

AGENDA

Environment and Planning Committee

Monday, 14 April 2025

7:00 PM

Dragon Room

**Georges River Civic Centre,
Hurstville**



GEORGES RIVER COUNCIL

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 COMMITTEE MEETING

ORDER OF BUSINESS

OPENING

ACKNOWLEDGEMENT OF COUNTRY

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

APOLOGIES / LEAVE OF ABSENCE

REQUEST TO JOIN VIA AUDIO VISUAL LINK

NOTICE OF WEBCASTING

DISCLOSURES OF INTEREST

PUBLIC FORUM

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

| | | |
|------------------|--|---|
| ENV011-25 | Confirmation of the Minutes of the Environment and Planning Committee Meeting held on 10 March 2025 | |
| | (Report by Executive Services Officer) | 5 |

COMMITTEE REPORTS

| | | |
|------------------|---|----|
| ENV012-25 | Impact of the Low and Mid-Rise Housing Policy Stage 2 on the Georges River LGA | |
| | (Report by Principal Strategic Planner) | 11 |

CONFIDENTIAL (CLOSED SESSION)

| | | |
|-------------------|--|--|
| ENV014A-25 | Expansion of Development and Building Resourcing - Item 7 of the Action Plan to the Department of Housing and Infrastructure (DPHI) | |
| | (Report by Director Environment and Planning) | |

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Item: ENV011-25 Confirmation of the Minutes of the Environment and Planning Committee Meeting held on 10 March 2025

Author: Executive Services Officer

Directorate: Office of the General Manager

Matter Type: Previous Minutes

RECOMMENDATION:

That the Minutes of the Environment and Planning Committee Meeting held on 10 March 2025, be confirmed.

ATTACHMENTS

Attachment [↓](#)1 Minutes of the Environment and Planning Committee Meeting held on 10 March 2025



MINUTES

Environment and Planning Committee

Monday, 10 March 2025

7:00 PM

Dragon Room

**Georges River Civic Centre,
Hurstville**



GEORGES RIVER COUNCIL

PRESENT

COUNCIL MEMBERS

Councillor Elise Borg (Mayor) Councillor Peter Mahoney (Chairperson), Councillor Matthew Allison Councillor Tom Arthur, Councillor Christina Jamieson, and Councillor Kathryn Landsberry.

COUNCIL STAFF

General Manager – David Tuxford, Manager Strategic Planning - Catherine McMahon, Manager Development & Building – Carine Elias, Coordinator Strategic Planning – Luke Oste, Strategic Planner – Michelle Fawcett, Strategic Planner – Molly Porter, Manager Office of the General Manager – Vicki McKinley, Executive Assistant to the Director, Environment and Planning - Leanne Allen (Minutes), Executive Services Officer –Marisa Severino

OPENING

The Chairperson, Councillor Mahoney, opened the meeting at 7pm

ACKNOWLEDGEMENT OF COUNTRY

The Chairperson, Councillor Mahoney 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 VIA AUDIO VISUAL LINK

There were no requests to attend via Audio Visual Link.

NOTICE OF WEBCASTING

The Chairperson, Councillor Mahoney 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 5 of Council's Code of Meeting Practice. This recording will be made available on Council's Website.

CODE OF MEETING PRACTICE

Council's Code of Meeting Practice prohibits the electronic recording of meetings without the express permission of Council.

DISCLOSURES OF INTEREST

Councillor **Landsberry** declared a Non – Significant Non- Pecuniary Interest in item **ENV009-25 Appointment of Community Representatives to the Georges River Local Planning Panel** for the reason that one of the candidates is known to her through Local Government. Councillor Landsberry will remain in the meeting and take part in consideration and voting on this item.

PUBLIC FORUM

There were no registered speakers.

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

ENV007-25 Confirmation of the Minutes of the Environment and Planning Committee Meeting held on 10 February 2025
(Report by Manager Office of the General Manager)

RECOMMENDATION: Councillor Landsberry, Councillor Allison

That the Minutes of the Environment and Planning Committee Meeting held on 10 February 2025, be confirmed.

Record of Voting

For the Motion: Councillor Mahoney, The Mayor, Councillor Borg, Councillor Allison, Councillor Arthur, Councillor Jamieson, Councillor Landsberry

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

COMMITTEE REPORTS

ENV008-25 Draft Jubilee Stadium Precinct Master Plan and Plan of Management for Exhibition
(Report by Strategic Planner)

RECOMMENDATION: Councillor Allison, The Mayor, Councillor Borg

That Council endorse the draft Jubilee Stadium Precinct Master Plan and Plan of Management 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*, subject to the following amendments prior to exhibition:

- (i) Removal of the long term actions to 'investigate, design and build a basement car park under Kogarah Park with access from English Street' and
- (ii) Removal of 'additional basement parking' from the long term action 'Reconfigured "hill" above new indoor basketball courts with amenities and additional basement parking'
- (b) That Council notify the draft Jubilee Stadium Precinct Master Plan and Plan of Management to the NSW Department of Planning, Housing and Infrastructure, 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.
- (c) That Council seek written consent from the NSW Department of Planning, Housing and Infrastructure to adopt the draft Plan of Management, in accordance with section 3.23(6) of the *Crown Land Management Act 2016*.
- (d) That Council delegates authority to the General Manager to make any further amendments to the draft Jubilee Stadium Precinct Master Plan and Plan of Management to address any points raised by the NSW Department of Planning, Housing and Infrastructure and make minor modifications to any numerical, typographical, interpretation and formatting errors if required.
- (e) That Council endorse the proposed 'General Community Use' categorisation for the entire

precinct and hold a public hearing under section 40A of the *Local Government Act 1993*.

Record of Voting

For the Motion: Councillor Mahoney, The Mayor, Councillor Borg, Councillor Allison, Councillor Arthur, Councillor Jamieson, Councillor Landsberry

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

ENV009-25 Appointment of Community Representatives to the Georges River Local Planning Panel

(Report by Manager Development and Building)

Recommendation: Councillor Allison, Councillor Landsberry

- (a) That Council consider the appointment of the four preferred community representatives to the Georges River Local Planning Panel contained in Confidential Attachment 3.
- (b) That community representatives are appointed for all Georges River Council Wards so that they can operate on a rotational basis throughout the year to allow flexibility and efficiency for the operation of the Georges River Local Planning Panel.
- (c) In the event a vacancy occurs the General Manager is authorised to commence a recruitment process to be reported and considered by Council at a future meeting.
- (d) In the event that a preferred candidate does not accept the position, the General Manager is delegated to approve an alternate candidate from the confidential list contained in Confidential Attachment 3.
- (e) That Council endorse that each member is to be appointed in accordance with the terms and conditions identified by the Minister for Planning and the NSW Department of Planning, Industry and Environment.
- (f) That Council endorse that the new member is to be appointed in accordance with the payment schedule for a Community Representative being \$1,000 plus GST and \$71 per hour for business undertaken outside of meetings.

Record of Voting

For the Motion: Councillor Mahoney, The Mayor, Councillor Borg, Councillor Allison, Councillor Arthur, Councillor Jamieson, Councillor Landsberry

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

ENV010-25 Moomba to Sydney Ethane (MSE) Pipeline Hazard Analysis

(Report by Strategic Planner)

RECOMMENDATION: Councillor Landsberry, Councillor Allison

- (a) That Council notes the Moomba to Sydney Ethane (MSE) Pipeline Hazard Analysis Report.
- (b) That Council prepares a Planning Proposal to amend the Georges River Local Environmental Plan 2021 to include properties within the LSIR-5E-07 and LSIR-1E-06 contours to the Activity Hazard Risk Map.
- (c) That Council references the MSE Pipeline Hazard Analysis report on all future Section 10.7(5) certificates for properties affected by the LSIR 5E-07 and LSIR 1E-06 contours.

Record of Voting

For the Motion: Councillor Mahoney, The Mayor, Councillor Borg, Councillor Allison, Councillor Arthur, Councillor Jamieson, Councillor Landsberry

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

CONCLUSION

The Meeting was closed at 7.32pm

Chairperson

UNCONFIRMED

COMMITTEE REPORTS

Item: ENV012-25 Impact of the Low and Mid-Rise Housing Policy Stage 2 on the Georges River LGA

Author: Principal Strategic Planner, Senior Strategic Planner and Coordinator Strategic Planning

Directorate: Environment and Planning

Matter Type: Committee Reports

RECOMMENDATION:

- (a) That Council endorse proceeding with Scenario 3 of the Mortdale Local Centre Master Plan Implementation as outlined in this report which will implement the Master Plan except for the following:
 - (i) The deletion of the proposed R3 Medium Density Residential Zone fronting Newman Street, Cross Street, Victoria Avenue, and Cooks Lane, Mortdale; and
 - (ii) The alignment of the Floor Space Ratio (FSR) and Height of Building (HOB) to the Low and Mid-Rise Housing (LMR) Policy controls for the R4 High Density Residential Zone.
- (b) That Council seek an exclusion from the LMR Policy for those parts of the Beverly Hills Station LMR Housing Area affected by the Probable Maximum Flood (PMF) identified in the *Overland Flow Floodplain Risk Management Study and Plan for the Hurstville, Mortdale and Peakhurst Wards catchment* (2023).
- (c) That the preparation of the Riverwood Local Centre and Kogarah Strategic Centre Master Plans take into consideration the potential application of the LMR Policy for land zoned R2, R3 and R4 within the study areas.
- (d) That Council note the implications of the LMR Policy on the Hurstville, Penshurst and Oatley LMR Housing Areas and monitor DAs lodged that utilise the LMR Policy development standards.
- (e) That Council endorse not proceeding with *Part B: Additional and Diverse Housing (PP2024/0004)* of the Integrated Planning Proposal (PP) for Housing and Biodiversity and seek an Alteration of Gateway Determination to only progress *Part A: Biodiversity, Character and FSPA (PP2024/0002)* of the PP.

EXECUTIVE SUMMARY

1. Council at its meeting held 24 March 2025 considered a report (CCL021-25) on Stage 2 of the Low and Mid-Rise Housing (LMR) Policy which became effective on 28 February 2025 through an amendment to the *State Environmental Planning Policy (Housing) 2021*. Council received the report and noted that a report containing further detailed analysis of the implications of Stage 2 of the LMR Policy on the Georges River Local Government Area (LGA) will be considered at an upcoming Environmental and Planning Committee meeting.
2. Stage 2 of the LMR Policy centres around changes to planning controls within 800m of well-serviced commercial centres and train stations. The seven (7) precincts affected within the Georges River LGA are and indicatively identified on the [LMR](#) map as “Indicative LMR Housing Areas” are:

- (i) Beverly Hills Railway Station,
 - (ii) Hurstville City Centre and Railway Station,
 - (iii) Kogarah Town Centre and Railway Station,
 - (iv) Mortdale Local Centre and Railway Station,
 - (v) Oatley Railway Station,
 - (vi) Penshurst Railway Station, and
 - (vii) Riverwood Local Centre and Railway Station.
3. This detailed analysis of the implications of Stage 2 of the LMR Policy on the Georges River LGA has found that the likely theoretical capacity generated by the LMR across the 7 LMR Housing Areas equates to more than 11,000 new dwellings. In comparison, the GRLEP currently provides capacity for approximately 5,200 new dwellings in these localities. The LMR Policy more than doubles the housing supply without consideration of the additional demands placed on existing local infrastructure nor the irreversible impacts on the character of local streetscapes.
4. The detailed analysis underpins the report recommendations for a range of Council led planning initiatives including:
- (a) The **Mortdale Local Centre Master Plan Implementation**, where Scenario 3 is recommended to be pursued, which proposes to implement the Master Plan except for the proposed R3 zone fronting Newman Street, Victoria Avenue and Cross Street, Mortdale,
 - (b) The **Beverly Hills Master Plan**, where Council should seek exclusion from the LMR Policy for those parts of the Beverly Hills Station LMR Housing Area affected by the Probable Maximum Flood (PMF) as identified by the *Overland Flow Floodplain Risk Management Study and Plan for the Hurstville, Mortdale and Peakhurst Wards catchment (2023)*,
 - (c) Both the **Riverwood Local Centre and Kogarah Strategic Centre Master Plans**, which should now be prepared considering the potential application of the LMR Policy for land zoned R2, R3 and R4 within the study areas,
 - (d) **Council's Integrated Planning Proposal (PP) for Biodiversity and Housing**, which proposes that Council does not proceed with *Part B: Additional and Diverse Housing (PP2024/0004)* of the PP as the capacity for an additional 11,000 new dwellings created by the LMR Policy significantly exceeds the capacity for 8,130 new dwellings created by the Housing PP, and Council has not been given the opportunity to review the infrastructure upgrades required to adequately service these 11,000 new dwellings.

Instead, it is recommended that Council seek an Alteration of Gateway Determination to only progress *Part A: Biodiversity, Character and FSPA (PP2024/0002)* of the PP to ensure the protection of LGA's terrestrial biodiversity and the FSPA is enhanced through the GRLEP.

Council is to note that the Gateway Determination for the Integrated PP was received on 25 March 2025 (refer **Attachment 1**).

BACKGROUND

NSW Government's Low and Mid-Rise Housing Policy

5. Stage 1 of the LMR Policy started on 1 July 2024 and permitted dual occupancies across all R2 Low Density Residential zoned land in NSW. Stage 1 had no impact on the Georges

River LGA as dual occupancies are already permitted in all residential zones within the *Georges River Local Environmental Plan 2021* (GRLEP).

6. Stage 2 of the LMR Policy centres around changes to planning controls within 800m of well-serviced commercial centres and train stations. The following seven (7) precincts are affected within the Georges River LGA and all affected land are indicatively identified on the [LMR map](#) as “Indicative LMR Housing Areas” (Refer **Figure 1** below):

- (i) Beverly Hills Railway Station,
- (ii) Hurstville City Centre and Railway Station,
- (iii) Kogarah Town Centre and Railway Station,
- (iv) Mortdale Local Centre and Railway Station,
- (v) Oatley Railway Station,
- (vi) Penshurst Railway Station, and
- (vii) Riverwood Local Centre and Railway Station.

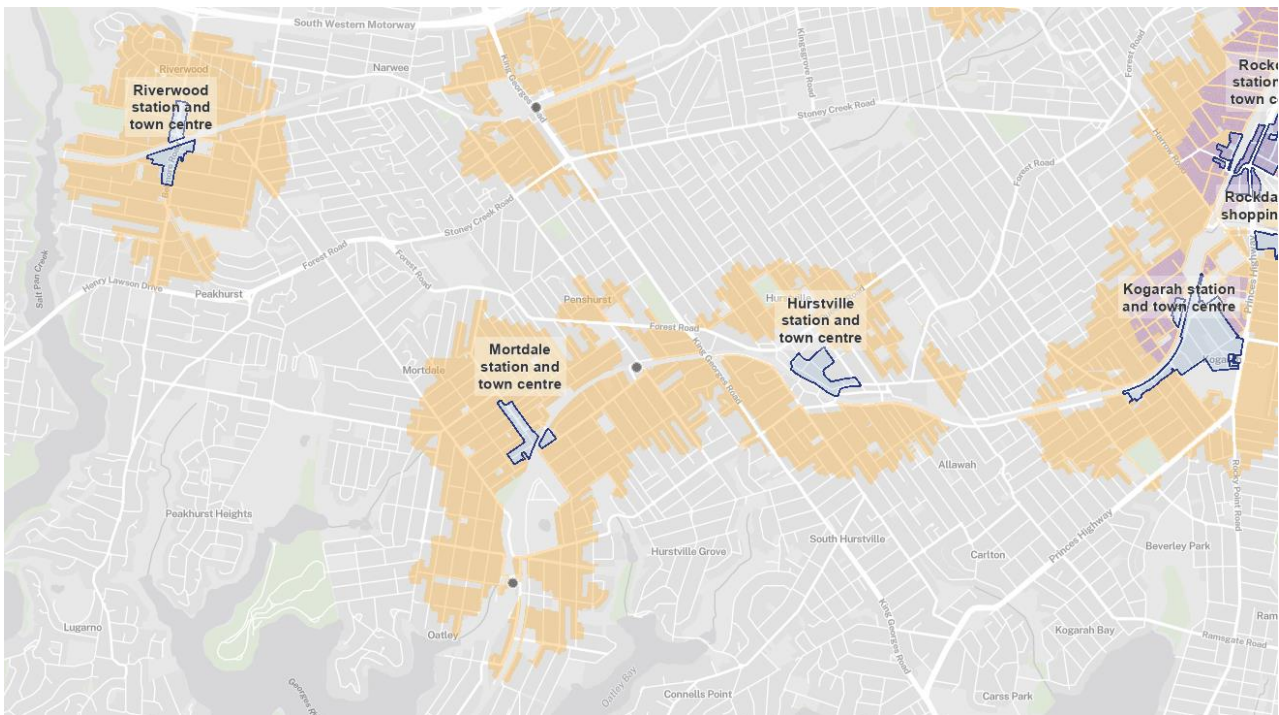


Figure 1 - Extract from LMR Indicative Map (DPHI)

7. The second stage of the Policy is introduced through a new chapter (Chapter 6) to the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP). As an amendment to the Housing SEPP, the LMR Policy takes precedence over the GRLEP where the same control is applied.
8. The Department of Planning, Housing and Infrastructure (DPHI) defines ‘low-rise housing’ as “generally 1-2 storeys and includes dual occupancies (2 dwellings on the same lot), terraces, townhouses, and low-rise apartment buildings”. Refer to **Figure 1** below.
9. For this form of housing, the major change that the LMR Policy has introduced is that the minimum lot size and width to enable these developments is much smaller than previously required under the GRLEP and GRDCP. Consequently, a larger quantity of lots within the LMR Policy areas will now be permitted to be developed as dual occupancy, multi dwelling housing, or terrace developments. Additionally, the inclusion of RFBs in the R2 Low

Density Residential zone under the LMR Policy will create a new housing typology of up to three-storey in scale.

