

# MINUTES

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## Environment and Planning Committee

Monday, 11 March 2024

7:00 PM

Waratah Room

Georges River Civic Centre,  
Hurstville



GEORGES RIVER COUNCIL

## **PRESENT**

### **COUNCIL MEMBERS**

Councillor Peter Mahoney (Chairperson), Mayor, Councillor Sam Elmir, Deputy Mayor, Councillor Elise Borg, Councillor Ashvini Ambihapahar, Councillor Christina Jamieson, Councillor Nick Katris, Councillor Kathryn Landsberry, and Councillor Benjamin Wang.

### **COUNCIL STAFF**

General Manager – David Tuxford, Director Environment and Planning - Meryl Bishop, Manager Strategic Planning - Catherine McMahon, Coordinator, Strategic Planning - Stephanie Lum, Strategic Planner/Urban Designer - Anne Qin, Strategic Planner – Molly Porter, Strategic Planner – Michelle Fawcett, Manager Environment Health and Regulatory Services – Andrew Spooner, Executive Manager, City Futures – Simon Massey, Executive Assistant to the Director, Environment and Planning - Leanne Allen (Minutes), Executive Services Officer – Marisa Severino, and Team Leader Technical Services Mark Tadros.

### **CONSULTANTS**

Felicity Ratcliffe - Associate Director Group GSA, John Arnold - Director Arnold Planning.

## **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.

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

There were no requests to attend via Audio Visual Link.

## **APOLOGIES/LEAVE OF ABSENCE**

There were no apologies or requests for leave of absence.

## **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 MAHONEY DECLARED A NON-SIGNIFICANT NON-PECUNIARY INTEREST IN ITEM ENV008-24 OUTCOMES OF COMMUNITY CONSULTATION AND PREPARATION OF BIODIVERSITY AND CHARACTER PLANNING PROPOSAL FOR THE REASON THAT HE IS LIVES IN THE EXISTING FORESHORE SCENIC PROTECTION AREA AND MADE A**

SUBMISSION TO COUNCIL UNDER THE COMMUNITY CONSULTATION PROCESS, IN MY CAPACITY AS A RESIDENT. COUNCILLOR MAHONEY WILL REMAIN IN THE MEETING AND TAKE PART IN CONSIDERATION AND VOTING ON THIS ITEM.

**SPECIAL INTEREST DISCLOSURE - COUNCILLOR MAHONEY** SUBMITTED A SPECIAL DISCLOSURE OF PECUNIARY INTEREST IN ITEM **ENV010-24 OUTCOMES OF PUBLIC EXHIBITION - HOUSEKEEPING PLANNING PROPOSAL** FOR THE REASON THAT HE HAS AN INTEREST IN LAND IN THE GR LEP 2021 (PLANNING PROPOSAL). COUNCILLOR MAHONEY WILL PARTAKE IN ANY DELIBERATIONS ON THIS MATTER AND WILL REMAIN THE MEETING AND PARTICIPATE IN THE CONSIDERATION AND VOTING ON THIS ITEM.

**SPECIAL INTEREST DISCLOSURE - COUNCILLOR MAHONEY** SUBMITTED A SPECIAL DISCLOSURE OF PECUNIARY INTEREST IN ITEM **ENV008-24 OUTCOMES CONSULTATION AND PREPARATION OF BIODIVERSITY AND CHARACTER PLANNING PROPOSAL** FOR THE REASON THAT HE HAS AN INTEREST IN LAND IN THE R2-FSPA AREA. COUNCILLOR MAHONEY WILL PARTAKE IN ANY DELIBERATIONS ON THIS MATTER AND WILL REMAIN THE MEETING AND PARTICIPATE IN THE CONSIDERATION AND VOTING ON THIS ITEM.

**COUNCILLOR BORG** DECLARED A NON-SIGNIFICANT NON-PECUNIARY INTEREST IN ITEM **ENV008-24 OUTCOMES OF COMMUNITY CONSULTATION AND PREPARATION OF BIODIVERSITY AND CHARACTER PLANNING PROPOSAL** FOR THE REASON THAT THE PARKLAND AREA ADJACENT TO HER PROPERTY IS PROPOSED TO BE ADDED TO THE FSPA AREA. COUNCILLOR BORG WILL REMAIN IN THE MEETING AND TAKE PART IN CONSIDERATION AND VOTING ON THIS ITEM.

