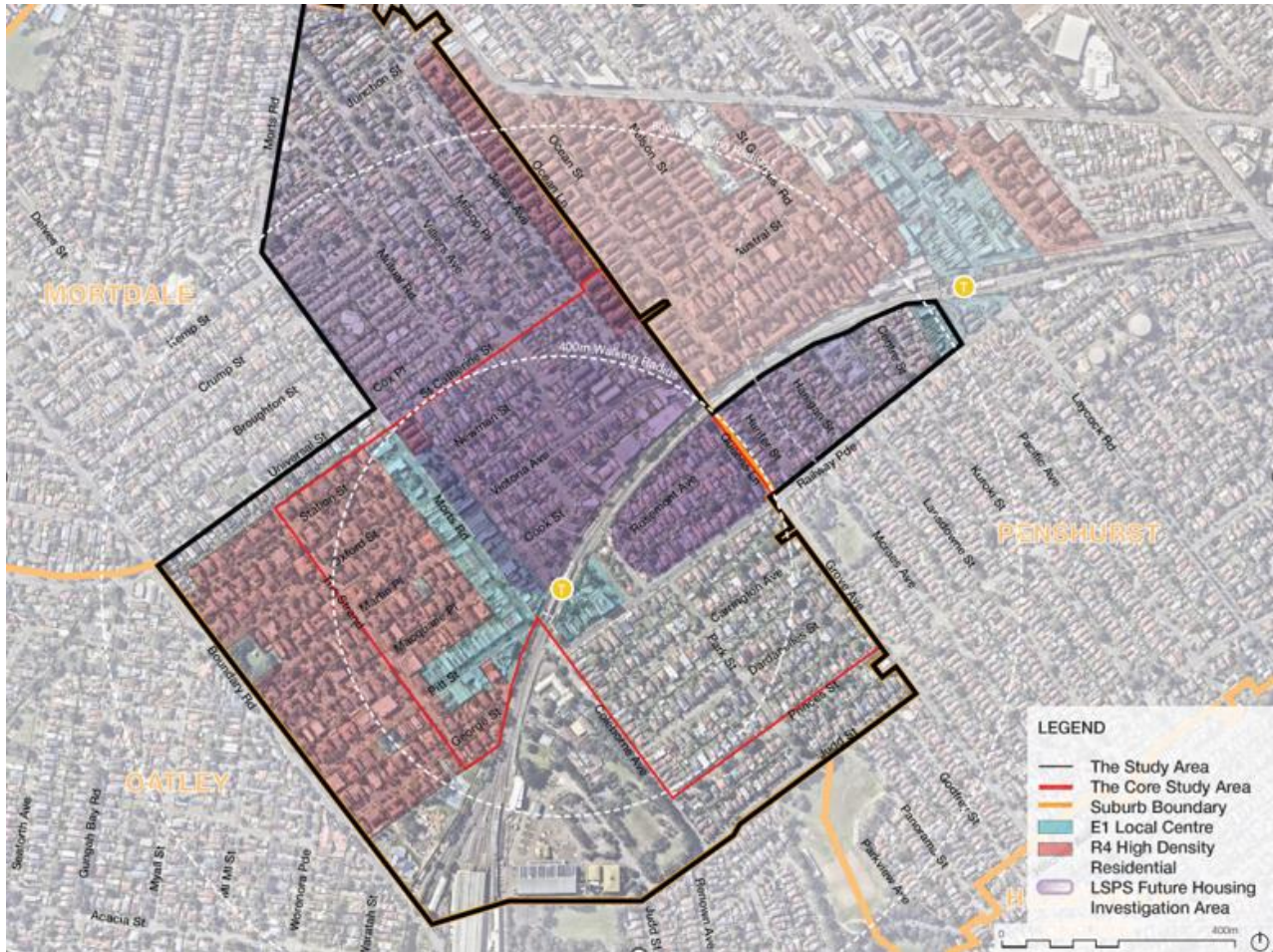
- 14. Mortdale is identified as one of eight ‘Local Centres’ in the *Georges River Local Strategic Planning Statement (LSPS) 2040*. In addition to Mortdale, other Local Centres identified in the LSPS include Oatley, Penshurst, Riverwood, Beverly Hills, Kingsgrove, South Hurstville and Ramsgate as shown in **Figure 1**.



**Figure 1. LSPS Structure Plan**

- 15. The LSPS sets out a 20-year land use vision for the LGA to manage future growth and realise the regional/district plans. The LSPS sets out a roadmap to deliver the community’s vision of “A productive place to live, work and enjoy- with diverse, active, green, well designed and connected places”.

16. To guide future development in Mortdale over the next 20 years, Council in August 2020 resolved to prepare a Master Plan for the Mortdale Local Centre, centred around the existing E1 Local Centre (formerly known as B2 Local Centre) zoned land and the area in close proximity to Mortdale Station. A core study area of approximately 400m (or 5 minutes' walk from the station) and a wider study area of approximately 800m (or 10 minutes' walk from the station) was the basis for the Master Plan and is shown in **Figure 2**.



**Figure 2.** Mortdale Master Plan Study Area

**BACKGROUND – 2021 DRAFT MASTER PLAN (NOT PROCEEDING)**

17. At its meeting held on 24 August 2020, Council resolved to prepare a master plan for the Mortdale Local Centre to provide a strategic framework to guide future growth in the centre and to:
  - increase business floor space and employment opportunities;
  - increase residential choice;
  - improve the public space network, including road closure plazas, town square, new park, library and community hub; and
  - improve the public domain, including active transport upgrades, potential through site links, laneway upgrades and road closure plazas.
18. A draft Mortdale Master Plan was prepared in early 2021. The community provided feedback to inform the preparation of the draft Master Plan in early 2021. The key

components of the original Master Plan are outlined in **Figure 3** and **Tables 1 and 2** below:



**Figure 3.** 2021 Draft Master Plan – Proposed Zones

**Table 1 - 2021 Draft Master Plan – Proposed Height of Buildings (HOB)**

Zone	Proposed HOB (Base Case)
B2 Local Centre	22m
B2 Local Centre (the northern corner lot of Station St and Morts Rd)	15m
R4 High Density Residential	13m
R3 Medium Density Residential	9m
R2 Low Density Residential	9m

**Table 2 - 2021 Draft Master Plan – Proposed Floor Space Ratio (FSR)**

Zone	Proposed FSR (Base Case)
B2 Local Centre	2.5:1 (0.75:1 – Non-residential FSR)
B2 Local Centre (the northern corner lot of Station St and Morts Rd)	1.5:1

R4 High Density Residential	1.0:1
R3 Medium Density Residential	0.7:1
R2 Low Density Residential	0.55:1

19. The 2021 draft Master Plan also proposed bonus development incentives, including greater building height and density to encourage the delivery of affordable housing in the Mortdale Local Centre. The bonus incentives were proposed for the B2 Local Centre (now known as E1 Local Centre) zoned land close to the station, with a minimum site area of 1,000sqm, additional setbacks and the delivery of an affordable housing contribution scheme.
20. The 2021 draft Master Plan proposed an additional 969 residential dwellings, a total of 35,850sqm non-residential GFA, provisions for affordable housing, and public domain improvements including a new Civic Square, active transport upgrades, green links upgrades, potential through site links, laneway upgrades and road closure plazas.
21. The 2021 draft Master Plan was exhibited between July–September 2021 (extended from August 2021). A total of 165 survey responses were received on the Your Say website, with most respondents (61%) not supportive of any change to the area. 18% of were either supportive or wanted to see more ambitious changes to the area, while 21% were either neutral or did not have enough information to make a decision. 185 community members also made a total of 236 written submissions, with 88% strongly opposed to the exhibited draft Master Plan.
22. A report on the outcomes of the exhibition of the draft Master Plan was considered at a Council meeting held on 26 September 2022. At that meeting, Council resolved:
- That Council notes the submissions received during the public exhibition of the draft Mortdale Master Plan.*
- That Council does not proceed with the exhibited draft Mortdale Master Plan.*
- That Council notes it has received a range of diverse submissions on the previously exhibited Mortdale Master Plan, and as such, Council resolves to prepare two revised Master Plan Options for exhibition and comment as indicated below.*
- (a) *That Council is to prepare a revised Mortdale Master Plan (which is to be known as Option 1A) based on Option 1, as detailed in the report with the following amendments.*
- i. *Revise the height limit in the B2 zones within Morts Road to 4-storeys, with a 2-storey street wall, with upper levels setback, from St Catherine Street through to No 14A Morts Road, (just past the Uniting Church), and this is to be reflected on the opposite side of Morts Road, so that the 4-storey limit extends from St Catherine Street, through to No. 11C Morts Road*
  - ii. *Revise the height limits on the sites that front onto Macquarie Place, which include the sites that are located just behind No. 11A Morts Road (which is the current location of the Westpac Bank) all the way through to The Strand are to be limited to 4 storeys, with a 2-storey street wall and with upper levels setback in this location as indicated in Option 1 and as detailed in the report as figure 6 but extended to The Strand, in order to include part of the RSL Site that faces Macquarie Place*

- iii. *Revise the height limits on all the other remaining B2 Zoned sites which occur, in close proximity to Mortdale Railway Station, and front onto Pitt Street, the corner of The Strand and Pitt Street, part of Cook Street and including parts of George Street so that they are limited to 6 storeys with a 2-4 storey street wall and with the upper levels setback in all such locations as indicated in Option 1 and as detailed in the report as figure 6 with the exception that the B2 Zoning that fronts Pitt Street, and includes part of the RSL site is to extend to The Strand and the 6 storey height limit is also to extend to The Strand on the corner of Pitt Street and The Strand.*
  - iv. *All other proposed rezonings and proposed height limits are to be accordance with that which is indicated in the attached Council Officers Report as Option 1, and as detailed in the report as figure 6 - Option-Structure Plan on Page 97 which also includes the Rezoning of some of the existing Residential Properties.*
  - v. *The actual heights, in metres, are to be in accordance with paragraphs 58 and 59, on page 87 of the attached Council Officer's Report.*
  - vi. *The FSR in the business zones and in the proposed rezoning of existing residential zones are to be reviewed to reflect the proposed heights and these are to reflect the Proposed Floor space ratios that are indicated in paragraphs 55, 56 and 57 on page 86 of the Council Officers report.*
- (b) *Further, that Council prepares a revised Mortdale Master Plan (which is to be known as option 2A) based on Option 2 as detailed in the report as follows:*
- i. *The height limit in the B2 zone in Pitt Street and Morts Road is 4-storeys with a 2-storey street wall with upper levels setback*
  - ii. *The FSR is reviewed to reflect the proposed 4 storey height limit*
  - iii. *Rezone the following existing R4 properties to B2 with a 4-storey height limit:*
    - a. *9 Pitt Street, Mortdale*
    - b. *56 Pitt Street, Mortdale*
    - c. *19-25 Macquarie Place*
- (c) *That Council endorse that the Mortdale Master Plan Option 1A and Option 2A be placed on public exhibition for 60 days in order to allow the residents sufficient time to review both options and provide their submissions.*
- (d) *That Council is to prepare a preliminary Traffic, Transport and Parking Study to assess the potential impacts of land use uplift on the existing network and to develop mitigation strategies in order to accommodate the expected growth under Option 1A and 2A. Prior to the two options going out on exhibition.*
- (e) *The Council is to Incorporate the Public Domain benefits into both of the Mortdale Master Plans on a preliminary basis by carrying out an update on the previous Mortdale Local Centre Master Plan Public Domain Upgrade Works so that it reflects the revised and updated Mortdale Master Plan options, Option 1A and Option 2A.*
- (f) *That Council conduct in person community consultation for Option 1A and Option 2A of the Mortdale Master Plan during the exhibition period, as well as including the provision of one-on-one telephone and meeting services by Council's town planners for community members who wish to discuss any aspects of the draft plans*
- (g) *That a further report be prepared and submitted to Council at the conclusion of the exhibition period recommending a preferred approach for the revised Mortdale Master Plan 2022 based on the submissions received and the findings of the Traffic, Transport and Parking Study.*



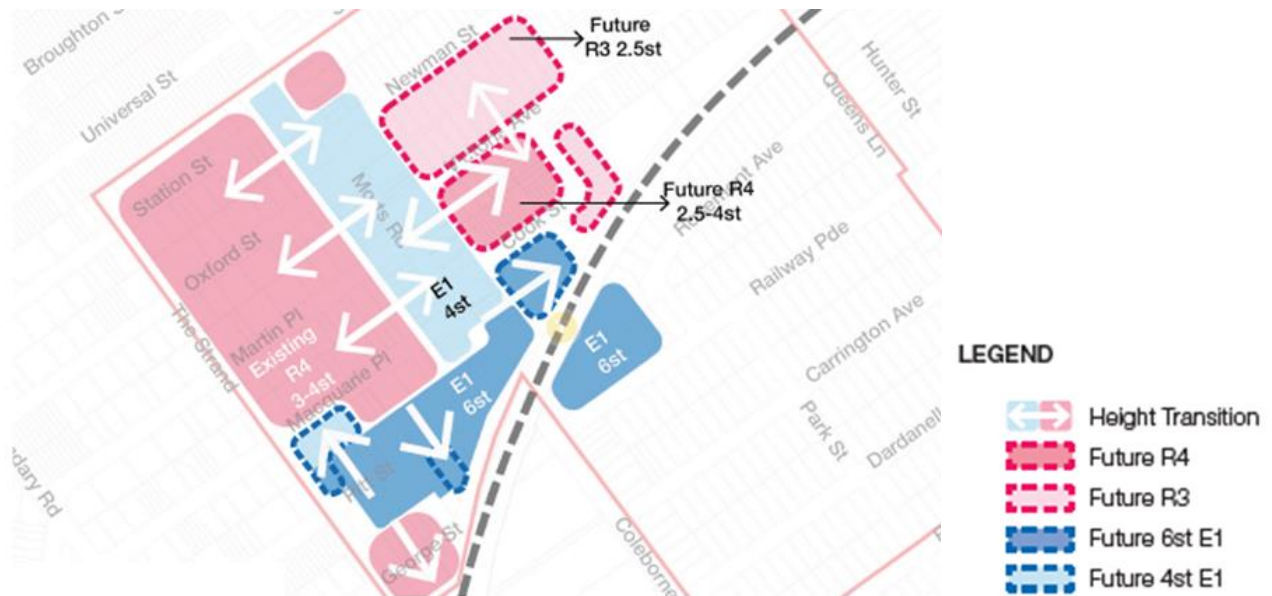
- (h) That Council does not proceed with a draft Affordable Housing Contributions Scheme in the Mortdale Local Centre at this stage and is to investigate a scheme that applies across the whole LGA.
- (i) That all persons who made a submission to the draft Master Plan options be advised of Council’s decision.

**REVISED MASTER PLAN – PREPARATION OF TWO OPTIONS**

23. Based on the Council resolution of 26 September 2022, two revised Master Plan Options were prepared, including an updated Traffic and Transport Impact Assessment and Public Domain Upgrade Works – Quantity Surveyor’s (QS) Report for each Option. An overview of the draft Master Plan Options 1A and 2A is provided below.

Option 1A

- 24. The revised Master Plan Option 1A provides for a gradual redevelopment of Mortdale focused on the potential within 400m walking distance of Mortdale Station, allowing for an additional 578 residential dwellings.
- 25. An expanded and rationalised E1 Local Centre zone (formerly known as B2 Local Centre zone), north of the station, has been identified to provide for additional employment and living opportunities, with a total non-residential GFA of 27,685sqm (note this is the same as proposed in Option 2A). Along Morts Road, maximum building heights are limited to 4 storeys with a 2-storey street wall height. Closer to the station along Pitt Street, maximum building heights are 6 storeys with a 4-storey street wall height. A minimum 0.75:1 FSR is proposed for non-residential development.
- 26. New residential zones to the northeast of the E1 Local Centre zone are proposed to provide height transitions and greater housing variety for Mortdale. In the proposed R3 Medium Density Residential zone, building heights are a maximum of 9m / 2.5 storeys, while in the proposed R4 High Density Residential zone, heights are a maximum of 13m / 4 storeys and 9m / 2.5 storeys along Victoria Avenue. An overview of the proposed zoning, height and built form changes in Option 1A are shown in **Figure 4** and **Table 3**.



**Figure 4.** Option 1A – Proposed Zoning, Height and Built Form Changes (areas of change shown by dotted outline)

**Table 3.** Option 1A – Proposed Height of Buildings (HOB) and Floor Space Ratio (FSR)

Zone	Proposed HOB	Maximum	Proposed FSR	Maximum
E1 Local Centre (north of the railway)	15m-22m		1.5:1 – 2.5:1	
E1 Local Centre (south of the railway)	22m		2.5:1 (no change)	
R4 High Density Residential	13m		1.0:1 (no change)	
R3 Medium Density Residential	9m		0.7:1	
Minimum non-residential FSR in E1 zone				0.75:1

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27. The new built form strategy is supported by a complementary public domain improvement plan across the areas of change to build on the work previously implemented along Morts Road under the Mortdale Town Centre Streetscape Upgrade Project. The public domain improvements include active transport upgrades, green link upgrades, potential through site links, laneway upgrades and road closure plazas. The public domain improvement plan and the new built form strategy provide a fine-grained development for Mortdale over the next decades and will create a more walkable and lively town centre.
28. A copy of the exhibited Mortdale Master Plan Option 1A can be viewed on Council's Your Say page here:  
<https://yoursay.georgesriver.nsw.gov.au/85473/widgets/403562/documents/258732>

### Option 2A

29. The revised Master Plan Option 2A provides for some redevelopment of Mortdale focused on the potential within 400m walking distance of Mortdale Station, allowing for an additional 270 residential dwellings through shop-top housing only.
30. As is the case with Option 1A, an expanded and rationalised E1 Local Centre zone (formerly known as B2 Local Centre zone), north of the station, has been identified to provide for additional employment and living opportunities, with a total non-residential GFA of 27,685sqm (same as Option 1A). Maximum building heights are limited to 4 storeys with a 2-storey street wall height. A minimum 0.75:1 FSR is proposed for non-residential development.
31. No new residential zones are provided around the E1 Local Centre zone. The existing R2 Low Density Residential zone adjacent to the E1 Local Centre to the northeast of the Centre is retained. An overview of the proposed zoning, height and built form changes in Option 2A are shown in **Figure 5** and **Table 4**.



**Figure 5.** Option 2A – Proposed Zoning, Height and Built Form Changes (areas of change shown by dotted outline)

**Table 4.** Option 2A – Proposed HOB and FSR

Zone	Proposed Maximum HOB	Proposed Maximum FSR
E1 Local Centre (north of the railway)	15m	1.5:1 (no change)
E1 Local Centre (south of the railway)	22m	2.5:1 (no change)
Minimum non-residential FSR in E1 zone		0.75:1

32. As with Option 1A, Option 2A is supported by a public domain improvement plan, however the improvements are more limited than in Option 1A as they only relate to areas of change. The public domain improvements build on the work previously implemented along Morts Road under the Mortdale Town Centre Streetscape Upgrade Project. The public domain improvements include active transport upgrades, green link upgrades, potential through site links, laneway upgrades and road closure plazas. The public domain improvement plan and the new built form strategy provide for a fine-grained development for Mortdale over the next decades and will create a more walkable and lively town centre.