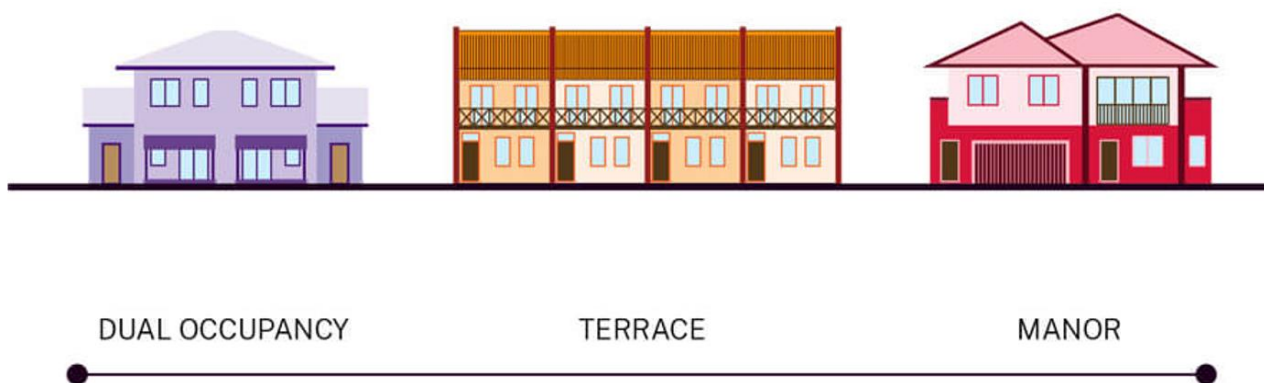


Figure 2 - Low rise housing (Source: DPHI)

10. DPHI defines 'mid-rise housing' as "generally 3-6 storey apartment buildings and mixed-use buildings with ground floor shops and apartments above". Refer to **Figure 3** below.
11. For this form of housing, development standards have increased from the 2-storey form in the R3 Medium Density and a typical 3-4 storey in the R4 High Density zones to a 4-6 storey form under the LMR Policy. The implication being that density will increase to a slightly larger scale for RFBs and shop top housing developments around the nominated centres and station precincts under the LMR Policy.



Figure 3 - Mid-rise housing (Source: DPHI)

Council Resolution (CCL021-25) dated 14 March 2025

12. Council at its meeting held 24 March 2025 considered a report (CCL021-25) on Stage 2 of the LMR Policy that was made on 28 February 2025 through an amendment to the Housing SEPP. Council received the report and noted that a report containing further

detailed analysis of the implications of the Stage 2 of LMR Policy on the Georges River LGA at an upcoming Environmental and Planning Committee meeting.

13. Council was advised that the development standards and permissibility changes introduced by the LMR Policy are considered a modest 'scaling down' of the development capacity proposed originally. The LMR Policy requires all proposals to utilise a Development Application (DA) pathway, likely leading to an increase in DA lodgements.
14. The two main implications of the LMR Policy are that 'low-rise housing' of 1-2 storeys will be able to occur on much smaller lots of land and 'mid-rise housing' of 3-6 storeys will be of a greater scale than currently permitted.
15. The report to Council on 24 March 2025 provided high level commentary on the implications for the Planning Proposal for Additional and Diverse Housing, Beverly Hills Master Plan, Mortdale Master Plan, Kogarah Master Plan, and Riverwood Master Plan, all of which are Council endorsed initiatives to unlock further housing capacity within the LGA.
16. The Georges River LGA has a housing target of 6,300 new completed homes by 2029. Since this target was announced on 28 May 2024 (approx. 45 weeks to the date of this Report), there have been:
 - (a) 370 new homes completed, and
 - (b) 338 new homes approved through either a CDC or DA, resulting in a net increase in dwellings of 178 dwellings.

IMPACT ON GEORGES RIVER LGA

17. The Stage 2 LMR Policy introduces several planning control changes in relation to both permissibility and development standards. The main implications are that 'low-rise housing' like dual occupancies will be able to occur on much smaller lots of land and 'mid-rise housing' like RFBs will be of a greater scale than currently permitted.
18. Stage 2 of the LMR Policy is inconsistent with Council's adopted criteria to growth that was adopted as part of the Council's *Local Strategic Planning Statement (LSPS) 2040*.
19. The following set of criteria were defined in consultation with the community, have informed the LSPS's development, and are included in the LSPS for when Council is considering planning proposals:
 - (a) *The LGA's special characteristics are retained*
 - (b) *Growth is supported by green open space, social and physical infrastructure*
 - (c) *Growth areas are linked to transport corridors and frequent services*
 - (d) *Kogarah and Hurstville are enhanced as strategic centres*
 - (e) *All centres have a role in jobs and housing growth*
 - (f) *A hierarchy of residential zones is developed*
 - (g) *Evidence and community consultation provide the framework for strategic planning and decision-making.*
20. The GRLEP was prepared with the following hierarchy of residential zones:
 - (a) R2 Low Density Residential Zone – dwelling houses and dual occupancies are permissible
 - (b) R3 Medium Density Residential Zone – multi dwelling housing and terraces are permissible

- (c) R4 High Density Residential Zone – residential flat buildings (RFBs) and shop top housing are permissible
- 21. RFBs are prohibited in the R2 and R3 Zones in the GRLEP. Stage 2 of the LMR Policy overrides the hierarchy of zones in the GRLEP by permitting RFBs in the R2 and R3 zones, as well as allowing the same scale of development in the R3 and R4 zones rendering them indistinguishable.
- 22. Furthermore, the planning controls specified by Chapter 6 of the Housing SEPP will override existing controls within the GRLEP for land that is located within 800m walking distance of the identified LMR centres and stations. The controls in the GRLEP were developed after consultation with the community and the controls relating to FSR, height, FSPA, design excellence, landscaping, etc. have protected the special characteristics of the LGA.

Affected Properties in the LGA

- 23. The LMR Policy applies to seven (7) precincts within the Georges River LGA, refer to **Figure 1** above. However, the LMR Policy enforces several restrictions in its application. Properties within the LGA that are affected by any of the following constraints are excluded from the controls specified by Chapter 6 of the Housing SEPP:
 - (a) Bush-fire prone land,
 - (b) Land identified as a coastal wetland, littoral rainforests, or coastal vulnerability area under Chapter 2 of the *State Environmental Planning Policy (Resilience and Hazards) 2021*:
 - (i) Littoral Rainforests and Proximity Area
 - (ii) Coastal Wetlands and Proximity Area
 - (c) Land that contains a heritage item,
 - (d) Probable Maximum Flood (PMF) affected land in the Georges River Catchment as identified by the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*,
 - (e) Average Noise Exposure Frequency (ANEF) 20 or greater,
 - (f) Land located within 200m of the high-pressure gas pipeline, and
 - (g) The Transport Orientated Development (TOD) Program Area (R4 zoned land in Kogarah North Precinct).
- 24. New developments will be able to be carried out via the Development Application (DA) pathway using the LMR Policy in the affected areas – i.e. located within 800m walking distance of the identified LMR centres and stations and not affected by the exclusions.
- 25. Any development carried out via the Complying Development Certificate (CDC) pathway are excluded from the LMR Policy and must comply with existing GRLEP controls.

Overall Theoretical Capacity of the LMR Policy

- 26. The LMR Policy will increase the capacity for housing numbers and across the LGA by permitting dual occupancies on smaller lots and permitting multi dwelling housing, terraces and RFBs where they are currently prohibited under the GRLEP.
- 27. The development standards implemented by the LMR Policy is provided at **Attachment 2** with respect to dual occupancies, multi dwelling housing, terraces, residential flat buildings (RFBs) and shop top housing.

28. Analysis has been conducted for the theoretical housing capacity that the LMR Policy will generate across the 7 LMR Housing Areas, see **Table 1** below.

Table 1 – Theoretical Housing Capacity across all LMR Housing Areas

| Zone | Within LMR Area | Excluded from LMR | Benefit from LMR | Theoretical Capacity under GRLEP | Theoretical Capacity under LMR | % increase under LMR |
|------|-----------------|-------------------|------------------|----------------------------------|--------------------------------|--|
| R2 | 7,656 lots | 1,514 lots | 5,866 lots | 1,424 new dwellings | 5,856 – 16,566 new dwellings | 310% - 1,060% increase from GRLEP capacity |
| R3 | 349 lots | 49 lots | 300 lots | 1,207 new dwellings | 2,813 new dwellings | 130% increase from GRLEP capacity |
| R4 | 477 lots | 156 lots | 319 lots | 2,633 new dwellings | 2,717 new dwellings | 3% increase from GRLEP capacity |

Note: the numbers tabulated are indicative only based on site area and lot width information. These numbers should not be interpreted as the true development potential available within the Georges River LGA.

29. The lots included in the 'Within LMR Area' column have been selected based on the "Indicative LMR Housing Area" provided by the [DPHI's Low and Mid-Rise Housing Policy Indicative Map](#) (refer to **Figure 1** above). These are residential-zoned lots (R2, R3 and R4) which are larger than 250sqm in site area and do not have an existing strata development.
30. All lots that have any of the constraints identified in **Paragraph 23** above have been excluded from the LMR.
31. The housing capacity under existing GRLEP controls for the affected LMR Areas have been provided for comparison, with the impact most apparent in the R2 zones where the theoretical capacity generated by the LMR is more than 300% greater than the capacity provided by the GRLEP.
32. The theoretical housing capacity created by the LMR Policy should be interpreted noting the following commentary:
33. **Zone R2 Low Density Residential**
- A numerical range is provided with the lower end representing the more likely development scenario and the higher end representing the maximum capacity granted by the LMR Policy.
 - The likely development scenario considers the viability of the LMR non-discretionary development standards. The non-discretionary standards of 500sqm lot size and 12m lot width results in a development which cannot comply with *the Apartment Design Guide* (ADG). The ADG requires minimum 12m to be provided in total for side setbacks, comprising of 6m on each side. This leaves no space for an apartment building on 12m wide sites, see **Figure 4** below.

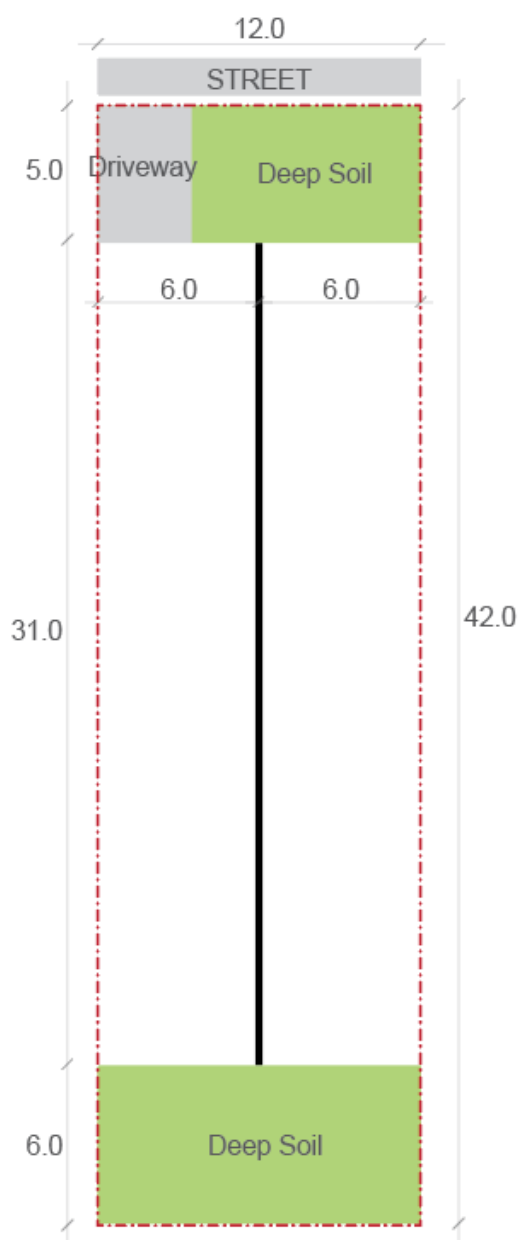


Figure 4 - Theoretical RFB Development under the LMR Policy in the R2 Zone

- (c) The minimum site requirements for a viable and ADG-compliant 2 storey RFB development is shown in **Figure 5** below. It demonstrates that at least an 800sqm lot size and minimum 20m lot width are required.

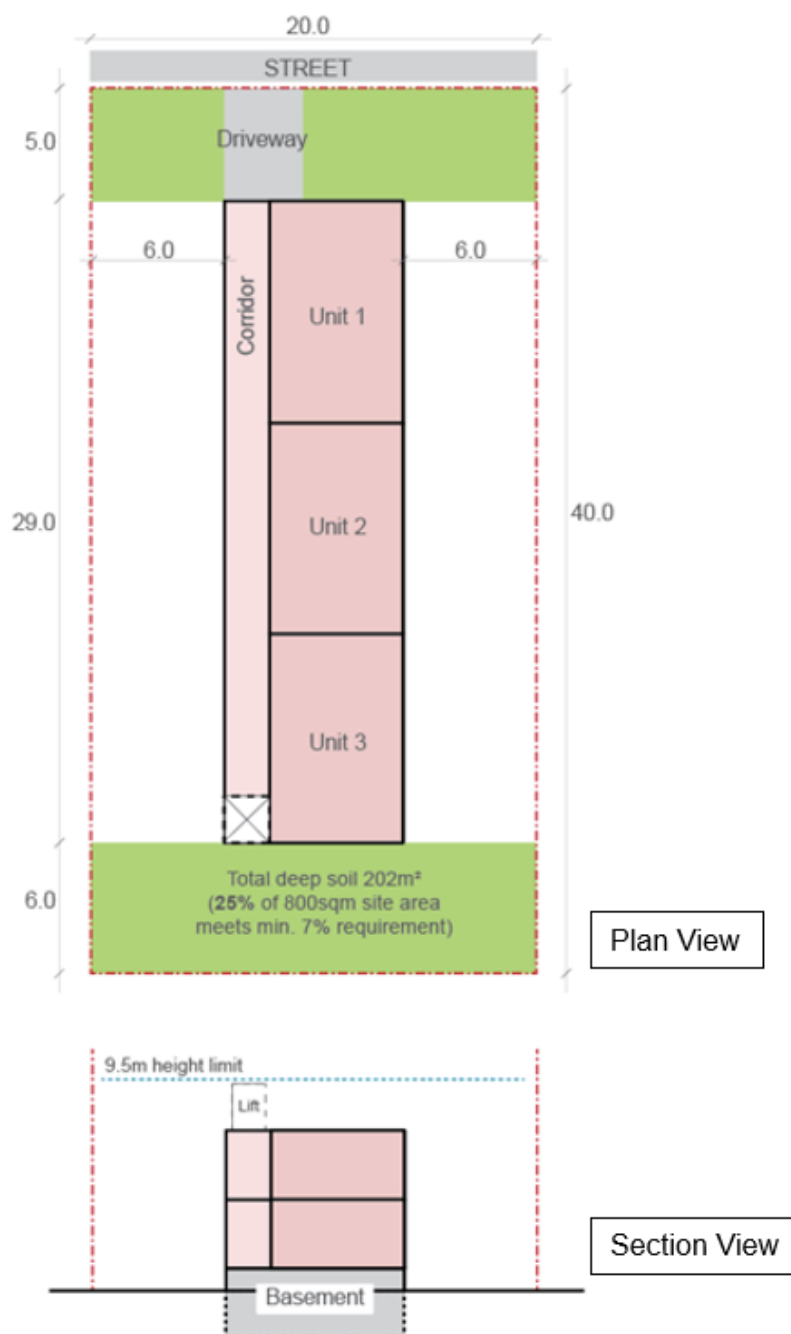


Figure 5 - Minimum Site Requirements for a RFB (2 storeys) in the R2 Zone

- (d) Therefore, the likely development scenario assumes any site smaller than 800sqm and with less than a 20m lot width are only able to accommodate a dual occupancy development. Therefore, the likely development scenario is a more realistic representation of the housing capacity created by the LMR Policy.
- (e) The likely development scenario also considers important local and environmental considerations required by existing GRLEP provisions, such as *Clause 5.10 Heritage Conservation*, *Clause 6.6 Foreshore Scenic Protection Area*, *Clause 6.10 Design Excellence* and *Clause 6.12 Landscaped areas in certain residential and conservation zones*. These considerations are essential to the DA assessment process in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

- (f) The maximum capacity is highly unrealistic as it applies the LMR non-discretionary development standards to the entire R2 zone without consideration of essential requirements such as site amalgamation patterns, site setback requirements under the ADG, the constraints of redeveloping in an existing HCA and the local and environmental considerations required by existing GRLEP provisions. The maximum capacity provides an indication of the total theoretical development potential created by the LMR Policy.

