



City Services Committee

6:30 PM

Wednesday 13 August 2025

Venue:

Committee Room, Botany Town Hall
1423 Botany Road, Botany
(Corner of Edward Street and Botany Road, Botany)

Contact Us:

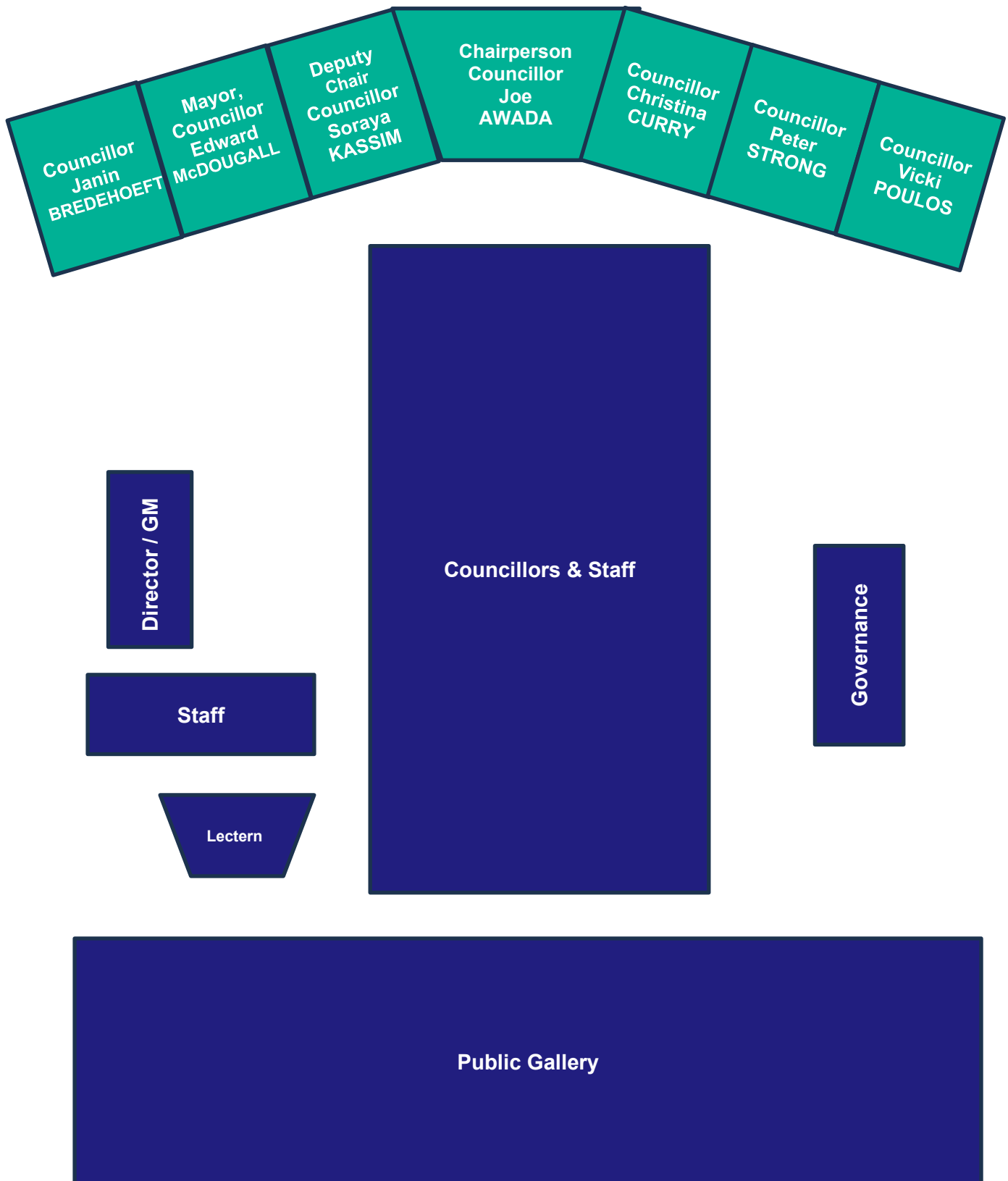
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PO Box 21, Rockdale NSW 2216

ABN: 80 690 785 443

City Services Committee Seating Plan



Statement of Ethical Obligations

Obligations

Oath [Affirmation] of Office by Councillors

Oath

I swear that I will undertake the duties of the office of councillor in the best interests of the people of Bayside Local Government Area and the Bayside Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment.

Affirmation

I solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Bayside Local Government Area and the Bayside Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the *Local Government Act 1993* or any other Act to the best of my ability and judgment.

Code of Conduct conflict of interests

Pecuniary interests

A Councillor who has a **pecuniary interest** in any matter with which the council is concerned, and who is present at a meeting of the council at which the matter is being considered, must disclose the nature of the interest to the meeting.

The Councillor must not be present at, or in sight of, the meeting:

- a) at any time during which the matter is being considered or discussed, or
- b) at any time during which the council is voting on any question in relation to the matter.

Non-pecuniary conflicts of interests

A Councillor who has a **non-pecuniary conflict of interest** in a matter, must disclose the relevant private interest in relation to the matter fully and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.

Significant non-pecuniary interests

A Councillor who has a **significant** non-pecuniary conflict of interest in relation to a matter under consideration at a council meeting, must manage the conflict of interest as if they had a pecuniary interest in the matter.

Non-significant non-pecuniary interests

A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is **not significant** and does not require further action, when disclosing the interest must also explain why conflict of interest is not significant and does not require further action in the circumstances.

MEETING NOTICE

A meeting of the
City Services Committee
will be held in the Committee Room, Botany Town Hall
1423 Botany Road, Botany
(Corner of Edward Street and Botany Road, Botany)
on **Wednesday 13 August 2025 at 6:30 PM**

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The meeting will be video recorded and live streamed to the community via Council's YouTube channel, in accordance with Council's Code of Meeting Practice.

Meredith Wallace
General Manager

1 ACKNOWLEDGEMENT OF COUNTRY

Bayside Council acknowledges the Bidjigal Clan, the traditional owners of the land on which we meet and work and acknowledges the Gadigal people of the Eora Nation. Bayside Council pays respects to Elders past and present.

2 APOLOGIES, LEAVE OF ABSENCE & ATTENDANCE VIA AUDIO-VISUAL LINK

3 DISCLOSURES OF INTEREST

In accordance with Council's Code of Meeting Practice, Councillors are reminded of their Oath or Affirmation of Office made under Section 233A of the Local Government Act and their obligations under the Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

4 MINUTES OF PREVIOUS MEETINGS

City Services Committee

13/08/2025

Item No	4.1
Subject	Minutes of the City Services Committee Meeting - 11 June 2025
Report by	Richard Sheridan, Director City Performance
File	SF24/8141

Officer Recommendation

That the Minutes of the City Services Committee meeting held on 11 June 2025 be noted.

Present

Councillor Edward McDougall, Mayor
Councillor Joe Awada, Chairperson
Councillor Soraya Kassim, Deputy Chairperson
Councillor Peter Strong
Councillor Janin Bredehoeft
Councillor Christina Curry
Councillor Vicki Poulos

Also present

Councillor Liz Barlow (via Audio-Visual link)
Councillor Chris Saravinovski (arriving at 7:38pm)
Councillor Heidi Lee Douglas
Meredith Wallace, General Manager
Debra Dawson, Director City Life
Richard Sheridan, Director City Performance
Phoebe Mikhiel, Manager Compliance and Community Safety
Lorraine Olmedo, Manager Communications and Engagement
Rani Param, Manager Community Life
Hong Nguyen, Manager Environment & Resilience
Helen Tola, Manager Governance & Risk
Steve Hughes, Chief Financial Officer, The Infants Home
Cathy Jackson, Manager Family Day Care, The Infants Home
Anne Suann, Governance Officer
Linda Hackett, Governance Officer
Nabin Bhattarai, IT Service Management Officer

The Chairperson opened the meeting in the Committee Room, Botany Town Hall at 6:33pm.

1 Acknowledgement of Country

The Chairperson affirmed that Bayside Council acknowledges the Bidjigal Clan, the traditional owners of the land on which we meet and work and acknowledges the Gadigal people of the Eora Nation. Bayside Council pays respects to Elders past and present.

2 Apologies, Leave of Absence & Attendance Via Audio-Visual Link

Apologies

There were no apologies received.

Leave of Absence

There were no applications for Leave of Absence received.

Attendance Via Audio-Visual Link

There were no Committee members in attendance via audio-visual link.

3 Disclosures of Interest

There were no disclosures of interest.

4 Minutes of Previous Meetings

[4.1 Minutes of the City Services Committee Meeting - 14 May 2025](#)

Committee Recommendation

Moved by Councillors McDougall and Curry

That the Minutes of the City Services Committee meeting held on 14 May 2025 be noted.

4.2 – Business Arising

The Committee notes that the Minutes of the City Services Committee of Wednesday 14 May 2025 were received and the recommendations therein were adopted by the Council at its meeting of Wednesday 28 May 2025.

5 Items by Exception

There were no Items by Exception.

6 Public Forum

There were no speakers for Public Forum.

7 Reports

CS25.014 Halloween William St, Botany Engagement Outcomes Report

Note: A presentation was given by Lorraine Olmedo, Manager Communications & Engagement.

Committee Recommendation

Moved by Councillors Curry and Strong

- 1 That Council notes the Halloween William Street, Botany Community Engagement Outcomes Report.
- 2 That Council supports the implementation of minimal traffic management measures, based on advice from Council's Traffic Management Team.

CS25.015 Response to Notice of Motion - Managing Food Delivery E-Bike Impacts in Bayside

Note: A verbal update was given by Debra Dawson, Director City Life.

Committee Recommendation

Moved by Councillors Curry and Strong

- 1 That Council notes the limited but important role that local government plays in managing the impacts of food delivery e-bikes on local communities.
- 2 That Council writes to the NSW Minister for Transport and the NSW Minister for Work Health and Safety, requesting a review of the recommendations of the Joint Taskforce: Food Delivery Rider Safety.
- 3 That Council investigates the feasibility of a local education campaign and increased engagement with delivery platforms.
- 4 That Council notes that only 2 complaints relating to food bike delivery have been received.
- 5 That a motion to the NSW Local Government Conference be drafted for Councils consideration.

CS25.016 Response to Notice of Motion - Regeneration and Bushcare for Bardwell Valley and Creek

Note: A verbal update was given by Debra Dawson, Director City Life.

Committee Recommendation

Moved by Councillors Poulos and Kassim

- 1 That the Response to Notice of Motion - Regeneration and Bushcare for Bardwell Valley and Creek report be received and noted.
- 2 That Council pursue Sydney Airport and/or other funding sources for Regeneration and Bushcare for Bardwell Valley and Creek, urban eco-systems and waterways.

CS25.017 Memorandum of Understanding - Cooks River Alliance 2025-2029

Note: A verbal update was given by Debra Dawson, Director City Life.

Committee Recommendation

Moved by Councillors Bredehoeft and Kassim

- 1 That Council commits to Cooks River Alliance's member contributions fees for Bayside as outlined in the report for the next 4 years (2025-2029)
- 2 That Council authorises the General Manager to sign the MoU with Cooks River Alliance from 1 July 2025 – 30 June 2029.
- 3 That Council request the Cooks River Alliance provides an annual report to be tabled in Council Committee papers.

8 Confidential Reports / Matters

In accordance with Council's Code of Meeting Practice, the Chairperson invited members of the public to make representations as to whether this part of the meeting should be closed to the public.

There were no representations.

Closed Committee Meeting

Committee Recommendation

Moved by Councillors Bredehoeft and Curry

- 1 That, in accordance with section 10A (1) of the Local Government Act 1993, the Committee considers the following items in closed Committee Meeting, from which the press and public are excluded, for the reasons indicated:

CS25.018 CONFIDENTIAL - Service Review - Children's Services

In accordance with section 10A (2) (a) of the Local Government Act 1993, the matters dealt with in this report relate to personnel matters concerning particular individuals (other than Councillors).

- 2 That, in accordance with section 11 (2) and (3) of the Local Government Act 1993, the reports, correspondence and other documentation relating to these items be withheld from the press and public.

CS25.018 Service Review - Children's Services

Note: A presentation was given by Debra Dawson - Director City Services, Rani Param - Manager Community Life, Cathy Jackson - Manager Family Day Care, The Infants Home and Steve Hughes – CEO, The Infant's Home.

Committee Recommendation

Moved by Councillors McDougall and Bredehoeft

- 1 That Council note the issues raised in this report, including the substantial efforts of staff to increase the number of home-based educators, particularly over the past five years.
- 2 That Council approves the closure of Botany Family Day Care Program effective from 30 September 2025 to allow the transfer of remaining educators and families to The Infant's Home.
- 3 That Council note the ongoing utilisation of 149 Coward Street, Mascot will be the subject of a future decision.

Resumption of Open Committee Meeting

Committee Recommendation

Moved by Councillors Curry and Kassim

That, the closed part of the meeting having concluded, the open Committee Meeting resume and it be open to the press and public, the time being at 7:46pm.

The Chairperson made public the Committee Recommendations that were made during the closed part of the meeting.

The next meeting will be held in the Committee Room, Botany Town Hall at 6:30pm on Wednesday, 9 July 2025.

The Chairperson closed the meeting at 7:47pm.

Attachments

Nil

5 ITEMS BY EXCEPTION

These are items that have been identified to be confirmed in bulk in accordance with the Officer Recommendation and without debate. These items will not include items identified in the Public Forum, items in which councillors have declared a Significant Conflict of Interest and a Pecuniary Interest, items requiring a Division and any other item that a Councillor has identified as one they intend to speak on or vote against the recommendation

6 PUBLIC FORUM

Members of the public, who have applied to speak at the meeting, will be invited to address the meeting.

Any item the subject of the Public Forum will be brought forward and considered after the conclusion of the speakers for that item.

7 REPORTS

City Services Committee

13/08/2025

Item No	CS25.019
Subject	Response to Notice of Motion - Food Trucks and Pop up Shops Audit
Report by	Debra Dawson, Director City Life
File	F17/1247

Summary

At the meeting of 28 March 2025, Council resolved on the motion of Councillors Saravinovski and Douglas:

1. That Council notes that audits of mobile food premises and pop-up shops are currently conducted in accordance with relevant legislation to ensure all food trucks and pop-up shops comply with food and safety regulations and the standards set by the health department and Council.
2. That Council be provided with a report on the performance of the 13 mobile food vans registered in Bayside (the Home Council) and the other 17 operating in our area but registered with other Councils, noting any complaints received and how these are dealt with.

This report addresses items 1 and 2 and notes that Council's Environmental Health Officers (EHOs) conduct annual inspections of mobile food vehicles, consistent with the approach applied for other fixed food businesses.

Officer Recommendation

That Council receive and note the Response to Notice of Motion - Food Trucks and Pop up Shops Audit report

Background

According to the NSW Food Authority, any person operating a mobile food vehicle to store, prepare, or sell food for human consumption is deemed to be operating a food business. All food businesses, including mobile food vending vehicles, are required to sell safe and suitable food in accordance with the:

- NSW Food Act 2003;
- Food Regulation 2015; and
- Australia New Zealand Food Standards Code.

Under these legislative requirements, all food businesses must notify the relevant enforcement agency, typically the local Council, of their intention to operate.

Council Responsibilities

Upon receiving notification from a mobile food vehicle operator, Council's EHOs will contact the applicant and arrange an inspection of the vehicle. If the vehicle is found to comply with all relevant food safety standards, approval will be granted, and the business will be added to Council's Mobile Food Vehicle Register.

All registered mobile food vehicles that are based or garaged within the Bayside Local Government Area (LGA) are subject to one annual inspection per financial year, consistent with Council's inspection regime for other permanent food businesses. The inspection is subject to an annual inspection and administration fee, in accordance with Clauses 14 and 15 of the Food Regulation 2015.

Council currently has 23 mobile food vehicles registered to Bayside Council where 11 of the those garaged in Bayside are mobile and leave the LGA to trade and 12 are garaged and trade within the LGA.

When complaints are received about mobile food vehicles, they are recorded in Council's Pathway system and assigned to our EHOs where they will assess the complaint and, where necessary, undertake an inspection of the vehicle. If any breaches of the Food Act 2003 or the Australia New Zealand Food Standards Code are identified, appropriate enforcement action will be taken to ensure compliance.

Council notes that no complaints have been received in the past 12 months regarding the hygienic standards of mobile food vehicles. However, two complaints were received during this period relating to operational matters: one regarding the number of food trucks operating at a single site, and another concerning the trading hours of a food van at a separate location.

Trading on Private Property

In instances where a mobile food vehicle trades from a private property, the operator must ensure compliance with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 – Subdivision 27A Mobile Food and Drink Outlets. Where the activity does not meet the criteria for exempt development, the operator will be required to seek development consent from Council. The criteria for mobile food vehicles to satisfy is as follows:

The mobile food outlet must:

1. Have the landowner's written consent (or the Council/public authority if on public land).
2. Not block vehicle or pedestrian access or entry to any buildings.
3. Not obstruct utility services (like electricity, water, etc.).
4. Not damage trees (on-site or on adjacent land).
5. Not damage public property (on-site or on adjacent land).
6. Operating Hours:
7. In residential zones: Only between 7am and 7pm.
8. On land adjacent to residential zones: Only between 7am and 10pm.
9. Additional Approvals:
 - a. If operating in a public place, must have approval under Section 68 of the Local Government Act 1993.
10. Private Land Limitations:
 - a. Only one mobile outlet per private property.
 - b. Must not breach existing development consent conditions on the land.

Events and Temporary Pop-Up Food Vendors

Mobile food vehicles and pop-up shops attending Council-approved events, such as the Bayside Food and Wine Festival and Ramadan, and privately operated events like Ramsgate Markets, Eid Festival, Ramadan Festival hosted by Sweet Beirut etc, but that are not garaged or permanently trading within the Bayside LGA, are inspected only on the day of the event by Council's EHOs.

These temporary vendors are not included in Council's Mobile Food Vehicle Register and are not subject to ongoing annual inspections by Bayside Council. However, Council keeps a register of temporary food permits issued and the inspections conducted for records as required by NSW Food Safety. Council last year inspected 147 temporary vendors.

Council continues to monitor all mobile food vending activities to ensure public health and safety, food hygiene, and compliance with planning controls.

Financial Implications

- | | |
|--------------------------------------|-------------------------------------|
| Not applicable | <input checked="" type="checkbox"/> |
| Included in existing approved budget | <input type="checkbox"/> |
| Additional funds required | <input type="checkbox"/> |

Community Strategic Plan

- | | |
|--|-------------------------------------|
| Theme One – In 2035 Bayside will be a vibrant and liveable place | <input checked="" type="checkbox"/> |
| Theme Two – In 2035 our Bayside community will be connected and feel that they belong | <input checked="" type="checkbox"/> |
| Theme Three – In 2035 Bayside will be green, resilient and sustainable | <input type="checkbox"/> |
| Theme Four – In 2035 Bayside will be financially sustainable and support a dynamic local economy | <input type="checkbox"/> |

Risk Management – Risk Level Rating

- | | |
|----------------|-------------------------------------|
| No risk | <input checked="" type="checkbox"/> |
| Low risk | <input type="checkbox"/> |
| Medium risk | <input type="checkbox"/> |
| High risk | <input type="checkbox"/> |
| Very High risk | <input type="checkbox"/> |
| Extreme risk | <input type="checkbox"/> |

Community Engagement

Nil

Attachments

Nil

City Services Committee

13/08/2025

Item No	CS25.020
Subject	Bayside Youth Advisory Group - Terms of Reference and Youth Plan 2025 - 2028
Report by	Debra Dawson, Director City Life
File	F22/640

Summary

Libraries and Lifestyle, City Life would like to acknowledge the outgoing Youth Advisory Group (YAG) for their contributions over the past two years, acknowledge the incoming YAG for 2025, note the updated Terms of Reference for the YAG, and present the Youth Plan for 2025 – 2028.

Officer Recommendation

- 1 That the Committee notes and thanks the outgoing Youth Advisory Group for their work over the last two years.
 - 2 That the Committee notes the incoming Youth Advisory Group.
 - 3 That the Committee notes the amended Terms of Reference.
 - 4 That the Committee notes the Youth Plan for 2025 – 2028.
 - 5 That the Committee notes the half yearly update on Youth Action undertaken.
-

Background

The YAG represents young people aged 12 to 18 across Bayside and provides them with a platform to contribute to local decisions and programs. Over the past two years, the group has participated in local and state consultations, led and supported Youth Week events and shaped youth programs.

The new YAG comprises 15 members appointed through an Expression of Interest process held from March to June 2025 and the term commences in September 2025. Members represent all Council wards, with a diverse mix of cultural backgrounds and include both returning and new members aged 12 to 17.

The YAG Terms of Reference have been updated to reflect the advisory capacity of the group, with the quorum requirement removed. Additional minor changes were made to simplify language, refine administration processes, and align responsibilities with the group's capacity and commitment.

The Youth Plan 2025 – 2028 (the Plan), developed in consultation with young people, outlines key focus areas to support and meet the needs of young people in Bayside. It aligns with

strategic priorities at international, federal, state and local levels, which highlight the importance of education, mental health, employment pathways and social relationships. These drivers have also shaped the Plan's direction and priorities. The Plan is accompanied by an action plan that guides the delivery of youth-focused initiatives and engagement over the next three years.

Financial Implications

Not applicable	<input checked="" type="checkbox"/>
Included in existing approved budget	<input type="checkbox"/>
Additional funds required	<input type="checkbox"/>

Community Strategic Plan

Theme One – In 2035 Bayside will be a vibrant and liveable place	<input type="checkbox"/>
Theme Two – In 2035 our Bayside community will be connected and feel that they belong	<input checked="" type="checkbox"/>
Theme Three – In 2035 Bayside will be green, resilient and sustainable	<input type="checkbox"/>
Theme Four – In 2035 Bayside will be financially sustainable and support a dynamic local economy	<input type="checkbox"/>

Risk Management – Risk Level Rating

No risk	<input checked="" type="checkbox"/>
Low risk	<input type="checkbox"/>
Medium risk	<input type="checkbox"/>
High risk	<input type="checkbox"/>
Very High risk	<input type="checkbox"/>
Extreme risk	<input type="checkbox"/>

Community Engagement

Not Applicable

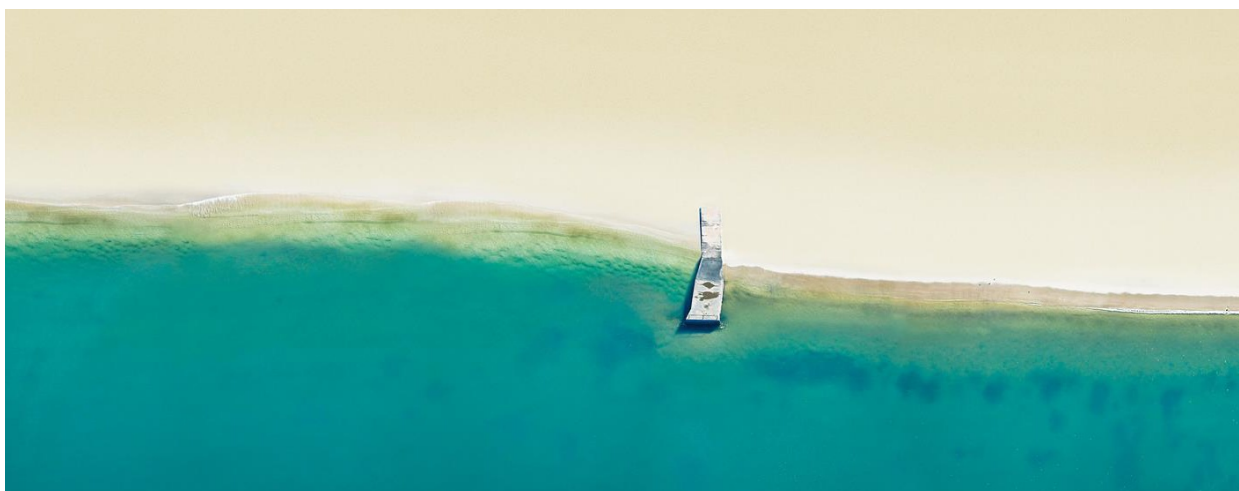
Attachments

- 1 [↓](#) Current Adopted Version - Terms of Reference for Bayside Youth Plan
- 2 [↓](#) Updated Revised Version - Terms of Reference for Bayside Youth Advisory Group
- 3 [↓](#) Bayside Youth Plan



Youth Advisory Group Terms of Reference

12 April 2023



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Youth Advisory Group - Terms of Reference

File:SF17/513 Document: 23/105243

Class of document: Terms of Reference

Enquiries: Manager Libraries and Lifestyle



Telephone Interpreter Services - 131 450 Τηλεφωνικές Υπηρεσίες Διερμηνείας بخدمة الترجمة الهاتفية 電話傳譯服務處 Служба за преводување по телефон

Youth Advisory Group - Terms of Reference

2

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1 Background

To assist in meeting its role and responsibilities across the local government area, Bayside Council is supported by a committee (and working group) framework established to support the decision-making process.