33. A copy of the exhibited Mortdale Master Plan Option 2A can be viewed on Council’s Your Say page here:  
<https://yoursay.georgesriver.nsw.gov.au/85473/widgets/403562/documents/258734>

Updated Traffic and Transport Impact Assessment

34. To support each Master Plan Option, an updated Traffic and Transport Impact Assessment for each Option was prepared by SCT Consulting. Traffic modelling was undertaken for key intersections through the Mortdale Local Centre to understand the existing network performance and to test the impacts of the Master Plan Options.

35. The performance of the intersections was tested for the following modelling scenarios:

- a. 2032 with background growth only (i.e., on the basis the Master Plan is not implemented); and
  - b. 2032 with Master Plan development.
36. Traffic growth is expected from the proposed residential and commercial uplift. During each peak road network period (Weekday AM peak hour 8am-9am and Weekday PM peak hour 5:45pm-6:45pm):
- Option 1A is estimated to generate about 831 additional vehicle trips; and
  - Option 2A is estimated to generate about 722 additional vehicle trips.
37. Both options would result in the following intersections performing at capacity in 2032:
- Morts Road / Cook Street;
  - Morts Road / Victoria Avenue; and
  - Morts Road / Newman Street.
38. Some intersections are forecast to operate at or near capacity with or without the Master Plan development. No road or intersection upgrades are recommended, such as widening, signalisation or roundabouts, to ensure the continued permeability of pedestrians through the Centre and its urban amenity. The existing road network provides the best connectivity for pedestrians, which improves foot traffic for local businesses and contributes to the sense of liveliness of the Centre.
39. Compared to expected growth through to 2032 without the Master Plan being implemented, the results of the traffic modelling indicate that implementation of the Master Plan and the associated development will have a minimal impact on traffic. Overall, the impacts of both Master Plan options on the transport network are forecast to be acceptable, with improvements to the pedestrian environment, which could lead to increased pedestrians through commercial activity and longer stays. The proposed road closure and revitalised urban design of Martin Place is expected to have positive impacts for pedestrians and cyclists and minimal impact on vehicle movement and capacity on the road network. The existing zebra crossings will continue to provide pedestrian priority over vehicles.
40. A copy of the exhibited Traffic and Transport Impact Assessment Reports can be viewed on Council's Your Say page:

Option 1A:

<https://yoursay.georgesriver.nsw.gov.au/85473/widgets/403562/documents/258716>

Option 2A:

<https://yoursay.georgesriver.nsw.gov.au/85473/widgets/403562/documents/258719>

#### Public Domain Upgrade Works – QS Report

41. To inform the two Master Plan Options, a Quantity Surveyor's (QS) Cost Report was prepared by Mitchell Brandtman to provide a summary of the costs of the public domain upgrade works recommended for each Option in the draft Master Plan.
42. For Option 1A, the costs were estimated at \$34,710,000, comprising:

- a. Upgrades to main streets (Morts Road and Pitt Street);
  - b. Upgrades to local streets (Cook Street, Cross Street, Macquarie Place, Newman Street, Victoria Avenue, The Strand);
  - c. Upgrades to local streets with a cycleway component;
  - d. Laneway upgrades; and
  - e. Martin Place road closure.
43. For Option 2A, the costs were estimated at \$20,011,000, comprising:
- a. Upgrades to main streets (Morts Road and Pitt Street);
  - b. Upgrades to local streets (Macquarie Place, Newman Street, Victoria Avenue, The Strand);
  - c. Upgrades to local streets with a cycleway component;
  - d. Laneway upgrades; and
  - e. Martin Place road closure.
44. A copy of the exhibited QS Report can be viewed on Council's Your Say page: <https://yoursay.georgesriver.nsw.gov.au/85473/widgets/403562/documents/258745>
45. If a Master Plan is endorsed and a Planning Proposal is undertaken, public domain upgrade works will be funded through development contributions through an amendment to the *Georges River Local Infrastructure Contributions Plan 2021*.

## COMMUNITY CONSULTATION

### Public exhibition

46. The two revised Master Plan Options and supporting documents were placed on public exhibition from Wednesday 10 May 2023 to Sunday 9 July 2023 (inclusive). The notification for the public exhibition included:
- 4,975 letters posted to owners and residents/occupiers within the study area;
  - 189 email letters to those who previously made a submission;
  - Advertisements in the St George and Sutherland Shire Leader Newspaper on 10 May 2023, 31 May 2023 and 5 July 2023;
  - Dedicated page on Council's Your Say website;
  - Two in-person workshops and one online workshop;
  - Displays in Council's Customer Service Centres and libraries of the two revised Master Plan Options, including the Urban Design Reports, Traffic and Transport Impact Assessment and QS Report for each Option; and
  - Availability of telephone and face to face contact with Council's planning officers.

### Community Workshops

47. Three (3) community workshops were held during the public exhibition period. Two in-person workshops were held at the Mortdale RSL on Thursday 25 May 2023 and one online workshop was held via Zoom on Thursday 8 June 2023. The workshops were designed to be interactive and enable discussion, facilitated by PlanCom (a community

engagement consultant) and assisted by Council staff and consultants who prepared the draft Master Plan Options and accompanying reports.

48. The overall purpose of the workshops was to assist people to understand the two Master Plan Options so they could make informed submissions through comments on the Master Plan Options and/or providing ideas about the Centre based on the Master Plan Options. As a result, of the 83 people who attended the workshops:
  - a. 45% or 37 people who attended made a submission.
  - b. 55% or 46 people who attended did not end up making a submission.
  
49. A Workshop Summary Report dated July 2023 was prepared by PlanCom Consulting and is provided in **Attachment 1**. The Report provides an overview of the outcomes of the three community workshops.
  
50. The workshops in person and online were well received with the in person workshop providing an opportunity to bring the community together in a way that was yet to occur for the project, due to the impact of COVID restrictions during the consultation of the previously exhibited draft Master Plan.
  
51. In summary, the key feedback arising from the workshops included:
  - a. desire for retention of current height or minimal increase due to the impact of shadowing and feeling that there are already too many people and demand for services;
  - b. concern about existing and future parking and traffic;
  - c. concerns about access and safety;
  - d. interest in more spaces accessible to the community; and
  - e. desire to maintain viable small shops, and local centre scale.
  
52. The key issues raised at the workshops were consistent with the issues raised in the submissions, discussed in further detail below.

Submission Responses

53. A total of 968 submissions were made relating to the draft Master Plan Options. Pro forma submissions made up 88% of the overall number of submissions, including 49% from the Save Mortdale Village group and 39% from the Mortdale RSL Club or its supporters. Only 4% of submissions were from those who had attended one of the community workshops offered by Council. One submission was received from a Councillor in their capacity as a resident.
  
54. A breakdown of the submissions is provided in **Table 5** below.

**Table 5. Breakdown of Submissions**

Submission Type	No. of Submissions
Support for previous Master Plan / additional development than what is proposed	9

Support for Option 1A as exhibited or with minor amendments	396 (including 378 pro forma submissions)
Other (no specific preference for any option)	30
Support for Option 2A or no more than four storeys	525 (including 474 pro forma submissions)
Opposed to all development	8
Total	968

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55. A summary of the 968 submissions received is provided in **Attachment 2**.

Summary of Issues Raised in the Submissions

56. From the 968 submissions received, **Table 6** below provides a summary of the key matters raised in the submissions with Council’s response.

**Table 6. Key Matters Raised in Submissions**

Matters raised	Council Response
<p>Traffic / Congestion</p> <ul style="list-style-type: none"> <li>Concerns that traffic/ congestion will worsen.</li> <li>Request review of traffic management to look at increased road capacity.</li> <li>No park and ride planned.</li> </ul>	<p>Noted. The Traffic and Transport Impact Assessment modelled the future traffic impact expected from the proposed residential and commercial uplift. The findings from the Traffic and Transport Impact Assessment concluded that “<i>Traffic modelling suggests that the increased number of residential dwellings and proposed road closures will lead to an increase in average delays across the road network, but the overall impact will be negligible.</i>” (p.25)</p> <p>Further transport initiatives such as park and ride are not part of the scope of the Master Plan and can be considered at a later stage.</p> <p>Traffic reports would also be required to be submitted with each DA and assessed by Council.</p>
<p>Concern about traffic from development on Pitt Street</p> <ul style="list-style-type: none"> <li>Development on Pitt Street will significantly add to traffic along Morts Road due to the residents only having access via Morts Road. Access to developments on Pitt Street will result in a loss of car spaces due to the number of driveways required for these developments. Vehicles entering and exiting the</li> </ul>	<p>Noted. Requirements for driveway crossings on Pitt Street can be considered during the preparation of the DCP.</p> <p>For all residential developments as per the Apartment Design Guide (ADG), parking must be provided off street. Developments with non-residential components (such as in the E1 zone) will be required to provide off street parking based on the amount of non-residential GFA included and the type of land use proposed (this is additional to the requirements for the residential component).</p> <p>Access to sites would be considered as part of a DCP and implemented at the DA stage.</p>

Matters raised	Council Response
<p>properties on Pitt Street developments pose a risk to pedestrians on the Pitt Street footpath. A right of way at the rear of these blocks with access from the Strand may be an option.</p>	
<p>Martin Place to Morts Road proposed road closure</p> <ul style="list-style-type: none"> <li>• Unclear what this is meant to achieve. Not a spot particularly inviting beyond waiting for someone. Preference to leave as is and incorporate more seats along Morts Road instead.</li> <li>• Questions about where traffic would go?</li> <li>• Some in support, others against.</li> <li>• Increasing traffic flow to Macquarie Place is inappropriate.</li> </ul>	<p>Noted. This matter was discussed at a Councillor workshop following the close of submissions to obtain direction from Councillors on the matter. Council’s response and recommendation is provided in the section below.</p>
<p>Traffic studies</p> <ul style="list-style-type: none"> <li>• Questioning the accuracy of the traffic studies.</li> <li>• Believe the forecast traffic study does not reflect the likely potential outcome and is overly optimistic.</li> <li>• Questioning the assumption that there will be less car usage rather than more with the future increased population. Concerns that people will remain car-dependant, and will not walk or use public transport even if they live next to the station.</li> <li>• Concern it does not take into account extra traffic for the whole area, including the housing investigation areas and the local centres nearby.</li> <li>• The study recommends that no</li> </ul>	<p>The traffic studies were conducted in accordance with RMS (2013) Traffic Modelling Guidelines.</p> <p>Car usage assumed in the traffic studies reflect existing car usage data collected by the Australian Bureau of Statistics (ABS) in the 2016 and 2021 Censuses.</p> <p>Background traffic growth has been considered to understand the impact of general residential growth in the area in 2032 that is independent of the Master Plan with comparison modelling undertaken that considers this 2032 background growth combined with the Master Plan development.</p> <p>Current SIDRA Intersection 9.1 modelling suggests there is spare capacity in the existing road network with most intersections within the study area having a level of service of ‘A’ or ‘B’.</p> <p>Further transport initiatives, such as the signalisation of Railway Parade to address safety concerns, can be assessed at a later stage as part of the implementation of the Master Plan, or as part of a Road Safety Audit.</p>

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Matters raised	Council Response
<p>road network upgrades are recommended as road widening, signalisation or roundabouts would have a negative impact on pedestrian movement along and across Morts Road. However, the study has ignored the impact of the increased traffic on Railway Parade where there is already a need for increased safety.</p> <ul style="list-style-type: none"> <li>• Census data is from 2021 COVID lockdown.</li> <li>• Traffic studies show Mortdale is already at capacity.</li> </ul>	
<p>Car Parking &amp; Public Cook Street Car Park</p> <ul style="list-style-type: none"> <li>• Concern that the Master Plan options do not provide for additional car parking or public/commuter car parking near the station.</li> <li>• Council should build dedicated car parking rather than rely on developers.</li> <li>• Concern that both proposals seem to take away parking from the Cook St car park.</li> <li>• Suggestions that development contributions for developments over a certain size be used to build an underground carpark around the town centre, supplemented by space for public recreation. Or alternatively, use the levies to reduce Council rates for existing owners.</li> <li>• Request for parking at all development sites. Consider requiring 2 spaces per apartment to get apartment owners' cars off the streets. DCP car parking controls are not enough.</li> <li>• What is the master plan for the</li> </ul>	<p>Noted. In accordance with the ADG, parking must be provided off street. Developments with non-residential components (E1 zone) will be required to provide off street parking based on the amount of non-residential GFA included and the type of land use proposed (this is in addition to the requirements for the residential component).</p> <p>Parking rates are determined by the lesser of the RMS Guide to Traffic Generating Developments or the DCP. Parking rates can be determined later in the implementation stage of the Master Plan during the preparation of a DCP amendment.</p> <p>Increased density around the station will allow the proposed increased residents to live within walking distance of the station, not increasing the demand for parking.</p> <p>It is envisioned that the current parking on the Council site (bound by Cook Street and Ellen Subway) would be replaced as part of any new development. Future uses of the Council owned car park site have not been determined at this stage, rather, the Master Plan is about setting the maximum parameters for what future built form may be appropriate and what community uses may be incorporated.</p> <p>The specific vision for the Council owned sites will be determined at a later stage.</p> <p>Further discussion on the Council owned car park site occurred at the Councillor workshop following the close of submissions. A further response and recommendation is provided in the section below.</p>

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Matters raised	Council Response
<p>Cook St car park and properties acquired by the Council?</p> <ul style="list-style-type: none"> <li>• Council owned land that is being rezoned needs to be dedicated for a commuter carpark, rather than for Council-led commercial development.</li> </ul>	
<p>Comments on proposed cycle route on Railway Parade</p> <ul style="list-style-type: none"> <li>• Objections to a dedicated cycleway on Railway Parade as there is limited parking and few cyclists to use it.</li> <li>• Objections to footpath widening on either side of Railway Parade.</li> </ul> <p>Comments on Railway Parade generally:</p> <ul style="list-style-type: none"> <li>• Railway Parade needs traffic calming measures.</li> <li>• Improved pedestrian access for residents coming from Railway Parade and Judd Street would be beneficial.</li> <li>• Endorse upgrade of Railway Parade but condone any narrowing.</li> <li>• Objection to removal of trees along Railway Parade.</li> </ul>	<p>These comments were made in respect of a leaflet distributed by a community member titled “<i>Who wants a cycleway on Railway Parade?</i>” The pamphlet provided a description as follows - <i>decreasing the width of the existing carriageway clearing, demolition of existing road pavement and kerb gutter, stripping of topsoil, bulk earthworks, deep lift asphalt, line marking, signage, kerb and gutter, street lighting and landscaping. Footpath widening has been included on both sides of the road. A cycleway has been included on the verge. Allowance for building of overhead electrical and telecommunications cables have been included and existing sewer manholes to be altered to suit new road RLs. Relocation of street lights has been included if kerb alignment has changed. 400L street trees have been included every 8m on both sides of the road. Low level planting with 6 plants per square meter have been allowed to both sides of the road.</i></p> <p>Railway Parade is identified in the Master Plan as a potential ‘Street / laneway upgrade’ and green dotted ‘Active transport corridor / green link’. The Active Transport map shows it as ‘Council on-road cycling route’, not a dedicated cycleway.</p> <p>Footpath widening does not constitute removing lanes or reducing the width of the carriage way. Details of the carriageway, lane, parking dimensions and traffic calming measures can be determined at the detailed implementation stage.</p> <p>The Public Domain Upgrade Works (QS Report) provides costings for road upgrades, similar to the current Stage 1 - Mortdale Town Centre Streetscape Upgrade Project.</p> <p>The proposed cycleways in the Master Plan include a dedicated cycleway on Cook Street and Ellen Subway only.</p> <p>Section 4.8 Street Tree Strategy of the Master Plan identifies Railway Parade for large canopy trees to provide shade and green streets.</p> <p>Public domain upgrades are limited to areas where</p>

Matters raised	Council Response
	<p>development controls have changed and are therefore primarily limited to the north of the railway line.</p> <p>Concerns regarding a dedicated cycleway on Railway Parade was also discussed at the Councillor workshop following the close of submissions. Council's recommendation is provided in the section below.</p>
<p>Infrastructure capacity</p> <ul style="list-style-type: none"> <li>• Believe infrastructure is already stretched to support current capacity.</li> <li>• Does not believe an extra 1,000+ people in 578 dwellings can be supported in Option 1A.</li> <li>• Concerns about further stress on infrastructure resulting from the population increase – eg. schools, parks, roads, GPs, train capacity, etc.</li> <li>• Believe four storeys is the limit to ensure infrastructure and amenities are equipped to cope.</li> <li>• Plans fail to mention infrastructure improvements or maintenance, increased public transport or timetable service increases.</li> <li>• Already experience periodic blackouts and the overflow of sewerage into Dairy Creek.</li> </ul>	<p>Noted. Mortdale is identified in the LSPS as a growth area that was chosen based on the criteria for growth which was developed in consultation with the community during the preparation of the LSPS and considers the availability of infrastructure. The criteria to guide growth includes:</p> <ol style="list-style-type: none"> <li>1. The LGA's special characteristics are retained.</li> <li>2. Growth is supported by green open space, social and physical infrastructure.</li> <li>3. Growth areas are linked to transport corridors and frequent services.</li> <li>4. Kogarah and Hurstville are enhanced as strategic centres.</li> <li>5. All centres have a role in jobs and housing growth.</li> <li>6. A hierarchy of residential zones is developed.</li> <li>7. Evidence and community consultation provide the framework for strategic planning and decision making.</li> </ol> <p>In terms of road infrastructure, the Traffic and Transport Impact Assessment found there is existing capacity within the road network and the impact of the Master Plan is negligible.</p> <p>Schools Infrastructure NSW (SINSW) were notified of the exhibition but did not provide a submission. However, it is noted that SINSW stated in their submission on the previously exhibited Master Plan that SINSW use population and dwelling projection data provided by DPE for school planning. They recommended that a contribution plan be prepared for delivery of public domain, transport and other infrastructure works required to support the public schools around the core study area. This would be done during the implementation stage of the Master Plan through an amendment to the <i>Georges River Local Infrastructure Contributions Plan 2021</i>.</p> <p>Train servicing and capacities are a matter for Transport for NSW based on demand. It is expected that levels of service would be increased with additional uptake and use resulting from an increased population. Their response to the previous Master</p>