34. **Zone R3 Medium and Zone R4 High Density Residential**

- (a) Through the permissibility of RFBs in the R3 zone, the LMR Policy undermines the existing hierarchy of residential zones created by the GRLEP by removing the R3 zone as the dedicated location for the 'missing middle' development types such as townhouses and villas.
 - (b) The LMR Policy applies the same set of non-discretionary development standards for RFBs in both the R3 and R4 zones, with 6 storey RFBs permitted within 0-400m walking distance and 4 storey RFBs permitted within 400-800m walking distance to a LMR centre or station.
 - (c) It is assumed RFBs will be the 'highest and best use' development typology in both R3 and R4 zones. The theoretical capacity under the LMR is provided as an indication of the maximum capacity without consideration of site amalgamation patterns and site setback requirements under the ADG.
35. Further analysis of the theoretical housing capacity created by Stage 2 of the LMR Policy has been conducted for each of the LMR Housing Areas. These are provided under the respective LMR Housing Area heading in subsequent sections of this Report.

Potential Development Take Up of the LMR Policy

36. The [*Evidence Base for Local Housing Strategy*](#) (March 2023) prepared by .id analyses the 2016 and 2021 Census data to determine 'assumed rates of development' across the different suburbs of the LGA.
37. Based on the data prepared by .id, the potential development take up in each of the LMR Housing Area is provided in **Table 2** below. However, it should be noted that the actual development take up rate is unknown. This is due to the significant disparity between the LMR Policy and existing GRLEP controls which sees the LMR create more than 3 times the development capacity provided by the GRLEP under the likely development scenario.

Table 2 - Potential Development Take Up of the LMR Policy Based on % of Lots Developed as Identified by the *Evidence Base for Local Housing Strategy*

| | Beverly Hills | Hurstville | Kogarah | Mortdale | Oatley | Penshurst | Riverwood |
|---------------------------------------|-----------------------------|-----------------------------|---------------------------|---------------------------|-----------------------------|-----------------------------|-----------------------------|
| Theoretical capacity under LMR | 1,467 – 3,650 new dwellings | 1,261 – 2,201 new dwellings | 908 – 1,379 new dwellings | 885 – 2,074 new dwellings | 2,848 – 4,575 new dwellings | 1,162 – 3,992 new dwellings | 2,855 – 4,225 new dwellings |
| % Lots developed | 25% | 33% | 33% | 25% | 20% | 25% | 20% |
| Potential take up of LMR | 367 – 913 new dwellings | 416 – 726 new dwellings | 300 – 455 new dwellings | 221 – 519 new dwellings | 570 – 915 new dwellings | 291 – 998 new dwellings | 571 – 845 new dwellings |
| Potential take up under GRLEP | 116 new dwellings | 183 new dwellings | 392 new dwellings | 105 new dwellings | 170 new dwellings | 130 new dwellings | 254 new dwellings |

38. To better understand the potential impact of the LMR, the same assumed take up rates are applied to the LMR Housing Areas using existing GRLEP controls. **Figure 6** below shows the comparison of potential development take up between theoretical capacity created under the GRLEP and the LMR Policy.

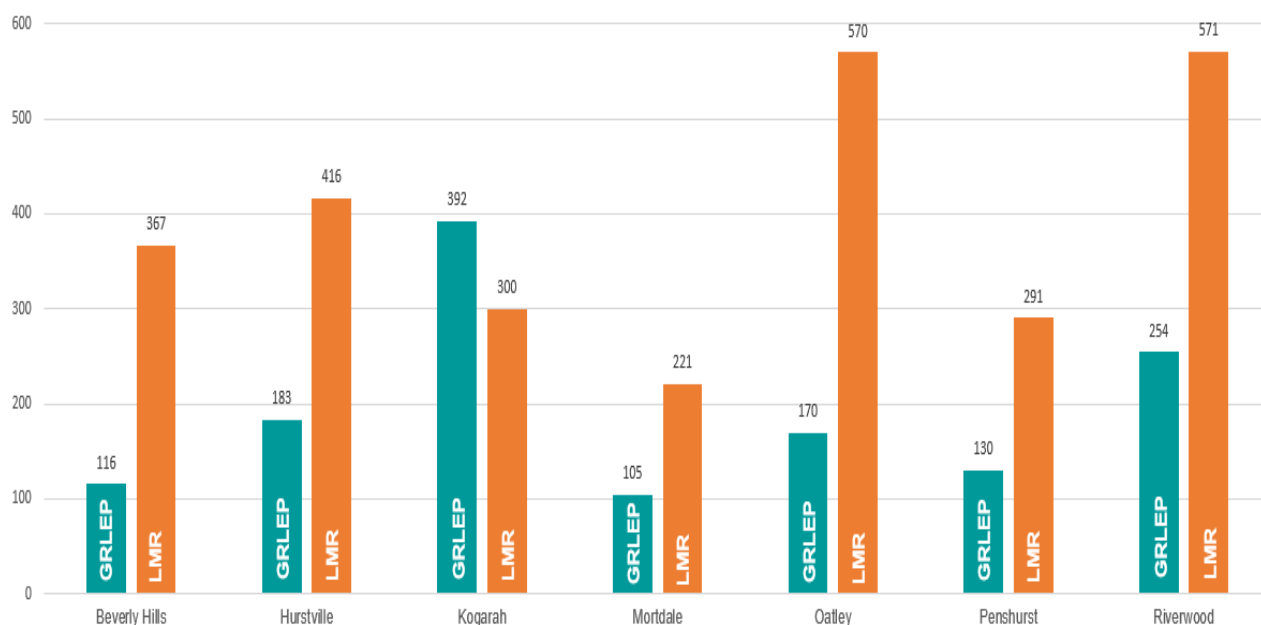


Figure 6 - Comparison of Potential Development Take Up between existing GRLEP controls and LMR Policy

IMPACT ON ADDITIONAL AND DIVERSE HOUSING PLANNING PROPOSAL

39. Council resolved on 27 May 2024 to prepare the Additional and Diverse Housing Planning Proposal (PP2024/0004, Housing PP). At the meeting held on 22 July 2024, Council endorsed the Housing PP to be forwarded to the Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination (approval).
40. The Housing PP seeks to create a theoretical capacity for approximately 8,130 additional dwellings in the Georges River LGA as follows:
- Capacity for an additional 1,340 dwellings in the R2 zone from reducing the minimum dual occupancy lot size from 650sqm to 600sqm in areas outside of the existing

Heritage Conservation Areas (HCAs), existing Foreshore Scenic Protection Area (FSPA), proposed FSPA and the proposed Unique Character Areas (UCAs),

- (b) Capacity for an additional 5,685 dwellings in the R2 zone from permitting multi dwelling housing and terraces with a density control of minimum 300sqm site area per dwelling,
 - (c) Capacity for an additional 700 dwellings in the R3 zone from increasing the height of buildings from 9m to 10.5m and increasing the floor space ratio (FSR) from 0.7:1 to up to 1:1 for multi dwelling housing development, and
 - (d) Capacity for an additional 406 dwellings from implementing the *Hurstville City Centre Urban Design Strategy* (HCCUDS, 2008).
41. The R2 and R3 zoned land subject to the amendments proposed by the Housing PP is shown in **Figure 7** below:

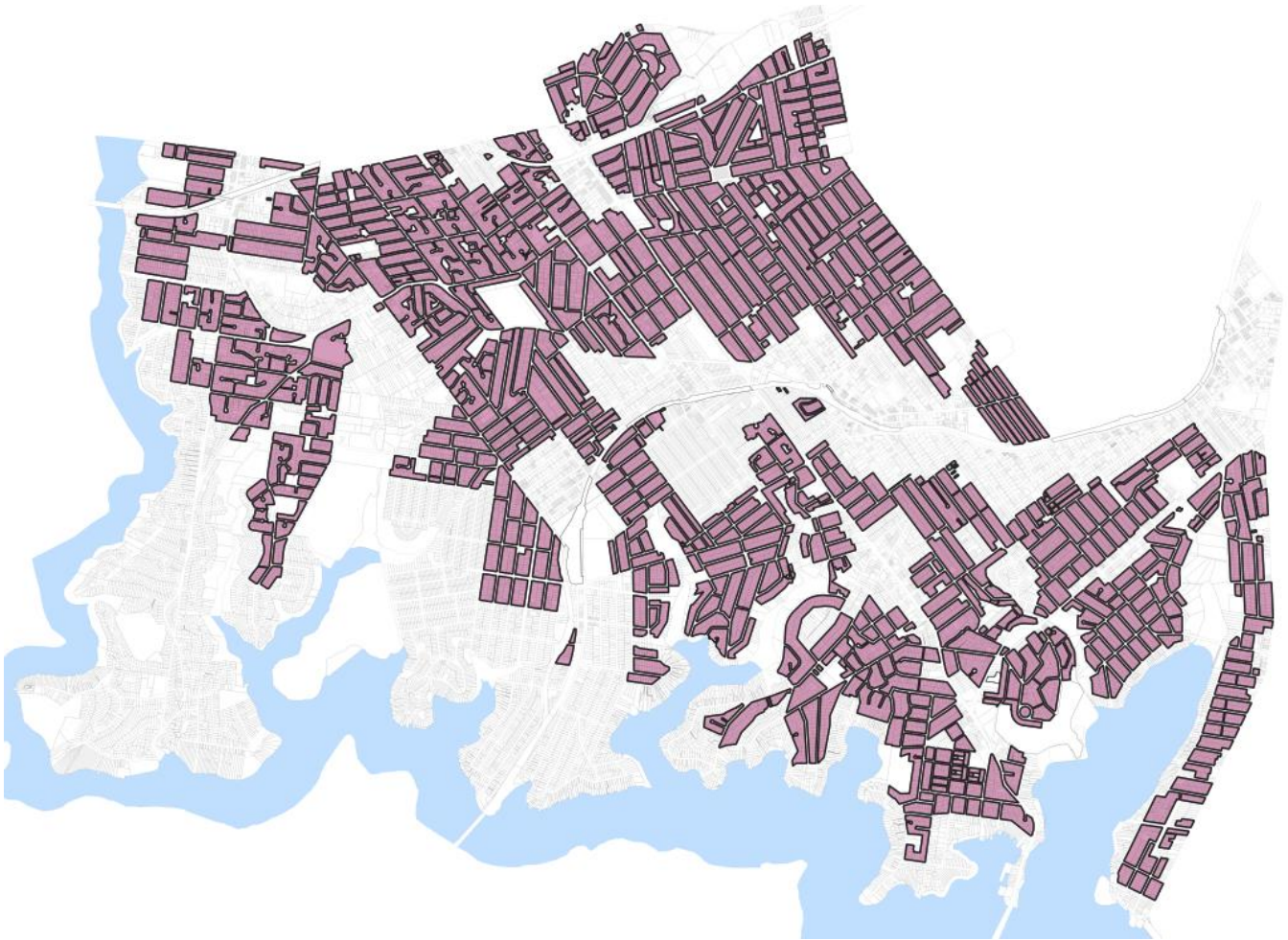


Figure 7 - Applicable R2 and R3 zoned land subject to the Housing SEPP

42. As part of the Housing PP, Council requested the NSW Government to exclude the application of the LMR Housing Policy from the Georges River LGA. However, Stage 2 of the LMR Policy came into effect on 28 February 2025 and the Georges River LGA has not been granted an exclusion or deferral from the LMR Policy.

Comparison of Housing PP and LMR Policy

43. The LMR Policy generates a theoretical capacity of approx. 11,000 – 22,000 new dwellings across the 7 LMR Housing Areas, which includes the existing HCAs and FSPA. In comparison, the Housing PP creates a theoretical capacity for 8,130 new dwellings outside of the existing HCAs and FSPA.

44. Although a significant portion of LMR Housing Areas overlap with the subject area of the Housing PP, the Housing PP is still able to create capacity for additional dwellings outside of the LMR Housing Areas.
45. Approximately 30% of R2 zoned land within the Housing PP are subject to LMR controls, which provide greater development potential than the Housing PP due to the LMR's permissibility of dual occupancies on much smaller sites and the introduction of RFBs as a permissible development type. Despite this, the Housing PP retains the ability to generate capacity for 5,095 new dwellings in the areas outside of the LMR Policy.
46. In the R3 zones, the majority of R3 zoned land are located outside of the LMR Housing Areas except for land in Peakhurst and Penshurst. Therefore, the Housing PP retains the ability to generate capacity for 350 new dwellings in the areas outside of the LMR Policy.
47. With the combination of both the LMR Policy and the Housing PP, theoretical capacity for over 14,000 additional dwellings will be created across the LGA, which equates to an increase of more than 25% from the 54,000 existing occupied dwellings in Georges River.
48. It should be noted the Housing PP only seeks to amend controls for R4 zones to the north of the Hurstville City Centre in the "Additional Capacity Areas" of the HCCUDS. The LMR development standards are comparable to the controls proposed by the Housing PP in these areas and therefore have been excluded from the analysis.
49. The above analysis is summarised in **Table 3** below.

Table 3 – Analysis of Additional Capacity under LMR vs Housing PP

| | Lots affected by the Housing PP | Existing GRLEP Capacity | Housing PP Capacity | Capacity under LMR in Housing PP areas | Capacity under Housing PP outside of LMR | Cumulative Capacity (LMR + Housing PP) |
|--------------|--|--------------------------------|----------------------------|---|---|---|
| R2 | Approx. 24,270 lots | 3,949 new dwellings | 7,025 new dwellings | 5,856 new dwellings | 5,095 new dwellings | 10,951 new dwellings |
| R3 | Approx. 590 lots (excluding strata lots) | 2,076 new dwellings | 700 new dwellings | 2,813 new dwellings | 350 new dwellings | 3,163 new dwellings |
| Total | | | | 8,669 new dwellings | 5,445 new dwellings | 14,114 new dwellings |

Gateway Determination Conditions

50. In November 2024, the Housing PP was consolidated with the Biodiversity, Character and FSPA Planning Proposal (PP2024/0002, Foreshore PP) in response to the request of the DPHI for ease of assessment and the consolidated PP is now known as the Integrated PP.
51. Council received the Gateway Determination for the Integrated PP on 25 March 2025 with Conditions (refer **Attachment 1**). Council has not been authorised to be the local plan-making authority given the nature and policy implications of the Integrated PP and the inconsistencies with a number of S9.1 Ministerial Directions.
52. Accordingly, Council is expected to respond to all Conditions, conduct public exhibition and submit the finalised Integrated PP to the DPHI by 26 January 2026, which is less than 9 months from the date of this report. This is despite the LEP finalisation deadline of 26 May 2026 as the DPHI requires 16 weeks to draft the GRLEP as the local plan-making authority.
53. Key changes made by the Conditions include:

- (a) Introduction of Unique Character Areas (UCAs) in the GRLEP is not supported,
 - (b) Exclusion of the FSPA and proposed UCAs from the *Low-Rise Housing Diversity Code* is not supported,
 - (c) Prohibition of manor houses in the R2 zone through the *Exempt and Complying Development Codes* is not supported, and
 - (d) The Housing PP is not supported as a replacement for the LMR Policy.
54. Most Conditions require additional justification to be prepared to support the proposed changes sought by the Integrated PP. However, several Conditions relating to the Housing PP require additional studies to be prepared as detailed in **Table 4** below.

Table 4 – Gateway Conditions Requiring Additional Studies

| # | Gateway Condition | Council Officer Comment |
|-----|--|--|
| (e) | Address consistency with the following section 9.1 Ministerial Directions: ii. Direction 4.1 Flooding, undertake a detailed assessment regarding all relevant components of the proposal to which this Direction applies; any inconsistencies are to be justified in accordance with the terms of the Direction; | This Condition requires Council to undertake detailed assessment of all sites that are affected by flooding in accordance with 4.1 Flooding of the S9.1 Ministerial Directions. Despite the presence of adopted Floodplain Risk Management Studies and Plans for the majority of the LGA including the Hurstville, Mortdale and Peakhurst Wards Catchments, Kogarah Bay, Beverley Park and Poulton Park, it is likely that a Flood Impact Risk Assessment (FIRA) is required for all land affected by the Housing PP due to the proposed increase in development potential. |
| (f) | Provide further commentaries in the assessment of State Environmental Planning Policies regarding the <i>Apartment Design Guide</i> , particularly in relation to the testings for residential apartments in Zone R3 Medium Density Residential and the Additional Capacity Areas. This should be supported by analysis demonstrating the proposed development standards are capable of satisfying the <i>Apartment Design Guide</i> , including building heights, building separations and solar access to future development and adjoining properties. | This Condition requires Council to undertake further testing to demonstrate the proposed development standards in the R3 zone and Additional Capacity Areas are capable of satisfying the <i>Apartment Design Guide</i> , including: — Building heights, — Building separations, and — Solar access to future development and adjoining properties. |
| (g) | Provide details on how the recommendations of the <i>Hurstville City Centre Urban Design Strategy</i> regarding the need for a feasibility study for the City Centre and the transition areas, and an updated Transport Management and Accessibility Plan, have been addressed; | In accordance with Council's resolution dated 25 June 2018, a further report to Council was to be provided on the preparation, costs and funding of the following documents for the Hurstville City Centre, including: 1. Preparing a Place Management Strategy, 2. Updating the Public Domain Plan, 3. Investigating and implementing permanent and temporary open space solutions, 4. Undertaking a feasibility study for the Hurstville City Centre. These studies have not been carried out nor have been successful in receiving budget allocations. In addition to the above, the Gateway Determination requires Council to undertake an updated Transport Management and Accessibility Plan for the Hurstville City Centre. |

55. It should be noted that there are no current or future budget allocations to complete the additional studies as required by the above Conditions.