Bayside advisory committees provide advice on strategic direction, priorities and policy principles related to the Committee function. They are to inform and monitor the development of the Delivery Program and the Operational Plans.

These terms of reference outline the advisory group's function, structure, authority, and reporting requirements. For consistency of approach and understanding, they are based on the generic advisory committees' terms of reference.

2 Interpretation

For the purpose of this document:

- *Chairperson* means the chairperson of the Youth Advisory Group. Appointed by members of the Advisory Group.
- *Council* means Bayside Council.
- *Member* means a member of the Youth Advisory Group.
- *YAG* means Youth Advisory Group.

3 Purpose

The purpose of the Youth Advisory Group (YAG) is to represent the voices of local young people, provide them the opportunity to actively participate and engage in decisions that impact young people living in the Bayside LGA and empower them to contribute to meaningful outcomes within their community

4 Objectives

The Youth Advisory Group provides a platform that empowers and enables young people in Bayside to;

- Advocate on priorities that are important to young people.
- Provide advice on local issues of concern impacting young people.
- Enhance opportunities for young people to participate in local initiatives, events and programs.
- Support community engagement and promote access to services for young people.
- Plan and participate in projects that benefit young people .

5 Status of Committee

The *Youth Advisory Group (YAG)* is an 'advisory committee' of Council, as defined in Council's Code of Meeting Practice.

6 Delegations

The Advisory Group may make recommendations to Council's Executive on all matters before it. These recommendations are submitted via the minutes of each meeting for Council's Executive's consideration.

Substantial recommendations (including any requiring the expenditure of Council funds) are to be accompanied by a report to Council from the appropriate Council officer.

The Advisory Group's recommendations, which are determined by the General Manager to be purely or substantially 'operational' in nature, will be dealt with by the relevant Director and any action or lack thereof reported to the Group.

Any recommendation that requires Council's consideration will be forwarded to the next convenient relevant City Services Committee for Council's consideration or relevant Committee meeting or Council meeting if deemed appropriate.

The Advisory Group does not have the power to incur expenditure, nor do they have the power to bind Council.

7 Membership

7.1 Overview

7.1.1 Number of Members

Membership of each Youth Advisory Group comprises:

- Up to fifteen (15) young people between 12-18 years who live, work, study or have a significant connection to the Bayside LGA.
- One council officer.

7.1.2 Representation

Members will represent the broad and diverse interests of young people from across the Bayside LGA.

Young people will be invited to apply to be member of the YAG through an expression of interest process.

7.2 Membership Conditions

Members will serve a term of up to twenty-four (24) months.

Members must re-apply after a year if they wish to serve another term.

Members may withdraw from the YAG at any time and must notify Bayside Council's Development Officer Young People of their withdrawal.

7.3 Chairperson

The Chairperson of the Youth Advisory Group will be shared between members.

The process of allocation will be decided upon at each meeting, ensuring responsibility is shared between members.

7.4 Roles and Responsibilities

This roles and responsibilities will be shared between members, including:

- a Chairperson
- b Preparation and distribution of agendas and supporting papers
- c Preparation and distribution of meeting notes and information.

In order to fulfil the requirements of the Youth Advisory Group, members will commit to:

- a Being consulted on youth issues or initiatives.
- b Planning and organising youth events and activities. This includes (but not limited to), Youth Week, NAIDOC Week, Harmony Day.
- c Providing feedback or comments on Council policies or development applications.
- d Receiving training and development on particular issues or skills.

7.5 Quorum

The Quorum for YAG is half the total members plus one and at least one council staff member.

If a quorum is not met due to absences or conflicts of interest, the members present can hold an informal meeting to discuss matters. However, any recommendations made by the Youth Advisory Group are not recognised until a meeting, where a quorum is present, has considered and ratified them.

In the event of a tied vote, the Chairperson can exercise a casting vote.

8 Other attendance

8.1 Community representation

The Chairperson and/or the General Manager may invite community representatives and/or technical specialists to specific meetings of the Advisory Group in order to assist the Advisory Group in the consideration of matters before it.

Such community representatives attend at the invitation of the Chairperson, are not entitled to vote, and may be requested to leave the meeting if confidential matters are before the Advisory Group.

8.2 Council staff

The Advisory Group is supported by Council officers, who provide technical advice and support. Council officers are not entitled to vote. The Council officers are nominated by the General Manager.

The Advisory Group is serviced by the respective divisional Director.

8.3 General public

As the Advisory Group consists of young people between 12-18 years and staff, the Advisory Group meetings are not open to the public.

9 Selection

9.1 Selection Process

Candidates for the Youth Advisory Group will be sought through a publicly advertised expression of interest process and appointed by the Director City Life in accordance with the selection criteria.

The criteria for young people selected to be members of the YAG, should be inclusive and diverse to reflect a range of ages, genders, cultural backgrounds, abilities, and life experiences.

9.2 Selection Criteria

The selection process will involve an application, to be assessed against the eligibility criteria.

To be eligible:

- a Membership is open to young people aged 12-18.
- b As a representative, members must live, work, study or have a significant connection to the Bayside LGA.
- c Young people 18 years or over are required to apply for and hold a valid Working with Children Check – (Volunteer level minimum).
- d Applicants have skills, knowledge and/or life experience that can contribute to discussions, initiatives and projects that engage, support and empower young people
- e Applicants have an interest around issues relevant to young people in the Bayside community.
- f Applicants are willing to plan and facilitate youth events, activities, and programs.

- g Applicants have the motivation to commit to the Youth Advisory Group for the required duration including attended to meetings, events and activities.

10 Support

10.1 Administrative support

Council will provide the venue and administrative support to assist the Youth Advisory Group. In the initial stage of developing the Youth Advisory Group, such support includes:

- Facilitating and running the meeting.
- Preparing and publishing notices of meeting, agendas and minutes.
- Arranging meeting venues and refreshments.
- Resources and training.

Manager Libraries and Lifestyle is responsible for managing the Youth Advisory Group. The Coordinator Young People and Council's Young People team will be the main point of contact for members on group related matters. The team will provide support, guidance, and training to the members.

11 Meetings

11.1 Overview

Meetings will include time to work on projects, provide advice or feedback on Council plans and strategies, meeting with people from across the Council. There will be opportunities to receive training and professional development, as well as connect with organisations across the Bayside LGA.

11.2 Schedule

- a Meetings will be held at least 4 times per year.
- b Additional meetings will be held as required and agreed upon by members.
- c Meetings may be held in various locations across the local government area.
- d The location, date and time of meetings will be set and agreed upon by members, where possible allowing for members' education and/or work commitments.

12 Meeting practices and procedures

The administrative provisions for *Council Committees*, as outlined in Council's Code of Meeting Practice apply, unless varied by these Terms of Reference.

Meeting practices and procedures relevant to this advisory committee are to be established at the first Youth Advisory Group meeting. The administrative provisions applied, are to the standard imposed by these Terms of Reference.

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1.0	10/02/2021	Coordinator Governance	New document
2.0	12/04/2023	Development Officer, Young People	Updated document with a change of name to Youth Advisory Group. Previously Arncliffe Youth Centre Working Group



Youth Advisory Group Terms of Reference

August 2025



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Youth Advisory Group - Terms of Reference

File: SF17/513 Document: 23/105243

Class of document: Terms of Reference

Enquiries: Manager Libraries and Lifestyle



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Youth Advisory Group - Terms of Reference

2

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1 Background

To assist in meeting its role and responsibilities across the local government area, Bayside Council is supported by a committee (and working group) framework established to support the decision-making process.

Bayside advisory committees provide advice on strategic direction, priorities and policy principles related to the Committee function. They are to inform and monitor the development of the Delivery Program and the Operational Plans.

These terms of reference outline the advisory group's function, structure, authority, and reporting requirements. For consistency of approach and understanding, they are based on the generic advisory committees' terms of reference.

2 Interpretation

For the purpose of this document:

- *Chairperson* means the chairperson of the Youth Advisory Group. Appointed by members of the Advisory Group.
- *Council* means Bayside Council.
- *Member* means a member of the Youth Advisory Group.
- *YAG* means Youth Advisory Group.

3 Purpose

The purpose of the Youth Advisory Group (YAG) is to represent the voices of local young people, provide them with the opportunity to actively participate and engage in decisions that impact young people living in the Bayside LGA and empower them to contribute to meaningful outcomes within their community

4 Objectives

The Youth Advisory Group provides a platform that empowers and enables young people in Bayside to;

- Advocate on priorities that are important to young people.
- Provide advice on local issues of concern impacting young people.
- Enhance opportunities for young people to participate in local initiatives, events and programs.
- Support community engagement and promote access to services for young people.
- Plan and participate in projects that benefit young people.

5 Status of Committee

The *Youth Advisory Group (YAG)* is an 'advisory committee' of Council, as defined in Council's Code of Meeting Practice.

6 Delegations

The Advisory Group may make recommendations to Council's Executive on all matters before it. These recommendations are submitted via the minutes of each meeting for Council's Executive's consideration.

Substantial recommendations (including any requiring the expenditure of Council funds) are to be accompanied by a report to Council from the appropriate Council officer.

The Advisory Group's recommendations, which are determined by the General Manager to be purely or substantially 'operational' in nature, will be dealt with by the relevant Director and any action or lack thereof reported to the Group.

Any recommendation that requires Council's consideration will be forwarded to the next convenient relevant City Services Committee for Council's consideration or relevant Committee meeting or Council meeting if deemed appropriate.

The Advisory Group does not have the power to incur expenditure, nor do they have the power to bind Council.

7 Membership

7.1 Overview

7.1.1 Number of Members

Membership of each Youth Advisory Group comprises:

- Up to fifteen (15) young people between 12-18 years who live, work, study or have a significant connection to the Bayside LGA.
- One council officer.

7.1.2 Representation

Members will represent the broad and diverse interests of young people from across the Bayside LGA.

Young people will be invited to apply to be members of the YAG through an expression of interest process.

7.2 Membership

7.2.1 Term and Timeline

Members will serve a term of up to twenty-four (24) months, with an initial meeting starting in September of the first year and concluding in July of the second year.

The recruitment process for a new term will begin with an Expression of Interest (EOI) process from March to June, with appointments finalised and communicated by July ahead of the first meeting in September.

The 24-month term applies to the function of the YAG, regardless of when a member joins during the term. All members will adhere to the established timeline, concluding their participation at the end of the term in July.

7.2.2 Conditions

Members must express their interest after 24 months if they wish to serve another term.

If a member reaches above the age of 18 during their term of service in the YAG, they are permitted to continue their participation until the completion of their current term.

Members may withdraw from the YAG at any time and must notify Bayside Council's Development Officer Young People of their withdrawal.

7.3 Chairperson

The Chairperson of the Youth Advisory Group will be primarily facilitated by a Council Officer. However, members are encouraged to express their interest in chairing meetings, and they will be supported in this role if desired. Roles and Responsibilities

In order to fulfil the requirements of the Youth Advisory Group, members will commit to:

- a Being consulted on youth issues or initiatives.
- b Planning and organising youth events and activities. This includes (but not limited to), Youth Week, NAIDOC Week, Harmony Day.
- c Providing feedback or comments on Council policies or development applications.
- d Receiving training and development on particular issues or skills.
- e Having the option to take on leadership opportunities within the YAG, such as (but not limited to) chairing meetings, leading projects, or supporting administrative tasks like suggesting agenda items or writing minutes, to build skills and take on further responsibilities.
- f Attending scheduled meetings and responding to meeting invites. Members who submit three consecutive apologies, fail to respond to meeting invitations or do not provide their apology, may risk their position on the YAG.

7.4 Quorum

As the membership of the YAG operates in an advisory capacity only, no quorum is required. However, the Council Officer will use their discretion to determine if any item should be deferred to a future meeting if it is considered that there are insufficient members present to fully consider the item.

8 Other attendance

8.1 Community representation

The Chairperson and/or the General Manager may invite community representatives and/or technical specialists to specific meetings of the Advisory Group in order to assist the Advisory Group in the consideration of matters before it.

Such community representatives attend at the invitation of the Chairperson, are not entitled to vote, and may be requested to leave the meeting if confidential matters are before the Advisory Group.

8.2 Council staff

The Advisory Group is supported by Council officers, who provide technical advice and support. Council officers are not entitled to vote. The Council officers are nominated by the General Manager.

The Advisory Group is serviced by the respective divisional Director.

8.3 General public

As the Advisory Group consists of young people between 12-18 years and staff, the Advisory Group meetings are not open to the public.

9 Selection

9.1 Selection Process

Candidates for the Youth Advisory Group will be sought through a publicly advertised expression of interest process and appointed by the Director City Life in accordance with the selection criteria.

The criteria for young people selected to be members of the YAG should be inclusive and diverse to reflect a range of ages, genders, cultural backgrounds, abilities, and life experiences.

9.2 Selection Criteria

The selection process will involve an application, to be assessed against the eligibility criteria.

To be eligible:

- a Membership is open to young people aged 12-18.
- b As a representative, members must live, work, study or have a significant connection to the Bayside LGA.
- c Young people 18 years or over are required to apply for and hold a valid Working with Children Check – (Volunteer level minimum).

- d Applicants have skills, knowledge and/or life experience that can contribute to discussions, initiatives and projects that engage, support and empower young people
- e Applicants have an interest around issues relevant to young people in the Bayside community.
- f Applicants are willing to plan and facilitate youth events, activities, and programs.
- g Applicants have the motivation to commit to the Youth Advisory Group for the required duration including attended to meetings, events and activities.

10 Support

10.1 Administrative support

Council will provide the venue and administrative support to assist the Youth Advisory Group, such support includes:

- Facilitating and running the meeting.
- Preparing and publishing notices of meeting, agendas and minutes.
- Arranging meeting venues and refreshments.
- Resources and training.

Manager Libraries and Lifestyle is responsible for managing the Youth Advisory Group. The Coordinator Young People and Council's Young People team will be the main point of contact for members on group related matters. The team will provide support, guidance, and training to the members.

11 Meetings

11.1 Overview

Meetings will include time to work on projects, provide advice or feedback on Council plans and strategies, meeting with people from across the Council. There will be opportunities to receive training and professional development, as well as connect with organisations across the Bayside LGA.

11.2 Schedule

- a Meetings will be held at least 4 times per year.
- b Additional meetings will be held as required and agreed upon by members.
- c Meetings may be held in various locations across the local government area.
- d The location, date and time of meetings will be set and agreed upon by members, where possible, allowing for members' education and/or work commitments.
- e Meetings will primarily be conducted in-person to support effective engagement and collaboration. However, virtual meetings may be arranged when deemed necessary or appropriate by Council Officers – usually in the event of extraordinary meetings.

12 Meeting practices and procedures

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3.0	18/06/2025	Development Officer, Young People	Updated document and date as part of bi-annual review. Edits and amendments were agreed by all YAG members (2023-2025).
4.0	TBC	Development Officer, Young People	Updated version adopted by Council.



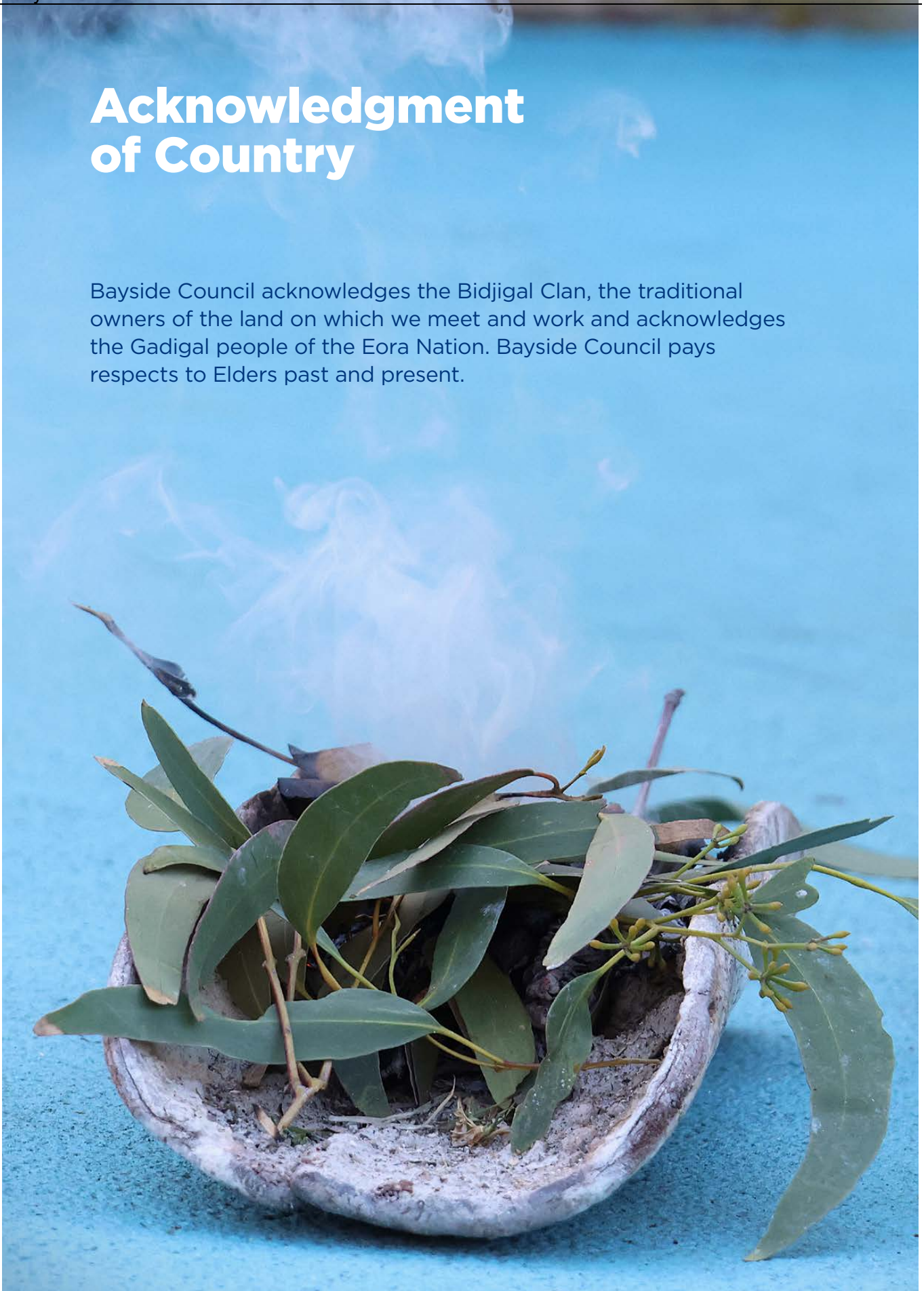
Youth Plan

2025/28



Acknowledgment of Country

Bayside Council acknowledges the Bidjigal Clan, the traditional owners of the land on which we meet and work and acknowledges the Gadigal people of the Eora Nation. Bayside Council pays respects to Elders past and present.



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As of 2025 34,251 young people call Bayside home, representing about 18% of the local population.



Background

Our young people are essential to the future of our city and their ideas, opinions and passions shape our community's direction now and into the future.

The development of this plan has been a youth-led process, from facilitating a youth forum with 38 student representatives from 10 local schools. To expanding on those discussions with our Youth Advisory Group (YAG) exploring their perspectives and priorities. Additionally, we reached out to young people through our direct services, being our centre-based Term Programs, Outreach and School Holidays, to get a clearer picture of what life is like for a young person living in Bayside.

Feedback collected from the young people is reflected in this plan, which provides direction and actions for the delivery of programs, activities and events that meet the needs of our diverse population of young people.

To implement the plan, Council will work alongside young people, the local youth sector, schools, the community, and all levels of government to make living in Bayside even better for young people.





Introduction

The Youth Plan highlights the needs of Bayside's young people aged 12-25. It contains directions and actions that meet the needs and challenges they face.

This plan supports our Council's 2032 Community Strategic Plan and related operational strategies. Council's Community Strategic Plan has provided the primary consultative framework for this plan with a view to identifying and delivering actions in-line with community values and expectations, and the core business of Council.

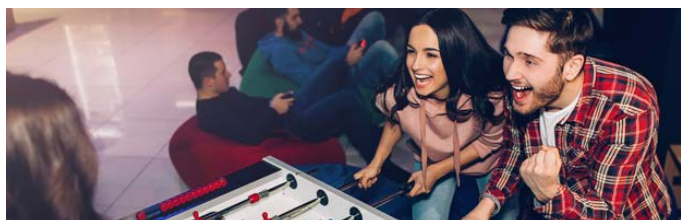
The Youth Plan has been developed in reference to international strategy, Federal Government and NSW Government strategies and consultations, to align with the broader effort to improve the lives of young people. In addition, it references our local youth networks to identify local issues and including the voices of our young people.

In recognising the significance of this plan, it is essential to acknowledge that the information gathered and the consultation process, while valuable, may not encompass all young people within Bayside. The data is derived from an informal process, capturing feedback from a portion of our direct service delivery, events, networks, and outreach efforts.

While this snapshot offers valuable insights into the needs and aspirations of a segment of the youth community, we understand that it may not fully represent the diversity and complexity of experiences among all young people in the Bayside area. However, it can assist as a guide to provide relevant services to local young people, informing our efforts to meet their needs effectively.

Young People in Bayside

Source: ABS Census of Communities of Interest (via profile.id)



Around **18%** of the people living in Bayside are aged 12-25 years

33,687 total number of young people in Bayside



Young people in education (high school, TAFE, etc.)