**COUNCILLOR BORG** DECLARED A NON-SIGNIFICANT NON-PECUNIARY INTEREST IN ITEM **ENV010-24 OUTCOMES OF PUBLIC EXHIBITION – HOUSEKEEPING PLANNING PROPOSAL** FOR THE REASON THAT SHE HAS A PROPERTY IN THE LGA AND THIS ITEM DISCUSSES THE WHOLE LGA. HOWEVER, AS THERE IS NO PECUNIARY INTEREST RELATING TO HER PROPERTY AND THIS IS A HOUSEKEEPING AMENDMENT TO THE LEP, THERE IS NO SPECIAL OR OTHER PECUNIARY INTEREST TO DECLARE. COUNCILLOR BORG WILL REMAIN IN THE MEETING AND TAKE PART IN CONSIDERATION AND VOTING ON THIS ITEM.

**COUNCILLOR AMBIHAIPAHAR** DECLARED A NON-SIGNIFICANT NON-PECUNIARY INTEREST IN ITEM **ENV008-24 OUTCOMES OF COMMUNITY CONSULTATION AND PREPARATION OF BIODIVERSITY AND CHARACTER PLANNING PROPOSAL** FOR THE REASON THAT THE PARKLAND AREA ADJACENT TO MY PROPERTY IS PROPOSED TO BE ADDED TO THE FSPA AREA. ADDITIONALLY, HER PARENT IN LAW'S PRIMARY PLACE OF RESIDENCE IS LOCATED WITHIN THE FSPA. HOWEVER, THERE IS NO MATERIAL/PECUNIARY IMPACT TO THEIR HOME. COUNCILLOR AMBIHAIPAHAR WILL REMAIN IN THE MEETING AND TAKE PART IN CONSIDERATION AND VOTING ON THIS ITEM.

**COUNCILLOR AMBIHAIPAHAR** DECLARED A NON – SIGNIFICANT NON - PECUNIARY INTEREST IN ITEM **ENV010-24 OUTCOMES OF PUBLIC EXHIBITION – HOUSEKEEPING PLANNING PROPOSAL** FOR THE REASON IT IMPACTS THE WHOLE LGA BUT DOES NOT HAVE ANY PECUNIARY IMPACT AS IT ADDRESSES ADMINISTRATIVE MATTERS. COUNCILLOR AMBIHAIPAHAR WILL REMAIN IN THE MEETING AND TAKE PART IN CONSIDERATION AND VOTING ON THIS ITEM.

**COUNCILLOR KATRIS** DECLARED A PECUNIARY INTEREST IN ITEM **ENV0013-24 DRAFT MERRIMAN RESERVE PLAN OF MANAGEMENT AND MASTER PLAN FOR EXHIBITION** FOR THE REASON THAT HE HAS SOME RESIDENTS THAT ARE CLIENTS OF MY ARCHITECTURAL PRACTICE THAT LIVE DIRECTLY OPPOSITE MERRIMAN RESERVE. COUNCILLOR KATRIS WILL NOT PARTAKE IN ANY DELIBERATIONS ON THIS MATTER

AND HE WILL LEAVE THE MEETING AND NOT PARTICIPATE IN THE CONSIDERATION AND VOTING ON THIS ITEM.

**SPECIAL INTEREST DISCLOSURE - COUNCILLOR WANG** SUBMITTED A SPECIAL DISCLOSURE OF PECUNIARY INTEREST IN ITEM **ENV008-24 OUTCOMES CONSULTATION AND PREPARATION OF BIODIVERSITY AND CHARACTER PLANNING PROPOSAL** FOR THE REASON THAT HE HAS AN INTEREST IN LAND IN THE R2-FSPA AREA. COUNCILLOR WANG WILL PARTAKE IN ANY DELIBERATIONS ON THIS MATTER AND WILL REMAIN THE MEETING AND PARTICIPATE IN THE CONSIDERATION AND VOTING ON THIS ITEM.