Options for Progressing the Integrated PP

56. Two options have been considered by Council staff for progressing with the Integrated PP in the context of the Gateway Determination dated 24 March 2025 and the commencement of Stage 2 of the LMR Policy on 28 February 2025.
57. Option 1 – Progressing the Integrated PP
- (a) Option 1 is to proceed with the Integrated PP in its entirety in accordance with the Gateway Determination due to the ability for the Housing PP to continue to provide additional capacity for approximately 5,445 new dwellings in areas outside of the LMR Housing Areas. This will significantly increase housing diversity and supply across the LGA to support the National Housing Accord.
 - (b) However, this is not considered to be the recommended option due to the following issues:
 - (i) Despite the preparation of the Housing PP, Council is not successful in receiving a deferral or exemption from the LMR Policy,
 - (ii) The LMR Policy unlocks a minimum theoretical capacity of 11,000 new dwellings across the LGA, including within existing HCAs and the FSPA where heritage and environmental constraints typically limit development potential under GRLEP controls. Furthermore, Council has not been given the opportunity to review the infrastructure upgrades required to adequately service these 11,000 new dwellings,
 - (iii) The addition of 5,445 new dwellings to the theoretical capacity generated by the LMR Policy is likely to exacerbate existing inadequacies in essential infrastructure, and
 - (iv) The Gateway Determination requires Council to submit the Integrated PP for finalisation by 26 January 2026, which is 9 months from the time of this Report. The detailed studies as outlined in **Table 4** above require immediate funding to commence, however there are no current or future budget allocations available. It is likely that Council will not be able to meet the finalisation deadline specified by the Gateway Determination due to the lack of funding required for the additional studies.
58. Option 2 – Not progressing the Housing PP part of the Integrated PP (recommended)
- (a) Option 2 recognises the commencement of the LMR Policy in the Georges River LGA and the significant housing capacity it can create and thereby increasing housing supply. Accordingly, this Option proposes the removal of the Housing PP component (Part B) from the Integrated PP so that only the Foreshore PP component (Part A) is progressed.
 - (b) Option 2 is **recommended** for the following reasons:
 - (i) DPHI does not support the Housing PP as the replacement to the LMR Policy,
 - (ii) The LMR Policy is able to unlock greater housing supply in the LGA – a minimum theoretical capacity of 11,000 new dwellings under the LMR in comparison to the capacity for 8,130 new dwellings created by the Housing PP,
 - (iii) The LMR Policy is anticipated to encourage significant development activity in the R2 zones, which is expected to alleviate the need for Council to create housing capacity in the short term,
 - (iv) The amendments to enhance protection of the LGA's biodiversity, FSPA and local character will continue through the progression of the Foreshore PP, and

- (v) Council as the Planning Proposal Authority may vary a planning proposal at any time during the LEP making process or request the Minister (or delegate) to determine that the matter not proceed as per Section 3.35 of the EP&A Act.
59. However, it should be noted there are risks associated with this option such as:
- (a) DPHI may not support only progressing the Foreshore PP as the two individual PPs were consolidated in accordance with instructions from the DPHI,
 - (b) The existing issue of lack of development take up in the R3 zones remains unaddressed for the time being, and
 - (c) There may be a continued perception of Council being unable to implement its master plans as the HCCUDS remains as a strategic planning document.
60. Nonetheless, it is recommended that an Alteration to the Gateway Determination in accordance with DPHI's *LEP Making Guideline (August 2023)* is submitted to the DPHI requesting the scope of the Integrated PP be amended so that Council only proceeds with the amendments proposed by *Part A: Biodiversity, Character and FSPA PP (PP2024/0002)*.

IMPLEMENTATION OF THE MORTDALE LOCAL CENTRE MASTER PLAN

61. The LMR applies to land zoned R2 Low Density Residential, R3 Medium Density Residential and R4 High Density Residential within 800m walking distance of Mortdale station and town centre (refer to **Figure 8** below).
62. There is currently no land zoned R3 Medium Density Residential within the suburb of Mortdale (refer to **Figure 9** below). Most of the land zoned R4 High Density Residential has already been developed into three or four storey residential flat buildings which are strata titled, resulting in limited opportunities for new apartment development under the LMR.
63. The two LMR exclusions that apply in Mortdale (refer to **Figure 10** below):
- (a) Heritage Items; and
 - (b) PMF Affected Lots identified in the Overland Flow Floodplain Risk Management Study and Plan for Hurstville, Mortdale and Peakhurst Wards (2023).

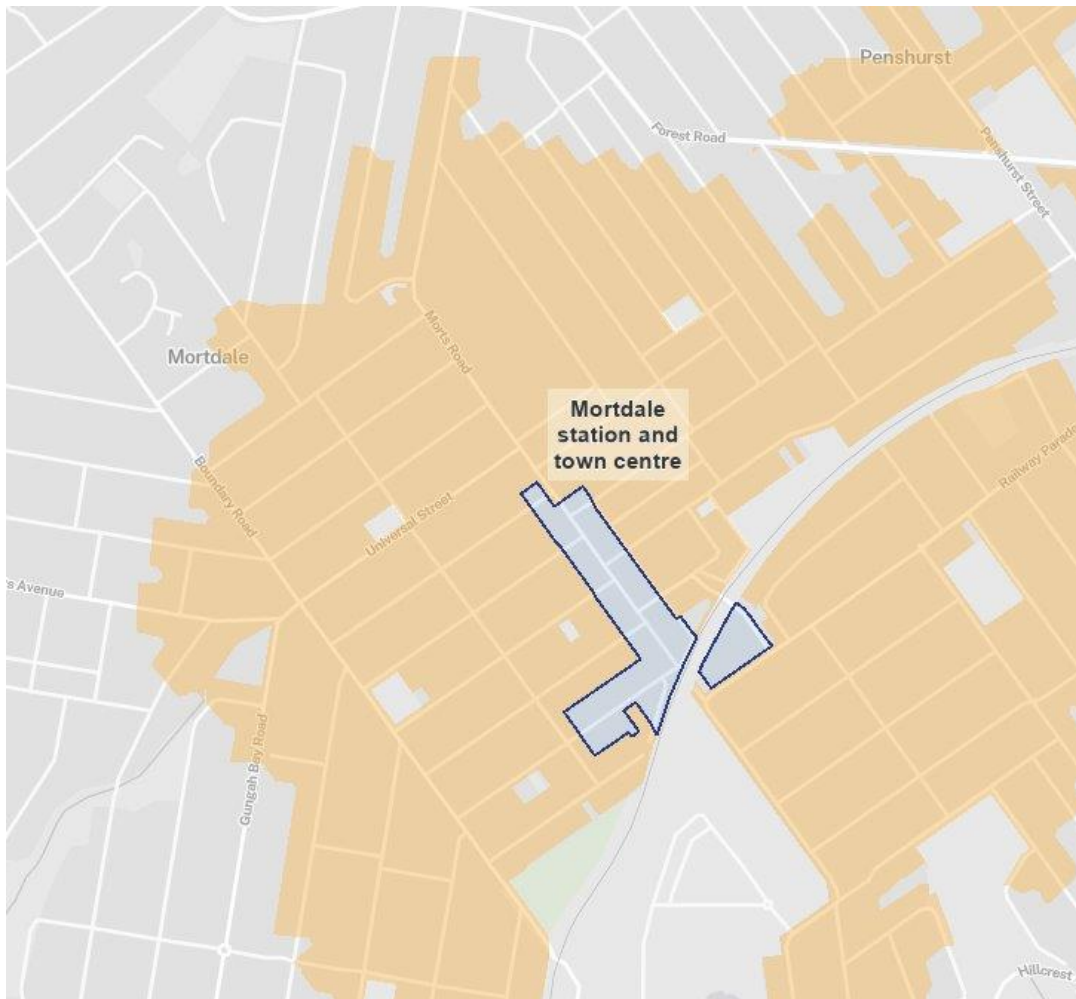


Figure 8 - Extract from LMR Policy Indicative Map for Mortdale (and Penshurst)

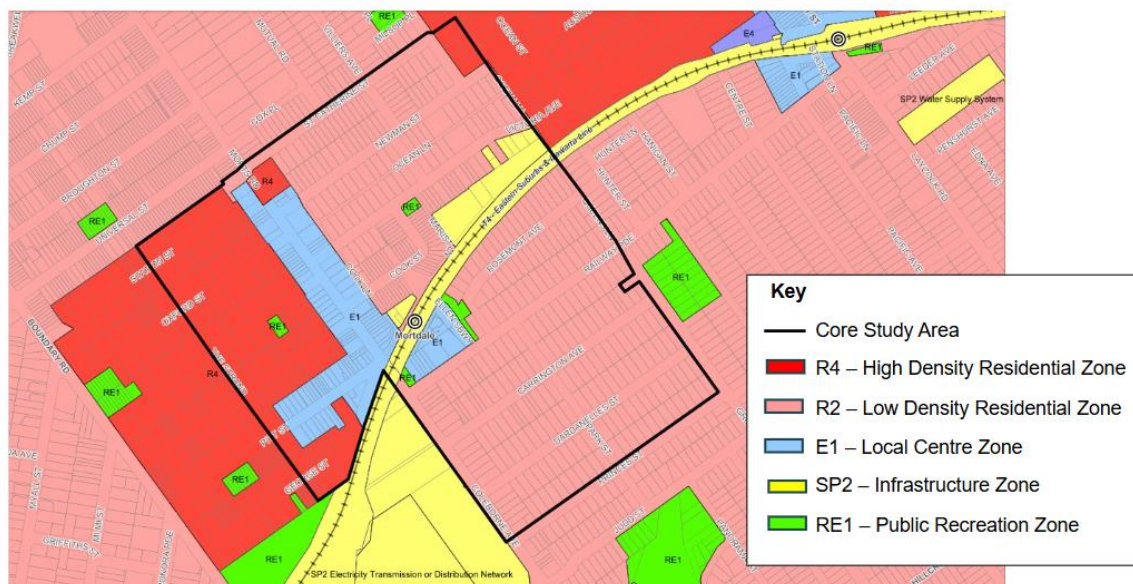


Figure 9 - GRLEP Zoning Map for Mortdale Local Centre Master Plan Study Area

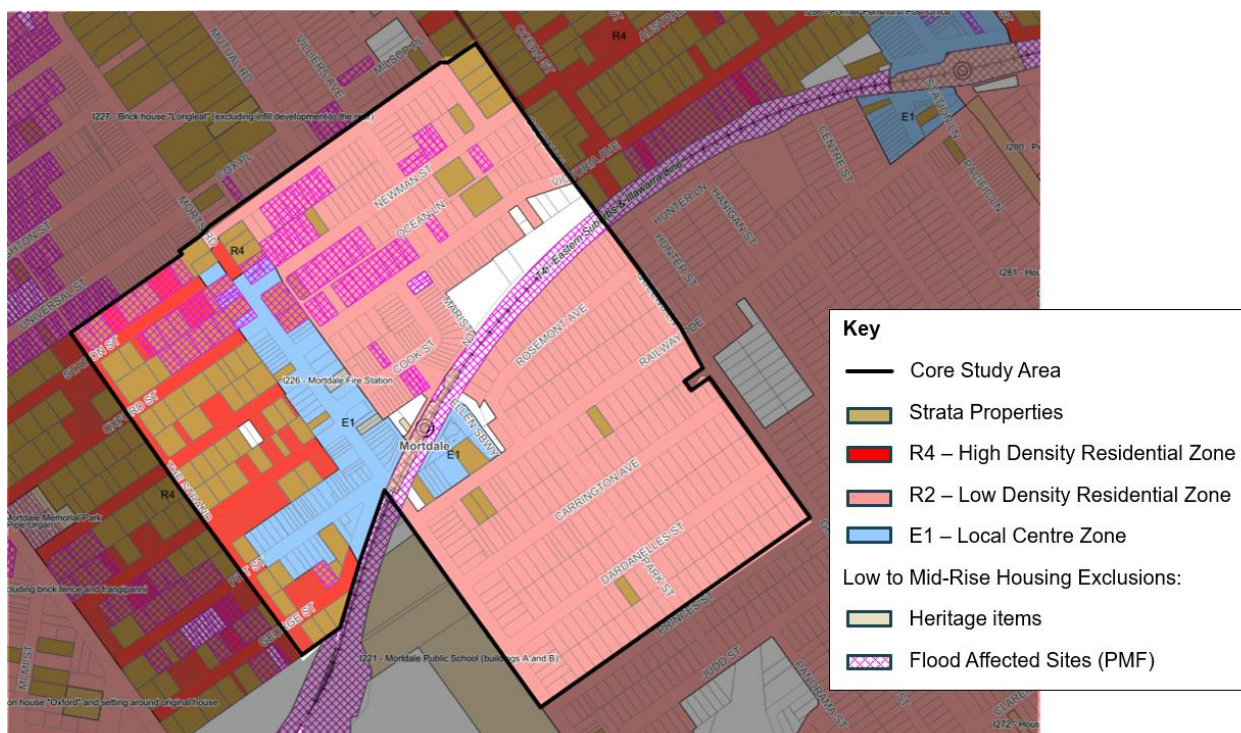


Figure 10 - LMR Exclusions within Mortdale Local centre Master Plan Core Study Area

64. Under the current GRLEP land use zones, the LMR will potentially increase housing capacity within the suburb of Mortdale as outlined in **Table 5** below.

Table 5 – Impact on housing capacity from LMR

| Zone | Within Area | LMR Excluded from LMR | Benefit from LMR | Theoretical Capacity under GRLEP | Theoretical capacity under LMR |
|------|-------------|-----------------------|------------------|----------------------------------|--------------------------------|
| R2 | 887 lots | 180 lots | 707 lots | 188 new dwellings | 572 new dwellings |
| R3 | 0 lots | 0 lots | 0 lots | Nil | Nil |
| R4 | 48 lots | 4 lots | 42 lots | 230 new dwellings | 313 new dwellings |

65. *Evidence Base for Housing* (prepared by .id) forecasts 25% development take up in Mortdale based upon historical dwelling change seen between the 2016 and 2021 Census data and .id's experience of working in similar areas. This equates to a potential take-up of 221 new dwellings under the LMR. In comparison, the potential take-up rate is 105 new dwellings under the existing GRLEP controls.
66. The *Mortdale Local Centre Master Plan* was adopted by Council in October 2023. The implementation of the Master Plan has commenced with the preparation of a Planning Proposal and development controls.
67. The Master Plan proposes an expanded E1 Local Centre zone, north of the station along Morts Road, Pitt Street and Cook Street to provide for additional employment and living opportunities. New residential transition zones of R3 Medium Density and R4 High Density around the E1 Local Centre zone will provide appropriate transitions and greater housing variety for Mortdale (refer to **Figure 11** below). The Master Plan provides a theoretical capacity for 578 additional residential dwellings and 27,685sqm of non-residential GFA within the core study area.

- (b) Scenario 2 - Mortdale Master Plan (only E1 rezoning)
- (c) Scenario 3 - Mortdale Master Plan (only E1 and R4 rezoning, no R3 rezoning)
- (d) Scenario 4 - Mortdale Master Plan (all rezonings)

Table 7 – Theoretical Dwelling capacity under each potential dwelling capacity

| Core Study Area | Master Plan (no LMR) | Scenario 1 Current LEP (no rezoning) | Scenario 2 Master Plan (only E1 rezoning) | Scenario 3 Master Plan (no R3 zone) | Scenario 4 Master Plan (all rezoning) |
|------------------------------|----------------------|--------------------------------------|---|-------------------------------------|---------------------------------------|
| R2 zone | Nil | 251 | 251 | 257 | 238 |
| R3 zone | 65 | Nil | Nil | Nil | 144 |
| R4 Zone | 78 | 219 | 219 | 338 | 338 |
| E1 zone (LMR does not apply) | 435 | Nil | 435 | 435 | 435 |
| Total new dwellings | 578 | 470 | 905 | 1,030 | 1,155 |
| Take up rate 25% | 145 | 118 | 226 | 258 | 289 |

70. Each of the scenarios are discussed in the following paragraphs.

Scenario 1 – Current LEP zones under the LMR

71. Scenario 1 is that the Mortdale Local Centre Master Plan is not implemented. This means that the existing zoning remains (i.e. no expansion of the E1 Local Centre Zone) and the LMR heights and FSRs apply to low to mid rise development in the R2 and R4 Zones. **Figure 12** below shows the existing zones under the GRLEP 2021.



Figure 12 - Scenario 1 - Current LEP Zones under the LMR

72. As this scenario proposes no implementation of the Master Plan, it relies on the LMR to create capacity for dual occupancies in the R2 zone and residential flat buildings on the remaining underdeveloped sites in the R4 zone.
73. The LMR creates a theoretical capacity for 470 additional dwellings which is 108 dwellings less than the master plan's intended housing capacity within the core study area. With a take-up rate of 25%, the potential new dwellings under Scenario 1 is 118.
74. This scenario does not provide for the future growth of Mortdale Local Centre, including creating capacity for non-residential floor space in the E1 zone. The *Commercial Centres Strategy Part 1* identifies Mortdale Local Centre has having a shortage in non-residential floor space to meet anticipated demand by 2036.