Matters raised	Council Response
	<p>Plan recommended that a development contributions plan be considered to help deliver and improve the existing local transport infrastructure. This would be done during the implementation stage of the Master Plan through an amendment to the <i>Georges River Local Infrastructure Contributions Plan 2021</i>.</p> <p>In terms of sewer and water infrastructure, the existing network is sufficient or able to be upgraded to support additional growth. Any overflow incidents occurring in the street or past a property owner’s connection point should be directed to Sydney Water on 132 090.</p>
<p>Cycling and bicycle infrastructure</p> <ul style="list-style-type: none"> <li>• Support bike lanes to improve parking and traffic congestion issues.</li> <li>• Bike racks on Morts Road, near IGA would improve cycling experience.</li> </ul>	<p>Noted. The Master Plan proposes cycle lanes, including a dedicated cycle lane along Cook Street and Ellen Subway and on-road cycling routes along Railway Parade.</p> <p>The inclusion of bicycle rack locations was not part of the Master Plan scope and can be assessed during the implementation stage.</p>
<p>Open space/Green space</p> <ul style="list-style-type: none"> <li>• Concerns there is not enough green space allocated in the Master Plan options and where it is shown, it is only indicative/potential.</li> <li>• Requests for more trees, parks and greenery.</li> <li>• The Master Plan does not protect much needed open space for the wellbeing of residents.</li> <li>• There is a multitude of parks/open spaces/play areas in most streets close to Mortdale town centre which are underused and could have some seating/tables added.</li> </ul>	<p>Noted. The Master Plan options provide for additional open space through the road closure and creation of a public plaza at Martin Place. Additional open space identified on private land will be identified in the DCP and implemented at the development application (DA) stage.</p> <p>In accordance with the ADG, developments are required to provide communal open space and private open space for residents. This is separate from public space, where the identified open space is for public use.</p> <p>The Master Plan includes the provision for new street trees along the streets/ roads identified for upgrade in Section 4.8 Street Tree Strategy. This will increase the canopy cover within the core study area.</p> <p>A 9m rear landscape setback is also proposed for the new development sites adjoining the existing Martin Place to Oxford Street laneway to create a cool, green edge and potentially allow for additional canopy.</p>
<p>New library, park and community hub</p> <ul style="list-style-type: none"> <li>• New library is not needed as there are already 2 in proximity, but the existing need better opening hours.</li> </ul>	<p>Noted. The ‘potential library’ indicates that the Council owned car park site is capable of development for a community facility or Council development. The specific use of the site has not been determined at this stage.</p>

Matters raised	Council Response
<p>Village character</p> <ul style="list-style-type: none"> <li>• Concerns over loss of ‘village feel’ / village character.</li> <li>• Others disagreed with the characterisation of Mortdale as a village as distinct from a dynamic suburb.</li> </ul>	<p>Noted. Lower street wall heights have been included in the Master Plan to ‘step down’ development towards the street level, to assist in maintaining solar access and retain the perception of a lower village scale at the pedestrian level.</p> <p>The Master Plan reinforces the idea of the village centre through providing additional employment opportunities, additional open space and amenities, and increasing housing supply and choice within the core.</p> <p>Maintaining the activation of local streets is a key objective of the built form controls and ensuring that Mortdale’s special character endures. As identified in the Master Plan, active frontages (generally retail or other commercial and/or community activities) are required or preferred at the ground floor level for the E1 Local Centre sites and extend into some side streets.</p>
<p>Heritage / Architecture</p> <ul style="list-style-type: none"> <li>• Architecture of historical buildings seems to have been ignored.</li> <li>• Preserving existing architecture would ensure Mortdale retains its village character.</li> <li>• Need to keep what little heritage is left.</li> <li>• Existing shop facades have character and should be retained.</li> </ul>	<p>Noted. There are few heritage items in the Mortdale Local Centre, but those that are listed in Schedule 5 of the <i>Georges River Local Environmental Plan 2021</i> will be retained.</p> <p>Detailed controls will apply to developments on and/or adjacent to heritage items through the DCP to ensure new developments are designed in such a way that they do not impact on the heritage significance of the heritage items.</p> <p>There are several old buildings in Mortdale, however, most of them do not meet the threshold under the NSW Heritage Guidelines for listing as local heritage items. It will be the decision of land owners to decide if they wish to develop their site, and whether to retain old facades.</p>
<p>Decline in quality of life for current residents</p>	<p>The Master Plan provide residents with an improved public domain, potential future open spaces and increased non-residential GFA. Increased non-residential GFA can provide an increased number of shops, cafes and restaurants within the area and also provide greater employment opportunities and services, raising the overall quality of life for residents. In turn, local businesses benefit from the support of a greater local population.</p> <p>In planning for the future, it is also important to consider the needs of future residents, including the</p>

Matters raised	Council Response
	<p>children of current residents living in Mortdale. Providing additional housing and a diversity of housing for the long term will assist in enabling the children of current residents to one day own their own home and continue living in Mortdale close to their families and their community, rather than being forced to move elsewhere.</p>
<p>Overshadowing</p> <ul style="list-style-type: none"> <li>Concern that development will increase shade.</li> <li>Concern that a ground floor unit at 1 Station Street will lose its winter afternoon sunlight if development of more than 3 storeys occurs at 43-45 Morts Road.</li> </ul>	<p>The Master Plan includes a Shadow Analysis (Section 3.10) which identifies the impact of overshadowing in Mortdale resulting from the proposed development.</p> <p>Shade cover will increase, however roads of key change – Morts Road and Macquarie Place will maintain solar access during the afternoon and morning, respectively.</p> <p>Detailed controls to minimise the impact of new developments on the solar access of surrounding developments will be provided in the DCP for consideration at the DA stage.</p> <p>The matter raised regarding 1 Station Street was also discussed at a Councillor workshop following the close of submissions to obtain direction from Councillors on the matter. Council’s response and recommendation is provided in the section below.</p>
<p>Upper level setbacks</p> <ul style="list-style-type: none"> <li>Preference for a two storey street wall rather than a four storey street wall, as this will be in line with most of the existing buildings and allow more light to filter between buildings.</li> </ul>	<p>Morts Road has a two-storey street wall height (excluding the six-storey developments at the intersection of Morts Road and Pitt Street) where the maximum building height is four storeys. Conversely, six storey developments along Pitt Street require a four storey street wall.</p> <p>The street wall heights have been developed based on built form testing to ensure a human scale streetscape and a reduction in the overall bulk and scale will be achieved along the two main spines in the Mortdale Local Centre.</p> <p>The required setbacks and street wall heights will be detailed in the DCP for consideration at the DA stage.</p>
<p>Objections to increase in population</p> <ul style="list-style-type: none"> <li>Concerns that population increase will lead to more crime, pollution, and have a negative impact on the environment.</li> </ul>	<p>The population within the Georges River LGA is estimated to increase by ~30,000 people by 2036. Centres across the LGA will need to increase density to accommodate this population increase.</p> <p>Increasing the density around Mortdale Train Station will allow more people to live within walking distance to the station who will use public transport for commuting, potentially reducing reliance on private</p>

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Matters raised	Council Response
	<p>vehicles and minimising their resultant pollution.</p> <p>Proposed residential developments must comply and be assessed against the ADG and Council’s DCP which includes principles for creating safer neighbourhoods through design (Principle 7 - Crime Prevention Through Environmental Design) and waste management.</p>
<p>Redevelopment of older apartments</p> <ul style="list-style-type: none"> <li>The Master Plan fails to promote the redevelopment of poorly built 3 storey walk up apartments. Suggest including the area bounded by the railway line, King Georges Road, Forest Road and Boundary Road.</li> </ul>	<p>The Master Plan proposes increasing the height limit for the R4 High Density Residential zone to the west of Morts Road by 1m, from 12m to up to 13m.</p> <p>This will foster better compliance with the ADG and enable redevelopments of four storeys without significant change to the existing building heights.</p> <p>The study area for the Master Plan focused on a core area of 400m from the station, and a wider area roughly 800m from the station. The area bound by the railway line, King Georges Road, Forest Road and Boundary Road that contains a large amount of R2 Low Density Residential land is beyond the scope of the Master Plan Consideration of this area can occur as part of a wider LSPS review and future master plan or planning proposal.</p> <p>The redevelopment of older 3 storey apartments is generally only feasible when there is a significant uplift in height, beyond what is proposed in the Master Plan.</p>
<p>Oppose high density and overdevelopment</p> <ul style="list-style-type: none"> <li>Believe that both plans propose high density instead of housing options such as manor houses, townhouses or anything medium density.</li> <li>Do not want high rise like Kogarah, Hurstville, Wolli Creek, or Rockdale, etc.</li> </ul>	<p>Noted. The draft Master Plan Option 1A proposes a mixture of housing choice with apartments within the R4 zone and terraces/townhouses within the R3 zone. Option 2A does not propose any additional housing apart from shop-top housing along Morts Road and Pitt Street with a maximum of four storeys, with a 2 storey street wall and upper levels set back. This is not considered to be high rise.</p> <p>Option 1A proposes a maximum height of six storeys. This is not considered to be high rise. Upper levels are also proposed to be set back to allow improved solar access and increase sky plane views.</p> <p>For comparison, <b>Figure 6</b> below demonstrates that the heights proposed in the Mortdale Master Plan options are not considered to be high rise as in Kogarah or Hurstville.</p>

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**Matters raised** **Council Response**



**Figure 6.** Comparison of Heights in Mortdale (proposed), Kogarah North and Hurstville

<p><b>Commercial floorspace</b></p> <ul style="list-style-type: none"> <li>Neither option contains enough of an increase in commercial floorspace.</li> </ul>	<p>Noted. Both Master Plan Options propose a total of 27,685sqm non-residential GFA. Although this is less than the previously exhibited Master Plan (35,850sqm), the proposed GFA still meets the 2036 future demand of 27,014sqm as stated in the <i>Georges River Commercial Centres Strategy – Part 1</i>.</p> <p>The minimum 0.75:1 FSR for non-residential development in Option 1A and 2A is consistent with the previously exhibited Master Plan.</p> <p>This issue was also discussed at the Councillor workshop following the close of submissions to obtain Council’s direction on the matter. Council’s response and recommendation is provided in the section below.</p>
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<p><b>Wind and acoustic impacts</b></p> <ul style="list-style-type: none"> <li>No consideration to air movement from trains and acoustic implications of flat surfaces reflecting sound back and forth.</li> <li>Concern about creating wind tunnels.</li> </ul>	<p>Noted. Planning controls to mitigate acoustic and wind implications can be included in the DCP for consideration at the DA stage.</p>
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**Matters raised – In support** **Council Response**

<p>Support for Option 1A or the previous Master Plan due to:</p> <ul style="list-style-type: none"> <li>Increased development potential and contributions to upgrade assets which the public benefit from.</li> <li>Providing employment opportunities.</li> </ul>	<p>Noted. Option 1A provides the greater level of development compared to that of Option 2A, with additional residential uplift adjacent to the E1 Local Centre zoned land. Option 1A provides an additional 578 dwellings within the core study area which will contribute to the Georges River Housing targets and focus population and housing around the Mortdale Train Station, utilising the proximity to the station to promote public transport use. Option 2A does not propose any additional housing apart from shop-top</p>
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Matters raised	Council Response
<ul style="list-style-type: none"> <li>• Encouraging development with basement car parking to increase the amount of street parking available.</li> <li>• Mortdale has a part to play to accommodate growth in the St George area.</li> <li>• Provision of housing for our growing population, and our children to remain living in the area.</li> <li>• There is a need for more dwellings that are family friendly.</li> <li>• Concern that a lack of dwellings will continue to see rent bidding until existing residents can no longer afford them.</li> <li>• Utilisation of existing transport infrastructure.</li> </ul>	<p>housing along Morts Road.</p> <p>The Master Plans also identify public domain upgrades that can be funded under a contributions framework to be developed at a later stage should a Master Plan be adopted.</p> <p>In accordance with the ADG, parking must be provided off street. Developments with non-residential components (E1 zone) will be required to provide off street parking based on the amount of non-residential GFA included and the type of land use proposed (this is in addition to the requirements for the residential component).</p>
<p>A number of submissions were received from young people struggling to afford to buy a home in Mortdale close to their families.</p> <ul style="list-style-type: none"> <li>• Noted that sending young people out west is not the solution.</li> <li>• Preference for Option 1A as it provides greater housing options.</li> <li>• Some requested a minimum of 8 storeys to contribute to housing affordability.</li> </ul>	<p>Noted. Option 1A at full implementation will provide an additional 578 dwellings within the Mortdale Local Centre (core study area). Option 1A provides the greater number of dwellings, with an additional 308 dwellings when compared to Option 2A (which is estimated to provide 270 additional dwellings at full capacity).</p> <p>Heights up to 8 storeys were proposed in the 2021 Master Plan, however Council resolved in September 2022 not to proceed with that Master Plan and to instead prepare two revised Options for heights up to 6 storeys in Option 1A and up to 4 storeys in Option 2A.</p>
<p>Support for the previous Master Plan:</p> <ul style="list-style-type: none"> <li>• A number of submissions preferred the previously exhibited Master Plan.</li> <li>• Noted that the current draft plans ignore the need for Mortdale to provide for growth, and instead are formed from arbitrary requests from Councillors and a loud minority</li> </ul>	<p>As per the Council resolution of September 2022, Councillors resolved not to proceed with the previously exhibited draft Master Plan. A contributing factor to developing two new Master Plan options was the level of community feedback received on the previous exhibited Master Plan opposing the exhibited level of development of an additional 969 dwellings and 35,850sqm non-residential GFA.</p> <p>Option 1A provides the greater level of development of the two recently exhibited Master Plan options</p>

Matters raised	Council Response
<p>of anti-development NIMBYs.</p> <ul style="list-style-type: none"> <li>Mortdale is a tired looking suburb in need of renewal.</li> <li>Neither options make adequate changes to zoning to fix constrained housing supply.</li> <li>Unfair that areas like Mortdale with a train station remain chronically underdeveloped.</li> </ul>	<p>including 578 dwellings and a total of 27,685sqm non-residential GFA.</p> <p>The community input from the submissions and during the community workshops has contributed to the decision-making process and recommendation of a preferred Master Plan Option. A preferred Master Plan Option was discussed at the Councillor workshop following the close of submissions to obtain Council’s direction on the matter. Council’s response and recommendation is provided in the section below.</p> <p>The Master Plan Options include a Public Domain Plan to improve the amenities, look and quality of the town centre. Implementation of the Public Domain Plan is proposed to be funded through development contributions levied on new development in the area in accordance with an amended <i>Georges River Local Infrastructure Contributions Plan 2021</i>.</p>
<p>Affordable housing</p> <ul style="list-style-type: none"> <li>Support for affordable housing within new developments.</li> </ul>	<p>Noted, however, Council at its meeting in September 2022 resolved not to proceed with a draft Affordable Housing Contributions Scheme in the Mortdale Local Centre and to investigate a scheme that applies across the whole LGA.</p> <p>Nevertheless, the NSW Government has announced that housing developments that provide at least 15% of the total GFA as affordable housing for a minimum of 15 years will be eligible for an increase of 30% in FSR and height above those stated in the applicable local environment plan.</p>
<p>Heights within the R4 zone on Victoria Avenue</p> <ul style="list-style-type: none"> <li>It is unfair for owners in Victoria Avenue to allow 4 storeys along Cook St and only 2 storeys along Victoria Avenue, as they will be unable to sell for the same price and will be overlooked by 4 storey apartments behind them. Previous Council policy ensured that height changes occurred at the street boundary, not at the rear of properties. This policy should be applied to all development in Mortdale.</li> <li>A number of submissions</li> </ul>	<p>Noted. This matter was discussed at a Councillor workshop following the close of submissions to obtain direction from Councillors on the matter. Council’s response and recommendation is provided in the section below.</p>

Matters raised	Council Response
<p>mentioned that the zoning proposed on the block bordering Cook Lane, Cook Street and Victoria Avenue is not adequate to stimulate development. This area is the most sensible for future development activities and increases to residential and commercial floorspace. An uplift to 4 and 2.5 storeys is not enough uplift to spur development for the long term for prime land so close to the Centre and within 50m of the Mortdale train station.</p> <ul style="list-style-type: none"> <li>• Preference for high density on Cook Street / Victoria Avenue as this location does not necessarily require people to travel through Morts Road.</li> </ul>	
<p>Commercial development along Cook Lane</p> <ul style="list-style-type: none"> <li>• The shared zone on Cook Lane is not sensible with Morts Road so close, and ignores the current uses of the laneway for amenities to businesses facing Morts Road. Cook Lane should be zoned to have a commercially active street frontage to provide sensible commercial floorspace growth.</li> <li>• A 5m setback along Cook Lane is not feasible to encourage blocks along Cook Lane to develop. The proposed shared zone within Cook Lane is completely unnecessary given Morts Road is 20m away, unless both sides of Cook Lane have commercial activation.</li> <li>• Request for the blocks in Cook Lane opposite the existing E1 zoning to be zoned E1 to provide required increases to commercial floorspace that are required to grow local jobs.</li> </ul>	<p>Noted. As per Section 5.5 ‘Proposed Active Frontage’ of the Master Plan, Cook Lane is identified as having an active frontage. The potential ‘library site’ does include required active frontages. This will help activate the laneway as a pedestrian friendly shared zone space that encourages activation off Morts Road. Active frontage requirements and locations can be further developed later during the preparation of the Planning Proposal and DCP amendment.</p> <p>The 5m setback along Cook Lane is only applicable to the R4 zone bound by Victoria Avenue, Cook Street and Cook Lane. This setback aligns with Council’s existing DCP controls. This area was identified as a possible E1 zone in the initial ‘Exhibited Draft Mortdale Master Plan (2021)’, however was amended to be a R4 zone as per Council’s resolution in September 2022.</p> <p>The proposed shared lane along Cook Lane will provide a link for residents to access Mortdale Train Station as an alternative to Morts Road.</p> <p>This matter was also discussed at a Councillor workshop following the close of submissions to obtain direction from Councillors on the matter. Council’s response and recommendation is provided in the section below.</p>

Matters raised	Council Response
<p>Noted that a Master Plan does not solidify a development outcome and that the planning proposal process, and the development of a centre specific DCP allows for further consideration and amelioration of community concern.</p>	<p>Noted.</p>
<p>Design/quality of resulting development</p> <ul style="list-style-type: none"> <li>• Support for increasing height and density but clear design guidance should be required to achieve design excellence.</li> <li>• There are no changes proposed to quality or types of structures.</li> <li>• The Plan seems to only be for taller buildings with no allowance for diverse building façade/street facing geometry.</li> <li>• Comment that 6 storey apartments should include a community room for use by residents for parties, garage sales, and have a BBQ area, swings or landscaped gardens.</li> </ul>	<p>Noted. Details pertaining to the design and aesthetic of developments will be contained in the DCP following adoption of a Master Plan. The DCP is a document of guidelines and controls that developments must consider in their design through the DA process. This enables Council to specify certain design goals and characteristics they wish the area to resemble. Additionally, the developments must be approved by Council at the DA stage, at which stage Council can request design changes to align with the DCP.</p> <p>DAs proposing apartments and shop-top housing in the R4 and E1 zones are assessed against State Environment Planning Policy No.65 (SEPP 65) and the ADG which specifies requirements for communal open space, private open space, landscaped area and building amenities.</p>
<p>Requests for specific locations to be included/rezoned for higher densities:</p> <ul style="list-style-type: none"> <li>• RSL site – request to allow 8 storeys (6 storeys plus 2 storeys affordable housing)</li> <li>• 23, 23A, 25A Newman Street – request to be rezoned for higher densities</li> <li>• Judd St, Oatley and Princes St, Mortdale – request to be rezoned to 5 to 7 storey apartment blocks.</li> <li>• Victoria Avenue and Newman Street between Cross St and Ocean Ln – request to be rezoned to R3 or R4.</li> </ul>	<p>Noted. These specific locations have been considered for individual height increases, and were discussed at the Councillor workshop following the close of submissions to obtain Council’s direction on each request. Council’s discussion and recommendation is provided in the section below.</p>