**SPECIAL INTEREST DISCLOSURE - COUNCILLOR WANG** SUBMITTED A SPECIAL DISCLOSURE OF PECUNIARY INTEREST IN ITEM **ENV010-24 OUTCOMES OF PUBLIC EXHIBITION - HOUSEKEEPING PLANNING PROPOSAL** FOR THE REASON THAT HE HAS AN INTEREST IN LAND IN THE GR LEP 2021 (PLANNING PROPOSAL). COUNCILLOR WANG WILL PARTAKE IN ANY DELIBERATIONS ON THIS MATTER AND WILL REMAIN THE MEETING AND PARTICIPATE IN THE CONSIDERATION AND VOTING ON THIS ITEM.

**SPECIAL INTEREST DISCLOSURE - COUNCILLOR KATRIS** SUBMITTED A SPECIAL DISCLOSURE OF PECUNIARY INTEREST IN ITEM **ENV008-24 OUTCOMES CONSULTATION AND PREPARATION OF BIODIVERSITY AND CHARACTER PLANNING PROPOSAL** FOR THE REASON THAT HE HAS AN INTEREST IN LAND IN THE R2-FSPA AREA. COUNCILLOR KATRIS WILL PARTAKE IN ANY DELIBERATIONS ON THIS MATTER AND WILL REMAIN THE MEETING AND PARTICIPATE IN THE CONSIDERATION AND VOTING ON THIS ITEM.

**COUNCILLOR KATRIS** DECLARED A NON-SIGNIFICANT NON-PECUNIARY INTEREST IN ITEM **ENV010-24 OUTCOMES OF PUBLIC EXHIBITION - HOUSEKEEPING PLANNING PROPOSAL** FOR THE REASON HE IS A PART OWNER OF HIS PLACE OF RESIDENCE IN BLAKEHURST. THE HOUSEKEEPING PLANNING PROPOSAL DOES NOT HAVE ANY IMPACT ON HIM. COUNCILLOR KATRIS WILL REMAIN IN THE MEETING AND TAKE PART IN CONSIDERATION AND VOTING ON THIS ITEM.

**COUNCILLOR JAMIESON** DECLARED A NON-SIGNIFICANT NON-PECUNIARY INTEREST IN ITEM **ENV010-24 OUTCOMES OF PUBLIC EXHIBITION - HOUSEKEEPING PLANNING PROPOSAL** FOR THE REASON SHE HAS A PROPERTY IN THE LGA AND THIS ITEM DISCUSSES THE WHOLE LGA. HOWEVER, AS THERE IS PURELY ADMINISTRATIVE AMENDMENTS AND THERE IS NO PECUNIARY INTEREST, THERE IS NO SPECIAL OR OTHER PECUNIARY INTEREST TO DECLARE. COUNCILLOR KATRIS WILL REMAIN IN THE MEETING AND TAKE PART IN CONSIDERATION AND VOTING ON THIS ITEM.

## PUBLIC FORUM

	Name	Report No.	Report Title
1	Sylvia Nilsen (In person)	ENV008-24	Outcomes of Community Consultation and Preparation of Biodiversity and Character Planning Proposal
2	Matthew Alison (In person)	ENV008-24	Outcomes of Community Consultation and Preparation of Biodiversity and Character Planning Proposal
3	Jessie Kordic (In person)	ENV010-24	Planning proposal -Housekeeping amendments to Georges River LEP2021



## CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Note: It was noted that Councillor Wang left the Chambers at 7.18pm

### ENV007-24 Confirmation of the Minutes of the Environment and Planning Committee Meeting held on 12 February 2024

(Report by Executive Assistant to Director Business and Corporate Services)

**RECOMMENDATION:** Councillor Landsberry, Councillor Jamieson

That the Minutes of the Environment and Planning Committee Meeting held on 12 February 2024, be confirmed.