Scenario 2 – Master plan with the expansion of E1 zone and increase in FSR and Height in E1 zone.

75. Scenario 2 proposes only part implementation of the Mortdale Local Centre Master Plan - i.e. the E1 Local Centre Zones, with the LMR Policy applying to development in the R2 and R4 Zones. **Figure 13** below shows Scenario 2.



Figure 13 - Scenario 2 - Master Plan with expansion of E1 zone and increase in height & FSR in E1 Zone

76. This scenario is like Scenario 1 with the inclusion of E1 expansion proposed by the Master Plan and with an increase in height and density closer to the station along Pitt St and part of Morts Road.
77. The Master Plan would result in the theoretical capacity for 905 new dwellings within the core study area (435 from shop top housing in E1). With a take up-rate of 25%, this equates to 118 potential new dwellings in the form of shop top housing.
78. Scenario 2 provides limited capacity for the future population growth around the centre and limited opportunities for community infrastructure that could be facilitated in parallel with redevelopment.

Scenario 3- Master Plan implementation except the proposed R3 Zone (recommended for endorsement).

79. Scenario 3 is the implementation of the Master Plan (except for the new R3 Zone which would remain zoned R2) with the alignment of the FSR and HOB for the R4 Zone to those of the LMR controls. **Figure 14** below shows Scenario 3.



Figure 14 - Scenario 3 - Master Plan implementation except for the proposed R3 Zone

80. This scenario proposes partial implementation of the master plan including the expansion of E1 zone, rezoning R2 land to R4 zone on eastern side of Morts Road. It also proposes to align the FSR and HOB to the LMR controls for the R4 zone.
81. No R3 zone is proposed as most of the sites between Newman Street Victoria Avenue are flood constrained and excluded from LMR. The block along Cook Street with Marist Lane at the rear is proposed to remain R2 zone to minimise overshadowing onto the school site to the east (Marist Catholic College).
82. The block bounded by Victoria Avenue, Cook St and Cook Lane is proposed to be rezoned from R2 to R4 and could theoretically yield 203 new dwellings under the LMR. The redevelopment of this block would provide an opportunity for a potential park and town square as identified in the Master Plan.
83. There is a risk that of a poor transition in heights between the proposed R4 zone (6-storeys) and R2 zone (2-storeys) along Victoria Avenue. However, this can be managed with design controls in the Development Control Plan (DCP) and addressed individually at the DA stage.
84. This is the recommended scenario as it provides a balanced approach to growth – providing opportunity for shop-top development in the expanded E1 and new apartment development and community infrastructure close to station 400m in the expanded R4 zone. This scenario also minimising impacts to surrounding low density areas and the adjoining school. Endorsing this scenario would reinforce Council's commitment to implementing the adopted Master Plan and public domain plan.

Scenario 4 – Implement the Master Plan (all proposed uplift).

85. Scenario 4 proposes to implement all proposed rezonings and uplift in the Master Plan including the expansion of the E1 zone and the introduction of R3 zone and R4 zone in the eastern side of Morts Road. **Figure 15** below shows Scenario 4.



Figure 15 - Scenario 4 - Implementation of the Master Plan as adopted

86. The LMR does not apply to most sites in the proposed R3 zone due to flood affected lots. The LMR will apply to R2 and R4 zoned land.
87. This scenario is not recommended for endorsement as the R3 zoning in the block bounded by Newman St, Cross St, Victoria Avenue and Cook Lane would allow 2.5 storey terraces directly adjoining 6-storey residential flat buildings. Also, the block bounded by Cook Street and Marist Lane would allow 6-storey residential flat buildings adjacent to the school.

Recommendation

88. This report recommends Council endorse Scenario 3 which proposes to implement the Master Plan except for the proposed R3 zone. It also proposes to align the FSR and HOB to the LMR controls for the R4 zone.
89. Scenario 3 is considered to provide a balanced approach to growth and will increase the theoretical dwelling capacity to 1,030 new dwellings (125 dwellings less than if the master plan was fully implemented with the LMR). An assumed 25% take-up rate has the potential to yield 258 new dwellings over the next five years.

BEVERLY HILLS LOCAL CENTRE MASTER PLAN

90. An amended Beverly Hills Local Centre Master Plan was recently endorsed for exhibition at the Council meeting held 24 February 2025 (EV003-25). The amended Master Plan was a response to flooding and gas pipeline risks identified through the adoption of the Overland Flow Floodplain Risk Management Study and Plan for Hurstville, Mortdale and Peakhurst Wards by Council on 23 October 2023 and the assessment being undertaken by the risk consultants for Moomba to Sydney Ethane (MSE) Pipeline which runs through the northern part of the subject area. The endorsed amended Master Plan is in **Figure 16** below.

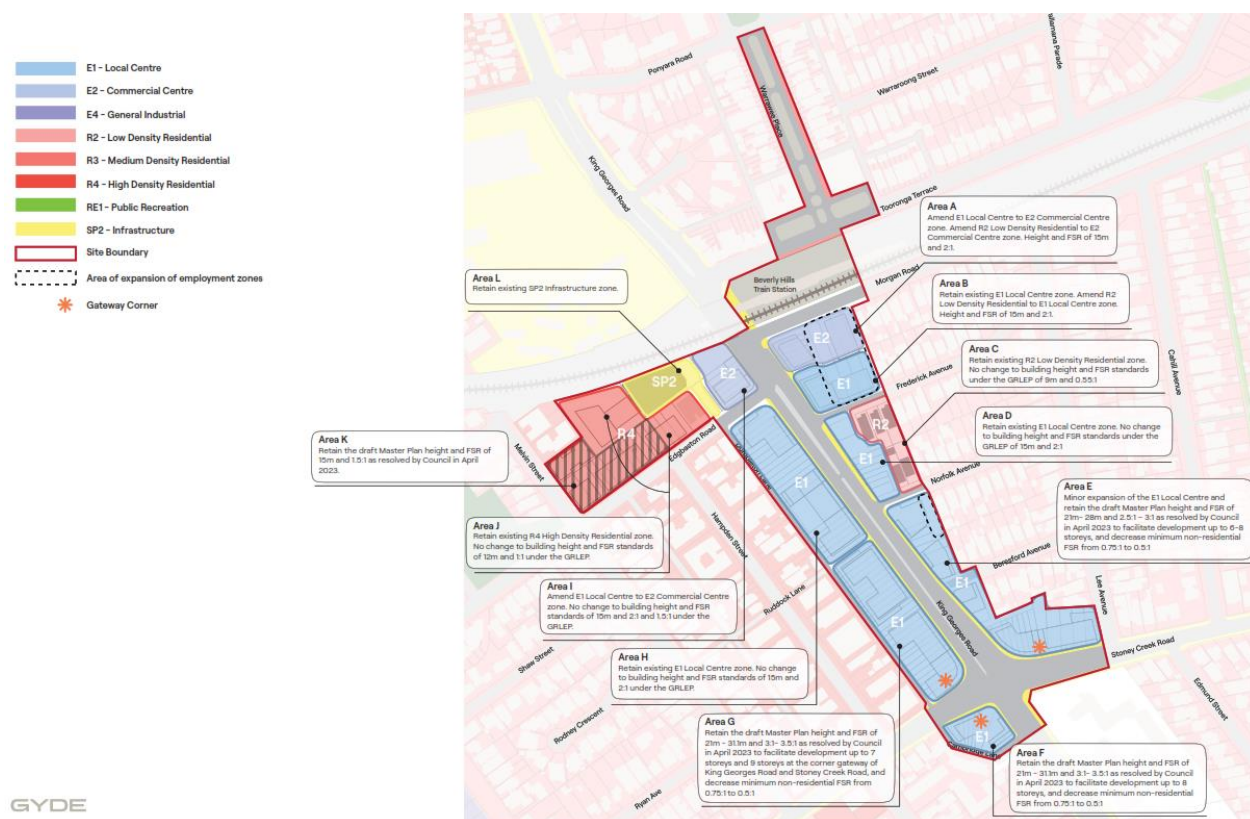


Figure 16 - Endorsed 24/2/2025 Master Plan

91. **Figure 17** below is an extract from Low and Mid-Rise Housing Policy Indicative Map for Beverly Hills Station.
92. The LMR has no impact on the Draft Beverly Hills Local Centre Master Plan as the:
 - (a) E1 Local Centre Zones are not covered by the LMR, and
 - (b) R4 High Density Residential Zone fronting Edgibaston Road and Melvin Street is located within 200 metres of the high-pressure gas pipeline and therefore excluded from the LMR controls.

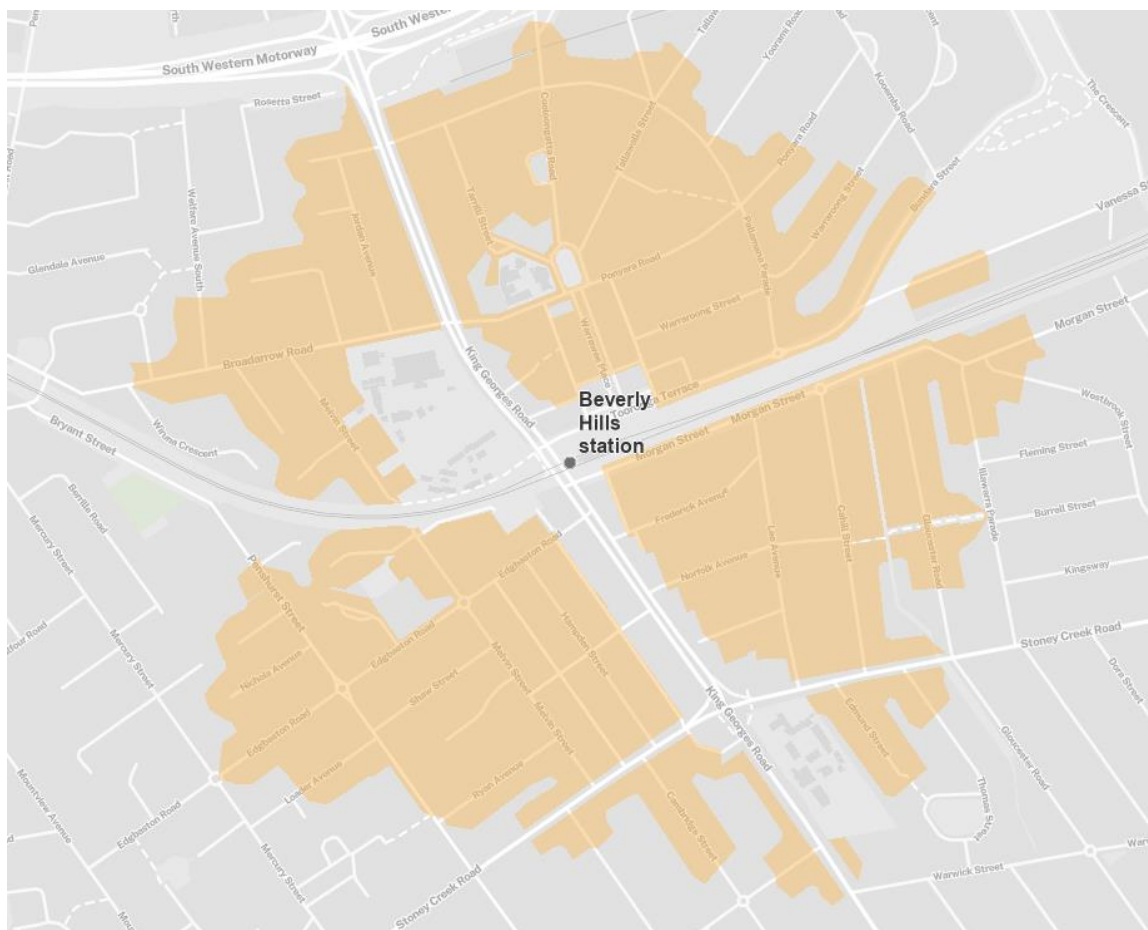


Figure 17 - Extract from Low and Mid- Rise Housing Policy Indicative Map for Beverly Hills Station

93. The impact from the LMR will be in the R2 Low Density Residential lands outside the 200 metres of the high-pressure gas pipeline.
94. **Figure 18** below shows a radius of about 800m from Beverly Hills Station. Land captured by the LMR is in pink, whilst land within 200m metres of the high-pressure gas pipeline is in orange.
95. The theoretically increased housing capacity from the LMR is outlined in **Table 8** below.

Table 8 – Data for LMR Beverly Hills Railway Station

| Zone | Within LMR Area | Excluded from LMR | Benefit from LMR | Capacity under GRLEP | Capacity under LMR |
|------|-----------------|-------------------|------------------|----------------------|-----------------------------|
| R2 | 1,382 lots | 406 lots | 976 lots | 213 new dwellings | 1,175 – 3,358 new dwellings |
| R3 | 55 lots | 18 lots | 37 lots | 145 new dwellings | 214 new dwellings |
| R4 | 15 lots | 8 lots | 7 lots | 104 new dwellings | 78 new dwellings |

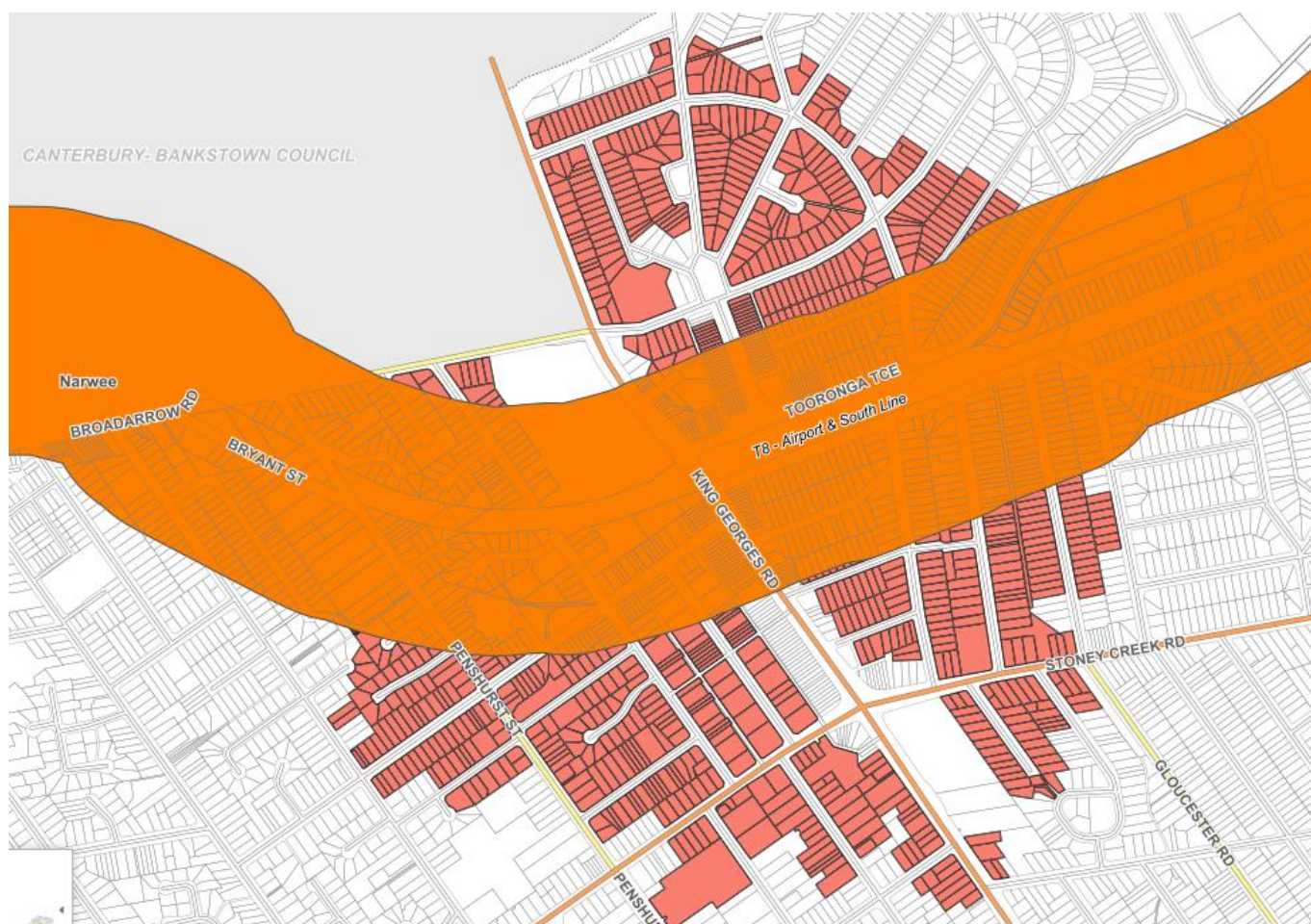


Figure 18 - Land affected by LMR affected by the gas pipeline buffer 200m

96. Council is to note that only the Probable Maximum Flood (PMF) affected land in the Georges River Catchment as identified by the Biodiversity and Conservation SEPP is excluded from the LMR. Beverly Hills is outside of the Georges River Catchment. Beverly Hills is within the Cooks River Catchment.
97. On 23 October 2023, Council adopted the Overland Flow Floodplain Risk Management Study and Plan for Hurstville, Mortdale and Peakhurst Wards ("Floodplain Study").
98. **Figure 19** shows PMF Affected Lots (2023) for Beverly Hills Local Centre and surrounds as identified within the Floodplain Study (pink colour) and the land covered by the LMR.

