



# City Planning & Environment Committee

6:30 PM

Wednesday 1 October 2025

**Venue:**

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

**Contact Us:**

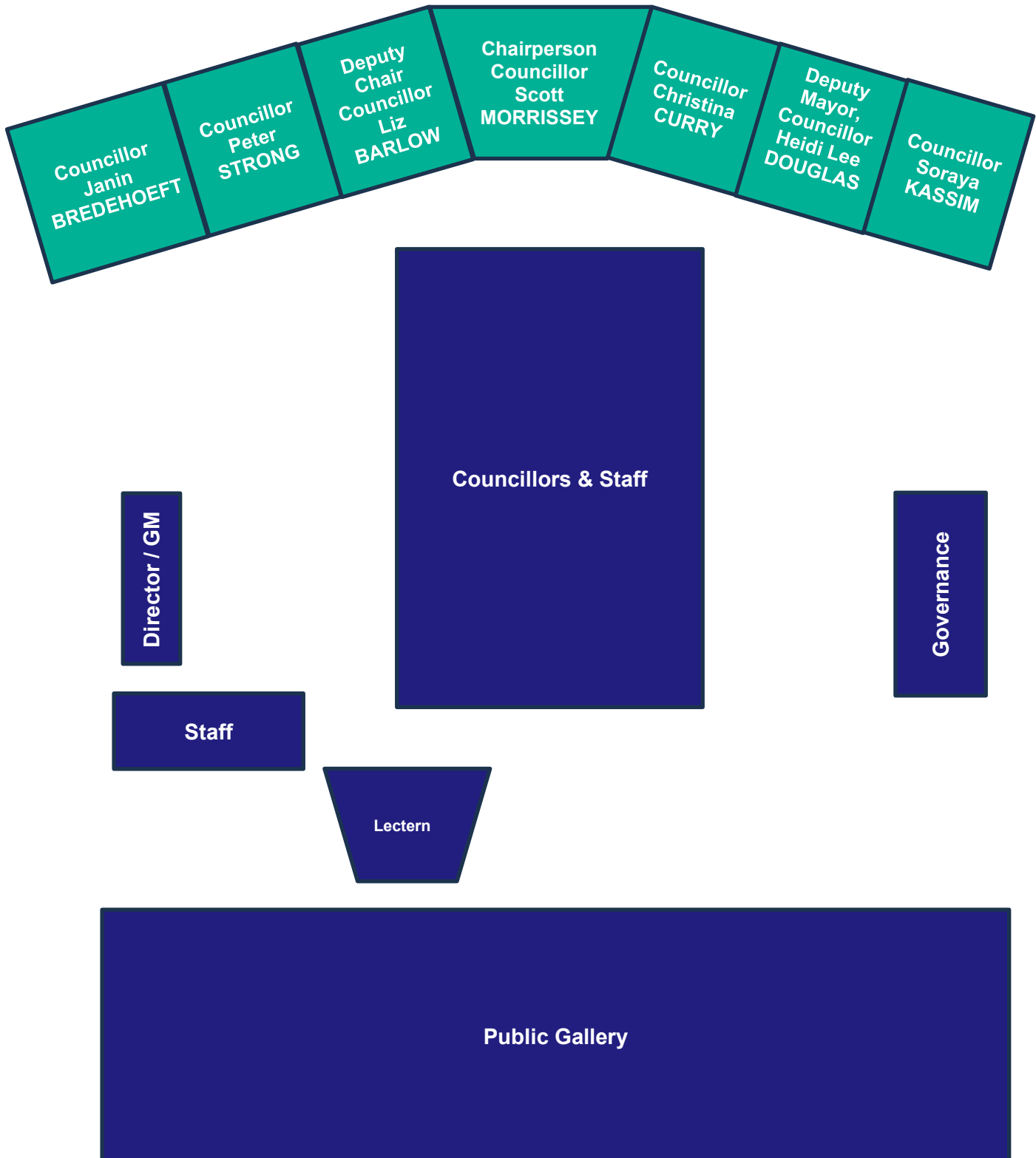
1300 581 299 or 9562 1666

[council@bayside.nsw.gov.au](mailto:council@bayside.nsw.gov.au)

PO Box 21, Rockdale NSW 2216

ABN: 80 690 785 443

## City Planning & Environment 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 Planning & Environment 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 1 October 2025 at 6:30 PM**

## **AGENDA**

<b>1</b>	<b>ACKNOWLEDGEMENT OF COUNTRY.....</b>	<b>5</b>
<b>2</b>	<b>APOLOGIES, LEAVE OF ABSENCE &amp; ATTENDANCE VIA AUDIO-VISUAL LINK</b>	<b>5</b>
<b>3</b>	<b>DISCLOSURES OF INTEREST .....</b>	<b>5</b>
<b>4</b>	<b>MINUTES OF PREVIOUS MEETINGS .....</b>	<b>6</b>
4.1	Minutes of the City Planning & Environment Committee Meeting - 3 September 2025 .....	6
<b>5</b>	<b>ITEMS BY EXCEPTION .....</b>	<b>12</b>
<b>6</b>	<b>PUBLIC FORUM .....</b>	<b>12</b>
<b>7</b>	<b>REPORTS .....</b>	<b>13</b>
CPE25.030	Proposed Amendments to the Bayside Development Control Plan 2022.....	13
CPE25.031	Post Exhibition Report - Draft Affordable Rental Housing Strategy .....	67
CPE25.032	Electric Vehicle Charging Unit Infrastructure Policy - Advertising Enabled EV Chargers .....	138

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.

Peter Barber  
**Acting 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 Planning & Environment Committee**

**1/10/2025**

Item No	4.1
Subject	<b>Minutes of the City Planning &amp; Environment Committee Meeting - 3 September 2025</b>
Report by	Richard Sheridan, Director City Performance
File	SF24/8121

---

### **Officer Recommendation**

That the Minutes of the City Planning & Environment Committee meeting held on 3 September 2025 be noted

---

### **Present**

Councillor Scott Morrissey, Chairperson  
Councillor Liz Barlow, Deputy Chairperson  
Councillor Heidi Lee Douglas, Deputy Mayor  
Councillor Peter Strong  
Councillor Soraya Kassim

### **Also present**

Meredith Wallace, General Manager  
Peter Barber, Director City Futures  
Helen Tola, Manager Governance & Risk (via Audio-Visual Link)  
David Smith, Manager Strategic Planning  
Rupert Gilroy, Manager Property  
Sam Lindsay, Acting Manager City Infrastructure  
Mariam Fares, Manager City Projects  
Maritza Abra, Coordinator City Design  
Darren O'Connell, Lead Governance  
Linda Hackett, Governance Officer  
Damien Carson, IT Service Management Officer

---

The Chairperson opened the meeting in the Committee Room, Botany Town Hall at 6:35pm.

## **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**

Moved by Councillors Kassim and Douglas

That the apology from Councillors Bredehoeft and Curry be received and leave of absence granted.

### **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 Planning & Environment Committee Meeting - 6 August 2025](#)**

#### **Committee Recommendation**

**Moved by Councillors Douglas and Barlow**

That the Minutes of the City Planning & Environment Committee meeting held on 6 August 2025 be noted.

### **4.2 Business Arising**

The Committee notes that the Minutes of the City Planning & Environment Committee of Wednesday 6 August 2025 were received and the recommendations therein were adopted by the Council at its meeting of Wednesday 27 August 2025.

## 5 Items by Exception

There were no Items by Exception.

## 6 Public Forum

### CPE25.026 Post Exhibition Report - Planning Proposal - 204 Rocky Point Road, Kogarah

The following people spoke at the meeting:

- Mr Mason Stankovic, Patch Planning, Applicant Representative, speaking in favour of the Committee Recommendation.

**Note:** The Committee then considered Item CPE25.026 - Post Exhibition Report - Planning Proposal - 204 Rocky Point Road, Kogarah. Refer to recommendations below.

## 7 Reports

### CPE25.025 Update on Development of a New Development Contributions Plan for Bayside

Note: A presentation was given by David Smith, Manager Strategic Planning.

Committee Recommendation

Moved by Councillors Barlow and Douglas

- 1 That the attachment/s to this report be withheld from the press and public as they are confidential for the following reason:

With reference to Section 10(A) (2) (d)(i) of the Local Government Act 1993, the attachment relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That Council note the methodology and progress on the preparation of a new Development Contributions Plan for Bayside, and proposed next steps.
- 3 That a session be offered to assist Councillors in comprehending the draft Contribution Plan Works Schedule prior to the draft Plan being presented to a Planning and Environment Committee meeting for debate and decision making.

**CPE25.026 Post Exhibition Report - Planning Proposal - 204 Rocky Point Road, Kogarah**

**Note:** This item was considered after Public Forum.

**Note:** A presentation was given by Peter Barber, Director City Futures.

**Committee Recommendation**

Moved by Councillors Strong and Barlow

- 1 That Council notes the submissions received during exhibition of the Planning Proposal for 204 Rocky Point Road, Kogarah.
- 2 That Council notes the changes to the Planning Proposal made in response to the conditions of the Gateway Determination.
- 3 That Council exercises its delegation as Local Plan Making Authority to make the LEP amendment pursuant to Section 3.36(2)(a) of the Environmental Planning and Assessment Act 1979.
- 4 That all people and organisations who provided submissions be advised of Council's decision.

Division called by Councillors Douglas and Morrissey

For: Councillor Barlow, Councillor Kassim, Councillor Morrissey and Councillor Strong

Against: Councillor Lee Douglas

The Motion was declared carried.

**CPE25.027 Draft Amendment to Bayside Development Control Plan 2022 - Westfield Eastgardens**

Note: A presentation was given by David Smith, Manager Strategic Planning.

**Committee Recommendation**

Moved by Councillors Strong and Barlow

- 1 That Council, in accordance with Clause 13 of the *Environmental Planning and Assessment Regulation 2021*, endorses the draft amendment to the Bayside Development Control Plan 2022 to include a new chapter 7.22 Eastgardens Centre in Part 7 Specific Places to be placed on public exhibition for a period of 28 days.
- 2 That Council receives a further report post-exhibition to consider any submissions made during the public exhibition period.

- 3 An update/report to come back to Council around Solar Energy and Battery Storage/Green Roof as part of the DCP of new development and carbon offset deal around the Eastgardens site. Also shopping trolley management plan in the DCP.

### **CPE25.028 Response to Notice of Motion - Rooftop Public Recreation Space**

Note: A presentation was given by Peter Barber, Director City Futures.

#### **Committee Recommendation**

Moved by Councillors Kassim and Barlow

- 1 That Council receives and notes the Response to Notice of Motion – Rooftop Public Recreation Space report.
- 2 That Council, where, in areas with limited community facilities, prioritises exploring opportunities to incorporate community facilities into new privately owned buildings when Planning Agreements are offered, including potential rooftop recreation areas, taking into account the considerations discussed in this report.

### **CPE25.029 Response to Notice of Motion - Bayside Heritage Study**

Note: A presentation was given by Peter Barber, Director City Futures.

#### **Committee Recommendation**

Moved by Councillors Douglas and Kassim

- 1 That Council receives and notes the information provided in this report.
- 2 That Council not proceed with a Heritage Review at this stage, pending the finalisation of the Bayside Heritage Strategy, as outlined in Planning Priority 11 of the Bayside Local Strategic Planning Statement.
- 3 That Council complete the Bayside Heritage Strategy within 6 months.
- 4 That Council is presented with 5 options from the Bayside Heritage Strategy for consideration as to whether the Heritage Review proceeds.

The Chairperson closed the meeting at 8:10pm.

The next meeting will be held in the Committee Room, Botany Town Hall at 6:30pm on Wednesday, 1 October 2025.

## **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 Planning & Environment Committee

1/10/2025

Item No	CPE25.030
Subject	<b>Proposed Amendments to the Bayside Development Control Plan 2022</b>
Report by	Peter Barber, Director City Futures
File	F18/262

---

### Summary

On 10 April 2023, the Bayside Development Control Plan 2022 (BDCP 2022) came into effect to support the Bayside Local Environmental Plan 2021 (BLEP 2021).

A number of housekeeping issues comprising unintended omissions, numerical, interpretation and formatting errors have been identified within the BDCP 2022 since its commencement on 10 April 2023. A housekeeping amendment is required to rectify these issues.

Through this process, there is the opportunity to address two council resolutions relating to land in Port Botany and Daceyville, and a recent amendment to the BLEP 2021 relating to Cooks Cove.

The purpose of this report is to seek Council endorsement to publicly exhibit Amendment No.2 to the BDCP 2022.

A further report will be submitted to Council following the public exhibition period, detailing the outcomes of community consultation, and responding to any submissions received.

---

### Officer Recommendation

- 1 That, pursuant to Clause 13 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), the draft amendment to the *Bayside Development Control Plan 2022* be placed on public exhibition for a period of 28 days.
  - 2 That a further report be presented to Council following the public exhibition period, detailing the outcomes of community consultation, and responding to any submissions received.
- 

### Background

The Bayside Development Control Plan (DCP) provides detailed planning and design provisions, and guidelines, to support the planning controls contained in the Bayside Local Environmental Plan (BLEP).

The BDCP was prepared to support the BLEP 2021 by harmonising and translating the DCPs of the former Rockdale and Botany Bay Councils into a consolidated set of controls for the Bayside Local Government Area (LGA). The BDCP 2022 provides detailed guidance for assessing development and applying controls under the BLEP 2021.

## BDCP 2022 Amendment Objectives and Content

The subject amendment to the BDCP 2022 is known as Amendment 2, and has the following objectives:

- To incorporate planning controls for land zoned IN1 and IN2 under Chapter 5 of the Transport and Infrastructure SEPP 2021 to enable a consistent and consolidated approach to assessing developments surrounding Port Botany, which is currently excluded from the DCP.
- To strengthen site specific controls in the Daceyville Heritage Conservation Area to protect heritage significance and residential amenity in Daceyville in response to the Council resolution of 24 July 2024 (Minute No. 2024/138):
  - 1. *That the minor review of Bayside Development Control Plan 2022 programmed for the current financial year includes a review of part “7.17 Daceyville” with the aim of:*
    - a. *Maximising the protection of the existing Heritage Conservation Area; and*
    - b. *Protecting the quality and amenity of the residential area from potential increased intensity of non-residential uses in Daceyville.*
- To incorporate planning controls for land known as Cooks Cove at 13-19 and 19A Marsh Street, Arncliffe to enable a consistent and consolidated approach to assessing future development applications within this area, which was recently rezoned.
- To rectify issues such as interpretation errors, gaps and deficiencies, which have been identified since the adoption of the BDCP 2022.
- To update references to policies, legislation and planning instruments in response to updates made by Council or the NSW Government.

## General Housekeeping Amendments

A number of housekeeping amendments have been identified as being required within the BDCP 2022 since its commencement in April 2023, which include:

- Updates to addresses, changes to legislation or Council policy.
- Edits to correct or clarify the intent of controls or address conflicts between controls.
- Corrections to address errors in content or formatting that have impacted on the readability or consistency of the controls.
- To further strengthen the protection of trees and vegetation, improve canopy coverage and respond to the adoption of Council's Urban Forest Strategy.
- Changes to car parking rates, including:
  - **Supermarkets:** An existing rate of 1 parking space per 40 square metres (of Gross Floor Area) presently applies to commercial premises (including retail). The rate is halved within 800m of Mascot Station to 1 parking space per 80 square metres. These rates are similar to the rates required in neighbouring LGAs in accessible locations. These rates also facilitate provision of new employment within mixed use developments on small sites.

However, recent “full line” supermarket developments in the Bayside LGA provided parking at the higher rate of 1 parking space per 25 square metres. This rate reflects the more intense demand for parking at supermarkets in car dependent suburban locations. The rate was selected based on the parking demand estimates for large retail developments in the TfNSW Guide to Transport Impact Assessment.

An amendment to BDCP 2022 is proposed to add a specific parking rate of 1 per 25 square metres for Supermarkets and large retail developments located more than 800m from a train station or light rail station.

- **Artisan Food and Drink Premises:** This is a relatively recent category of development which mixes elements of light industry, retail and pub or restaurant businesses. These are premises where food or drink is manufactured, sold and consumed on site such as breweries. These premises are presently subject to the “Light Industry” parking rate but have a higher demand for parking because they can sell and serve directly to customers.

An amendment to BDCP 2022 is proposed to add a specific parking rate for Artisan Food and Drink Premises, which is similar to the Light Industry parking rate, but requires 1 additional space per 10 square metres of Gross Floor Area used for retail, preparation and serving, or holding tasting, tours or workshops.

- **Gymnasiums:** These premises currently have two parking rates specified:
  - *Within 400m radius of railway station or 200m radius of public bus stop (minimum 2 frequent bus routes): 1 space / 25 m<sup>2</sup> GFA*
  - *Any other locations: 1 space / 10m<sup>2</sup> GFA*

These rates are considered to be overly complicated and inconsistent with the TfNSW Guide to Transport Impact Assessment. An amendment to BDCP 2022 is proposed to replace these parking rates within a simpler rate of 3 spaces / 100m<sup>2</sup> GFA for all such developments.

- **Car Share in Residential Developments:** Residential developments are currently subject to two different rates for providing car share spaces.
  - *1 car share space for every 50 car spaces within the development.*
  - *Developments located within 800m of a train station are to provide car spaces at 1 per 25 car parking spaces.*

When applied to developments, the higher rate required within 800m of train stations has been found to be excessive the spaces are not necessary to support car share operators. Consequently, it is recommended that the higher rate be removed.

## Port Botany Planning Controls

Chapter 5 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (the SEPP) sets out the land use planning and assessment framework for development at Port Botany, Port Kembla and Port of Newcastle.

The SEPP requires the consideration of development impacts on port operations, safety and infrastructure capacity. Unlike the BLEP 2021, the SEPP does not specify height or FSR controls for development on land to which it applies.

The SEPP applies to both the Lease Areas and surrounding IN1 General Industrial and IN2 Light Industrial zoned land reserved for port related and industrial uses. The SEPP provides different assessment pathways depending on the scale, significance and location of development, from minor works and local development to State Significant Development.

No formal DCP presently applies to land within the portion of the Bayside LGA that Chapter 5 of the SEPP applies. In the absence of DCP controls, the BDCP 2022 is still used as a non-statutory guide to assess Development Applications. It provides:

- Design principles
- Environmental and amenity standards
- Guidance on setbacks, landscaping, traffic and built form.

Under Division 3.6 of the *Environmental Planning and Assessment Act 1979* Council may only prepare and adopt a DCP for land within a SEPP area if it has been delegated authority by the Secretary of DPHI. On 9 May 2025, the Planning Secretary issued an Instrument of Delegation that specifically grants authority to Bayside Council to make DCPs for land within Chapter 5 of the SEPP, excluding the Lease Areas.

The draft amendment to the BDCP 2022 proposes to formally apply the DCP and planning controls to IN1 and IN2 zoned land under Chapter 5 of the SEPP for the first time. This will formalise the current assessment approach and provide greater clarity and consistency when assessing Development Applications in this area.

Figure 1 below shows the extent of the land zoned under Chapter 5 of the SEPP:

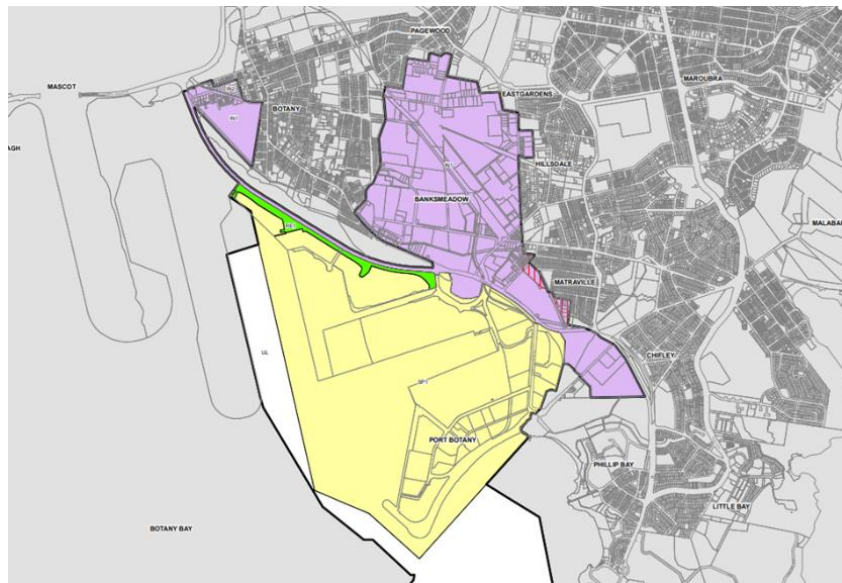


Figure 1: Map showing zoned land under Chapter 5 of  
*SEPP (Transport and Infrastructure) 2021*

### **Background to the development of Controls for IN1 and IN2 zoned Land in Port Botany**

On May 2011, the former Botany Bay Council resolved to prepare a comprehensive DCP for the entire LGA, including land under the then Three Ports SEPP (now superseded by Chapter 5 of *State Environmental Planning Policy (Transport and Infrastructure) 2021*).

A draft DCP was publicly exhibited in mid-2013, however, NSW Ports objected, stating Council was not the relevant planning authority for that land. On 20 November 2013, the Department of Planning (now DPHI) advised Council to adopt a DCP excluding land within the Three Ports area. However, it also issued an Instrument of Delegation allowing Council to prepare a DCP for SEPP land outside the Lease Area.

On 11 December 2013, the former Botany Bay Council considered a post exhibition report on the draft Botany Bay comprehensive DCP 2013 and resolved (amongst other things):

5. *That in respect of the land covered by SEPP (Port Botany and Port Kembla) 2013, that council resolve as follows:*
  - a. *To prepare a DCP for land covered by SEPP (Port Botany and Port Kembla) 2013 in accordance with the Instrument of Delegation dated 20 November 2013 from the Department of Planning and Infrastructure.*
  - b. *That the DCP be prepared in consultation with the Department of Planning and Infrastructure, NSW Ports and Sydney Ports Corporation; and*
  - c. *Be referred back to Council after its preparation for review prior to exhibition.*

The decision to prepare a DCP to cover the Port area was not progressed.

The BDCP 2022 was adopted by Council on 22 March 2023 and came into force on 10 April 2023. The preparation of the BDCP 2022 did not include controls for the Port Botany Area, as this was largely a harmonisation exercise to rationalise the controls and did not result in extensive policy changes.

In January 2025, DPHI revoked the 2013 delegation, but granted Bayside Council a new delegation in May 2025. This enables Council to prepare a DCP for land to which Chapter 5 of the SEPP applies, other than the Lease Area.

To give effect to the 11 December 2013 Council resolution, the proposed amendment to the BDCP 2022 introduces key changes focused on the IN1 General Industrial and IN2 Light Industrial zone in Port Botany, under the SEPP.

The proposed changes include:

- *Land Application Map:* the amendment proposes to extend the land application map of the BDCP 2022 provisions to the IN1 and IN2 zone in Port Botany under the SEPP. This ensures that development in these zones is subject to the same planning controls and design standards as other industrial land within the LGA.
- *Aims and Objectives of the Plan:* to include two additional objectives to supplement the controls and to guide future development of land on sites zoned IN1 and IN2 under the SEPP and located outside the Lease Area.
- *Integration with SEPP framework:* the changes are consistent with the provisions in the SEPP, ensuring consistency across planning instruments.
- *Additional Development Controls:* New controls are being introduced to:
  - Address gaps identified in the existing planning framework as detailed below.
  - Respond to internal stakeholder feedback, regarding the environmental and operational impacts of industrial land in Port Botany.

- Provide clearer guidance on issues such as traffic, landscaping, noise and amenity.

The subheadings below include a summary of the proposed additional development controls.

### **Trees/Landscaping**

As part of the general amendments, Section 3.8 of the BDCP 2022 has been amended to address Council's strategy to increase tree canopy cover. The amendments also apply tree planting and landscape controls to development under Chapter 5 of the SEPP. Further details of the amendments are set out above under 'Outline of Proposed Changes – General Amendments to BDCP.'

### **Side Setback**

The side setbacks have been increased to accommodate greater building heights in this area as the T&I SEPP does not prescribe maximum building heights for development within the IN1 and IN2 zoned land within Port Botany.

The existing 2m setback that applies to industrial areas outside of Port Botany with a 14.5m height limit is considered insufficient to address visual amenity and landscaping in the context of taller buildings in this area.

A 4m setback is proposed as a more appropriate control to:

- Enhance visual amenity while reducing bulk and scale impacts;
- Protect existing trees and vegetation; and
- Provide adequate space for landscaping within the setback area.

### **Setbacks on Corner Sites**

Section 6.4 of the BDCP 2022 outlines the setback controls for Industrial Premises. The existing controls do not address setbacks on corner sites where there are two street frontages. To address this anomaly, it is proposed to specify the front boundary includes both primary and secondary streets. This will ensure adequate area is available at the street frontages to accommodate satisfactory landscaping, access and to reduce the visual impact of development on the street.

### **Setbacks along Denison Street and Stephen Road**

Stephen Road and Denison Street are key boundary roads between the industrial land under the SEPP and existing residential zoned land under the BLEP 2021. The interface between future industrial/employment generating development and established residential areas requires careful considerations to minimise potential land use conflicts.

To mitigate adverse impacts on adjoining residential zoned land, the following street specific controls are proposed:

- *Landscape Setback*

A minimum 10m wide landscape zone is proposed to provide a green buffer to allow for canopy tree planting, visual screening and to enhance the public domain.



- **Building Setback**

A minimum 15m setback is proposed to minimise visual and amenity impacts on adjoining residential properties and to provide appropriate separation between industry and residential use.

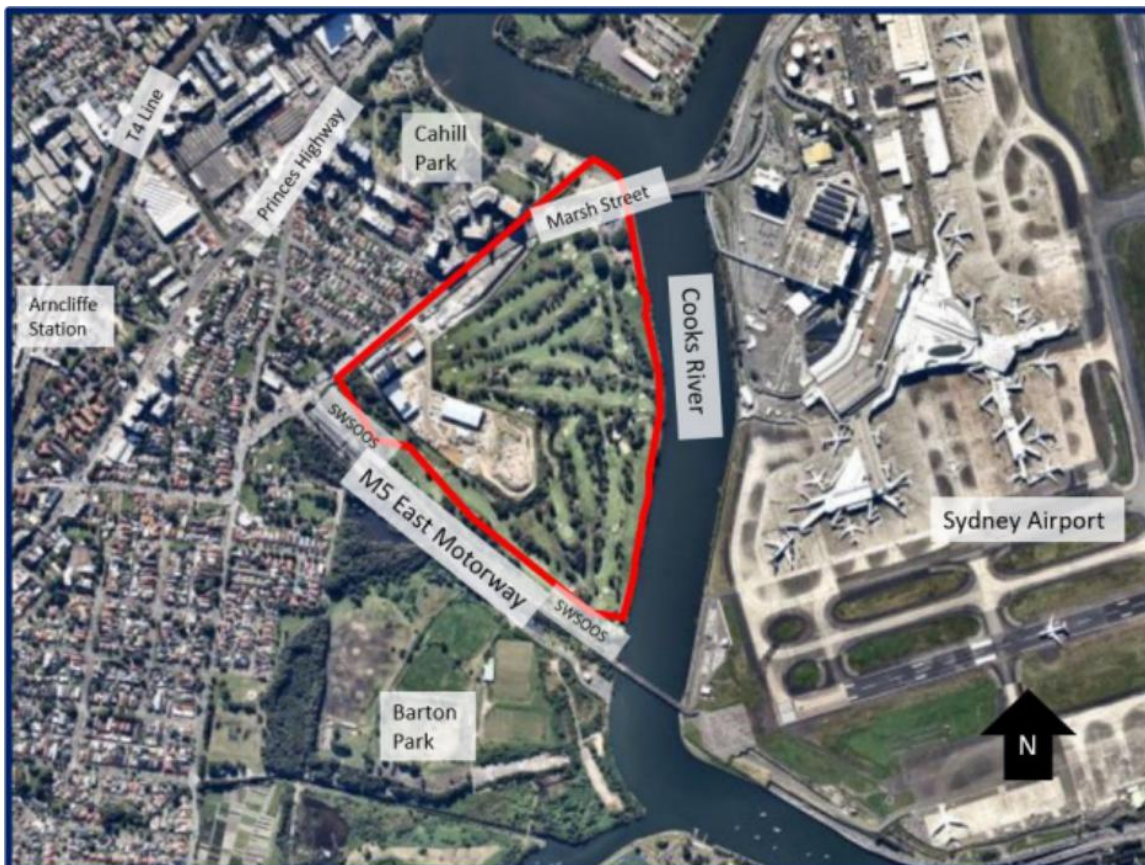
## **Cooks Cove Planning Controls**

On 9 May 2025, an amendment to the BLEP 2021 (Amendment 6) was made to land within Cooks Cove known as 3-19 and 19A Marsh Street, Arncliffe. This amendment will facilitate the development of the northern part of the Cooks Cove Precinct as a logistics and warehousing precinct, adjoining public open space.

As a result of Amendment 6, the BLEP 2021 now applies to the northern part of the Cooks Cove Precinct (outlined in Figure 2 below). This amendment simultaneously introduced new planning provisions into the BLEP 2021, which now apply to this land.

The southern part of Cooks Cove remains under Chapter 6 of the *State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021*.

The map below shows the area of Cooks Cove that is now under the BLEP:



**Figure 2: Map of Cooks Cove located at 13-19 and 19A Marsh Street, Arncliffe**

An indicative site-specific DCP chapter was drafted for the northern part of Cooks Cove as part of the Planning Proposal process for Amendment 6 to the BLEP 2021.

Clause 6.18 of the BLEP 2021 requires a site-specific DCP be in place before development can proceed.

The proponent has submitted a Concept State Significant Development Application (Concept SSDA) instead, using Section 4.23 (2) of the *Environmental Planning and Assessment Act 1979*. The Secretary's Environmental Assessment Requirements issued by DPHI have required the Concept SSDA to address matters raised in Cause 6.18 of the BLEP 2021.

Under Clause 6.18, Council will need to await the determination of the Concept SSDA before granting consent to local DAs on this site (other than minor works). Once the Concept SSDA has been approved by DPHI it will perform the statutory function that a site-specific DCP would otherwise have performed.

To address any future local Development Applications within the northern part of Cooks Cove, it is proposed to include this land on the Land Application Map within the BDCP 2022. This will ensure development in this area will be considered against the general provisions of the BDCP 2022.

## Summary of Proposed Amendments

A summary of the BDCP 2022 sections proposed to be amended is provided in outline format below.

A detailed table of changes (**Attachment 1**) and a marked up copy of the full BDCP 2022 (**Attachment 2 & 3**) are attached to this report.

Sections and references in DCP	Description of Amendments
Table of Contents	Correct formatting to more clearly show the hierarchy of sections within the DCP. <b>Reason:</b> Minor edits to improve readability.
Section 2.4 Land Application Map  Section 2.5 Aims of the Plan	To apply the provisions contained in the BDCP 2022 to IN1 and IN2 Zone in Port Botany within the <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (T&I SEPP 2021), and to land known as Cooks Cove at 13-19 and 19A Marsh Street, Arncliffe.  To include additional objectives relating to land within the T&I SEPP 2021.  <b>Reason:</b> Respond to a Council resolution (11 December 2013 – Port Botany) and Amendment 6 to the BLEP 2021 (Cooks Cove).
Visitor and Tourist Accommodation	Update references throughout the BDCP 2022 to reflect the LEP definition of the term. <b>Reason:</b> Minor correction.
Employment Zones	Update references throughout the BDCP 2022 to all commercial and industrial zones to reflect the employment zone reforms which took place in 2023. <b>Reason:</b> Legislation update.