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Matters raised	Council Response
<p>Request for amendment to 43 and 45 Morts Road to minimise overshadowing and privacy concerns from a unit owner at 1 Station Street.</p> <ul style="list-style-type: none"> <li>Suggested Council purchase 43 and 45 Morts Road for use as open space – currently occupied by single dwellings. The land is flood prone and Council control would enable sound drainage management practices. Suggested Council purchase through NSW Government Floodplain Management Program Voluntary Purchase (VP) Scheme. There is also no open space on Morts Road.</li> </ul>	<p>Noted. This specific request was considered at the two Councillor workshops following exhibition of the Master Plan. Council’s consideration and response is also provided in the section below.</p> <p>Given the distance of these sites from the core of the Centre, and that open space is proposed to be provided on Morts Road at the Martin Place road closure, there was no change made to the Master Plan as a result of this submission. Potential areas have been identified that may provide additional public open space along Morts Road and Cook Street.</p> <p>Detailed controls to minimise the impact of new developments on the solar access of surrounding developments will be provided in the DCP for consideration at the DA stage.</p>
<p>Housing supply</p> <ul style="list-style-type: none"> <li>The Master Plan will have little impact on housing supply in the LGA and more needs to be done.</li> <li>Requests for the Master Plan to cover a broader area.</li> <li>Without changes to density controls outside the local centre, Option 2A will highly constrain the ability for Mortdale to grow and will likely not obtain anywhere near the dwellings needed.</li> </ul>	<p>Noted. Housing supply is to be provided across the LGA to meet Council’s housing targets of an additional 14,000 dwellings between 2016 and 2040. A large proportion of these dwellings is to be delivered in Hurstville.</p> <p>Within Council’s <i>Commercial Centres Strategy – Part 1</i> (2020), 17 B2 Local Centres (now known as E1 Local Centres) were identified. These Centres pose the potential to provide increased housing supply. Mortdale may set a precedent for master planning in other comparable centres.</p> <p>Both Master Plan options will provide for additional dwellings. This Master Plan is targeted at the Mortdale Local Centre, further investigations and studies can occur for the rest of Mortdale as part of a future review of the <i>Georges River LSPS 2040</i>, however, that is beyond the scope of this Master Plan.</p>
<p>Request to consider changes across a wider area</p> <ul style="list-style-type: none"> <li>Mortdale needs more consistent and equitable application of density controls, not just around the railway station. Suggestions included: <ul style="list-style-type: none"> <li>Expansion of the town centre to include the southern side of</li> </ul> </li> </ul>	<p>Noted. As per the Council resolution (September 2022) the Councillors resolved not to proceed with the previous ‘Exhibited Draft Master Plan (2021)’. The subsequent Master Plan Options (1A and 2A) did not consider expansion of the areas of change to the area south of the rail line.</p> <p>Increased density around the Mortdale Train Station aligns with the principles of transit oriented design (TOD). This promotes urban forms with higher density centred around public transport, increased density,</p>

Matters raised	Council Response
<p>Railway Parade between Coleborne Avenue and Ellen Subway.</p> <ul style="list-style-type: none"> <li>- Increase existing R2 zoning south-east of the station to R3.</li> <li>• Population increase should not just be concentrated around the rail stations but spread more evenly across all the LGA suburbs with better connectivity provided.</li> </ul> <p>The Plans do not allow enough development</p> <ul style="list-style-type: none"> <li>• Some noted that heights should be greater than 6 storeys. 4 storeys is not feasible.</li> <li>• Note that Master Plans are visionary plans for change over many decades, not short sighted small planning changes.</li> <li>• Concern that there will be an increase in Planning Proposals if Option 2A is adopted and end up with buildings of an even larger scale.</li> </ul> <p>Concern the Master Plan doesn't address the long term future. The current 3-4 level apartments were part of the Master Plan 30-40 years ago. Council is now proposing an additional 1 level on Macquarie Place and Pitt Street – where is the vision? Concern the proposed densities are not sustainable given the potential future housing increase the Federal and State Governments are projecting long term. Mortdale needs to step up and play its part providing affordable housing even if it means increasing the apartment height by an additional 4 levels.</p>	<p>commercial activity, and community amenities within walking distance of public transport links. This can in turn reduce reliance on private vehicle use.</p> <p>A review of the LSPS will consider how additional dwellings can be provided across the LGA.</p> <p>The proposed six-storey height limit in Option 1A aligns with the recently constructed/ approved developments to the south of the station on the block bound by Railway Parade and Ellen Subway.</p>
<p>Noted that the strategic and land development process can take many years to be realised, particularly in areas where multiple landowners are required to amalgamate land. Council should bear the potential risk and time constraints in mind when developing a</p>	<p>Noted. The implementation timeline of master plans and the resulting DAs can take many years to be actioned. Council must consider the needs of an area currently and into the future. Providing opportunity for growth to meet future demands of an area is essential.</p> <p>As stated above a Master Plan is a plan to manage</p>

Matters raised	Council Response
<p>plan that identifies only a small number of holdings for intense uplift and which may have land ownership configurations that are a barrier to development.</p>	<p>change. Only owners themselves can implement these changes through developing their properties once planning controls are amended. It is important to note that this is an incremental process resulting in a gradual evolution of Mortdale, not a sudden change of character.</p>
<p>Request for existing residents to be compensated for future development through improved amenities and/or financial incentives.</p>	<p>The Master Plan includes consideration for public domain upgrades to improve the amenities, look and quality of the town centre. This public domain upgrade works are to be funded through development contributions through an amendment to the <i>Georges River Local Infrastructure Contributions Plan 2021</i>.</p> <p>Residents are not required to sell sites for development. Council does not provide financial incentives, however, sites identified for change in the Master Plan may receive developer interest.</p>
<p>RSL site</p> <ul style="list-style-type: none"> <li>• Some support for Option 1A with an amendment that the RSL site be 6 levels with an additional 2 levels of affordable housing.</li> <li>• Some oppose rezoning of the RSL site.</li> <li>• Some suggest working with the RSL to provide a solution that not only benefits the RSL but also the community.</li> <li>• Some thought Council was opposing redevelopment of the RSL or removing the facility from Mortdale.</li> </ul>	<p>Noted. The request to increase the heights for the Mortdale RSL site was considered at the two Councillor workshops held on 7 August 2023 and 4 September 2023. Council's discussion and recommendation is provided in the section below.</p> <p>It should be noted that the NSW Government has announced that housing developments that provide at least 15% of the total GFA as affordable housing will be eligible for an increase of 30% in FSR and height above those stated in the applicable local environmental plan.</p>
<p><b>Other matters (outside the Master Plan scope):</b></p>	
<p>Concern about new 6 storey developments on Railway Parade and Ellen Subway.</p>	<p>Noted. The three sites within the block bound by Railway Parade and Ellen Subway are either recent constructions or approved DAs under the existing planning controls in the <i>Georges River LEP 2021</i>, which were carried over from the <i>Kogarah LEP 2012</i>.</p>
<p>Concern about immigration and population increase generally.</p>	<p>Noted. NSW Government population projections forecast that "NSW is expected to grow on average by over 85,000 people each year until 2041." Greater Sydney is expected to have over one million more</p>

Matters raised	Council Response
	<p>people within the region by 2041. (Population Projections, NSW Government, <a href="https://www.planning.nsw.gov.au/research-and-demography/population-projections">https://www.planning.nsw.gov.au/research-and-demography/population-projections</a>).</p> <p>Population growth is inevitable and the role of local government is to develop appropriate strategic plans and strategies to provide housing and amenities to accommodate the projected population forecasts for their area. If effective plans are not put in place now, it is expected that the current housing crisis will only worsen in years to come.</p>
<p>Morts Road Upgrade / Mortdale Town Centre Streetscape Upgrade Project</p> <ul style="list-style-type: none"> <li>• Appreciation for the upgrades Council has done.</li> <li>• Some disappointment in workmanship of upgraded footpaths – slippery, trees removed, no drainage/stormwater, puddles that form, multiple holes.</li> <li>• Loss of business from reduction in car parking.</li> <li>• Jolt Electric Recharging kiosk has impeded pedestrian pathways.</li> </ul>	<p>Noted. The Morts Road upgrades that have already commenced are a separate project under the Mortdale Town Centre Streetscape Upgrade Project, however, the proposed public domain improvements in the Master Plan will complement and build on these existing works.</p> <p>Details pertaining to the design and aesthetic of Morts Road and the public domain upgrades will be determined during the implementation stage.</p>
<p>Concern about increased rubbish and dumping of shopping trolleys.</p>	<p>Noted, however, details pertaining to the operation of Council services is not a consideration for the Master Plan. These concerns are to be directed to Council’s Customer Service Centre or Waste Hotline on 1800 079 390.</p>
<p>Housing Investigation Areas</p> <ul style="list-style-type: none"> <li>• Housing investigation areas are highly questionable as the population objective for these areas has not been revealed.</li> <li>• Residents in ‘investigation areas’ are feeling uncertain about their future purely because they live close to a rail station and are the single owners of their properties.</li> </ul>	<p>Noted. Part of the Mortdale Local Centre has been identified within the Georges River Council LSPS ‘Future Housing Investigation’ area. These investigation areas form part of Council’s high level strategy for the LGA. Future studies would provide more detail pertaining to any changes within these areas. Additionally, Planning Proposals must be prepared to change any of the existing heights or density in the LEP for these identified areas which are subject to a consultation process.</p>



Matters raised	Council Response
<p>R2 Low Density Residential zoned areas</p> <ul style="list-style-type: none"> <li>• Oppose future rezoning of R2 Low Density Residential areas.</li> <li>• Should do more to protect this area, such as extending McRaes Estate bylaws and zoning.</li> </ul>	<p>Noted. Based on Council's September 2022 resolution, the Revised Master Plan Options have not proposed any changes to the R2 zone south-east of the railway. Any potential future proposed changes to the area would require public exhibition, providing an opportunity for the community to submit feedback for Council's consideration.</p> <p>Option 1A does propose an uplift in the R2 Low Density Residential zoned area to the northeast directly adjoining the Local Centre, to provide greater housing and choice within Mortdale.</p> <p>McRaes Estate is not included within the study area.</p>
<p>Requested Master Plan to be based on Leichhardt's Italian Forum.</p>	<p>Noted, however, this is not the desired future character for Mortdale. The Italian Forum has seen an increase in shop vacancies and overall decline in the years since the late 1990s when it was most lively.</p>
<p>Requested commemoration statue of Thomas Sutcliffe Mort.</p>	<p>Noted, however, details pertaining to statues and public art are not considered at the master planning stage and can be considered as part of a separate process.</p> <p>A nomination for a plaque may be considered through Council's Historical Markers Program which is a separate annual process that allows the community to recognise places of historical and cultural importance.</p>
<p>Council should consider purchasing some of the older units when they come up for sale to rent out for social housing.</p>	<p>The need for additional social housing is acknowledged, however, Council is not a social housing provider and does not have the budget or capability to purchase older units to rent as social housing. However, in accordance with Council's resolution of September 2022, Council is investigating an Affordable Housing Contributions Scheme that applies across the whole LGA.</p>
<p>Council should require developers to relocate people in older units so these can be redeveloped.</p>	<p>This is a private arrangement between residents and developers. Residents are not required to sell their properties to developers.</p>

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## COUNCILLOR WORKSHOPS AND PROPOSED CHANGES RESULTING FROM SUBMISSIONS

57. Following the conclusion of the public exhibition period, a Councillor workshop was held on 7 August 2023 presenting the results of the public exhibition and matters raised through

submissions and at the community workshops. Feedback was also sought on a preferred Master Plan. A second workshop was held on 4 September 2023 to confirm the post-exhibition changes and preferred Master Plan to be recommended for endorsement.

58. The Councillors provided feedback on the following:
- a. Proceed with Option 1A or Option 2A;
  - b. Heights along Victoria Avenue;
  - c. Cook Lane proposed R4 zoning and 5m setback;
  - d. Additional sites requested for change;
  - e. Mortdale RSL site;
  - f. Cycle route on Railway Parade;
  - g. Proposed public plaza / Martin Place road closure;
  - h. Commercial floorspace; and
  - i. Council owned Cook Street car park.

These matters are discussed in detail below.

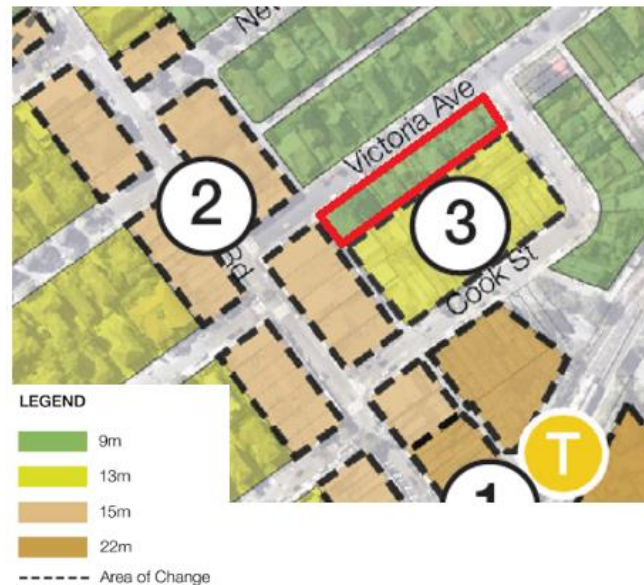
#### Proceed with Option 1A or Option 2A

59. At the Councillor workshop on 7 August 2023, an overview of submissions received and key issues raised were presented to Councillors.
60. In considering the two Options and the matters raised in submissions, the following benefits of either Option was raised:
- a. More support for Option 1A as it provides greater potential for Mortdale to respond to the future, including:
    - i. Greater housing supply and diversity for the next generation;
    - ii. Larger area of public domain improvements;
    - iii. Greater opportunity to secure public open space; and
    - iv. Improved opportunity for businesses to locate or expand in Mortdale.
  - b. Some Councillors preferred Option 2A as it responds to some of the community's views, including:
    - i. Lower building scale;
    - ii. Provides some opportunity for increased housing supply and diversity;
    - iii. Allows for some activation and revitalisation of the town centre; and
    - iv. Assists in maintaining the village character.
61. *Recommendation:* It was recommended to proceed with Option 1A to provide a strategic framework for growth, increase housing choice, increase business floor space and employment opportunities, and improve public space and public domain in Mortdale.
62. Option 1A (with a maximum height of 6 storeys) is considered to strike a balance between the 2021 exhibited Master Plan (proposing a maximum of 8 storeys) and Option 2A

(proposing a maximum of 4 storeys which is already achievable through the current 1.5:1 FSR applying to the E1 Local Centre zoned land).

### Heights along Victoria Avenue

63. *Issue:* A number of submissions raised concern with the proposed heights for the land along Victoria Avenue under draft Option 1A (as shown in **Figure 7**). The primary concern was that heights along Victoria Avenue were lower than the proposed heights along Cook Street. Concerns were also raised about overlooking and privacy from future taller developments to the rear, and poor development viability of sites fronting Victoria Avenue due to lower heights.



**Figure 7.** Victoria Avenue Heights – Area of concern

64. *Discussion:* The concerns raised in the submissions are noted. The intent of the lower height was to gradually ‘step down’ the built form, however, this is still achieved with the 9m height on the other side of Victoria Street with the proposed R3 Medium Density residential zone.
65. *Recommendation:* It is recommended to increase the height limits along Victoria Avenue from 9m in the exhibited Plan to 13m, consistent with adjoining land within the same street block. The entire block bounded by Victoria Avenue, Cook Street and Cook Lane is proposed to have a height limit of 13m. No change to the exhibited 1:1 FSR is recommended, so the dwelling yield will not change. The additional height will provide greater flexibility for building articulation/ configuration. As a result, this area will receive an FSR increase of 0.45:1, from 0.55:1 up to 1:1 (a GFA increase of 3,977sqm). The total potential yield of the R4 zone within the subject street block is 100 units – an increase of 65 units, up from the existing 35 dwellings. The dwelling typology achieved could be residential flat buildings, town houses, or villas.

### Cook Lane proposed R4 zoning and 5m setback

66. *Issue:* Another issue that was discussed was the proposed shared zone along Cook Lane. Some submissions raised concerns it ignores the current use of businesses fronting Morts Road and is not necessary, and that the 5m setback is excessive. It was requested that Cook Lane have a commercially active street frontage to allow for commercial growth.
67. *Discussion:* As per Section ‘5.5 Proposed Active Frontage’ of the draft Master Plan, Cook Lane is identified as a preferred location for active frontages. This will help activate the

laneway as a pedestrian friendly shared zone space that encourages activation off Morts Road. Active frontage requirements and locations will be further developed later during the development of the DCP. The 5m setback along Cook Lane is only applicable to the R4 zone bound by Victoria Avenue, Cook Street and Cook Lane. This setback aligns with the *Georges River DCP (GRDCP) 2021*. This area was identified as a possible E1 zone in the initial 'Exhibited Draft Mortdale Master Plan (2021)', however was selected to be a R4 zone as per the Council resolution of September 2022.

68. *Recommendation:* As a result, no change to the Master Plan has been made in response to this issue.

#### Additional sites requested for change

69. *Issue:* A number of sites were requested to be changed in the Master Plan, including upzoning and to allow greater densities, including:

- Judd Street and Princes Street to the south;
- Land generally within 400m of the station including south of St Catherine Street;
- 23, 23A and 25A Newman Street;
- Victoria Avenue and Newman Street between Cross Street and Ocean Lane; and
- Mortdale RSL site (discussed separately below).

One request was also made for Council to purchase 43-45 Morts Road for open space to avoid potential development overshadowing an existing unit.

70. *Discussion:* In considering these requests, Councillors noted the previous resolution of Council to refine the Master Plan to a smaller footprint for change, and as such, sites should be considered in a holistic manner as part of a future LSPS review for the whole of the LGA. There was also some concern that such changes are significant and would require re-exhibition of the Master Plan for a third time. The general consensus among Councillors was that any additional sites should be appropriately considered through a future review of the LSPS (in a more holistic manner) and in the context of the wider LGA.
71. Whilst the issues raised in the submission requesting Council purchase 43-45 Morts Road were noted, Councillors did not support the purchase due to the distance from the core of the Centre and open space being provided elsewhere at Martin Place.
72. *Recommendation:* That no changes be made to the Master Plan, but that these sites referenced in the submissions requesting rezoning to allow for greater densities will be considered as part of a future review of the LSPS.