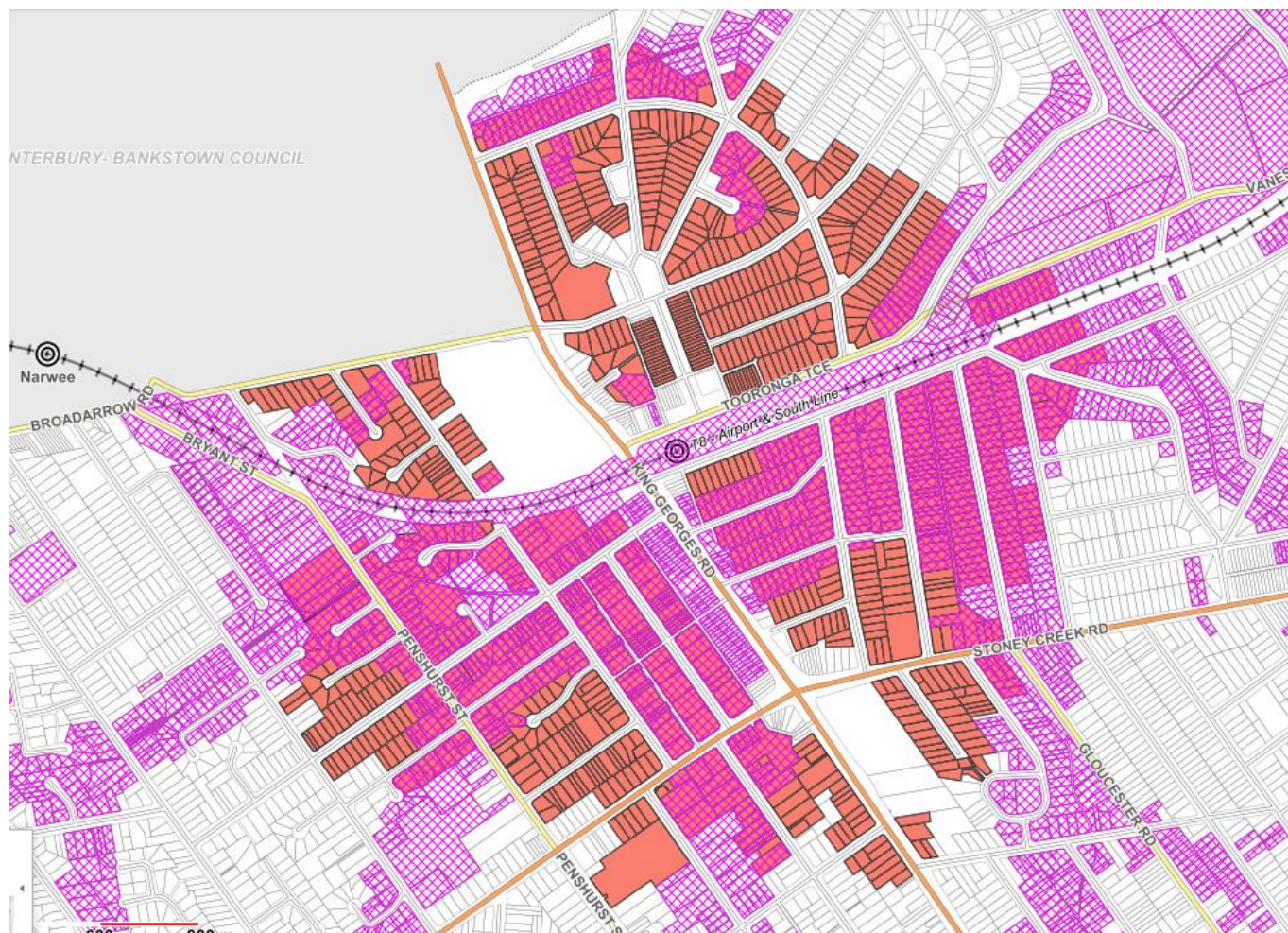


Figure 19 - Land affected by PMF - Beverly Hills

99. As Council is aware, a Flood Impact Risk Assessment (FIRA) was required to be prepared for the draft Master Plan by the Biodiversity, Conservation and Science Group of the Department of Climate Change, Energy and Water (BCS) and State Emergency Services (SES) and Council officers.
100. In summary Beverly Hills has significant flood affectation and emergency management issues during the PMF Event. BCS recommended to Council that it consider options that reduce the flood risk, including consideration of the proposed number of dwellings and exploring commercial options as an alternative to residential. Hence the amended Master Plan that was endorsed by Council on 24 February 2025.
101. The FIRA was provided to the DPHI, and flooding affectation was also raised when the LMR was first placed on exhibition. Council officers were advised that the LMR Reforms would not apply to sensitive areas such as:
 - (a) high-risk land, including bushfire- and flood-prone land and land identified as coastal wetlands, littoral rainforest or a coastal vulnerability area; and
 - (b) land located close to dangerous goods pipelines and aircraft noise.
102. It was assumed that Beverly Hills would be excluded from the reforms – not just on the pipeline issue but also the flooding issue. Unfortunately, this is not the case and the LMR is promoting housing in a high-risk floodway.
103. This report **recommends** that Council seek exclusion from the Low and Mid-Rise Housing Policy for those parts of the Beverly Hills Station affected by the PMF (2023).

KOGARAH STRATEGIC CENTRE AND RIVERWOOD LOCAL CENTRE MASTER PLANS

104. The Master Plans for Kogarah Strategic Centre and Riverwood Local Centres had not commenced prior to the gazettal of the LMR Policy. Subsequently, there is limited LMR Policy impact on the master plans at this stage. Council has recently commenced work on the preparation of the master plans and further analysis on housing capacity under LMR Policy will occur during the master planning process.

Kogarah Station and Town Centre

105. **Figure 20** below is an extract from Low and Mid-Rise Housing Policy Indicative Map for Kogarah Station and Town Centre. Shaded areas are part of the Bayside LGA. The following exclusions apply to the Kogarah LMR Housing area:

- (a) PMF affected lots within the Georges River Catchment; and
- (b) Heritage items (Heritage Conservation Areas are not excluded from LMR).

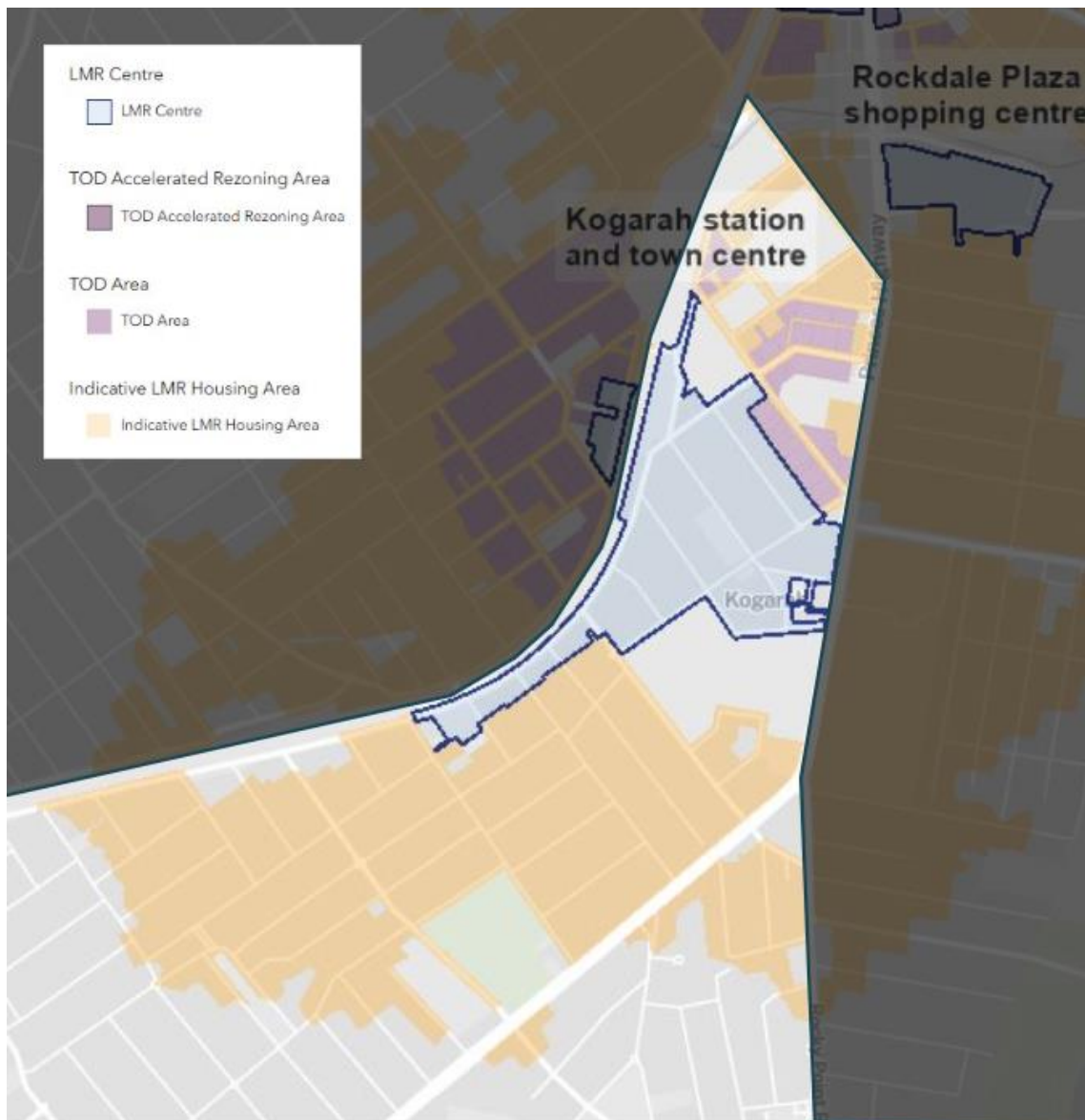


Figure 20 - Extract from LMR Housing Policy Indicative Map for Kogarah Station and Town Centre (Source: DPHI)

106. The increased theoretical housing capacity from the LMR is outlined in **Table 9** below.

Table 9 – Theoretical Capacity for LMR Kogarah Strategic Centre

| Zone | Within LMR Area | Excluded from LMR | Benefit from LMR | Capacity under GRLEP | Capacity under LMR |
|------|-----------------|-------------------|------------------|----------------------|-------------------------|
| R2 | 771 lots | 404 lots | 367 lots | 42 new dwellings | 279 – 750 new dwellings |
| R3 | 0 lots | 0 lot | 0 lots | Nil | Nil |
| R4 | 143 lots | 72 lots | 71 lots | 1,146 new dwellings | 629 new dwellings |

107. Analysis of the potential take-up rate of development under the LMR Policy indicates:

- (a) Higher development potential is given by the GRLEP in existing R4 zones.
- (b) Evidence Base for Housing (prepared by .id) forecasts 33% development take up in Kogarah based on the 2016 and 2021 Census data.
- (c) This equates to a potential take up rate of 300 new dwellings under the LMR.
- (d) In comparison, the potential take-up rate is 392 new dwellings under the existing GRLEP controls.

Riverwood Station and Town Centre

108. **Figure 21** below is an extract from Low and Mid-Rise Housing Policy Indicative Map for Riverwood Station and Town Centre. Shaded areas are part of the Canterbury Bankstown LGA.



Figure 21 - Extract from LMR Housing Policy Indicative Map for Riverwood Station and Town Centre (DPHI)

109. The following exclusions apply to the Riverwood LMR area:

- (a) PMF affected lots within the Georges River Catchment
- (b) High pressure gas pipeline (200m buffer area); and
- (c) Coastal Wetland and Proximity Area for Coastal Wetlands.

110. The increased theoretical housing capacity from the LMR in Riverwood is outlined in **Table 10** below.

Table 10 – Theoretical Capacity for LMR Riverwood Local Centre

| Zone | Within LMR Area | Excluded from LMR | Benefit from LMR | Capacity under GRLEP | Capacity under LMR |
|------|-----------------|-------------------|------------------|----------------------|---------------------------|
| R2 | 1,290 lots | 462 lots | 828 lots | 200 new dwellings | 903 – 2,273 new dwellings |
| R3 | 150 lots | 17 lots | 133 lots | 562 new dwellings | 1,245 new dwellings |

| | | | | | |
|-----------|----------|---------|---------|-------------------|-------------------|
| R4 | 112 lots | 47 lots | 65 lots | 510 new dwellings | 707 new dwellings |
|-----------|----------|---------|---------|-------------------|-------------------|

111. Analysis of the potential take up rate of development under the LMR Policy indicates:

- (a) Evidence Base for Housing (prepared by .id) forecasts 20% development take-up in Riverwood based on the 2016 and 2021 Census data.
- (b) This equates to a potential take-up rate of 571 new dwellings under the LMR.
- (c) In comparison, the potential take-up rate is 254 new dwellings under the existing GRLEP controls.

Recommendation

112. This report recommends that Council continue preparing the Master Plans for Kogarah Strategic Centre and Riverwood Local Centre. The preparation of the Master Plans will take into consideration the potential application of the LMR Policy for land zoned R2, R3 and R4 within the study areas.

OTHER CENTRES IDENTIFIED WITHIN THE LMR POLICY – HURSTVILLE, PENSHURST AND OATLEY

113. The LMR Policy applies to three centres that do not currently have active master plans or planning proposals. They are:

- (a) Hurstville City Centre and Railway Station;
- (b) Penshurst Railway Station; and
- (c) Oatley Railway Station.

Hurstville Railway Station and Town Centre Precinct

114. **Figure 22** below is an extract from Low and Mid-Rise Housing Policy Indicative Map for Hurstville 'Railway Station and Town Centre Precinct. The following exclusions apply to the Hurstville LMR Housing area:

- (a) PMF affected lots within the Georges River Catchment; and
- (b) Heritage items (Heritage Conservation Areas are not excluded from LMR).

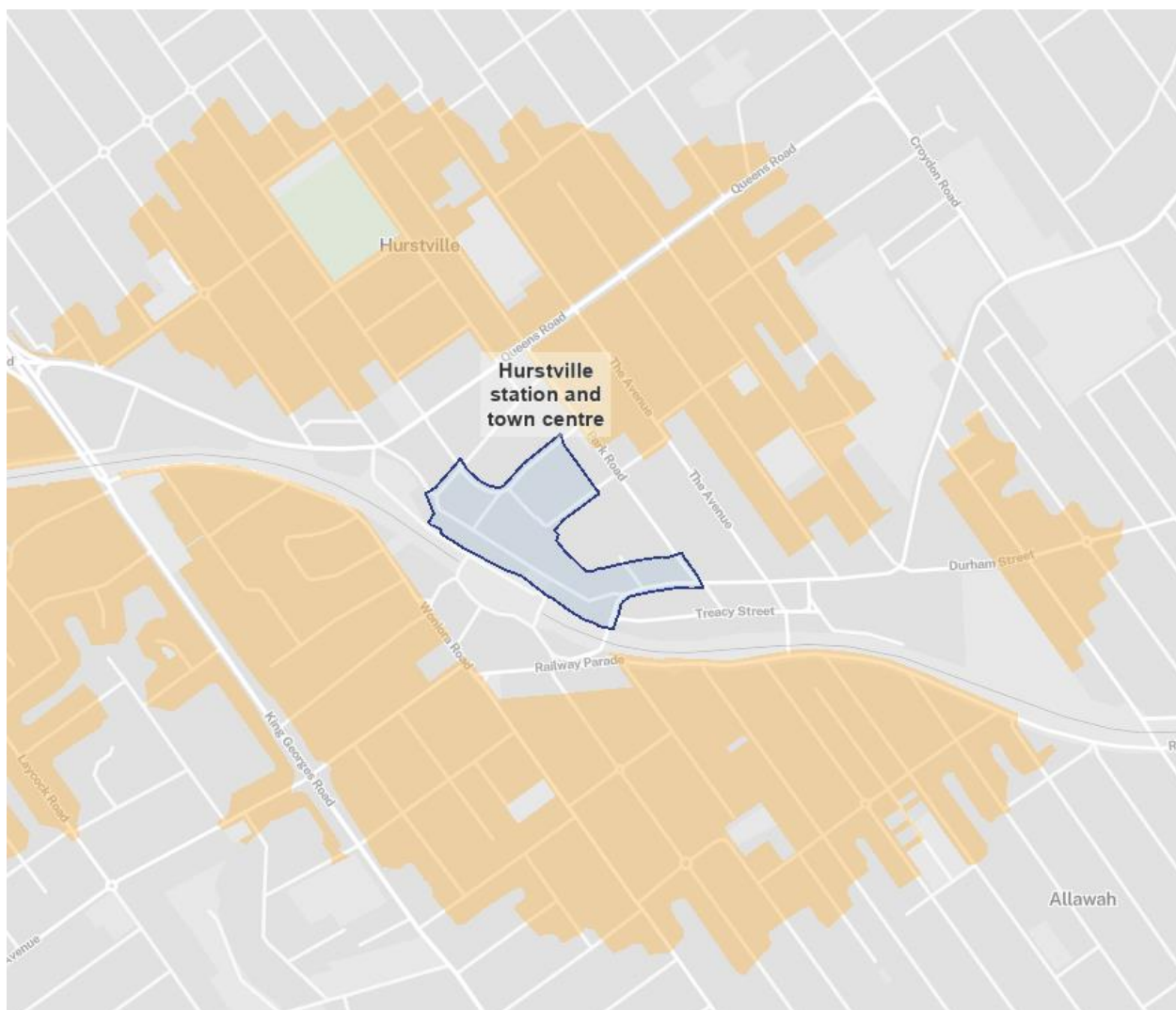


Figure 22 - Extract from LMR Indicative Map for Hurstville Railway Station and Town Centre Precinct

115. **Table 11** shows the theoretical dwelling capacity created by the LMR Policy for the Hurstville 'Railway Station and Town Centre Precinct'.