16,769 in 2021

Youth people employed

10,755 in 2021



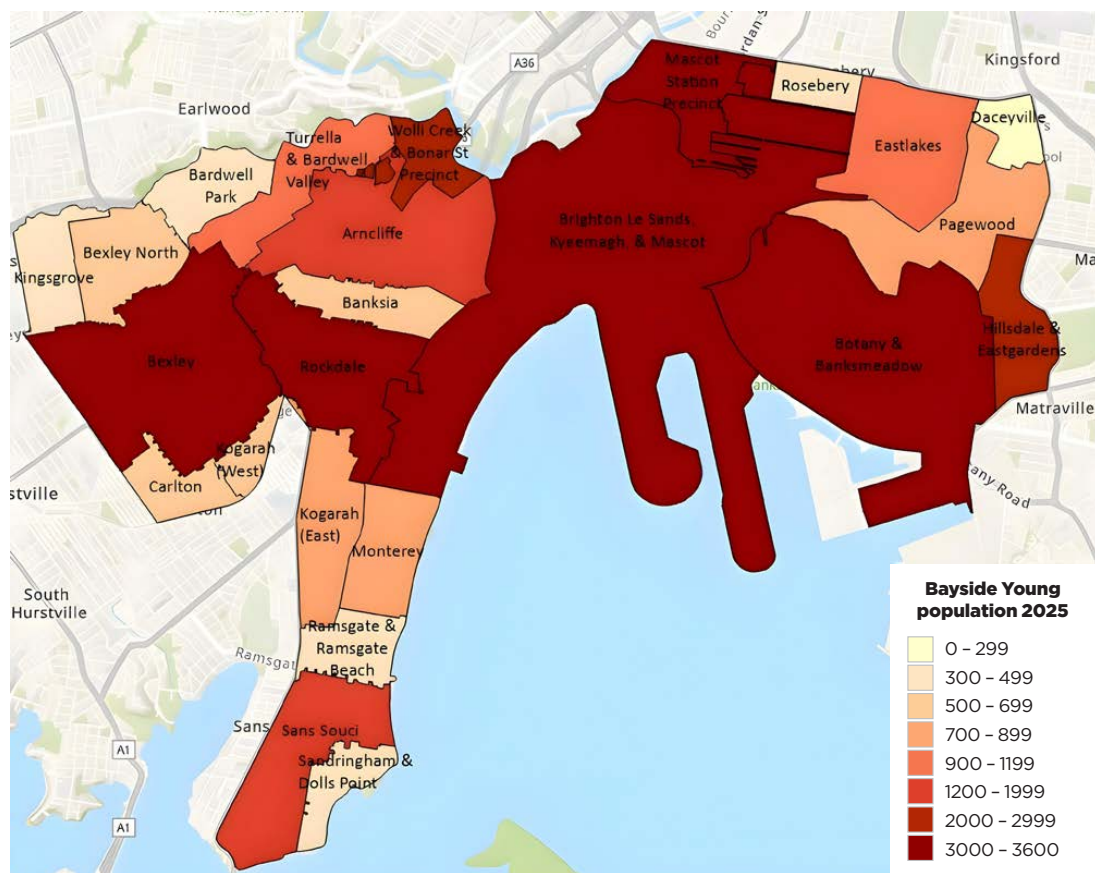
Youth unemployment rate

10.5% in 2021

Aboriginal or Torres Strait Islander young people

522 in 2021





Source: ABS Census Population Forecast (via profile.id)

As of 2025:

Where young people reside in Bayside

Currently the overall population of young people, aged 12-25, across Bayside is 34,251.

Of the overall population, the following numbers represent the portion of the population for each ward:

- ▶ Ward 1 - 22.8% (7,810 young people)
- ▶ Ward 2 - 29.3% (10,047 young people)
- ▶ Ward 3 - 15.0% (5,121 young people)
- ▶ Ward 4 - 20.0% (6,858 young people)
- ▶ Ward 5 - 12.9% (4,415 young people)

Looking closely at the data, young people mostly live in Wards 1 and 2.

Projected statistics

It is projected by 2036, young people will mostly live in Ward 2 (+7% increase).

It is also projected by 2036, Bayside's young people (aged 12-25) would have increased to 35,175 (+7.05%).

Primary Schools in Bayside

There are **32**
primary schools
in Bayside



- ▶ Ward 1 has 8 schools
- ▶ Ward 2 has 5 schools
- ▶ Ward 3 has 4 schools
- ▶ Ward 4 has 8 schools
- ▶ Ward 5 has 7 schools

Arncliffe Public School

168 Princes Highway, Arncliffe

St Francis Xavier's Primary School

Cnr Forest Road and Wardell Street, Arncliffe

Athelstane Public School

2 Athelstane Avenue, Arncliffe

Bardwell Park Infants School

4 Crewe Lane, Bardwell Park

Bexley North Public School

116 Kingsland Road, Bexley North

Our Lady of Fatima Catholic Primary School

51 Caroline Street, Kingsgrove

Kingsgrove Public School

327 Kingsgrove Road, Kingsgrove

St Gabriel's Catholic Primary School

50-52 Abercorn Street, Bexley

Bexley Public School

330-354 Forest Road, Bexley

St Mary and St Mina's Orthodox College

339-377 Forest Road, Bexley

Carlton Public School

60 Cameron Street, Bexley

St Patrick's Catholic Primary School

36 Chapel Street, Kogarah

St Joseph's Catholic Primary School

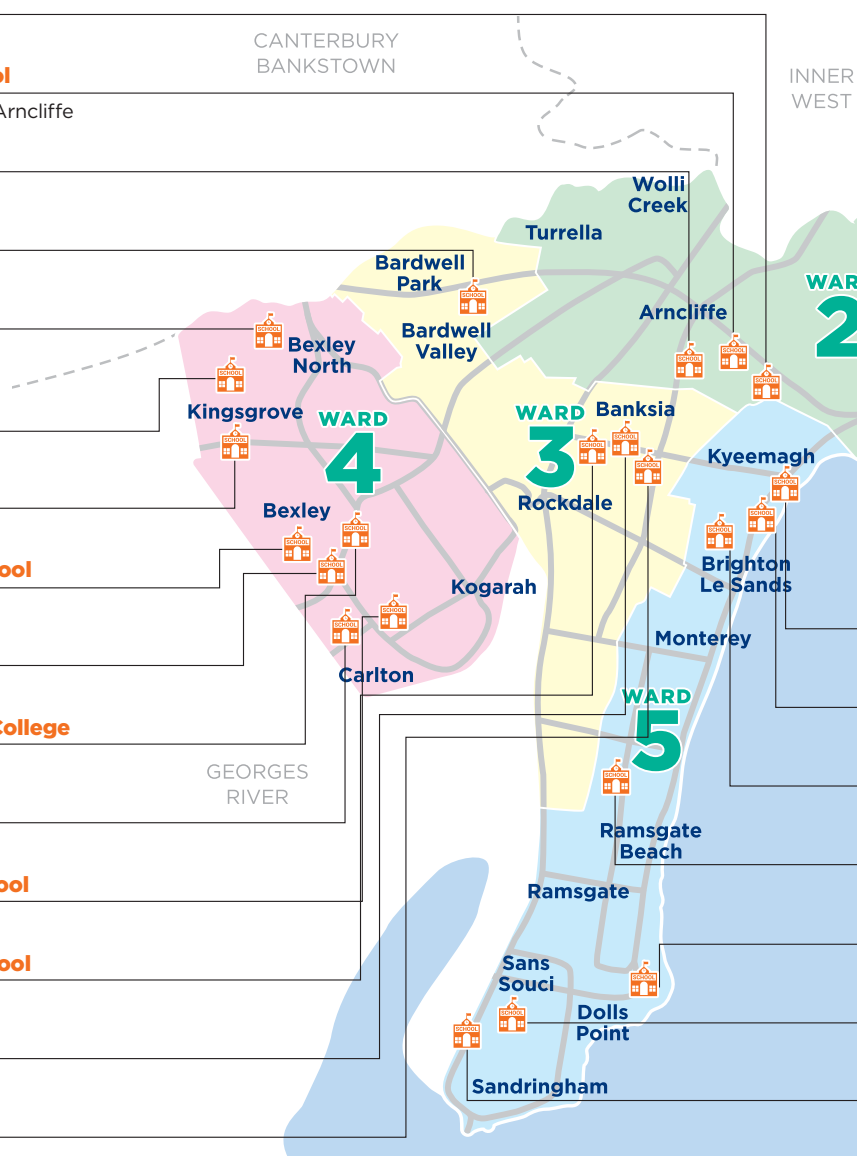
6 Parker Street, Rockdale

Rockdale Public School

6 Lord Street, Rockdale

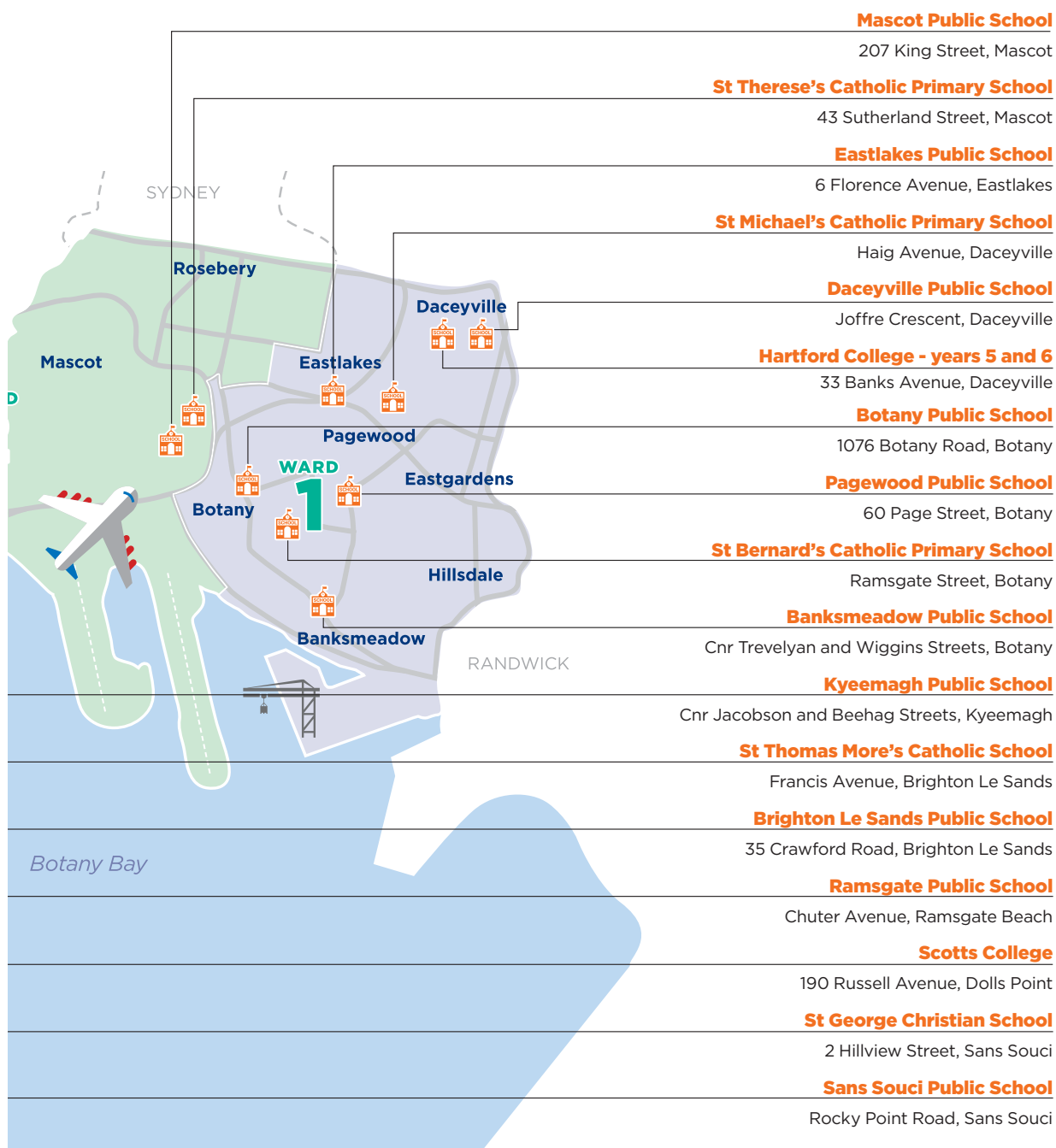
St Dominic Savio School

280 West Botany Street, Rockdale



Primary schools are equally distributed across Bayside.

This reflects the growing population of young children and families residing in Bayside.

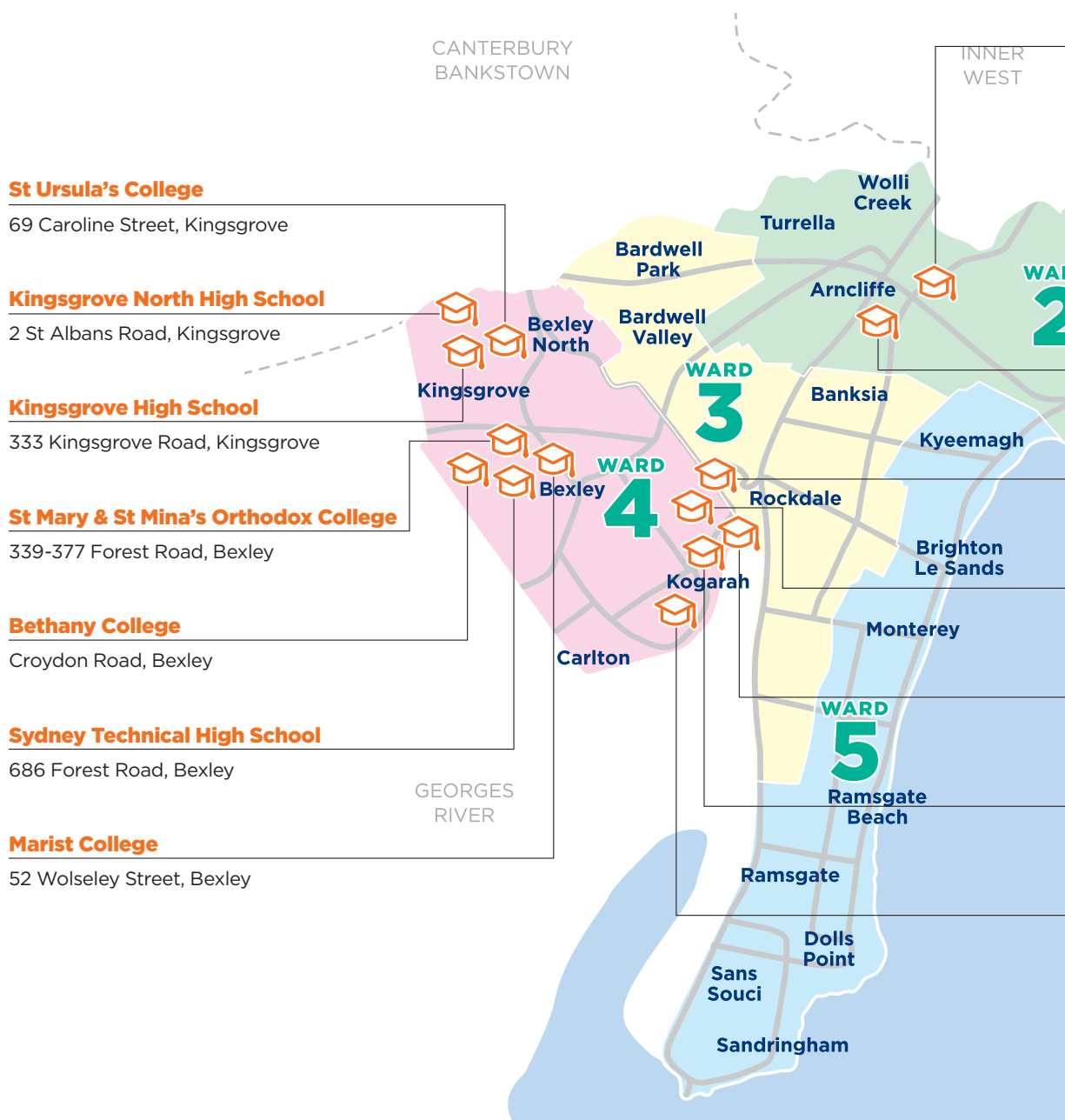


High Schools in Bayside

- ▶ Ward 1 has no high schools
- ▶ Ward 2 has 3 high schools
- ▶ Ward 3 has 2 high schools
- ▶ Ward 4 has 10 high schools
- ▶ Ward 5 has no high schools

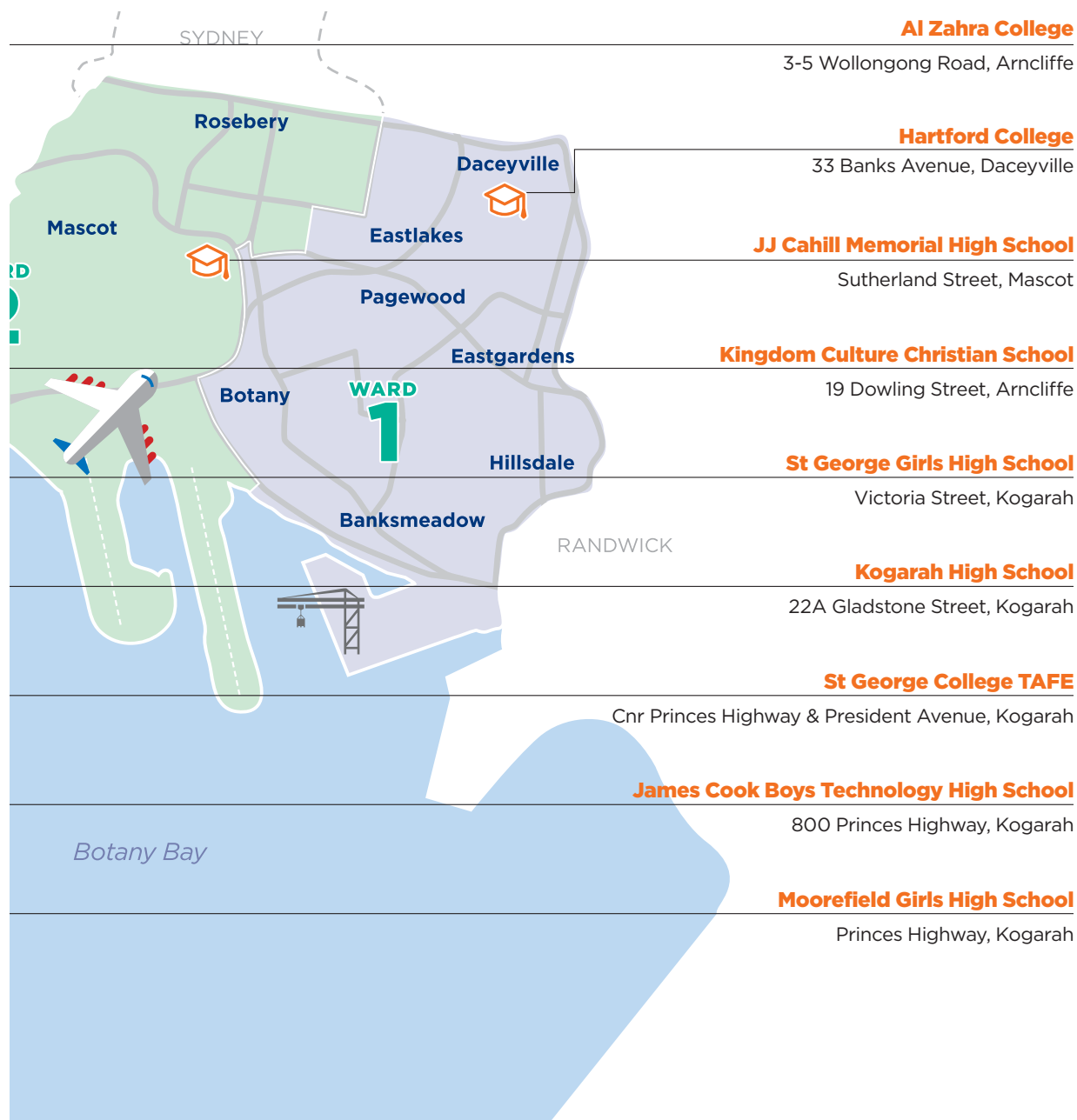
There are
high schools
in Bayside

16

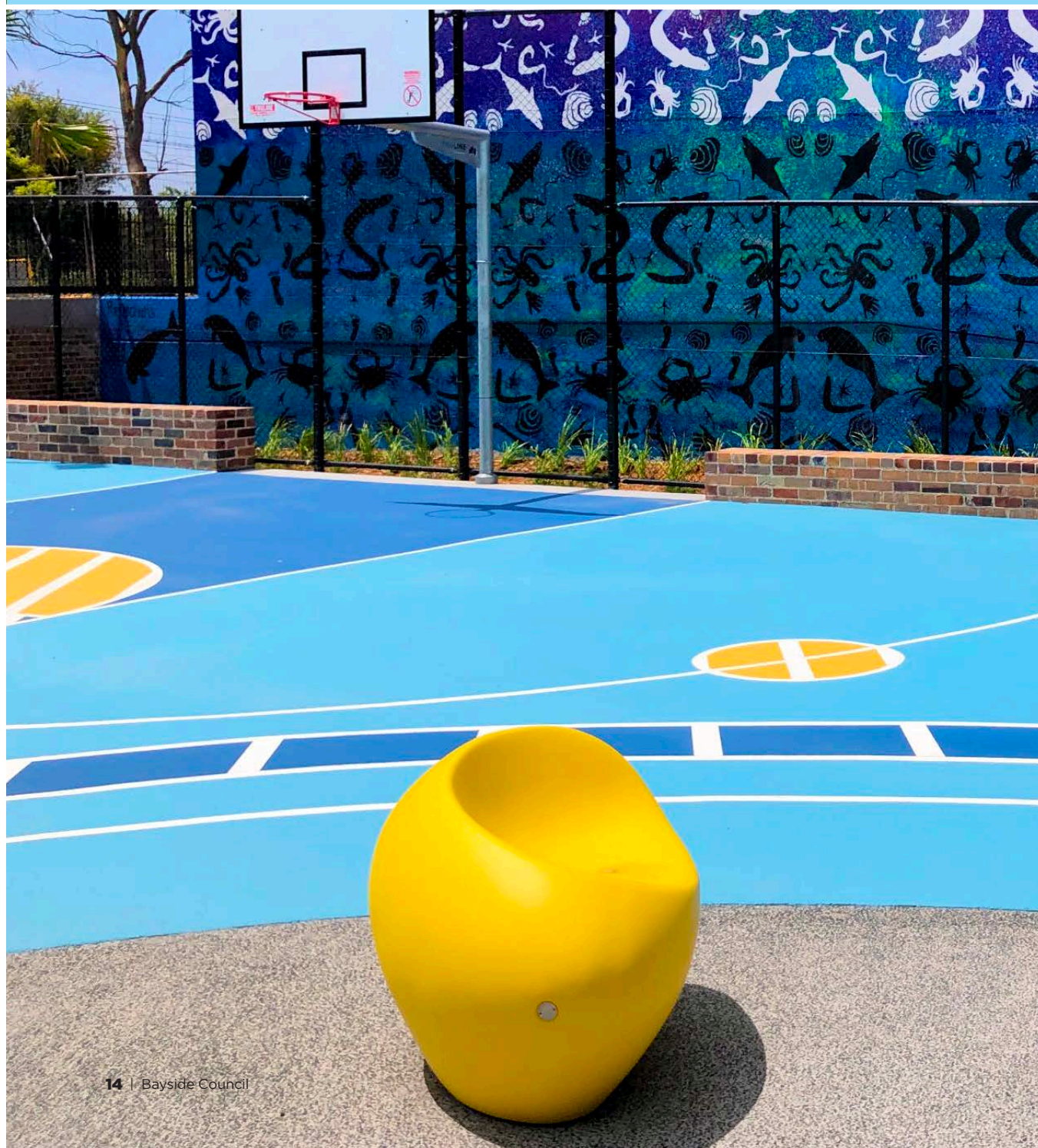


According to Profile ID's forecasting, Wards 2, 3 and 4 will emerge as the top three areas with large youth populations.

The distribution of most high schools on the map corresponds to the concentration of young people in those areas.



We currently provide a broad range of services specifically for young people including



Youth Services

- 
- 
- ▶ Arncliffe Youth Centre – Term Programs, and other events.
 - ▶ Outreach / Youth Pop-Up – Various locations across Bayside LGA.
 - ▶ School Holiday Program.
 - ▶ Youth Advisory Group (YAG).
 - ▶ Youth Week.
 - ▶ Skill-based Workshops – Responsible Service of Alcohol (RSA), Responsible Conduct of Gambling (RCG), First Aid, White Card, etc.
 - ▶ General community services and facilities (i.e. libraries, sports fields, swimming pools, parks, outdoor spaces, recreational facilities and skateparks).