#### Mortdale RSL site

73. *Issue:* Some submissions requested additional height on the Mortdale RSL site to be 6 storeys with an additional 2 storeys of affordable housing.
74. *Discussion:* While some Councillors supported the potential benefits of more affordable housing, Councillors noted the previous resolution of Council not to proceed with an affordable housing contribution scheme in Mortdale but to explore an affordable housing contribution scheme to apply to the whole LGA. Councillors also noted the need to get the Master Plan locked in to provide certainty for the community who have already provided feedback on the Master Plan three times (early 2021 during the preparation, mid-2022 for the first draft, and mid-2023 on the two amended options).

75. Increasing heights in the Master Plan for the Mortdale RSL site to 8 storeys was not supported by the Councillors. No issue was raised regarding the heights in Option 1A of 4 and 6 storeys on the site.
76. *Recommendation:* That no change be made to the exhibited Master Plan in response to this request. Option 1A splits the height on the RSL site to 4 and 6 storeys.

#### Cycle route on Railway Parade

77. *Issue:* A number of submissions raised concern about a proposed dedicated cycleway on Railway Parade, following receipt of a pamphlet distributed by a local resident.
78. *Discussion:* This cycleway is actually identified in the Master Plan as an on-road cycle route, not a dedicated cycleway.
79. *Recommendation:* As a result of the submissions, the Master Plan has been updated with imagery to illustrate a dedicated cycleway, as opposed to the proposed on-road cycling route on Railway Parade. These cycleway routes will be identified in the DCP to implement the Master Plan.

#### Proposed public plaza / Martin Place road closure

80. *Issue:* A number of submissions commented on the proposed plaza resulting from the closure of Martin Place at Morts Road. While some submissions were supportive of the proposal in the Master Plan, others were uncertain about the benefits, did not support it or questioned where the traffic would be redirected.
81. *Discussion:* At the Councillor workshop, it was clarified that the proposed Martin Place Road closure is intended to be designed as an outdoor plaza activated with cafes and shops, with street furniture and street trees to complement potential increased density in the village centre. Refer to Section 4.11 'Martin Place Plaza' of the Master Plan for an indicative design of the space. Benefits of the road closure include providing additional open space, green space and plantings, a space for outdoor dining or a place for people to meet, and an overall improvement to the public domain.
82. It was also noted at the workshop that such a proposal can be trialled before any permanent changes are made. It was noted that the traffic modelling found that a closure at Martin Place, in comparison to the other local roads in the Centre, would have the least adverse impact on the traffic network. Traffic modelling identifies that after the implementation of the Martin Place road closure, the alternative intersections at Morts Road / Macquarie Place and Morts Road / Oxford Street will remain at 'A' levels of service (2032).
83. *Recommendation:* As a result, the Master Plan has been updated to clarify that "*The potential street closure at Martin Place is recommended to be trialled with a temporary closure to test traffic impacts and use before any permanent changes are implemented*".

#### Commercial floorspace

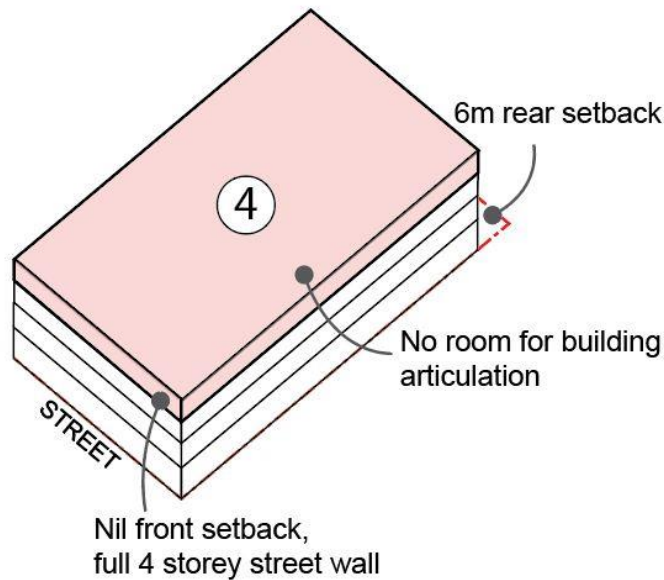
84. *Issue:* A number of submissions raised concern that there is a lack of commercial floorspace in the long term in Mortdale.
85. *Discussion:* Although the two Options propose less non-residential GFA (27,685sqm) than the previous Master Plan (35,850sqm), this amount still meets the 2036 future demand of 27,014sqm as stated in the *Georges River Commercial Centres Strategy – Part 1*. The minimum 0.75:1 FSR for non-residential development in Option 1A and 2A is consistent with the previously exhibited Master Plan.
86. *Recommendation:* As a result no changes to commercial floorspace are proposed to the exhibited Master Plan options.

#### Council owned Cook Street car park

87. *Issue:* A number of submissions made comments regarding the Council owned Cook Street car park, such as requesting that Council build a commuter car park on the site, prevent commercial development of the site and no car parking would be lost from the site.
88. *Discussion:* Any future development of the site would be subject to a separate process and would be required to provide parking within a new development.
89. *Recommendation:* No changes to the draft Master Plan have been made for this site as a result of the submissions.

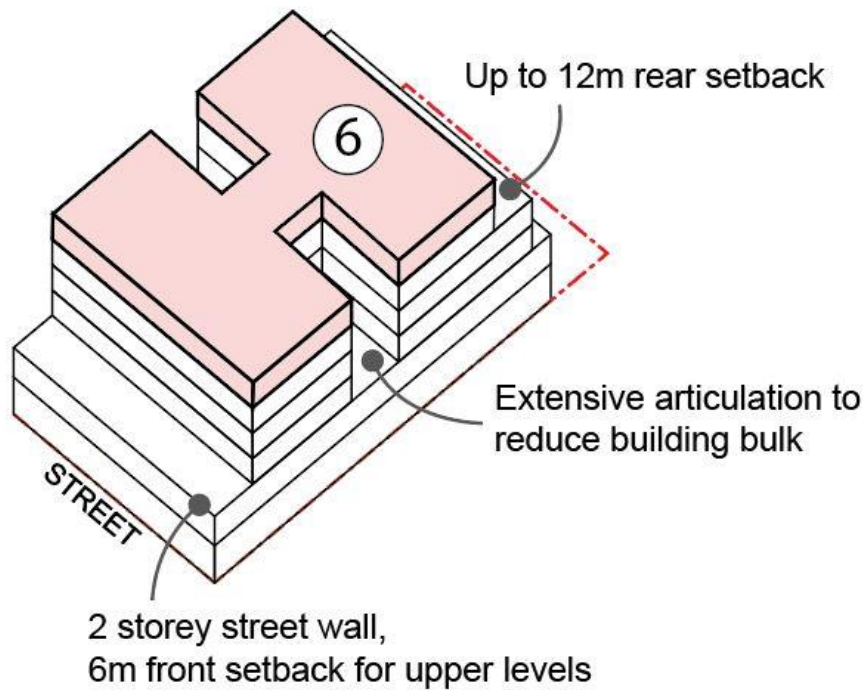
#### Councillor workshop #2 – 4 September 2023

90. A second Councillor workshop was held on 4 September 2023 to confirm the above changes and present a preferred Master Plan Option to be recommended for adoption. The staff concluded that there was generally greater Councillor support for Option 1A than for Option 2A because it:
- a. Allows for growth/renewal of the Centre through providing additional commercial floorspace;
  - b. Increases housing supply and diversity;
  - c. Allows for the gentrification of the public domain; and
  - d. Supports growth within a 400m walking catchment of a train station.
91. One of the queries arising from the workshop was could the FSR be increased to provide for greater densities without increasing the heights above four storeys. The request entailed increasing the FSR to 2:1 while restricting the building height to a maximum of 4 storeys. In response, Councillors were advised that a maximum FSR of 1.5:1 is more appropriate for a 4-storey built form in the Centre as it allows adequate building articulation to be provided for the apartment levels, which has the benefit of providing cross ventilation, reducing the bulk of the external envelope, providing adequate setbacks and reducing overshadowing impacts on adjoining sites, allowing compliance with the ADG and Council's DCP controls.
92. Nonetheless, further testing has been conducted to demonstrate the potential built form outcome of a 4-storey mixed use development with a 2:1 FSR, see **Figure 8**.



**Figure 8.** Potential built form outcome of 4-storey mixed use development with 2:1 FSR

- 93. In order to fully utilise the 2:1 FSR granted within the 4 storey height limit, any future development must be built with nil front setbacks, thereby creating a monolithic structure with a 4 storey street wall. A rear setback of 6m is provided in accordance with the ADG and existing DCP controls. However, this FSR would not allow for building articulation or balconies within the external building envelope. The provision of balconies and indentations in the building envelope will reduce the amount of floor space achieved by the potential development as these components are not counted as floor space.
- 94. To enable the provision of balconies and building articulation, as well as an improved urban design outcome, the maximum FSR should be reduced to 1.5:1 or the maximum building height increased to 5 storeys.
- 95. The relationship between the maximum FSR and the maximum building height must be complementary to ensure appropriate urban design outcomes can be achieved by future development. When an excess of FSR is granted within a lower height limit, it will result in bulky built forms with no room for building articulation and poor amenity outcomes for both the occupants of the subject development and the surrounding properties.
- 96. Testing has also been conducted for the proposed development standards of 6 storeys and 2.5:1 FSR, see **Figure 9**.



**Figure 9.** Proposed development standards of 6 storeys and 2.5:1 FSR

97. A potential mixed-use development under the proposed controls of 6 storeys with a FSR of 2.5:1 is able to retain the existing 2 storey street wall by providing a 6m setback for the upper storeys. Additional rear setback of up to 12m can also be accommodated for the upper floors, which will reduce the visual and amenity impacts on neighbouring properties. Moreover, extensive indentation in the building envelope can be provided to further reduce the bulk of the built form for better design outcomes. It should be noted that **Figure 9** has been prepared for testing purposes only and does not represent the desired design for any future DAs.
98. It is therefore not recommended to increase the FSR while still maintaining a maximum four storey height, for the reasons and issues raised above.
99. For compliant and appropriate development outcomes, the following FSR and heights are required:
- a. 1.5:1 – 4 storeys
  - b. 2.5:1 – 6 storeys.

#### Summary of post-exhibition changes to the Master Plan

100. In consideration of the submissions and key issues discussed at the Councillor workshops, it was considered that there was an overall preference for the draft Master Plan Option 1A with the following minor amendments outlined below:
- a. Amend the heights along Victoria Avenue to be 13m / 4 storeys, consistent with the heights adjacent fronting on to Cook Street;
  - b. Include imagery to illustrate a dedicated cycleway, in contrast to the proposed on-road cycling route on Railway Parade; and



- c. Include additional text that the proposed Martin Place road closure can be trialled before any permanent changes are made.
101. A post-exhibition version of the Mortdale Local Centre Revised Master Plan, incorporating the above changes, is provided in **Attachment 3** and **Attachment 4**. The supporting studies have also been finalised to support the preferred Master Plan Option 1A with minor amendments and are provided in **Attachment 5** (Traffic and Transport Impact Assessment) and **Attachment 6** (Public Domain Upgrade Works (QS) Report).
  102. It is recommended that the updated Mortdale Local Centre Revised Master Plan (Post Exhibition Version) and supporting studies be adopted by Council, and that all those who made a submission be advised of Council's decision.

## NEXT STEPS

103. Should Council resolve to adopt the Master Plan, Council will write to the DPE requesting the Mortdale Master Plan to be endorsed as a strategic document, which will be used to determine the strategic merit of planning proposals and to justify inconsistencies with certain Local Planning Directions issued under section 9.1(2) of the *Environmental Planning and Assessment (EP&A) Act 1979*.
104. While a Master Plan sets the long-term vision for an area, it does not alter planning controls in Council's planning legislation. Should Council adopt a preferred Master Plan for the Mortdale Local Centre, a separate process via a Planning Proposal is required to amend the GRLEP 2021 and implement the Master Plan. The amendment to the GRLEP would also be supported by an amendment to the GRDCP 2021 which provides detailed guidelines for the design and assessment of proposed developments, as well as an amendment to the *Georges River Local Infrastructure Contributions Plan 2021* to enable the collection of funds for the provision of local infrastructure and public domain upgrades required to support the proposed density increases.
105. It should be noted that the development of a Planning Proposal to implement the Master Plan is required to address one of the conditions of the approval of Council's Local Housing Strategy by the DPE in June 2021 – i.e., that Council is to ensure the Planning Proposal for the Stage 3 LEP relating to Commercial Centres (due 2023) "creates capacity of new housing, balanced with enterprise, employment and service functions, for four or more centres, focusing on Hurstville, Mortdale and Riverwood to ensure implementation in a timely manner and subject to budget".
106. It is recommended that Council prepare a Planning Proposal, amendment to the GRDCP 2021, and amendment to the *Georges River Local Infrastructure Contributions Plan 2021* to implement the Mortdale Local Centre Revised Master Plan Option 1A (Post Exhibition Version), subject to a successful budget bid in 2024/25.

## FINANCIAL IMPLICATIONS

107. The preparation, exhibition and amended Mortdale Master Plan have been funded by the budget approved for the project. No additional budget has been provided for this project.

## RISK IMPLICATIONS

108. There are several risks if a Master Plan is not adopted and implemented through a future Planning Proposal:
- a. There will be no overall guiding strategy for which to assess planning proposals against which will result in ad hoc decisions, and this may result in inconsistent development and built form outcomes.
  - b. There will be additional uncertainty for landowners and residents living in Mortdale about future land use zonings and heights of buildings.
  - c. There will be no development or renewal within the Mortdale Centre which may result in a lack of non-residential floorspace and housing to meet the needs of the current and future population.
  - d. Ad-hoc planning proposals may be submitted which may not align with the future vision for Mortdale Centre with limited ability to deliver required infrastructure and public benefits.
  - e. There will be no coordinated approach to fund infrastructure. A Council adopted Master Plan would be implemented through an amendment to Council's Local Infrastructure Contributions Plan 2021 (Section 7.11 and Section 7.12) to capture monies to fund the required infrastructure and public domain upgrades.
  - f. Council will not be meeting one of the conditions of the approval of Council's Local Housing Strategy by the DPE in June 2021 – i.e., that Council is to ensure the Planning Proposal for the Stage 3 LEP relating to Commercial Centres (due 2023) "creates capacity of new housing, balanced with enterprise, employment and service functions, for four or more centres, focusing on Hurstville, Mortdale and Riverwood to ensure implementation in a timely manner and subject to budget".
  - g. Council may have to refund the grant money spent to date received from the DPE for the preparation of the Master Plan (over \$200,000).







## COMMUNITY ENGAGEMENT

109. Community engagement was conducted for the exhibition of the two Master Plan options including:
- 4,975 letters posted to owners and residents/occupiers within the study area;
  - 189 email letters to those who previously made a submission;
  - Advertisements in the St George and Sutherland Shire Leader Newspaper on 10 May 2023, 31 May 2023 and 5 July 2023;
  - Dedicated page on Council's Your Say website;
  - Two in-person workshops and one online workshop;
  - Displays in Council's Customer Service Centres and libraries including the draft Master Plan Options and supporting documentation; and
  - Availability of telephone and face to face contact with planning officers.
110. All persons who made a submission will be advised of Council's decision on the Master Plan.

## FILE REFERENCE

20/1801

**ATTACHMENTS**

- Attachment 1  Workshop Summary Report - *published in separate document*
- Attachment 2  Summary of Submissions - *published in separate document*
- Attachment 3  Mortdale Local Centre Revised Master Plan Urban Design Analysis - *published in separate document*
- Attachment 4  Mortdale Local Centre Revised Master Plan 1A (Post Exhibition Version) - *published in separate document*
- Attachment 5  Traffic and Transport Impact Assessment - *published in separate document*
- Attachment 6  Public Domain Upgrade Works (QS) Report - *published in separate document*

**Item:** ENV037-23 Proposed LEP and DCP Heritage Review

**Author:** Strategic Planner

**Directorate:** Environment and Planning

**Matter Type:** Committee Reports

ENV037-23

**RECOMMENDATION:**

- (a) That Council receive and note the information contained in this report.
- (b) That Council undertake a heritage study to review the heritage items in the *Georges River Local Environmental Plan 2021* and identify any potential new items across the whole Georges River LGA, subject to a successful budget bid in the 2024-25 financial year.
- (c) That Council commence a review of heritage controls in the *Georges River Development Control Plan 2021* using funding received from the Local Government Heritage Grant 2023-25 matched with funding from Council's existing heritage advisory budget.

**EXECUTIVE SUMMARY**

1. In 2020, a review of items in the former Hurstville local government area (LGA) was undertaken to inform the preparation of the *Georges River Local Environmental Plan (LEP) 2021*, however a similar review has not been undertaken for the former Kogarah LGA.
2. Following a recent Interim Heritage Order (IHO) for 28 Carlton Crescent, Kogarah Bay (within the former Kogarah LGA), which identified an anomaly in the listing of the existing heritage item, 'Bayview', it is recommended that a comprehensive review of heritage in the former Kogarah LGA (i.e. 'LEP heritage review') be undertaken to avoid further ad-hoc use of IHOs and to ensure that Schedule 5 Environmental Heritage of the GRLEP 2021 is up to date, and supported by robust and comprehensive heritage inventory sheets. This review would include:
  - a. Reviewing the existing heritage items within Schedule 5 Environmental Heritage of the GRLEP 2021 that are within the former Kogarah LGA;
  - b. Identifying any potential new items of heritage significance that are not already listed in the GRLEP 2021 across the whole Georges River LGA; and
  - c. Updating and developing SHI sheets for existing heritage items in the former Kogarah LGA and new heritage items identified across the Georges River LGA.
3. The Strategic Planning Department's budget does not currently have sufficient funds to undertake the LEP heritage review. Accordingly, it is recommended that the heritage study be undertaken subject to a successful budget bid in 2024-25.
4. It is also recommended to review the heritage controls in the *Georges River Development Control Plan (GRDCP) 2021* (i.e. 'DCP heritage review') to reflect best practice in heritage management and better manage and protect significant heritage places within the LGA. This review would include:

- a. Reviewing the HCAs and the categorisation of individual properties as either Contributory, Neutral or Intrusive in the GRDCP 2021;
  - b. Developing SHI sheets for existing HCAs; and
  - c. Reviewing the controls in the GRDCP 2021 relating to heritage items and conservation areas, and recommending any amendments to the controls to reflect best practice in heritage management and better manage and protect significant heritage places within the LGA.
5. The DCP heritage review will commence towards the end of 2023 using funding from the Local Government Heritage Grant 2023-25 matched with funding from Council's existing heritage advisory budget.