Sections and references in DCP	Description of Amendments
Australian Standards	<p>Update references throughout the BDCP 2022, including AS 2021—2015 – Acoustics – Aircraft Noise Intrusion – Building Siting and Construction and AS2890 Parking Facilities.</p> <p><b>Reason:</b> Legislation update</p>
Section 3.5 Transport, Parking and Access	<ul style="list-style-type: none"> <li>• Amending controls for Parking to reflect the TfNSW Guide to Transport Impact Assessment, and changes to Australian Standards and the National Construction Code.</li> <li>• Clarify controls for driveways, loading and waste collection facilities.</li> <li>• Simplify the requirement for providing car share parking spaces in residential developments.</li> <li>• Add a separate parking rate for Supermarkets, Home Occupations &amp; Artisan Food and Drink Premises.</li> <li>• Amend the Parking rate for Gymnasiums to reflect the rate in the TfNSW Guide to Transport Impact Assessment.</li> <li>• Amend controls for electric vehicle charging and accessible parking spaces to reflect the current Australian Standards and National Construction Code and the adopted Electric Vehicle Charging Infrastructure (EVCI) Policy.</li> <li>• Amend controls to be consistent with the requirements of the Bayside Waste Management Technical Specifications 2022.</li> <li>• Update references to the current version of Australian Standard AS2890.</li> </ul> <p><b>Reason:</b> clarification, identification of gaps and updating of control and legislation.</p>
Section 3.7 Landscaping, Private Open Space and Biodiversity	<ul style="list-style-type: none"> <li>• Applying Private Open Space requirements to Dual Occupancy dwellings that are consistent with those already required for Dwelling Houses.</li> <li>• Enhanced landscape setback requirements adjacent to public open space and driveways to ensure sufficient space is provided for privacy and plantings.</li> <li>• Adding a DCP objective which links landscaping to preservation of local biodiversity, green corridors and wildlife habitat. - Amendment to reflect adopted Council policy (Community Strategic Plan 2025 – Strategies 3.32 and 3.33)</li> <li>• 3.7.1 - Amend control C6 to recommend wider landscape setback are provided for wider driveways. Amend C26 to</li> </ul>

Sections and references in DCP	Description of Amendments
	<p>require two trees are provided in the rear yard of each dwelling in a dual occupancy.</p> <ul style="list-style-type: none"> <li>• 3.7.3 - Amend controls to require that Private Open Space be provided for Dual Occupancy dwellings to the same standards as currently apply to dwelling houses.</li> <li>• 3.7.4 - Add a control to require development adjoining public open space must provide an additional landscaped setback or active frontage of appropriate scale.</li> <li>• 3.7.6 - Replace references to the Tree Offset Policy with Section 3.8.2 of the BDCP 2022.</li> </ul> <p><b>Reason:</b> Clarification of existing policy and controls.</p>
Section 3.8 Tree Preservation and Vegetation Management:	<ul style="list-style-type: none"> <li>• Address a variety of issues including updating legislation references, applying the controls to industrial areas near Port Botany, more clearly explaining when approval is or is not required, introducing requirements to increase tree canopy.</li> <li>• Update legislative references and clarify policy in the overview of this section.</li> <li>• Amend controls to clarify what works to trees and vegetation may require approval.</li> <li>• Amend controls to explicitly state what vegetation is protected, and requires an approval before being pruned or cleared,</li> <li>• Amend controls to more clearly identify the circumstances where works will require approval via a permit or a development consent.</li> <li>• Add new controls to clarify the circumstances in which vegetation may be pruned or removed without approval.</li> <li>• Amend controls to consider the impact of clearing and development on tree canopy.</li> <li>• Introduce new controls to enable Council to require additional tree planting or offsets to ensure that the tree canopy of the Bayside LGA does not decrease.</li> <li>• Amend replanting controls to allow for on-site tree planting to be re-allocated to off-site planting via a Deed of Agreement in the event that it cannot be practically accommodated on site.</li> <li>• Addition of non-residential development tree replacement ratio.</li> </ul> <p><b>Reason:</b> – Clarification of existing policy, updates reflecting legislative changes, amendments to reflect adopted Council policy (Community Strategic Plan 2025 - Strategy 3.3.1).</p>

Sections and references in DCP	Description of Amendments
<p>Section 5.1 Ancillary residential uses –lane additions, detached garages, secondary dwellings and studios</p> <p>Section 5.2 Residential &amp; Mixed-Use Development</p>	<p>Amend controls related to interpretation of first floor secondary dwellings contained in an attic to resolve conflicts between existing controls for secondary dwellings above detached garages or outbuildings.</p> <p><b>Reason:</b> Clarification of existing policy</p>
<p>Section 6.1 All Non-Residential</p>	<p>Amend control for landscaped area on non-residential land to ensure developments can accommodate more canopy trees and align with changes to setbacks. Particularly relevant for industrial development near Port Botany.</p> <p><b>Reason:</b> Amendments to reflect adopted Council policy (Community Strategic Plan 2025 - Strategy 3.3.1).</p>
<p>Section 6.3 Business and Office Premises</p>	<p>Addressing inconsistent setbacks to classified and non-classified roads for commercial development. The existing front setback controls for business and office premises are inconsistent and unclear in relation to primary street frontages and classified roads. To resolve this, a consistent 9m front setback is proposed for all primary street frontages and on classified roads.</p> <p><b>Reason:</b> Clarification of existing policy and to resolve gaps in controls.</p>
<p>Section 6.4 Industrial Premises</p>	<p>Include setback provisions to apply to land within Chapter 5 of the T&amp;I SEPP.</p> <p><b>Reason:</b> To accommodate satisfactory landscaping, access and to reduce the visual impact of development and to to minimise potential land use conflicts for land within Port Botany.</p>
<p>Section 7.17 Daceyville</p>	<p>Strengthening of heritage protections in the existing site-specific controls for the Daceyville Heritage Conservation Area to protect heritage significance and residential amenity.</p> <p><b>Reason:</b> response to Council Resolution 24 July 2024 (Minute No. 2024/138 - Item 1).</p>
<p>Section 9.2 Notification Procedures</p>	<p>Remove reference to the advertising and notification requirements in the repealed Botany Bay DCP 2013 and Rockdale DCP 2011.</p>

Sections and references in DCP	Description of Amendments
	<b>Response:</b> Superseded by the Community Participation Plan contained in Section 2 of the Bayside Communications & Engagement Strategy.
Sections 9.6 Waste Management, 9.7 Traffic, Parking and Access, 9.8 Stormwater Management and 9.9 Landscape	Amend and add sections to refer to all appendices accompanied by the BDCP 2022. <b>Reason:</b> To ensure consistency with appendices.

## Next Steps

Consideration by Council (pre-exhibition)	22 October 2025
Public exhibition of draft amendment to BDCP 2022	November – December 2025
Post-exhibition consideration of submissions	January – February 2026
Post-exhibition report to Council meeting to endorse DCP	April 2026

## Financial Implications

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

## Community Strategic Plan

Theme One – In 2032 Bayside will be a vibrant place	<input type="checkbox"/>
Theme Two – In 2032 Our people will be connected in a creative City	<input type="checkbox"/>
Theme Three – In 2032 Bayside will be green, resilient and sustainable	<input checked="" type="checkbox"/>
Theme Four – In 2032 Bayside will be a prosperous community	<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

If the proposed DCP amendments are endorsed to proceed to public exhibition, the draft DCP amendments can commence public exhibition concurrently, for a minimum period of 28 days in accordance with the provisions of the *Environmental Planning and Assessment Regulation 2021* and Bayside's Communication and Engagement Strategy (CES).

As noted on page 28 of the CES, the days between 20 December and 10 January are excluded from the calculation of the period of a public exhibition. If the exhibition period were to overlap with the end of year exclusion period, the exhibition will be extended into the new year.

Public exhibition of the BDCP 2022 amendments will include:

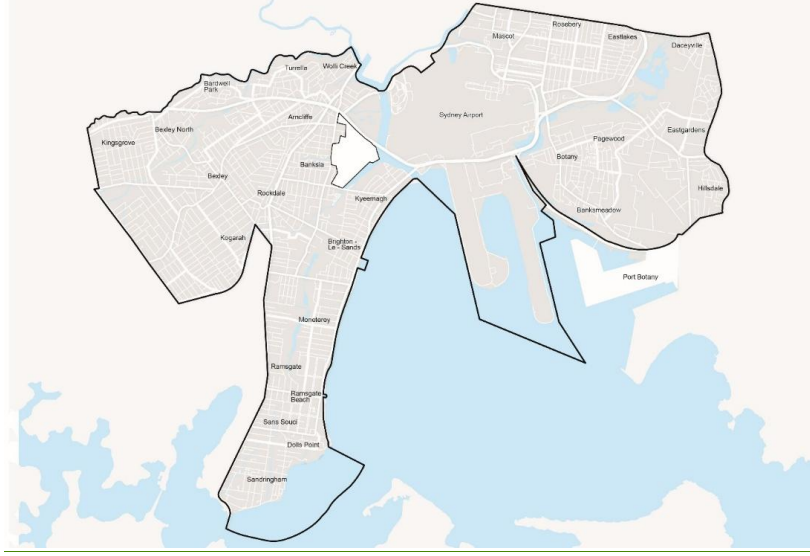
- Exhibition on Council's Have Your Say website.
- Written notification to relevant state and government agencies, NSW Ports and adjoining councils.

## Attachments

- 1 [↓](#) Table of Proposed Changes to the Bayside Development Control Plan 2022
- 2 [⇒](#) MARKUP Document - Bayside Development Control Plan 2022 - General Amendment - Part 1 (Under separate cover Attachments Part One)
- 3 [⇒](#) MARKUP Document - Bayside Development Control Plan 2022 - General Amendment - Part 2 (Under separate cover Attachments Part Two)

**Attachment 1 – Proposed Changes to the Bayside Development Control Plan 2022 (BDCP 2022) – General Amendment**

Item No.	Chapter	Section / Provision	Proposed Change	Rationale								
1.	1	1.1	Chapter headings boldened and increased font size. Subsections are already indented. Updates to headings and page numbering as required by subsequent edits.	Table of contents should show greater visual hierarchy.								
2.	1 & 6	1.1 & 6.7	Change existing references to Visitor and Tourist Accommodation to read: <b>Tourist and Visitor Accommodation</b>	For consistency with the Local Environmental Plan (LEP) land use term.								
3.	1	1.2	Amend the Amendment History Table: <table><tr><th>DCP Version</th><th>Date Adopted</th><th>Date Effective</th><th>Description of Changes</th></tr><tr><td>3 – Amendment No. 2</td><td></td><td></td><td>Apply land to which Chapter 5 of <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (Transport and Infrastructure SEPP) applies, other than the Lease Area defined in that Chapter (Ports Land) to the Land Application Map.  Apply land known as Cooks Cove – 13-19 and 19A Marsh Street, Arncliffe to the Land Application Map.  Various housekeeping amendments.</td></tr></table>	DCP Version	Date Adopted	Date Effective	Description of Changes	3 – Amendment No. 2			Apply land to which Chapter 5 of <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (Transport and Infrastructure SEPP) applies, other than the Lease Area defined in that Chapter (Ports Land) to the Land Application Map.  Apply land known as Cooks Cove – 13-19 and 19A Marsh Street, Arncliffe to the Land Application Map.  Various housekeeping amendments.	Update the Amendment History to include Version 2 of the BDCP 2022.
DCP Version	Date Adopted	Date Effective	Description of Changes									
3 – Amendment No. 2			Apply land to which Chapter 5 of <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (Transport and Infrastructure SEPP) applies, other than the Lease Area defined in that Chapter (Ports Land) to the Land Application Map.  Apply land known as Cooks Cove – 13-19 and 19A Marsh Street, Arncliffe to the Land Application Map.  Various housekeeping amendments.									
4.	2	2.4	Amend the Land Application Map:	To apply the provisions contained in the BDCP 2022 to: <ul style="list-style-type: none"><li>IN1 Zone in Port Botany within the <i>State Environmental Planning Policy</i></li></ul>								

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
				<p><i>(Transport and Infrastructure) 2021 (T&amp;I SEPP 2021), and</i></p> <ul style="list-style-type: none"> <li>land known as Cooks Cove at 13-19 and 19A Marsh Street, Arncliffe.</li> </ul> <p>To respond to a council resolution to prepare DCP controls for land within chapter 5 of the T &amp; I SEPP 2021.</p> <p>To respond to amendment 6 to BLEP relating to land known as Cooks Cove at 13-19 and 19A Marsh Street, Arncliffe.</p>
5.	2	2.5	<p>Amend the aims and objectives of the Plan to include:</p> <ul style="list-style-type: none"> <li>To supplement the controls for development on sites zoned IN1 (General Industrial) and IN2 (Light Industrial) under <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> and located outside the Port Botany Lease Area.</li> <li>To guide future development on sites zoned IN1 (General Industrial) and IN2 (Light Industrial) under <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> and located outside the Port Botany Lease Area.</li> </ul>	To include provisions for IN1 and IN2 zoned land in Port Botany within the T&I SEPP 2021 as per council resolution 11 December 2013.
6.	3	3.5.1	<p>Amend Control C3 to read: The design/width of the access driveway shall minimise the loss of on-street parking and be <b>designed</b> as per <del>with</del> Bayside Technical Specification - Traffic, Parking and Access.</p>	Formatting error.
7.	3	3.5.1	<p>Amend Control C4 to read: Off-street parking facilities are to be designed in accordance with current Australian Standards (AS2890 <b>Parking Facilities series</b>).</p>	Update reference to Australian Standards.

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
8.	3	3.5.1	Amend Control C6 to read: <del>A maximum of one vehicular access point is permitted per property.</del> To limit the impact of driveways on the public domain, the number of vehicular access points shall be minimised by consolidating driveways into a single vehicle entry/exit point. Service vehicle access should be combined with parking access to avoid multiple driveways. If multiple driveways are required, detailed justification is necessary.	The existing control is onerous and regularly disregarded. The amended control is essentially the same provisions, providing further detail and requiring applicants to provide justification.
9.	3	3.5.1	Amend Control C7 to read: Development shall avoid vehicular access points being located: <ul style="list-style-type: none"> <li>a. in places with high traffic volumes, such as classified or arterial roads</li> <li>b. close to intersections as outlined in <del>Section 3.2.3</del> of AS2890.1</li> <li>c. where there is heavy or constant pedestrian movements along the footpath</li> <li>d. where vehicular access would interfere with or blocks the operations of bus stops, taxi ranks, loading zones or pedestrian crossings</li> <li>e. less than <del>0</del>1.5m from any power pole</li> <li>f. adjacent to or at the sag point of the street</li> <li>g. in places where sight distance requirements outlined in <del>Section 3.2.4</del> of AS2890.1 cannot be complied with</li> <li>h. within the dripline/canopy of trees</li> </ul>	To reflect that new Australian Standards will be released which will likely change section numbers and reflect Ausgrid standard.
10.	3	3.5.2	Amend the following controls to correct referencing Transport Impact Assessment. Control C1: A <del>Traffic and Parking Transport</del> Impact Assessment Report is to be prepared and submitted for development: <ul style="list-style-type: none"> <li>a. listed in Schedule 3 of State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>b. listed in <b>Error! Reference source not found.</b> below with a GFA in excess of 6 00m<sup>2</sup></li> <li>c. where, in the opinion of Council, the proposed development is likely to generate significant traffic impacts</li> </ul> Control C2: The <del>Traffic and Parking Transport</del> Impact Assessment Report is to be prepared by a qualified and experienced traffic engineer and prepared generally in accordance with the most recent version of the <del>RTA "Guide to Traffic Generating Developments (2002")</del>	To reflect new wording for this report outlined in the TfNSW Guide to Transport Impact Assessment.



Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p><del>and AUSTRROADS “Guide to Traffic Management, Part 12: Traffic Impacts of Development.” TfNSW Guide to Transport Impact Assessment – TS 00085.</del></p> <p>Control C3: <del>Traffic and Parking Transport</del> Impact Assessments are to assess the design of the parking facility in regard to Australian Standards. Numerical parking provisions are also to be assessed.</p> <p>Control C5: The <del>Traffic and Parking Transport</del> Impact Assessment Report is to undertake a cumulative traffic impact assessment for ‘all developments’ in the area (including current and approved Development Applications).</p> <p><b>Note:</b> Council will supply information on the current and approved DAs to be taken into consideration.</p>	
11.	3	3.5.3	<p>Delete the note in Control C13: Shared parking concession for mixed use development may be considered, where:</p> <ol style="list-style-type: none"> <li>the applicant provides justification for all temporal parking demand assumptions applied within the Shared Parking Register;</li> <li>all residential parking is freely accessible to residents at all times and not used for any other use on the site;</li> <li>land uses and subsequent peak parking demand periods are included within the Shared Parking Register;</li> <li>the minimum parking requirement as per the Shared Parking Register is the absolute minimum and should not necessarily be the acceptable minimum provided on-site. Consideration must be taken into account for future changes of use within the development and conservative variations within the peak times.</li> </ol> <p><del><b>Note:</b> The method of completing the shared parking register is outlined in Bayside Technical Specification – Traffic, Parking and Access.</del></p>	<p>It is understood that the Bayside Technical Specification – Traffic, Parking and Access 2022 will shortly receive updates to remove requirements relating to the shared parking register. Consequently, it is proposed to remove this cross reference from the DCP.</p> <p>The status of this DCP change will be confirmed in the post-exhibition report.</p>
12.	3	3.5.3 – Table 3	<p>Amend Table 3: Car Parking Rates to update TfNSW Guide: Residential Flat Buildings/ Shop-top Housing –</p> <ul style="list-style-type: none"> <li>1 space per dwelling with 1 bedroom or less</li> </ul>	To reflect the new TfNSW Guide to Transport Impact Assessment

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<ul style="list-style-type: none"> <li>2 spaces per dwelling with 2 bedrooms or more</li> <li>1 visitor parking space per 5 dwellings.</li> </ul> <p>For sites located within 800m of a railway station, the car parking rates are as stipulated in the <del>RTA Guide to Traffic Generating Developments (version 2.2 dated October 2002)</del> <del>section 5.4.3 – Metropolitan Sub-Regional Centres</del>, TfNSW Guide to Transport Impact Assessment Section 8.5.2.</p> <p>Amend Table 3: Car Parking Rates Notes:</p> <ul style="list-style-type: none"> <li>The numbers shall be rounded up to the nearest whole number before they are added together</li> <li>Where a parking rate has not been specified in the table, the <del>RTA Guide to Traffic Generating Developments</del> TfNSW Guide to Transport Impact Assessment shall be used to calculate the parking requirements for the proposed development. Alternatively, a parking study may be used to determine the parking, subject to Council approval.</li> </ul>	
13.	3	3.5.3 – Table 3	Amend Table 3: Car Parking Rates to include supermarket parking rate: <del>Supermarkets (including retail premises greater than 1,000m<sup>2</sup>) located more than 800m from a train station or a light rail stop – 1 space / 25m<sup>2</sup> GFA</del>	Current version of the DCP is missing parking rates for supermarkets. In locations close to existing public transport, other rates for commercial premises would conflict with this rate. It is noted that there is a strategic imperative to facilitate retail development on complex sites within existing commercial centres and this requires a reduced rate of parking provision.
14.	3	3.5.3 – Table 3	Amend Table 3: Car Parking Rates to include home occupation rate: <del>Home Occupation – Nil</del>	Current version of the DCP is missing parking rates for home occupation.
15.	3	3.5.3 – Table 3	Amend Table 3: Car Parking Rates to include artisan food and drink industry: <del>Artisan food and drink industry –</del> <del>For the area used for manufacturing of boutique, artisan or craft food and drink products, the following parking rate applies:</del> <ul style="list-style-type: none"> <li>2 spaces; or</li> <li>1 space / 65m<sup>2</sup> GFA, whichever is greater; plus 1 space / 40m<sup>2</sup> GFA of ancillary office</li> </ul>	To provide parking rate for artisan food and drink premises based on Council experience, which sees that these uses tend to attract a large parking demand for their on-site offering that typically involves food and drinks being served.

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p>For the area used for any of the following:</p> <ul style="list-style-type: none"> <li>(a) a retail area for the sale of the products,</li> <li>(b) the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided,</li> <li>(c) facilities for holding tastings, tours or workshops.</li> </ul> <p>The following parking rate applies:</p> <ul style="list-style-type: none"> <li>• 1 space / 10m<sup>2</sup> GFA</li> </ul>	
16.	3	3.5.3 – Table 3	<p>Amend Table 3: Car Parking Rates to update hotel accommodation:</p> <p><b>Hotel Accommodation</b></p> <ul style="list-style-type: none"> <li>• 1 space per 4 rooms; plus</li> <li>• 1 taxi pick-up and set-down space / 100 rooms; plus</li> <li>• 2 coach pick-up and set-down spaces; plus</li> <li>• An efficient shuttle bus service must be provided by the development between the Hotel, Sydney Airport and the City or a Train Station. The shuttle bus service is to run at hourly intervals <del>between</del> during the operating hours of <del>the</del> Sydney Airport.</li> </ul> <p><b>Note:</b> A porte-cochere is to be provided for taxi and coach pick up and set-down, designed to appropriately accommodate the vehicles and their swept paths.</p> <p>Size of a coach is defined equivalent to Heavy Rigid Vehicle (HRV) in AS2890.2.</p>	To include the provision to allow hotel accommodation to provide a shuttle bus service to the Train Station.
17.	3	3.5.3 – Table 3	<p>Amend Table 3: Car Parking Rates for Gymnasium in Recreation facilities (indoor):</p> <p><b>Gymnasium</b></p> <p><del>Within 400m radius of railway station or 200m radius of a public bus stop (minimum frequent two bus routes):</del></p> <ul style="list-style-type: none"> <li><del>• 1 space / 25m<sup>2</sup> GFA</del></li> </ul> <p><del>Any other locations:</del></p> <ul style="list-style-type: none"> <li><del>• 1 space / 10m<sup>2</sup> GFA</del></li> </ul> <p>3 space / 100m<sup>2</sup> GFA</p> <p>(Note: A commercial gym for personal fitness is typically defined as a business premises, not a gymnasium)</p>	To update gymnasium parking rate to align with recently published TFNSW guide to Transport Impact Assessment simplified gymnasium parking rate. The existing DCP rate is overly complex. The existing note is to remain as a gymnasium and a gym for personal fitness are different uses that may be misinterpreted.
18.	3	3.5.6	Amend Table 5: Loading/Unloading Facilities to update wording of the land use:	To allow the minimum number of loading bays required to apply to co-living developments.

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			Residential flat buildings, Multi dwelling housing, shop top housing, boarding house, <del>co-living</del>	
19.	3	3.5.7	<p>Replace Control C1:</p> <p><del>Waste collection must be provided on-site within new building development (excluding development with less than 600m<sup>2</sup> GFA and multi-unit developments with 10 dwellings or less). This waste collection bay may be shared with another loading/unloading space. Access must be designed to accommodate a Council garbage truck, or any vehicles used by private waste contractors (SRV minimum).</del></p> <p>On-site waste collection vehicle access must be provided as detailed in Bayside Waste Management Technical Specification 2022. Residential flat building/co-living/boarding house/build-to-rent developments must comply with the waste collection vehicle access requirements of Sections 7, 8 &amp; 9 of Bayside Waste Management Technical Specification 2022. Mixed use/shop-top housing/commercial premises developments must comply with the waste collection vehicle access requirements of Sections 10 &amp; 11 of Bayside Waste Management Technical Specification 2022. On-site waste collection vehicle access needs to be designed to accommodate Councils HRV Garbage Truck (specifications detailed in Section 13.5 of Bayside Waste Management Technical Specification). The on-site waste collection point may be shared with a loading bay.</p>	The revised control is consistent with the requirements of the Bayside Waste Management Technical Specification 2022.
20.	3	3.5.7	<p>Amend Control C4 to read:</p> <p>Where collection vehicles are required to enter inside a building, the design of the building shall provide for:</p> <ol style="list-style-type: none"> <li>a minimum vertical clearance of 4.5 metres for <del>MRV vehicles and 3.5m headroom clearance for SRV vehicles</del> Council's HRV Garbage Truck (clear of all service ducts, pipes etc).</li> <li>collection vehicles to enter and exit the premises in a forward direction. <del>A swept path of 21 metres and a turning circle of 25 metres is required to accommodate the length of Council's HRV Garbage Truck to safely manoeuvre within the development.</del></li> <li>the driveway width and gradient to be as per AS2890.2.</li> </ol>	The amended controls is consistent with the requirements of the Bayside Waste Management Technical Specification 2022.
21.	3	3.5.9	<p>Replace Control C3:</p> <p><del>Residential development with more than 25 dwellings and commercial premises with a GFA greater than 1000m<sup>2</sup> are to provide on-site carparking for car share at the following rates:</del></p>	The revised control is less onerous as the existing control was deemed excessive from experience as it has been

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p><del>1 car share space for every 50 car spaces within the development.</del></p> <p><del>Developments located within 800m of a train station are to provide car share spaces at 1 per 25 car parking spaces.</del></p> <p><del>The car share space(s) within a residential development can either replace a visitor car parking space or be provided in addition to the required car parking provision.</del></p> <p>Residential development with more than 50 dwellings are to provide on-site carparking for car share for every 50 dwellings or part thereof.</p> <p>The car share space(s) within a residential development can either replace a visitor car parking space or be provided in addition to the required car parking provision.</p>	implemented over the past two years by the Development Engineers.
22.	3	3.5.9	<p>Amend Objective O4: To ensure new buildings provide the infrastructure to support the increased ownership of electric vehicles.</p> <p><b>Note:</b> Refer to <a href="https://ncc.abcb.gov.au/editions/ncc-2022/adopted/volume-one/j-energy-efficiency/part-j9-energy-monitoring-and-site-distributed-energy-resources">https://ncc.abcb.gov.au/editions/ncc-2022/adopted/volume-one/j-energy-efficiency/part-j9-energy-monitoring-and-site-distributed-energy-resources</a></p>	Update to reflect National Construction Code link.
23.	3	3.5.9	<p>Amend Control C7 to read: At least 20% of non-residential car parking spaces in development with a total GFA greater than 1000m<sup>2</sup> shall be 'EV-Equipped'. An 'EV-Equipped' car space is a car space equipped with EV fast charger that is ready to use on completion of the development. These may be payment operated systems. At minimum, the charger(s) will need to be 'Level 2' fast charging charger – <del>three-phase single-phase</del> with <del>11-22kW</del> 7-22kW power or greater as defined by NSW Electric and Hybrid Vehicle Plan.</p>	The current wording in the control requires excessive electrical power. The revised wording is aligned with the Bayside Electric Vehicle Charging Infrastructure (EVCI) Policy - dated April 2024.
24.	3	3.7.1	<p>Amend Control C4 to read: At least <del>20%</del> 25% of the front setback area of a residential development is to be provided as landscaped area.</p>	To ensure consistency with the landscaped area requirement of Dual Occupancies and Medium Density Housing.
25.	3	3.7.1	<p>Amend Control C6: Landscaped areas located between driveways/ pathways and side boundaries have a minimum width of 1.0m at the narrowest dimensions and a minimum of 75% landscaped area must consist of planting, grass and trees, but not gravel/paving.</p> <p>A larger side landscape setback is recommended for driveways with a width over 5m.</p>	To include a larger landscape setback for driveways with excessive width to soften the visual impact and reduce the dominance of hard surfaces.
26.	3	3.7.1	Amend Control C26 to read:	To include each dwelling to improve clarity.

Item No.	Chapter	Section / Provision	Proposed Change	Rationale																											
			Development retains existing canopy trees. A minimum of 2 indigenous canopy trees that will attain a minimum mature height of 5m must be planted within the rear yard of each dwelling.																												
27.	3	3.7.2	Amend Objective O2 to read: To protect existing biodiversity and habitat features within and adjacent to development sites, and to contribute to green corridors and wildlife habitat.	To ensure proposed developments consider green corridors and wildlife.																											
28.	3	3.7.3	<div>Amend Table in Control C10 to include: The minimum area of private open space required for each dwelling is outlined in the table below.</div> <table><thead><tr><th>Dwelling Type</th><th>Bedrooms</th><th>Min. Area</th></tr></thead><tbody><tr><td>Dwelling House</td><td>-</td><td>50sqm</td></tr><tr><td>Secondary Dwelling</td><td>-</td><td>50sqm</td></tr><tr><td>Dual Occupancy / Attached Dwelling / Semi-detached Dwelling</td><td>-</td><td>50sqm</td></tr><tr><td rowspan="3">Multi Dwelling Housing</td><td>1 bedroom</td><td>30sqm</td></tr><tr><td>2 bedroom</td><td>40sqm</td></tr><tr><td>3+ bedrooms</td><td>50sqm</td></tr><tr><td>Residential Flat Buildings</td><td>-</td><td>As per the Apartment Design Guide</td></tr></tbody></table> <div>Amend Table in Control C11 to include: The minimum width of private open space for each dwelling is outlined in the table below.</div> <table><thead><tr><th>Dwelling Type</th><th>Min. Dimensions</th></tr></thead><tbody><tr><td>Dwelling House</td><td rowspan="2">Minimum width of 5m</td></tr><tr><td>Secondary Dwelling</td></tr></tbody></table>	Dwelling Type	Bedrooms	Min. Area	Dwelling House	-	50sqm	Secondary Dwelling	-	50sqm	Dual Occupancy / Attached Dwelling / Semi-detached Dwelling	-	50sqm	Multi Dwelling Housing	1 bedroom	30sqm	2 bedroom	40sqm	3+ bedrooms	50sqm	Residential Flat Buildings	-	As per the Apartment Design Guide	Dwelling Type	Min. Dimensions	Dwelling House	Minimum width of 5m	Secondary Dwelling	No minimum Private Open Space (POS) area and width of POS established for Dual Occupancy / Attached Dwelling / Semi-detached Dwelling in the relevant table. The 50sqm POS area and 5sqm POS width is consistent for dwelling house, secondary dwelling, and dual occupancy / attached dwelling /semi-detached dwelling.
Dwelling Type	Bedrooms	Min. Area																													
Dwelling House	-	50sqm																													
Secondary Dwelling	-	50sqm																													
Dual Occupancy / Attached Dwelling / Semi-detached Dwelling	-	50sqm																													
Multi Dwelling Housing	1 bedroom	30sqm																													
	2 bedroom	40sqm																													
	3+ bedrooms	50sqm																													
Residential Flat Buildings	-	As per the Apartment Design Guide																													
Dwelling Type	Min. Dimensions																														
Dwelling House	Minimum width of 5m																														
Secondary Dwelling																															

Item No.	Chapter	Section / Provision	Proposed Change		Rationale
			Dual Occupancy / Attached Dwelling / Semi-detached Dwelling		
			Multi Dwelling Housing	Minimum width of 3m for villas and 5.5m for townhouses.	
			Residential Flat Buildings	As per the <i>Apartment Design Guide</i>	
29.	3	3.7.4	Amend Control C1 to read: The siting, footprint, form, and design of buildings and associated private open space provides a setback to streets consistent with that prevailing in the streetscape while enabling opportunities <b>to provide landscape setbacks and active frontages (commensurate with the scale of the development) to for engagement with</b> any public open space <b>where possible</b> at the side or rear of the site.		The updated wording ensures that proposed developments adjoining public open space incorporate appropriate landscape setbacks and active frontages, thereby maintaining visual harmony and enhancing public realm engagement.
30.	3	3.7.6	Amend Control C6 to read: Development is to respond to habitat features including natural landforms, waterbodies, rock outcrops, trees and vegetation and landscaping which links biodiversity and green corridors.  Where council grants consent for the removal of an existing tree on land identified on the Biodiversity Map (Provided in Appendix 1 of the DCP) and Part 3.8 – Tree Preservation and Vegetation Management of the DCP, and for which a BDAR is not required, the replacement of the tree(s) on the subject land or offsite is required at the ratios outlined in <b>Council's Tree Offset Policy Section 3.8.2</b> . Replacement tree species must be an indigenous species of a type suitable for the site (unless an alternative non-native species is required for solar access) and in accordance with Council's Landscape Technical Guidelines.		Remove the Tree Offset Policy wording from the DCP as this Policy not currently adopted.
31.	3	3.8	Amend the Overview to read: Vegetation, particularly mature trees, contribute significantly to the established character of Bayside. Bayside Council recognises the importance of trees and their		Update or correct references to Sections of the Environmental Planning and Assessment Act 1979 and other legislation.

