



New South Wales

Georges River Local Environmental Plan 2021 (Amendment No 7)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

RUKSHAN DE SILVA

As delegate for the Minister for Planning and Public Spaces

Georges River Local Environmental Plan 2021 (Amendment No 7)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Georges River Local Environmental Plan 2021 (Amendment No 7)*.

2 Commencement

This plan commences on the day on which it is published on the NSW legislation website.

3 Land to which plan applies

This plan applies to land to which *Georges River Local Environmental Plan 2021* applies.

4 Maps

The maps adopted by *Georges River Local Environmental Plan 2021* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this plan.

Schedule 1 Amendment of Georges River Local Environmental Plan 2021

[1] Clause 4.4A Exceptions to floor space ratio—certain residential accommodation

Omit the matter relating to “not more than 650 square metres” from clause 4.4A(2), table.

Insert instead—

not more than 650 square metres	0.55:1
---------------------------------	--------

[2] Clause 4.4A(4), table

Omit the matter relating to “not more than 1,000 square metres”.

Insert instead—

not more than 1,000 square metres	0.6:1
-----------------------------------	-------

[3] Clause 5.22

Omit the clause. Insert instead—

5.22 Special flood considerations

- (1) The objectives of this clause are as follows—
 - (a) to enable the safe occupation and evacuation of people subject to flooding,
 - (b) to ensure development on land is compatible with the land’s flood behaviour in the event of a flood,
 - (c) to avoid adverse or cumulative impacts on flood behaviour,
 - (d) to protect the operational capacity of emergency response facilities and critical infrastructure during flood events,
 - (e) to avoid adverse effects of hazardous development on the environment during flood events.
- (2) This clause applies to—
 - (a) for sensitive and hazardous development—land between the flood planning area and the probable maximum flood, and
 - (b) for development that is not sensitive and hazardous development—land the consent authority considers to be land that, in the event of a flood, may—
 - (i) cause a particular risk to life, and
 - (ii) require the evacuation of people or other safety considerations.
- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered whether the development—
 - (a) will affect the safe occupation and efficient evacuation of people in the event of a flood, and
 - (b) incorporates appropriate measures to manage risk to life in the event of a flood, and
 - (c) will adversely affect the environment in the event of a flood.

- (4) A word or expression used in this clause has the same meaning as it has in the Considering Flooding in Land Use Planning Guideline unless it is otherwise defined in this clause.
- (5) In this clause—
Considering Flooding in Land Use Planning Guideline—see clause 5.21(5).
flood planning area—see clause 5.21(5).
Flood Risk Management Manual—see clause 5.21(5).
probable maximum flood has the same meaning as in the Flood Risk Management Manual.
sensitive and hazardous development means development for the following purposes—
- (a) boarding houses,
 - (b) caravan parks,
 - (c) correctional centres,
 - (d) early education and care facilities,
 - (e) eco-tourist facilities,
 - (f) educational establishments,
 - (g) emergency services facilities,
 - (h) group homes,
 - (i) hazardous industries,
 - (j) hazardous storage establishments,
 - (k) hospitals,
 - (l) hostels,
 - (m) information and education facilities,
 - (n) respite day care centres,
 - (o) seniors housing,
 - (p) sewerage systems,
 - (q) tourist and visitor accommodation,
 - (r) water supply systems.

[4] Clause 6.3 Stormwater management

Omit “if practicable” from clause 6.3(2)(b).

Insert instead “if required by the Georges River Stormwater Management Policy”.

[5] Clause 6.3(3)

Insert after clause 6.3(2)—

- (3) In this clause—
Georges River Stormwater Management Policy means the *Georges River Stormwater Management Policy* published by the Council on 18 December 2023.

[6] Clause 6.11 Environmental sustainability

Omit clause 6.11(2)(b)(ii).

[7] Clause 6.12 Landscaped areas in certain residential and conservation zones

Omit clause 6.12(2). Insert instead—

- (2) This clause applies to development involving the erection of a new building, or external alterations or additions to an existing building, resulting in an increased building footprint on land in the following zones—
- (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential,
 - (c) Zone R4 High Density Residential,
 - (d) Zone C2 Environmental Conservation.

[8] Clause 6.12(4)(c)

Omit the paragraph. Insert instead—

- (c) does not adversely impact the health, condition or structure of existing trees, tree canopies or tree root systems that are to be retained as part of the development on the land or adjacent land, and

[9] Clause 6.12(5)

Omit “a percentage of the site area consists of landscaped areas that is at least”.

Insert instead “at least the following percentages of the site area consists of landscaped areas or natural rock outcrops”.

[10] Clause 6.12(5)(c) and (d)

Insert “or semi-detached dwelling” after “dual occupancy”, wherever occurring.

[11] Clause 6.12(6A)

Insert after clause 6.12(6)—

- (6A) This clause does not apply to a subdivision of land under the *Community Land Development Act 2021* or the *Strata Schemes Development Act 2015*.

[12] Clause 6.12(7)

Insert in alphabetical order—

footprint has the same meaning as in *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, Part 9.

[13] Clause 6.13, heading

Insert “, E2” after “Zones E1”

[14] Clause 6.13(2)

Omit “land in the following zones”.

Insert instead “land, other than land identified as “Area D” on the Additional Permitted Uses Map, in the following zones”.