## BACKGROUND

6. Since the commencement of the GRLEP 2021, two IHOs have been made by Council to 'correct' Schedule 5 Environmental Heritage within the GRLEP 2021 to list additional properties within the Georges River LGA as local heritage items. These have included 'Glenlee' at 80 Boronia Parade, Lugarno, within the former Hurstville LGA, and 'Bayview' at 28 Carlton Crescent, Kogarah Bay, which is located within the former Kogarah LGA.
7. The provisions of the *Heritage Act 1977* allow IHOs to be made as a mechanism to investigate and protect potential places and items that are under threat and are likely to be of cultural heritage significance.
8. While it is not uncommon for new items or places of potential heritage significance to be identified over time, to reduce the uncertainty of an ad-hoc approach through IHOs, many councils undertake more frequent heritage studies to consider 'filling the gaps', or routinely review heritage items to maintain the robustness and integrity of listings generally.
9. It is generally recommended that councils should review and update their heritage study and thematic history every 8-10 years (*Recommendations for local council heritage management*, Office of Environment and Heritage, 2013). This may identify gaps and potential heritage items that have been previously overlooked or items that have gained significance since the heritage study was completed.

## REVIEW OF HERITAGE ITEMS – FORMER HURSTVILLE LEP 2012

10. In September 2011, the former Hurstville City Council commissioned City Plan Heritage to undertake a review and update of the *Hurstville Heritage Study 1998*, provide advice on community nominated heritage items, identify any new heritage items since undertaking the original study and ensure Council's heritage controls reflect best practice in heritage management.
11. Following completion of the *Hurstville Heritage Study*, Amendment No. 2 to the former *Hurstville Local Environmental Plan (HLEP) 2012* was gazetted on 4 April 2014 to include 31 new heritage items and remove two existing heritage items from Schedule 5 Environmental Heritage.
12. In November 2017, Georges River Council commissioned Conroy Heritage Planning to assess the existing State Heritage Inventory (SHI) forms for all items in the former Hurstville LGA (i.e. all heritage items listed under the former HLEP 2012 and a single item

deferred from the *Hurstville LEP 1994* (14 MacMahon Street, Hurstville)) for accuracy and completeness; and, where necessary, amend or re-write them to provide a more useful basis for the conservation planning process, including both strategic and statutory management. The *Hurstville Heritage Review* also included the identification of any changes required to the existing heritage listings in the former Hurstville LGA.

13. Council officers also requested Conroy Heritage Planning to submit an amended fee proposal to include a review of heritage items in the former Kogarah LGA, including updating the SHI forms, in light of the amalgamation of the former Hurstville and Kogarah Councils to form the new Georges River Council. However, it was estimated to add an additional \$10,000 (not including GST) to the project which exceeded Council's budget and was therefore unable to be undertaken.
14. The *Hurstville Heritage Review* was completed in March 2020 and recommended removing existing heritage items, amending the curtilage of 6 existing heritage items and amending the item name of 97 existing heritage items from the HLEP 2012. The amendments to the heritage listings were incorporated into the GRLEP 2021 and to the SHI sheets on the NSW heritage database. The *Hurstville Heritage Review* did not include the identification of potential new heritage items.

#### **HERITAGE ITEMS – FORMER KOGARAH LEP 2012**

15. The former Kogarah Council undertook a review of heritage items in 2011 as part of the preparation of the *Kogarah Local Environmental Plan (KLEP) 2012*. It is noted, however, that this review only covered items listed in the KLEP 1998 and did not consider the listing of new items. The heritage review also only focused on the KLEP 1998 heritage items that were listed during previous amendments to the KLEP 1998 and had undergone a less rigorous review than those included in the initial instrument in 1998 which were informed by the *Kogarah Heritage Study* by Tropman & Tropman Architects completed in 1994.
16. The former Kogarah Council also commissioned Truman, Zaniol and Associates to review the heritage items in Schedule 5 of the KLEP 2012 in the former Kogarah LGA in 2009-2011 which informed Amendment No. 2 to the KLEP 2012, also known as the Kogarah New City Plan. This review did not include the identification of potential new heritage items.
17. It should be noted that many of the SHI forms for items in the former Kogarah LGA contain insufficient information on the significance of the heritage item and recommendations for future management, which are important in the ongoing management of the heritage item and is used by Council to assess the impact of proposed changes on the significance of heritage items.

#### **PROPOSED LEP HERITAGE REVIEW**

18. During the preparation of the consolidated GRLEP 2021, heritage items from the former KLEP 2012 were transferred across to the new GRLEP 2021. No review of Schedule 5 Environmental Heritage was undertaken of the former KLEP 2012.
19. Accordingly, it is recommended that Council undertake a review of heritage items in Schedule 5 Environmental Heritage of the GRLEP 2021 that are within the former Kogarah LGA, subject to a successful budget bid in the 2024-25 financial year.

20. It is also recommended to identify any potential new items of heritage significance within the former Hurstville LGA given the most recent *Hurstville Heritage Review* did not investigate any new heritage items.
21. It is anticipated that the scope of works for the LEP heritage review would include:
  - a. Reviewing the existing heritage items within Schedule 5 Environmental Heritage of the GRLEP 2021 that are within the former Kogarah LGA, including whether it should be retained or removed as a heritage item and whether the item name, address, property description or significance is required to be amended in the GRLEP 2021;
  - b. Identifying any potential new items of heritage significance that are not already listed in the GRLEP 2021 across the whole Georges River LGA; and
  - c. Updating and developing SHI sheets for existing heritage items in the former Kogarah LGA and new heritage items identified across the Georges River LGA, including the description of the item and Statement of Significance, through researching the item, identifying its curtilage and analysing its heritage significance against the NSW Heritage Council's Criteria for local heritage significance.
22. The LEP heritage review will inform amendments to the Heritage Maps and Schedule 5 Environmental Heritage of the GRLEP 2021.
23. The review would require the assistance of a consultant as well as community input in the nomination of new heritage items for consideration.

#### **PROPOSED DCP HERITAGE REVIEW**

24. The *Georges River Development Control Plan 2021* (GRDCP 2021) contains detailed guidelines for development in heritage conservation areas (HCAs). The HCA guidelines are used by Council's development assessment planners and Council's Heritage Advisor to assess development applications (DAs) for properties in a HCA. Different guidelines apply to contributory, neutral or intrusive items based on their assessed level of intactness, significance and overall contribution to the HCA.
25. The heritage controls and HCA guidelines in the GRDCP 2021 were transferred from the former *Hurstville DCP 2012* and *Kogarah DCP 2013* and are due to be reviewed to ensure that the HCA maps accurately reflect the status of individual properties as either contributory, neutral or intrusive.
26. In recent years, some properties which have been subject to a heritage referral/DA have been found to be inaccurately mapped, for example, due to works to the property over the years to remove previously unsympathetic alterations or restore original features that have brought a once neutral item up to a contributory status.
27. A gap has also been identified in that there is no heritage inventory sheet for each HCA, which is typically prepared to provide more detailed information about the significance of the HCA and support HCA listings under Schedule 5 Environmental Heritage of a LEP.
28. It is anticipated that the scope of works for the DCP heritage review would include:
  - a) Reviewing the HCAs and the categorisation of individual properties as either Contributory, Neutral or Intrusive in the GRDCP 2021;
  - b) Developing SHI sheets for existing HCAs; and

- c) Reviewing the controls in the GRDCP 2021 relating to heritage items and conservation areas and recommending any amendments to the controls to reflect best practice in heritage management and better manage and protect significant heritage places within the LGA.
29. The DCP heritage review would inform an amendment to the HCA maps and heritage controls within the GRDCP 2021.

### **FINANCIAL IMPLICATIONS**

30. An estimated \$150,000 budget is expected to be required for the LEP heritage review project over 2 years. Should Council support the recommendation to undertake the heritage review, an initial \$75,000 budget bid will be made for the project to commence in the 2024-25 financial year.
31. The DCP heritage review will be undertaken as a separate project to commence later in 2023 using funding received from the Local Government Heritage Grant 2023-25 matched with funding from Council's existing heritage advisory budget. Council has already received a \$12,500 prepayment for the 2023-25 Local Government Heritage Grant. This grant money was originally planned to be used for the Heritage Building Grant Program; however, Council did not fund this program for 2023-24, enabling the grant money to be used for other heritage work that has been identified.

### **RISK IMPLICATIONS**

32. Should Council not support the proposed heritage review, there is a risk that Schedule 5 Environmental Heritage of the GRLEP 2021 may not capture all items of potential heritage significance in the LGA. This may result in the need for more IHOs in the future as an ad-hoc mechanism for protecting places of potential heritage significance.
33. As many of the SHI sheets carried over from the former Kogarah LGA have not been reviewed, the information contained is minimal in many cases, and may not reflect the current significance of the item or provide up to date recommendations for future management, leading to uncertainty by owners and Council when considering any change to the heritage item.

### **COMMUNITY ENGAGEMENT**

34. The community will be provided the opportunity to nominate potential heritage items in the LGA for inclusion on the Heritage Map and Schedule 5 Environmental Heritage of the GRLEP 2021.
35. A Planning Proposal will need to be prepared to amend the Heritage Map and Schedule 5 Environmental Heritage of the GRLEP 2021. Depending on timing, the Planning Proposal may be able to be placed on exhibition for feedback from the community with the amendment to the GRDCP 2021. Alternatively, the Planning Proposal and amendment to the GRDCP 2021 will be exhibited separately.

### **FILE REFERENCE**

23/1131





**Item:** ENV038-23 GRDCP 2021 - Amendment No 5 - Subdivision, Lot Consolidation and Boundary Adjustments in Heritage Conservation Areas - Public Exhibition

**Author:** Strategic Planner

**Directorate:** Environment and Planning

**Matter Type:** Committee Reports

ENV038-23

**RECOMMENDATION:**

- (a) That Council endorse the public exhibition of Amendment No. 5 to the Georges River Development Control Plan 2021, comprising of an amendment to Appendix 3 (Heritage Conservation Areas) to insert provisions for subdivision, lot consolidation and boundary adjustments in Heritage Conservation Areas.
- (b) That Council endorse the public exhibition process to be carried out in accordance with the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*.
- (c) That Council endorse that the Director, Environment and Planning make minor modifications to correct any numerical, typographical, interpretation and formatting errors, if required, in preparation for the public exhibition.
- (d) That a further report be submitted to Council following the public exhibition period.

**EXECUTIVE SUMMARY**

1. On 26 November 2021, *State Environmental Planning Policy (Housing) 2021* (the Housing SEPP) came into effect in NSW. The Housing SEPP aims to incentivise housing typologies such as boarding houses, co-living housing and housing for seniors and people with a disability.
2. The Housing SEPP consolidated five previous housing-related SEPPs, including *State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004* (Seniors SEPP).
3. Schedule 7A (Savings and transitional provisions), Clause 4 (Housing for seniors and people with disability in Greater Sydney heritage conservation areas) of the Housing SEPP states that Chapter 3, Part 5 of the Housing SEPP relating to housing for seniors and people with disability does not apply to land in a Greater Sydney heritage conservation area (HCA). The clause also states that this section is repealed at the end of 31 December 2023.
4. The NSW Government placed the moratorium on seniors housing in HCAs to allow councils time to finalise any necessary policy updates prior to the expiry of the moratorium and ensure that the planning framework, including State and local controls, will deliver appropriate outcomes for seniors housing in HCAs.

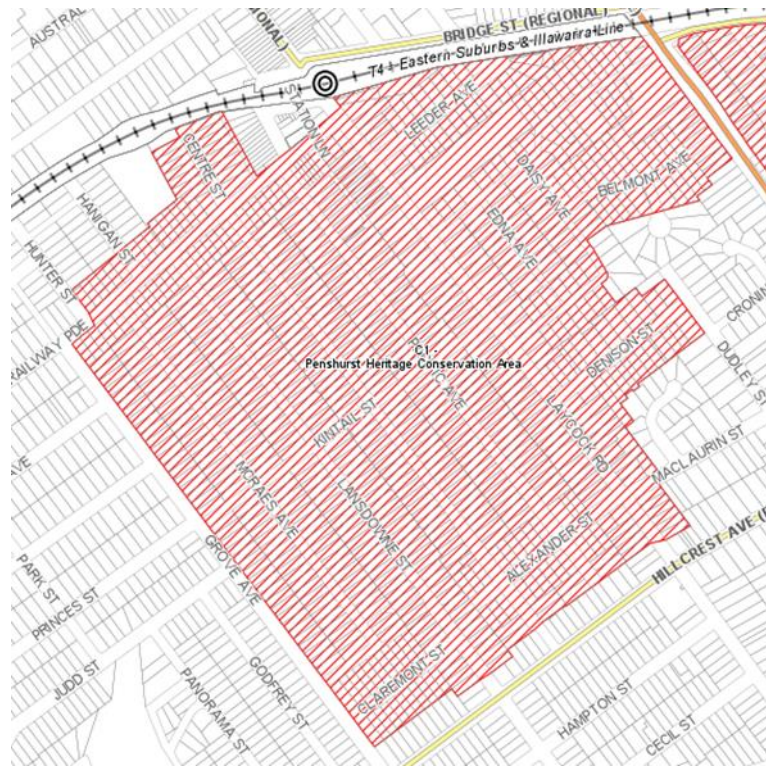
5. The impending lifting of the moratorium means that the seniors housing provisions of the Housing SEPP will start to apply to land in HCAs within Greater Sydney, including those in the Georges River LGA, from 1 January 2024.
6. Accordingly, Council is seeking to amend the provisions relating to subdivision in HCAs in the *Georges River Development Control Plan (GRDCP) 2021*.
7. The proposed amendment is to insert new guideline statements for each HCA that would apply to any future development in a HCA, including seniors housing, as currently, there is little guidance on subdivision or lot consolidation in the GRDCP 2021.
8. The purpose of this Report is to seek Council endorsement to publicly exhibit Amendment No. 5 to the GRDCP 2021.
9. A further report will be submitted to Council following the public exhibition period on the outcomes of community consultation.

## BACKGROUND

10. On 26 November 2021, the Housing SEPP came into effect in NSW. The Housing SEPP aims to incentivise housing typologies such as boarding houses, co-living housing and housing for seniors and people with a disability.
11. The Housing SEPP consolidated five existing housing-related SEPPs, including *State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004* (Seniors SEPP).
12. Seniors housing is designed to meet the needs of seniors and people with a disability. Seniors housing includes:
  - Residential care facilities – sometimes also known as nursing homes or aged care homes. Residents receive full-time care.
  - Independent living units – apartments or villas for seniors and people with a disability. Residents can live independently.
  - Hostels – includes single or shared residential accommodation staffed by support workers.
13. Seniors housing is, or is intended to be, used permanently for:
  - Seniors or people who have a disability, or
  - People who live in the same household with seniors or people who have a disability, or
  - Staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place.
14. Schedule 7A (Savings and transitional provisions), Clause 4 (Housing for seniors and people with disability in Greater Sydney heritage conservation areas) of the Housing SEPP states that Chapter 3, Part 5 of the Housing SEPP relating to housing for seniors and people with disability does not apply to land in a Greater Sydney HCA. The clause also states that this section is repealed at the end of 31 December 2023.
15. The NSW Government placed the moratorium on seniors housing in HCAs to allow councils time to finalise any necessary policy updates prior to the expiry of the moratorium and ensure that the planning framework, including State and local controls, will deliver appropriate outcomes for seniors housing in HCAs.
16. The impending lifting of the moratorium means that the seniors housing provisions of the Housing SEPP will start to apply to land in HCAs, including the Georges River LGA, within Greater Sydney from 1 January 2024.

### Heritage Conservation Areas

- 17. HCAs are areas of land of heritage significance which are shown on the Heritage Map of a council's Local Environmental Plan (LEP) as a HCA and described in Schedule 5 of the LEP.
- 18. The *Georges River Local Environmental Plan (GRLEP) 2021* identifies three HCAs in the Georges River LGA on the Heritage Map and Schedule 5, namely:
  - 1. Penshurst Heritage Conservation Area (**Figure 1**);
  - 2. O'Briens Estate Heritage Conservation Area (**Figure 2**); and
  - 3. Kogarah South Heritage Conservation Area (**Figure 3**).



**Figure 1 – Penshurst Heritage Conservation Area**



Figure 2 – O'Briens Estate Heritage Conservation Area



Figure 3 – Kogarah South Heritage Conservation Area

### Seniors Housing

19. The properties within these three HCAs are zoned R2 Low Density Residential under the GRLEP 2021 and comprise of predominantly single dwelling houses. Seniors housing is permitted with consent in the R2 zone. Accordingly, development applications (DAs) are permitted to be lodged on these lands with Council for seniors housing developments.
20. However, often applicants lodging DAs for seniors housing utilise the provisions under the Housing SEPP as they often provide greater yield and reduced car parking rates than a council's LEP and DCP.
21. For example, the Housing SEPP permits residential care facilities to have a maximum height limit of 9.5m (or 11.5m with servicing equipment) and a maximum FSR of 1:1.

Conversely, the GRLEP 2021 restricts developments in the R2 zoned HCAs to a maximum height limit of 9m and FSR of 0.55:1.

22. With regards to car parking requirements, the GRDCP 2021 requires 1 car parking space for every 10 beds in residential care facilities, whereas the Housing SEPP only requires 1 space for every 15 beds.

#### **AMENDMENT NO. 5 TO THE GEORGES RIVER DCP 2021**

23. Whilst it is noted that often applicants lodging DAs for seniors housing utilise the provisions under the Housing SEPP, rather than Council's controls, the Housing SEPP only permits seniors housing to be located on sites at least 1000sqm in area with a frontage of at least 20m measured at the building line.
24. These site requirements would be consistent for seniors housing developments lodged under Council's controls in order to support the land use and comply with requirements, such as setbacks and landscaping.
25. Given the average lot size with the HCAs is smaller than 1000sqm, sites would often need to be consolidated with adjoining lots to form a site area that enables the development of a compliant seniors housing development.
26. The lot sizes and configurations can be a characteristic of the established rhythm and defining subdivision pattern of a HCA. 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 HCA.
27. Since seniors housing developments are generally not a characteristic of the established subdivision pattern within the HCAs, it is necessary to ensure any subdivision, boundary adjustment or lot consolidation considers the impacts on the established subdivision pattern of the area, including visual and physical impacts on the built and natural environment.
28. To ensure developments, including seniors housing developments, consider the impacts on the established subdivision pattern of HCAs, an amendment to the GRDCP 2021, known as Amendment No. 5, is proposed.
29. The GRDCP 2021 amendment involves inserting additional provisions under the guideline statements for each of the HCAs regarding subdivision and lot consolidation within Appendix 3 (Heritage Conservation Areas). The amendments are shown in tracked changes and red in **Attachment 1**.
30. The objective of the proposed amendments is to insert new guideline statements for each HCA that would apply to any future development in a HCA, including seniors housing, as currently, there is little guidance on subdivision or lot consolidation in the GRDCP 2021.
31. The GRDCP 2021 amendment explains the importance of street and subdivision patterns to the character of HCAs, as discussed above.
32. The GRDCP 2021 amendment also states that subdivision, lot consolidation or boundary adjustments within the HCAs will not generally be considered appropriate or acceptable, as the established subdivision pattern is a primary characteristic that defines and contributes to the significance of the HCA. 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 HCA.
33. Nevertheless, should a DA for subdivision, lot consolidation or boundary adjustment involving land identified as a heritage item or is within a HCA be lodged, the GRDCP 2021

amendment includes requirements that must be demonstrated as part of the DA. These requirements include:

- significant subdivision patterns and the established pattern of development of the area are not interrupted or obscured; and
- 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
- 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
- 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
- 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 HCA and the streetscape is not adversely impacted by the creation of new lots and potentially intrusive new building envelopes.