Table 11 - Theoretical Dwelling Capacity from the LMR Policy for Hurstville

| Zone | Within LMR Area | Excluded from LMR | Benefit from LMR | Capacity under GRLEP | Capacity under LMR |
|------|-----------------|-------------------|------------------|----------------------|---------------------------|
| R2 | 1,189 lots | 128 lots | 1,061 lots | 228 new dwellings | 655 – 1,595 new dwellings |
| R3 | 4 lots | 0 lots | 4 lots | 13 new dwellings | 48 new dwellings |
| R4 | 108 lots | 16 lots | 92 lots | 315 new dwellings | 558 new dwellings |

116. Analysis of the potential take up rate of development under the LMR Policy indicates:

- Evidence Base for Housing* (prepared by .id) forecasts 33% development take-up in Hurstville based on the 2016 and 2021 Census data.
- This equates to a potential take-up rate of 416 new dwellings under the LMR.

- (c) In comparison, the potential take-up rate is 183 new dwellings under the existing GRLEP controls.
- 117. The LMR Policy will create limited additional 'mid-rise housing' capacity to the south-east and north where land is zoned R4. This is primarily because the development standards afforded under the LMR Policy are higher than the existing GRLEP controls for these 92 lots. It should be noted that much of the existing housing stock here is older two and three-storey 'walk-up' RFBs that are unlikely to be redeveloped in the short and medium-term given current feasibility constraints.
- 118. Additional 'low-rise housing' capacity will be created on the outer edges to the north and south of the train station.
- 119. Some limited additional 'low-rise housing' capacity will be created to the south-west of the station. Much of this land is within the O'Brien's Estate Heritage Conservation Area (HCA) under the GRLEP. Consequently, this theoretical capacity is unlikely to be realised. There is also some overlap with the Penshurst 'Railway Station Precinct'.

Penshurst 'Railway Station Precinct

- 120. **Figure 23** below is an extract from Low and Mid-Rise Housing Policy Indicative Map for Penshurst 'Railway Station Precinct. The following exclusions apply to the Penshurst LMR Housing area:
 - (a) PMF affected lots within the Georges River Catchment; and
 - (b) Heritage items (Heritage Conservation Areas are not excluded from LMR).



Figure 23 - LMR Housing Policy Indicative Map for Penshurst Railway Station Precinct

121. **Table 12** shows the theoretical dwelling capacity created by the LMR Policy for the Penshurst Railway Station Precinct.

Table 12 - Theoretical Dwelling Capacity from the LMR Policy for Penshurst

| Zone | Within LMR Area | Excluded from LMR | Benefit from LMR | Theoretical capacity under GRLEP | Theoretical capacity under LMR |
|-----------|-----------------|-------------------|------------------|----------------------------------|--------------------------------|
| R2 | 1,007 lots | 61 lots | 946 lots | 85 new dwellings | 350 – 3,180 new dwellings |
| R3 | 68 lots | 14 lots | 54 lots | 200 new dwellings | 531 new dwellings |
| R4 | 38 lots | 9 lots | 29 lots | 235 new dwellings | 281 new dwellings |

122. Analysis of the potential take up rate of development under the LMR Policy indicates:

- (a) Evidence Base for Housing (prepared by .id) forecasts 25% development take-up in Penshurst based on the 2016 and 2021 Census data.
- (b) This equates to a potential take-up rate of 291 new dwellings under the LMR.

- (c) In comparison, the potential take-up rate is 130 new dwellings under the existing GRLEP controls.

123. The LMR Policy will create additional 'mid-rise housing' capacity on the northern side of the rail line where land is zoned R4. This is primarily because the development standards afforded under the LMR Policy are higher than the existing GRLEP controls for these 29 lots. It should be noted that much of the existing housing stock here is older two and three-storey 'walk-up' RFBs that are unlikely to be redeveloped in the short and medium-term given current feasibility constraints.
124. Additionally, there are R2 zoned lots further north that could theoretically be redeveloped. This would only be the case for lots with older single dwellings and limited constraints.
125. Some limited additional 'low-rise housing' capacity will be created to the south of the rail line. However, most of this land is within the Penshurst HCA under the GRLEP. Consequently, this theoretical capacity is unlikely to be realised.
126. The most likely area that will see redevelopment under the theoretical capacity created by the LMR Policy is the R3 zoned land bounded by Bridge St, King Georges Rd, Forest Rd and Apsley St. Currently, this area contains single dwellings that are relatively constraint free. As shown in Table , there are 54 lots with a theoretical capacity for 531 new dwellings, representing 331 additional dwellings beyond what was theoretically achievable under the existing GRLEP controls.

Oatley 'Railway Station Precinct'

127. **Figure 24** below is an extract from Low and Mid-Rise Housing Policy Indicative Map for Oatley 'Railway Station Precinct'. The following exclusions apply to the Oatley LMR Housing area:
 - (a) PMF affected lots within the Georges River Catchment; and
 - (b) Heritage items (Heritage Conservation Areas are not excluded from LMR).

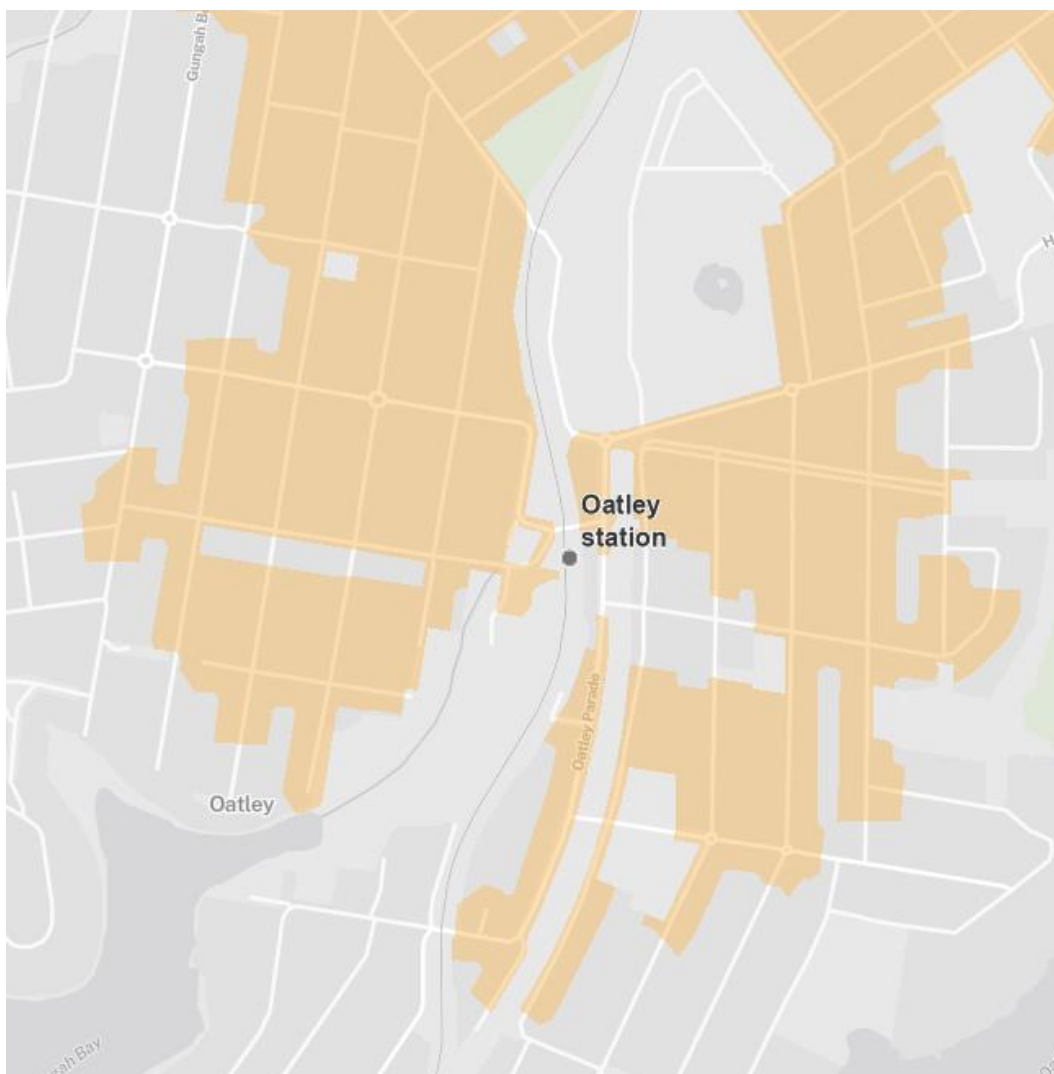


Figure 24 - Extract from LMR Housing Policy Indicative Map for Oatley Station (Source: DPHI)

128. **Table 13** shows the theoretical dwelling capacity created by the LMR Policy for the **Oatley** 'Railway Station Precinct'.

Table 13 - Theoretical Dwelling Capacity from the LMR Policy for Oatley

| Zone | Within LMR Area | Excluded from LMR | Benefit from LMR | Theoretical capacity under GRLEP | Theoretical capacity under LMR |
|------|-----------------|-------------------|------------------|----------------------------------|--------------------------------|
| R2 | 1,130 lots | 149 lots | 981 lots | 468 new dwellings | 1,922 – 3,649 new dwellings |
| R3 | 72 lots | 0 lots | 72 lots | 287 new dwellings | 775 new dwellings |
| R4 | 13 lots | 0 lots | 13 lots | 93 new dwellings | 151 new dwellings |

129. Analysis of the potential take up rate of development under the LMR Policy indicates:

- Evidence Base for Housing (prepared by .id) forecasts 20% development take-up in Oatley based on the 2016 and 2021 Census data.
- This equates to a potential take-up rate of 570 new dwellings under the LMR.
- In comparison, the potential take-up rate is 170 new dwellings under the existing GRLEP controls.

130. The LMR Policy will create additional 'mid-rise housing' capacity on the eastern side of the rail line where land is zoned R3 or R4. This is primarily because the development standards afforded under the LMR Policy are higher than the existing GRLEP controls for these 85 lots. It should be noted that much of the existing housing stock here is older two and three-storey 'walk-up' RFBs that are unlikely to be redeveloped in the short and medium-term given current feasibility constraints.
131. Significant additional 'low-rise housing' capacity will be created to the west of the rail line. Depending on the size of lots, this could be either low-rise RFBs for larger blocks or dual occupancy developments on smaller lots. Additionally, terraces could be a feasible housing product.
132. This density is initially seen as well-located given Oatley's two distinct shopping villages, excellent open space provision, and easy access to public transport at the station.

Recommendations

133. In terms of next steps for the three centres that do not currently have active master plans or planning proposals. They are:
 - (a) **Hurstville City Centre and Railway Station** – No immediate action. Monitor DAs lodged that utilise the LMR Policy development standards, especially in the far northern and southern reaches of the precinct.
 - (b) **Penshurst Railway Station** – No immediate action. Monitor DAs lodged that utilise the LMR Policy development standards, especially in the R3 zone.
 - (c) **Oatley Railway Station** – No immediate action. Monitor DAs lodged that utilise the LMR Policy development standards, especially to the west of the rail line.
134. There will likely be a future need for strengthened DCP controls to improve built form outcomes and active transport connections to the Station and open space. This might also include amendments to the Contributions Plan for each precinct to ensure public domain upgrades and local infrastructure can sufficiently support the increase in housing created by the LMR Policy.

OTHER IMPACTS

Infrastructure Impacts

135. According to the DPHI, the LMR housing areas were selected using the following criteria:
 - (a) Access to goods and services – supermarkets and a wide range of shops and services to meet daily needs.
 - (b) Public transport service – how often trains, light rail, metro and buses service the area.
 - (c) Travel times on public transport – time it takes to travel to a major centre.
 - (d) Critical infrastructure capacity – water, sewer, roads and public transport.
 - (e) Hazard and constraints – such as flood, bushfire and emergency evacuation.
136. Council's Section 7.11 and & 7.12 Development Contributions Plan will apply to LMR housing. Council is to note that the Plan is currently under review.
137. No additional funding has been provided by the NSW State Government to address the impacts on community and open space facilities and services due to the potential increase in population resulting from the increased housing.

Development Applications

138. The LMR Policy controls are not permitted to be used for Complying Development Certificates (CDCs), with all proposals being required to utilise a Development Application (DA) pathway. CDCs must comply with Council's existing LEP requirements. For example, any dual occupancy approved through a CDC pathway in the LMR Policy Housing Areas must comply with the minimum 650sqm lot size and 15m lot width requirements specified in the GRLEP.
139. Consequently, it is likely that the increase in permissibility and development standards enabled by the LMR Policy will be a catalyst for an increase in the lodgement of DA's.

FINANCIAL IMPLICATIONS

140. There is no budget impact for this report in terms of Beverly Hills, Riverwood, Kogarah and Mortdale as budget has been allocated for master planning work.
141. If Council wishes to proceed with master planning for the centres affected by the LMR Policy where master planning has not commenced, then budget in FY25/26 will be required.
142. Furthermore, compliance with the Condition (g) of the Gateway Determination (refer to **Attachment 1**) relating to the recommendations of the *Hurstville City Centre Urban Design Strategy* regarding the need for a feasibility study for the City Centre and the transition areas, an updated Transport Management and Accessibility Plan, a Place Management Strategy, Public Domain Plan, and investigating and implementing permanent and temporary open space solutions, will need to be funded if Council wishes to proceed with implementation of that part of the Integrated Housing PP.

RISK IMPLICATIONS

143. The following risks have been identified:

- a. **Strategic Risk 3: Assets and Infrastructure** - Council's failure to facilitate housing and infrastructure that is reflective of the ongoing needs and/or expectations of our community and the infrastructure required to provide the high quality of service being demanded by the community, that is also adequate to withstand the impact of climate change and severe weather events.

Comment: Council has several master plans underway that will facilitate housing and infrastructure that is reflective of the ongoing needs and/or expectations of the community.

- b. **Strategic Risk 5: Climate change** – Council's failure to prepare and plan for climate and environmental risks, including Council's failure to protect and maintain the natural and built environment, including biodiversity, liveability, and natural systems.

Comment: With Part A of the Integrated PP, the updated Beverly Hills Local Centre Master Plan, the Mortdale Local Centre Master Plan and future master planning of Kogarah Strategic Centre and Riverwood Local Centre, Council is planning ahead to manage the climate and environmental risks, including flooding risks. This will enable Council to protect and maintain the natural and built environment in the subject area.

- c. **Strategic Risk 9: Social Cohesion** - Failure to identify and/or respond to the changing socio-economic needs of our community. Social cohesion erosion and growing socio-

economic gap (loss of social capital and a fracture of social networks negatively impacting social stability, individual well-being, and economic productivity, as a result of persistent public anger, distrust, divisiveness, lack of empathy, marginalisation of minorities, political polarisation etc.)

Comment: Council is endeavouring to respond to the changing socio-economic needs of our community through its work on master planning its centres. No development or renewal of the centres within the LGA may result in continuing decline in amenity with ageing buildings and poor public domain, reducing the liveability of the surrounding area, and the desirability of the centres for investment.

- d. **Strategic Risk 9: Housing Infrastructure** - The risk that Council may fail to facilitate housing and development that aligns with the community's growing needs and expectations, while also ensuring planning regulations and building practices are sufficient to address climate change impacts and severe weather events. This could lead to inadequate housing supply and environmental challenges.

Comment: The LMR overrides the Council's planning controls. The LMR does not response to flooding risks outside of the Georges River Catchment. Whilst Part B of the Integrated PP sought to create additional housing capacity, the LMR generates a larger dwelling supply in accessible areas across the LGA which will facilitate the delivery of new housing for the existing and future Georges River community.

CONCLUSION

144. In summary the LMR Policy impacts the residential zoned areas within the LGA. Overall, the theoretically capacity across the 7 LMR Housing Areas is as follows:
- (a) Within the R2 Low Density Residential zone: between 5,856-16,566 new dwellings as compared to 1,424 new dwellings under the GRLEP,
 - (b) Within the R3 Medium Density Residential zone: 2,813 new dwellings as compared to 1,207 new dwellings under the GRLEP, and
 - (c) Within the R4 High Density Residential zone: 2,717 new dwellings as compared to 2,633 new dwellings under the GRLEP.
145. The LMR Policy impacts current strategic work underway. This report recommends that Council:
- (a) Endorse Scenario 3 as outlined in this report, which proposes to implement the Master Plan except for the proposed R3 Medium Density Residential zone. It also proposes to align the Floor Space Ratio (FSR) and Height of Building (HOB) to the LMR controls for the R4 High Density Residential zone. Scenario 3 will increase the potential dwelling capacity to 1,030 new dwellings (125 dwellings less than if the master plan was fully implemented with the LMR).
 - (b) Seek exclusion from the Low and Mid-Rise Housing Policy for those parts of the Beverly Hills Station LMR Housing Area affected by the PMF (2023).
 - (c) Not proceed with *Part B: Additional and Diverse Housing (PP2024/0004)* of the Integrated PP by seeking an Alteration of Gateway Determination to only progress *Part A: Biodiversity, Character and FSPA (PP2024/0002)* of the Integrated PP.
146. The LMR Policy also impacts Hurstville City Centre and Railway Station, Penshurst Railway Station and Oatley Railway Station. This report recommends that Council note the implications of the LMR Policy on these centres and monitor DAs lodged that utilise the LMR Policy development standards.