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p>role as a key contributor to a high-quality urban environment. Council acknowledges trees as vital urban infrastructure in our policy and strategic planning documents – emphasising the economic and <del>financial</del> <b>environmental</b> benefits of trees to the broader community.</p> <p>A person must not clear, prune or remove vegetation without a <del>tree removal consent</del> <b>permit</b> or development consent granted by Council, except as otherwise stated in <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> – Chapter 2 (<del>the Biodiversity SEPP</del>) or this Part. Council expects the retention of healthy <del>and/or functional</del> trees on all development sites. Developments are to be designed to incorporate existing trees into the layout and design to ensure that their health is not compromised by siting structures too close to trees, including trees on adjoining properties.</p> <p>This <del>Part</del> builds on Council's <del>Tree Management Policy</del> and <del>Chapter 2 of the Biodiversity SEPP</del>, identifying whether Council's approval (i.e. <del>tree removal consent</del> <b>Permit</b> or Development Application, <del>or Complying Development Certificate</del>) is required to clear, prune or remove a tree.</p> <p>The term 'clear' vegetation is defined in the <del>Biodiversity SEPP</del>, and includes: (a) cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy the vegetation; or (b) lop or otherwise remove a substantial part of the vegetation.</p> <p>Where a private property owner wishes to appeal a Council decision denying consent to remove or prune a tree or vegetation on private or public land, the following procedures will take place;</p> <ul style="list-style-type: none"> <li><del>Trees or vegetation on private property:</del> The property owner is required to engage an Independent Consulting Arborist or other specialist i.e. structural engineer or plumber to provide further detailed advice and assessment of the matter. Council will consider the independent report <del>and re-inspect and/or review its decision if new information is provided or uphold its decision:</del> and have due regard to it before making a decision on the application. For minor structural damage, the property owner must investigate alternative measures to rectify the damage and retain the tree. <del>Council will only review its decision:</del> If all <del>alternative</del> avenues for risk mitigation have been exhausted and <del>evidence provided thereof</del> there remains a high risk of significant and imminent property damage, Council will take this into account.</li> </ul>	Other amendments for clarity.



Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<ul style="list-style-type: none"> <li><u>Trees or vegetation on public property (including street trees)</u>: The property owner may write to Council requesting a review of the decision clearly stating the reasons and provide any new or additional information, including photographs. Council may engage a Consulting Arborist to obtain additional independent advice.</li> </ul> <p>Tree works carried out on private land without Council approval or not carried out in accordance with an approval, may attract a Penalty Infringement Notice (PIN) or incur legal action in the Local Court or Land and Environment Court under <del>Sections 125 and 126</del> <b>Part 9</b> of the Environmental Planning and Assessment Act 1979. The Court may also order the repair, remedial pruning or replacement of a damaged or removed tree and impose an order to maintain such replacement to maturity. A PIN may be issued for the injury or removal of trees and vegetation on public land under Section 629 of the Local Government Act 1993. Further penalties apply to the removal or damage to vegetation under the Biodiversity Conservation Act 2016 and the Environment Protection and Biodiversity Conservation Act 1999 (<b>Cth</b>).</p>	
32.	3	3.8.1	<p>New controls C1-C8 added:</p> <p><b>C1 – These controls apply to development and vegetation works proposed to be carried out on or near declared vegetation. Vegetation works include pruning any part, removing, injuring or wilfully destroying vegetation, and the like.</b></p> <p>If vegetation is not identified in this section as <b>protected vegetation</b>, approval for the vegetation works is not required.</p> <p>New C2 – Pursuant to Section 2.9 of <i>SEPP Biodiversity and Conservation 2021</i> and Section 5.29 of <i>SEPP (Transport and Infrastructure) 2021</i>, the following vegetation is declared to be <b>protected vegetation</b> to which those Parts of the SEPPs apply within the Bayside local government area:</p> <ol style="list-style-type: none"> <li>Any vegetation, whether of indigenous, endemic, exotic or introduced species which is not identified as <b>exempt species</b> by control C3 below and has one or more of the below characteristics:</li> </ol>	<p>New C1 provides clarity in relation to the works which are controlled by the DCP.</p> <p>New C2 provides greater clarity in relation to the vegetation which is protected by the DCP, and ensures vegetation is protected within the Port Botany Industrial area.</p> <p>New C3 more clearly identifies the circumstances where works to species of trees and vegetation are exempt from a permit or development application.</p> <p>New C4 more clearly and comprehensively identifies the circumstances when a DA is required to approve works.</p>

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p>a. a trunk or stem, that is more than 300mm wide measured at a height of 1m above the ground, or</p> <p>b. a height greater than 3m, or</p> <p>c. roots of 50mm diameter or more.</p> <p>2. Any vegetation identified on a Significant Tree Register that has been adopted by Bayside Council.</p> <p>3. Vegetation on land identified in Schedule 5 of <i>the Bayside Local Environmental Plan 2021</i> or Section 5.31 of <i>SEPP (Transport and Infrastructure) 2021</i> including:</p> <p>a. Vegetation listed as a heritage item; or</p> <p>b. Any vegetation located on land identified as containing a heritage item; or</p> <p>c. Any vegetation on land within a heritage conservation area.</p> <p>4. Any vegetation located on land containing a <b>draft heritage item</b> or a <b>draft heritage conservation area</b> as defined by SEPP (Exempt and Complying Development Codes) 2008.</p> <p>5. Any vegetation on land subject to an Interim Heritage Order or listed on the State Heritage Register under the <i>Heritage Act 1977</i>.</p> <p>6. Any vegetation which is or forms part of an Aboriginal object or Aboriginal place of heritage significance as defined by the National Parks and Wildlife Act 1974.</p> <p>7. Any vegetation comprising indigenous species located in an environment which is identified as a wetland, rainforest, bushland, waterway, foreshore or threatened ecological community.</p> <p>8. Any vegetation with hollows, holes or nests or which may be habitat for wildlife.</p> <p>9. Any vegetation on private property that was planted as a condition of a development consent or complying development certificate or was otherwise required to be planted as part of a development.</p> <p>10. Any vegetation on public land or in public waterways.</p> <p>New C3 The species identified in Appendix 3 are <b>exempt species</b> provided the vegetation is not:</p>	<p>New C5 more clearly identifies the circumstances when a permit is required to approve tree works.</p> <p>New C6 and C8 More clearly identify the circumstances where vegetation works may be undertaken without formal approval from Council.</p> <p>New C7 More clearly identifies the circumstances in which public authorities (including Council) are exempted from a formal approval for vegetation work.</p>

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<ol style="list-style-type: none"> <li>1. Identified on a Significant Tree Register that has been adopted by Bayside Council.</li> <li>2. Located on land identified in Schedule 5 of the <i>Bayside Local Environmental Plan 2021</i> or Section 5.31 of <i>SEPP (Transport and Infrastructure) 2021</i> including: <ol style="list-style-type: none"> <li>a. Vegetation listed as a heritage item; or</li> <li>b. Any vegetation located on land identified as containing a heritage item; or</li> <li>c. Any vegetation on land within a heritage conservation area.</li> </ol> </li> <li>3. Any vegetation located on land containing a <b>draft heritage item</b> or a <b>draft heritage conservation area</b> as defined by SEPP (Exempt and Complying Development Codes) 2008.</li> <li>4. Any vegetation on land subject to an Interim Heritage Order or listed on the State Heritage Register under the <i>Heritage Act 1977</i>.</li> <li>5. Any vegetation which is or forms part of an Aboriginal object or Aboriginal place of heritage significance as defined by the <i>National Parks and Wildlife Act 1974</i>.</li> </ol> <p>New C4 - A development application (DA) is required for vegetation works to <b>protected vegetation</b> identified in C2 above, if any of the following apply:</p> <ol style="list-style-type: none"> <li>1. The proposed works to the vegetation are part of an application for other building work or development that requires a DA; or</li> <li>2. The proposed works to clear <b>protected vegetation</b> would exceed the threshold for the biodiversity offsets scheme under the <i>Biodiversity Conservation Act 2016</i>.</li> <li>3. The vegetation is identified on a Significant Tree Register adopted by Council and the vegetation works involve the removal of the tree; or</li> <li>4. The vegetation is: <ol style="list-style-type: none"> <li>a. identified as a heritage item, a draft heritage item, Aboriginal object, Aboriginal place of heritage significance or</li> <li>b. located on land containing a heritage item, a draft heritage item, Aboriginal object, Aboriginal place of heritage significance or</li> <li>c. located in a heritage conservation area or a draft heritage conservation area;</li> </ol> </li> </ol>	

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p>and in the opinion of Council the vegetation works are not minor (i.e. may have an impact on heritage significance and amenity).</p> <p>5. The works affect any vegetation on land subject to an Interim Heritage Order or listed on the State Heritage Register under the <i>Heritage Act 1977</i>.</p> <p>6. The works affect vegetation which is protected by legislation which would prevent Council from issuing a permit for the works.</p> <p>New C5 – A permit application is required for vegetation works to <b>protected vegetation</b> identified in C2 above, whenever a DA is not required by C4 above. For example, a permit is required if:</p> <ol style="list-style-type: none"> <li>1. The vegetation is identified on a Significant Tree Register adopted by Council and the vegetation work proposes to prune the tree; or</li> <li>2. The vegetation is: <ol style="list-style-type: none"> <li>a. identified as a heritage item, a draft heritage item, Aboriginal object, Aboriginal place of heritage significance or</li> <li>b. located on land containing a heritage item, a draft heritage item, Aboriginal object, Aboriginal place of heritage significance or</li> <li>c. located in a heritage conservation area or a draft heritage conservation area;</li> </ol> </li> </ol> <p>and in the opinion of Council the vegetation works are for maintenance purposes and are minor (i.e. will not have an impact on heritage significance and amenity).</p> <p>New C6 – The following works can be undertaken without a permit or development consent on private land, provided they are carried out in compliance with the stated requirements:</p> <ol style="list-style-type: none"> <li>1. Removal or pruning of vegetation which is not identified as <b>protected vegetation</b> in C2 above.</li> <li>2. Removal or pruning of <i>priority weed species</i> for the Greater Sydney region as declared under the <i>Biosecurity Act 2015</i>. See the NSW Weedwise website (<a href="https://weeds.dpi.nsw.gov.au/">https://weeds.dpi.nsw.gov.au/</a> )</li> <li>3. Removal of a dead tree or dead branches of a tree, but only if the tree or branch concerned does not have any nests, holes or hollows which could provide habitat to wildlife.</li> </ol>	

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p>4. Removal, lopping or pruning of a dangerous tree that poses a high and imminent level of risk to human life or property (as determined by an AQF Level 5 arborist). Minor damage to property such as dislodged pavers or cracked and lifted concrete is not sufficient to justify removal of a tree without a permit.</p> <p>5. Removal of a tree or vegetation as required by an order under the <i>Local Government Act 1993</i>, <i>Land and Environment Court Act 1979</i>, <i>Environmental Planning and Assessment Act 1979</i> or <i>Trees (Disputes Between Neighbours) Act 2006</i>.</p> <p>6. Vegetation clearing carried out in accordance with the 10/50 Vegetation Clearing Code of Practice on land situated within a 10/50 vegetation clearing area pursuant to Section 100Q of the <i>Rural Fires Act 1997</i>.</p> <p>7. Pruning near domestic power or telecommunications lines to maintain line distance clearance where the work is a maximum distance clearance of 500mm of branches up to 50mm diameter at the nearest branch collar. (Branch collar is the point of attachment to another branch/trunk). This work must be carried out by an experienced Arborist or Tree Surgeon AQF Level 5 in accordance with <i>AS 4373 Pruning of Amenity Trees</i>.</p> <p>8. Minor pruning work at a maximum distance clearance of 2 metres measured from the surface of the structural component (wall/ roof) of the building's edge and of branches up to 50mm in diameter at the nearest branch collar. (Branch collar is the point of attachment to another branch/trunk for branches overhanging the roof only);</p> <p>It is recommended that property owners contact Council in writing well before undertaking the works in order to confirm that the above exemptions will cover their works to the subject vegetation on their property.</p> <p>When undertaking these works, they must be documented to show due process has been followed and the pruned or removed vegetation was exempt to Council's satisfaction. Photographs and notes should be kept by the property owner as evidence justifying their actions and decisions. Records of communications with Council in relation to these works should also be kept.</p>	

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p>If the works relate to a tree, the tree must be assessed by an AQF Level 5 Arborist. A statement from the Arborist must be kept including a record of the tree's condition and photographs of the tree. The statement must include a justification of the removal or pruning based on the reasons above. The pruning or removal of the tree must be carried out safely in accordance with <i>AS 4373 Pruning of Amenity Trees</i> and any other relevant standards or legislation.</p> <p>New C7 – The following vegetation works can be undertaken by or on behalf of a public authority without a permit or development consent:</p> <ol style="list-style-type: none"> <li>Any authorised works by Council or on behalf of Council by authorised persons including planned, maintenance, capital or emergency works. Examples of such authorised works include: <ul style="list-style-type: none"> <li>Dredging of public waterways,</li> <li>Maintenance of drainage infrastructure including vegetation removal within natural or concrete lined waterways &amp; reshaping of embankments,</li> <li>Removal, maintenance and management of vegetation on Council land, on Crown Land or on public roads.</li> </ul> </li> <li>Authorised works to prune branches away from electrical wires as required by the <i>Electrical Supply Act 1995</i> when undertaken by an authorised person,</li> <li>Trimming or removal of trees and vegetation undertaken in accordance with the <i>Roads Act 1993</i> when undertaken by an authorised person,</li> <li>Tree work undertaken by the State Emergency Service, NSW Rural Fire Service or any other relevant public authority in response to an emergency. Evidence of attendance at the site including photographs and reference numbers should be kept by the property owner.</li> <li>Works carried out by or on behalf of any other public authorities as authorised under relevant State or Commonwealth legislation.</li> </ol>	

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p><b>Note:</b> The above exemptions cannot alleviate other approval or environmental assessment requirements that may be imposed on Council or other public authorities by relevant legislation.</p> <p>New C8 – The following routine works can be undertaken on private land without a permit or development consent:</p> <ol style="list-style-type: none"> <li>1. Pruning and reshaping of an established hedge,</li> <li>2. Mowing and maintenance of an established lawn,</li> <li>3. Removal of fruit or dead fronds from a palm tree,</li> <li>4. Maintenance and harvesting of fruit trees, flowers, seeds, leaves, tubers or other agricultural products from vegetation grown for domestic or commercial use.</li> </ol>	
33.	3	3.8.1	<p>Existing Controls C1 and C2 are replaced with a note:</p> <p><del>C1 – Trees or vegetation may be removed as part of a complying development for residential development if it is:</del></p> <ol style="list-style-type: none"> <li><del>a. within 3m of a building or structure bigger than 25m<sup>2</sup></del></li> <li><del>b. not on Council's register of significant trees</del></li> <li><del>c. not higher than 8m if the development is for a new house – as long as the tree is not required to be retained as a condition of consent for the subdivision; and</del></li> <li><del>d. not higher than 6m for alterations and additions to a house.</del></li> </ol> <p><del>C2 – Trees or vegetation may be removed as part of a complying development for new or additions to existing commercial and industrial buildings if it is:</del></p> <ol style="list-style-type: none"> <li><del>a. within 3m of the development; and</del></li> <li><del>b. not on Council's register of significant trees;</del></li> <li><del>c. or, not higher than 8m.</del></li> </ol> <p><b>Note:</b> Under <i>SEPP Exempt and Complying Development Codes 2008</i>, trees or vegetation may be removed as part of complying development under certain circumstances. Provisions in other SEPPs may also allow vegetation works in certain circumstances.</p>	Replacement of C1 and C2 provides greater clarity because these rules are set by the SEPPs in question.

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p>Vegetation works which cannot be completed as part of exempt or complying development under a SEPP will require separate approval from Council via a permit or development consent. SEPP Exempt and Complying Development Codes 2008 clause 1.18(1)(h) requires that approval for the necessary vegetation works be granted first, before a Complying Development Certificate is issued.</p> <p>It is recommended that you check the relevant SEPP for the most current information.</p>	
34.	3	3.8.1	<p>Existing Control C3 is replaced and renumbered</p> <p><del>C3 – To ensure DAs and CDCs have the required permits to remove street trees that are Council assets, the applicant shall apply for a tree removal permit prior to issuing of a DA or CDC. Clause 1.18(1)(h) of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (the Codes SEPP) requires that in most cases an appropriate permit or development approval be obtained to remove or prune a tree or vegetation from the site prior to the issuing of a CDC.</del></p> <p>New C9 - If a development (either by a Development Application or Complying Development) requires the removal of a tree on public land (such as a street tree), the applicant must have received approval for the tree removal via a permit or development application prior to lodging an application for the rest of the development.</p>	New control C9 provides greater clarity in relation to approvals for works to street trees associated with development.
35.	3	3.8.1	<p>Existing Control C4 is renumbered C10 and first paragraph is deleted:</p> <p><del>C49 – Development consent (development application) is required if the tree in question is in a heritage conservation area or is a heritage item or part thereof. For pruning of a minor nature that will not have any impact on heritage significance or amenity a tree permit is only required.</del></p> <p>Development <del>A</del>pplications for proposed tree works are required to include the following as a minimum:</p>	The first paragraph of this control is replaced by new controls C4 and C5. Minor edit for consistency.



Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p>a. A site plan showing the surveyed location of all tree/s or vegetation on the property and trees within 5 metres of property boundaries (trees adjoining properties and street trees);</p> <p>b. Details of the species and size (height, canopy spread and trunk diameter/girth at ground level) of the surveyed trees or vegetation, whether to be retained or removed;</p> <p>c. Arborist Report for sites with large trees, several trees or as required by Council;</p> <p>d. Full written details and justification for proposed tree or vegetation removal and/or pruning. It is responsibility of the applicant to substantiate applications for tree removal; and</p> <p>e. Owner's consent.</p>	
36.	3	3.8.1	<p>Existing control C5 is deleted:</p> <p><del>C5 – Consent is not required when:</del></p> <p><del>a. the tree is dying or dead (as determined by a qualified arborist)</del></p> <p><del>b. council works</del></p> <p><del>c. vegetation that is a risk to human life or property</del></p> <p><del>d. pruning of an established hedge</del></p> <p><del>e. removal of dead fronds and fruit off palm trees</del></p> <p><del>f. exempt species list in Appendix 3.</del></p> <p><del>All exempt works must be documented to show due process has been followed and the pruned or removed tree was exempt.</del></p>	This control is replaced by new controls C3, C6, C7 and C8 which are more consistent with the Landscape Technical Specifications, refer to updated legislation and are more comprehensive.
37.	3	3.8.1	<p>Existing control C6 is renumbered with a minor edit:</p> <p><del>C6-11</del> – Tree works approved with a <del>Development Application</del> DA lapse if the consent lapses or becomes invalid, void or surrendered. A copy of the Development Consent must be presented on demand to Council's authorised officers and the Arborist engaged to undertake the approved tree works.</p> <p>Existing Control C7 is renumbered to C12.</p>	Minor edit
38.	3	3.8.1	Existing Control C8 is renumbered to C13 and amended:	Minor amendments to for consistent referencing and new matter for consideration to address tree canopy.

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p><del>C8 13</del> – The following matters are considered by Council in the assessment of a <del>tree</del> permit application or <del>development application</del> DA for trees or vegetation on all land (public and privately owned):</p> <ul style="list-style-type: none"> <li>a. Whether the tree or vegetation has significance or value (amenity, aesthetic, environmental);</li> <li>b. Whether the tree is heritage listed, located on a site with a heritage item or in a <del>H</del>eritage <del>C</del>onservation <del>A</del>rea, on any <del>s</del>Significant <del>t</del>ree <del>list</del> Register adopted by Bayside Council or listed under State or Federal legislation;</li> <li>c. Whether removal will impact on local biodiversity, habitats or the quality and quantity of healthy tree canopy;</li> <li>d. Whether the clearing of vegetation or work near it directly or indirectly impacts on a vegetation community protected by State or Federal legislation;</li> <li>e. The health or condition of the tree or vegetation, whether the tree or its branches are dead, dying, diseased or structurally unsound and the tree's Safe Useful Life Expectancy (SULE);</li> <li>f. Whether the tree is dangerous, hazardous or a public nuisance;</li> <li>g. Proximity to and interference (current and future) with existing or proposed buildings, structures, utilities or vehicle sightlines;</li> <li>h. Impact on the development potential of the land;</li> <li>i. Whether the tree will be adversely impacted by a development proposal (its canopy and/or root system) and whether alternatives have been considered for building or structure layout, design, or siting; <del>and</del></li> <li>j. Whether the tree forms a valuable component of the streetscape; <del>and</del></li> <li>k. Whether the proposed works (including any proposed replacement or offset planting) will result in a net increase to tree canopy on the site and in the Bayside LGA more broadly.</li> </ul>	
39.	3	3.8.1	<p>Existing control C9 is renumbered to C14 and amended:</p> <p><del>C9 14</del>– Council will not support <del>Development Applications</del> DAs or permit applications for tree removal in the following circumstances:</p>	Applies consistent tests to tree removal works under Development Applications and Permits.

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<ul style="list-style-type: none"> <li>a. the shedding of leaves, bark fruits, flowers, sticks or the like which are part of the normal life cycle of a tree;</li> <li>b. to minimise the inconvenience caused by animals and insects, including the dropping of fruit and bird droppings;</li> <li>c. to improve views, visibility of signage (unless essential road signage) or reduce shading of solar receptors;</li> <li>d. to reduce the height of a tree (topping) which is not in accordance with the relevant Australian Standards;</li> <li>e. to facilitate the construction of a driveway or structures, including swimming pools, outbuildings or fences. Alternative locations of such structure must be sought;</li> <li>f. lifting pavements. Tree removal is the final option when all other avenues for management have been investigated;</li> <li>g. Sewer chokes where an aged/faulty sewer system has not been replaced with PVC to the mains supply.</li> </ul>	
40.	3	3.8.1	<p>Existing control C10 renumbered to C15 and amended:</p> <p><del>C10</del> 15 – Council may require an Arborist Report, prepared by a suitably qualified and experienced consulting Arborist with <del>in</del> a minimum qualification of <del>Australian Qualification Framework</del> AQF Level 5, for <del>development applications</del> DAs and permit applications that affect trees or vegetation in the following circumstances:</p> <ul style="list-style-type: none"> <li>a. heritage listed or located on a site with a heritage item or within a <del>H</del>eritage <del>C</del>onservation <del>A</del>rea;</li> <li>b. considered to be locally significant (as determined by Council) <del>or is listed on a Significant Tree Register adopted by Bayside Council;</del></li> <li>c. is within 5 metres of a proposed development;</li> <li>d. potential for the tree to be impacted on by development;</li> <li>e. <del>Where the works are likely to reduce the tree canopy on the site or in the Bayside LGA more broadly;</del> or</li> <li>f. Council determines additional or more detailed information is deemed necessary.</li> </ul>	Amended for consistent referencing and to introduce consideration of tree canopy.

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
41.	3	3.8.1	<p>Existing control C11 renumbered to C16 and amended:</p> <p><del>C11</del> <b>16</b> – An Arborist Report, if required, must address the following:</p> <ul style="list-style-type: none"> <li>a. company details, qualifications and experience of the Arborist/s</li> <li>b. person or company for whom the report is prepared</li> <li>c. date of inspection</li> <li>d. aims of the report</li> <li>e. address of the site and site plan</li> <li>f. methods and techniques used in the inspection</li> <li>g. whether the tree is heritage item or on a site containing a heritage item</li> <li>h. the tree/s size, age, condition/health, estimate of longevity, critical and primary and structural root zones and other pertinent information relating to tree root structure or distribution, significance value/rating, <b>canopy area contributed by the tree(s) to the site and to the Bayside LGA</b>, amenity value, previous pruning, structural defects or damage and any other relevant considerations such as wildlife, habitats, soil, drainage etc.</li> <li>i. potential impacts on the tree/s as a result of the proposed development or construction work</li> <li>j. tree retention and protection options, including construction techniques involving footing design, excavation and scaffolding, and building or structural modifications</li> <li>k. recommendations for future of trees to be retained, including branch or root pruning</li> <li>l. recommend mitigation or compensatory measures where there <del>is</del> <b>would be</b> a loss of amenity <b>and/or tree canopy coverage</b> with tree removal or <del>pruning</del></li> <li>m. demonstrate how the proposal complies with AS4970-2009 – protection of Trees on Development Sites for trees to be removed and retained and AS4373-2007 – Pruning of Amenity Trees</li> <li>n. supporting evidence such as photographs, testing, root mapping and aerial inspection findings.</li> </ul>	Introduces consideration of tree canopy coverage value for existing trees and corrects minor errors.

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p>Note: <del>a</del>Arborist recommendations for tree removal must be objective and based on the arboricultural findings only. An Arborist is qualified to report on tree health and structure but not on the significance of vegetation. An ecologist is required for this.</p> <p>Note: <del>c</del>Council may also require a detailed report or root mapping for trees on the property or on adjoining properties that may be impacted by construction work.</p>	
42.	3	3.8.1	<p>Existing Control C12 replaced with new Control C17 which addresses the Biodiversity Conservation Act 2016:</p> <p><del>C12 – A Flora and Fauna Impact Assessment prepared by an ecologist may be required for development work on or near remnant vegetation forming part of a locally endangered ecological community. The flora and Fauna Impact Assessment should include an assessment of significance in accordance with section 5A of the Environmental planning and Assessment Act 1979 comprising a full description of its extent, makeup and condition and potential direct and indirect impacts expected with the proposed development. A vegetation management plan should also be submitted fulfilling the property owner’s responsibilities under the Threatened Species Conservation Act 1995 and any other relevant legislation</del></p> <p>C17 – Under the <i>Biodiversity Conservation Act 2016</i>, a Biodiversity Development Assessment Report (BDAR) prepared by an ecologist may be required for:</p> <ul style="list-style-type: none"> <li>• a DA for local development that is likely to significantly affect threatened species.</li> <li>• clearing applications (where a DA is not required) to which the Biodiversity Offsets Scheme applies.</li> </ul> <p>The BDAR will identify:</p> <ul style="list-style-type: none"> <li>• the biodiversity values of the subject land (stage 1 of the Biodiversity Assessment Method)</li> <li>• how the proponent proposes to avoid and minimise biodiversity impacts (stage 2 of the Biodiversity Assessment Method)</li> <li>• the offset obligation required to offset the residual biodiversity impacts of the proposed development (stage 2 of the Biodiversity Assessment Method).</li> </ul>	<p>New control reflects the processes established by the Biodiversity Conservation Act 2016 which replaced the Threatened Species Act 1995.</p>

Item No.	Chapter	Section / Provision	Proposed Change	Rationale						
43.	3	3.8.1	Existing control C13 renumbered to C18 and amended:  C18 – Structural engineering and licensed plumbers’ reports may be required <del>for</del> to support claims of alleged damage/blockage to sewer or stormwater lines or damage to fences and other structure.	Clarification of existing control.						
44.	3	3.8.1	Existing controls C14-C21 renumbered to C19-C26 C22 further amended: C22 - For trees on public land that may be impacted by a DA, <del>e</del> Council may impose conditions of consent or a tree preservation bond.	Correction of minor error.						
45.	3	3.8.2	C1 and C2: references to the word Policy are replaced with DCP.  C1 - Council will not accept tree offsetting if: a. An applicant has not demonstrated that all alternatives to a development proposal and all measures to mitigate impacts have been considered; b. The need for an offset has not been justified and the offset has not been shown to address and satisfy the principles of this <del>policy</del> DCP; c. A development has enough soil and space to include new canopy trees within a site as part of the development proposal; d. The impacts of a development are considered to be minor in nature or could reasonably be avoided or mitigated.  C2 – Council reserves its right to assess each offset proposal on a case-by-case basis in accordance with this <del>Policy</del> DCP.	Correction of a minor error.						
46.	3	3.8.2	C3 and C4: amend tables 8 and 9 to add a new tree replacement ratio for Non-residential development at 5:1: <table><tr><th>Type of proposal</th><th>Ratio</th></tr><tr><td>Alterations and additions</td><td>2:1</td></tr><tr><td>New single dwelling or dual occupancy</td><td>3:1</td></tr></table>	Type of proposal	Ratio	Alterations and additions	2:1	New single dwelling or dual occupancy	3:1	Addition of non-residential development ratio ensures that tree canopy coverage can be maintained or increased in industrial areas and centres to which this DCP applies (including the Port Botany industrial area). This is consistent with the
Type of proposal	Ratio									
Alterations and additions	2:1									
New single dwelling or dual occupancy	3:1									

Item No.	Chapter	Section / Provision	Proposed Change	Rationale										
			<table><tr><td>New medium density development</td><td>5:1</td></tr><tr><td>New high-density development</td><td>8:1</td></tr><tr><td>Non-residential development</td><td>5:1</td></tr><tr><td>Application to remove a tree only (no proposed development)</td><td>2:1</td></tr><tr><td>Application to remove a tree only (due to safety or risk to infrastructure)</td><td>1:1</td></tr></table> <p>Append the following paragraphs to control C3 to further specify that conditioned replacement trees may be converted to off-site planting in accordance with the terms of the condition of development consent:</p> <p>Before issue of any Construction Certificate, the Principal Certifier (PCA) must ensure that the location of trees (including those added by a condition of consent) are shown on all relevant plans. If there is insufficient space to accommodate all conditioned replacement trees onsite, the applicant may choose to offset the trees by way of a Deed of Agreement (DOA).</p> <p>Submission of a DOA is a legal requirement the applicant must undertake if they choose to offset trees to satisfy the “Tree Offset Controls” condition on their consent. The applicant must formally declare their choice to Council (using the form on Council’s website) and make a one-off monetary contribution in accordance with Council’s Fees &amp; Charges.</p>	New medium density development	5:1	New high-density development	8:1	Non-residential development	5:1	Application to remove a tree only (no proposed development)	2:1	Application to remove a tree only (due to safety or risk to infrastructure)	1:1	<p>application of this DCP to the area under SEPP (Transport and Infrastructure) 2021 Part 5.</p> <p>The amendment to control C3 reflects the flexible provisions of the tree replacement condition that has been applied to development consents for some time.</p>
New medium density development	5:1													
New high-density development	8:1													
Non-residential development	5:1													
Application to remove a tree only (no proposed development)	2:1													
Application to remove a tree only (due to safety or risk to infrastructure)	1:1													
47.	3	3.8.2	<p>C4: Correct the typo in the reference to Council’s Fees and Charges and explicitly state that the fee includes all costs such as planting and 12 months of maintenance.</p> <p>C4 – Where Council determines that on-site replacement is not appropriate there is an opportunity for off-site replacement subject to a Deed of Agreement and monetary contribution (as outlined in Council’s Fees &amp; Charges) with the Council to facilitate replacement planting on public land (the fee includes all costs such as: planting and 12 months of maintenance). Any tree offsets occurring off-site and/or on public land must comply with the below:</p>	<p>Clarification: This creates greater clarity for applicants by confirming that all costs associated with the replacement planting are covered in one fee.</p>										

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
48.	3	3.8.2	<p>C5: Amend to explicitly require all replacement tree planting comply with the minimum pot size specified in the Landscape Technical Specification:</p> <p>C5 – All replacement trees must be consistent with the tree list <b>and</b> requirements <b>(including minimum pot size) specified</b> in Council’s Landscape Technical Specification.</p>	Ensuring consistency: This ensures that the planting requirements of the DCP are consistent with the requirements of the Landscape Technical Specification.
49.	3	3.8.2	<p>New C6 and C7: Introduce new controls to require that development applications and permits which remove trees must demonstrate that the tree canopy on the site and of the Bayside LGA will increase, inclusive of any replacement or offset planting. C7 allows Council to require additional tree replacement and/or off-site tree offset planting to ensure the tree canopy coverage of the Bayside LGA will not decrease.</p> <p><b>C6 – Development and permit applications involving tree removal must demonstrate that the tree canopy coverage on the site and of the Bayside LGA will increase, inclusive of any planting on or off the site undertaken in accordance with C3 and C4 above. For the purpose of estimating the canopy contribution of replacement planting, applicants may allow for up to 10 years of growth under expected conditions. Overlapping canopy areas on the site are to be counted once only.</b></p> <p><b>C7 – To ensure no net loss of canopy coverage, Council reserves the right to require additional tree replacement planting within the site bounds (on-site) and/or off-site or on public land via a Deed of Agreement or monetary contribution.</b></p>	Amendment addresses adopted Bayside Council policy to increase tree canopy coverage within the LGA.
50.	3	3.13, 3.14.2, 3.14.3 and 7.12.4.3	Replace reference to Australian Standards AS 2021—2000 in 3.13 Control C3, 3.14.2 Control C9, and 3.14.3 Control C8 to <b>AS 2021—2015 – Acoustics – Aircraft Noise Intrusion – Building Siting and Construction.</b>	Update reference to Australian Standards.
51.	3	3.10.10	Amend step (h) in steps to determine the relevant flood development controls to read: Based on the land use category and flood hazard category apply the prescriptive controls specified in <del>Tables 2 to 4</del> <b>Tables 11 to 13.</b>	The correct reference is Tables 11 to 13.