[15] Clause 6.13(2)(a1)

Insert after clause 6.13(2)(a)—

- (a1) Zone E2 Commercial Centre,

[16] Schedule 1 Additional permitted uses

Omit “Lot 12, DP 236321” from clause 10(1)(d).

Insert instead “Lot 100, DP 1275111”.

[17] Schedule 1, clause 15(1)

Omit ““Area A” on the Land Zoning Map”.

Insert instead ““Area C” on the Additional Permitted Uses Map”.

[18] Schedule 1, clause 15(2)(a)

Omit the paragraph.

[19] Schedule 1

Insert at the end of the schedule, with appropriate clause numbering—

Use of certain land at Hurstville

(1) This clause applies to the following land in Hurstville, identified as “Area D” on the Additional Permitted Uses Map—

- (a) Part of Lot D, DP 391801, 108 Durham Street,
- (b) Part of Lot C, DP 391801, 110 Durham Street,
- (c) Part of Lot B, DP 391801, 112 Durham Street,
- (d) Part of Lot A, DP 372835, 53 Forest Road,
- (e) Part of Lot 1, DP 225302, 61–65 Forest Road,
- (f) Part of Lot 1, DP 172819, 9 Roberts Lane.

(2) Development for the purposes of residential flat buildings is permitted with development consent.

[20] Schedule 5 Environmental heritage

Omit Part 1, item no I3. Insert in appropriate order—

Beverley Park	House and garden, “McWilliam House”	186–188 Princes Highway	Lots 5 and 6, DP 17522	Local	I3
------------------	--	-------------------------------	---------------------------	-------	----

[21] Schedule 5, Part 1, item no I6

Insert “Part of” before “Lot 10”.

[22] Schedule 5, Part 1, item no I42

Insert “Part of” before “Lot 1”.

[23] Schedule 5, Part 1, item no I63

Omit “Lot 33, DP 1866”. Insert instead “Lot 330, DP 1265294”.

[24] Schedule 5, Part 1, item no I66

Omit “30 Dora Street”. Insert instead “30 and 30D Dora Street”.

[25] Schedule 5, Part 1, item no I95

Omit “255–273 Forest Road”. Insert instead “255–257 and 263–273 Forest Road”

[26] Schedule 5, Part 1, item no I116

Omit “SP 72896”. Insert instead “SP 67836; SP 67837; SP 72896; SP 74721; SP 79405”.

[27] Schedule 5, Part 1, item no I164

Omit “3–5 Chapel Street”. Insert instead “3 Chapel Street”.

[28] Schedule 5, Part 1, item no I179

Omit the item. Insert in appropriate order—

Kogarah	Terraces, “Leah Buildings”	24 and 28 Montgomery Street	Lot 100, DP 1273679; Lot 1, DP 917849	Local	I179
---------	----------------------------------	-----------------------------------	---	-------	------

[29] Schedule 5, Part 1, item no I196

Insert “Part of” before “Lot 2”.

[30] Schedule 5, Part 1, item no I205

Omit “Lot 81, Section B, DP 1397”. Insert instead “Part of Lot 3, DP 1265877”.

[31] Schedule 5, Part 1, item no I206

Omit the item. Insert in appropriate order—

Kogarah	Terraces and garden, “Beatrice” and “Lillyville”	6–16 Victoria Street	SP 107485	Local	I206
---------	--	-------------------------	-----------	-------	------

[32] Schedule 5, Part 1, item no I210

Omit the item. Insert in appropriate order—

Kyle Bay	Kyle Bay Bowling Club	12 Merriman Street	Lot 10, DP 21299; Lot 12, DP 650783; Lots 9–11 and 40, Section 1, DP 7641; Lot 7316, DP 1154446	Local	I210
----------	--------------------------	-----------------------	---	-------	------

[33] Schedule 5, Part 1, item no I217

Omit the item. Insert in appropriate order—

Lugarno	Cottage “Killarney” and setting	66B Moons Avenue	Lot 3, DP 1274956	Local	I217
---------	---------------------------------------	---------------------	----------------------	-------	------

[34] Schedule 5, Part 1, item no I236

Insert “Part of” before “Lot 14”.

[35] Schedule 5, Part 1, item no I241

Insert “Part of” before “Lot 123”.

[36] Schedule 5, Part 1, item no I261

Omit the item. Insert in appropriate order—

Peakhurst	Salt Pan Creek sewage aqueduct	Behind 11A Elwin Street	Part of Lot 7320, DP 1166325	Local	I261
-----------	--------------------------------------	----------------------------	------------------------------------	-------	------

[37] Schedule 5, Part 1, item no I266

Insert “Part of” before “Lot A”.

[38] Schedule 5, Part 1, item no I267

Insert “Part of” before “Lot 37”.

[39] Schedule 5, Part 1, item no I278

Insert “Part of” before “Lot 1”.

[40] Schedule 5, Part 1, item no I303

Omit “Sans Souci Park, public baths and bathers pavilion”.

Insert instead “Sans Souci Park, including public baths, Moreton Bay fig tree (adjacent to Water Street) and sandstone wall”.

[41] Schedule 5, Part 1, item no I319

Insert in appropriate order—

Blakehurst	Thurlow House	9 Stuart Crescent	Lot D, DP 346635	State	I319
------------	------------------	----------------------	---------------------	-------	------