Other youth services located in Bayside:

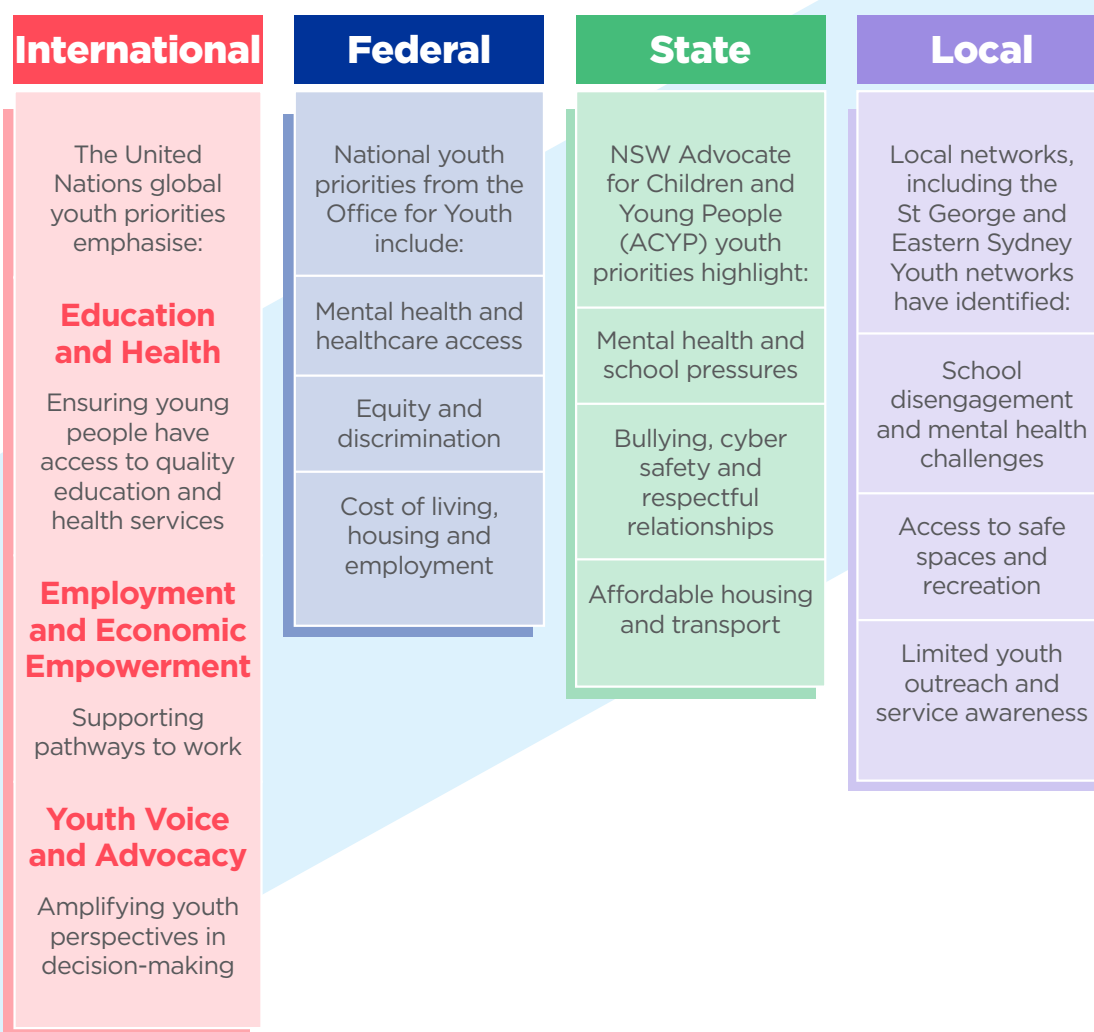
- ▶ 2Connect – Brighton Le Sands.
- ▶ South East Community Connect (SECC) – Mascot.
- ▶ Shopfront – Carlton.
- ▶ PCYC – Rockdale and Daceyville.
- ▶ The Salvation Army – Rockdale.
- ▶ South East Sydney Local Health District (SESLHD) Safe Haven (16+) – Kogarah.



Youth Plan 2025-2028 | 15

Strategic Drivers

The future direction of Youth Services is influenced by strategic priorities at international, Federal, State, and local levels.



By aligning with these strategic drivers, the Youth Plan ensures young people in our community are supported through evidence-based priorities that address evolving needs at all levels.



How We Engaged

YOUTH FORUM

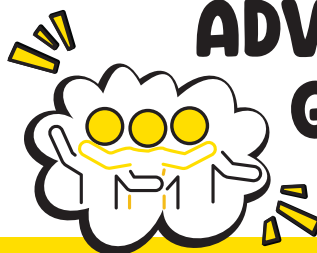


On Friday 28 April 2023, 38 student representatives aged 12-18 from 10 high schools across Bayside participated in a Youth Forum at Botany Town Hall.

The forum was used as a platform to consult with young people on local issues and focus areas. Discussions were centred around 4 concepts; ideas, future, opportunities they would like to see, and effective communication strategies Council can use to reach young people.

Participating schools included St. Bernard's, Banksmeadow Public, Botany Public, Daceyville Public, St Therese's Primary, Moorefield Girls High, Pagewood Public, St Michael's Catholic Primary, JJ Cahill Memorial High and Ramsgate Public.

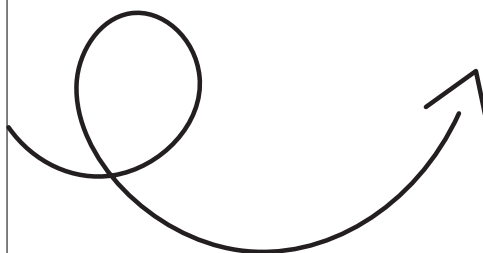
YOUTH ADVISORY GROUP



On Thursday 13 July 2023, youth Advisory Group was established and made up of 15 young people from across Bayside.

Through an expression of interest process, young people shared their views on key issues facing them and what initiatives they want to see delivered by Council.

We also hosted a workshop in collaboration with Regional NSW, to engage our YAG members in a conversation, specifically focused on issues they believe are the most important for young people today, and how can the government provide support to young people.



YOUTH PROGRAMS & OUTREACH



On average the youth services team engage with 90 young people across each program week.

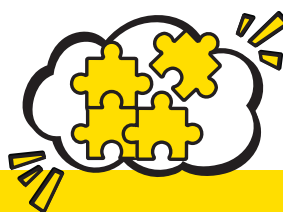
Term programs at Arncliffe Youth Centre engage young people through sports-based activities, creative arts, skill building and more.

Outreach is a mobile youth service initiative where the Youth Services Team go out in the community and engage with young people across Bayside. Locations include parks, Libraries and Council Community Centres. This could also include local or neighbouring schools to host stalls during wellbeing days.

School holiday programs include the delivery of a variety of activities, excursions, sports, arts, recreation, and skill workshops.

During programs and initiatives, our Youth Officers collect feedback from young people to help inform the development of our service delivery.

YOUTH INTERAGENCIES



Attendance and engagement at over 10 interagencies, discussing youth issues, gaps, needs and recommendations.

This includes (but not limited to):

- ➔ Eastern Sydney Youth Services Network (ESYSN)
- ➔ St George Youth Network (SGYN)
- ➔ Eastern Suburbs Referral Pathways
- ➔ St George Collaborative
- ➔ St George Youth Expo, Central and Eastern Sydney Housing Forum
- ➔ Local Government Youth Development Network (LGYDN)
- ➔ Local Government Child Safe Network and Forum
- ➔ Youth Action Meeting (YAM)
- ➔ Ad hoc meetings with other youth-related organisations

What Young People Said

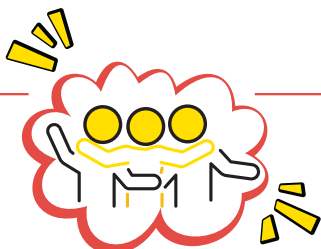
Question We Asked _____



YOUTH FORUM QUESTION



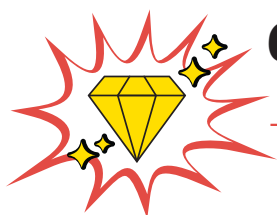
- ➔ What does Bayside offer young people?
- ➔ What would you like to see in the Bayside area?
- ➔ What do you use in the Bayside area?
- ➔ Where can we improve in the Bayside area?
- ➔ Council wants everyone to feel safe when they are out in the community – what makes you feel safe when you are out and about?
- ➔ If Council was to provide a new community space, what would you like to see in the space? And where would you like to see it?
- ➔ Bayside Council offers regular Youth programs such as drop-in, outreach and holiday programs, what could we offer for you to participate?
- ➔ Council hosts a yearly Spring Fair Event which includes a Youth Zone, what activities would you like to see in this area?
- ➔ If you were to participate in Youth Week 2024, what would you like to see Bayside provide?
- ➔ Council's Young People team provides opportunities for training such as First Aid/CPR – what training opportunities would you like to see for young people?
- ➔ Council wants to hear from young people – what is the best method to communicate with young people?
- ➔ What technology platforms can be used to interact with young people?
- ➔ If council was looking to receive feedback or suggestions on a topic. What tool would encourage you to complete this feedback?



YOUTH ADVISORY GROUP EXPRESSION OF INTEREST (EOI)

In your opinion what are the main issues impacting on Bayside's young people?

e.g. drugs and alcohol, mental health, bullying, vaping etc.



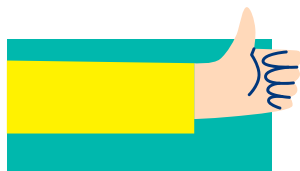
YOUTH PROGRAM FEEDBACK CENTRE-BASED

- ➔ Rate (X) your experience of the program (1 unsatisfied – 10 satisfied)
- ➔ What did you like the most about the program?
- ➔ What did you like least about the program?
- ➔ What would you like to see be included next time?

YOUTH PROGRAMS FEEDBACK OUTREACH

- ➔ What do you enjoy doing outside of School or work or personally?
- ➔ What do you believe are the main issues facing young people today?
- ➔ What would you like to see more of in the local community for young people?
- ➔ Other comments, feedback, or suggestions for Bayside Council's Youth Services.

Key Findings



What young people like about Bayside ...



Parks and open spaces



Libraries



Aquatic Centres



Youth Programs
Sports, Holidays and Training



What young people want to see more of ...



Events



More open spaces



Social spaces with access to WI-FI
and connect with others



Fee free training opportunities
(skill development)



What challenges young people face ...



MENTAL HEALTH coping with pressure

"There is a tendency to self-diagnose, and sometimes young people can romanticise mental health issues".

"There are so many places to go to for help, but the waitlists are still really long".



EMPLOYMENT transition from school to employment

"Finding a job is hard, I don't have the experience they want".

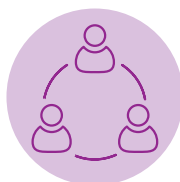
"I struggle writing a resume".



SCHOOL PRESSURE

exam and assessment stress, performance pressure and disconnected from standard curriculum

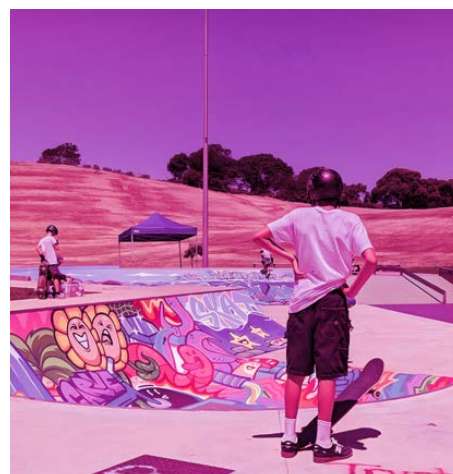
"Constant pressure to do well at school, to go to uni and get a good job".



RELATIONSHIPS connecting with peers and having safe and accessible spaces to do that

"Social media for connection can be a substitution for what they really want – real tangible friendships and meaning".

"There needs to be a middle-ground for socialisation after Covid. It can feel overwhelming to be expected to go back to school and social events all at once".



Youth Plan 2025-2028 | 23





“
**MAIN
ISSUE
IS ...**

**MEETING
FRIENDS.**

**FINDING
A PLACE
THEY FEEL
LIKE THEY
FIT IN.**

”

Youth Plan 2025-2028 | 25

Youth Plan Framework

The development of this Action Plan has been youth-led and includes feedback from young people across Bayside. There are four strategic focus areas to guide our future planning, decision making and actions.

FOCUS AREA



1

Connected City Sense of Belonging

Fostering a sense of belonging among young people within the community. This involves creating inclusive spaces, promoting social interaction, and facilitating opportunities for youth to engage with each other and with the broader community.

FOCUS AREA



2

Health and Wellbeing

Supporting the physical, mental, and emotional health of young people. This includes promoting healthy lifestyles and mental health support and creating environments that prioritise wellbeing and child safety.

FOCUS AREA



3

Skills and Employment

Facilitating opportunities for skill development, training, and job readiness to empower young people. By equipping young people with practical skills and connections, the aim is to increase employability and support their transition to independence.

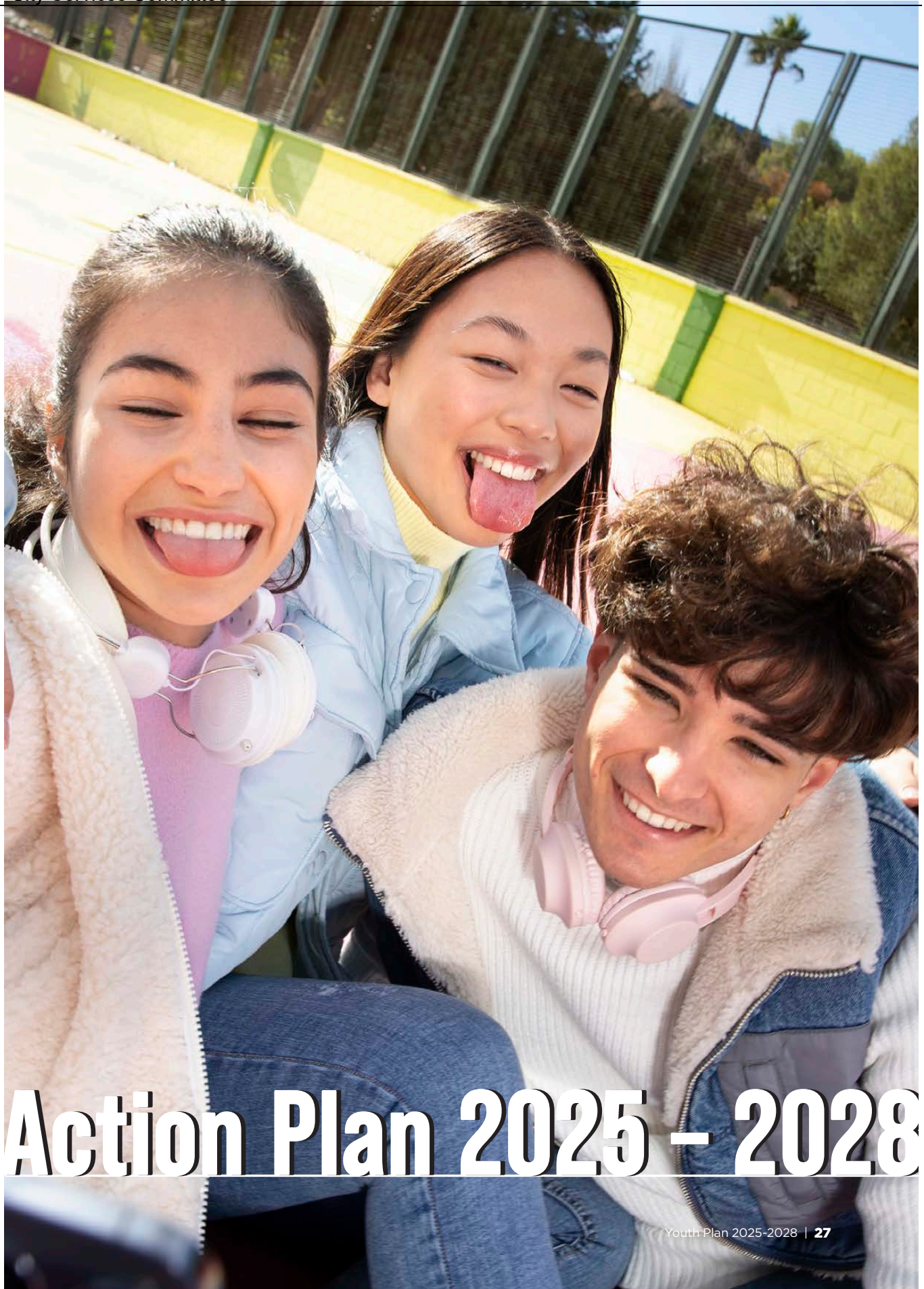
FOCUS AREA



4

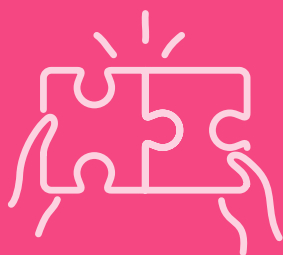
Places and Spaces

Enhancing recreational opportunities and community engagement to promote active participation and social interaction among young people. This includes organising diverse activities and events, such as sports programs, art workshops and other events.



Action Plan 2025 - 2028

Youth Plan 2025-2028 | 27



FOCUS AREA 1

Connected City – Sense of Belonging

Fostering a sense of belonging and community among young people by promoting inclusive participation, representation, and collaboration in local initiatives.

#	ACTION	TIME FRAME		
		Y1	Y2	Y3
1.1	Review and update Council's Youth webpage and social media platform with links and contact details for support services, ensuring the information is relevant, up-to-date, and easily accessible.	X	X	X
1.2	Facilitate the collation and distribution of youth focused information and resources through various mediums to engage, educate and inform our young people, families, staff and elected members.	X	X	X
1.3	Collaborate with young people to design and deliver Youth Week activities that are inclusive and respond to their diverse interests, cultures and abilities.	X	X	X
1.4	Facilitate and support Youth Advisory Group meetings to advocate on the needs of Bayside's young people.	X	X	X
1.5	Ensure young people have the opportunity to provide input into Council projects and initiatives that impact on Young People.	X	X	X
1.6	Attend youth interagency and networking meetings to ensure Council is informed and where relevant, collaborate with the youth service sector to achieve improved outcomes for young people.	X	X	X
1.7	Develop and implement targeted engagement with young people to identify and respond to key priorities and strengthen engagement.		X	





#	ACTION	TIME FRAME		
		Y1	Y2	Y3
1.8	Strengthen relationships between school and youth services, increase visibility of youth programs within schools, and improve student understanding of available support and opportunities in the community.	X	X	X
1.9	Explore an opportunity for an inter-generational initiative between younger and older community members to improve social connectivity and skills enhancement.		X	
1.10	Promote participation of young people in the Annual Ron Rathbone Local History Competition.	X	X	X
1.11	Promote and raise the profile of young people through Bayside's Citizenship Awards and Sports Awards.	X	X	X
1.12	Investigate the introduction of a Youth Art Competition and/or Youth Category within existing Council competitions (i.e., Photography Competition), to showcase young people's creative expression and increase their visibility in community events.		X	
1.13	Identify opportunities to recognise young people in local Business Awards, including the potential for a youth-specific category or recognition of youth-led contributions.		X	
1.14	Continue to engage with the local Police and Youth Command to explore and deliver collaborative programs and initiatives that support young people's safety, wellbeing, and community connection.		X	X

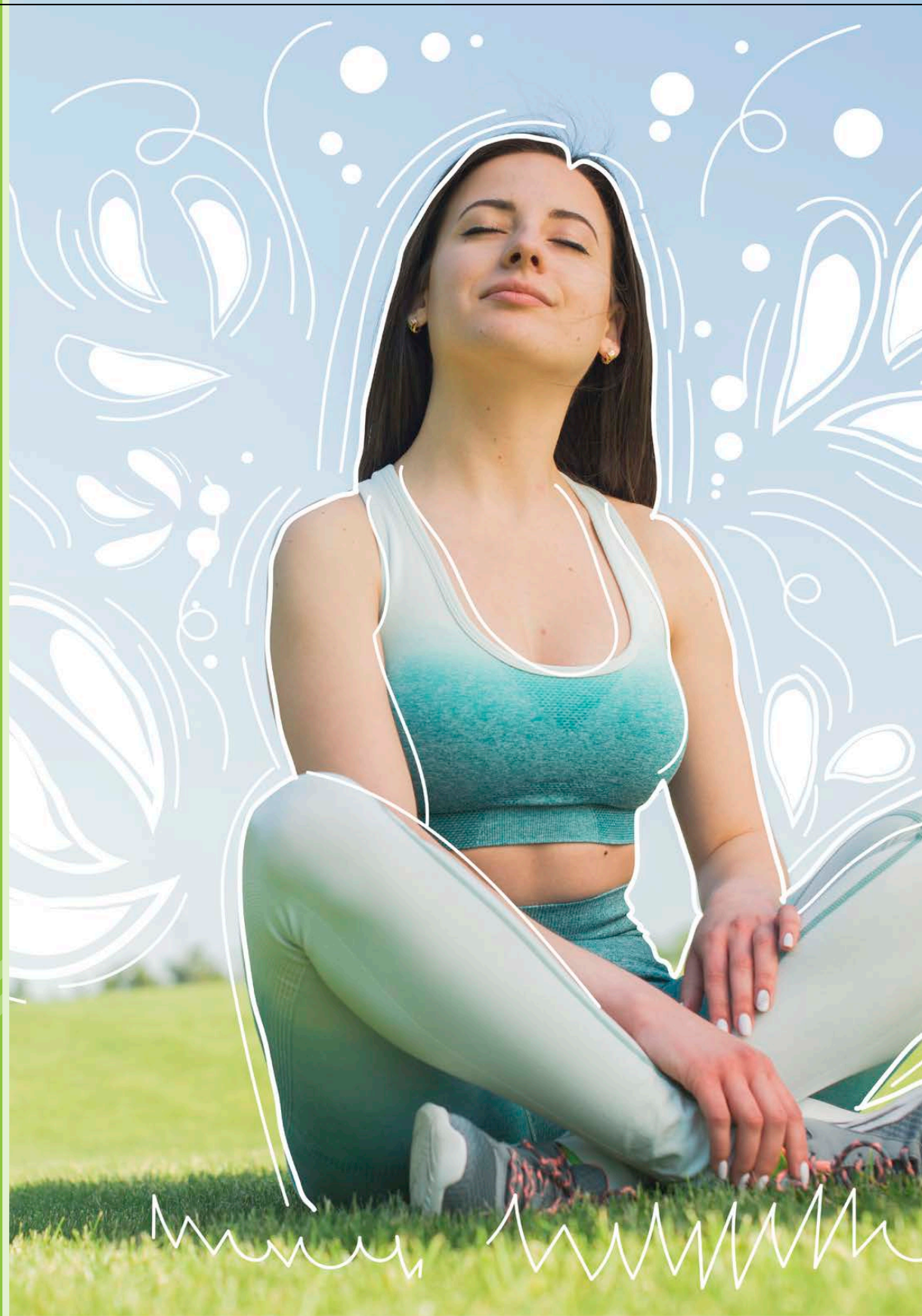


FOCUS AREA 2

Health and Wellbeing

Supporting the physical, mental, and emotional health of young people through access to resources, information, community programs, and initiatives that ensure a safe environment.