Item No.	Chapter	Section / Provision	Proposed Change	Rationale
52.	3	3.15.1	Amend Objective O10 to read: To encourage good management of licensed and late-night premises and give venue operators the opportunity to demonstrate the extended hours will <u>not</u> have unreasonable impacts on surrounding land uses and public spaces.	Objective O10 is incorrectly suggesting good management will have an unreasonable impact on surrounding uses/spaces.
53.	5	5.1.2	Amend heading to read: 5.1.2 Ancillary residential uses - <del>rear and side lane additions</del> outbuildings, detached garages, secondary dwellings and studios	Heading includes rear and side lane additions which should instead refer to only the developments that are ancillary that may be rear and side lane additions regardless.
54.	5	5.1.2.1 & 5.2.1.2	Amend controls related to interpretation of first floor secondary dwellings contained in an attic. 5.1.2.1 Control C3 Where the LEP height control enables the development of a 2 storey <del>secondary dwelling / studio /</del> outbuilding, the <del>upper second</del> storey of the building must have a traditional pitched form with dormer windows <del>and generally be contained as an attic.</del>  5.2.1.2 Control C3 A secondary dwelling may be located <del>at first floor level</del> above a garage or outbuilding which fronts a rear lane or side street <del>but must be contained within the roof form. The upper storey of the building must have a traditional pitched form and may have dormer windows. This is</del> subject to compliance with: <ul style="list-style-type: none"><li>a. outbuilding controls in Sub-section 5.1.2</li><li>b. relevant provisions in Chapter 3 – General</li><li>c. other relevant provisions in this section</li></ul> 5.2.1.2 Control C9 An attic may be used as a habitable room provided that: <ul style="list-style-type: none"><li>a. it is part of the dwelling immediately below</li><li>b. <del>it is incapable of being used as a separate dwelling</del></li><li>c. it is contained wholly within a roof space above the ceiling line of the storey immediately below, except for minor elements such as dormer windows</li><li>d. windows are limited to small dormer windows</li></ul>	5.1.2.1 Control C3 and 5.2.1.2 Control C3 are contradicting. Development Applications can be lodged for outbuilding formed by a garage on the ground floor and a secondary dwelling on the first floor. The control is interpreted as the secondary dwelling in above case requires to be contained as an attic. Both controls above in conjunction indicates the permissibility of a first-floor secondary dwelling. This seems to be in contradiction with the LEP definition of an attic. The control prevents a secondary dwelling to be located on the first floor as an attic cannot contain 'A separate dwelling'. This creates confusion about permissibility of first floor secondary dwelling in outbuilding.  The amended wording of both controls provides clarity for the permissibility of secondary dwellings and studios and ensures they are not contained as attic. This aligns with the definition of the attic in the LEP. The 5.2.1 Control C9 (b.) is deleted

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
				as the LEP already specified this in the definition of an attic.
55.	5	5.2.1.1	Amend Control C2: Development is oriented to be parallel with the primary road. <del>Development sites with two or more frontages should address both frontages.</del> <b>Note:</b> Council may vary this control where the lot has an irregular boundary to the primary road.	Control C2 and Control C6 overlap substantially and can be simplified by removing the duplicate sentence in Control C2.
56.	5	5.2.1.1	Amend Control C3: Proposed materials for low density dwellings should not include extensive areas of glass sheeting and glass blocks.  Painting, rendering, or bagging of any original unpainted masonry or sandstone surfaces or cladding that <b>does not</b> provide a positive contribution to the streetscape character and requires maintenance is not permitted.	Incorrect wording.
57.	5	5.2.1.2	Amend Control C4 to read: Maximum building length is compatible with that of adjoining sites. Two or three storey developments are only permitted towards the front of an allotment and <b>storeys above the ground floor</b> may only extend to a maximum of 70% of the depth of the site measured from the front property boundary.  <b>Note:</b> For Secondary Dwellings the total length of both the Secondary Dwelling and Dwelling House is to be considered.	To increase clarity by ensuring the maximum building length for storeys above ground floor is 70% rather than the entire building.
58.	5	5.2.3.1	Amend the Control C9 to remove the word “only”: Face brickwork is to be used <b>only</b> where this is common in the immediate vicinity of the proposed development.	Face brickwork is to be used where this is common in the immediate vicinity of the proposed development.
59.	5	5.2.3.1	Remove Objective O3: <del>To create visual interest through building articulation and a variety of compatible materials, finishes and colouring.</del>	Duplication of Objective O1.
60.	5	5.2.3.3	Remove Control C10: <del>Two or three storey development is only permitted on the front of an allotment and may extend to a maximum of 70% of the depth of the site measured from the property boundary.</del>	Control C10 conflicts with Control C5 as there is a rear first floor setback of 6m for above the ground storey. To ensure both Controls C10 and C5 remain relevant, new Control C6 is proposed for lots with depth of 20m or less where 6m rear setback

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p>Amend controls for minimum building setbacks to a rear boundary and extension of the site:</p> <p>Control C5: Minimum building setbacks to a rear <del>boundary are</del> for a ground storey is 4m <del>For above the ground storey: 6m</del></p> <p>New Control C6: <del>For lots with a depth of 20m or less (measured from the front property boundary): Storeys above the ground floor are only permitted on the front of an allotment and may not extend into the rear 6m of the site.</del></p> <p>New Control C7: <del>For lots with a depth of more than 20m (measured from the front property boundary): Storeys above the ground floor are only permitted on the front of an allotment and may extend to a maximum of 70% of the depth of the site.</del></p>	<p>applies and Control 7 is proposed for lots with a depth of more than 20m where extension of maximum 70% of the depth of the site applies.</p> <p>The basis for 20m of depth is 6m of a 20m of site being 30% of the site (remaining maximum site being 70% extension), therefore resulting in the same outcome. However, for site that with more than 20m of depth, the maximum 70% extension of site control remains relevant, enforcing a larger rear setback.</p>
61.	5	5.2.4.5	<p>Amend description section to delete the broken link:</p> <p>The Planning Principle is updated by Court decisions and is available to view on the Land and Environment Court's website <del>www.lawlink.nsw.gov.au/lec</del> (<del>https://onlineregistry.lawlink.nsw.gov.au/content/</del>).</p>	Update the link to Land and Environment Court's website as the current link ( <a href="http://www.lawlink.nsw.gov.au/lec">http://www.lawlink.nsw.gov.au/lec</a> ) is not accessible.
62.	5	5.2.6	<p>Amend Control C2 to remove sentence referencing to all housing typologies: Where the application proposes the conversion of an existing dwelling into a group home, the design of the group home must comply with the relevant provisions under <b>Section 5.2.1 Low-density residential (dwellings, dual occupancy, semi-detached dwellings)</b>.</p> <p><del>This control is relevant for all different housing typologies identified in this DCP.</del></p>	The control states it is relevant for all housing typologies identified in the DCP but is located in the Group Homes and Respite Day Care Centres Section. Control only applies to that land use.
63.	6	6.1.1	<p>Append to control C7:</p> <p><del>The minimum landscape area required within the site shall have a minimum dimension of 3 metres in any direction and include three tiers of native tree canopy. Location of landscape area is to assist and augment the LGA's green corridors.</del></p>	A minimum width of 3m is required to allow for an adequate area for landscaping at any location on the site. For sites with an area between of 1,500-2,000sqm, a minimum dimension of 6m is required for the 10% landscaped area. This requirement

Item No.	Chapter	Section / Provision	Proposed Change	Rationale																		
			For sites with an area of 1,500-2,000sqm, the minimum dimension of the landscape areas shall be 6 metres in any direction. For sites larger than 2,000sqm, the minimum dimension shall be 9 metres in any direction.	includes the front landscape setback, which will generally satisfy the landscaping provision for sites under 2,000 sqm. For sites that are over 2,000sqm, a minimum dimension of 9m for Landscaping is required. This ensures sufficient space for tree planting and wider deep soil zones, contributing to the 10% minimum landscaping requirement. These proposed thresholds align with the setback standards outlined in Section 6.3.2.																		
64.	6	6.3.2	<p>Amend Building Setbacks Control C2 Table 14 for Business and Office Premises, as follows:</p> <p>Existing Table 14: Street Setbacks</p> <table><tr><th>Boundary</th><th>Landscape Setback</th><th>Building Setback</th></tr><tr><td>Front – Primary and Secondary Streets</td><td>3 metres</td><td>4 metres</td></tr><tr><td>Front (Secondary Streets) – to a non-classified road</td><td>4 metres</td><td>9 metres</td></tr><tr><td>Side and Rear – To Podium</td><td>3 metres</td><td>4 metres</td></tr><tr><td>Side and Rear – To Tower above Podium</td><td>-</td><td>6 metres</td></tr></table> <p>Proposed Table 14: Street Setbacks</p> <table><tr><th>Boundary</th><th>Landscape Setback</th><th>Building Setback</th></tr></table>	Boundary	Landscape Setback	Building Setback	Front – Primary and Secondary Streets	3 metres	4 metres	Front (Secondary Streets) – to a non-classified road	4 metres	9 metres	Side and Rear – To Podium	3 metres	4 metres	Side and Rear – To Tower above Podium	-	6 metres	Boundary	Landscape Setback	Building Setback	<p>The existing setback controls are conflicting. The ‘Front (Secondary Streets) – to a non-classified road’ setback does not include setback to Primary Streets and should be applicable to both frontages. There is no front setback to a classified road. The ‘Front – Primary and Secondary Streets’ setbacks can be misinterpreted to apply to classified roads, however this is an anomaly as it includes smaller setbacks than non-classified roads.</p> <p>A consistent 9 metre setback should apply to frontages on primary streets on both classified and non-classified roads.</p>
Boundary	Landscape Setback	Building Setback																				
Front – Primary and Secondary Streets	3 metres	4 metres																				
Front (Secondary Streets) – to a non-classified road	4 metres	9 metres																				
Side and Rear – To Podium	3 metres	4 metres																				
Side and Rear – To Tower above Podium	-	6 metres																				
Boundary	Landscape Setback	Building Setback																				

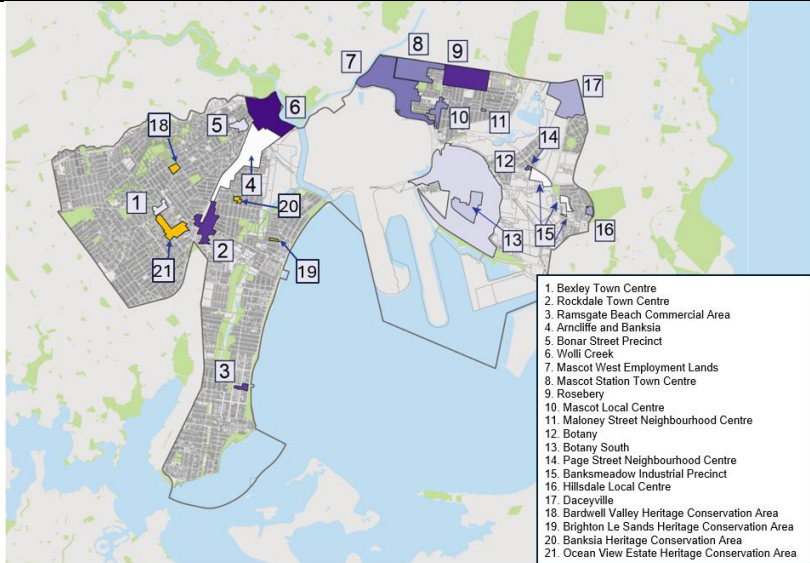
Item No.	Chapter	Section / Provision	Proposed Change	Rationale															
			<table><tr><td>Front (Primary and Secondary Streets) – to a classified road</td><td>4 metres</td><td>9 metres</td></tr><tr><td>Front (Primary Streets) – to a non-classified road</td><td>4 metres</td><td>9 metres</td></tr><tr><td>Front (Secondary Streets) – to a non-classified road</td><td>3 metres</td><td>4 metres</td></tr><tr><td>Side and Rear – To Podium</td><td>3 metres</td><td>4 metres</td></tr><tr><td>Side and Rear – To Tower above Podium</td><td>-</td><td>6 metres</td></tr></table>	Front (Primary and Secondary Streets) – to a classified road	4 metres	9 metres	Front (Primary Streets) – to a non-classified road	4 metres	9 metres	Front (Secondary Streets) – to a non-classified road	3 metres	4 metres	Side and Rear – To Podium	3 metres	4 metres	Side and Rear – To Tower above Podium	-	6 metres	
Front (Primary and Secondary Streets) – to a classified road	4 metres	9 metres																	
Front (Primary Streets) – to a non-classified road	4 metres	9 metres																	
Front (Secondary Streets) – to a non-classified road	3 metres	4 metres																	
Side and Rear – To Podium	3 metres	4 metres																	
Side and Rear – To Tower above Podium	-	6 metres																	
65.	6	6.4	<p>Amend Setbacks Contol C14, including Table 15a for Industrial Premises (land excluded from T&amp;I SEPP 2021) and Table 15b for Industrial Premises (land included in the T&amp;I SEPP 2021), as follows:</p> <p>For development on land to which the Bayside Local Environmental Plan 2021 applies setbacks are to be in accordance with the following table:</p> <table><tr><th>Boundary</th><th>Landscape Setback</th><th>Building Setback</th></tr><tr><td>Front – to a non-classified road (Refer to Notes)</td><td>3 metres</td><td>9 metres (Refer to Notes)</td></tr><tr><td>Front – to a classified road (Refer to Notes)</td><td>4 metres</td><td>9 metres (Refer to Notes)</td></tr></table>	Boundary	Landscape Setback	Building Setback	Front – to a non-classified road (Refer to Notes)	3 metres	9 metres (Refer to Notes)	Front – to a classified road (Refer to Notes)	4 metres	9 metres (Refer to Notes)	<p>To specify the current setbacks for Industrial Premises apply to land located outside of the T&amp;I SEPP 2021.</p> <p>To include setback provisions for IN1 zoned land in Port Botany within the T&amp;I SEPP 2021.</p>						
Boundary	Landscape Setback	Building Setback																	
Front – to a non-classified road (Refer to Notes)	3 metres	9 metres (Refer to Notes)																	
Front – to a classified road (Refer to Notes)	4 metres	9 metres (Refer to Notes)																	

Item No.	Chapter	Section / Provision	Proposed Change			Rationale											
			Side – adjoining a non-residential use/zone including lanes	2 metres	2 metres (Refer to Notes)												
			Side – adjoining a residential use/zone or in the Council's opinion the building impacts on the streetscape	3 metres	3 metres (Refer to Notes)												
			Rear – (Refer to Notes)	Nil to 3 metres	Nil to 3 metres												
<p><b>Table 15a: Boundary Setbacks – applying to land to which the Bayside Local Environmental Plan 2021 applies</b></p> <p>For development on land to which Chapter 5 of SEPP (Transport and Infrastructure) 2021 applies setbacks are to be in accordance with the following table:</p> <table><tr><th>Boundary</th><th>Landscape Setback</th><th>Building Setback</th></tr><tr><td>Front (Primary and Secondary Streets) – to a non-classified road (Refer to Notes)</td><td>3 metres</td><td>9 metres (Refer to Notes)</td></tr><tr><td>Front (Primary and Secondary) – to a classified road (Refer to Notes)</td><td>4 metres</td><td>9 metres (Refer to Notes)</td></tr><tr><td>Side – adjoining a non-</td><td>2 metres</td><td>2 metres</td></tr></table>							Boundary	Landscape Setback	Building Setback	Front (Primary and Secondary Streets) – to a non-classified road (Refer to Notes)	3 metres	9 metres (Refer to Notes)	Front (Primary and Secondary) – to a classified road (Refer to Notes)	4 metres	9 metres (Refer to Notes)	Side – adjoining a non-	2 metres
Boundary	Landscape Setback	Building Setback															
Front (Primary and Secondary Streets) – to a non-classified road (Refer to Notes)	3 metres	9 metres (Refer to Notes)															
Front (Primary and Secondary) – to a classified road (Refer to Notes)	4 metres	9 metres (Refer to Notes)															
Side – adjoining a non-	2 metres	2 metres															

Item No.	Chapter	Section / Provision	Proposed Change			Rationale
			residential use/zone including lanes – building height less than 14.5m		(Refer to Notes)	
			Side – adjoining a non-residential use/zone including lanes – building height greater than 14.5m	3 metres	4 metres (refer to Notes)	
			Side – adjoining a residential use/zone or in the Council's opinion the building impacts on the streetscape	3 metres	3 metres (Refer to Notes)	
			Rear – (Refer to Notes)	Nil to 3 metres	Nil to 3 metres	
			Sites fronting Denison Street, Banksmeadow	10 metres	15 metres (Refer to Notes)	
			Sites fronting Stephen Road, Banksmeadow	10 metres	15 metres (Refer to Notes)	
			<b>Table 15b: Boundary Setbacks – applying to land to which Chapter 5 of Transport and Infrastructure SEPP applies</b>			
			<b>Note:</b> Greater setbacks will be required for bulky, hazardous and noise or odour generating activities.			


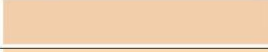







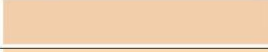







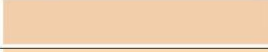






Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p><b>Note:</b> Building setback relates to new building works. Underground parking is to be situated underneath the building footprint. The building setback is inclusive of the landscape setback required within the above Table.</p> <p><b>Note:</b> Landscaping setbacks are to be free from overhangs, hard elements such as paths, ramps, substations, fire hydrant boosters, signs, parking (both above ground and underground) advertising structure (including pole signs). This quantity of landscaping may be used in calculating 10% landscaped area on site with an area below 2,000m<sup>2</sup>.</p> <p><b>Note:</b> Awnings and verandas along classified roads should be set back a minimum of 1.5m from the kerb. Awnings and verandas along local roads that intersect with classified roads should be set back a minimum of 1.5m from the kerb for a distance of up to 100m from the intersection with the classified road. At any signalised intersections (on local roads or classified roads), awnings and verandas should be set back a minimum of 1.5m from the kerb for a distance of up to 100m from the signalised intersection.</p>	
66.	7	Figure 24	Update Figure 24:	<p>Update the Figure to show the new HCAs added i.e. Brighton-Le-Sands, Banksia, Bardwell Valley and Ocean View Estate.</p> <p>The Figure 24 caption also reads back to front saying "Specific Places Applying to this Part" when instead it should say "Specific Places to which this part applies".</p>



Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			 <p>Figure 24: Specific Places <del>Applying to this Part to which this Chapter applies</del></p>	
67.	7	7.2.6	<p>Amend description section to delete the broken link: The following controls are required in addition to any controls in <del>Parts Error! Reference source not found</del> Section 7.2.5.</p>	Error.
68.	7	7.7.2	<p>Remove Control C11: <del>Any new development proposals (regardless of scale) which are located along O'Riordan Street or Robey Street must be referred to Transport for NSW for consultation at the Pre-DA stage.</del></p>	Duplication of Control C9.
69.	7	7.17	<p>Amend the following sections in the Specific Places Section on Daceyville.</p> <p>Character statement:</p>	Council resolution (24 July 2024 - Minute No. 2024/138) to review controls in relation to Low and Mid Rise Housing and its application to Daceyville.

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<ul style="list-style-type: none"> <li>The dominant material palette of <del>face</del> brick, painted brick, fibro, <del>bricks with pebbledash render and rendered</del> or rough cast treatment, and roof tiles.</li> <li>Variety of period colour palettes including peach, apricot, pink, brown, green and red.</li> <li>Prevalent features of Arts and Craft style domestic architecture including roof forms with prominent slopes, chimneys, overhanging eaves, verandahs and porches.</li> <li>Radial avenues centred on Dacey Gardens Reserve <del>and the lack of rear lanes.</del></li> </ul> <p>7.17.2 Control C7: Additions to single-storey Garden Suburb housing must maintain the single-storey scale character of the original dwelling. Two storey additions at the rear of the property will be assessed on a merit-based approach. Additions to two-storey Garden Suburb housing must be located at the rear of the property and must not exceed the ridge height of the host building. <del>All rear and upper storey additions must not adversely impact the bulk and scale of the original dwelling.</del></p> <p>7.17.2 Control C8: Additions are not permitted within Garden Suburb roofs. Original roof forms <del>and chimneys</del> shall not be altered, and dormer windows and skylights facing the street are not permitted.</p> <p>7.17.2 New Control C9 and renumber subsequent controls in this section: <del>Original chimneys and roof materials shall be retained and repaired in preference to replacement. Demolition of original chimneys is not permitted.</del></p> <p>7.17.2 Add to Control C10: Infilling of Garden Suburb housing verandahs and porches to street fronted elevations is not permitted.</p> <p>Infilling of verandahs at the rear of buildings, where not visible from the street, is permitted as a means of providing additional floor area. Where such infilling is permitted, it must be carried out in such a manner that can be reversed at a later date.</p>	

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p>Where original verandahs have been previously infilled, reversing of such alterations is encouraged.</p> <p>7.17.2 New Control C11: Retain and restore original joinery and detailing that are significant to the Arts &amp; Crafts architectural style. Where elements are previously removed, reinstatement is encouraged.</p> <p>7.17.2 Control C17: Suitably designed lightweight carports are permissible at the side of Garden Suburb housing, provided they are located behind the front building setback and only where they reflect the character of the host building.</p> <p>In addition, garages and carports may be acceptable at the rear of properties <del>where they are utilising an existing rear lane or front driveway.</del></p> <p>7.17.2 New Control C18: Original finishes typical of Daceyville character such as pebble-dash render and roughcast should not be removed.</p> <p>7.17.2 New Control C19: Original unpainted or unrendered surfaces should not be painted or rendered.</p> <p>7.17.2 New Control C20: Original exterior finishes should be repaired in preference to replacement where possible. Necessary replacements should match original.</p> <p>7.17.2 Control C28: Garages and carports of new infill development shall have consideration for the following:</p> <ol style="list-style-type: none"> <li>car parking facilities shall not be the dominant architectural feature of the building</li> <li>garages and carports shall be sited at the rear, <del>using rear lane or front driveway access</del></li> </ol>	

Item No.	Chapter	Section / Provision	Proposed Change	Rationale																											
			<p>c. lightweight carports at the side of dwellings may be considered where appropriate</p> <p>d. garages and carports are not permitted forward of the front building line</p> <p>e. driveways are to be concrete wheel strips with grass in between to minimise the amount of hardstand coverage. Full width driveways are not permitted</p> <p>f. <b>Where surfaces are painted, a suitable colour scheme should be used to complement the prevalent colours traditionally used in the Daceyville HCA. Refer to <b>Figure 153A</b> for the recommended paint colour chart. Council may consider colours not specified in <b>Figure 153A</b>, if they are consistent with and do not adversely impact Daceyville’s heritage significance.</b></p> <p>Insert Figure 153A: Daceyville Paint Colour Chart:</p> <table><tr><th colspan="3">Daceyville Paint Colour chart</th></tr><tr><td>Windows, frames, Doors and frames, Rustic Stucco, Fascia Timber posts, Brackets</td><td>Dulux off white</td><td></td></tr><tr><td>Stucco Cladding, Walls</td><td>Dulux Peach tint</td><td></td></tr><tr><td>Rustic Stucco, Sills Headers</td><td>Dulux Apricot mouse</td><td></td></tr><tr><td>Walls</td><td>Dulux Cream</td><td></td></tr><tr><td>Walls</td><td>Dulux Tuscany Pink</td><td></td></tr><tr><td>Window trims, Exposed Timber Rafters, Brackets Posts</td><td>Dulux Nut Brown</td><td></td></tr><tr><td>Window trims, Sill, Header Exposed Rafters, Brackets Timber posts</td><td>Dulux Indian Red</td><td></td></tr><tr><td>Eaves Window frame Timber Fascia</td><td>Dulux Tranquil Green</td><td></td></tr></table>	Daceyville Paint Colour chart			Windows, frames, Doors and frames, Rustic Stucco, Fascia Timber posts, Brackets	Dulux off white		Stucco Cladding, Walls	Dulux Peach tint		Rustic Stucco, Sills Headers	Dulux Apricot mouse		Walls	Dulux Cream		Walls	Dulux Tuscany Pink		Window trims, Exposed Timber Rafters, Brackets Posts	Dulux Nut Brown		Window trims, Sill, Header Exposed Rafters, Brackets Timber posts	Dulux Indian Red		Eaves Window frame Timber Fascia	Dulux Tranquil Green		
Daceyville Paint Colour chart																															
Windows, frames, Doors and frames, Rustic Stucco, Fascia Timber posts, Brackets	Dulux off white																														
Stucco Cladding, Walls	Dulux Peach tint																														
Rustic Stucco, Sills Headers	Dulux Apricot mouse																														
Walls	Dulux Cream																														
Walls	Dulux Tuscany Pink																														
Window trims, Exposed Timber Rafters, Brackets Posts	Dulux Nut Brown																														
Window trims, Sill, Header Exposed Rafters, Brackets Timber posts	Dulux Indian Red																														
Eaves Window frame Timber Fascia	Dulux Tranquil Green																														
			<p>7.17.2 Control C29:</p> <p>The spatial relationship between front gardens and residential housing is to be maintained. <b>Existing front setbacks are to be retained. The front garden design shall</b></p>																												

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			comprise grass and other soft landscape features to maintain the integrity of the early Garden Suburb characteristics.	
70.	9	9.2.1	<p>Amend the Section to remove reference to repealed DCPs and include:</p> <p><del>This chapter is the subject of an ongoing review by Council and will be updated upon completion of this review. In the interim, Council will refer to current advertising and notification requirements for local development, contained in Part 2 of Botany Bay Development Control Plan 2013 and Part 8 of Rockdale Development Control Plan 2011, as well as the relevant provisions of the Bayside Engagement and Communications Strategy.</del></p> <p>Refer to the Bayside Communications &amp; Engagement Strategy which outlines the advertising and notification requirements and procedures for local development.</p>	The DCP refers to repealed previous DCPs for notification procedures.
71.	9	9.3	<p>Update Landscape Plan Requirement to include:</p> <ul style="list-style-type: none"> <li>Landscape Plan; which shall include the following information: <ul style="list-style-type: none"> <li>Shall derivate from the site plan. Include ground level proposal with location of windows in the ground level. Must be on scale and include the north point.</li> <li>landscape area calculation, (including provision of soft and hard surface treatments),</li> <li>Existing trees to be retained and trees to be removed,</li> <li>Proposed planting layout with a plant schedule specify species, common name, pot size, expected matured height and width (All developments shall aim to include one canopy tree in the front setback and one in the rear courtyard on scale with the proposed built form),</li> <li>Screen planting to ensure privacy and amenity</li> <li>Fences and gates</li> <li>Cloths drying area,</li> <li>Location of all stormwater elements. Includes pipes and pits, rainwater tank, any on site detention, infiltration trenches, etc.</li> <li>Finishes and levels of outdoor areas</li> <li>Maintenance Schedule provided for a minimum period of 12 months</li> </ul> </li> </ul>	To align with the Bayside Landscape Technical Specifications.
72.	9	9.6	<p>Amend Section to include:</p> <p>9.6 Appendices and Technical Specifications</p> <p>9.6.1 Appendix 1-6</p>	Refer to Bayside Council Website to access Appendices to the DCP as there is no existing reference.

Item No.	Chapter	Section / Provision	Proposed Change	Rationale
			<p>Refer to the Bayside Council Website to view Appendix 1 to Appendix 6.</p> <p>9.6.2 Technical Specifications</p> <p>9.6.2.1 <del>9.6</del> Waste <del>Minimisation and</del> Management All controls are outlined within Bayside Technical Specification Waste Management. All development within the Bayside LGA must comply with the <del>drainage construction waste and on-going management of waste</del> requirements of this Technical Specification.</p> <p>9.6.2.2 <del>9.7</del> Traffic, Parking and Access All controls are outlined within Bayside Technical Specification <del>Stormwater Management</del> Traffic, Parking and Access. All development within the Bayside LGA must comply with the <del>layout and design of parking and access</del> <del>drainage</del> requirements of this Technical Specification.</p> <p>9.6.2.3 Stormwater Management All controls are outlined within Bayside Technical Specification Stormwater Management. All development within the Bayside LGA must comply with the drainage requirements of this Technical Specification.</p> <p>9.6.2.4 Landscape All controls are outlined within Bayside Technical Specification Landscape. All development within the Bayside LGA must comply with the landscape planning and design requirements of this Technical Specification.</p>	<p>Waste Management - incorrectly mentions drainage requirements.</p> <p>Traffic, Parking and Access - incorrectly mentions Stormwater Management and drainage requirements.</p> <p>Stormwater Management Technical Specification not included.</p> <p>Landscape Technical Specification not included.</p>
73.	Various Chapters	Various Provisions	Replace references to the pre-translated B and IN zones to the new employment zones in line with the LEP.	New employment zones have not been translated due to timing of DCP adoption.

---

**City Planning & Environment Committee**

**1/10/2025**

Item No	CPE25.031
Subject	<b>Post Exhibition Report - Draft Affordable Rental Housing Strategy</b>
Report by	Peter Barber, Director City Futures
File	SF25/6159

---

**Summary**

On 23 April 2025, Council resolved to place the draft Bayside Affordable Rental Housing Strategy (ARHS) and its supporting documents on public exhibition for a period of 28 days.

The draft ARHS was placed on exhibition from 4 July to 4 August 2025, via Council's online Have Your Say page, and direct emails were sent to stakeholders that were previously consulted during the preparation of the Policy and associated documents.

Council received 2 written submissions, 20 votes via the quick poll and 9 survey responses.

Based on the extensive work to date in preparing the draft ARHS, it is recommended that Council adopt the strategy (with minor amendments), endorsing the implementation of the three policy interventions identified, being;

1. Introduce an Affordable Housing Contributions Scheme (AHCS)
2. Build Affordable Housing dwellings
3. Collaborate with State and Federal Government

Following adoption, the draft AHCS, an enabling Planning Proposal will be prepared for consideration by Council.

---

**Officer Recommendation**

- 1 That Council notes the submissions received during the exhibition of the Draft Affordable Rental Housing Strategy.
  - 2 That Council adopts the draft Bayside Affordable Rental Housing Strategy (**Attachment 1**), with the following amendments:
    - 2.1 Action 2.1.1 be amended to, "Identify well located walk-up apartment buildings with affordable units available to purchase at market value".
    - 2.2 Amend Objective 3.1 of the Strategy to add new Action 3.1.3 "Advocate to the NSW State Government for the renewal of areas with a high concentration of Social Housing in Bayside".
    - 2.3 Amend Section 1.2 of the Draft Scheme to include example eligible tenant profiles to provide further explanation.
    - 2.4 Amend Objective 1.1 of the Draft Scheme to add a new Action 1.1.5 "Council investigate an amendment to the Bayside DCP 2021 to specify the quality of build required for in-kind affordable housing contributions"
  - 3 That all persons and organisations from whom submissions were made be advised of Council's decision.
-

## Background

On the 26 June 2024, Council endorsed (Minute No. 2024/112) for the preparation of an Affordable Rental Housing Strategy (ARHS), which would incorporate the options recommended in the Affordable Housing Options Paper. These recommendations respond to the National Housing Accord, which the Australian Government endorsed in late 2022, to accelerate the development of housing. On 23 April 2025 Council resolved (Minute No. 2025/077) to place the draft ARHS and its supporting documentation on public exhibition for a period of 28 days.

The draft ARHS was informed by extensive research and is supported by the Bayside Affordable Housing Evidence Base, Bayside Affordable Housing Options Paper, and Bayside Affordable Rental Housing Feasibility Testing.

## Proposed Policy Interventions

The draft ARHS contains three key policy interventions to collaboratively work in the delivery and growth of Bayside's Affordable Housing stock.

### Policy Intervention 1: Introduce an Affordable Housing Contributions Scheme

The most effective mechanism available to Local Government to facilitate Affordable Housing is the implementation of an Affordable Housing Contributions Scheme (AHCS). The introduction of an AHCS will apply an obligation on land when development uplift is granted, and where it does not negatively impact development feasibility. Affordable Housing built or acquired by monetary or in-kind contributions by this scheme will be Affordable Rental Housing in perpetuity for the Bayside community.

The Environmental Planning & Assessment Act 1979 (EP&A Act) sets out the provisions whereby conditions requiring land or monetary contributions for Affordable Housing may be imposed on development consents. Affordable Housing Contributions may only be imposed by Council on development consents if authorised by the relevant LEP and is in accordance with an AHCS set out or adopted in that LEP. Bayside LEP 2021 would need to be amended to insert these provisions.

The Department of Planning, Housing and Infrastructure's (DPHI) Guideline for Developing an Affordable Housing Contribution Scheme (February 2019) (AHCS Guideline) provides guidance on implementing the Scheme, outlining four key steps:

1. Establish an evidence base;
2. Identify areas for rezoning;
3. Establish an Affordable Housing Contribution rate; and
4. Produce scheme.