34. Furthermore, the GRDCP 2021 amendment also requires any proposal involving subdivision, lot consolidation or boundary adjustments to land that is identified as a heritage item or within an HCA to provide a detailed curtilage assessment as part of a Heritage Impact Statement.

35. As a result of preparing the amendment, a number of formatting and administrative changes have been proposed to various sections of the GRDCP 2021 as outlined in the table below.

Section	Proposed Amendment
1. Introduction	Minor formatting changes.
2. Application Process	Minor formatting changes.
3. General Planning Considerations	Minor formatting changes.
4. General Land Use	Minor formatting changes
5. Residential Locality Statements	Minor formatting changes.
6.1. Low Density Residential Controls	Minor formatting changes.
6.2. Medium Density Residential Controls	Minor formatting changes.
6.3. High Density Residential Controls	Minor formatting changes.
6.4. Ancillary Development	Minor formatting changes.
6.5. Foreshore Locality Controls	Minor formatting changes.
7. Business Precincts	Minor formatting changes.
8. Kogarah Town Centre	Minor formatting changes.
9. Industrial Development	Minor formatting changes.

10. Precincts	Minor formatting changes.
Appendices	Minor formatting and typographical changes.  Insertion of <b>1.7.6 Guideline statement – Subdivision and Lot Consolidation under</b> <ul style="list-style-type: none"> <li>• <b>Penshurst Heritage Conservation Area</b></li> <li>• <b>Kogarah South Heritage Conservation Area</b></li> <li>• <b>O'Briens Estate Heritage Conservation Area</b></li> </ul>
Glossary	Minor formatting changes

## FINANCIAL IMPLICATIONS

36. Within budget allocation.

## RISK IMPLICATIONS

37. No risks identified.

## COMMUNITY ENGAGEMENT

38. It is proposed to place draft Amendment No. 5 to the GRDCP 2021 on public exhibition before the moratorium on seniors housing in HCAs concludes on 31 December 2023 to enable consideration of the draft GRDCP 2021 amendment for any DA lodged on or after 31 December 2023.
39. Draft Amendment No. 5 to the GRDCP 2021 is proposed to be public exhibited for a minimum of 28 days in accordance with the requirements of the *Environmental Planning and Assessment Act 1979 and its Regulation 2021*.
40. Exhibition material including plain-English explanatory information and a copy of the amended Appendices of the GRDCP 2021 will be available for viewing during the exhibition period on Council's website and hard copies available at Council's Georges River Customer Service Centre in Hurstville, and Hurstville and Clive James (Kogarah) Libraries.
41. Notification of the public exhibition will be through:
- Newspaper advertisement in The Leader;
  - Exhibition notice on Council's website;
  - Community engagement project webpage on Council's Your Say website; and
  - Notices in Council's Georges River Customer Service Centre in Hurstville, and Hurstville and Clive James (Kogarah) Libraries.
42. A further report will be submitted to Council following the public exhibition period on the outcomes of the community consultation.

## NEXT STEPS

43. The anticipated timeframe for the next steps is shown below:



Indicative Timeframe	Task
October 2023	Report to Council's Environment and Planning Committee and Council seeking endorsement to publicly exhibit draft Amendment No. 5 to the GRDCP 2021.
November- December 2023	Public exhibition of draft Amendment No. 5 to the GRDCP 2021.
December 2023 – January 2024	Consideration of submissions.
February 2024	Report to Council's Environment and Planning Committee and Council on submissions received and seeking adoption of Amendment No. 5 to the GRDCP 2021.
March 2024	Amendment No. 5 to the GRDCP 2021 comes into effect and is notified via The Leader.

## FILE REFERENCE

22/781

## ATTACHMENTS

Attachment 1  Draft Amendment No. 5 to GRDCP 2021 - Appendices 2-7 - *published in separate document*

**Item:** ENV039-23 Development and Building Department Functions and Services Metrics Report - Q4 2022/2023 and Preliminary Planning Application Metrics for Q1 2023/2024

**Author:** Manager Development and Building

**Directorate:** Environment and Planning

**Matter Type:** Committee Reports

ENV039-23

**RECOMMENDATION:**

That Council receive and note the Development and Building Department Functions and Services Metrics Report for the reporting period being April - September 2023.

**EXECUTIVE SUMMARY**

1. This report provides Development and Building Department Functions and Services Metrics for the reporting period of Q4 of the 2022/23 financial year being April to June 2023 with relevant comparative data.
2. This report also provides Development and Building Department Functions and Services Metrics for the reporting period of Q1 of the 2023/24 financial year being July to September 2023 with relevant comparative data.
3. In order to consider trends and performance associated with Development and Building application assessment, information provided within the report includes:
  - Applications Received for Processing and Determination;
  - Applications Considered by the Local Planning Panel;
  - Applications Considered by the Sydney South Planning Panel;
  - Total Application Processing Times;
  - Estimated Value of Development Applications Determined;
  - Information pertaining to the Development Advisory Service; and
  - Other Service Related Matters.

**BACKGROUND**

4. This report provides Development and Building Team Metrics for the reporting period of Q4 of the 2022/23 financial year and Q1 of the 23/24 financial year covering the period between 1 April 2023 to 30 September 2023 with relevant comparative data.

**REPORT*****DEVELOPMENT APPLICATIONS, MODIFICATIONS AND REVIEWS***Determining Authority

5. As Councillors would be aware, under NSW Planning legislation, the Elected Council no longer have any involvement in determining Development Applications, Modifications to Consents, Review of Determinations or Building Information Certificates under the Environmental Planning and Assessment Act 1979 and the provisions of Council's Code of Conduct.

6. As a result, most applications are now determined under Delegated Authority by Council's Senior Development and Building Staff, unless they are required to be referred to the Georges River Local Planning Panel or the Sydney South Planning Panel for determination.
7. In making a determination, Council uses a peer review process. This ensures that all recommendations made by our assessment officers are reviewed by a senior officer and where required by the relevant planning panel. This ensures transparency and consistency within the recommendations and decisions made by our staff.
8. Metrics associated with the application processing is detailed below:

<b>FY2021/2022</b>	<b>DA ('L')</b>	<b>DA ('D')</b>	<b>MOD ('L')</b>	<b>MOD ('D')</b>	<b>REV ('L')</b>	<b>REV ('D')</b>	<b>TOTAL ('L')</b>	<b>TOTAL ('D')</b>
July	53	41	31	18	0	0	84	59
August	45	52	17	20	1	3	63	75
September	40	41	27	11	0	3	67	55
October	56	42	19	23	1	1	76	66
November	32	50	20	15	0	0	52	65
December	24	33	4	21	0	1	28	55
January	30	19	14	7	0	1	44	27
February	9	33	5	6	0	0	14	39
March	24	47	12	17	0	0	36	64
April	7	24	6	9	0	0	13	33
May	3	36	6	11	0	1	9	48
June	17	32	6	17	0	0	23	49
<b>FY2022/2023</b>	<b>DA ('L')</b>	<b>DA ('D')</b>	<b>MOD ('L')</b>	<b>MOD ('D')</b>	<b>REV ('L')</b>	<b>REV ('D')</b>	<b>TOTAL ('L')</b>	<b>TOTAL ('D')</b>
July	14	15	3	14	0	0	17	29
August	14	38	10	8	0	0	24	46
September	28	25	24	9	0	2	52	36
October	6	13	1	6	0	0	7	19
November	16	5	0	2	0	0	16	7
December	10	26	5	11	0	1	15	38
January	12	20	2	14	0	0	14	34
February	13	20	4	3	0	0	17	23
March	23	23	9	7	0	0	32	30
April	8	18	0	6	0	0	8	24
May	13	25	4	12	0	0	17	37
June	22	19	7	7	0	1	29	26
<b>FY2023/2024</b>	<b>DA ('L')</b>	<b>DA ('D')</b>	<b>MOD ('L')</b>	<b>MOD ('D')</b>	<b>REV ('L')</b>	<b>REV ('D')</b>	<b>TOTAL ('L')</b>	<b>TOTAL ('D')</b>
July	31	41	7	17	0	1	38	59
August	24	46	7	3	2	0	33	49
September*	38	20	8	7	1	1	47	28

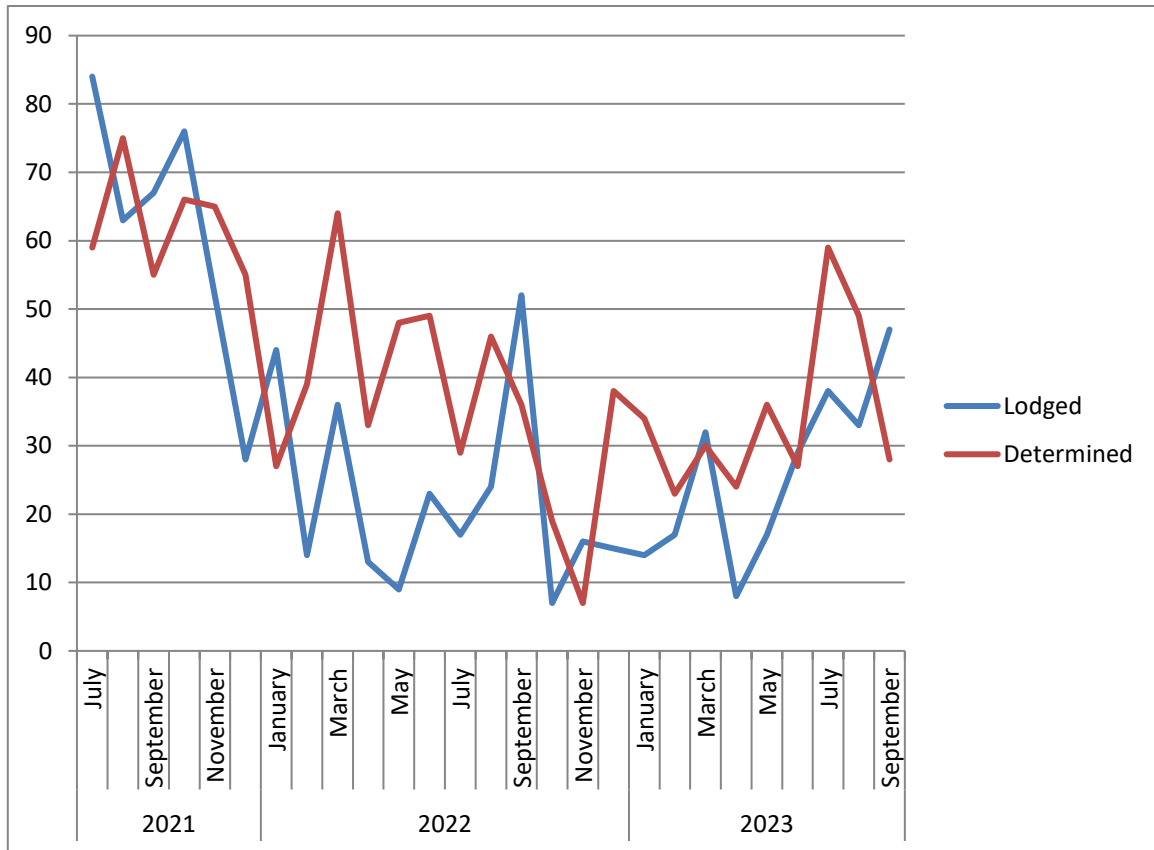
Table 1

\*As at 22 September 2023

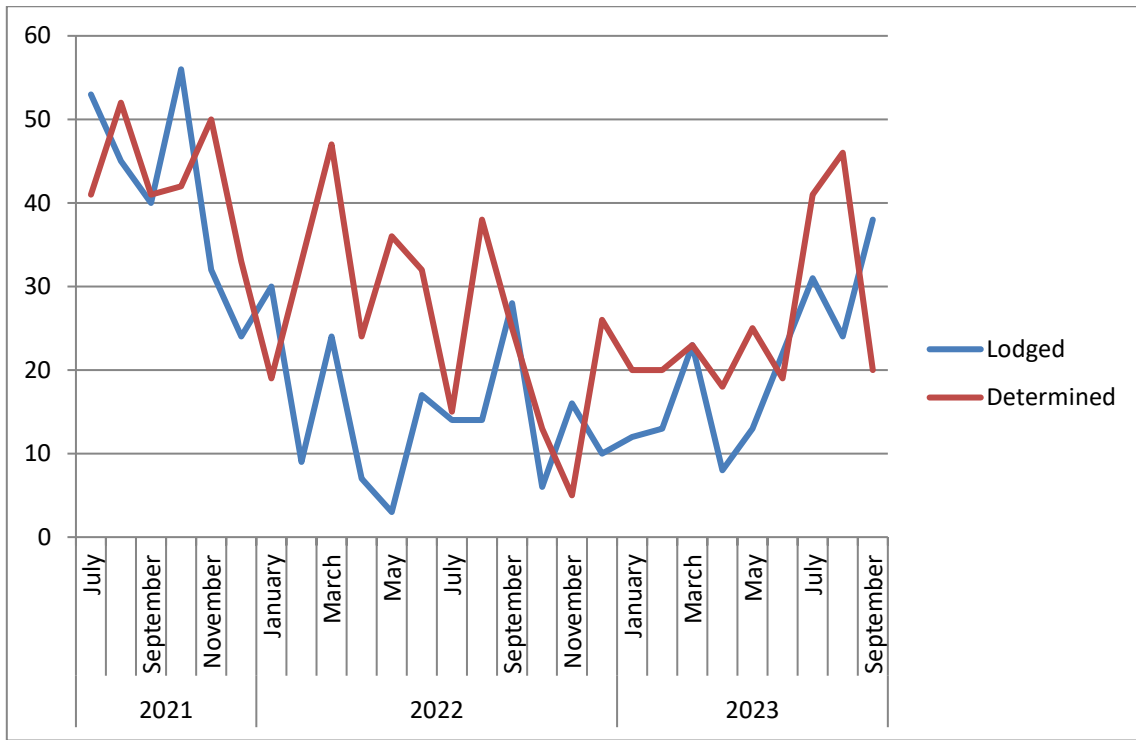
9. It is noted from the above table that in Q4 2022/2023, quarter that 54 applications were lodged, while 87 were determined.

- 10. The results for the Q1 Metric Report for 2023/2024 to 22 September, DA outputs so far in Q1 are at 136 determined, a 56% increase on Q4 2022/2023, demonstrating the impact of the securing of additional assessment resources in May-July, has assisted in increasing the number of applications determined.
- 11. For ease of reference and comparative purposes a graph of all applications (DA's, Modifications and Reviews) from July 2021 to the Q4 2022/2023 reporting period is outlined as follows:

All Applications (DAs, Modifications and Reviews)

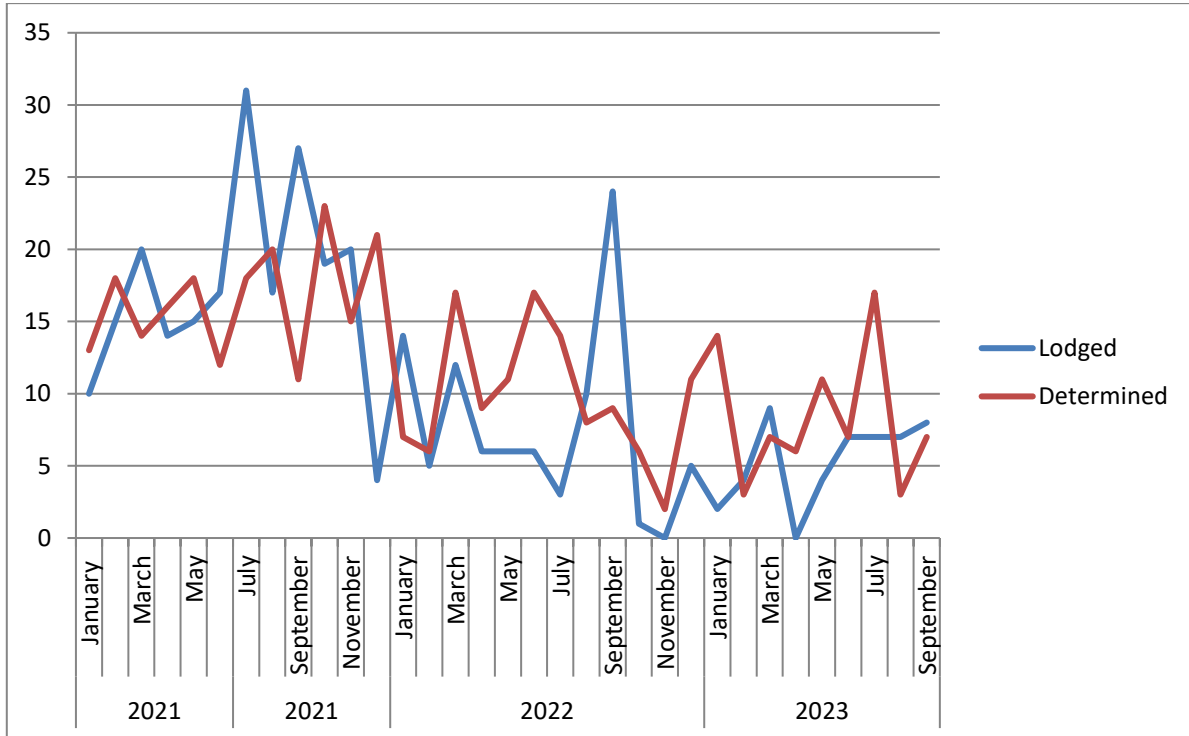


Graph 1 – The graph demonstrates the time link between lodgement and determination.



Graph 2 – The above graph, which accounts for the majority of the data in Graph 1, reflects that graph.

Modification Applications



Graph 3 – Modification applications demonstrate the same trends as Development Applications but given the lower sample size and troughs are more extreme.

Processing Times – Determined Applications

12. The median determination times of all applications (DAs, Modifications and Reviews), processed in FY2021/2022 was 138 days.
13. The median determination times of all applications (DAs, Modifications and Reviews) processed in Q4 22/23 period was 156 days and for FY2022/2023 was 137 days.
14. Staff turnover and challenges in recruiting planners in a difficult competitive environment (shortage of planners) continues to impact on processing times.
15. The median determination times for Q1 23/24 as at 22 September 2023 was 131 days and includes the determination of 14 longstanding complex applications that have been before Council for more than 300 days.
16. Due to persistent labour market challenges, there is currently a high dependency on temporary and agency staff. Provided current staffing levels can be maintained, and Principal Planners, Senior Development Assessment Planner, Fast-Track Planner and Student Planner positions are filled, a sustainable and predictable assessment system is within reach, with the associated aim to reach the target of 85 days to determine an application.