#	ACTION	TIME FRAME		
		Y1	Y2	Y3
2.1	Work in partnership with service providers to deliver skill-based programs that equip young people with practical life skills to support their independence and confidence. Examples include cooking, budgeting, car maintenance, self-defence, and learner driver training.	X	X	X
2.2	Deliver initiatives in partnership with the library, schools and agencies that support young people's mental health and wellbeing during the HSC period.	X	X	X
2.3	Investigate and where feasible implement extension of library hours during HSC period to enable access to quiet study spaces, free WIFI, refreshments and HSC resources.	X		
2.4	Facilitate the delivery of targeted programs that raise awareness and educate young people about safe, healthy and respectful behaviours and relationships.	X	X	X
2.5	Engage with health and wellbeing agencies and specialist services to support young people experiencing complex social issues by providing access to early intervention programs and referral pathways. This may include mental health, respectful relationships, consent, and social-emotional wellbeing (e.g., Love Bites, mindfulness, managing stress).	X	X	X
2.6	Ensure young people understand the Child Safe Policy and Action Plan, including how to report any safety concerns.	X		
2.7	Investigate opportunities to provide subsidised access to programs or activities (e.g., swimming lessons) for vulnerable young people, such as newly arrived migrants or those from culturally and linguistically diverse backgrounds, to promote inclusion, safety and wellbeing.	X		





FOCUS AREA 3

Skills and Employment

Equipping young people with relevant skills and employment opportunities through training, workshops and promoting pathways.

#	ACTION	TIME FRAME		
		Y1	Y2	Y3
3.1	Deliver a subsidised short skills accredited courses in partnership with training providers and business sector. E.g., First Aid and CPR, Responsible Service of Alcohol (RSA) and Responsible Conduct of Gambling (RCG), etc.	X	X	X
3.2	Identify and promote volunteer, work experience, internships, apprenticeship, and other employment opportunities for young people within Council and in the local business sector.	X	X	X
3.3	Facilitate and/or promote job readiness programs to build confidence in young people seeking to secure employment.	X	X	X
3.4	Provide and promote job readiness and digital skills development programs for young people interested in technology-related fields such as gaming, social media, digital content creation, AI, and STEM, to support their pathways into emerging industries.	X	X	X
3.5	Enhance opportunities for self-expression and creativity by partnering with arts and culture to deliver creative programs that engage young people.	X	X	X
3.6	Advocate for safe and accessible transport options including public transport, bike routes and pathways.	X	X	X
3.7	Collaborate with Library Services to design and deliver programs, facilities and initiatives to support education, learning and study for young people across our Libraries.	X	X	X
3.8	Collaborate with relevant stakeholders to deliver environment and sustainability-focused workshops that build young people's knowledge and skills in this area.		X	X





FOCUS AREA 4

Places and Spaces

Providing diverse recreational and engagement opportunities to foster active participation, social interaction, and personal development among young people.

#	ACTION	TIME FRAME		
		Y1	Y2	Y3
4.1	Provide a range of recreational, social, and skill-based activities for young people at Arncliffe Youth Centre.	X	X	X
4.2	Support young people to participate in the planning, design and delivery of local public space projects such as upgrades or activations of parks, youth spaces or facilities.	X	X	X
4.3	Involve young people in the consultation and review of broader Council strategic and master plans, including open spaces and precinct planning, to ensure youth perspectives are reflected in long-term planning decisions.	X	X	X
4.4	Map and promote free recreational facilities and spaces in Bayside for young people.	X		
4.5	Identify opportunities to increase outdoor fitness stations and recreation facilities for young people.		X	
4.6	Conduct a diverse range of outreach activities and services to young people across the area.	X	X	X
4.7	Participate at Council led events to promote youth services and programs.	X	X	X





#	ACTION	TIME FRAME		
		Y1	Y2	Y3
4.8	Collect and analyse data on young people's participation in organised sport and recreational activities in Bayside to identify gaps, and opportunities for increased access and engagement.		X	
4.9	Advocate and identify opportunities to increase participation for young women in organised sport and recreation activities through engagement with local sporting bodies, clubs and community organisations.		X	
4.10	Investigate with sporting bodies opportunities for young people to develop leadership and technical skills in sport and recreation through training programs (e.g., coaching, refereeing, umpiring, Bronze Medallion, sport taping / strapping) in collaboration with sporting bodies and local clubs.		X	X
4.11	Collaboratively plan and deliver a youth festival (subject to funding) in an accessible location for young people.	X	X	X



Bayside Customer Service Centres

Rockdale Library, 444-446 Princes Highway, Rockdale
Westfield Eastgardens, 152 Bunnerong Road, Eastgardens
Monday to Friday 8:30am – 4:30pm

Phone **1300 581 299 | 9562 1666**
Email **council@bayside.nsw.gov.au**
Web **www.bayside.nsw.gov.au**

City Services Committee

13/08/2025

Item No	CS25.021
Subject	Relocation of Local History Items from AMAC House
Report by	Debra Dawson, Director City Life
File	18/8794

Summary

At its meeting of 23 April 2025, Council resolved on the motion of Councillors Curry and Morrissey, in part:

4. That Council requests the General Manager provide a report to Council detailing:
 - a) the current condition and location of the George Hanna Memorial Museum Collection;
 - b) plans for the safe relocation and storage of the collection prior to the demolition of AMAC House;
 - c) proposed timelines for relocation; and
 - d) options for future public access and potential display of the collection.
 5. That Council supports the investigation of appropriate, sustainable long-term storage and display options to ensure the preservation and public accessibility of the collection as part of Bayside's commitment to preserving its local heritage; and
 6. That Council consults with the Botany Historical Trust.
-

Officer Recommendation

- 1 That Council notes this update report.
 - 2 That Council's property at 149 Coward St be investigated, in consultation with the Botany Historical Trust, as a suitable long-term home for the collection previously housed at AMAC house.
 - 3 That a further report be brought back to Council once the investigation is complete.
-

Background

A significant portion of the George Hanna Memorial Museum Collection was previously relocated to Mascot Library and Rockdale Library, with ongoing assessments of items of archaeological and multimedia significance undertaken.

Recently, approximately 175 boxed items and 50 artefacts were temporarily relocated from AMAC House at Botany Aquatic Centre to another facility. These items are either part of the George Hanna Memorial Museum Collection or of historical significance to the former City of Botany Bay Local Government Area. Sydney Artefacts Conservation, a specialist conservation company, has been engaged to undertake pest and mould treatment and clean and package these items into conservation quality materials.

Once completed, the items will be carefully transported by the Local History and Property Teams to Mascot Library and Botany Town Hall, where they will be temporarily located for as long as required.

The project is due for completion by mid-September 2025.

Good-quality shelving and display cabinets are being sourced or repurposed to house the items and support future public access. A digital storage and access platform is also being explored to further expand and enhance community access to Local History information online.

Future Public Access and Digital Solutions

A significant portion of the local history physical collection is available at Mascot Library and Rockdale Library.

Additional items, due to their size or fragile condition, are not on regular public display. These materials can be accessed by the public on request or viewed during curated exhibitions at the George Hanna Memorial Museum.

The Local History Team are continuing to progress the digitising of various items, including maps, which are now accessible to the public through our Library Management System.

To further expand digital access, Council's Local History and IT Teams are exploring solutions for digital storage and an access platform. This initiative aims to enhance community engagement with the growing collection and will require dedicated funding as a standalone project for successful implementation.

More recently, with the transition of the Family Day Care service to another coordination agency over the next 2 months, Council's cottage on Coward St next to Mascot Memorial Park has become available for Council to determine its future use. It is proposed that this site be assessed for use as a long-term safe repository for the items previously stored at AMAC House and potentially to be used as a research and meeting place for the Botany Historical Trust.

Financial Implications

Not applicable	<input type="checkbox"/>	
Included in existing approved budget	<input checked="" type="checkbox"/>	Display cabinets will be funded from approved Library Budget and available grant funding.
Additional funds required	<input checked="" type="checkbox"/>	\$44,000 excl GST is required to engage a professional conservation company to treat, clean and package the 175 items for transportation. This will be a Q1 adjustment.

Community Strategic Plan

- | | |
|--|-------------------------------------|
| Theme One – In 2035 Bayside will be a vibrant and liveable place | <input checked="" type="checkbox"/> |
| Theme Two – In 2035 our Bayside community will be connected and feel that they belong | <input checked="" type="checkbox"/> |
| Theme Three – In 2035 Bayside will be green, resilient and sustainable | <input type="checkbox"/> |
| Theme Four – In 2035 Bayside will be financially sustainable and support a dynamic local economy | <input type="checkbox"/> |
-

Risk Management – Risk Level Rating

- | | |
|----------------|-------------------------------------|
| No risk | <input type="checkbox"/> |
| Low risk | <input type="checkbox"/> |
| Medium risk | <input checked="" type="checkbox"/> |
| High risk | <input type="checkbox"/> |
| Very High risk | <input type="checkbox"/> |
| Extreme risk | <input type="checkbox"/> |
-

Community Engagement

The Botany Historical Trust Executive Committee have been kept informed on the progress of the AMAC House project at their quarterly meetings.

Attachments

Nil

City Services Committee

13/08/2025

Item No	CS25.022
Subject	Response to Notice of Motion - ICI Management of Legacy Contamination
Report by	Debra Dawson, Director City Life
File	PPTY/17-16-20.12

Summary

At the meeting of 26 March 2025, Council resolved on the motion of Councillors Curry and Morrissey:

1. That Council recognises the significance of ICI Legacy contamination in the Bayside Local Government Area, particularly in relation to the former ICI site, which is undergoing substantial transformation.
2. That Council notes the closure and demolition of both Qenos and Indorama facilities in 2025, along with the imminent export of the remaining HCB stockpile by Orica and the expected shut down of the Orica Groundwater Treatment Plant by 2036.
3. That Council acknowledges the presence of a mercury cell on-site and the ongoing manufacturing of chlorine by IXOM on land leased from Orica.
4. That Council writes to Orica, emphasising Bayside's interest in the ongoing management of remediation activities, and the importance of ensuring that best practice is adhered to throughout all aspects and stages of this significant land use change.
5. That Council requests that Orica report to Council at six-monthly intervals, providing a comprehensive overview of the developments at the site and that these reports be made publicly available on the Bayside Council website. The first report should be presented to the appropriate Committee and be available by July 2025.

Officer Recommendation

- 1 That Council receive and note the report.
 - 2 That the Council approves the report being made publicly available on the Bayside Council website.
-

Background

On 15 April 2025, the Mayor wrote to Sanjeev Gandhi, CEO, Orica Australia Pty Ltd advising him of Council's Notice of Motion and resolution regarding the significance of ICI Legacy contamination in the Bayside Local Government Area and requested Orica provide a comprehensive overview of the development at the site every six months.

On 30 June 2025, Council received a response from Ms Fleur Hannaford, Vice President of Safety, Health, Environment and Security at Orica Australia Pty Ltd that acknowledged Council's request and provided a detailed update regarding the ongoing management of remediation activities.

A copy of Orica's response and update is included in the report (Attachment 1).

Financial Implications

Not applicable	<input checked="" type="checkbox"/>
Included in existing approved budget	<input type="checkbox"/>
Additional funds required	<input type="checkbox"/>

Community Strategic Plan

Theme One – In 2035 Bayside will be a vibrant and liveable place	<input type="checkbox"/>
Theme Two – In 2035 our Bayside community will be connected and feel that they belong	<input type="checkbox"/>
Theme Three – In 2035 Bayside will be green, resilient and sustainable	<input checked="" type="checkbox"/>
Theme Four – In 2035 Bayside will be financially sustainable and support a dynamic local economy	<input type="checkbox"/>

Risk Management – Risk Level Rating

No risk	<input checked="" type="checkbox"/>
Low risk	<input type="checkbox"/>
Medium risk	<input type="checkbox"/>
High risk	<input type="checkbox"/>
Very High risk	<input type="checkbox"/>
Extreme risk	<input type="checkbox"/>

Community Engagement

Not Applicable

Attachments

1 [↓](#) Orica Update to Bayside Council on Ongoing Management of Remediation Activities



BOTANY
Orica Australia Pty Limited
ABN 24 004 145 868
16-20 Beauchamp Road, Matraville NSW 2036

30 June 2025

Cr Edward McDougall
Mayor of Bayside Council
PO Box 21, ROCKDALE
NSW 2216

By email: mayor@bayside.nsw.gov.au

Dear Mr McDougall

Orica Update on Ongoing Management of Remediation Activities

I refer to your letter outlining a Notice of Motion adopted by Bayside Council at its meeting on 26 March 2025, requesting Orica Australia Pty Ltd (**Orica**) to provide six-monthly updates to Council regarding the ongoing management of remediation activities and any improvements undertaken at the site [Botany Industrial Park (**BIP**)].

It is noted that the resolution adopted at Council meeting included:

"5. That Council requests that Orica report to Council at six-monthly intervals, providing a comprehensive overview of the developments at the site and that these reports be made publicly available on the Bayside Council website. The first report should be presented to the appropriate Committee and be available by July 2025."

Orica remains committed to:

- (1) achieving the remediation objectives related to the Botany Cleanup Project, including the removal and treatment of HCB material, the monitoring and maintenance of the mercury containment cell and the ongoing operation of the Groundwater Treatment Plant (GTP).
- (2) maintaining an open and transparent relationship with the Bayside Council and the broader community.

Orica provides regular progress updates relating to remediation activities undertaken by Orica at the BIP on our website, through annual newsletters and briefings at the Orica Botany Community Liaison (**OBLC**). Orica will continue to provide project updates and make remediation reports and related monitoring data publicly available on our website.

General

A comprehensive overview of the Botany Cleanup Project, including an update of recent remediation activities and environmental improvements is also provided **Appendix A** to this letter.

Specific to the remediation projects identified in the council resolution, a summary of recent activities is also provided below:

HCB Management: Orica continues to undertake tasks to safely remove the remaining HCB material stored at the BIP. The material is safely destroyed at treatment plants in Europe, with the approval of both the Australian and receiving countries' governments.

Mercury Containment Cell: A biennial hydraulic and chemical monitoring event occurred in December 2024, confirming that the containment cell continues to perform as designed.

Groundwater Remediation Strategy: The GTP continues to be an effective remedial strategy for the containment of chlorinated hydrocarbons (CHCs) impacted groundwater. To date the GTP has thermally destroyed over 1600 tonnes of CHCs extracted from groundwater.

Following the closure of Qenos and Indorama manufacturing plants, Orica was granted access to inferred CHC source zones within the BIP, which had previously been inaccessible due to Qenos and Indorama plant operations. Targeted soil and groundwater testing has now been completed across these zones, with soil and groundwater data collected supporting the ongoing groundwater remediation strategy.

Orica is aware that the Botany Industrial Park is undertaking a transformation, following the announcement of the closure of both Qenos and Indorama operating facilities. Orica continues to work collaboratively with both companies to ensure that demolition activities do not impact the ongoing operation of the GTP or related remediation activities. However, it is not appropriate for Orica to provide updates on land redevelopment or environmental remediation activities that are being undertaken by other parties, outside the operational control of Orica, within the BIP.

If you require any further information, please do not hesitate to contact me.

Kind regards



Fleur Hannaford

Vice President Group SHES

Appendix A

Developments at the Botany Industrial Park

The Botany Industrial Park BIP was established in December 1998 as part of a requirement by the then NSW Department of Urban Affairs and Planning, in order to ensure that established safety, health and environmental standards were maintained. The following three companies currently own land within the BIP:

- Orica Australia Pty Ltd (Orica);
- Indorama Ventures Oxides Australia Pty Ltd (Indorama), and
- Qenos Pty Ltd [currently subject to Deed of Company Arrangement] (Qenos).

In addition to these companies, Ixom Pty Ltd (IXOM) and Air Liquide Australia Pty Ltd (Air Liquide) operate plants on land leased from Orica with a number of other smaller operations on land leased from other BIP landowners.

In 2024 the Qenos Group was placed into administration and shortly after this announcement, both Qenos and Indorama announced the closure of their manufacturing facilities. In May 2025, Indorama commenced demolition works. Demolition works of some of the Qenos plants is expected to commence shortly. As a result of both plant closures, part of the Air Liquide operations at the northern end of the BIP closed in February 2025.

It is likely that the Qenos and Indorama properties will be redeveloped. Orica continues to work cooperatively with both companies to ensure that the Botany Groundwater Cleanup Project continues without adverse impact from or on the redevelopment of the site.

Orica currently owns around a third of the land within the BIP. Orica regularly reviews its BIP landholdings to ensure that it aligns with Orica's current and future operational requirements and environmental responsibilities. Where land is identified as being surplus to these purposes, Orica will explore options for its future use, including potential sale.

Overview of Orica's Remediation Activities on BIP

Groundwater Remediation Strategy

Orica conducts a review of the Botany Groundwater Remediation Strategy every four years, involving at least three international industry experts, local consultants, appropriate representatives of the Independent Monitoring Committee (IMC) and the

NSW Environment Protection Authority (EPA). The most recent review was completed in May 2024, with the review concluding :

- The existing remedial strategy (hydraulic containment effected through large scale ‘pump and treatment’ of groundwater) has been an appropriate and effective option for containment and source reduction. However, the Groundwater Treatment Plant (GTP) is reaching asymptotic CHC (chlorinated hydrocarbon) recovery levels.
- closure of the GTP by 2036 is achievable, but, subject to establishment of regulatory compliance endpoints and further characterisation of source zones, may be reliant on enhanced biological in situ remediation at source areas.

The Botany Groundwater Strategy Review Workshop Summary Report is publicly available and can be accessed via the link below.

[2024 Botany Groundwater Strategy Review](#)

Targeted Chlorinated Hydrocarbon Source Zone Investigations

Following the closure of Qenos and Indorama manufacturing plants, Orica was granted access to inferred CHC source zones¹ within the BIP which had previously been inaccessible due to plant operations. Targeted soil and groundwater testing has now been completed across the source zones.

Soil and groundwater monitoring data collected during this targeted investigation is currently being utilised to support the groundwater remediation strategy that was reviewed in May 2024.

Penrhyn Estuary Investigations

To support the transition from the current groundwater ‘pump and treat’ system to a more sustainable long-term approach, while ensuring continued protection of human health and the environment from CHC contaminated groundwater, additional investigations are underway at Penrhyn Estuary. These investigations aim to enhance understanding of the groundwater and surface water systems from the Secondary Containment Area (SCA), their interactions, and their natural attenuation capacities. The scope of the work includes installing additional monitoring points, conducting a geophysical survey to characterise groundwater discharge, performing surface water modelling, and collecting further water samples.

In addition, Orica has also commenced funding a two-year research project led by Professor David Waite from the University of New South Wales (UNSW) to evaluate the

¹ “source zones” are areas where it has been inferred that contamination was released during historical operations

effect of natural and induced redox cycles on breaking down CHCs in intertidal zones and groundwater systems. This research is focused on the intertidal zone of Penrhyn Estuary and will assist in the development of regulatory compliance endpoints in the near future.

Groundwater Treatment Plant

Background

The GTP is in its 20th year of operation, effectively preventing groundwater contaminated with CHCs from reaching Botany Bay and other sensitive environmental receptors.

Groundwater is pumped to the GTP from extraction wells aligned in three containment lines. Approximately 6 million litres (6 ML) a day of groundwater is processed at the GTP to remove and thermally destroy CHCs. Significant periods of wet or dry weather can affect aquifer levels, and the extraction rates required for effective hydraulic containment of the impacted groundwater is automatically adjusted at the GTP. Approximately three quarters of the groundwater processed is recovered as Treated Water, which can be used for industrial purposes on the BIP and neighbouring businesses. This helps to offset demand on Sydney's water supply.

Further information regarding the GTP can be accessed below:

[Overview of the Botany Groundwater Cleanup Project](#)

GTP Performance Update

The GTP continues to operate effectively in containing and thermally destroying chlorinated hydrocarbons contained in groundwater. To date over 1,630 tonnes of CHCs have been extracted and destroyed by the GTP.

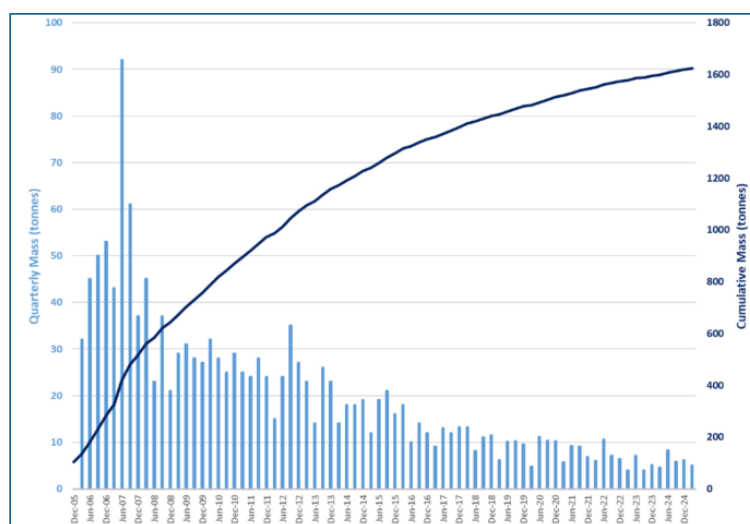


Figure 1 Mass of Chlorinated Hydrocarbons Destroyed by Orica's Groundwater Treatment Plant.

In February 2025, Orica completed a biannual monitoring event as described in the GTP Groundwater and Surface Water Monitoring Program. The monitoring program is undertaken to assess the level of groundwater containment achieved by the GTP groundwater extraction network across the target capture zones.

The report is publicly available on Orica's website:

[Groundwater Treatment Plant – February 2025 Biannual Groundwater and Surface Water Monitoring Report](#)

Additional information regarding how hydraulic containment is achieved by the GTP extraction network is available below.

[Hydraulic Containment Fact Sheet](#)

In April 2025 a shutdown of the GTP for 3 weeks was undertaken to conduct routine scheduled maintenance. During this maintenance window a new designated nitrogen storage facility for the GTP was commissioned, following the closure of the Air Liquide Plant.

Following the restart of the GTP, the GTP conducted water and air emissions testing, in accordance with GTP's Environment Protection Licence 2148. This data can be reviewed below.

[Monitoring Data](#)

HCB Management

Background

Hexachlorobenzene (HCB) was produced as a waste by-product in the former solvent manufacturing plants at BIP between 1963 and 1991. No HCB has been produced since the closure of the Solvents Plant in 1991. The HCB waste and related materials are safely stored in purpose-built storage facilities and UN approved shipping containers. This includes both concentrated waste and low-level waste such as contaminated used packaging materials.

Further information relating to Orica's HCB management at Botany can be accessed via the link below.

[HCB Management at Botany](#)

Update

Orica continues to safely destroy the HCB waste at treatment plants in Europe, with the approval of both the Australian and receiving countries' governments.

Mercury Containment Cell Performance

Background

Between 1944 and 2002, Orica operated a ChlorAlkali Plant at the BIP that used mercury cell technology to manufacture chlorine, caustic soda, hydrochloric acid, sodium hypochlorite and ferric chloride from brine solution (salt water). The current ChlorAlkali Plant, which is operated by Ixom, uses a different membrane technology.

Between 2013 and 2017, a containment cell was constructed to prevent further migration of mercury contamination. The containment cell is situated where the former ChlorAlkali plant was located. The roughly square-shaped cut-off wall totals 430 m in length. The wall is constructed through alluvial Botany Sands and is keyed into the underlying residual clay and sandstone at a depth ranging between 20 m and 25 m. A vapour barrier is keyed into the top of the cut-off wall.

Groundwater monitoring requirements for the containment cell are outlined in the EPA approved Long Term Site Environmental Management Plan and an Ongoing Maintenance Order.

Further information relating to the mercury remediation project is currently published on Orica's website, which can be accessed via the link below.