The adoption of the draft ARHS finalises steps 1 and 3 of the process, and additional areas for uplift can be added (step 2) as they are endorsed by Council. To complete the process Council will prepare an AHCS and accompanying Planning Proposal to amend the Bayside Local Environmental Plan 2021, as outlined in the ARHS. Viability assessments for all areas that Council proposes to impose a contribution rate to are also required.



### **Policy Intervention 2: Build affordable housing dwellings**

Policy intervention two allows for Council collected Contributions to be used to build Affordable Rental Housing within the Bayside Local Government Area. Council will utilise funds collected via the AHCS to partner with Community Housing Providers (CHPs) to increase the supply of Affordable Rental Housing within Bayside. Research has demonstrated that purpose built Affordable Housing managed by a CHP is the most cost-effective way to deliver Affordable Rental Housing in the community.

### **Policy Intervention 3: Collaborate with State and Federal Government**

Council has limited capacity to directly supply and deliver Affordable Housing, whereas the State and Federal Governments retain most of the responsibility for this function. Policy intervention three promotes Council as an advocate to the State and Federal Governments to ensure additional Affordable Housing is developed within the LGA.

Council can advocate for the strategic renewal of social housing in the LGA by the NSW Government, where a component of Social plus Affordable Housing is included within the proposal. The NSW Government is conducting a land audit to identify land appropriate for additional housing to assist with the housing crisis. Council could support and collaborate with the relevant State agencies to assist with land in the Bayside area.

## **Community Engagement**

Council undertook public exhibition of the draft Bayside ARHS from July 4 to August 4 2025. The consultation included a dedicated project page on 'Have Your Say', direct emails to target groups, social media and notification via Council's newsletter and EDM's. Full details of the consultation can be found as **Attachment 2**.

Feedback was collected via three collection methods, being:

- Option 1: Quick poll survey – 20 responses;
- Option 2: Feedback Form – 9 responses; and
- Option 3: Upload written feedback portal – 2 responses.

The Feedback Form asked respondents if they supported the Draft ARHS. Five of the nine respondents indicated support, one supported with amendments, and three of the respondents did not support the AHCS.

Detailed responses to each submission are provided as **Attachment 3** of this report. The Key topics raised during the consultation are summarised as follows:

#### Mandatory contributions for all multi-dwelling housing

A suggestion that Council require all multi-occupancy dwelling developments to pay a minimum 1% contribution to Affordable Housing was made.

The proposed approach of charging contributions only on sites that have been given uplift, and where development is viable, aligns with the instructions contained within the NSW Guideline for Developing an Affordable Housing Contribution Scheme.

A mandatory Contribution rate across the LGA could result in less overall feasibility of housing across the LGA, and hinder the overall delivery of housing supply.

#### Ownership and partnership opportunities with Community Housing Providers

The Community Housing Industry Association (CHIA) has recommended advantages for CHP ownership of Affordable Housing including leverage, and GST exemption. The ownership structure of assets delivered via the AHCS will be considered with the Bayside AHCS.

The current Bayside Affordable Housing Tenancy Policy requires that ownership stays with Council, allowing Council to retain earnings from the operation of the Bayside Affordable Housing dwellings to reinvest into additional Affordable Housing supply, asset maintenance and management. This approach also ensures that capital remains in Bayside.

The important role of CHPs is recognised through Objective 2.3 of the draft ARHS. Council will seek to partner with CHPs on the structure and commercial/social outcomes associated with Affordable Housing as an appropriate custodian of community funds when Council has funds or land to offer.

#### Adjustment to Council Fees and Charges

A submission suggested Council should consider waiving or reducing fees and charges for applications that include Affordable Housing.

Development contributions are intended to fund the infrastructure required to support new development, particularly where that development generates additional demand. These contributions help ensure that essential infrastructure is in place to meet the needs of future residents.

As part of the development of the new Contribution Plan, Council may consider exemptions for Affordable and Social Housing delivered by registered Social Housing providers, however, this needs to be considered alongside the demand for Council infrastructure this housing will create and how this can otherwise be funded.

Planning application fees are associated with recovering the cost associated with the assessment of development applications.

#### Review of Local Planning Requirements

The Community Housing Industry Association recommends that local planning controls be reviewed, to support the feasibility of affordable housing developments.

Council can consider changes to controls on a case-by-case and merit basis. The assessment of a variation to controls needs to ensure that it does not reduce residential amenity. Council would need to ensure that, for example, reduced parking does not result in additional vehicles on the street, and the development is in a well-located area. Controls associated with apartment design, can be considered through a life-cycle cost and maintenance perspective ensuring that the development still achieves the vision of blending in with the local area.

### Use of Council Land Holdings

The City of Sydney and CHIA both provided submissions outlining the success that they have had selling their land to community housing providers at a discount to be used for the development of affordable rental housing. Section 2.2 of the draft Affordable Rental Housing Strategy considers this option, providing for Council to make site decisions on a case-by-case basis.

### NSW State Government Responsibility

A submission received raised concern that Affordable Housing was not a Local Government responsibility.

The NSW Government in the Eastern City District Plan requires Councils to develop Affordable Housing targets and Contribution Schemes. This requirement is repeated in Bayside's Local Strategic Planning Statement (2020) and Local Housing Strategy (2021).

### Inadequate Capacity and Maintenance of Existing Infrastructure

Concerns were raised that Bayside does not have enough infrastructure capacity for additional Affordable Housing delivery and that the delivery of Affordable Housing via a Council Affordable Housing Contributions Scheme will result in funds not being available to upgrade and maintain existing Council assets and infrastructure.

If affordable housing developments are required to pay developer contributions, there will be a funding source available for Council to provide infrastructure to service additional residents. Ongoing maintenance would be funded from rate revenue.

The ongoing maintenance of Affordable Housing is paid for through income received from renting dwellings.

### Occupants of Affordable Housing

Submissions raised concerns in relation to the people who would occupy Affordable Housing.

Bayside Council has an Affordable Housing Tenancy Policy, which includes requirements that applicants are citizens or permanent residents, aged over eighteen years, live in Bayside LGA, have lived in the LGA for at least three years, or if living in another LGA have lived and/worked in Bayside LGA for 5 of the last 10 years. Up to one third of the portfolio is allocated to households on very low and low incomes, with the remaining units for all eligible incomes. Tenants can participate in the program for up to 3 years. Tenants must not use the residence for an illegal purpose, cause a nuisance, interfere with the reasonable peace, comfort or privacy of any neighbour or cause any damage to the tenancy.

Eligible tenants include workers such as aged-care workers, early career teachers, childcare workers, paramedics and cleaners.

### Location and impact of Affordable Housing Across the LGA

Concern was raised that the allowance of Affordable Housing would be a barrier to gentrification in Hillsdale and Eastlakes, where there are existing clusters of Social Housing.

Affordable Housing Contributions are subject to feasibility testing and are focussed on ensuring that market development remains viable. The coordinated renewal of areas of high social disadvantage concentration by the NSW Government is expected to include additional market, Affordable and Social Housing to balance needs. The Strategy includes an action to advocate for this renewal within Bayside.

### Quality of affordable housing

The vision of the draft ARHS is to ensure Affordable Housing "design is seamlessly integrated with the local character, reflecting timeless design that blends harmoniously with the surrounding environment". Council will consider minimum requirements for the quality of dwellings being transferred as Affordable Housing assets to Council, either by the AHCS or via Planning Agreements. This is to ensure that dedicated housing dwellings are functionally equivalent to market-dwellings in terms of amenities, facilities and design, ensuring that the lifespan cost of the dwellings is minimised.

### Compulsory acquisition of dwellings

Concerns relating to Council potentially acquiring walk-up apartments below market rate were raised. The Strategy does not suggest compulsory acquisition. Funds from the AHCS could be used to acquire walk-up apartments on the market at market-rates if there are sufficient funds in the Scheme.

## **Recommended amendments to the draft ARHS**

To address concerns raised during exhibition of the draft Strategy, minor amendments to the Strategy are proposed.

### Amendment 1: Change in wording

Action 2.1.1 be amended to, "Identify well located walk-up apartment buildings with affordable units available to purchase at market value". This will provide greater clarity and certainty to the community that homes will be purchased at market rates by Council.

### Amendment 2: Addition of new action

It is proposed to amend objective 3.1 of the Strategy to add a new action, 3.1.3 "Advocate to the NSW State Government for the renewal of areas with a high concentration of Social Housing in Bayside". This action responds to community concerns about the geographical spread of Social Housing administered by the State Government across the LGA. The action will result in Council advocacy for the redevelopment of areas with high Social Housing concentrations, to accommodate a mix of market, affordable, and Social Housing, in alignment with the State Government current approach to Social Housing redevelopment.

### Amendment 3: Add examples of eligible tenants

The terms "Affordable Housing" and "Social Housing" are often used as if they mean the same thing. Feedback from the public showed that people are confused about who would live in Affordable Housing. To make this clearer, the Council plans to include example tenant profiles in the strategy, demonstrating who might be eligible for Affordable Housing it owns.

#### Amendment 4: Addition of new action

Concerns regarding the quality of Affordable Rental Housing within the LGA were raised in submissions. Under objective 1.1 of the draft Strategy, it is proposed to add an action to review the Bayside Development Control Plan 2022, so that it will specify the quality of build required for in-kind Affordable Housing dwellings. The addition of controls will ensure that the requirements are transparent and available to developers. It will further ensure that Council are not taking on assets that will be an ongoing burden due to their quality of construction.

### **Conclusion**

The draft ARHS was placed on exhibition from 4 July to 4 August 2025. Two written submissions, 20 votes in the quick poll, and nine contributors to the survey were received.

It is recommended that the draft ARHS be adopted. The implementation of the three policy interventions and their respective actions will place Bayside in a position to purchase, develop and advocate for Affordable Rental Housing for the Bayside community into the future.

---

### **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 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"/>

---

## Attachments

- 1 [↓](#) Bayside Affordable Rental Housing Strategy
- 2 [↓](#) Affordable Rental Housing Strategy, Public Exhibition outcomes
- 3 [↓](#) Response to Submissions



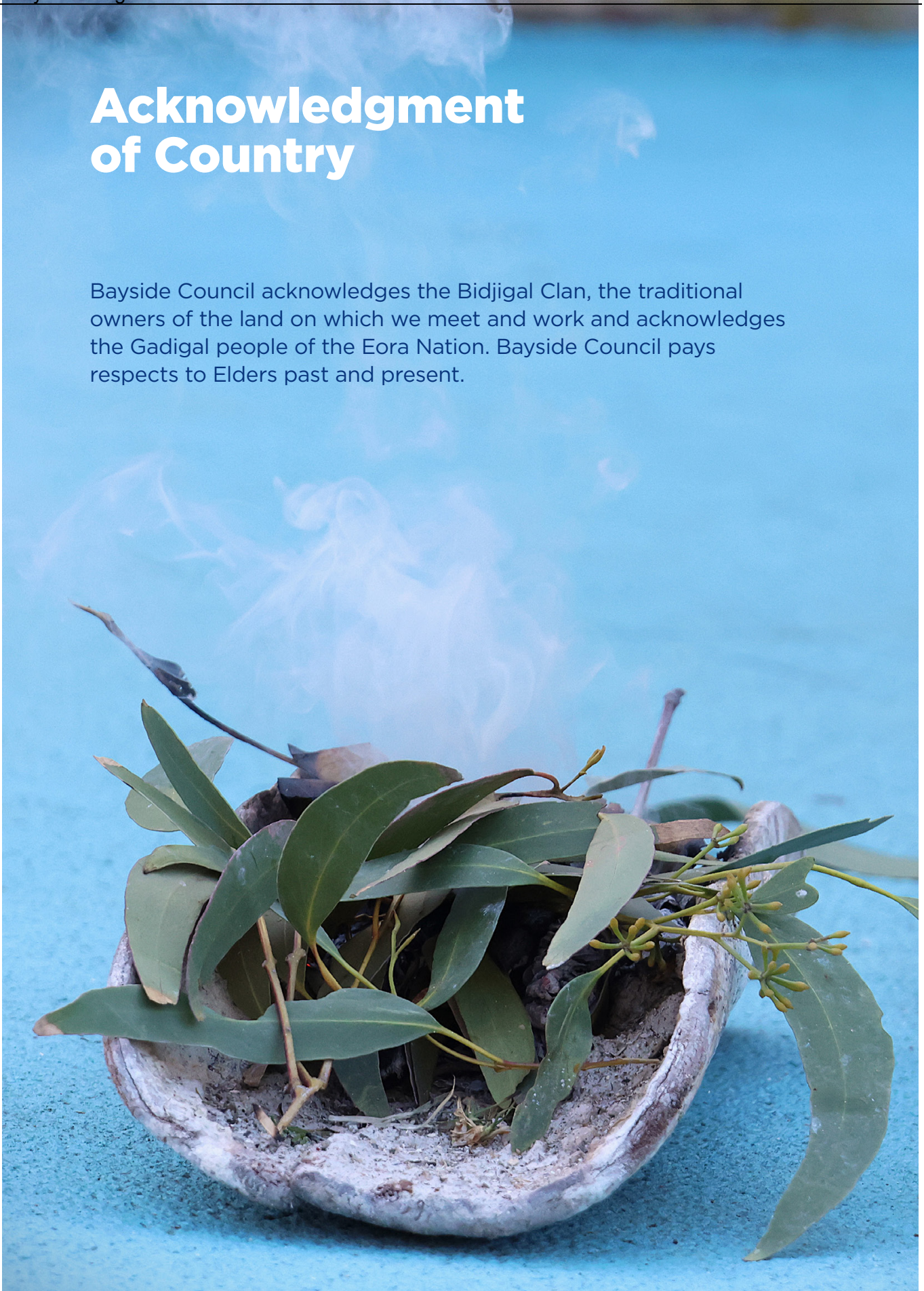
# Affordable Rental Housing Strategy 2025





# 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.





# Contents

<b>1.0</b>	Introduction .....	5
<b>2.0</b>	What has happened so far? .....	8
<b>3.0</b>	Policy context .....	11
<b>4.0</b>	The affordable housing situation in Bayside .....	15
<b>5.0</b>	Bayside's vision for affordable rental housing .....	17
<b>6.0</b>	Guiding principles for affordable rental housing .....	18
<b>7.0</b>	Feasibility testing .....	19
<b>8.0</b>	Mechanisms for delivering affordable rental housing .....	21
<b>9.0</b>	Policy intervention 1 .....	23
<b>10.0</b>	Policy intervention 2 .....	25
<b>11.0</b>	Policy intervention 3 .....	29
<b>12.0</b>	Monitoring and review .....	31
<b>Figure 1:</b>	Housing continuum .....	7
<b>Figure 2:</b>	Study area map .....	19
<b>Figure 3:</b>	Policy levers/strategic directions .....	22
<b>Table 1:</b>	2021 Census affordable housing types .....	6
<b>Table 2:</b>	Federal affordable housing context .....	11
<b>Table 3:</b>	NSW & regional affordable housing policy and legislative context ..	13
<b>Other referenced documents:</b>		
<b>Appendix A.</b>	Bayside affordable housing evidence base	
<b>Appendix B.</b>	Bayside affordable housing options paper	
<b>Appendix C.</b>	Bayside affordable housing feasibility testing	



**Telephone Interpreter Services - 131 450**

Τηλεφωνικές Υπηρεσίες Διερμηνέων بخدمة الترجمة الهاتفية 電話傳譯服務處 Служба за преведување по телефон

## Bayside's Housing Vision

Bayside LGA shall offer a range of appropriate homes for households on very low, low and moderate incomes to have safe and secure rental housing. Affordable rental housing will support our residents with access to employment, transport and services.

By working closely with industry and the community sector we will increase the supply of affordable rental housing while ensuring its design is seamlessly integrated with the local character, reflecting timeless design that blends harmoniously with the surrounding environment.



## The Context



12,000 affordable rental housing homes required by 2041 in Bayside.



5-10 percent of new residential floorspace should provide for very low income to low moderate income households.

Housing target of 10,000 new homes in Bayside by 2029.

## Affordable Rental Housing Strategy

### Introduce an Affordable Housing Contribution Scheme

- 1.1 Draft an Affordable Housing Contribution Scheme.
- 1.2 Submit the proposed LEP amendment to the State planning authority for approval.

### Build affordable housing dwellings

- 2.1 Seek to acquire relatively affordable walk-up apartments.
- 2.2 Use Council funds for land acquisition to develop purpose built affordable dwellings.
- 3.2 Partner with CHP through an expression of interest for co-investment.

### Collaborate with State and Federal Government

- 3.1 Advocate for funding and resources.
- 3.2 Prepare an affordable housing portfolio policy.

# 1.0 Introduction

## 1.1 The purpose

Sydney has a housing crisis. With house prices increasing and making housing less affordable for those who live throughout the City, Bayside Council is looking at ways to help its residents afford to live in its Local Government Area (LGA).

- ▶ The NSW and Federal governments expect Council's to assist with the delivery of affordable housing.
- ▶ There is a need for 12,000 plus affordable rental housing dwellings in Bayside by 2041.

The Bayside Affordable Rental Housing Strategy (the Strategy) outlines the approach Bayside Council will take to facilitate the planning and delivery of safe, secure and affordable housing for its residents and workers. The Strategy:

- 1 Defines Affordable Rental Housing (ARH) in section 1.2.
- 2 Calculate the affordable rental housing needs of very low, low and moderate income households across the Bayside Local Government Area (LGA) in section 2.0.
- 3 Outlines actions that:
  - a) Protect existing affordable housing within the Bayside LGA;
  - b) Identify and advocate for improved housing affordability;
  - c) Bayside Council (Council) can take to increase the supply of ARH and diverse low-cost market housing to improve affordability outcomes both directly and more generally; and
  - d) Create a monitoring and review framework to report on the impact and effectiveness of the Strategy.



## 1.2 What is affordable rental housing?

***“Affordable housing is rental housing available to very low to moderate income households which is priced so that these households are also able to meet other basic living costs. As a rule of thumb, housing is usually considered affordable if it costs less than 30% of gross household income.”***

The *Environmental Planning and Assessment Act 1979* (EP&A Act) defines affordable housing as housing that is affordable and targeted to people on very low, low or moderate incomes. In many areas it must be subsidised or offered at below market rents.<sup>1</sup>

State Environmental Planning Policy (Housing) 2021 (Housing SEPP) defines very low, low, or moderate incomes as up to 120% of the Greater Sydney median Income. The Housing SEPP also states that households must pay no more than 30% of its gross income in rent.

At the 2021 Census, the median weekly household income for Greater Sydney was \$2,077, compared to \$1,959 for Bayside LGA. Applying the data from the 2021 Census to the eligibility criteria from the Housing SEPP, Table 1 shows the housing income thresholds defined for Greater Sydney.

**Table 1:** 2021 Census affordable housing types

HOUSEHOLD TYPE	DEFINITION	HOUSEHOLD INCOME (WEEKLY)	30% OF HOUSEHOLD INCOME SPENT ON RENT (WEEKLY)
Very low income	A gross household income of <50% of the median household income	Up to \$1,039	Up to \$312
Low income	A gross household income of 50%-80% of the median household income	\$1,040 - \$1,662	\$313 - \$498
Moderate income	A gross household income of 80%-120% of the median household income	\$1,663 - \$2,492	\$499 - \$748
Greater Sydney median	-	\$2,077 (\$108,004 p/year)	\$623
Bayside median	-	\$1,959 (\$101,868 p/year)	\$588

Source: State Environmental Planning Policy (Housing) 2021, Section 13(1)(a)(i), Australian Bureau of Statistics 2021 and HILLPDA 2024.

1. New South Wales Government (2024), *Environmental Planning and Assessment Act 1979 No 203*, cl. 1.4(1).



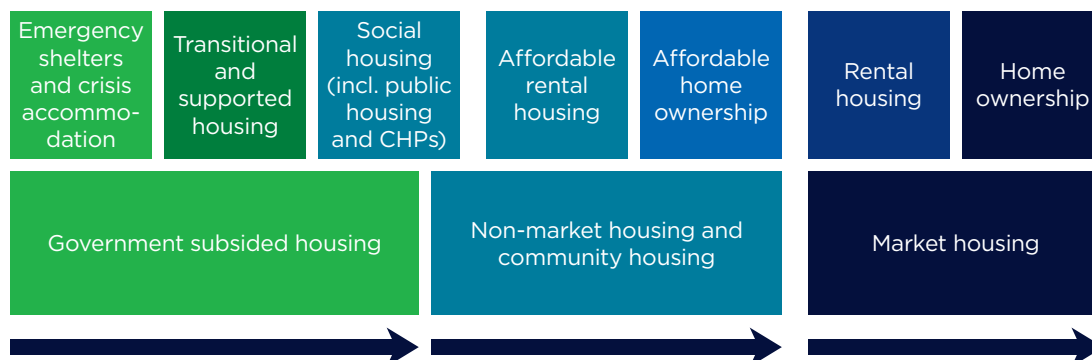
### 1.3 The housing continuum

The housing continuum (Figure 1) shows the range of housing options available, from emergency shelters and transitional housing to affordable rental units and homeownership. It illustrates the different stages of housing stability and support that individuals and families might need as they move towards more permanent and secure housing solutions.

The continuum displays the interconnections between different housing types, such as how a shortage in social housing can increase demand for affordable housing.

This Strategy is focussed on ARH. The success of council's efforts will involve working with other groups including Federal and State Government as well as the community sector and industry to focus across the continuum.

**Figure 1:** Housing continuum



## 2.0

# What has happened so far?

### 2.1 Bayside housing strategy

Bayside Council completed several key initiatives and studies to lay the groundwork for its Affordable Housing Strategy, demonstrating a strong commitment to addressing housing needs in the community.

- ▶ Bayside Council Local Housing Strategy was endorsed in June 2021. DPHI required:
  - ▶ An Affordable Housing Policy;
  - ▶ Investigating the feasibility of an Affordable Housing Contribution Scheme (AHCS) in line with the Department's guidelines; and
  - ▶ Ensuring the Scheme considers all potential mechanisms and locations to secure affordable housing.
- ▶ Consultation with stakeholders to identify State Government-owned sites that could support long-term social and affordable housing needs.
- ▶ On 23 November 2022 Council resolved to support action to increase affordable housing. This included investigating the development of its landholdings to increase the stock of affordable housing, changes to planning controls to increase affordable housing stock, considering the implementation of an AHCS and looking into advocacy measures with the Australian and New South Wales (NSW) Government.
- ▶ In August 2023, SGS Economics and Planning prepared an Affordable Housing Evidence Base, which confirmed the need for an affordable housing strategy.
- ▶ In early 2024, Council began work on an options paper to outline the evidence base, understand the current market, stakeholder engagement, best practice approaches and potential actions.
- ▶ In June 2024, the Options paper was presented to Council, and Council endorsed proceeding to the next step of preparing an Affordable Housing Strategy.
- ▶ In late 2024, a Feasibility Testing Report was completed to demonstrate if a contribution scheme would be viable in selected case study areas.

This Affordable Rental Housing Strategy will therefore achieve DPHI's requirements from June 2021, while advancing Council's efforts to address local housing needs.



## 2.2 Improving market supply

Although it falls outside the scope of this Strategy, Bayside's Housing Strategy highlighted improving market supply as a key intervention to address affordability challenges. Market supply refers to the private housing sector, where developers and builders construct residential properties for sale or rent. By ensuring an adequate supply of both affordable and market housing, the aim is to reduce upward pressure on prices and rents, which can otherwise limit affordable options for residents.

Council's Local Housing Strategy highlights the importance of protecting affordable housing walk up apartments in local centres in the LGA, including Brighton Le Sands, Rockdale, Eastlakes, Hillside and Carlton. Redevelopment in these areas would reduce overall housing affordability and risk displacing existing communities from Bayside.

The Strategy highlights the importance of protecting these areas from redevelopment, and if redevelopment does occur additional affordable housing needs to be provided. For example, as part of a Voluntary Planning Agreement (VPA) at the Pagewood Green Complex in Pagewood, Council successfully secured 45 affordable units, demonstrating how similar agreements can help compensate for the loss of affordable housing stock due to redevelopment.

In addition to actions and interventions suggested in this Strategy, Council can continue efforts to facilitate the increase in market supply, including:

- ▶ **Increasing the number of available properties**  
Encouraging developers to build more homes, apartments and rental properties across a variety of price points;
- ▶ **Facilitating faster planning and approval processes**  
Streamlining processes to make it easier for developers to build and deliver housing;
- ▶ **Attracting investment in housing development**  
Creating an environment that attracts private sector investment into new housing developments, such as undertaking master plans to provide strategic direction for where residential density may occur; and
- ▶ **Encouraging housing diversity**  
Supporting a mix of housing types (e.g., single-family homes, multi-family apartments, affordable housing units) to cater to the needs of different household sizes and income levels.

This Strategy therefore relies on additional housing supply occurring within the private market, whilst focusing on ARH.



## 2.3 Planning agreements

Bayside Council has an adopted Bayside Council Planning Agreement Policy. Planning agreements are voluntary agreements between councils and developers where public benefits are provided or funded in relation to increasing development and change in planning controls.

Planning Agreements can include:

- ▶ Dedication of land;
- ▶ Monetary contributions;
- ▶ Construction of public infrastructure;
- ▶ Provision of materials for public benefit and/or use; or
- ▶ A combination of the above.

Planning agreements can be an effective mechanism to deliver required affordable housing.

The Bayside Council Planning Agreement Policy 2022 outlines the use of Voluntary Planning Agreements (VPAs) and the public benefits Council would accept. For affordable housing, voluntary planning agreements can be entered into for a development application or planning proposal.

Council will most likely seek affordable housing contributions where where permissible heights or densities are being increased.

Where a developer is required to make a housing available for ARH under the State Environmental Planning Policy (Housing) 2021 (Chapter 5 – Transport Orientated Development), Council would accept a Planning Agreement that offers to transfer or dedicate the affordable rental housing to Council. This would enable the ARH to be retained in the longer term.



## 3.0 Policy context

All levels of government have acknowledged the need for social and affordable housing. This Strategy has been developed in the context of a wide range of state, regional and local plans, strategies and legislation that relate to the planning and delivery of ARH.

### 3.1 The federal context

The Federal Government's role in delivering affordable housing is primarily working as a financing body to facilitate housing, whether supporting community housing providers or community housing providers in partnership with developers. The Federal Government also assist in funding affordable housing projects in collaboration with state government. The Federal Government has an aspirational target of 1.2 million new homes including 10,000 affordable homes. They have committed a \$10 billion investment fund, the Housing Australia Future Fund (HAFF).

This will support the delivery of social and affordable dwellings. To take advantage of the HAFF, Council would need to have affordable housing developments within the LGA. Housing Australia notified applicants of the outcomes of the first funding round of the program in late 2024, an initial pipeline of 185 projects to potentially deliver more than 13,700 social and affordable homes across the country. The second round of funding, involving partnership with State and Territory governments, commenced early 2025.

**Table 2:** Federal affordable housing context

THE NATIONAL HOUSING ACCORD	HOUSING AUSTRALIA FUTURE FUND (HAFF)
Aims to build 1.2 million new homes by 2029, with \$350 million committed over 5 years for 10,000 affordable homes. States and territories committed to delivering up to 10,000 affordable homes.	\$10 billion investment fund managed by the Future Fund. Income generated will be used to deliver 20,000 new social and 10,000 new affordable homes over five years, including housing to support acute housing needs.

### 3.2 NSW affordable housing policy and legislative context

The NSW Government has significantly increased its focus on delivering affordable housing, recognising its critical importance in addressing housing supply challenges. 377,000 new homes have been committed across the state over the next five years to support the National Housing Accord. As part of this target, local councils have been given specific housing targets, taking into account existing infrastructure and ongoing housing projects.

***“Bayside Council has a housing target of 10,100 new homes to be completed by 2029.”***

The State government is responsible for setting policy direction to housing supply and provides policy incentives and financial levers to support housing delivery. Supporting safe, secure and affordable housing is a critical focus of the NSW Government.




In particular, the NSW policy and legislative context deals with the:

- ▶ Preparation and regulation of affordable housing contributions schemes (AHCS);
- ▶ Development and implementation of a bonus scheme for affordable housing through the Housing SEPP; and
- ▶ Setting of an affordable housing contribution rate at 2% within Transit Oriented Development (TOD) precincts, as defined in the Housing SEPP.



Other significant planning frameworks are outlined below.

**Table 3:** NSW and regional affordable housing policy and legislative context

NSW ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979	STATE ENVIRONMENTAL PLANNING POLICY (HOUSING) 2021	METROPOLIS OF THREE CITIES AND EASTERN CITIES DISTRICT PLAN
Establishes the planning framework for NSW, allowing councils to introduce affordable housing provisions in LEPs via an affordable housing contribution scheme and includes an objective to promote affordable housing.	The housing SEPP incentivises developments with affordable housing through height and FSR bonuses and mandates a 2% affordable housing contribution for developments over 2,000sqm in Transit Oriented Development (TOD) precincts (which apply in Bayside).	The Metropolis of Three Cities framework, including the Greater Sydney Region Plan (2017) and the Eastern City District Plan (2018), outline a vision for sustainable growth in Sydney. These plans focus on increasing housing diversity, affordability and economic vitality by encouraging land use uplift with a 5-10% affordable housing contribution, subject to feasibility testing. They aim to balance housing demand with liveability, ensuring new developments enhance accessibility and quality of life while maintaining financial viability.
		
<p><b>What does this mean for Bayside?</b></p> <ul style="list-style-type: none"> <li>▶ Bayside Council has an obligation to provide and facilitate ARH.</li> <li>▶ In addition to meeting housing targets, the State expects Bayside to actively plan for the provision of affordable housing within the local government area.</li> <li>▶ TOD precincts in Bayside will require the implementation of an AHCS.</li> <li>▶ The approval of Bayside's Local Housing Strategy is conditional on the implementation of a 5-10% affordable housing uplift scheme.</li> </ul>		

### 3.3 Local strategic context

Council's local strategic framework also signposts numerous actions for Council to take in relation to housing affordability and affordable housing.

 <p><b>Local Strategic Planning Statement</b> A land-use vision to 2036 MARCH 2020</p>	 <p><b>Local Housing Strategy</b> 2020-2036</p>	 <p><b>Affordable Housing Tenancy Policy</b> 10 March 2021</p>	 <p><b>Bayside Affordable Housing Evidence Base Final Report</b> Bayside Council 21 / 06 / 2023 SGS</p>
<p><b>BAYSIDE LOCAL STRATEGIC PLANNING STATEMENT (2020)</b></p>	<p><b>BAYSIDE LOCAL HOUSING STRATEGY (2021)</b></p>	<p><b>BAYSIDE AFFORDABLE HOUSING TENANCY POLICY (2021)</b></p>	<p><b>AFFORDABLE HOUSING EVIDENCE BASE (2023)</b></p>
<p>Seeks to ensure land use planning controls encourage a mix of dwelling types and increase the number of ARH.</p>	<p>Sets the strategic framework and vision for housing in Bayside. Includes 5 year housing targets to 2036, with a focus on medium density development.</p>	<p>Framework for managing Council's affordable housing properties, including guidelines for property management by CHPs and criteria for tenant selection and allocation.</p>	<p>Provides an evidence base for affordable housing in the Bayside Local Government Area.</p>

## 4.0

# The affordable housing situation in Bayside

In 2023, Council engaged SGS to prepare the Bayside Affordable Housing Evidence Base Final Report. This section summarises the key findings from the Bayside Affordable Housing Evidence Base Final Report.<sup>2</sup>

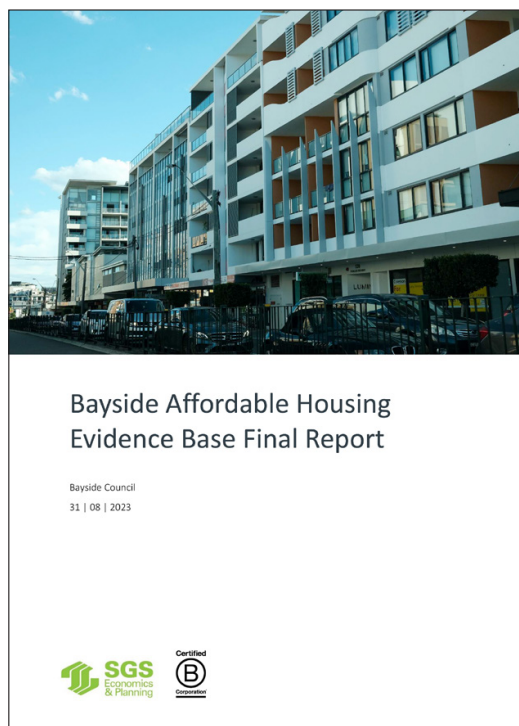
In summary:

- ▶ 3,151 (4.2%) dwellings were social housing or affordable dwellings.
- ▶ 18.9% of households in Bayside LGA are in housing stress in 2021.
- ▶ Without taking any action by 2041 this will increase to 15,220 households or 19.2%.
- ▶ In 2041, 2,201 couples with children and 2,311 couples with no children will be living in rental stress.
- ▶ The ageing population means that the fastest growing group in rental stress will be lone person households with a projected 1,539 additional lone person households in housing stress by 2031.
- ▶ In 2021, 70% of couple families with children living in 2-bedroom apartments in Bayside were living in rental stress.
- ▶ SGS forecast a total future demand for 15,220 social and affordable housing dwellings across the Bayside LGA by 2041.
- ▶ Accounting for the current and planned provision of 3,304 dwellings (as of 2023), this suggests a potential gap of 11,916 rental dwellings.