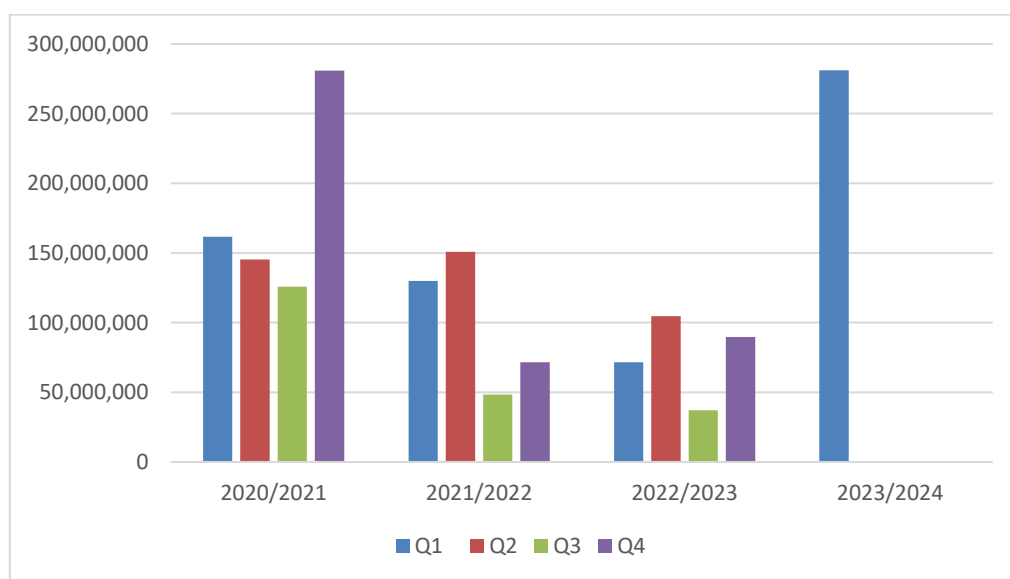
Current Number of Undetermined Applications (DAs, Modifications and Reviews)

17. The number of undetermined applications (DAs, Modifications and Reviews) at the time of finalising this report was 243 (187 DA's, 53 Modifications and 3 Reviews). In addition, there are 48 applications currently undertaking preliminary review in the Planning Portal, compared with 85 in the previous quarter.
18. The increase in the number of overall applications is a result of the improved performance of the lodgement and advisory team in making progress on the lodgement backlog.

Value of Development

**Estimated Value of Development Applications Determined**

19. The total estimated value of applications determined by Council in the Financial years 2020/2021, 2021/2022 and 2022/2023 financial years is detailed below:



Graph 4

20. The total estimated value of all Development Applications and Reviews determined by Council in the reporting period is: \$370,761,146.
21. It is noted that the decline in value from previous years is a result of broader market conditions and the consequent reduction in large development proposals across the board following a general market downturn and its impacts on the construction industry.

#### Local Planning Panel

22. The Georges River Local Planning Panel was established in March 2018.
23. For ease of reference and comparative purposes a graph of all applications (DA's, Modifications, Reviews and Planning Proposals) considered since July 2021 to the current reporting period is outlined as follows:
24. The total number of applications (DAs, Modifications, Reviews, Building Information Certificates and Planning Proposals) considered by the Georges River Local Planning Panel in the Q4 22/23 reporting period is 9.
25. The number of applications considered in the Q1 2023/2024 reporting period is 15.
26. A breakdown of this data is provided below:

<b><u>FY2020/2021</u></b>	<b>DA / Mod / Review / BIC</b>	<b>PP</b>	<b>TOTAL</b>
July	5	0	5
August	9	0	9
September	8	1	9
October	7	2	9
November	7	1	8
December	6	0	6
January	0	0	0
February	1	0	1
March	3	4	7
April	4	0	4
May	10	1	11
June	8	1	9
<b><u>FY2021/2022</u></b>			
July	4	0	4
August	9	1	10
September	7	0	7
October	5	0	0
November	9	0	1
December	9	0	0

January	0	0	0
February	6	1	7
March	6	0	6
April	6	0	6
May	8	0	8
June	7	1	8
<b><u>FY2022/2023</u></b>			
July	2	0	2
August	8	0	8
September	8	0	8
October	3	0	3
November	5	0	5
December	3	0	3
January	0	0	0
February	1	0	1
March	2	0	2
April	2	0	2
May	2	1	3
June	4	0	4
<b><u>FY2023/2024</u></b>			
July	5	0	5
August	5	1	6
September	4	0	4

Table 2

27. A list of the applications (DAs, Modifications, Reviews, Building Information Certificates and Planning Proposals) considered by the Georges River Local Planning Panel in the Q4 22/23 reporting period is outlined below:

<b>Application No.</b>	<b>Address</b>	<b>Proposal</b>	<b>Recommendation</b>	<b>LPP Decision</b>
DA2022/0075	1A Rose Street Connells Point	Construction of a dual occupancy	Refusal	Refusal
DA2021/0441	27 Woniara Road Hurstville	Demolition works, construction of boarding house	Refusal	Deferral - Drainage
MOD2022/0143	24 Montgomery Street Kogarah	Modification to approved 10/11 storey commercial development –	Approval	Approval



Application No.	Address	Proposal	Recommendation	LPP Decision
		remove a heritage listed wall		
PP2023/0002		Georges River Local Environmental Plan 2021 – Housekeeping Amendment 2023	Recommend for a Gateway Determination	Recommend for a Gateway Determination
DA2022/0119	279 Rocky Point Road Sans Souci	Fitout and change of use to a community facility	Approval	Approval
MOD2022/0204	13-21 Wyuna Street Beverley Park	Modification to 7 storey residential flat building – External and internal alterations	Approval	Approval
MOD2022/0135	96 Park Road Kogarah Bay	Modification to Child Care Centre – increasing number of staff and children	Approval	Refusal
DA2023/0007	58A Penshurst Street Penshurst	Alterations and additions to Penshurst RSL Club	Approval	Approval
DA2021/0474	23 Queens Road Connells Point	Alterations and additions to a dwelling house and construction of retaining walls	Approval	Approval

Table 3

28. A list of the applications (DAs, Modifications, Reviews, Building Information Certificates and Planning Proposals) considered by the Georges River Local Planning Panel in the Q1 23/24 reporting period is outlined below:

Application No.	Address	Proposal	Recommendation	LPP Decision
DA2021/0424	37 Princes Highway Kogarah	Residential Flat Building	Approval	Refusal
DA2022/0436	20 Russell Street Oatley	Dwelling House	Approval	Approval
DA2022/0369	25 Old Forest Road Lugarno	Shade sail at Childcare Centre	Approval	Approval

<b>Application No.</b>	<b>Address</b>	<b>Proposal</b>	<b>Recommendation</b>	<b>LPP Decision</b>
DA2022/0369	118-124 Princes Highway Beverley Park	Alterations and additions to St George Leagues Club	Approval	Approval
DA2022/0532	117 Botany Street Carlton	Construction of a secondary dwelling and garage (heritage listing)	Refusal	Refusal
DA2022/0001	185 Queens Road Connells Point	Dwelling House	Approval based on previous panel deferral	Approval
PP2023/0003	28 Carlton Crescent Kogarah Bay	Planning proposal to Georges River LEP (additional Local Heritage listing)	Approval	Approval
DA2022/0015	18 Stuart Street Blakehurst	Childcare Centre	Approval	Approval
DA2021/0244	5A -7 The Strand Penshurst	Mixed use development	Approval	Approval
MOD2022/0098	248 Railway Parade Kogarah	Mod to an approved Boarding House	Refusal	Deferral for design changes
DA2022/0399	50 Dora Street Hurstville	Alts and adds to a dwelling and secondary dwelling (Heritage Item)	Approval	Approval
DA2021/0441	27 Woniora Road Hurstville	Boarding House	Approval based on previous panel deferral	Approval
DA2021/0372	2 Shaw Street Kogarah	Boarding House	Approval	Approval
MOD2022/0139	25-27 Heath Road Blakehurst	Mod to an approved childcare centre	Approval	Approval
DA2022/0521	20 Penshurst Street Penshurst	Extension of operating hours for a hotel	Approval on trial basis	Approval on trial basis

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29. The Sydney South Planning Panel was established by the NSW Government to consider and determine regionally significant development.
30. The total number of applications (DAs, Modifications, Reviews, and Planning Proposals) considered by the SSPP in the Q4 22/23 reporting period is nil.
31. The total number of applications (DAs, Modifications, Reviews, and Planning Proposals) considered by the SSPP in the Q1 23/24 reporting period is 1.
32. The application determined by the Panel was DA2022/0061 for Demolition and construction of a mixed-use development containing 4,620m<sup>2</sup> of commercial floor space and 349 residential apartments at 9 Gloucester Road Hurstville. The application was refused by the regional panel.

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### **BUILDING INFORMATION CERTIFICATES**

33. Information on metrics of processing Building Information Certificate (BIC) for Q4 22/23 is detailed below:

#### Lodged and Determined

	<b>BIC ('L')</b>	<b>BIC ('D')</b>
<b><u>FY2021/2022</u></b>		
July	2	4
August	6	5
September	0	8
October	2	3
November	2	7
December	1	1
January	3	5
February	4	17
March	7	4
April	1	6
May	8	7
June	3	10
<b><u>FY2022/2023</u></b>		
July	4	4
August	5	0
September	9	2
October	4	1
November	4	6
December	7	8
January	7	4

	<b>BIC ('L')</b>	<b>BIC ('D')</b>
February	9	5
March	5	11
April	1	2
May	3	2
June	14	4
<b>FY2023/2024</b>		
July	12	5
August	7	2
September*	7	0

Table 4

\*To 22 September 2023

### Processing Times – Determined BIC Applications

34. The median determination times of all BIC applications, processed in FY2021/2022 was 557 days resulting from reduction of a longstanding backlog.
35. The median determination times of all BIC applications processed in Q4 22/23 reporting period was 220 days.
36. The Director and Manager are working with the certification unit with the aim of reducing the backlog of BIC applications.
37. The median determination times of all BIC applications processed in Q1 23/24 reporting period was 219 days.

### Current Number of Undetermined Applications

38. The number of undetermined BIC applications at the time of finalising this report is 49 active, and 24 pending resolutions of other applications. Accordingly, a total of 73 BIC applications are undetermined.
39. It is noted that, as a consequence of the Land and Environment Court decision of *Ku-ring-gai Council vs Buyozo Pty Ltd [2021] NSWCA 117* there has been an increase in BIC applications given modifications to development applications can no longer be accepted if works have been carried out retrospectively. That is the unauthorised building work is required to be assessed via a BIC and not a DA.

### **BUILDING CERTIFICATION WORK - Complying Development Certificates and Construction Certificates**

40. Information metrics on processing Comply Development Certificates (CDC) and Construction Certificates (CC) is detailed as follows:

#### Applications Lodged

#### ***Complying Development Certificates***

	<b>Private Certifier CDC (following determination)</b>	<b>Council CDC (lodged)</b>	<b>Council CDC (determined)</b>	<b>% Council Market Share ((Council Issued/Total) x 100 = % Market Share))</b>
<b><u>FY2021/2022</u></b>				
July	45	1	7	2.2
August	32	0	0	0.0
September	40	0	3	0.0
October	63	1	2	1.6
November	20	1	0	4.8
December	71	3	5	4.1
January	15	4	3	21.1
February	51	4	4	7.3
March	35	1	3	2.8
April	35	0	2	0.0
May	29	3	1	9.3
June	86	4	4	4.4
<b><u>FY2022/2023</u></b>				
July	12	0	1	0.0
August	55	2	1	3.6
September	38	0	2	0.0
October	41	5	1	10.9
November	68	1	0	1.4
December	51	0	0	0.0
January	36	0	0	0.0
February	28	1	1	3.5
March	63	0	1	0.0
April	28	1	2	3.5
May	66	1	0	1.5
June	68	3	3	4.4
<b><u>FY2023/2024</u></b>				
July	57	3	0	0.5
August	51	0	3	0.0
September*	35	0	1	0.0

Table 5

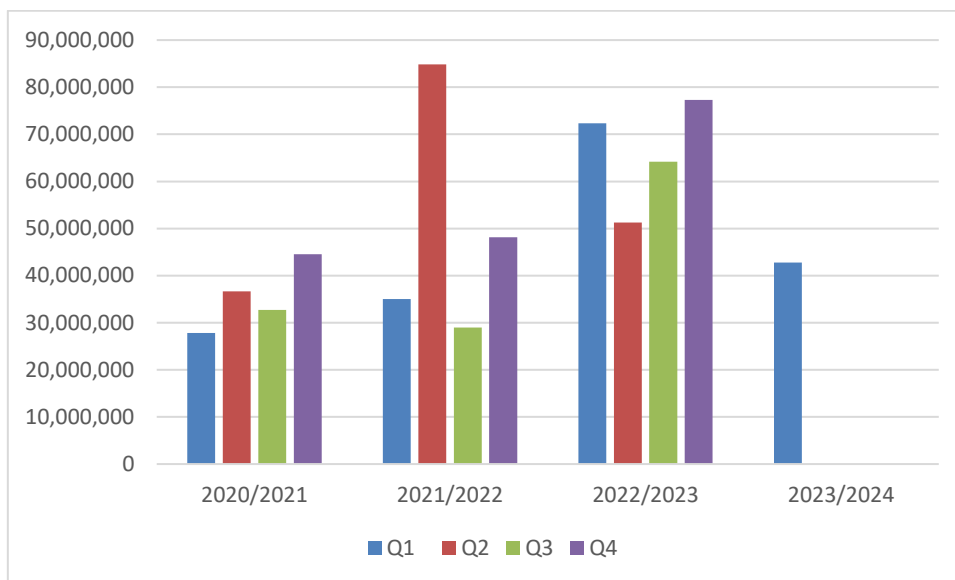
\*To 22 September 2023

41. There is currently 1 CDC under assessment by Council.

Value of Development under CDC for LGA

**Estimated Value of Complying Development Certificates Determined**

42. The total estimated value of applications determined through CDCs for the GRC LGA in the 2022/2023 financial year is \$265,021,608 this is graphically shown below:



Graph 5

Applications Lodged

**Construction Certificates**

	Private Certifier CC (once issued)	Council CC (Lodged)	Council CC (Issued)	% Council Market Share ((Council Issued/Total) x 100 = % Market Share))
<b><u>FY2021/2022</u></b>				
July	29	2	1	6.5
August	12	3	1	20.0
September	29	0	0	0.0
October	27	1	2	3.6
November	15	0	4	0.0
December	30	7	4	18.9
January	14	0	0	0.0
February	21	1	2	4.5
March	20	0	1	0.0
April	19	2	2	9.5
May	8	1	3	11.1
June	19	2	2	9.5
<b><u>FY2022/2023</u></b>				
July	21	1	3	4.7
August	28	0	1	0.0
September	16	1	2	6.2
October	33	4	1	12.1

	Private Certifier CC (once issued)	Council CC (Lodged)	Council CC (Issued)	% Council Market Share ((Council Issued/Total) x 100 = % Market Share))
November	6	2	2	33.3
December	16	2	2	12.5
January	1	0	0	0.0
February	37	2	1	5.1
March	27	3	3	10.0
April	33	3	3	9.0
May	11	0	7	0.0
June	32	0	1	0.0
<b>FY2023/2024</b>				
July	18	4	1	18.0
August	13	0	0	0.0
September*	10	0	0	0.0

Table 6

\*To 22 September 2023

43. There are currently 20 Construction Certificates under assessment by Council.

#### Advisory Service

44. The Development Advisory Service (DAS) commenced in July 2020.

45. It has been introduced to help streamline the development assessment process and make it easier for community members and building professionals to access planning and development advice. Services provided comparative to other similar sized Councils include:

- The Duty Planner Service;
- Evening Development Information Sessions for community members and building professionals (recommencing in March 2023);
- Expanded Pre-lodgement Advisory Service; and
- Complying Development Consultation Service.

46. For comparative purposes of pre-lodgements held, the graph for July 2021 financial years to date is provided as follows:

<b>FY2020/2021</b>	<b>PRE DA ('L')</b>	<b>PRE DA ('D')</b>
July	16	5
August	13	8
September	9	11
October	6	6
November	6	12
December	8	12
January	3	5
February	8	8
March	15	2
April	11	11
May	8	8

June	8	4
<b>FY2021/2022</b>		
July	9	5
August	12	5
September	9	19
October	12	7
November	7	8
December	3	12
January	5	1
February	4	3
March	8	5
April	6	6
May	8	5
June	7	8
<b>FY2022/2023</b>		
July	0	8
August	4	6
September	3	12
October	3	3
November	4	0
December	6	5
January	0	3
February	2	2
March	5	7
April	5	2
May	7	7
June	5	10
<b>FY2023/2024</b>		
July	5	6
August	3	8
September*	2	5

Table 7

\*To 22 September 2023



## Other Matters

### **Current Staffing situation**

47. As of 22 September 2023, following longstanding labour recruitment efforts by the Department, the lodgement and assessment teams now have 2.5 uncovered vacancies, being specifically the 2 Principal Planner roles (only part coverage of one position has been achieved) and the Student Development Assessment Officer role.
48. It is noted, however, that this is achieved through reliance on 3 agency and 1 directly engaged contractor. The team are continuing to work to reduce reliance on temporary staffing and fill, permanently where applicable and appropriate candidates are identified.

### **Process Refinement**

49. The Department of Planning is aware of Council wide delays in the processing of Development Applications resulting from persistent labour market conditions for development professionals including engineers and town planners.
50. In response, through its Planning Delivery Unit, it has developed the Metro Assessment Relief program to assist the most affected Councils in the Sydney Region. Georges River was identified as eligible for this program.
51. Following the signing of a Deed between Council and the Department, the Department's team is currently assisting Council with the processing part of the application backlog. As part of this assistance package, Council has committed to develop and implement a performance improvement plan. As part of this process, the present operational methods will be reviewed, and improvements identified to ensure that an ongoing legacy results from the program.
52. Key to this is improving the ability of Council's Development and Building Department to deliver an operationally resilient, reliable and consistent service to the community which has been an ongoing challenge since the inception of Georges River Council.

### **CONCLUSION**

53. The Development and Building Team continues to implement actions that assist in improving processing times and customer service, and operationally continues to reduce outstanding applications on hand despite labour sourcing challenges.
54. The significant improvement in the preliminary Q1 2023/2024 results demonstrates that despite difficulties feeding into the Q4 2022/2023 results, the Departmental performance is improving in line with our ability to fill positions on the structure either with agency staff or permanent recruitment.

### **FINANCIAL IMPLICATIONS**

55. Service is operating within current budget allocation.

### **RISK IMPLICATIONS**

56. No risks identified.

### **FILE REFERENCE**

17/2543