[Orica Mercury Remediation Project](#)

Update

A biennial hydraulic and chemical monitoring event occurred in December 2024, confirming that the containment cell continues to perform as designed.

[Emissions monitoring Data](#)

Botany Groundwater Cleanup Project Voluntary Management Proposal

Orica undertakes environmental monitoring in accordance with the requirements outlined in the Environment Protection Licence and the Voluntary Management Proposal (VMP) for the Botany Groundwater Cleanup Project.

Orica prepares quarterly Progress Reports for the Botany Groundwater Cleanup Project. The progress reports provide details of Orica's cleanup progress against the VMP, and associated Groundwater Remediation and Management Plan.

Progress Reports are submitted to the EPA and distributed to NSW Office of Water and other government agencies, environmental organisations, local government, local industries, and community members who have requested a copy.

In April 2025, VMP Progress Report No. 43 was submitted to the NSW EPA.

This report can be accessed via the link below:

[April 2025: VMP Progress Report No. 43](#)

Community Consultation

Orica provides the community with regular information on remediation activities undertaken at the BIP, including through an annual newsletter, column ads, website and community meetings.

The most recent newsletter was distributed to approximately 3,500 nearby residences in early March 2025, and is also available on Orica's website via the link below.

[Community Update Newsletter March 2025](#)

Orica Botany Liaison Committee (OBLC)

The Orica Botany Liaison Committee provides an ongoing forum for community engagement in the planning and implementation of Orica's legacy environmental remediation projects at BIP.

OBLC meetings are held 3 times a year, with the next meeting scheduled for 15 July 2025. Meetings are open to the public, through registering their interest via the link below:

[OBLC attendance Registration](#)

OBLC meeting agendas, briefing papers and presentations are also publicly available on Orica's website.

[Orica Botany Liaison Committee](#)

Orica Botany Community Investment Program

Our community investments provide community groups with vital funding and [support](#). We are committed to working with the community to promote mutually beneficial relationships that foster transparency, trust and dialogue.

Funding applications are open from March and close in May. In 2024, the successful applicant of our program was Banksmeadow Public School Preschool. We are currently reviewing applications from our 2025 round, to be announced soon. The next Community Investment Program will open in March 2026.

Ronnie Harding Prize

Annually, Orica awards a prize to the two top performing academic students graduating from the University of NSW's Master of Environmental Management course. A prize of \$1,000 for each student is awarded in recognition of the late Dr Ronnie Harding's

voluntary contribution as Chair of Orica's community meetings for almost 10 years up to 2005.

Botany Industrial Park Community Consultative Committee (BIPCCC)

The Botany Industrial Park holds a periodic Community Consultative Committee (BIPCCC) meeting. This is a forum that brings together the key stakeholders within and external to the BIP to discuss more broadly the on-going operations of all BIP parties, on-going regulatory performance and community concerns.

The BIPCCC brings together representatives from all BIP parties, the NSW Environment Protection Authority, Sydney Water, Safe Work NSW, City of Botany Bay Council and interested local business and community members. It is an open forum and attendance from all interested parties is welcomed.

If you would like to keep up with future changes across the BIP you may sign up to receive notification of the next BIPCCC meeting using the below link.

[BIPCCC Contact](#)

BIPCCC meeting minutes are also publicly available on the BIP website.

[BIP community meetings - BOTANY INDUSTRIAL PARK](#)

City Services Committee

13/08/2025

Item No	CS25.023
Subject	Response to Notice of Motion - Action on Tree Poisoning and Draft Submission on Explanation of Intended Effect: Changes to Deter Illegal Tree and Vegetation Clearing
Report by	Peter Barber, Director City Futures
File	SF22/126

Summary

At its meeting of 26 February 2025, Council resolved on the motion of Councillors Douglas and Bredehoeft:

That Council provides a report on the frequency of illegal tree poisoning in our LGA, and what is and could be done to mitigate this problem, including:

1. Current fines, and whether an increase in fines by the state government may be considered an effective way to prevent further tree poisoning.
2. Public education in Bayside around the value of trees, particularly for cooling in heat island-impacted areas in our Local Strategic Planning Statement.
3. How the amount of tree poisoning and vandalism is impacting our Council goals for increasing tree canopy.

In addition, on 23 April 2025, the Department of Planning, Housing and Infrastructure (DPHI) exhibited an *Explanation of intended effect: Changes to deter illegal tree and vegetation clearing* (the EIE), which proposes reforms in response to illegal tree and vegetation clearing. The reforms seek to deter illegal clearing by increasing penalties, creating legal clarity for Councils when prosecuting offences, and closing loopholes in existing legislation.

The purpose of this report is to update Council on the items above and seek Council's endorsement of the draft submission to enable a final Council endorsed submission to be forwarded to DPHI for consideration.

Officer Recommendation

- 1 That Council receives and notes the Response to Notice of Motion - Action on Tree Poisoning and Draft Submission on Explanation of Intended Effect: Changes to Deter Illegal Tree and Vegetation Clearing report.
 - 2 That Council endorse the draft submission dated 30 May 2025 submitted to the DPHI in response to the Explanation of Intended Effect: Changes to deter illegal tree and vegetation clearing (the EIE) as its final adopted submission.
-

Background

In recent years, several high-profile incidents of tree vandalism have occurred within the Bayside LGA.

On 23 April 2025, the DPHI announced a suite of proposed reforms to respond to illegal tree and vegetation clearing. The reforms are set out in the EIE.

Response to resolution 1

- 1. Current fines and whether an increase in fines by the state government may be considered an effective way to prevent further tree poisoning.*

Under the Environmental Planning and Assessment (EP&A) Act 1979 (Schedule 5), penalty notice amounts for offences under section 4.3 (development that is prohibited, which includes illegal tree removal or vandalism) range from \$3,000 for individuals to \$6,000 for corporations. Councils can issue these fines on the spot.

If a case goes to the Land and Environment Court, fines can increase significantly, reaching \$1 million for individuals and \$5 million for corporations (refer to Table 1).

Table 1: Current penalties for illegal tree removal or vandalism (Schedule 5, EP&A Act 1979)

	Individual	Corporation
On-the-spot fines	\$3,000	\$6,000
Local court (maximum)	\$110,000	\$110,000
Land and Environment Court (maximum)	\$1,000,000	\$5,000,000

The State Government has proposed changes to deter illegal tree and vegetation clearing that would triple the fine values. The proposed penalties are tiered to allow a greater penalty to be issued for more significant clearing events (refer to Table 2).

Table 2: Proposed revised penalties

	Individual	Corporation
Base penalty	\$3,000	\$9,000
Higher penalty	\$6,000	\$18,000

In addition, the penalties can apply for each tree cleared in instances where multiple trees are cleared in one event.

The proposed changes are also intended to ensure Councils can enforce complying development restrictions on land where illegal clearing has happened. Under the proposal, the planning certificates would need to include:

- any instance of proven illegal clearing on the subject land;
- the location of the clearing within the lot; and
- the date (or estimated date) of the illegal clearing.

Although the proposed changes can be applied to vegetation clearing on public land, enforcing the legislation is much harder compared to vegetation clearing on private land.

Response to resolution 2

2. *Public education in Bayside around the value of trees, particularly for cooling in heat island-impacted areas in our Local Strategic Planning Statement*

Public education on the cooling effects of canopy cover is identified as one of the key actions in the Resilience Plan over the next five years.

Response to resolution 3

3. *How the amount of tree poisoning and vandalism is impacting our Council goals for increasing tree canopy*

Trees need time to grow and reach their mature age where sufficient canopy is provided. Generally, it takes about 10 years for a small tree (bottle brush), 15-20 years for a medium to large tree (Eucalyptus), and 30 years for a very large tree (Moreton Bay Fig) to reach maturity and provide substantial canopy cover (refer to Table 2 below).

Table 2: Tree size categories, average canopy and years to maturity

Tree size	Average crown spread at maturity	Average years to maturity	Example tree species
Very small	2.3 m	5	Coast Teatree (Leptospermum laevigatum)
Small	4.1 m	10	Bottlebrush (Callistemon citrinus x viminalis)
Medium	6.2 m	15	Large-fruited Yellow Gum (Eucalyptus leucoxylon ssp. megalocarp)
Large	10.5 m	20	Smooth Bark Apple (Angophora costata)
Very large	19.4 m	30	Moreton Bay Fig (Ficus macrophylla)

In the modelling for our tree canopy target for 2040, there are two key factors impacting the tree canopy targets:

- 1) current canopy loss rate; and
- 2) number of trees planted in the first five years.

Any current mature tree poisoned or vandalised will impact the tree canopy target.

With the current rate of canopy loss and Council's tree planting program, the current canopy cover will be slightly decreased until 2031 and will slowly start to increase after that.

Proposed Reforms

In summary the proposed reforms outlined in the EIE seek to:

- Deter illegal clearing by increasing penalties and clarifying that regulatory authorities can issue one fine per tree cleared;
- Deter illegal clearing by making sure existing restrictions on complying development where illegal clearing has happened can be enforced;
- Improve compliance and enforcement outcomes by making the policy easy to understand and through enhanced stop work and replanting orders;
- Tighten exemptions for dead, dying and dangerous vegetation to close potential loopholes;
- Encourage people to keep vegetation by adding a new aim to the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*;
- Provide standard matters Councils must consider when they issue permits to clear vegetation; and
- Require permits to include conditions for replacing cleared vegetation.

The EIE also identifies that further changes are being considered in relation to:

- Whether the existing legal standard of proof “beyond reasonable doubt” required for prosecution of these offences should change; and
- Whether any amendments to the *Environmental Planning and Assessment Act 1979* or other legislation may be appropriate.

The EIE is included in this report as **Attachment 1**.

Council’s Submission

The EIE aligns with the *Bayside Urban Forest Strategy*, adopted by Council in July 2024, which identifies a principle recognising that ‘*Council advocates for the protection of all urban trees from development and urban intensification*’.

The EIE also aligns with Council’s *Local Strategic Planning Statement (LSPS) Planning Priority B20—increase urban tree canopy cover and enhance green grid connections* and various strategies outlined in Council’s *Community Strategic Plan 2018-2032*.

The proposed reforms are worthy of support as they would empower Councils to better address illegal tree and vegetation clearing. However, Council’s subject matter experts noted some areas where the proposed reforms could be further strengthened or supplemented, such as:

- Penalties should reflect the replacement cost of the tree that was removed. For example: if a 15-year-old tree is killed, the penalty should cover the cost to remove

the dead tree, plant and then maintain a replacement tree at the same location until it reaches equivalent size and canopy width;

- The NSW Government should consider incentives and initiatives that reward retention of trees; and
- The NSW Government should undertake targeted engagement with community at locations subject to high rates of tree vandalism and support Council initiatives like Bayside's 'Adopt A Tree' program.

The above comments are included in the draft submission at **Attachment 2**.

The EIE was on exhibition from 23 April to 4 June 2025. Unfortunately, the timing of the exhibition period meant that this matter could not be reported to Council prior to the end of consultation. Consequently, a draft submission was provided, noting that the endorsement of Council would be sought as soon as possible.

Financial Implications

Not applicable	<input checked="" type="checkbox"/>
Included in existing approved budget	<input type="checkbox"/>
Additional funds required	<input type="checkbox"/>

Community Strategic Plan

Theme One	In 2035 Bayside will be a vibrant and liveable place	<input type="checkbox"/>
Theme Two	In 2035 our Bayside community will be connected and feel that they belong	<input type="checkbox"/>
Theme Three	In 2035 Bayside will be green, resilient and sustainable	<input checked="" type="checkbox"/>
Theme Four	In 2035 Bayside will be financially sustainable and support a dynamic local economy	<input type="checkbox"/>

Risk Management – Risk Level Rating

No risk	<input checked="" type="checkbox"/>
Low risk	<input type="checkbox"/>
Medium risk	<input type="checkbox"/>
High risk	<input type="checkbox"/>
Very High risk	<input type="checkbox"/>
Extreme risk	<input type="checkbox"/>

Community Engagement

The EIE was on exhibition from 23 April to 4 June 2025. The exhibition was open for the general public to make submissions.

Attachments

- 1 [↓](#) EIE - Changes to deter illegal tree and vegetation clearing
- 2 [↓](#) Draft Submission

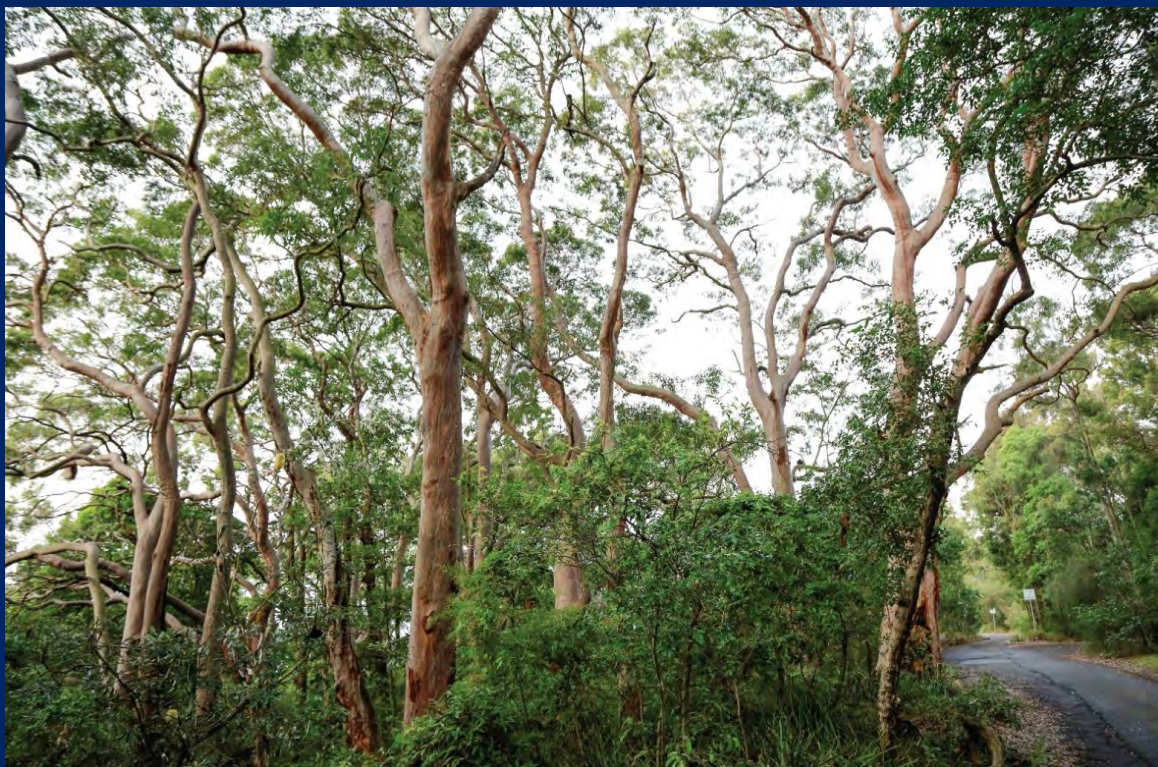
Department of Planning, Housing and Infrastructure

dphi.nsw.gov.au



Explanation of intended effect: Changes to deter illegal tree and vegetation clearing

April 2025





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land, and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Explanation of intended effect: Changes to deter illegal tree and vegetation clearing

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More information

Written by the Department of Planning, Housing and Infrastructure's Environment Policy team

Acknowledgements

Thank you to all the stakeholders who have given feedback on issues that have informed the policy proposals in this document.

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Abbreviations

Abbreviation	Term
BC SEPP	State Environmental Planning Policy (Biodiversity and Conservation) 2021
Codes SEPP	State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
SEPP	state environmental planning policy

1 Introduction

The Department of Planning, Housing and Infrastructure is proposing changes to the planning system to discourage people and industry from illegally clearing trees and vegetation. The Department will do this by:

- improving the penalty and compliance framework and closing potential loopholes
- recognising the positive local values trees can provide by providing practical guidance that supports consistent decision making about tree clearing requests.

1.1 Summary of the reforms

The reforms aim to improve the operation of Chapter 2 (Vegetation in non-rural areas) of *State Environmental Planning Policy (Biodiversity and Conservation) 2021* – also known as BC SEPP, Chapter 2.

Policy proposals in this explanation of intended effect

- Deter illegal clearing by increasing penalties and clarifying that regulatory authorities can issue one fine per tree cleared.
- Deter illegal clearing by making sure existing restrictions on complying development where illegal clearing has happened can be enforced.
- Improve compliance and enforcement outcomes by making the policy easy to understand and through enhanced stop work and replanting orders.
- Tighten exemptions for dead, dying and dangerous vegetation to close potential loopholes.
- Encourage people to keep vegetation by adding a new aim to the BC SEPP.
- Provide standard matters councils must consider when they issue permits to clear vegetation.
- Require permits to include conditions for replacing cleared vegetation.

The Department proposes making these changes in mid-late 2025, pending the outcome of consultation.

This explanation of intended effect also sets out non-regulatory enhancements, including guidance, templates and training or support that could be prepared to complement the above.

1.2 Engagement to date

The Department has engaged with council practitioners about the current regulatory framework over the last 12 months, including:

- one-on-one meetings with over 20 councils
- workshops with approximately 300 attendees from 68 councils from across NSW
- a council survey, which received 92 responses.

This consultation has informed and shaped the proposed reforms in this document. Please refer to **Appendix A** of this document for a summary of the issues raised by councils and the Department's proposed response.

1.3 Potential future enhancements

This document's proposed changes are aimed at improving deterrence and compliance and better recognising the local values that trees can deliver. Engagement with council and the community has also highlighted potential constraints around establishing offences "beyond reasonable doubt" – the level of proof currently required to issue penalties or take court action.

The main purpose of this document is to consult the community, councils and industry on proposed changes to environmental planning instruments and the Environmental Planning and Assessment Regulation 2021 – also known as the EP&A Regulation. However, the Department is also seeking feedback on whether amendments to the *Environmental Planning and Assessment Act 1979* (EP&A Act) or other Acts may be appropriate to deter illegal vegetation clearing. This is not in scope for the current reforms, however, is a matter that could be further investigated following this work's delivery.

1.4 Have your say

The Department welcomes community and stakeholder feedback on this explanation of intended effect. Your feedback will help us better understand the views of the community and will inform the proposals in this document.

Give your feedback by Wednesday 4 June 2025

Please make a submission through the Department's 'Have your say' webpage, www.nsw.gov.au/have-your-say, by 5 pm Wednesday 4 June 2025.

We will publish a response to submissions after the exhibition period ends.

We have included 'Have your say' questions at the end of each chapter to support discussion about the proposed changes. These are prompts only. In your submission, you can address any issues that you believe are important in relation to this document.

Appendix C of this document lists the 'Have your say' questions.

2 Illegal clearing and vegetation management

2.1 How the current framework operates

Chapter 2 of the BC SEPP sets up the regulatory framework for the clearing of vegetation in NSW where the proposed clearing is not part of a development application and is not exempt development or complying development on the following land:

- all land within Greater Sydney and Newcastle, and
- land zoned for urban and environmental purposes in the rest of the State.

In Chapter 2 of the BC SEPP, 'clearing' includes:

- destroying vegetation by cutting it down, killing it, poisoning it, ringbarking, burning it or other means
- lopping or removing a substantial part of the vegetation.

Chapter 2 of the BC SEPP allows councils to protect vegetation and regulate vegetation clearing in their local government area. This is through a permit system. Chapter 2 of the BC SEPP also allows certain routine clearing activities on land used for primary production that is not in a rural zone.

For clearing that exceeds the Biodiversity Offset Scheme thresholds (defined under Part 7 of the Biodiversity Conservation Regulation 2017), the Biodiversity Offset Scheme applies. People applying to clear vegetation in these cases must get approval from the Native Vegetation Panel.

Biodiversity Offset Scheme thresholds

The Biodiversity Offset Scheme thresholds are a trigger to decide if a development or activity is likely to significantly affect threatened species. If the thresholds are exceeded, then the law assumes that this is likely. In this case, the landowner must get a biodiversity development assessment report for their development application or environmental impact statement.

The Biodiversity Offsets Scheme thresholds are:

- Clearing on land within the Biodiversity Values Map (section 7.3 of the Biodiversity Conservation Regulation 2017); and/or
- Clearing of an area of land that exceeds the following thresholds (section 7.2 of the Biodiversity Conservation Regulation 2017)

Minimum lot size of land applicable to land	Area of clearing
Less than 1 hectare	0.25 hectares or more
Less than 40 hectares but not less than 1 hectare	0.5 hectares or more
Less than 1,000 hectares but not less than 40 hectares	1 hectare or more
1,000 hectares or more	2 hectares or more

2.2 Deter illegal clearing

2.2.1 Introduce tiered penalties

The Department has received feedback that that the current on-the-spot penalties (penalty notices) are not enough to deter illegal clearing under Chapter 2 of the BC SEPP, especially in metropolitan areas with significant land values. Schedule 5 of the EP&A Regulation includes penalty notice amounts for offences under section 4.3 (development that is prohibited) of the EP&A Act. The penalties are \$3,000 for individuals and \$6,000 for corporations (refer to Table 1).

Councils can issue these penalty notices to people or corporations who clear vegetation without a required permit or approval on public or private land. They allow a council or other authorised person to impose a penalty for breaking the law, without beginning criminal prosecution proceedings.

If the council chooses to prosecute and secures a conviction, the maximum penalty that a court can impose is \$1 million for an individual or \$5 million for a corporation if proceedings are brought in the Land and Environment Court, or \$110,000 if proceedings are brought in the local court.

Table 1. Current penalties for illegal clearing

Type of penalty	Individual	Corporation
On-the-spot penalties	\$3,000	\$6,000
Land and Environment Court conviction (maximum)	\$1,000,000	\$5,000,000
Local court conviction (maximum)	\$110,000	\$110,000

The current system of on-the-spot fines applies the same penalty in all cases, no matter how severe the environmental damage caused by the illegal clearing is. Unfortunately, a landowner or developer can benefit greatly from illegal clearing. It can increase the land's value, for example, by improving water views. Removing vegetation may also allow the landowner to use a simpler approval pathway for development, such as complying development.

These benefits can be much greater than the current penalties. It has been reported that in some cases, landowners and developers see the penalties as a 'cost of doing business.'

The Department proposes to introduce penalties specific to illegal tree clearing, that is, penalties for prohibited development that is a contravention of section 2.6 of the BC SEPP. In addition, it is proposed these penalties are tiered to allow a greater penalty to be issued for more significant clearing events. A similar approach has been applied to other penalties in Schedule 5. For example, penalties for offences under section 4.2(1) of the EP&A Act differ depending on the:

- class of the building
- applicable approval pathway at the time of the offence
- person who issues the penalty notice.

Table 2 lists the revised penalties that the Department proposes.

Table 2. Proposed revised penalties

Tier	Criteria	Individual penalty	Corporation penalty
Base penalty	Clearing that does not meet any of the higher penalty criteria (or where it is not known if any higher penalty criteria apply).	\$3,000	\$9,000
Higher penalty	<p>Vegetation clearing that meets one or more of the following criteria:</p> <p>Larger trees</p> <ol style="list-style-type: none"> the vegetation has a height greater than or equal to 10 m, or the vegetation has a diameter at breast height (or diameter at base, if diameter at breast height cannot be measured) greater than or equal to 30 cm, or <p>Larger areas</p> <ol style="list-style-type: none"> an area greater than or equal to 50 m² of vegetation (other than trees) is cleared or underscrubbed (that is, removal of shrub layer), or <p>Repeat offenders</p> <ol style="list-style-type: none"> the incident is a second or later offence, or <p>Significant vegetation</p> <ol style="list-style-type: none"> the vegetation is listed on a significant tree register, or the vegetation is on land included in the biodiversity values map, or the vegetation is on land that is zoned C2, C3 or C4, or the vegetation is on land mapped in an environmental planning instrument as a: <ul style="list-style-type: none"> heritage area or heritage item natural, biodiversity or other conservation area foreshore or riparian area open space scenic protection area nature reserve buffer area. 	\$6,000	\$18,000

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Principles for proposed penalties

In developing the above, the Department has considered council feedback that:

- tiers should be easy to understand and apply
- fines should be higher when people clear more significant vegetation or larger trees
- repeat offenders should face higher fines
- there should be higher fines for corporations to discourage illegal practices across multiple sites
- the penalties for clearing public or private land should be the same, as all vegetation gives the same benefits to people and the environment
- tiers should not stop councils from issuing multiple fines on a tree-by-tree basis if more than one tree has been cleared in a single event
- in some regional areas, the existing penalties are high enough and raising the base penalty for individuals may have unintended outcomes (for example, councils may not be willing to issue penalty notices because higher fines are more likely to be challenged in court).