***“To meet the gap of 11,916 dwellings, Bayside would require, on average, 596 social and affordable housing dwellings per year between 2021 and 2041.”***

Using evidence from the SGS Evidence Housing Report, this Affordable Rental Housing Strategy will meet DPHI's requirements and address Bayside's housing needs.

An infographic on the next page provides a summary of Bayside's socio-economic characteristics and the local housing context as at the 2021 Census.



2. SGS Economics & Planning (2023), *Bayside Affordable Housing Evidence Base Final Report*

## Bayside

50.6 km<sup>2</sup>

Land area

3,641/km<sup>2</sup>

Population density

### Who we are?



Population of  
**175,184**  
in 2021



Median  
age  
**35**



Weekly  
household  
income  
**\$1,959**



**74,734**  
Private  
dwellings

### How do we live?



Average  
household size  
**2.5**



Median  
weekly rent  
**\$500**



Median monthly  
mortgage payment  
**\$2,468**

#### Household composition



**68.3%**  
Family



**25.2%**  
Lone person



**6.5%**  
Group

#### Family composition



**43.4%**  
Couple with  
children



**39.1%**  
Couple no  
children



**14.9%**  
One parent  
family

#### Housing type (2021)



**34.5%**  
Separate  
house

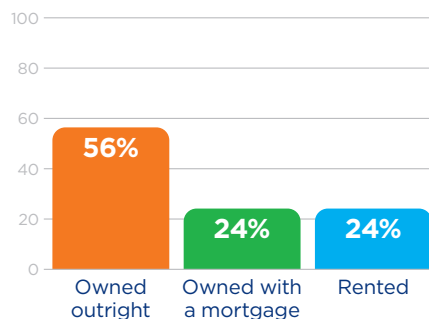


**12.3%**  
Semi-detached,  
row or terrace  
house, townhouse

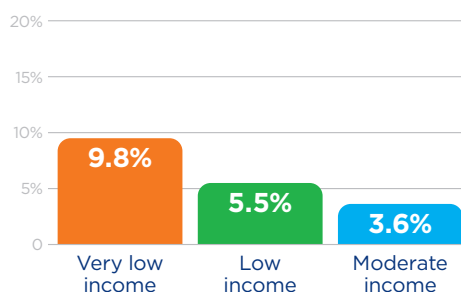
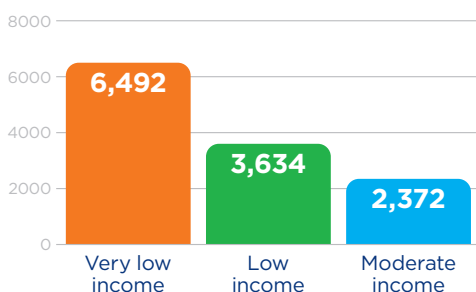


**52.2%**  
Flat or  
apartment

#### Tenure (2021)



#### Rental stress by household income (18.9% in 2021)





## 5.0 Bayside's vision for affordable rental housing

*Bayside LGA shall offer a range of appropriate homes for households on very low, low and moderate incomes to have safe and secure rental housing. Affordable rental housing will support our residents with access to employment, transport and services.*

*By working closely with industry and the community sector we will increase the supply of ARH while ensuring its design is seamlessly integrated with the local character, reflecting timeless design that blends harmoniously with the surrounding environment.*



## 6.0

# Guiding principles for affordable rental housing

Based on the affordable housing research, Council's Housing Strategy and consideration of Council's affordable housing policy options (as outlined in HillPDAs' Affordable Housing Options Paper), the following principles guide the preparation of this Strategy and delivery of ARH in Bayside LGA.





## 7.0 Feasibility testing

HillPDA completed feasibility testing to help inform the development of this Strategy. HillPDA analysed two areas as case studies in the LGA to inform the feasibility testing.

These are mapped in the figure below.

- 1 Botany Road Mascot Precinct, shown in green.
- 2 The Rockdale Spine - the part of the Rockdale Town Centre that has not yet been rezoned, shown in blue.

**Figure 2:** Study area map



Source: HillPDA 2024, NSW Government Spatial Services.

HillPDA analysis identified the following affordable housing contribution rates that could be applied:

- ▶ No contribution is to be applied when there is no development uplift;
- ▶ 1% in the Botany Road Mascot precinct, where the proposed FSR is less than 3:1;
- ▶ 2% in the Botany Road Mascot precinct where the proposed FSR is greater than or equal to 3:1;
- ▶ 2% Council contribution to replace the NSW Government contribution in TOD precincts, through the inclusion of affordable housing in the LEP.

The NSW Government has imposed a 2% rate for transit-oriented development (TOD) in Bayside LGA. The TOD SEPP requires developers to provide the contribution through an in-kind contribution of dwellings. Through targeted consultation, industry and housing providers have stated that they preferred monetary contributions.

Bayside Council could replace the TOD contribution by introducing its own affordable housing scheme and percentage in the LEP, which maintains the 2% rate but enables flexibility by permitting monetary contributions as well as the dedication of dwellings.

***“An affordable housing contribution is viable in Bayside and can be implemented throughout the TOD precincts and where there is an up zoning either through council-led mechanisms or through proponent-led applications.”***



## 8.0

# Mechanisms for delivering affordable rental housing

This section overviews how Bayside will support the delivery of ARH and lower cost market housing options.



### 8.1 Council's role to supporting affordable housing

Bayside is joining many councils across Sydney to help address increasingly unaffordable housing prices and a general shortage of housing. Local governments can do this through:

- ▶ Strategic planning;
- ▶ The regulation of housing supply and its form;
- ▶ Infrastructure planning and pricing policies, such as reducing development contributions or providing financial incentives;
- ▶ Rate setting;
- ▶ Community service delivery;<sup>3</sup> and
- ▶ Developing underutilised Council owned land in partnership with CHPs.

In addition to actions by local governments, Bayside will work with the state and federal government to help deliver social and affordable housing.<sup>4</sup>

3. [www.ahuri.edu.au/analysis/brief/what-role-can-local-government-play-delivering-affordable-housing](http://www.ahuri.edu.au/analysis/brief/what-role-can-local-government-play-delivering-affordable-housing)

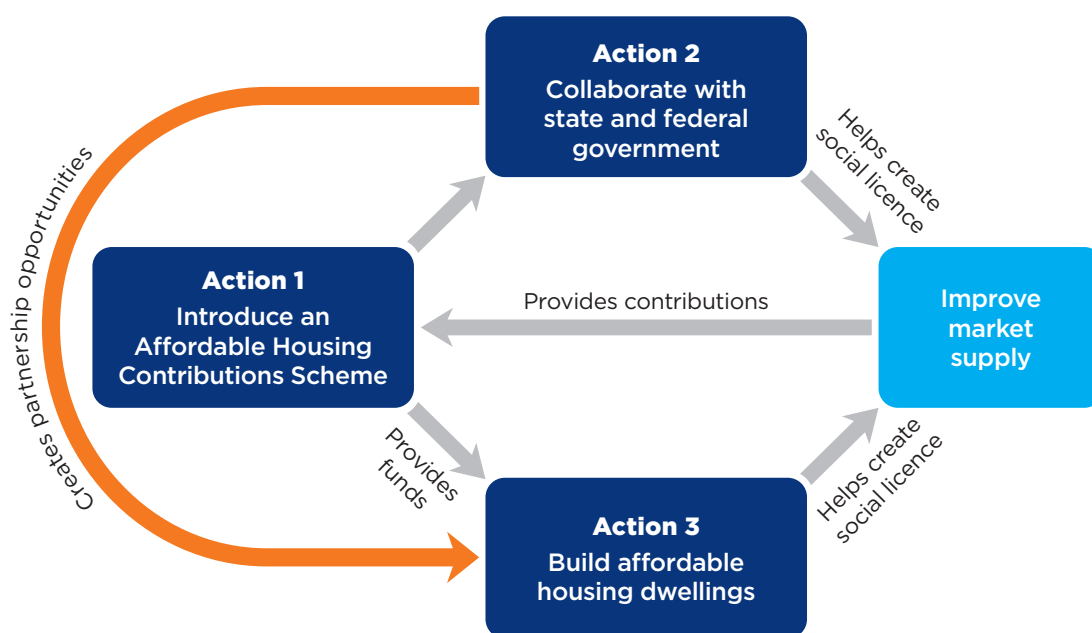
4. Western Sydney Planning Partnership 2023, Draft Affordable Housing Strategy.



## 8.2 Key strategic policy interventions

Council will use three policy levers as outlined in Figure 3.

**Figure 3:** Policy levers/strategic directions



Source: HillPDA 2024.

These strategic policy interventions are interrelated and work together to facilitate a supportive delivery environment for affordable housing. The strategic policy interventions are detailed in the following chapters of this strategy.

## 9.0 Policy intervention 1: Introduce an affordable housing contributions scheme

### 9.1 Strategic policy intervention

An affordable housing contribution scheme (AHCS) is the main avenue in NSW planning legislation that provides council a manner in which to facilitate affordable housing. AHCS requires new developments to contribute a share of the new dwellings to affordable housing.

Contributions will result in affordable housing dwellings being provided on the development site, affordable housing dwellings developed on other land, or a monetary equivalent contribution paid to Council to support ARH. In this strategic policy, Bayside Council will seek monetary contributions from developments, as the payments can be pooled to enable purpose built affordable housing with the right specifications. During the engagement process for the Affordable Housing Options Paper, the Community Housing Providers (CHP) sector generally favoured land and monetary contributions over dedicated dwellings. This Strategic Policy Intervention recommends that developers be given the "first right of refusal" for providing dedicated dwellings if the contribution exceeds a certain amount of floor space. If the value of the dwellings is significantly higher than the equivalent monetary contribution, or if they align with the council's strategy, the council may accept the dedication of the dwellings to Council. If this option is not accepted by Council, the developer would need to provide a monetary contribution.

Bayside Council will only impose affordable housing contributions where there has been an 'uplift' in zoning, floor area or height to unlock additional dwellings, through a Planning Proposal on the site. The affordable housing will be rental housing and in perpetuity.

Bayside Council commissioned feasibility testing (See Chapter 6) to test that this is viable.

### 9.2 Actions to implement the policy

#### Objective 1.1 – Prepare an affordable housing contribution scheme

The introduction of a mandatory requirement to provide affordable housing must normally occur as part of the rezoning of land. This is because it taps into the increased land value that arises from the rezoning. To impose a mandatory contribution requiring an affordable housing contribution, the LEP must be amended to include:

- ▶ **Applicability:** Specify the locations, zones and types of developments subject to the affordable housing provisions.
- ▶ **Exemptions:** Identify types of developments excluded from mandatory contributions.
- ▶ **Contribution requirement:** Define the requirement for an affordable housing contribution as a condition of development approval.
- ▶ **Calculation methodology:** Explain how contributions will be calculated, such as a percentage of the development's floor space.

Reference	Action
1.1.1	<p>Draft an affordable housing contribution scheme that provides a 2% contribution in areas where the TOD SEPP applies.</p> <p>In other areas where there is proposed up-zoning a rate consistent with feasibility testing should be applied.</p> <p>Council will include a 10% of uplift for proponent-led planning proposals. This creates an expectation for affordable housing that is then considered when proponents purchase the site. For proponent-led proposals, contributions could also be included through a VPA.</p> <p><i>Metric: Council introduces affordable housing contribution scheme</i></p>
1.1.2	<p>Include provisions in the LEP via a Planning Proposal to enable Council to:</p> <ul style="list-style-type: none"> <li>a. Reference an Affordable Housing Contribution Scheme in the LEP</li> <li>b. Require an affordable housing contribution, consistent with an affordable housing contribution scheme.</li> </ul> <p><i>Metric: Establish processes to monitor compliance and outcomes</i></p>
1.1.3	<p>Prepare a funding allocation strategy that ensures that the pool of funds collected from affordable housing contributions are quickly allocated to projects and spent on affordable housing priorities.</p> <p>This would reflect the mix of priorities in Policy Intervention 2, including proactively acquiring second hand sites, developing affordable housing on under-utilised land, and acquiring land for affordable housing development</p> <p><i>Metric: Portion of funds spent on affordable housing.</i></p>
1.1.4	<p>Add new precincts/sites to the Affordable Housing Contribution Scheme as they are master planned with the affordable housing contribution determined through a residual land value assessment.</p> <p><i>Metric: Feasibility testing completed for new master planned sites considering affordable housing contributions. Portion of sites with contributions introduced</i></p>

## 10.0 Policy intervention 2: **Build affordable housing dwellings**

### **10.1 Strategic policy intervention**

The affordable housing contribution scheme provides funds to build affordable housing.

This strategic intervention entails Council seeking the opportunities to build affordable housing dwellings. Entering partnerships with CHPs can lead to an increased supply of ARH in the LGA, which is an increasing trend with other councils in Greater Sydney. This is supported by research conducted by Paxon Group for the Community Housing Industry Association NSW. The findings suggest that local councils benefit more from partnerships with CHPs than with property developers.

This is because CHPs are dedicated to delivering affordable housing, which directly aligns with the councils' goals and leads to better outcomes for the community. Additionally, partnering with a CHP enables councils to leverage the provider's tax-free status, economies of scale, and long-term focus on affordable housing.

This policy intervention enables Council to enter into partnerships with the CHP on a case-by-case basis. Purpose built affordable housing managed by CHP is the most cost-effective way to deliver ARH. The policy intervention enables council to build affordable housing and enter into a management arrangement with a CHP to manage or manage themselves. Key barriers for council actively undertaking the building of affordable housing themselves include land availability.

It is recognised that CHPs and Council would compete with developers who can pay more for land. However, the funds from the affordable housing contribution scheme can provide partial contribution to fund land acquisition.

Council can consider affordable housing uses as part of its ongoing disposal of land (and include affordable housing in any contract) and any council development initiative (alongside other community objectives).

## 10.2 Actions to implement the policy

### Objective 2.1 – Seek to acquire relatively affordable walk-up apartments

Council may have financial barriers to partnering with CHPs to build affordable housing units in the early stages of a contribution scheme. Council may not have the funds to enable a transfer worthwhile. This is exacerbated by restrictions on investment, whether government bonds, term deposits or other financial legislation restrictions.

To ensure that housing is delivered early and to overcome investment barriers, Council will seek to use monetary contributions to acquire relatively affordable dwellings and/or walk-up apartments to expand its affordable housing portfolio.

Walk-up units around centres including Mascot, Rosebery, Eastlakes, Banksia, Rockdale and Brighton Le Sands provide opportunities for council to acquire relatively affordable units and rent them for affordable housing. For example, recent real estate adverts in Eastlakes show a 3-bedroom walk-up apartment with parking selling for \$820,000 or a 2-bedroom apartment in Brighton-Le-Sands on the market for \$749,000.

This approach would allow for immediate affordable housing stock provision and minimize the time and complexity associated with new construction projects. By targeting these relatively affordable units, Council can quickly increase housing availability for lower-income households whilst also encouraging social diversity and equity.

As funds improve Council can then sell these apartments to reinvest into more substantial projects.

Reference	Action
2.1.1	Identify well located walk-up apartment buildings with affordable units available for purchase.  <i>Metric: Record the number of affordable housing units constructed or acquired.</i>
2.1.2	Conduct simple financial feasibility studies to ensure cost-effectiveness of purchase.
2.1.3	Review purchase opportunities and react quickly for the acquisition. Council may need to consider out-of-session transaction and finance approval for the purchases to align with the property market.  <i>Metric: Monitor the land acquisition progress for affordable housing projects</i>
2.1.4	Work with Council's planning and housing teams to ensure compliance with affordable housing requirements.



## Objective 2.2 – Use council funds for development site acquisition to develop purpose-built affordable housing

Council could consider using its own available funds for development site acquisition or acquisition of dwelling in strategic locations, with the intent to develop purpose-built affordable housing.

This would provide Council with more control in the development process as it would be a land owner with pre-planning oversight, ensuring that housing is built to meet the needs of the community and remains affordable in the long term. Focusing on acquiring development sites in areas close to employment hubs and transport corridors will maximise accessibility and opportunities for residents.

Council requires significant funds and therefore this would be accumulated as supplemented by action 1.

Reference	Action
2.2.1	Identify key areas of development site acquisition that align with affordable housing needs. <i>Metric: Record the number of affordable housing units constructed or acquired.</i>
2.2.2	Identify potential sites and consider the ability to purchase the site either on its own or through a joint venture <i>Metric: Track the number of Expressions of Interest (EOI) issued and the number of responses received.</i>
2.2.3	Explore extending the use of available funds for the procurement of transitional residential housing for victims of family and domestic violence.
2.2.4	Prepare a forward plan and framework, including financial analysis, to increase Bayside's affordable housing and transitional housing portfolio. <i>Metric: Track return on investment through long term capital growth.</i>

### Objective 2.3 – Partner with CHP through an expression of interest (EOI) for co-investment

Council can collaborate with CHPs to deliver affordable housing through co-investment opportunities. By calling for an EOI, Council can identify CHP partners with experience in developing and managing affordable housing. This approach allows for shared risk and investment. A partnership with a CHP may also increase the chances of accessing additional funding and resources from the state and federal governments. This includes leveraging their expertise at securing funding through a range of grants such as HAFF.

A joint venture model could provide an avenue for Council to provide liquid funding to a CHP in return for a share in development, enabling construction and increasing Council's affordable housing portfolio. A joint venture model may also allow the partners to jointly share risks and gains from the venture.

Council likely needs funds or land to help create the partnership opportunity and add-value (contribute land or funds) to the project and partnership. Council can negotiate specific management and revenue shares with CHPs where necessary to appropriately share risks and any surpluses.

Reference	Action
2.3.1	Issue an EOI to invite CHPs to partner with Council on affordable housing projects. <i>Metric: Track the number of Expressions of Interest (EOI) issued and the number of responses received.</i>
2.3.2	Assess the capability and experience of potential partners in managing and delivering affordable housing.
2.3.4	Develop joint venture agreements that outline roles, responsibilities, and funding contributions <i>Metric: Number of joint ventures established</i>
2.3.5	Apply for state or federal funding, if available, to support the development. <i>Metric: Number of successful funding applications submitted and awarded.</i>

## 11.0 Policy intervention 3: **Collaborate with state and federal government**

### 11.1 Strategic policy intervention

Bayside is committed to taking action to help provide affordable rental housing in the LGA. However, the state and government are responsible for many aspects for ARH. Bayside will advocate and raise awareness on the issue of housing affordability in Bayside to other government and non-government bodies to ensure that they also contribute their fair share.

Council has a role to advocate and partner with the NSW Government and Federal Government to encourage investment in affordable housing and housing supply. Council can establish regular meetings with the state government to advocate for closing gaps. Council may also make submissions on policy aspects, make funding applications for infrastructure or affordable housing, subject to the criteria of the program.

Council's relevant policies and strategies are to provide information and/or education campaigns to explain the concept of affordable housing, current trends, and existing and future needs. CHPs and the development sector have reported that community opposition, primarily due to a lack of understanding of affordable housing, has created a barrier to its development. It is important that stakeholders are transparently educated on the benefits of affordable housing. Where there have been successful developments in Bayside that provide affordable housing, Council will celebrate these wins and share them with the community through policy intervention.

### 11.2 Actions to implement the policy

#### **Objective 3.1 – Partner and engage with the State and Federal Government on government owned land**

The NSW Government owns public housing in the LGA and the Federal Government has funding programs such as the HAFF. Council will advocate for the strategic renewal of public housing, incorporating affordable housing wherever possible. Similarly, Council would support and seek to collaborate with state agencies, Homes NSW, Landcom or the like on state government land identified through the NSW Government's land audit.

Council works directly with neighbouring councils, developers and residents to amplify concerns to state and federal government and make necessary submissions and proactive advocacy wherever possible.

Reference	Action
3.1.1	Advocate for additional funding and resources for ARH projects. <i>Metric: Track the success in obtaining the necessary approvals for affordable housing projects</i>
3.1.2	Collaborate on policy development and legislative changes to improve the delivery of affordable housing

### Objective 3.2 – Develop an affordable housing portfolio policy

During consultation, it was raised that while Council's affordable housing tenancy policy is valuable, having an affordable housing portfolio policy would also be beneficial. Recognising that affordable housing is a continually changing and evolving space, having a portfolio policy to control the management, redevelopment and expansion of Council's portfolio would be beneficial in drawing the maximum value from the dwellings. For instance, expensive dwellings in high strata and maintenance buildings could be sold and used to fund additional housing elsewhere in Bayside.

The ongoing provision of affordable housing should be cost-neutral for Council. The affordable housing subsidy is provided upfront through the AHCS and the direct construction of affordable housing.

Reference	Action
3.2.1	<p>Prepare an affordable housing portfolio policy to identify objectives, methodology and criteria for how Council will manage its portfolio.</p> <p><i>Metric: Set timeframes or targets on utilising the funds collected to result in increasing supply of ARH. As a priority, this pool of funds should be used for the purpose it is collected.</i></p>
3.2.2	Engage a CHP to manage affordable housing on council's behalf.
3.2.3	<p>Annually review the value for money of the portfolio. If a dwelling incurs higher costs through strata fees, management fees, depreciation and ongoing maintenance than the revenue received, consider re-evaluating the tenant mix, investing in improvements, or selling the property and reallocating the funds.</p> <p><i>Metric: Track funds expended on affordable housing</i></p>
3.2.4	The existing Affordable Housing Policy should be amended to ensure that Council is strategically investing in additional affordable housing.

## 12.0 Monitoring and review

It is essential that metrics are applied to monitor the delivery and outcomes of the above Strategy actions. Council will track the progress and evaluate the effectiveness of the strategy based on the following key metrics:

- 1** Record the number of affordable housing units constructed or acquired.
- 2** Track the number of Expressions of Interest (EOI) issued and the number of responses received.
- 3** Collect and evaluate feedback from partners and stakeholders.
- 4** Monitor the land acquisition progress for affordable housing projects.
- 5** Track the number of DAs lodged and approved for affordable housing projects.
- 6** Track funds expended on affordable housing.
- 7** Prepare an affordable housing contribution scheme.
- 8** Securing DPHI approval: track the success in obtaining the necessary approvals for affordable housing projects.
- 9** Monitoring contributions per annum (monetary contributions received or number of dwellings).
- 10** Set timeframes or targets on utilising the funds collected to result in increasing supply of ARH. As a priority, this pool of funds should be used for the purpose it is collected.
- 11** Review the contributions scheme for additional inclusions when new areas are rezoned and update regularly (every four years).

These metrics align to both the effectiveness of specific actions and the overall success of the strategy to provide Affordable Rental Housing in Bayside.

Council will conduct an annual review of progress based on these metrics to assess the ongoing effectiveness of the strategy. A more comprehensive review will be carried out every four years, involving a re-evaluation of priorities, needs and actions. This regular monitoring and review process will enable Council to make informed decisions, address emerging challenges and make necessary adjustments to achieve the desired outcomes of the Strategy.



**Bayside Council**  
Serving Our Community

**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](mailto:council@bayside.nsw.gov.au)**  
Web **[www.bayside.nsw.gov.au](http://www.bayside.nsw.gov.au)**



**Telephone Interpreter Services - 131 450**

Τηλεφωνικές Υπηρεσίες Διερμηνέων    بخدمة الترجمة الهاتفية    電話傳譯服務處    Служба за преведување по телефон



# **Draft Affordable Rental Housing Strategy**

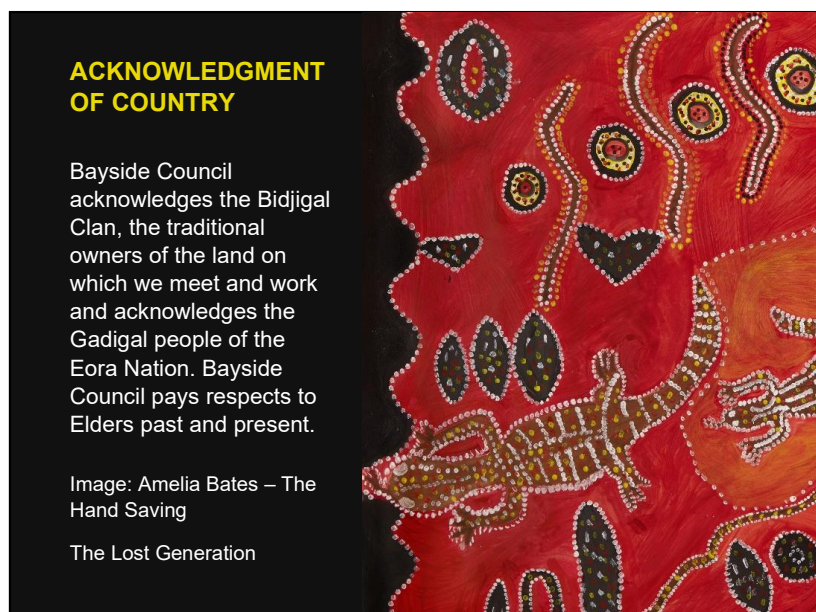
## **Community Engagement Outcomes Report**



Communications and Engagement Team

## CONTENTS

1. Project Background .....	2
2. Community Engagement Purpose and Scope .....	2
3. Engagement and Communication Methods .....	2
4. Dashboard Demographics .....	3
5. Have Your Say Engagement Outcomes .....	4
6. Next Steps .....	1
7. Appendix A – Engagement and Communications Collateral .....	2
8. Appendix B – Table of Qualitative Responses .....	8





## 1. Project Background

Bayside Council has developed an Affordable Rental Housing Strategy with deliverables on how to support the supply of safe, secure, and affordable homes for residents and workers on very low, low, and moderate incomes. The policy aims to define affordable rental housing, identify the amount needed across the LGA, protect existing affordable housing, advocate for improved housing affordability, enable the development of more affordable and diverse housing types, and monitor and report on progress.

By working with the development industry, community housing providers, and the community, Council aims to increase the supply of well-designed, affordable rental housing that reflects the character of our neighbourhoods and supports a more inclusive Bayside.

Community feedback was sought to gauge the level of support for the proposed strategy and to gather suggestions for improvement.

The engagement period was open for 32 days from 4 July until 4 August 2025. The feedback received will help influence the final and adopted Affordable Rental Housing Strategy.

## 2. Community Engagement Purpose and Scope

Council facilitated a community engagement at the level of 'Consult' on the International Association of Public Participation (IAP2) Spectrum.

Public feedback was obtained to analyse and evaluate. While maintaining a promise to keep the community informed, to listen and acknowledge concerns and aspirations, and provide feedback on how their input influenced the outcome. - (IAP2)

To achieve this, a Communication and Engagement Plan was developed to guide the Engagement process. The plan included an online "Have Your Say" page, which exhibited the online survey, where feedback was collected. The community was notified about this survey via our communication channels, posters at Council facilities, and notification emails sent to all Council stakeholder committee groups (CALD, DIAP, RAP WG, YAG, Seniors, real estate agents, developers, CHPs, and community and policy advocacy groups). An email advising of the exhibition was also sent to Bayside customer service centres and Councillors. A QR code was included on the posters for direct access to the Have Your Say survey.

From this engagement, Council gathered valuable input from the community to understand levels of support and identify any concerns about the proposed draft strategy.



## 3. Engagement and Communication Methods

The table below outlines the methods used to advertise and gather feedback on the from the Bayside community.

Engagement Methodology	Communication Channels
Online 'Have Your Say' project page	Council website information page
Short Survey (Have Your Say)	
Survey (Have Your Say)	Bayside Council e-News, 'Talking Bayside'
Upload written feedback portal (Have your say)	
Email notifications to target groups	Social media (Instagram & Facebook)
Posters	



## 4. Dashboard Demographics

Have Your Say page	
Days on exhibition	32
Project Page Views	871
Contributions (total answers collected)	35
Document Downloads	267
New Site Followers	6
Written Feedback	
Letters Received	2
Social Media	
 	
Total number of posts	2
Reach (The number of users who see the content)	1332
E-News	
Number of Editions	x2 Talking Bayside
11th & 25 <sup>th</sup> July 2025	356 clicks
Subscribers	47,372



## 5. Have Your Say Engagement Outcomes

A dedicated Have Your Say project page was created to share project information and featured an online survey, allowing the community to provide feedback from 4 July until 4 August 2025.

Feedback was collected using three online survey methods.

- **Option 1 Quick poll survey,**
- **Option 2 Feedback form.**
- **Option 3 Upload written feedback portal.**

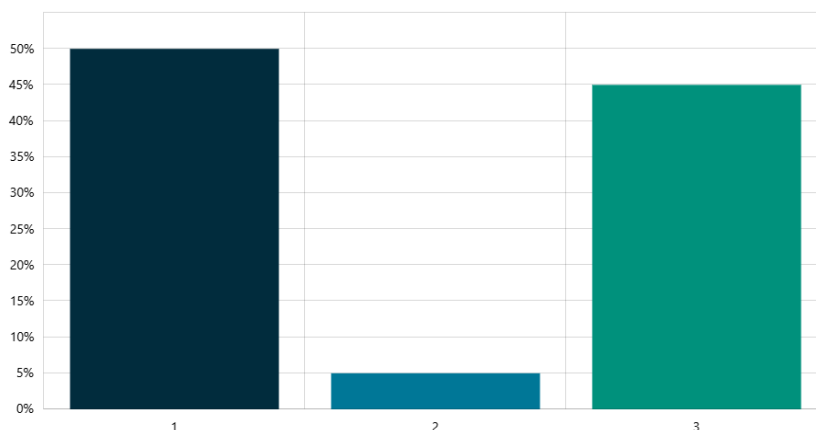
This project page was viewed 871 times. Below are the Have Your Say feedback form results.

### Option 1: Quick Poll Survey Results

The short survey used a three-star rating tool to gauge community support for the project.

The short survey has 20 contributions.

#### Q. Do you support this strategy?



Summary of Community Feedback:

- 45% of respondents voted – **3/3 stars = Yes**
- 5% of respondents voted – **2/3 stars = Okay**
- 50% of respondents voted – **1/3 stars = No**



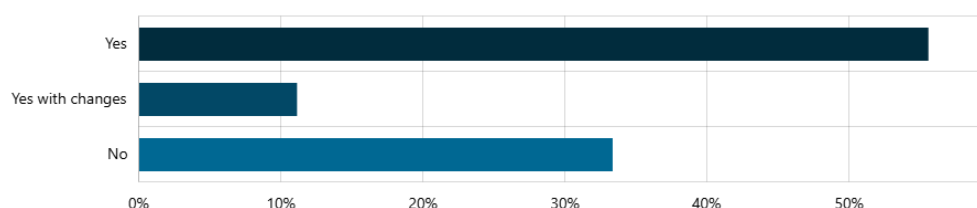
## Option 2: Feedback Form – Survey Results

This feedback form sought to gauge community support, identify potential concerns, and gather suggestions for improvement.

This project page was viewed 871 times. Below are the Have Your Say survey tools and results.

### Q. Do you support the Draft Affordable Rental Housing Strategy? (9 answered)

An open text box for further explanation appeared for respondents who selected **"Yes, but with changes"** or **"No"**. A summary of these responses follows the statistics below.



Summary of Community Feedback:

- 55.56% of respondents answered – **Yes**
- 11.11% of respondents answered – **Yes, but with changes**
- 33.33% of respondents answered – **No**

### Q. Your selected Yes, but with changes, please outline suggested changes (1 answered)

A summary of the **"Yes, but with changes"** responses is below, with the raw qualitative data displayed in appendix B.

- Community feedback suggests a simpler, more effective approach: require all multi-dwelling developments to include a set proportion of affordable housing, at least one affordable unit in smaller projects, and 10% in larger ones.