### Record of Voting

For the Motion: Deputy Mayor, Councillor Borg, Councillor Mahoney, Councillor Ambihapahar, Councillor Jamieson, Councillor Katris, Councillor Landsberry

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

Note: It was noted that Councillor Wang returned to the Chambers at 7.22pm

Note: It was noted that the Mayor, Councillor Elmir joined the meeting at 7.23pm

## COMMITTEE REPORTS

### ENV008-24 Outcomes of Community Consultation and Preparation of Biodiversity and Character Planning Proposal

(Report by Principal Strategic Planner)

**RECOMMENDATION:** Councillor Katris, Deputy Mayor, Councillor Borg

- (a) That Council notes the outcomes of the pre-exhibition community consultation conducted for the proposed implementation of the *Biodiversity Study* and *Foreshore Scenic Character Study*.
- (b) That Council endorses the preparation of the Biodiversity and Character Planning Proposal to amend the *Georges River Local Environmental Plan 2021*, comprising of the following components:
  - (i) Introduce new biodiversity planning provision and mapping overlay to preserve and protect areas of moderate and high terrestrial biodiversity values,
  - (ii) Introduce new local character planning provision and mapping overlay to provide statutory protection to Unique Character Areas (UCA),
  - (iii) Amend the existing Foreshore Scenic Protection Area (FSPA) planning provision and mapped extent to ensure the role of the FSPA focuses on foreshore scenic character,
  - (iv) Retain existing lot size requirements within areas removed from the existing FSPA as follows:
    - A. Subdivision lot size: 700sqm
    - B. Dual occupancy lot size: 1,000sqm
  - (v) Increase lot size requirements for areas proposed to be added to the proposed FSPA and/or UCA as follows:
    - A. Increase subdivision lot size from 450sqm to 700sqm
    - B. Increase dual occupancy lot size from 650sqm to 1,000sqm
  - (vi) Reduce the maximum permissible FSR for R2-zoned land located within the existing FSPA, proposed FSPA and the proposed UCA from 0.55:1 for dwelling houses and 0.6:1

for dual occupancies to 0.5:1 for all development typologies,

(vii) Amend the landscaped area planning provision to:

- A. Protect, maintain and improve the diversity and condition of native vegetation and habitats across the Local Government Area (LGA),
- B. Encourage the recovery of threatened species and their communities, populations and habitats across the LGA, and
- C. Retain and strengthen the green and leafy character of the LGA, including trees in the private domain that contribute to local character and visual amenity,

(viii) Increase the minimum landscaped area requirement for dwelling houses and dual occupancies by 5% to 30% and 35% respectively for R2-zoned land located within the existing FSPA, proposed FSPA and the proposed UCA,

(ix) Introduce minimum 20% landscaped area requirement for multi dwelling house, terraces and manor houses in response to the NSW Government's Low and Mid-Rise Housing Reform, and

(x) Request Department of Planning, Housing and Infrastructure to exclude the application of the *Low-Rise Housing Diversity Code* from the proposed FSPA and proposed UCA to ensure dual occupancies, manor houses, multi dwelling housing and terraces are only permitted through the Development Application process.

(c) That all persons who made a submission be advised of Council's decision.

### Record of Voting

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

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

### ENV009-24 Revised Population and Dwelling projections for Georges River Local Government Area

(Report by Strategic Planner)

**RECOMMENDATION:** Councillor Katris, Councillor Landsberry

- (a) That Council endorse the Georges River Council *Evidence Base for the Local Housing Strategy* (March 2023) and Georges River *Population Forecast Adjustment* (September 2023) as strategic planning documents that will inform the development of policies and planning directions.
- (b) That Council place the Georges River Council *Evidence Base for the Local Housing Strategy* (March 2023) and the Georges River *Population Forecast Adjustment* (September 2023) on Council's website.

### Record of Voting

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

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

### ENV010-24 Outcomes of Public Exhibition - Housekeeping Planning Proposal

(Report by Strategic Planner)

**RECOMMENDATION:** Deputy Mayor, Councillor Borg, Councillor Ambihaipahar

- (a) That Council note the submissions received during the public exhibition of the Planning Proposal PP2023/0002 for the housekeeping amendment to the Georges River Local Environmental Plan 2021.
- (b) That Council adopt the proposed amendments included in the Planning Proposal PP2023/0002 as exhibited.
- (c) That Council forward the Planning Proposal for gazettal to the Department of Planning, Housing and Infrastructure (DPHI) in accordance with Section 3.36 of the Environmental Planning and Assessment Act 1979.
- (d) That all persons who made a submission to the Planning Proposal be advised of Council's decision.