We may also need to help councils identify repeat offenders. Some councils may already have systems in place in their own local government area.

2.2.2 Clarify penalties can apply for each tree cleared

Even with higher fines and a tiered penalty framework, there may be some instances where the perceived benefit from clearing multiple trees is sufficient incentive to consider acting illegally. The Department understands that some councils are already issuing per-tree fines to reduce these incentives.

The Department proposes issuing guidance confirming this as a valid regulatory pathway a council may choose to pursue and offering information to support consideration of where such an approach could be appropriate given the scale or significance of the event.

Example

In this example, an individual clears the following vegetation without the required council permit:

- 2 large trees that meet the higher penalty criteria because of their size
- over 50 m² of shrubs
- one small tree that does not meet the higher penalty criteria.

In this scenario, the total penalty the council could issue would be:

$$\begin{aligned}
 & 2 \times \text{higher individual penalty (for the large trees)} \\
 & + 1 \times \text{higher individual penalty (for the area of shrubs)} \\
 & + 1 \times \text{base individual penalty (for the small tree)} \\
 & = \$21,000
 \end{aligned}$$

Councils will continue to decide if they will issue a penalty notice and, if appropriate to the circumstances, if they will issue a separate penalty notice for each tree.

2.2.3 Ensure councils can enforce complying development restrictions on land where illegal clearing has happened

Unfortunately, illegal clearing can create development opportunities for landowners. The feedback from councils is that owners will illegally clear private land so they can use a complying development code and avoid lodging a development application.

There are existing provisions (legal conditions) that stop owners from carrying out complying development on land if it involves removing or pruning a tree or other vegetation without a permit, approval, development consent or other permission from council.

Table 3 lists these existing provisions.

Table 3. Provisions that prevent complying development involving tree or vegetation clearing without a clearing permit, approval, development consent or other permission

Policy	Section/s
State Environmental Planning Policy (Transport and Infrastructure) 2021	2.22(2)(g) and 3.18(2)(e)
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	1.18(1)(h)
State Environmental Planning Policy (Precincts –Central River City) 2021	5.47(2)(g)
State Environmental Planning Policy (Precincts –Regional) 2021	4.13(2)

If a landowner does not get the mandatory permit or approval under the BC SEPP and clears vegetation to make development possible, the development would not meet the complying development requirements in these provisions. In such a case, the council may be able to

challenge the validity of a complying development certificate before the Land and Environment Court.

The Department would like to ensure landowners, prospective buyers, planners and certifiers are aware of previous illegal clearing that may prevent someone from carrying out complying development. To achieve this, we propose changing the requirements for planning certificates issued under section 10.7(2) of the EP&A Act. Under the proposal, planning certificates would need to include:

- any instances of proven illegal clearing on the subject land
- the location of the clearing within the lot
- the date (or estimated date) of the illegal clearing.

Have your say

Chapter 2.2 Deter illegal clearing

We welcome feedback and suggestions on the proposed tiered penalty system, such as:

1. Are the proposed tiered penalties appropriate? They would apply to illegal clearing on both public and private land.
2. Do you support increasing the penalties for corporations to be triple those for individuals, rather than double?
3. Are the criteria for the higher penalty tier appropriate and practical?
4. Do the significant vegetation categories sufficiently cover relevant mapped areas or land and vegetation of higher biodiversity, environmental or social significance?

2.3 A clearer compliance and enforcement framework

2.3.1 Clarify when clearing is “prohibited development”

Councils have told the Department that the current regulatory framework around what constitutes ‘prohibited development’, such as non-compliance with the conditions of a tree clearing permit, is unclear.

Section 2.10(4) of the BC SEPP allows councils to set conditions as part of issuing tree clearing permits. For example, a council can order the landowner to plant replacement trees after another tree has been legally removed. If the owner does not follow the permit conditions, this is the offence of prohibited development under s 4.3 of the EP&A Act (see section 2.6(6) of the BC SEPP). Clearing without a required permit is also an offence under s 4.3 of the EP&A Act.

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To ensure consistent interpretation and application, the Department is proposing to update the wording of s 2.6(6) of the BC SEPP so that it clear that:

- clearing vegetation without a required permit or approval under Chapter 2 of the BC SEPP is prohibited development; and
- clearing vegetation not in accordance with the conditions of a permit or approval received under Chapter 2 of the BC SEPP is prohibited development.

2.3.2 Clarify how Chapter 2 of the BC SEPP applies to clearing on public land

Chapter 2 of the BC SEPP is intended to apply to public and private land. However, councils have told us there is uncertainty about how the offences for clearing without an appropriate permit or approval apply to public land.

The Department is proposing to review Chapter 2 of the BC SEPP and change it where necessary to clarify that it is an offence to illegally clear trees on public land (such as a reserve adjoining private property), or any land for which a person is not legally entitled to obtain a permit for that clearing (such as poisoning a tree on a neighbour's property).

Possible updates to Chapter 2 of the BC SEPP include:

- clarifying in section 2.3 of the BC SEPP that the Chapter applies on both public and private land
- clarifying in section 2.6 of the BC SEPP that the offence of prohibited development applies on both public and private land.

2.3.3 Clarify stop work and replanting orders

Stop work and replanting orders form part of the tools used by regulatory officers to address illegal tree clearing. The Department understands that given uncertainty around how these powers work, some councils may be using these regulatory tools less than is optimal.

Section 9.34(2) of the EP&A Act provides that the Department can make amendments by regulation to the development control orders (in Schedule 5 of the EP&A Act).

The Department is proposing to make necessary changes to empower councils to issue orders to:

- **make landowners or those responsible for clearing replant vegetation that has been illegally cleared** (using the 'restore works order') on both public and private land.

This may include specifying that:

- vegetation clearing is a type of 'work' in section 3(4) of the EP&A Regulation
- a restore works order can be issued to a person who carried out illegal clearing

- replanting should reinstate mature trees of an appropriate size and species
- **stop illegal clearing works that are being carried out** (using a 'stop work order' or similar).

The Department may need to amend when a 'stop work order' can be issued so that vegetation clearing is included.

The Department will give councils guidance on when and how to use these orders to support these provisions' implementation.

2.3.4 Clarify when permits are needed for clearing associated with complying development

The Department understands there is some confusion about if and when a tree permit or Native Vegetation Panel approval is required to clear vegetation for complying development.

Certain sections of the Codes SEPP (sections 3.33, 3A.7, 3B.61, 3C.36, 3D.64) state that a complying development certificate is taken to satisfy any requirement under the Codes SEPP for a permit or approval to remove or prune a tree (or other vegetation) if the tree:

- is not on a register of significant trees, and
- will be within 3m of a building with an area over 25m², and
- has a height less than 8m if the development is the erection of a dwelling house, or 6m in any other case.

The existing policy intent is that a permit or approval is still required under Chapter 2 of the BC SEPP. Sections 3.33, 3A.7, 3B.61, 3C.36 and 3D.64 of the Codes SEPP do not change this.

The Department will amend the provisions of the Codes SEPP and/or BC SEPP to make this clear.

The Department will also issue guidance clarifying this matter.

2.3.5 Can technology solutions help improve compliance outcomes

In some instances, it can be hard to prove an illegal clearing event "beyond reasonable doubt". Chapter 3 asks about potential legislative change to lower this burden of proof. Technology provides another avenue to help ensure regulators have access to appropriate evidence to support successful regulatory action. The Department is not aware of similar uses in urban areas within Australia, however, some organisations are now exploring whether monitoring and AI learning can be deployed to help real time monitoring and evidence collection. There may be opportunity to explore some of these approaches in the NSW urban context.

Have your say

Chapter 2.3 A clearer compliance and enforcement framework

5. Would additional measures or information help reduce illegal tree clearing on public land?
6. What guidance is needed in relation to issuing replanting orders and stop work orders?
7. What guidance is needed to support replanting mature trees of an appropriate size and species?
8. What type of educational material could we prepare to support the proposed clarifications to permitting and conditioning requirements in the BC SEPP?
9. Are there any known technologies that could be used to improve compliance with the provisions of Chapter 2 of the BC SEPP?

2.4 Support legitimate removal of dead, dying and dangerous vegetation while removing loopholes

2.4.1 Tree Pruning

In NSW, tree pruning is generally managed through local council Development Control Plans (DCPs) and tree management policies. The Department is not proposing any changes relating to tree pruning (i.e. removal of part of a tree such as a branch). For example, DCPs and council policies can set out whether tree pruning requires a permit and if so, associated limitations. These can include pruning to a certain height above the ground or a set percentage of the crown or canopy (among other issues). The Department expects tree pruning to continue to be done in line with Australia Standard 4272-2007 Pruning of Amenity Trees or requirements under Council DCPs.

2.4.2 Exemptions for vegetation that is an imminent risk to life or property

Under section 2.7(3) of the BC SEPP, a landowner does not need a permit or approval to remove vegetation if council is satisfied that the vegetation is 'a risk to human life or property'. The Department proposes changing this, so it reads 'an **imminent** risk to human life or property'.

The Department also proposes another change: that under this provision, the landowner can remove only the minimum amount of vegetation necessary to minimise the imminent risk to

Explanation of intended effect: Changes to deter illegal tree and vegetation clearing | 17

human life or property. That is, wherever possible, the tree should be pruned rather than removed. Hollows and other habitat features should be retained as much as possible.

As is currently the case, councils will decide what evidence they need to be satisfied that the vegetation is an **imminent** risk to life or property. Some councils have already adopted language of 'immediate' or 'imminently dangerous' risk in their Development Control Plans. Examples of definitions used in these cases include: structural defects that are immediately hazardous such as splitting branches and storm damage, or obvious instability of the root system. The Department will give councils guidance to help them consider 'imminent' risk to life or property. We will also supply information councils can use to educate landowners about their obligations.

2.4.3 Dead and dying trees

Under sections 2.7(4) and (5) of the BC SEPP, a landowner does not need a permit or approval to remove vegetation if council or the Native Vegetation Panel is satisfied that the vegetation:

- is dying or dead, and
- is not required as habitat of native animals.

Councils have reported that the current arrangements are being used by some as a loophole to inappropriately remove trees. In some cases, landowners and others are illegally poisoning vegetation, then removing it as the vegetation is dying or dead. Councils have also told us that the community is unsure what 'dead' means. In some cases, people mistakenly believe that vegetation that is senescing (changing as it grows old) or deciduous is dead and they remove it under the exemption.

Similarly, a tree or vegetation can take many years to die, and it is not clear when it should be considered 'dying'. Dead and dying trees and vegetation can provide significant ecosystem benefits (for example, by continuing to provide habitat such as tree hollows) and local amenity. If the dead or dying tree or vegetation is an imminent risk to life or property, section 2.7(3) of the BC SEPP would apply.

The Department is seeking to strike the right balance between ensuring dead or dying trees can be removed safely while removing a loophole that can result in healthy trees or habitat trees being removed unnecessarily. The Department would like to hear from Councils regarding the best way to achieve this based on their on-ground experience.

Two possible pathways include amending the BC SEPP so that landholders who wish to clear dead or dying vegetation would need certification from a qualified arborist that the vegetation is dead or dying and is not required for habitat or other significant ecosystem benefits.

This would be consistent with requirements in some Council DCPs that require evidence for exemptions to be provided to Council. Alternatively, the BC SEPP could be amended so that

landholders who wish to clear dead or dying vegetation would need to apply for a council permit or Native Vegetation Panel approval under Chapter 2. This would allow councils or the Native Vegetation Panel to assess the state of the vegetation before deciding if they will issue a permit or approval.

Have your say

Chapter 2.4 Support legitimate removal of dead, dying and dangerous vegetation while removing loopholes

10. Do you support limiting the exemption from permit or approval requirements for dangerous vegetation to only vegetation that is an **imminent** risk?
11. What are the risks or challenges associated with limiting the exemption to only vegetation that is an **imminent** risk?
12. What are the opportunities associated with this proposal?
13. Do you think requiring people to get a qualified arborist to certify that vegetation is dead or dying before clearing it would improve outcomes? Can you see any risks or challenges associated with this approach?
14. Do you think making people get a permit or approval before clearing dying or dead vegetation would improve outcomes? Can you see any risks or challenges associated with this approach?
15. An alternative to removing the exemption for dead vegetation would be to limit the exemption so it only applies if the council or Native Vegetation Panel is satisfied that the vegetation has not been poisoned or otherwise illegally killed. In this case, we would add a definition of 'dead'. Would you prefer this approach?

2.5 Encourage people to keep and replace vegetation

2.5.1 Add an aim to protect and improve tree canopy

To better reflect the value of keeping vegetation for biodiversity, climate change and mitigating urban heat, the Department proposes adding an aim under section 2.1 of the BC SEPP:

To maintain and enhance canopy cover and other vegetation in non-rural areas to realise their benefits, including mitigating urban heat, impacts of climate change, providing local amenity, reducing air pollution and improving community health and wellbeing.

2.5.2 Provide a framework to support consistent assessment of tree clearing applications

The Department has received feedback that the BC SEPP is currently focused on tree removal, and that there is no guidance on how to consider the broader merits of an application, including if the tree's removal would negatively affect local environmental, social or cultural values.

To help provide balance in the decision-making process, the Department proposes to add a list of factors that councils must consider when assessing these applications. These include:

- vegetation characteristics such as health, age and size
- the significance of the vegetation, including cultural, heritage, historical, aesthetic and landscape significance and listing on a significant tree register
- contribution of the tree to the environment including its biodiversity value, urban tree canopy, local amenity and urban cooling benefit
- impact of the tree on property, infrastructure and residential amenity and health
- if the landowner has considered alternatives to the proposed clearing
- any other factors or requirements in a relevant development control plan or relevant policy documents.

This list would complement existing criteria that some councils include in their development control plans or policy documents. It would not prevent councils from considering other factors.

2.5.3 Planting a new tree to replace the one removed

Under section 2.10(4) of the BC SEPP, councils can issue permits to clear vegetation subject to conditions. As part of issuing permits, some councils require that landowners must replace any trees they remove with equivalent ones. Depending on the reason for removing the tree, the replacement may be in the same place, or elsewhere on the property. Replanting should be of mature trees of an appropriate size and species.

Trees and canopy cover give us environmental, biodiversity, urban heat and amenity benefits. Because of this, the Department proposes making it mandatory for councils to make landowners replace trees as a condition of their permits.

In limited circumstances, such as where a tree cannot be planted onsite, other approaches may be needed. For example, the landowner contributing towards offsite tree replacement could be a suitable alternative if onsite replacement is not possible.

The Native Vegetation Panel assesses clearing that will exceed the Biodiversity Offsets Scheme threshold. The landowner's application for a permit must be supported by a biodiversity development assessment report and by retiring credits to offset the impacts on biodiversity values. The Department does not propose changing this arrangement as the vegetation lost will be offset.

Have your say

Chapter 2.5 Encourage people to keep and replace vegetation

16. Does the list of proposed factors support an appropriate merit-based approach to assessing a request to clear existing trees?
17. If the landowner cannot plant a replacement tree on the site, what alternative approaches could be implemented?
18. Should requirements be specified for replacement trees (e.g. mature trees of an appropriate size and species)?

2.6 Housekeeping amendments

The Department also proposes minor changes to a range of environmental planning instruments. The aim of these is to:

- correct outdated references to old SEPPs
- update local government area names in section 2.3 of the BC SEPP to reflect council amalgamations
- update notes.

Appendix B of this document summarises the housekeeping changes that we propose.

2.7 Support a clearer framework: non-regulatory measures

The changes proposed in this EIE are seeking to increase deterrence, improve compliance and encourage tree retention. The Department recognises councils will be the primary point of contact with landowners, and will work with councils to support the proposed amendments implementation through jointly developed guidance and education materials. Some of these potential supporting materials are briefly outlined below.

2.7.1 Guidance and templates

The Department will work with councils to prepare guidance material and templates to support councils in applying Chapter 2 of the BC SEPP. This will also improve community and industry awareness of their responsibilities.

Guidance material is likely to cover:

- how Chapter 2 of the BC SEPP works
 - how the clearing permit system works
 - interactions with other legislation
 - roles and responsibilities
- using and enforcing Chapter 2 of the BC SEPP and broader vegetation management issues for councils
- guidance in plain English and community languages for communities and industry on:
 - their responsibilities
 - consequences of illegal clearing
 - the value of vegetation

- templates for councils, including:
 - tree clearing permits and conditions
 - penalty notices
 - development control orders
- a model development control plan chapter on vegetation protection.

2.7.2 Training and support

Councils have asked the NSW Government for greater support in investigating illegal clearing events. The Department will continue to work with councils to develop and provide regulatory resources and support. In particular, the Department will consider the results of a pilot program under the Cumberland Plain Conservation Plan Compliance Strategy to give councils support through central coordination of compliance officers.

2.7.3 Innovative joint management models

Communities that are involved in management of trees and vegetation are more likely to comply with regulations relating to their preservation or removal. Local, place-based solutions may offer opportunities for different stakeholders to find a balance between environmental outcomes and amenity (e.g. preserving views and view corridors). Joint management models can also help develop a sense of ownership by having local residents engage in activities to maintain and manage their local natural areas. The Department will work with councils to explore place-based solutions involving innovative joint management arrangements between councils and different stakeholders in the community to prevent unlawful tree clearing and preserve biodiversity and mature trees.

Have your say

Chapter 2.7 Support a clearer framework: non-regulatory measures

19. Which of the guidance materials or templates would most help you use the provisions of Chapter 2 of the BC SEPP?
20. Are there any types of guidance material or templates not listed above that would help you?
21. We will release guidance material and templates in stages, based on urgency and priority. Which guidance and/or templates would you like us to release first?
22. What types of innovative joint management arrangements should be explored to prevent unlawful tree clearing and preserve biodiversity and mature trees?

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3 Possible future legislative changes

The Department has received feedback that some councils are not issuing penalties where they believe they are warranted given concerns around establishing offences “beyond reasonable doubt.” While the primary purpose of this EIE is to consult on proposed amendments to the BC SEPP, the Department is also seeking feedback on if it would be appropriate to amend the EP&A Act (or other Acts) in the future to further deter illegal vegetation clearing. The changes would aim to help councils and may include introducing a:

- deeming provision, which means the landholder must prove they were not responsible for clearing on their land
- civil penalty framework with a lower burden of proof (‘balance of probabilities’).

The Department is also considering if it would be appropriate to introduce jail terms to further deter vegetation clearing offences.

These matters are not in scope for the current reforms and are set out in this explanation of intended effect **for early consultation only**. Any changes to the EP&A Act or other Acts would need to be introduced in NSW Parliament as a Bill.

Appendix A: Council consultation summary

Table A1. The Department's responses to feedback on illegal clearing

Feedback from councils during consultation	Proposed amendment or other response	Chapter of this document
<ul style="list-style-type: none"> Penalty notices ('on-the-spot' fines) are important for enforcing compliance, but in some cases, penalty notice amounts are too low to deter illegal clearing This includes where clearing allows a landowner to improve views or development potential Industry must be more accountable for illegal clearing, and there should be higher penalties for repeat offences 	<ul style="list-style-type: none"> Provide tiers of escalating penalties Clarify penalties can apply for each tree cleared Ensure complying development restrictions can be enforced on land where illegal clearing has happened The Department may consider changing legislation in the future to introduce jail terms 	<ul style="list-style-type: none"> 2.2.1 2.2.2 2.2.3 3
<p>Councils are unsure of:</p> <ul style="list-style-type: none"> what the offences are how they apply to public land what they can do in response to illegal clearing incidents 	<ul style="list-style-type: none"> Clarify the offences that apply, and how they apply to public and private land Clarify development control orders so councils can issue orders to stop clearing works and order landowners or those responsible for clearing to replace illegally cleared trees Give councils guidance on the measures they can use in response to clearing incidents on public and private land 	<ul style="list-style-type: none"> 2.3.1 and 2.3.2 2.3.3 2.7

Feedback from councils during consultation	Proposed amendment or other response	Chapter of this document
<ul style="list-style-type: none"> The 'danger to human life or property' exemption is too broad. The Department should tighten it to only apply to risk above a certain level. Some landowners are using the exemption as a loophole to remove vegetation without appropriate council assessment In some cases, the risk can be reduced without removing the entire tree (or vegetation). This should be encouraged to retain habitat trunks or hollows as much as possible 	<ul style="list-style-type: none"> Update the current exemption from needing a permit or approval and limit the exemption to vegetation that is an imminent risk to life or property Give councils guidance on assessing imminent risk 	<ul style="list-style-type: none"> 2.4.1 2.7
<ul style="list-style-type: none"> Some landowners are using the 'dead and dying' exemption to clear trees that may continue to provide amenity and biodiversity benefits for many years. They are also using it to remove trees that had been poisoned In some cases, people are mistaking deciduous or senescing trees for dead or dying ones and removing them 	Remove the exemptions from needing a permit or approval for 'dead' and 'dying' vegetation	2.4.2
Chapter 2 of the BC SEPP should reflect the benefits of vegetation for climate change adaptation and urban cooling, and encourage people to preserve tree canopy	<ul style="list-style-type: none"> Add new aims to reflect the role of Chapter 2 of the BC SEPP in promoting canopy cover Add new factors to guide councils when they assess applications for tree clearing permits Make landowners replace trees they remove with a permit, if the site allows Give the community and industry guidance about the benefits of vegetation 	<ul style="list-style-type: none"> 2.5.1 2.5.2 2.5.3 2.7

Feedback from councils during consultation	Proposed amendment or other response	Chapter of this document
Councils, industry and communities need more guidance about when and how the vegetation management framework under Chapter 2 of the BC SEPP applies, including roles and responsibilities	<ul style="list-style-type: none"> • Give councils guidance and templates • Give industry and communities guidance and education materials 	2.7
It is difficult to prove offences to a criminal standard (<i>beyond a reasonable doubt</i>). This is particularly in cases involving vegetation poisoning or ringbarking, in remote areas or where there are no witnesses	The Department may consider changing legislation in the future to introduce a deeming provision or civil penalty framework	3

Appendix B: Summary of proposed housekeeping amendments

Table B1. Summary of the housekeeping amendments the Department proposes

Relevant policy	Housekeeping amendment
Biodiversity and Conservation SEPP	<ul style="list-style-type: none"> Section 2.2 – Definitions: change reference in <i>biodiversity offsets scheme threshold</i> from <u>clause</u> 7.3(4) of the Biodiversity Conservation Regulation 2017 to <u>section</u> 7.3(4) Section 2.2 – Definitions: remove reference to Part 2.4 in the <i>private land</i> definition Section 2.3 – Land to which Chapter applies: update the list of local government areas to which Chapter 2 applies to reflect amalgamated councils and current names
State Environmental Planning Policy (Precincts – Central River City) 2021	<ul style="list-style-type: none"> Appendix 5 section 3.1 – update note to refer to <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>, Chapter 2 Appendix 10 section 3.1 – update note to refer to <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>, Chapter 2
State Environmental Planning Policy (Precincts – Regional) 2021	<ul style="list-style-type: none"> Section 5.19 – update note to refer to <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>, Chapter 2 Schedule 10 Dictionary for Chapter 5 – update definition of 'clearing vegetation' to refer to <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>, Chapter 2
State Environmental Planning Policy (Precincts – Western Parkland City) 2021	<ul style="list-style-type: none"> Section 4.25(6) – update to refer to <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>, Chapter 2 Section 5.26(8) – update to refer to <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>, Chapter 2
State Environmental Planning Policy (Transport and Infrastructure) 2021	<ul style="list-style-type: none"> Section 3.16(3)(g) - update note to refer to <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>, Chapter 2

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Appendix C: Consultation questions

The 'Have your say' questions in this document are below. These are prompts only.