### Q. You selected No, please outline why you do not support the strategy? (3 answered)

A summary of the **"No"** response is below, with the raw qualitative data displayed in appendix B.

- This community feedback opposes additional affordable housing in Hillsdale and Eastlakes, arguing these suburbs already have a high concentration of public and social housing linked to crime, reduced property values, and social issues. They believe the area is at capacity, with inadequate infrastructure, poor



maintenance, and low civic pride, and that more subsidised housing would worsen overcrowding and amenity decline. Concerns include potential forced property acquisitions at below-market rates, unclear ownership and management responsibilities, and local government overstepping into a state responsibility. They advocate for improving infrastructure and services first, distributing affordable housing more evenly across Sydney, preferably in less populated areas with better infrastructure, and addressing broader state and federal policy issues before placing further housing loads on Bayside.

**Q. Post code of where you live. (9 answered)**

2217	2018	2234
2018	2216	2217
2216	2216	2205

**Option 3: Upload Written Feedback – Portal**

**(2 answered)**

**The Community Housing Industry Association NSW (CHIA NSW)**, representing not-for-profit providers managing over 54,000 homes (including 490 in Bayside), supports Council's Draft Affordable Rental Housing Strategy and recommends measures to strengthen it. Key suggestions include setting clear affordable housing targets with a joint delivery plan, revising planning controls to improve feasibility (e.g. parking concessions, flexible design standards, rezoning well-located land, adjusting height limits), and discounting council fees for perpetual community housing. CHIA NSW urges prioritising an Affordable Housing Contributions Scheme, initially securing 10% of uplift from rezonings with potential to increase over time, and allowing flexible contributions (in-kind, land, or monetary). They advocate early engagement with CHPs, community education to address misconceptions, leveraging council-owned land, transferring ownership of affordable housing to CHPs for greater delivery capacity, and forming long-term partnerships to reduce costs and risks. They also propose joint advocacy with Council to state and federal governments for funding, policy reform, and measures such as a levy on short-term accommodation to boost affordable housing supply. Please find the full raw qualitative data displayed in appendix B.

**The City of Sydney Council** strongly supports Bayside Council's Draft Affordable Rental Housing Strategy and encourages its implementation to increase affordable housing supply. Drawing on its own experience, the City recommends auditing council-owned land for potential housing sites, selling land to community housing providers at discounted rates, and forming long-term partnerships to ensure delivery and financial sustainability. It also highlights the importance of securing housing stock for perpetual affordable use and considering long-term asset management when acquiring properties. City staff have offered to collaborate and share expertise to support Bayside's strategy.



## 6. Next Steps





The review process includes:

- **Review of the proposed Draft Affordable Rental Housing Strategy and the collected community feedback:** Analysis of qualitative and quantitative data, Community Engagement Team to report to Strategic Planning.
- **Adjustments:** Community feedback informs the final strategy.
- **Adoption:** The final strategy for Affordable Rental Housing, informed by all feedback will be presented to the council for formal adoption.
- **Engagement Update:** An engagement update is posted to the project page, outlining adoption dates.



## 7. Appendix A – Engagement and Communications Collateral

### Snapshots of Social Media Posts – Instagram & Facebook


Instagram		
Preview of shared content		
		
Dates Posted: Friday 11 July 2025		
Number of posts	Total Reach	Interactions (Likes/ comments/ shares)
1	724	4
Facebook		
Preview of shared content		
		
Dates Posted: Friday 11 July 2025		
Number of posts	Total Reach	Interactions (Likes/ comments/ shares)
1	608	6



## Snapshots of Inside Bayside Newsletter


**E-News**

Preview of Article



**Depena Reserve Carpark**  
A concept design for improving traffic flow, safety and accessibility at Depena Reserve.

More info



**Affordable Housing Rental Strategy**  
Council's plan to deliver affordable homes for those on low and moderate incomes.

More info

Dates Posted: 11<sup>th</sup> July 2025 & 25<sup>th</sup> July 2025

Number of Editions	Total Clicks	Subscribers
2	356	47,372


## Snapshot of Have Your Say - Project Page

<https://haveyoursay.bayside.nsw.gov.au/draft-affordable-rental-housing-strategy>

**Draft Affordable Rental Housing Strategy**

Press the + Follow key to keep up to date on this project

+ Follow



ENGAGEMENT CLOSED

**Planning for More Affordable Rental Housing in Bayside**

Bayside Council is committed to creating the right conditions for more affordable rental housing across our area. With rising housing costs, we need clear policies, mechanisms, and planning tools to meet current and future demand.

The **Bayside Affordable Rental Housing Strategy** sets out how we will support the delivery of safe, secure, and affordable homes for residents and workers on very low, low, and moderate incomes. It aims to:

- Define affordable rental housing
- Identify how much affordable rental housing is needed across the LGA
- Protect existing affordable housing
- Advocate for improved housing affordability
- Enable more affordable and diverse housing types
- Monitor and report on progress.

Affordable housing is rental housing available to very low to moderate income households which is priced so that these households are also able to meet other basic living cost. Housing is usually considered affordable if it costs less than 30% of gross household income.



By working with the development industry, community housing providers, and the community, we aim to increase the supply of well-designed, affordable rental housing that reflects the character of our neighbourhoods and supports a more inclusive Bayside.

[Review the Draft Affordable Rental Housing Strategy Here](#)

## Have Your Say

Together, we can shape a more inclusive Bayside. Your input will help ensure the strategy reflects local needs and creates long-term solutions.

[Click here to Have Your Say](#)

### Exhibition Document Library

 **Draft Affordable Rental Housing Strategy**  
PDF (5.07 MB)

### Short on time, do our quick poll!

Do you support this strategy?

1 star = no, 2 stars = okay, and 3 stars = yes

 **Unrated**


☐ I agree to the [privacy statement](#) **Required**


By submitting this form, you agree to our privacy statement.


[Submit](#)

### Supporting documents

We've done the research. Three key reports support the strategy, each document explains the need for action and how we can move forward.

**Evidence Base Report** - Evidence Base is required to support a future affordable housing policy and contributions plan. 

**Housing Options Paper** - Reviews the current development market and outlines practical actions we can take to boost the supply 

**Housing Feasibility Report** - Demonstrates if a contribution scheme would be viable in selected case study areas. 

### Frequently Asked Questions (FAQS)

[What are the key elements of the strategy?](#) 

[Feedback that informed the draft strategy](#) 

[How do we measure success?](#) 

[Next Steps](#) 

## Follow this project

Press the Follow + key at the top of this page, to receive updates as we progress

### Lifecycle

 **Feedback Opens 4 July - 4 August 2025**

 **Under review**

Contributions to this consultation are closed for evaluation and review.

 **Final decision or outcome**

[See less](#)

### Who's Listening



Community  
Engagement Team

Email:  
[haveyoursay@bayside.nsw.gov.au](mailto:haveyoursay@bayside.nsw.gov.au)



### More Ways to Share Your Feedback



Accessibility and Translation. Need help accessing this page or require language support?

 [Click here for assistance.](#)



Online. Use the feedback form or contact us via the details at the end of this page.

### Don't like surveys?

Upload your letter below, or post to PO Box 21 Rockdale NSW 2216

 [Choose file...](#)

Allowed file types:  
pdf, doc, docx, txt, xls, xlsx, rtf, png, gif, jpg, jpeg Size limit: 1.00 MB

☐ I agree to the [privacy statement](#) **Required**

By submitting this form, you agree to our privacy statement.


☐ I'm not a robot



[Submit](#)

## Feedback Form - Draft Affordable Rental Housing Strategy

+ Follow



Home / Draft Affordable Rental Housing Strategy / Feedback Form - Affordable Rental Housing Strategy

Closed

### Feedback Form

#### DRAFT Affordable Rental Housing Strategy

Do you support the Draft Affordable Rental Housing Strategy? Required

Yes

Yes with changes

No

#### About you

The following questions help us to better understand your feedback and it tells us if we have heard from a range of people that represent the diversity of Bayside.

Postcode Required

Where you live

You have 4 characters remaining

What is your age?

Under 18 years

18-24 years

25-34 years

35-44 years

45-54 years

55-64 years

65-74 years

75-84 years

85 years and over

Are you Aboriginal and/or Torres Strait Islander?

Yes

No

Prefer not to say

What language do you speak at home?

English

Greek

Mandarin

Arabic

Cantonese

Nepali

Macedonian

Other (please specify)

Do you have a disability?

Yes

No


Prefer not to say

Thank you for your feedback.

I agree to the [privacy statement](#) Required

By submitting this form, you agree to our privacy statement.

I'm not a robot

reCAPTCHA  
Privacy - Terms

Submit

<https://haveyoursay.bayside.nsw.gov.au/draft-affordable-rental-housing-strategy/feedback-form-affordable-rental-housing-strategy>



## Snapshot of Have Your Say – Distribution Email Residents

### Email to previously engaged stakeholders:

Dear Sir/Madam,

We hope this message finds you well. Last year, HillPDA would have reached out to you as part of their work on Bayside Council's Affordable Housing Options Paper to discuss housing affordability, affordable housing, development conditions and potential actions Council could pursue in this space.

The Affordable Housing Options Paper has informed the development of a Draft Bayside Affordable Rental Housing Strategy. This Strategy builds on the insights and feedback gathered during the development of the Options Paper and outlines a framework to support the delivery of affordable rental housing in Bayside.

As a valued stakeholder who contributed your insights to the Affordable Housing Options Paper, we are pleased to inform you that Bayside Council's Draft Affordable Rental Housing Strategy will be on public exhibition from 4 July to 4 August 2025.

We invite you to review the draft Strategy and should you wish to provide a submission, more information and details are available via Bayside Council's Have Your Say Page: [\[Draft Affordable Rental Housing Strategy\]](#)

Should you have any questions, please feel free to contact us at [planningourfuture@bayside.nsw.gov.au](mailto:planningourfuture@bayside.nsw.gov.au). Thanks for your time.

Kind Regards,

### Draft email to new target groups:

Dear Sir/Madam,

Bayside Council has put together a Draft Affordable Rental Housing Strategy with actions to improve affordable rental housing in our local government area, and we'd like your input.

The Draft Affordable Rental Housing Strategy will be on public exhibition from 4 July to 4 August 2025 via Bayside Council's Have Your Say Page: [\[Draft Affordable Rental Housing Strategy\]](#)

We're reaching out to community interest groups to make sure the Strategy reflects a wide range of views. For more information or if you wish to put in a submission during the exhibition period, please visit the Have Your Say link above.

Should you have any questions, please feel free to contact us at [planningourfuture@bayside.nsw.gov.au](mailto:planningourfuture@bayside.nsw.gov.au). Thanks for your time.

Kind Regards,



## Snapshot of Have Your Say – Posters with QR

A3 posters were on display on site at council customer service centres and facilities during the consultation period. Please find graphic design below.

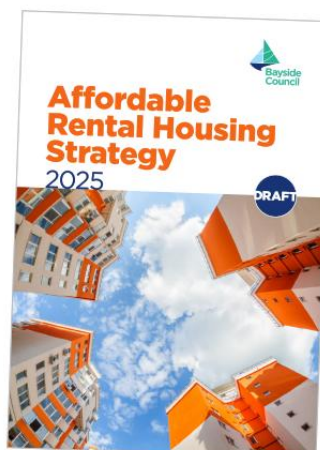


Bayside Council is committed to creating the right conditions for more affordable rental housing. With rising housing costs, we need clear policies, mechanisms, and planning tools to meet current and future demand.

We have developed the Affordable Rental Housing Strategy, and are seeking community input on the strategy to ensure it reflects the needs and expectations of our community.

Feedback closes 4 August 2025.

Scan the QR code or visit [haveyoursay.bayside.nsw.gov.au](https://haveyoursay.bayside.nsw.gov.au) to find out more and have your say on the strategy.



## 8. Appendix B – Table of Qualitative Responses

<b>HYS Survey Data</b>
<b>Do you support the Draft Affordable Rental Housing Strategy?</b>
<b>Your selected Yes, but with changes, please outline suggested changes. (1 answer)</b>
<b>(Response 1) 19 Jul, 2025</b>
A more simple and effective way would be to mandate affordable housing percentages in every multi-occupancy dwelling. E.G a minimum of 1 affordable residence per multi dwelling and for larger developments 10%.
<b>You selected No, please outline why you do not support the strategy? (3 answered)</b>
<b>(Response 1) 8 Jul, 2025</b>
<p>This draft strategy will contribute to further overcrowding of the infrastructure that surrounds these areas, the traffic is horrendous weekdays/ nights and weekends.</p> <p>These areas look like a dump as council doesn't look to upkeep its environment and surroundings. So many units are built however come to the demise of people who do not care for their surroundings and environment.</p> <p>Before you commit to such things improve the infrastructure and maintenance inserted have do far.</p> <p>The shop facades have their awnings falling down rusted a hazard to the community, rubbish strewn at the front &amp; backs. The roads with potholes never to be corrected, footpaths have been left damaged and uprooted unsafe for less mobile community to travel around forced to go on the road or worse fall over and have further damage inflicted on them due to the lack of care.</p> <p>Walk the streets and see the surrounds ast your office to identify hazards and health issues before you add to this disaster.</p>
<b>(Response 2) 16 Jul, 2025</b>
<p>1) It is unclear how the walk up apartments will be obtained. Therefore I fear that the buildings would be forcibly bought at a non competitive rate- undervalued . This reminds me of the forced expulsion of homeowners in Randwick to make way for the new reinstalled light rail depot as the old site had a Tafensw building there. I had met persons who were forced out with a below level rate ensuring they were not able to buy back in the same area.</p> <p>2) in Eastlakes- there is already proposed BTR residences in the new conquest applications- therefore, why is there a need in an already overpopulated area for subsidised accomodation?</p> <p>The area is already diversified with social housing, lower than other area rents and individual dwellings. What is the rational to further place this means of accomodation.</p> <p>3) infrastructure is not currently able to handle the new capacity and possible transient residents. For example, persons in such accomodations may require more access to public transport / infrastructure that limits their financial ability to maintain a vehicle. Especially Eastlakes- public transport and access to amenities is currently at an all time low.</p> <p>4) impacts to local community - will subsidised accomodation uphold a standard of civic pride? My understanding is that these subsidised accomodations will be run by not for profit</p>



organisations? Will their standard of maintenance and facilities be that which will improve the area or keep the currently struggling areas in a state of disrepair?

6) There is no clarity on who is responsible for these accommodations once held in their possession. Therefore, to propose a plan without giving assurance of positive benefits to the current community is not providing an informed choice situation and open to abuse of the system.

7) why is local government being involved in this housing ? I would prefer our local government to focus on local services and amenities which is not up to standard.- civic pride and maintenance levels are vastly reduced and the community looks more worn down because of it. Local government is needed to advocate the current immediate needs of the locals. Though affordable housing is a need, to focus on an area that is already quite diverse, overpopulated, and has subsidised accommodation is pooling a demographic in areas deemed as low socioeconomic areas. Housing is a state government responsibility and they have already 'approved' ( well we think as this is no longer transparent) a BTR apartments and have housing commissions/ social housing in the areas Bayside is proposing for the affordable accommodation.

I would prefer my local members to petition state and federal MPs to fix policies higher up rather than make locals have to suffer for inadequate policies that contribute to financial strain on the people. For example- reducing immigration, halting the reduction of industry so we are not overly dependent on imports. Significantly Taxing multinationals for use of our natural resources so these taxes are rerouted back into benefiting the citizens. Unnecessarily forcing on green energy to the people and selling off our natural resources as bargain rates to enable their free usage or profiteering on coal and gas but Australian locals have to bear a world responsibility that no one wants to share.

8) subsidised accommodation should be fairly located in other areas that are not as diverse socio economically. If properties are not able to be managed to a high standard, or acquired at proper market value on a voluntary basis only, i.e. not forced, then it is not beneficial to the community in the long run and such schemes should be directed to lower populated areas where infrastructure is being developed more inland.

**(Response 3) 18 Jul, 2025**

Certain suburbs in the Bayside community, in particular Hillsdale & Eastlakes are already overrun with public and affordable housing. As a direct result, the crime rate is out of hand. After several discussions & letters with local law enforcement, local & state political members, they have deemed that both Eastlakes & Hillsdale are already over capacity with this type of housing.

We have already been fighting a losing battle with the state representatives to get rid of the public housing already there - we certainly do not want so called "affordable housing". The majority of inhabitants of these types of accommodation tend not to be valuable contributing members of society and are a parasitic draw on law enforcement and other essential services - as has been stated to us quite plainly by members of these services. We have been told to wait for a change in the political tide before corrective action will be able to be taken - which we are anxiously waiting for.

It should not solely be on the shoulders of the Bayside community to handle Sydney's housing burden - which we already seem to be.

It's time to start looking further out west for this type of housing where there is abundant and cheaper land available along with an abundance of low skill based employment opportunities.



Hillsdale & Eastlakes in particular are overdue for gentrification, we do not need additional hinderances placed upon these suburbs, as based on recent news articles after the murder in Eastlakes, there is significant fear among residents from people in these "affordable housing". It seems to be a crime in Eastlakes & surrounding suburbs to expect the value of your property to rise over time, which it won't if these types of initiatives are allowed to succeed.

Enough is enough, the council needs to start more strongly supporting the residents who are actually rate paying residents of Bayside.

We are **STRONGLY OPPOSED** to this or any similar motion. Money could be better spent elsewhere.

(More raw data continues on the next page)



Uploaded Written Submission (2 Submissions)



City of Sydney  
Gadigal Country  
456 Kent Street  
Sydney NSW 2000

+61 2 9265 9333  
council@cityofsydney.nsw.gov.au  
GPO Box 1591 Sydney NSW 2001  
cityofsydney.nsw.gov.au

12 August 2025

Our Ref: 2025/445614  
File No: X105028.022

██████████  
Chief Executive Officer  
Bayside City Council  
By email: [council@bayside.nsw.gov.au](mailto:council@bayside.nsw.gov.au)

Dear ██████████

**Draft Affordable Rental Housing Strategy**

Congratulations on progressing the development of an affordable rental housing strategy. Local government has an important role in supporting more affordable rental housing in our communities.

The City strongly supports the strategy and encourages Bayside Council to proceed with its implementation in order to increase the supply of affordable housing in the region.

The experience of the City of Sydney may be of value to you in finalising the design of your strategy. The City has had success in selling land to community housing providers at a discount. Auditing council owned land and properties to identify sites for affordable housing could complement the efforts outlined in the draft strategy.

In the City's experience establishing long term partnerships and providing some certainty for delivery partners has benefits. This may be through agreements to distribute funding from contribution schemes or transferring ownership of affordable housing stock with security that it be used for affordable housing in perpetuity. The latter allows community housing providers to leverage the assets and further grow the stock of affordable housing.

While there may be the need to act quickly when acquiring existing stock for affordable housing, the longevity of the asset and replacement costs will be important for financial sustainability of the affordable housing program and any community housing provider operating the affordable housing.

City staff are available to share their experiences and collaborate on affordable housing matters. Should you wish to speak with a Council officer about supporting affordable housing please contact Sam ██████████ Program Manager - Affordable and Diverse Housing on 926 ██████████ or at [██████████@cityofsydney.nsw.gov.au](mailto:██████████@cityofsydney.nsw.gov.au)

Yours sincerely


████████████████████


Chief Executive Officer

The City of Sydney acknowledges  
the Gadigal of the Eora Nation as the  
Traditional Custodians of our local area.





@communityhousing.org.au



1 August 2025

Bayside Council  
PO Box 21  
Rockdale  
NSW 2216

*Via submissions form*

**SUBMISSION: DRAFT AFFORDABLE RENTAL HOUSING STRATEGY**

This submission is made by the Community Housing Industry Association NSW (CHIA NSW) in response to the Draft Affordable Rental Housing Strategy (the draft Strategy).

CHIA NSW represents registered, not-for-profit community housing providers (CHPs) in NSW. Our members currently own or manage more than 54,000 homes across NSW for individuals and families who cannot afford to rent or purchase a home on the private market. This includes more than 490 homes in the Bayside local government area (LGA).

CHIA NSW welcomes Council's commitment to supporting more affordable rental housing across the LGA. The development of an Affordable Rental Housing Strategy is both timely and necessary, given the continued deterioration of housing affordability across the LGA.

CHIA NSW is broadly supportive of the proposed actions outlined in the draft Strategy. This submission outlines comments and recommendations to assist Council with the finalisation of the Strategy.

**IMMEDIATE ACTIONS COUNCIL CAN TAKE**

The following actions are typically feasible for councils to implement in the short-term.

**Establish clear targets for social and affordable housing**

CHIA NSW welcomes the clear articulation of affordable housing need in the draft Strategy. This will support strategic planning and collaboration, by providing a common target for Council and its partners to work to.

It is recommended that this target is supported by the development of a joint-delivery plan between Council, Homes NSW, CHPs, and other partners, that identifies all potential opportunities for the delivery of new social and affordable housing in the LGA. This should include identifying opportunities to renew existing concentrations of social housing, in partnership with Homes NSW and CHPs.

Community Housing Industry Association NSW ABN 86 488 945 663	Suite 5 619 Elizabeth Street Redfern NSW 2016	02 9690 2447 02 8399 2122 info@communityhousing.org.au www.communityhousing.org.au
---	---	--

**Support social and affordable housing feasibility through a review of local planning controls**

Designing developments that are cost-effective is integral to the feasibility and longevity of affordable housing. Planning controls that are not well calibrated create a barrier to the delivery of social and affordable housing through a lack of flexibility or by increasing construction, operational and/or maintenance costs.

Additionally, social and affordable housing developments are often built to respond to the needs of specific client groups. They can therefore have design requirements which differ from at-market housing. This means that design requirements intended for private housing are not always a good fit for community housing schemes.

Council is encouraged to consider changes to planning controls to support the feasibility of affordable housing. Opportunities may include:

- Incentivising affordable housing through the adoption of planning concessions, such as reduced car parking rates in appropriate locations close to transport and services.
- Increased flexibility in the application of residential design standards, to enable affordable housing developments to respond to the specific needs of target client groups.
- Reviewing land use permissibility to increase opportunities for affordable housing. For example, the City of Sydney has identified well located employment land suitable for residential development. Housing is permitted in this location where it is 100% affordable housing. This enables CHPs to purchase land at a cheaper cost, supporting development feasibility. Council is encouraged to review opportunities to apply a similar policy to well-located employment land in the LGA, such as in the E3 Productivity Support zone.
- Reviewing height controls to support floor space bonuses available under the Housing SEPP. These bonuses have been essential to developing new affordable housing in locations with good access to transport and services. However, it can be difficult for social and affordable housing developments to achieve the full FSR bonus as local height controls are often not set accordingly.

**Discount council fees and charges for community housing providers**

Council is encouraged to consider exempting or discounting fees and charges for social and affordable housing delivered by registered not-for-profit CHPs, where the housing will be secured in perpetuity. This includes exemptions from local infrastructure contributions and development application fees.

This will help manage the costs of delivering community housing projects, supporting viability, and reducing the subsidy needed to deliver schemes. This is especially critical at a time when land prices and operating costs, such as insurance premiums, continue to rise.

**Prioritise the implementation of an affordable housing contributions scheme**

CHIA NSW strongly supports Council's commitment to establishing an Affordable Housing Contributions Scheme.

In addition to the Botany Road Mascot Precinct and The Rockdale Spine, for which feasibility testing has been undertaken by Council, Low and Mid Rise Housing precincts within the LGA

provide an immediate opportunity to introduce affordable housing contributions requirements, given the development uplift that has been enabled by recent NSW Government reforms. To avoid missed opportunities, it is strongly recommended that Council prioritises work to establish a contributions scheme covering these locations.

As outlined in the Feasibility Testing Report, the feasibility of affordable housing contributions is supported by providing advanced notice of requirements to the market. This will enable developers to incorporate the contribution into the land purchase price<sup>1</sup>.

It is therefore important that the draft Strategy clearly articulates Council's expectations for future rezonings, which result in development uplift. In this regard, CHIA NSW welcomes the draft Strategy's commitment to secure 10% of the uplift of future planning proposals for affordable housing. It is recommended that this position be formalised as part of the development of Council's affordable housing contributions policy.

Council is encouraged to take a long-term view to the implementation of contribution requirements. While a lower requirement may be necessary in the initial years of a scheme, given development feasibility constraints, a higher target is likely to be supported in the future as development returns increase, and requirements are costed into land purchases. Feasibility testing should therefore consider opportunities to escalate rates over time. To support certainty and feasibility of escalating rates, it is strongly recommended that the contributions scheme and LEP provisions include details of future increases. An example of such an approach is the [Sydney Local Environmental Plan](#).

As a starting point, Council should investigate opportunities to increase affordable housing contributions requirements in Transport Oriented Development Precincts, noting that this was an intended outcome when the reforms were introduced.

#### The nature of contributions

CHIA NSW supports the options for affordable housing requirements to be met through either in-kind contributions, dedication of land or monetary contributions.

As noted in the draft Strategy, monetary contributions can be leveraged to deliver purpose-built affordable housing that better meets housing needs and will not be subject to high strata fees and other potential operating inefficiencies arising from dwellings scattered across multiple mixed-tenure developments.

The monetary rate should be sufficient to cover the future acquisition of development sites, taking into account the uplift that would be realised through rezoning and the likely location of sites available for acquisition. It is recommended that a suitable indexation be applied to the contribution rate each quarter.

In larger schemes, where on-site provision is considered suitable, early engagement with Council's nominated CHP is essential to ensure the needs of future tenants are accounted for, operational costs are reasonable, and to consider management and maintenance arrangements.

It is recommended that Council's contributions scheme clearly articulates how the suitability of land proposed as a contribution will be assessed. This should include consideration of environmental constraints, potential yield, availability of essential infrastructure, and that a good

level of amenity can be achieved for future occupants. CHIA NSW recommends that Council engages early with its nominated CHP to assist with determining the suitability of proposed land dedications.

#### **Securing affordable housing through voluntary planning agreements**

While voluntary planning agreements (VPAs) also provide a mechanism to secure affordable housing in new large-scale developments, this should not take the place of an affordable contributions scheme.

VPAs can be used to secure affordable housing contributions on land already zoned for residential use, where opportunities arise. However, they are a less efficient mechanism compared to affordable housing contributions schemes as they are negotiated on a case-by-case basis. VPAs also provide less certainty to developers and the community compared to affordable housing contributions schemes.

#### **Build council and community understanding of affordable housing**

CHIA NSW encourages Council to develop a program of community engagement and education targeted at improving understanding of affordable housing.

Despite proposals being compliant with local planning policies, community opposition to social and affordable housing development can be a barrier to its delivery. Often, community concerns stem from misperceptions about this type of housing. Councils are well positioned to engage with their community to improve their understanding of housing affordability issues and advocate for social and affordable housing.

As key decision makers, local government councillors and staff will also benefit from an improved understanding of affordable housing. This is especially critical given recent NSW and Federal funding and policy initiatives, which will require participation by councils to leverage their full potential. CHIA NSW has recently developed and delivered a training program for local councils across NSW, aimed at improving councillors' and officers' understanding of social and affordable housing, the not-for-profit community housing industry, and the steps that councils can take to support delivery. CHIA NSW would welcome the opportunity to discuss how this training could be adapted for delivery to Bayside councillors and staff.

#### **LONGER TERM OPPORTUNITIES**

CHIA NSW strongly recommends Council investigate the potential to implement the following measures, recognising that their feasibility will depend on the nature of development opportunities and land holdings in the council area.

#### **Opportunities to partner with community housing providers**

CHIA NSW welcomes Council's commitment to partnering with CHPs on the delivery of affordable rental housing. As purpose-driven and highly regulated organisations with an established track record of over 40 years, CHPs are strongly placed to ensure a council's housing objectives are achieved most effectively.



CHPs are already partners to many local councils across NSW. For example, North Sydney Council is partnering with Link Wentworth to deliver new affordable housing through the redevelopment of an existing property in Cammeray<sup>ii</sup>. This project is being made possible by combining contributions from North Sydney Council, Link Wentworth and the NSW Government.

Partnerships could also extend to the acquisition of existing dwellings for use as affordable housing. For example, in 2016 Waverley Council worked in partnership with Bridge Housing to jointly purchase an existing block of apartments in Randwick, which was refurbished to provide affordable rental housing for the local community<sup>iii</sup>.

The capability of not-for-profit CHPs has grown significantly in recent years. They are now leading major renewal projects, engaging in significant private partnerships, and delivering community-transforming projects. Since 2012, community housing providers have delivered more than 6,000 new homes across NSW, representing an investment of over \$2 billion.

This activity is supported by the National Regulatory System for Community Housing (NRSCH), the independent regulatory system governing registered CHPs that ensures a high standard of service is provided, that homes continue to be operated as affordable housing, that properties are appropriately allocated to eligible tenants, and maintained at a reasonable standard.

Partnerships with CHPs offer significant benefits compared to Council delivering and managing affordable housing on its own. By assigning tenancy management and property maintenance responsibilities to a CHP, Council will avoid taking on additional risks and liabilities, including with respect to structural maintenance.

Partnerships also offer considerable cost savings to councils, increasing the amount of affordable housing that can be delivered. This value is driven by:

- CHPs' deep expertise in the provision and management of affordable housing, with a long-term focus. Partnerships with CHPs avoid Council having to establish its own housing management team and expertise.
- Savings in construction and operating costs due to CHPs' not-for-profit status and GST exemptions.
- Efficiencies in operating costs from CHPs operating a larger portfolio of properties compared to the likely size of a council-owned portfolio.
- Exclusive access to lower cost finance available through Housing Australia.

#### **Additional benefits accrue from CHP ownership of affordable housing**

CHIA NSW further recommends that Council transfers ownership of affordable housing dwellings it receives to a nominated CHP. This is consistent with the approach of several councils across NSW, including the City of Sydney, Penrith and Newcastle.

Any affordable housing that CHPs own increases their ability to secure debt finance and increases their capacity to deliver upgrades and new stock in the future.

Research by Paxon Group<sup>iv</sup>, commissioned by CHIA NSW in 2023, demonstrated the cost efficiencies that arise as a result of transferring ownership of affordable housing to not-for-profit

CHPs. The research found that up to an additional 27% homes could be delivered by CHPs leveraging the asset value of the transferred homes.

This finding aligns with evidence quoted by the [Australian Housing and Urban Research Institute \(AHURI\)](#). Under the Nation Building and Economic Stimulus Program's Social Housing Initiative, 6,276 social homes were transferred to CHPs in NSW. As a result, CHPs leveraged an additional 1,310 homes.

#### **Opportunities to leverage council-owned land**

CHIA NSW welcomes Council's resolution to investigate the development of its landholdings for affordable housing.

The cost of land acquisition is a barrier to the delivery of social and affordable housing where it is most needed. Land owned by both state and local government presents a real opportunity to maximise the delivery of social and affordable housing in regional communities. Prioritising the use of this land will support development feasibilities and deliver opportunities for new supply.

CHIA NSW strongly encourages Council to identify a pipeline of council-owned sites that could be used to support a long-term program of affordable housing partnerships with CHPs. Several councils are already starting to undertake this work.

For example, Inner West Council is working with Link Wentworth to deliver 200 affordable homes on council-owned car parks. Alongside the contribution of council-owned land, these projects will leverage funding available from the NSW and Commonwealth governments in addition to funding from the council and CHP's.

#### **ADVOCACY OPPORTUNITIES**

CHIA NSW welcomes opportunities to jointly advocate with local government on housing affordability and supply matters. Joint-advocacy opportunities include:

- Advocating to the NSW Government for increased funding and policy reforms to support affordable housing projects.
- Advocacy to Homes NSW and members of Parliament on opportunities to renew concentrations of social housing.
- Advocating to the NSW Government for the introduction of a modest levy on short-term residential accommodation. This would incentivise more homes to be brought back into long-term housing supply, whilst raising additional funding for affordable housing.

CHIA NSW appreciates the opportunity to engage with Council on the development of the draft Strategy. Further information and resources on how councils can support affordable housing outcomes is available from CHIA NSW's website: <https://communityhousing.org.au/local-councils-and-community-housing/>

We would be happy to discuss any of the recommendations further with Council staff.