**Record of Voting**

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

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

**ENV011-24 Review of Council Policies – Environment, Health and Regulatory Services**

(Report by Manager Environment Health & Regulatory Services)

**RECOMMENDATION:** Councillor Landsberry, Councillor Katris

(a) That Council endorse the following draft Policies, as attached to this report, for the purpose of public exhibition for a minimum period of 60 days, in accordance with Section 160 of the *Local Government Act, 1993*:

- Management of Feral and Infant Companion Animals Policy (2024) (Attachment 1).
- Georges River Smoke Free Policy for Outdoor Areas (2024) (Attachment 2).
- Georges River Council Enforcement Policy (2024) (Attachment 3).
- Keeping of Animals Policy (2024) (Attachment 4).

(b) That a further report be provided to Council on the outcomes of the public exhibition.

**Record of Voting**

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

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

**ENV012-24 T23/005 Provision of Animal Management Services**

(Report by Team Leader Procurement and Contracts Governance)

**RECOMMENDATION:** Councillor Landsberry, Councillor Ambihaipahar

- (a) That in accordance with Section 178(1)(a) of the Local Government (General) Regulation 2021, Council accepts the Tender from St George Animal Rescue Pty Ltd (ABN: 60 002 795 771) for T23/005 Provision of Animal Management Services, as outlined in the confidential attachments.

- (b) That the General Manager be authorised to execute the Contract with the successful Contractor on behalf of Council.

### Record of Voting

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

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

Note: Councillor Katris left the Chambers at 08:10pm and did not return to the meeting.

### ENV013-24 Draft Merriman Reserve Plan of Management and Master Plan for Exhibition

(Report by Coordinator Strategic Planning)

**RECOMMENDATION:** Councillor Landsberry, Deputy Mayor, Councillor Borg

- (a) That Council notify the draft Merriman Reserve Plan of Management and Master Plan to the NSW Department of Planning, Housing and Industry, as the representative landowner of part of the land under section 39 of the *Local Government Act 1993*, to obtain owner's consent prior to public exhibition.
- (b) That Council seek written consent from the NSW Department of Planning, Housing and Infrastructure to adopt the draft Plan of Management, in accordance with section 3.23(6) of the *Crown Land Management Act 2016*.
- (c) That Council delegates authority to the General Manager to make any further amendments to the draft Merriman Reserve Plan of Management and Master Plan 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.
- (d) That Council endorse the draft Merriman Reserve Plan of Management and Master Plan for public exhibition for a period of no less than 28 days and allow submissions to be received up until 42 days in accordance with section 38 of the *Local Government Act 1993*.
- (e) That Council endorse the proposed changes to the land categorisation and hold a public hearing under section 40A of the *Local Government Act 1993*.

### Record of Voting

For the Motion: Mayor, Councillor Elmir, Deputy Mayor, Councillor Borg, Councillor Mahoney, Councillor Ambihaipahar, Councillor Jamieson, Councillor Landsberry, Councillor Wang

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

### ENV014-24 Review of the Affordable Housing Policy

(Report by Manager Strategic Planning)

**RECOMMENDATION:** Councillor Jamieson, Councillor Borg

- (a) That Council endorse the Affordable Housing Policy, as attached to this report, for the purpose of public exhibition for a minimum period of 60 days, in accordance with Section 160 of the *Local Government Act, 1993*
- (b) That a further report be provided to Council on the outcomes of the public exhibition.



## Record of Voting

For the Motion: Mayor, Councillor Elmir, Deputy Mayor, Councillor Borg, Councillor Mahoney, Councillor Ambihaipahar, Councillor Jamieson, Councillor Landsberry, Councillor Wang

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

## CONCLUSION

The Meeting was closed at 8.22pm.

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Chairperson