Chapter 2.2 Deter illegal clearing

We welcome feedback and suggestions on the proposed tiered penalty system, such as:

1. Are the proposed tiered penalties appropriate? They would apply to illegal clearing on both public and private land.
2. Do you support increasing the penalties for corporations to be triple those for individuals, rather than double?
3. Are the criteria for the higher penalty tier appropriate and practical?
4. Do the significant vegetation categories sufficiently cover relevant mapped areas or land and vegetation of higher biodiversity, environmental or social significance?

Chapter 2.3 A clearer compliance and enforcement framework

5. Would additional measures or information help reduce illegal tree clearing on public land?
6. What guidance is needed in relation to issuing replanting orders and stop work orders?
7. What guidance is needed to support replanting mature trees of an appropriate size and species?
8. What type of educational material could we prepare to support the proposed clarifications to permitting and conditioning requirements in the BC SEPP?
9. Are there any known technologies that could be used to improve compliance with the provisions of Chapter 2 of the BC SEPP?

Chapter 2.4 Support legitimate removal of dead, dying and dangerous vegetation while removing loopholes

10. Do you support limiting the exemption from permit or approval requirements for dangerous vegetation to only vegetation that is an **imminent** risk?
11. What are the risks or challenges associated with limiting the exemption to only vegetation that is an **imminent** risk?
12. What are the opportunities associated with this proposal?
13. Do you think requiring people to get a qualified arborist to certify that vegetation is dead or dying before clearing it would improve outcomes? Can you see any risks or challenges associated with this approach?

14. Do you think making people get a permit or approval before clearing dying or dead vegetation would improve outcomes? Can you see any risks or challenges associated with this approach?
15. An alternative to removing the exemption for dead vegetation would be to limit the exemption so it only applies if the council or Native Vegetation Panel is satisfied that the vegetation has not been poisoned or otherwise illegally killed. In this case, we would add a definition of 'dead'. Would you prefer this approach?

Chapter 2.5 Encourage people to keep and replace vegetation

16. Does the list of proposed factors support an appropriate merit-based approach to assessing a request to clear existing trees?
17. If the landowner cannot plant a replacement tree on the site, what alternative approaches could be implemented?
18. Should requirements be specified for replacement trees (e.g. mature trees of an appropriate size and species)?

Chapter 2.7 Support a clearer framework: non-regulatory measures

19. Which of the guidance materials or templates would most help you use the provisions of Chapter 2 of the BC SEPP?
20. Are there any types of guidance material or templates not listed above that would help you?
21. We will release guidance material and templates in stages, based on urgency and priority. Which guidance and/or templates would you like us to release first?
22. What types of innovative joint management arrangements should be explored to prevent unlawful tree clearing and preserve biodiversity and mature trees?



30 May 2025

Our Ref: F25/626
Our Contact: Maze Hammond (02) 9562 1621

Environment Policy Team
Department of Planning, Housing and Infrastructure

Uploaded via NSW Planning Portal

Dear Sir / Madam,

Draft Bayside Council Submission on the Explanation of Intended Effect: Changes to Deter Illegal Tree and Vegetation Clearing

Thank you for the opportunity to comment on the *Explanation of Intended Effect—Changes to Deter Illegal Tree and Vegetation Clearing* (the EIE). Bayside Council provides the attached as a draft submission. The Bayside City Planning and Environment Committee will consider this matter on 2 July 2025. Council will then have the opportunity to provide formal endorsement of the submission at its meeting to be held on 23 July 2025. A final version will be provided immediately following the Council meeting.

Bayside Council (Council) recognises that the policy proposals included within the EIE aim to achieve the following:

- Deter illegal clearing by increasing penalties and clarifying that regulatory authorities can issue one fine per tree cleared.
- Deter illegal clearing by making sure existing restrictions on complying development where illegal clearing has happened can be enforced.
- Improve compliance and enforcement outcomes by making the policy easy to understand and through enhanced stop work and replanting orders.
- Tighten exemptions for dead, dying and dangerous vegetation to close potential loopholes.
- Encourage people to keep vegetation by adding a new aim to *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (the BC SEPP).
- Provide standard matters councils must consider when they issue permits to clear vegetation.
- Require permits to include conditions for replacing cleared vegetation.

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The EIE explains that the aims will be achieved through various changes to Chapter 2 of the *BC SEPP*, as well as indicating the possibility of future reforms to the *Environmental Planning and Assessment Act 1979* or any other acts, if appropriate.

Council Response

Council acknowledges that the EIE aligns with the *Bayside Urban Forest Strategy*, adopted by Council in July 2024, as well as the *Bayside Local Strategic Planning Statement (LSPS)*.

Notably, the *Bayside Urban Forest Strategy* protect principle states that ‘*Council advocates for the protection of all urban trees from development and urban intensification*’ and the *LSPS Planning Priority B20—increase urban tree canopy cover and enhance green grid connections*.

Increasing penalties and clarifying that regulatory authorities can issue one fine per tree cleared

Council officers have identified that penalties need to consider the actual replacement costs of tree removed. For example, in a scenario where a 15-year-old tree is killed, the penalty should cover the cost to remove the dead tree, to plant a new tree at the same location and to maintain it until it reaches equivalent age and canopy width.

Encourage people to keep vegetation by adding a new aim to the BC SEPP

Council officers consider that the NSW Government should:

- Consider incentives and initiatives that reward retention of trees, and
- Undertake targeted engagement with community at locations subject to high rates of tree vandalism and support initiatives such as Council’s ‘*Adopt A Tree*’ Program.

In response to the prompt questions provided in Appendix C of the EIE, our comments are as follows:

Consultation Question	Response
Chapter 2.2 Deter illegal clearing	
<i>Are the criteria for the higher penalty tier appropriate and practical?</i>	<p>Within table 2 of the EIE, DPHI has identified higher penalty framework for factors such as the size of trees or area cleared, repeat offenders, and significance of vegetation.</p> <p>The EIE also identifies factors which may be considered as framework for consistent assessment of tree clearing applications.</p> <p>As noted above, penalties should meet the costs for replacement and management of the tree based on the criteria set out within section 2.5.2 of the EIE.</p>
Chapter 2.3 A clearer compliance and enforcement framework	
<i>Would additional measures or information help reduce illegal tree clearing on public land?</i>	<p>Council recommends that the NSW Government should undertake targeted engagement with community at locations subject to high rates of tree vandalism and support initiatives such as Council’s ‘<i>Adopt A Tree</i>’ Program.</p>

Consultation Question	Response
Chapter 2.5 Encourage people to keep and replace vegetation	
<i>If the landowner cannot plant a replacement tree on the site, what alternative approaches could be implemented?</i>	The <i>Bayside Development Control Plan 2022</i> (BDCP 2022) states that where on-site replacement is not appropriate, off-site replacement by way of Deed of Agreement and monetary contribution is possible to facilitate replacement planting on public land. In these instances, off-site and/or public land tree replacement must meet certain replacement ratios based on the type of proposed development.
<i>Should requirements be specified for replacement trees (e.g. mature trees of an appropriate size and species)?</i>	Yes. Penalties and tree clearing applications should consider various factors and characteristics of trees for both removal and replacement.
Chapter 2.7 Support a clearer framework: non-regulatory measures	
<i>What types of innovative joint management arrangements should be explored to prevent unlawful tree clearing and preserve biodiversity and mature trees?</i>	Bayside's <i>Urban Forest Strategy</i> identifies various ways to prevent tree removal and encourage community interest, such as: <ul style="list-style-type: none"> • Partnering with community to grow the urban forest via engagement and education with programs such as Councils 'Adopt A Tree' and 'Trees for Mum/Dad', or • Working cooperatively with the local garden centre to supply suitable native plants for tree planting programs.

If you require any further information, please do not hesitate to contact Maze Hammond, Urban Planner on (02) 9562 1621 or hammondm@bayside.nsw.gov.au.

Yours sincerely,



David Smith
Manager Strategic Planning

City Services Committee

13/08/2025

Item No	CS25.024
Subject	NSW Electric Vehicle Kerbside Charging Grant - Round 2 Outcomes
Report by	Debra Dawson, Director City Life
File	F23/490

Summary

At the City Services Committee of 4 December 2024, a report was presented regarding Council's application for Round 2 of the NSW Government's Electric Vehicle Kerbside Charging grant and included 59 potential kerbside charger locations within the local government area (LGA).

At the City Services Committee of 12 March 2025, an updated report was presented advising that the outcome of Council's grant application had not yet been announced.

In July 2025, the NSW Government announced that Council's Electric Vehicle Kerbside Charging grant application was successful.

This report addresses the outcome of the grant and includes an updated list of proposed kerbside charger locations based on the assessment criteria set by the Electric Vehicle (EV) Charge Point Operators (CPOs) for consideration. Council can accept, decline, or nominate an alternative site.

Officer Recommendation

- 1 That Council endorses the proposed locations for public consultation for 28 days.
 - 2 That a post public consultation report be submitted to Traffic Committee for allocation of dedicated parking space.
 - 3 That Council investigates licencing agreements with charging operators for dedicated parking spaces.
-

Background

As outlined in the report of presented to the City Services Committee of 4 December 2024, Council provided letters of support to three Electric Vehicle Charge Point Operators (CPOs) for their grant application under Round 2 of the NSW EV Kerbside Charging Grant, to provide kerbside charging ports in the LGA. The three CPOs were PLUS ES, EVX and EVSE.

Two CPOs successfully secured the NSW Government grant to provide kerbside charging ports in the LGA. These were PLUS ES and EVX, with both proposing pole-mounted EV charging stations, similar to the seven EV charging stations from the initial pilot project in 2023/24 (refer to Figure 1).

Figure 1: Examples of pole-mounted EV chargers by EVX (left) and Plus ES (right)



A total 27 EV charging stations can be installed across the LGA, with 37 charging ports. This is because some EV charging stations will have two charging ports so two cars can charge at the same time (refer to Table 1).

The 27 potential locations were assessed against the EV site selection criteria outlined below:

- Located on Council-owned or managed land;
- Not positioned in front of residential homes or retail stores;
- Consideration of the current and future land use;
- Availability of car parking with minimal impact on spaces for non-EVs;
- No negative effect on road safety or traffic flow, including bike lanes;
- Location speed limit does not exceed 50km/h;
- Proximity to amenities such as parks, beaches, tourist attractions, public transport, business districts, and community facilities;
- Accessible at all times with sufficient lighting;
- Sited in areas of high demand or nominated by the public, and avoiding areas adjacent to low-rise residential properties;
- Available to the public 24 hours a day, 7 days a week; and
- Ability to provide personal safety for users through high-surveillance areas.

A comprehensive list of the 27 site locations and map are included in Attachment 1. Based on lessons learnt from the previous EV charging infrastructure pilot where proposed sites may not be technically suitable or there are objections from the community, back up sites have also been identified and can these can be found in Attachment 1.

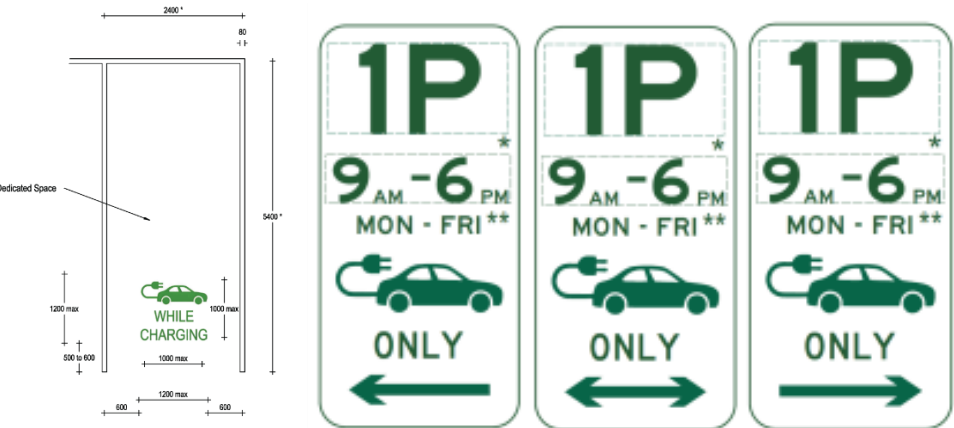
Table 1: Number of EV charging stations, charging points and wards.

Wards	Number of charging stations	Number of charging ports
1	4	7
2	8	10
3	8	11
4	2	3
5	5	6
Total	27	37

Each EV parking location will be designated exclusively as "EV while charging only," with parking limits of either 2 hours or 4 hours, depending on the location. Given that these are 22kW EV chargers, a 4-hour parking restriction is recommended. However, in areas where a 2 hour parking limit is enforced, the dedicated EV charging spots will adhere to this 2-hour restriction. This approach aims to minimise any negative impact on the overall parking availability in these areas.

Furthermore, EV signage and pavement markings will be implemented in accordance with Transport for NSW (TfNSW) standards (refer to Figure 2).

Figure 2: Example of signage and line marking for the dedicated EV charging locations (source: TfNSW)



Council will enter licensing agreements with CPOs for dedicated EV parking locations and CPOs will pay an annual fee for each dedicated EV parking spot. For level 2 EV chargers (AC chargers range from 7kW to 22kW), the annual fee will be between \$450 and \$500, which aligns with neighbouring Councils.

For fast EV chargers, the fee could be significantly higher, with neighbouring Councils charging between \$2,500 and \$3,000 per parking location.

CPOs will also cover the cost of installing regulatory signage and pavement markings.

The third CPO, EVSE, did not secure grant funding for their charging stations at Council carparks with a capacity of 50kW EV chargers (Level 3 DC fast chargers – 50kW and above). However, they are still interested in installing fast EV chargers in Council car parks, including Barton Park, King St Car Park, and Angelo Anesis Aquatic Centre using their own funding. If successful, these Level 3 EV chargers will be managed under Bayside’s EV Charging Infrastructure Policy.

Financial Implications

- Not applicable ☒
- Included in existing approved budget ☐
- Additional funds required ☐

Community Strategic Plan

- | | |
|--|-------------------------------------|
| Theme One – In 2035 Bayside will be a vibrant and liveable place | <input checked="" type="checkbox"/> |
| Theme Two – In 2035 our Bayside community will be connected and feel that they belong | <input type="checkbox"/> |
| Theme Three – In 2035 Bayside will be green, resilient and sustainable | <input checked="" type="checkbox"/> |
| Theme Four – In 2035 Bayside will be financially sustainable and support a dynamic local economy | <input type="checkbox"/> |
-

Risk Management – Risk Level Rating

- | | |
|----------------|-------------------------------------|
| No risk | <input type="checkbox"/> |
| Low risk | <input checked="" type="checkbox"/> |
| Medium risk | <input type="checkbox"/> |
| High risk | <input type="checkbox"/> |
| Very High risk | <input type="checkbox"/> |
| Extreme risk | <input type="checkbox"/> |
-

Community Engagement

Public consultation will be conducted during September 2025.

Attachments

- 1 [↓](#) Proposed EV charging locations and number of charging ports

Proposed EV charging locations and number of charge ports (under the NSW EV kerbside charging grant – Round 2)

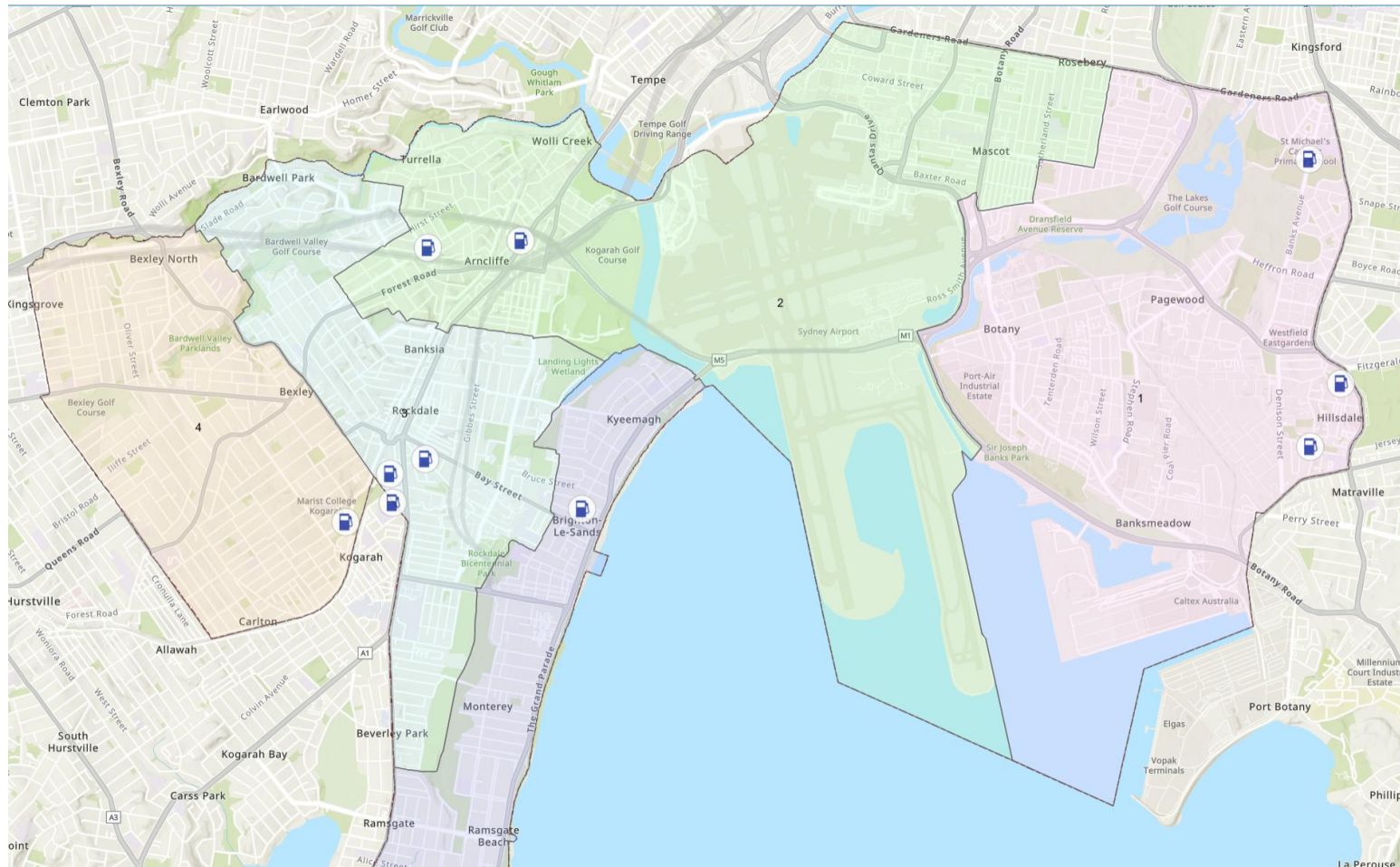
Site No	Suburbs	Street address	Ward	Charger capacity (kW)	Number of charge ports	Charging Operator	Dedicated parking bay
1	Botany	28 Edgehill Ave	1	22kW	1	PLUS ES /Ausgrid	Yes
2	Daceyville	30 Banks Ave	1	22kW	2	EVX	Yes
3	Eastgardens	2 Tierney Ave	1	22kW	2	EVX	Yes
4	Hillsdale	33 Rhodes St	1	22kW	2	EVX	Yes
5	Arncliffe	90 Wollongong Rd	2	22kW	2	EVX	Yes
6	Arncliffe	34 Firth St, Arncliffe	2	22kW	1	PLUS ES /Ausgrid	Yes
7	Arncliffe	49 Duncan St (pole in Kyle St)	2	22kW	1	PLUS ES /Ausgrid	Yes
8	Mascot	3 John St	2	22kW	1	PLUS ES /Ausgrid	Yes
9	Mascot	Opp 200 Coward St	2	22kW	1	PLUS ES /Ausgrid	Yes
10	Mascot	56 Kent St, Mascot	2	22kW	1	PLUS ES /Ausgrid	Yes
11	Mascot	215 O'Riordan St (pole in King St)	2	22kW	1	PLUS ES /Ausgrid	Yes
12	Wolli Creek	1 Burrows St	2	22kW	2	EVX	Yes
13	Kogarah	158 Harrow Rd	3	22kW	2	EVX	Yes
14	Kogarah	28 Production Ave (pole in Midjuburi Ln)	3	22kW	1	PLUS ES /Ausgrid	Yes
15	Kogarah	47 President Ave(pole in Warren Ave)	3	22kW	1	PLUS ES /Ausgrid	Yes
16	Rockdale	19 Chapel St	3	22kW	2	EVX	Yes
17	Rockdale	9 Subway Rd	3	22kW	2	EVX	Yes
18	Rockdale	2 Ashton St	3	22kW	1	PLUS ES /Ausgrid	Yes
19	Rockdale	63-67 Chapel St	3	22kW	1	PLUS ES /Ausgrid	Yes
20	Rockdale	2-8 York St	3	22kW	1	PLUS ES /Ausgrid	Yes
21	Bexley	18 Kinsel Grove	4	22kW	1	PLUS ES /Ausgrid	Yes
22	Kogarah	22 Warialda St	4	22kW	2	EVX	Yes
23	Brighton Le Sands	1-7 Bruce St	5	22kW	1	PLUS ES /Ausgrid	Yes
24	Brighton Le Sands	15 The Boulevarde	5	22kW	1	PLUS ES /Ausgrid	Yes
25	Brighton-Le-Sands	1 Moate Ave	5	22kW	2	EVX	Yes

Site No	Suburbs	Street address	Ward	Charger capacity (kW)	Number of charge ports	Charging Operator	Dedicated parking bay
26	Monterey	33 Banks St(Pole in Cecil St)	5	22kW	1	PLUS ES /Ausgrid	Yes
27	Sans Souci	4 Tonbridge St,	5	22kW	1	PLUS ES /Ausgrid	Yes

Additional sites for considerations

Suburbs	Street address	Charger capacity (kW)	Number of charge ports	Charging Operator	Ward
Eastlakes	16-18 Maloney St	22kW	2	EVX	1
Hillsdale	Opp 10 Devitt Pl	22kW	2	EVX	1
Kogarah	700-70 Princes Hwy(pole in French St)	22kW	2	EVX	3
Rockdale	19-21 Hayburn Ave	22kW	2	EVX	3
Rockdale	Opposite 7 Pitt St	22kW	2	EVX	3
Rockdale	555-573 Princes Hwy (Pole in Keats Ave)	22kW	2	EVX	3
Bexley	128-130 Harrow Rd	22kW	2	EVX	4
Sans Souci	2-6 Selmon St	22kW	2	EVX	5
Wolli Creek	10 Gertrude St	22kW	2	EVX	2
Wolli Creek	28 Arncliffe St, Wolli Creek	22kW	2	EVX	2
Bexley	5 Oriental St, Bexley	22kW	2	EVX	4
Carlton	Op 1B Short St	22kW	2	EVX	4
Carlton	2 Mill St	22kW	2	EVX	4

Map of proposed EV charging stations (pole-mounted) – proposed by EVX



Map of proposed EV charging stations (pole-mounted) – proposed by PLUS ES