COMMUNITY ENGAGEMENT

147. Community engagement for the LMR Policy was conducted by DPHI.

148. Community engagement will be conducted when the various GRC projects discussed in this report are placed on public exhibition.

FILE REFERENCE

D25/80071

ATTACHMENTS

Attachment [↓](#)1 Gateway Determination to Council's Integrated Planning Proposal



Attachment [↓](#)2 Summary of LMR Development Standards





Department of Planning, Housing and Infrastructure

Gateway Determination

Planning proposal (Department Ref: PP-2024-2474): Integrated Planning Proposal for Additional Housing, Biodiversity, Character and Foreshore Scenic Protection Area

I, the A/Executive Director, Local Planning and Council Support at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Georges River Local Environmental Plan (LEP) 2021* to implement recommendations of local studies regarding biodiversity and foreshore scenic character, and create capacity for additional and diverse housing across the residential zones of the Georges River Local Government Area (LGA) should proceed subject to the following:

Gateway Conditions

1. Prior to community consultation, the planning proposal is to be revised to address the matters set out below:
 - (a) Update the Objectives and intended outcomes sections to:
 - i. Address the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and provide a clear and concise description of the proposal in plain English; and
 - ii. Ensure alignment with the Explanation of provisions sections regarding any revisions made to the planning proposal, including revisions to exclude areas adjacent to the Moomba to Sydney Ethane pipeline from Part B, Item 6, and other items as required by this Gateway determination.
 - (b) Update the Explanation of provisions sections to:
 - i. Provide a plain English explanation of the intended effects of the proposed Terrestrial Biodiversity clause in Part B, Item 13, and outline the different requirements for land identified as Terrestrial Biodiversity and as buffer areas;
 - ii. Ensure consistent terminology throughout the planning proposal regarding "high biodiversity significance" and "high biodiversity value", and alignment with established definitions in relevant legislations;
 - iii. Clarify the term "character of Georges River communities" in Part A, Item 1, including a Plain English explanation of the term, the intent of the proposed changes and why the existing aims are considered insufficient to achieve the intent;
 - iv. Provide further evidence to demonstrate alignment of the proposed minimum subdivision lot size standards in Part A, Item 5, with the objectives of clause 4.1 of the *Georges River LEP 2021*;
 - v. Provide further details of the relevant study findings that support the proposed minimum lot size requirements for dual occupancies in Part A,

Item 6, in relation to land within all proposed unique character area and particularly areas located outside of the Foreshore Scenic Protection Area;

- vi. Further evaluate the development standards for areas proposed to be removed from the Foreshore Scenic Protection Area, and those near existing public transport infrastructure and services, considering their suitability and potential for additional, diverse housing, alignment with Stage 2 of the Low and Mid-Rise Housing Policy and the merit of applying controls consistent with other R2 Low Density Residential zoned land in the LGA;
- vii. Clarify the term “the areas of high terrestrial biodiversity value” in Part A, Item 7, and whether it relates to land identified on the Biodiversity Values Map, prepared under *the Biodiversity Conservation Regulation 2017 (NSW)*;
- viii. Confirm the Foreshore Scenic Protection Area boundary at the eastern end of the Local Government Area in Part A, Item 10 and resolve any mapping discrepancies in the planning proposal;
- ix. Clarify the proposed increase of the minimum landscaped area requirement in Part A, Item 12, noting that the increase for some areas, such as land located within the proposed Foreshore Scenic Protection Area and unique character area, would be greater than 5% stated in the planning proposal;
- x. Clarify how the draft *Moomba to Sydney Ethane Pipeline Hazard Analysis report (August 2024)*, particularly its Recommendation 2, was considered in relation to Part B, Items 3 and 10;
- xi. Confirm and clarify the statement on page 37 of Part B of the proposal regarding whether *Figure 8 Proposed amendment to Minimum Lot Size for Dual Occupancy Map* includes amendments proposed by Part A;
- xii. Explore alternative mechanisms for achieving the intended outcomes for Part B, Item 6, acknowledging the additional permitted use provisions will be subject to legal drafting and further consideration at finalisation;
- xiii. Review and clarify the implications of Part B, Item 6, for all existing matters in *Schedule 1 Additional permitted uses* to the *Georges River LEP 2021*; Additionally, clarify whether the proposed LEP map is intended to exclude any relevant land currently identified in Schedule 1 to the LEP;
- xiv. Review and update the term “minimum density control” in Part B, Item 6, to accurately reflect the intent of the proposed provision;
- xv. Provide mapping for Part B, Item 9, regarding amendments to the Floor Space Ratio map;
- xvi. Include legible map legends and annotations to clearly identify the subject sites and the proposed changes for Part B, Item 11;
- xvii. Review and update the mapping as required for Part B, Item 11 to ensure all proposed changes are accurately represented on the maps, with particular attention to any discrepancies relating to Block L;

- xviii. Provide further commentaries on the proposed changes for Part B, Item 12, including additional background details of the planning control mismatch issues that the proposal seeks to address;
 - xix. Provide additional mapping to show the location of the clusters and subblocks as referred to in Table 9 in Part B of the proposal;
 - xx. Update the mapping changes for Part B, Item 12, to ensure clarity and legibility of proposed changes and clear identification of subject sites; and
 - xxi. Clarify the intent regarding application of any savings provisions relating to development applications.
- (c) Remove the following Items from the planning proposal:
- i. Part A, Item 14 to introduce local provision and mapping relating to unique character area or local character area;
 - ii. Part A, Item 15 to exclude application of the *Low Rise Housing Diversity Code* from the proposed Foreshore Scenic Protection Area and unique character area; and
 - iii. Part B, Item 7 to amend the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* to prohibit manor houses in Zone R2 Low Density Residential within the Georges River LGA.
- (d) Include an advisory clarifying that the Department does not support the proposal as a replacement for the Low and Mid-Rise Housing Policy.
- (e) Address consistency with the following section 9.1 Ministerial Directions:
- i. Direction 1.4 Site Specific Provisions, regarding Part B, Item 6 which relates to proposed additional permitted uses;
 - ii. Direction 4.1 Flooding, undertake a detailed assessment regarding all relevant components of the proposal to which this Direction applies; Any inconsistencies are to be justified in accordance with the terms of the Direction;
 - iii. Direction 4.2 Coastal Management, include suitable mapping of the affected lots located within the coastal zone as noted in the planning proposal, and details of the proposed changes relating to these lots;
 - iv. Direction 4.5 Acid Sulfate Soils, regarding Part B of the proposal; Include suitable mapping to identify any affected sites, details of the Acid Sulfate Solis classification and the proposed changes relating to these sites;
 - v. Direction 5.1 Integrating Land Use and Transport, regarding the areas near Oatley train station where the proposal seeks to reduce dual occupancy development potential;
 - vi. Direction 6.1 Residential Zones, regarding all sites within the Hurstville City Centre that are subject to a reduction in potential residential floor space; and

- Civil Aviation Safety Authority (CASA)
- Commonwealth Department of Infrastructure, Transport, Regional Development, Communications and the Arts
- Crown Lands
- NSW Department of Climate Change, Energy, the Environment and Water
- NSW Health
- NSW Rural Fire Service
- NSW State Emergency Service
- School Infrastructure NSW
- Sydney Airport Corporation
- Sydney Water Corporation
- Transport for NSW.

Each public authority / organisation is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least **30 working days** to comment on the proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
7. Given the nature of the proposal, Council is **not** authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act
8. The LEP should be completed on or before **26 May 2026**.

24th March 2025



Daniel Thompson
A/Executive Director Local Planning and
Council support
Department of Planning, Housing and
Infrastructure

Delegate of the Minister for Planning and
Public Spaces



Information Sheet – LMR Policy

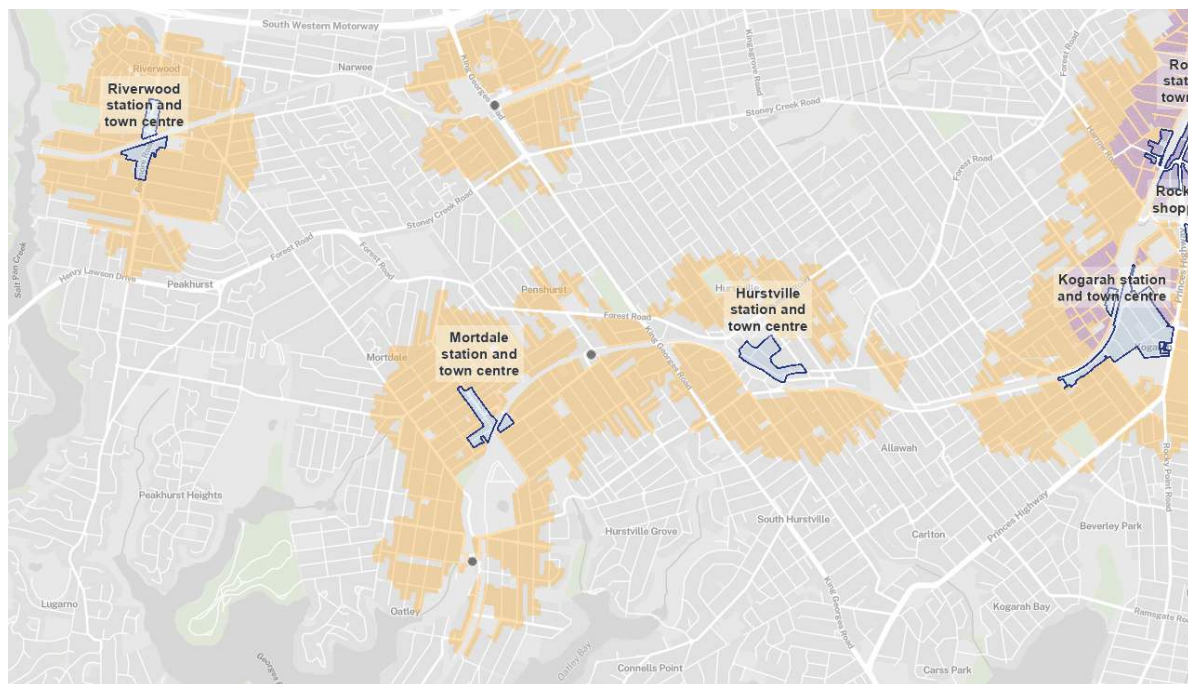


Figure 1 - Indicative Map of the LMR Housing Areas (DPHI)

- Beverly Hills Railway Station
- Hurstville City Centre and Railway Station
- Kogarah Town Centre and Railway Station
- Mortdale Local Centre and Railway Station
- Oatley Railway Station
- Penshurst Railway Station
- Riverwood Local Centre and Railway Station.



Table 1 - Comparison of Permissibility

| Land Use | GRLEP Permissible Zones | LMR Stage 2 Permissible Zones | Permissibility Impact on Georges River LGA |
|------------------------|-------------------------|--------------------------------------|---|
| Dual occupancy | R2, R3, R4 | R1, R2, R3, R4 | No impact |
| Multi dwelling housing | R3, R4 | R1, R2, R3 | Expands permissibility into the R2 zone |
| Terraces | R3, R4 | R1, R2, R3 | Expands permissibility into the R2 zone |
| RFBs | R4 | R1, R2, R3, R4 | Expands permissibility into the R2 and R3 zones |
| Shop top housing | R4, E1, MU1 | No change to existing permissibility | No impact |

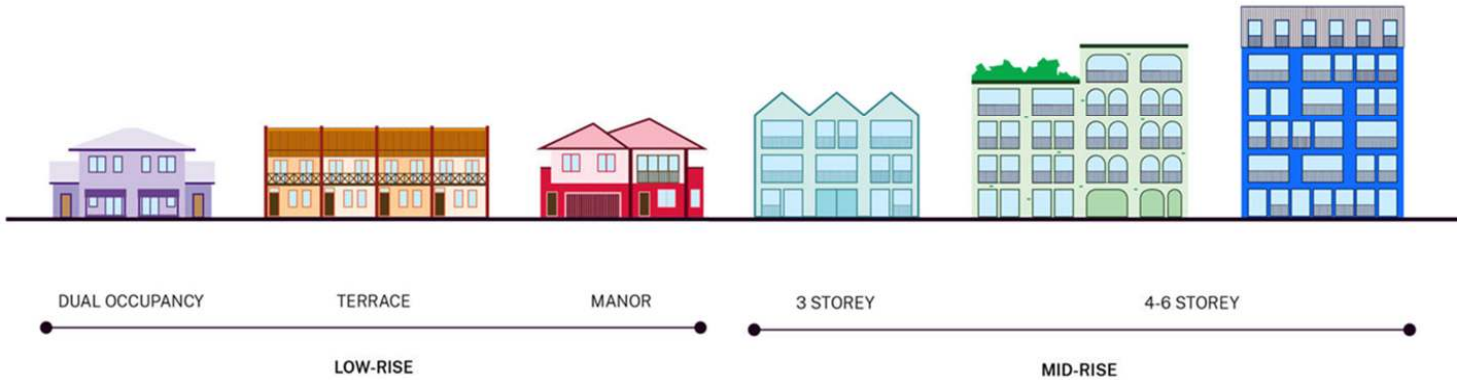


Figure 2 - Forms of Low-Rise and Mid-Rise Housing (DPHI)

“A non-discretionary development standard, also known as a non-refusal standard, provides consistent development assessment guidelines for matters like building heights, floor space ratio or lot size. A non-discretionary standard can overrule a local environmental plan (LEP) or development control plan (DCP) standard. If the proposed development complies with the non-discretionary standard, a consent authority cannot refuse the application because it does not meet the LEP or DCP standard.”

Summary of key provisions - DPHI

Table 2 - Comparison of Development Standards

| Development Type | Policy | Lot Size | Lot Width | Max. HOB | Max. FSR | Landscaped Area |
|------------------------|--------|---------------------------------|-----------|----------|----------|-------------------------------|
| Dual Occupancy | GRLEP | 650sqm, or 1,000sqm in the FSPA | 15m | 9m | 0.6:1 | 25% |
| | LMR | 450sqm | 12m | 9.5m | 0.65:1 | 20%, or 30% for sites >600sqm |
| Multi Dwelling Housing | GRLEP | 800sqm | 18m | 9m | 0.7:1 | 20% |
| | LMR | 600sqm | 12m | 9.5m | 0.7:1 | 20% |

| Development Type | Policy | Lot Size | Lot Width | Max. HOB | Max. FSR | Landscaped Area |
|------------------|-------------------------|------------------|-----------------|--------------------------------|-----------------|---------------------------------|
| Terrace | GRLEP | 800sqm | 21m | 9m | 0.7:1 | 20% |
| | LMR | 500sqm | 18m | 9.5m | 0.7:1 | 25% |
| RFB | GRLEP (R2 Zone) | Not permissible | Not permissible | Not permissible | Not permissible | Not permissible |
| | LMR (R2 Zone) | 500sqm | 12m | 9.5m | 0.8:1 | 7% deep soil as per ADG |
| | GRLEP (R3 and R4 Zones) | 1,000sqm (GRDCP) | 24m (GRDCP) | Typically 12-15m (4-5 storeys) | 1:1 to 1.5:1 | 7% deep soil as per ADG |
| | LMR (Within 400m) | No requirement | No requirement | 22m (6 Storeys max) | 2.2:1 | 7% deep soil as per ADG |
| | LMR (400m - 800m) | No requirement | No requirement | 17.5m (4 Storeys max) | 1.5:1 | 7% deep soil as per ADG |
| Shop Top Housing | GRLEP (R3 and R4 Zones) | 1,000sqm (GRDCP) | 27m (GRDCP) | Typically 15-21m (4-6 storeys) | 1.5:1 to 2.5:1 | 7% deep soil as per ADG |
| | LMR (Within 400m) | No requirement | No requirement | 24m (6 Storeys max) | 2.2:1 | 10%, or 15% for sites >1,500sqm |
| | LMR (400m - 800m) | No requirement | No requirement | 17.5m (4 Storeys max) | 1.5:1 | 10%, or 15% for sites >1,500sqm |



CONFIDENTIAL ITEMS (CLOSED MEETING)

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

RECOMMENDATION

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

ENV014A-25 Expansion of Development and Building Resourcing - Item 7 of the Action Plan to the Department of Housing and Infrastructure (DPHI)
(Report by Director Environment and Planning)

THAT in accordance with the provisions of Part 1 of Chapter 4 of the Local Government Act 1993, the matters dealt with in this report be considered in closed Council Meeting at which the press and public are excluded. In accordance with Section 10A(2) (a) it is considered the matter deals with personnel matters concerning particular individuals (other than Councillors).

THAT in accordance with Section 10D it is considered that if the matter were discussed in an open Council Meeting, it would on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than Councillors).

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