Kind regards

  
**Manager - Policy**

#### References

- <sup>i</sup> For additional evidence that carefully implemented contributions requirements do not impede development, refer to:
- Gurrán, N., Gilbert, C., Gibb, K., van den Nouwelant, R., James, A. and Phibbs, P. (2018) Supporting affordable housing supply: inclusionary planning in new and renewing communities, AHURI Final Report No. 297, Australian Housing and Urban Research Institute Limited, Melbourne.
  - The Centre for International Economics, (2020) Evaluation of infrastructure contributions reform in New South Wales - Final Report, prepared for the NSW Productivity Commission.
- <sup>ii</sup> [www.northsydney.nsw.gov.au/news/article/209/more-affordable-housing-in-the-works-for-north-sydney](http://www.northsydney.nsw.gov.au/news/article/209/more-affordable-housing-in-the-works-for-north-sydney)
- <sup>iii</sup> <https://communityhousing.org.au/wp-content/uploads/2023/07/CHIA-NSW-Local-councils-taking-action-on-affordable-housing-2022.pdf.pdf>
- <sup>iv</sup> Paxon Group (2022) *Local Council Partnerships for Provision of Affordable Housing*, prepared for Community Housing Industry Association NSW.
- <sup>v</sup> [www.abc.net.au/news/2024-11-04/sydney-council-plan-car-parks-affordable-housing/104535474](http://www.abc.net.au/news/2024-11-04/sydney-council-plan-car-parks-affordable-housing/104535474)

### Response to Submissions

Community Submission No.	Method	Support / Oppose / Enquiry	Issue(s)	Council Officer Response
1	Survey	Support	<ul style="list-style-type: none"> <li>Mandate affordable dwellings in every multi-occupancy dwelling</li> </ul>	This is not supported. Council proposes to charge contributions for affordable housing only on sites and in areas subject to development uplift, and where development is viable. This approach is consistent with the NSW Affordable Housing Contribution Scheme Guideline.
2	Survey	Oppose	<ul style="list-style-type: none"> <li>Inadequate capacity of existing infrastructure</li> <li>Council asset maintenance</li> </ul>	<p>The draft strategy requires that a portion of new homes built should be set aside for affordable rental housing in areas subject to development uplift.</p> <p>The maintenance of affordable housing infrastructure is not proposed to be funded by general revenue. Income, including rent will assist in maintain the properties.</p> <p>It is not anticipated that Council's affordable housing portfolio will have an adverse impact on Councils ability to maintain existing assets.</p>
3	Survey	Oppose	<ul style="list-style-type: none"> <li>Concerns about compulsory acquisition at non-competitive rates</li> <li>Existing geographical spread of social and affordable housing across the LGA</li> <li>Inadequate capacity of existing infrastructure</li> </ul>	<p>The Strategy does not suggest compulsory acquisition of land for affordable housing. Funds from the contribution scheme could be used to acquire apartments on the market at market-rate, when the scheme has sufficient funds to do so.</p>



Community Submission No.	Method	Support / Oppose / Enquiry	Issue(s)	Council Officer Response
			<ul style="list-style-type: none"> <li>Standard of civic pride</li> <li>Responsibility of the maintenance of affordable housing</li> <li>State Government responsibility</li> </ul>	<p>It is acknowledged that in some areas of the LGA there are pockets of high concentration of social housing. An action in the Strategy is to collaborate with the State Government on potential redevelopment plans in areas with high social housing concentrations to accommodate a mix of market, affordable, and social housing.</p> <p>Council has an affordable housing tenancy policy, which includes requirements that applicants are citizens or permanent residents, aged over eighteen years, live in Bayside LGA, have lived in the LGA for at least three years, or if living in another LGA have lived and/worked in Bayside LGA for 5 of the last 10 years. Eligible tenants include workers such as aged-care workers, early career teachers, childcare workers, paramedics, cleaners.</p> <p>As outlined in objective 3.2 of the draft Strategy, an Affordable Housing Portfolio Policy is required, outlining management responsibilities. Council will be responsible for collecting any funds from a contribution scheme and will own the affordable housing dedicated to Council. Bayside Council will engage Community Housing Providers to manage the properties. When Council has sufficient funds to progress with affordable</p>

Community Submission No.	Method	Support / Oppose / Enquiry	Issue(s)	Council Officer Response
				<p>housing development it will complete an EOI process, the outcome of which would outline the affordable housing responsibility within that development. Council is responsible for implementing the strategy.</p> <p>The strategies purpose states the NSW Government in the <i>Eastern City District Plan</i> required councils to develop affordable housing targets and contribution schemes. This requirement was then set out in Buyside's Local Strategic Planning Statement (2020) and Bayside's Local Housing Strategy (2021). The NSW Government's endorsement required Council to look further at contribution schemes.</p>
4	Survey	Oppose	<ul style="list-style-type: none"> <li>Existing geographical spread of social and affordable housing across the LGA</li> <li>Crime</li> <li>Barrier to gentrification</li> </ul>	<p>It is acknowledged that in some areas of the LGA there are pockets of high concentration of social housing. An action in the Strategy is to collaborate with the State Government on potential redevelopment plans in areas with high social housing concentrations to accommodate a mix of market, affordable, and social housing.</p> <p>Affordable housing is allocated to people who have a connection to Bayside, in accordance with the Affordance Housing Tenancy Policy, and who earn less than the median wage. Tenants generally include essential workers and early-career professionals who are on lower</p>

Community Submission No.	Method	Support / Oppose / Enquiry	Issue(s)	Council Officer Response
				<p>wages. It is not anticipated that the draft scheme will lead to increased crime or less desirable places for people to live within the community.</p> <p>Affordable Housing contributions are subject to feasibility testing, and Bayside is focussed on ensuring that market developments remain viable. The coordinated renewal of areas of high social disadvantage concentration, is expected to include additional market, affordable and social housing to balance needs.</p>
5	Letter	Support	<ul style="list-style-type: none"> <li>• Establish clear targets</li> <li>• Review local planning controls</li> <li>• Adjust Council fees and charges</li> <li>• Prioritise implementation of affordable housing contribution scheme</li> <li>• Use planning agreements to secure additional affordable housing</li> <li>• Partner with community housing providers</li> <li>• Transfer ownership of affordable housing to community housing providers</li> <li>• Use Council land holdings</li> <li>• Advocate to State and Federal Governments</li> </ul>	<p>Council established an affordable housing need in Bayside of 15,000 dwellings by 2041</p> <p>Council can consider changes to controls on a case-by-case and merit basis at planning proposal stage. Any variation to controls needs to ensure that it does not reduce amenity in the area. For example, reduced parking does not result in additional vehicles on the street, and the development is in a well-located area. Other controls associated with apartment design, can be considered through a life-cycle cost and maintenance perspective ensuring that the development still achieves the vision of blending in with the local area.</p> <p>Development contributions are intended to fund the infrastructure required to support new</p>

Community Submission No.	Method	Support / Oppose / Enquiry	Issue(s)	Council Officer Response
				<p>development, particularly where that development generates additional demand. These contributions help ensure that essential infrastructure is in place to meet the needs of future residents. The new contributions plan will consider whether there should be exemptions for affordable and social housing delivered by registered social housing providers. Planning application fees are associated with recovering the cost associated with assessment of DAs.</p> <p>The Bayside Delivery and Operational Plan &amp; Budget identifies the delivery of the Affordable Housing Contribution Scheme as a key priority for this financial year.</p> <p>The Bayside Council Planning Agreement Policy 2022 identifies that Affordable Housing will be accepted as a form of public benefit that Council will accept at both planning proposal and development application stage.</p> <p>Council will seek to partner with CHPs on the structure and commercial/social outcomes associated with affordable housing as an appropriate custodian of community funds.</p> <p>It has been recommended that Council transfer the funds and dwellings received via the</p>

Community Submission No.	Method	Support / Oppose / Enquiry	Issue(s)	Council Officer Response
				<p>contributions scheme to a nominated community housing provider. The management and detail associated will be considered by Council with the Draft Scheme in early 2026.</p> <p>Council has considered using its land holdings in section 2.2. Council will make site decisions on a case-by-case basis depending on needs and competing community priorities.</p> <p>Policy intervention 3 of the draft strategy is to collaborate with the state and federal government.</p>
6	Letter	Support	<ul style="list-style-type: none"> <li>Acknowledgment, support and congratulations on the progression of the Strategy</li> <li>Demonstrated success in selling land to CHPs and discounted rates</li> </ul>	<p>Noted and thanked for support.</p> <p>Council has considered using its land holdings in section 2.2. Council will make site decisions on a case-by-case basis depending on needs and competing community priorities.</p>

---

**City Planning & Environment Committee**

**1/10/2025**

Item No	CPE25.032
Subject	<b>Electric Vehicle Charging Unit Infrastructure Policy - Advertising Enabled EV Chargers</b>
Report by	Debra Dawson, Director City Life
File	F23/490

---

**Summary**

In April 2024, Bayside adopted its Electric Vehicle Charging Infrastructure (EVCI) Policy to establish guidelines for the installation, operation, management, maintenance, and removal of EVCI on Council land within the Bayside, with the aim of supporting electric vehicle adoption. Section 3.5 of the Bayside EVCI Policy specifies that *'integrated advertising on EVCI is not permitted.'*

As the EVCI market evolves, operators have joined the market with products that combine EV chargers with general advertising. One of those providers has approached Council about providing this infrastructure on Council land in Bayside.

The purpose of this report is to consider whether Council ought to revise its Policy in relation to advertising associated with EVCI on Council land, and whether this is necessary to achieve the objective of increasing the number of public EV chargers available.

---

**Officer Recommendation**

- 1 That the Electric Vehicle Charging Infrastructure (EVCI) Policy 2024 to be retained in its current form.
  - 2 That Council continue with current and any other available opportunities to have EV chargers installed as part of pilot, trial and grant funded programs.
- 

**Policy and Planning Framework**

**Bayside EVCI Policy 2024**

In April 2024, Bayside adopted its Electric Vehicle Charging Infrastructure (EVCI) Policy (Attachment 1), which establishes comprehensive guidelines for the installation, operation, management, maintenance, and removal of EVCI on Council land within the Bayside. The Policy does not apply to private property or Crown land, and it cannot override Council or State Government planning controls.

The objectives of this policy are to:

- *Provide guidelines for the establishment, operation, management, maintenance, and removal of EVCI on appropriate parcels of Council Land in the Bayside LGA.*
- *Clearly outline the roles and responsibilities of third-party providers and Council in relation to the establishment, operation, management, and removal of EVCI.*

- *Support the uptake of EVs which will aid the community in reducing transport related emissions in the Bayside LGA.*
- *Support residents to access publicly accessible EVCI as part of an integrated transport network.*
- *Ensure that the placement of EVCI does not negatively impact the amenity of the public domain.*
- *Increase public awareness of EVs and EVCI.*

Section 3.5 of the Policy specifies that *“Integrated advertising on EVCI is not permitted.”*

### **NSW State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2023**

The NSW SEPP (Transport and Infrastructure) Amendment (Electric Vehicle) 2023, section 2.124 (Attachment 2), outlines provisions for advertising-enabled electric vehicle charging units.

The definition of *advertising-enabled EV charger* in the SEPP (T&I) 2023 is:

- means an EV charging unit that includes a screen or other display capable of displaying advertisements, and
- includes an advertisement displayed on the screen or other display.

Additional information from the Department of Planning, Housing and Infrastructure regarding advertising-enabled EV charging units is available in Attachment 3.

For EVC units with advertisements to be exempt development:

- the development must comply with the general requirements for all exempt development in section 2.20 (regarding heritage items, compliance with building codes, etc);
- the sign must be fully contained within the unit;
- the sign must not have a surface area greater than 3 m<sup>2</sup>;
- the sign must comply with AS/NZS 4282:2019, Control of the obtrusive effects of outdoor lighting; and
- if the sign is illuminated—it must not be animated, flashing or moving.

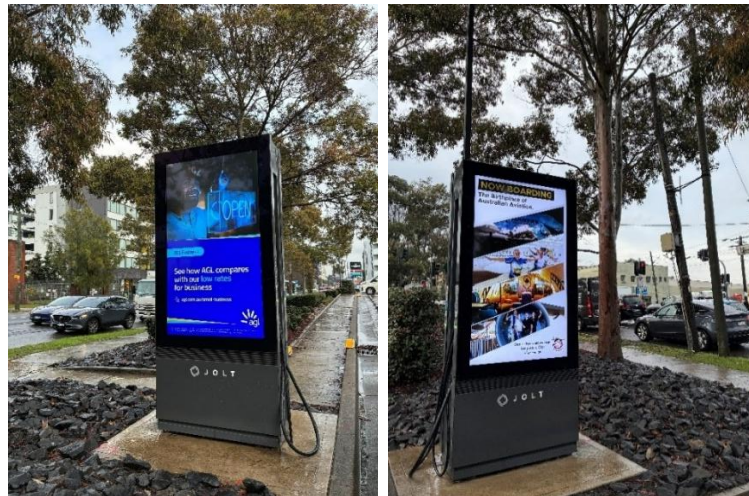
Regardless of the planning pathway, advertising on EVC units is not permitted in any residential zones.

Under the current SEPP (T&I) 2023, charging operators are permitted to convert existing sub-stations into EV charging stations with advertising via the Part 5 approval pathway. However, a development application remains necessary for the advertising aspect of the EV charger if it doesn't comply with the T&I SEPP, and must be assessed in accordance with Chapter 3 of the SEPP (Industry and Employment) 2021 – Advertising and Signage.

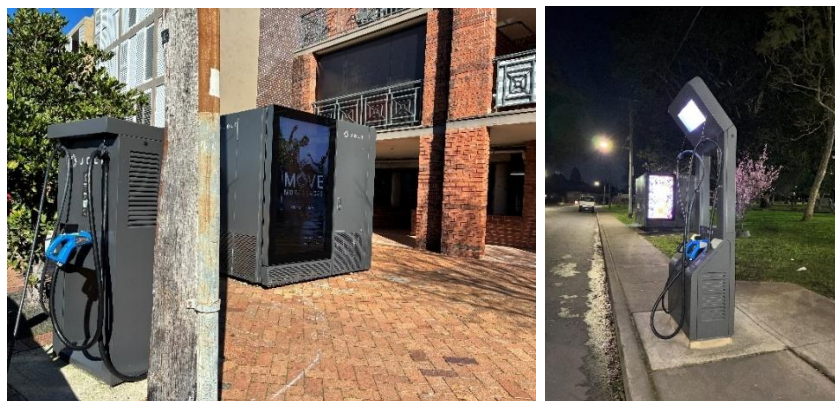
Currently, JOLT is the only one EV Charging operator to approach Bayside with a proposal to install their advertising-enabled EVC units into Bayside through an application under Bayside EVCI policy.



**Examples of advertising-enabled EVC devices – (JOLT).**



**Photo 1:** Jolt EV charger with integrated advertising on Gardeners Rd, Mascot (City of Sydney), located in a private carpark.



**Photo 2:** Jolt two-unit EV chargers are shown on Bunnerong Road, Matraville (left), and Park Ave, Burwood (right). Advertising is integrated with the Ausgrid sub-station, while the EVC units are positioned separately at the kerbside.



**Photo 3:** JOLT's EVC unit and advertising display incorporated with the sub-station on Beachamp Road, Matraville



### Other Councils' policy and pathway for advertising-enabled EVC unit

**Randwick Council** – Randwick, Waverley and Woollahra have a joint EV Policy, though it's more target-based than guideline-driven. Jolt has installed EVC units in few locations through an exempt development pathway. However, they were still required to apply through a development application for the advertising component.

**Waverley Council** – Waverley Council has an LEP advertising provision that new advertising is not permitted unless on Council assets, so these advertising-enabled EV chargers are not possible in Waverley LGA.

**City of Sydney** - No specific policy, but there is no advertising-enabled EV chargers operated on public land.

**Canada Bay Council** – advertising-enabled EVC units can be installed under the exempt development, however, a DA is still required for a separate advertising component.

**Georges River Council** – DA is required for advertising-enabled EVC unit.

The following table shows Council fees for dedicated EV charger parking spaces for commercial operators:

Council	Agreement type	AC charging fee (incl. GST) /space/year	DC charging space fee (incl. GST) /space/year	Other charges
Waverley, Woollahra and Randwick	Licence	\$440	Minimum \$2,475 Advertising-enable: \$10,000	Signage and line marking
Ku-ring-gai	Licence	\$450	\$2,000	\$1,500 application
North Sydney	Licence	\$475	\$3,000	\$2,000 application \$1,600 installation \$1,600 removal

### Discussion

Council has been approached by Jolt in terms of allowing it to access Council land for the installation of EV chargers that include either integrated or separate advertising displays. That approach prompted this report to consider if such a proposal aligns with Council's adopted EV Charging Infrastructure Policy.

In summary, the objective of Council's Policy is to facilitate the provision of additional EV chargers in convenient locations, that don't adversely impact the community, with the aim of encouraging the take up of electric vehicles as a more sustainable form of private transport. Advertising associated with EV chargers was specifically excluded from Council's Policy due to the following concerns:

- the visual impact on the public domain of larger structures and digital general advertising panels;
- the legacy of advertising structures in the public domain, regardless of whether chargers are used in the short and long term;

- the compromise associated with EV chargers only being in locations where advertising is profitable rather than where there is greatest demand or convenience for chargers; and
- the assumption that an increase in the number of EV chargers could be achieved without tolerating the compromises listed above.



**Photo 4:** Intellihub pole mounted charger without associated advertising display at Shaw St Bexley North as part of the Bayside trial program in 2023.

Council has not actively sought expressions of interest from providers to test the market, though has been successful in having a number of EV chargers installed without any associated advertising displays under various trial, pilot and grant programs. Council has also committed to installing EV chargers in new community assets, including Barton Park, the redevelopment of Botany Pool and The Boulevard Car Park.

Consistent with required procurement procedures, if Council wished to deal with commercial operators for the installation of EV Chargers on Council owned land, there would need to be a transparent competitive process. Council could consider identifying a number of locations on Council land that comply with the site selection criteria of its Policy, and offer them as a package to the market for expressions of interest. This would test the appetite of the market for EV charger sites, and the viability of charging devices that do not rely on advertising.

## Financial Implications

There is potential for a revenue stream from allowing EV Chargers on Council land.

- |                                      |                                     |
|--------------------------------------|-------------------------------------|
| 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 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

Not Applicable

---

## Attachments

- 1 [↓](#) State Environmental Planning Policy (Transport and Infrastructure) 2021 - Subdivision 3 Electric Vehicle Charging Units
- 2 [↓](#) Electric Vehicle Charging Infrastructure (EVCI) Policy



New South Wales

## **State Environmental Planning Policy (Transport and Infrastructure) Amendment (Electric Vehicles) 2023**

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*.

ANTHONY ROBERTS, MP  
Minister for Planning

---

Published LW 24 February 2023 (2023 No 80)

State Environmental Planning Policy (Transport and Infrastructure) Amendment (Electric Vehicles) 2023  
[NSW]

---

## **State Environmental Planning Policy (Transport and Infrastructure) Amendment (Electric Vehicles) 2023**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Policy**

This Policy is *State Environmental Planning Policy (Transport and Infrastructure) Amendment (Electric Vehicles) 2023*.

### **2 Commencement**

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

### **3 Repeal of Policy**

This Policy is repealed at the beginning of the day following the day on which this Policy commences.

State Environmental Planning Policy (Transport and Infrastructure) Amendment (Electric Vehicles) 2023  
[NSW]  
Schedule 1 Amendment of State Environmental Planning Policy (Transport and Infrastructure) 2021

---

## **Schedule 1      Amendment of State Environmental Planning Policy (Transport and Infrastructure) 2021**

### **Part 2.3, Division 17, Subdivision 3**

Omit the Subdivision. Insert instead—

### **Subdivision 3      Electric vehicle charging units**

#### **2.123      Definitions**

In this Subdivision—

**advertising-enabled EV charging unit** means an EV charging unit that includes a screen or other display capable of displaying advertisements.

**electricity supply authority** and **electricity transmission or distribution network** have the same meanings as in this Part, Division 5.

**EV charging unit** means electric vehicle supply equipment intended to be used to deliver electricity to charge the battery of an electric vehicle.

**installation** includes construction or erection.

**street furniture**—

- (a) includes parking meters, telephone booths, rubbish bins or recycling bins, planter boxes, street signs, benches and bollards, and
- (b) does not include electricity or lighting poles or bus stops.

#### **2.124      Development permitted without consent—public authorities**

Development for the purposes of installing an EV charging unit may be carried out by or on behalf of a public authority without consent if—

- (a) the unit is installed on land owned or controlled by a public authority, and
- (b) the unit is installed on a footpath adjacent to an area where a motor vehicle may lawfully be parked, and
- (c) the unit is installed—
  - (i) if installed near a kerb—at least 30cm behind the face of the kerb, or
  - (ii) otherwise—at least 1m from a public road, and
- (d) the unit is not installed on, or attached to, an existing building, including—
  - (i) an electricity substation, or
  - (ii) an electricity or lighting pole, or
  - (iii) street furniture, and
- (e) the unit is installed in accordance with specifications or instructions issued by the manufacturer of the unit, and
- (f) the unit complies with the following standards—
  - (i) AS/NZS 3000:2018, *Electrical installations*,
  - (ii) AS/NZS 4417.2:2020, *Regulatory compliance mark for electrical and electronic equipment, Part 2: Specific requirements for particular regulatory applications*, and
- (g) the unit does not obstruct the following—
  - (i) vehicular, cyclist or pedestrian access to or from, or entry into, a building,

State Environmental Planning Policy (Transport and Infrastructure) Amendment (Electric Vehicles) 2023  
[NSW]  
Schedule 1 Amendment of State Environmental Planning Policy (Transport and Infrastructure) 2021

---

- (ii) cyclist or pedestrian movement along a cycleway or footpath, and
- (h) the unit does not obstruct access to, or interfere with, a structure, device, fixture or equipment used for firefighting or fire protection, including a fire hydrant, and
- (i) for an advertising-enabled EV charging unit—the screen or display of the unit—
  - (i) is integrated within the frame of the unit, and
  - (ii) complies with AS/NZS 4282:2019, *Control of the obtrusive effects of outdoor lighting*, and
  - (iii) if illuminated—is not animated, flashing or moving.

**2.124A Development permitted with consent—electricity supply authorities and public authorities**

- (1) Development for the purposes of installing an EV charging unit may be carried out by or on behalf of an electricity supply authority or public authority with consent if—
  - (a) the unit does not obstruct the following—
    - (i) vehicular, cyclist or pedestrian access to or from, or entry into, a building,
    - (ii) cyclist or pedestrian movement along a cycleway or footpath, and
  - (b) the unit does not obstruct access to, or interfere with, a structure, device, fixture or equipment used for firefighting or fire protection, including a fire hydrant.
- (2) This section does not apply to an advertising-enabled EV charging unit.

**2.124B Development permitted with consent—residential premises**

- (1) Development for the purposes of installing an EV charging unit may be carried out with consent on relevant public land if—
  - (a) the unit is installed adjacent to an area where a motor vehicle may lawfully be parked, and
  - (b) the consent authority is satisfied the unit is—
    - (i) for the non-commercial use of an owner or occupier of the adjacent residential premises, and
    - (ii) connected to the electricity meter of the owner or occupier, and
  - (c) all cables providing electrical power to the unit are located underground, and
  - (d) the unit is able to be fully retracted underground when not in use, and
  - (e) the unit is installed in accordance with specifications or instructions issued by the manufacturer of the unit.
- (2) This section does not apply to an advertising-enabled EV charging unit.
- (3) In this section—  
**relevant public land** means public land that—
  - (a) immediately adjoins a public road, and
  - (b) is adjacent to residential premises.

State Environmental Planning Policy (Transport and Infrastructure) Amendment (Electric Vehicles) 2023  
[NSW]  
Schedule 1 Amendment of State Environmental Planning Policy (Transport and Infrastructure) 2021

---

**2.124C Development permitted with consent—buildings used for recharging or exchanging batteries**

Development involving the erection of a building used for the purposes of recharging or exchanging the batteries of electric vehicles may be carried out with consent on land adjoining a public road—

- (a) in a prescribed zone, or
- (b) on which there is an existing service station, highway service centre or car washing facility.

**2.124D Exempt development—certain premises**

Development for the purposes of installing an EV charging unit is exempt development if—

- (a) the development complies with section 2.20, and
- (b) the unit is installed in one of the following—
  - (i) a bus depot,
  - (ii) a car park,
  - (iii) a car washing facility,
  - (iv) a highway service centre,
  - (v) a public administration building,
  - (vi) a road maintenance depot,
  - (vii) a service station, and
- (c) the unit is installed adjacent to an area where a motor vehicle may lawfully be parked, and
- (d) the unit complies with the following standards—
  - (i) AS/NZS 3000:2018, *Electrical installations*,
  - (ii) AS/NZS 4417.2:2020, *Regulatory compliance mark for electrical and electronic equipment, Part 2: Specific requirements for particular regulatory applications*,
  - (iii) if the unit is installed in a service station or highway service centre—AS/NZS IEC 60079.10.1:2022, *Explosive atmospheres, Part 10.1: Classification of areas—Explosive gas atmospheres*, and
- (e) the unit does not obstruct vehicular or pedestrian access to or from, or entry into, a building, and
- (f) the unit does not extend onto or above a public road, and
- (g) the unit is not installed on an electricity or lighting pole, and
- (h) for an advertising-enabled EV charging unit—the screen or display of the unit—
  - (i) is integrated within the frame of the unit, and
  - (ii) does not have a surface area greater than 3m<sup>2</sup>, and
  - (iii) complies with AS/NZS 4282:2019, *Control of the obtrusive effects of outdoor lighting*, and
  - (iv) if illuminated—is not animated, flashing or moving.

**2.124E Exempt development—existing electricity or lighting poles**

Development for the purposes of installing an EV charging unit on an existing electricity or lighting pole carried out by or on behalf of an electricity supply authority or public authority is exempt development if—



State Environmental Planning Policy (Transport and Infrastructure) Amendment (Electric Vehicles) 2023  
[NSW]  
Schedule 1 Amendment of State Environmental Planning Policy (Transport and Infrastructure) 2021

---

- (a) the development complies with section 2.20, and
- (b) the unit is installed on, or attached to, an existing electricity or lighting pole that is—
  - (i) not a pole to which a transformer is attached, and
  - (ii) part of an electricity transmission or distribution network, and
  - (iii) adjacent to an area where a motor vehicle may lawfully be parked, and
- (c) the unit does not contain batteries capable of storing a total of more than 1kWh of energy, and
- (d) the unit does not obstruct the following—
  - (i) vehicular, cyclist or pedestrian access to or from, or entry into, a building,
  - (ii) cyclist or pedestrian movement along a cycleway or footpath, and
- (e) the unit does not obstruct access to, or interfere with, a structure, device, fixture or equipment used for firefighting or fire protection, including a fire hydrant, and
- (f) the charging cables of the unit are able to be fully contained within the unit when the unit is not in use, and
- (g) when the charging cables of the unit are fully contained within the unit—
  - (i) the unit does not extend more than 300mm beyond the surface of the pole, and
  - (ii) no part of the unit extends onto or above a public road, and
- (h) for an advertising-enabled EV charging unit—the screen or display of the unit—
  - (i) is integrated within the frame of the unit, and
  - (ii) does not have a surface area greater than 3m<sup>2</sup>, and
  - (iii) complies with AS/NZS 4282:2019, *Control of the obtrusive effects of outdoor lighting*, and
  - (iv) if illuminated—is not animated, flashing or moving.

**2.124F Exempt development—existing street furniture**

Development for the purposes of installing an EV charging unit carried out by or on behalf of a public authority is exempt development if—

- (a) the development complies with section 2.20, and
- (b) the unit is installed on, or attached to, an existing piece of street furniture, and
- (c) the unit is installed adjacent to an area where a motor vehicle may lawfully be parked, and
- (d) the unit complies with the following standards—
  - (i) AS/NZS 3000:2018, *Electrical installations*,
  - (ii) AS/NZS 4417.2:2020, *Regulatory compliance mark for electrical and electronic equipment, Part 2: Specific requirements for particular regulatory applications*, and
- (e) the unit does not obstruct the following—
  - (i) vehicular, cyclist or pedestrian access to or from, or entry into, a building,

State Environmental Planning Policy (Transport and Infrastructure) Amendment (Electric Vehicles) 2023  
[NSW]  
Schedule 1 Amendment of State Environmental Planning Policy (Transport and Infrastructure) 2021

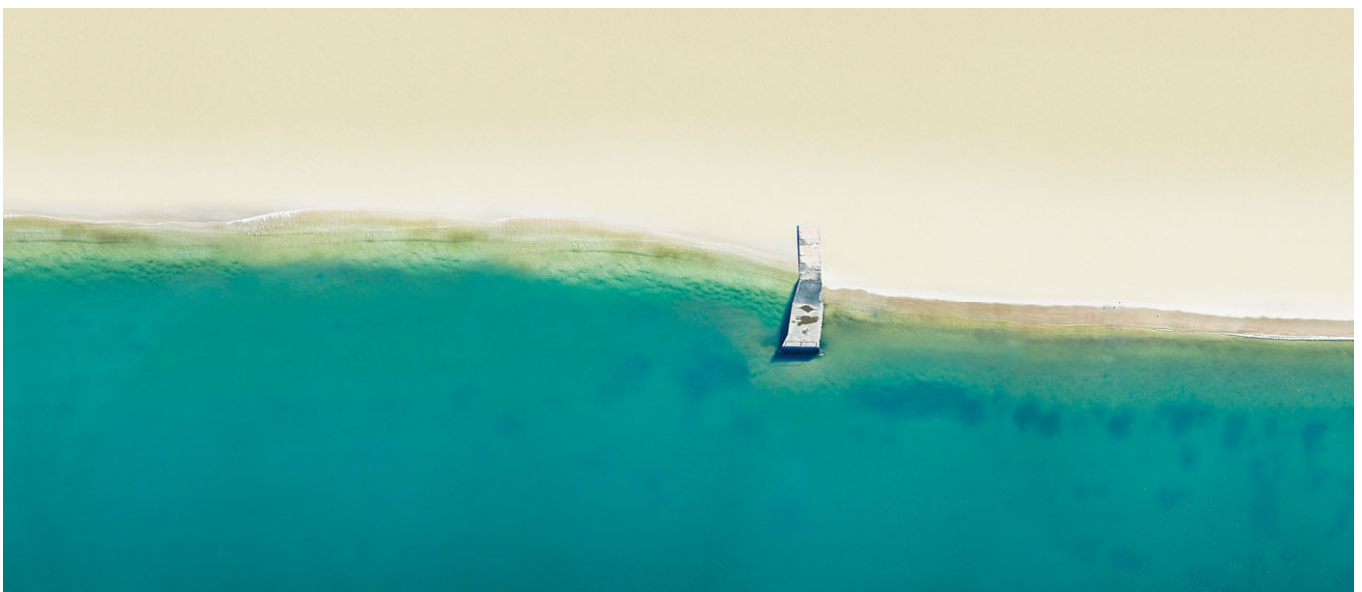
---

- (ii) cyclist or pedestrian movement along a cycleway or footpath, and
- (f) the unit does not obstruct access to, or interfere with, a structure, device, fixture or equipment used for firefighting or fire protection, including a fire hydrant, and
- (g) the charging cables of the unit are able to be fully contained within the unit when the unit is not in use, and
- (h) when the charging cables of the unit are fully contained within the unit, no part of the unit extends onto or above a public road, and
- (i) for an advertising-enabled EV charging unit—the screen or display of the unit—
  - (i) is integrated within the frame of the unit, and
  - (ii) does not have a surface area greater than 3m<sup>2</sup>, and
  - (iii) complies with AS/NZS 4282:2019, *Control of the obtrusive effects of outdoor lighting*, and
  - (iv) if illuminated—is not animated, flashing or moving.



# Electric Vehicle Charging Infrastructure (EVCI) Policy

**24 April 2024**



© Bayside Council

Electric Vehicle Charging Infrastructure (EVCI) Policy

File: F23/517 Document: 24/134955

Policy Register: F16/951 Policy No.: PP24/7

Class of document: Council Policy

Enquiries: Manager Strategic Planning



Telephone Interpreter Services - 131 450

Τηλεφωνικές Υπηρεσίες Διερμηνέων

بخدمة الترجمة الهاتفية

電話傳譯服務處

Служба за преведување по телефон

Electric Vehicle Charging Infrastructure (EVCI) Policy

2

## Contents

<b>1</b>	<b>Introduction .....</b>	<b>4</b>
1.1	Background.....	4
<b>2</b>	<b>Objectives of the Policy.....</b>	<b>4</b>
<b>3</b>	<b>Policy .....</b>	<b>4</b>
3.1	Application .....	4
3.2	EVCI Provider Selection .....	5
3.3	Electric Vehicle Charging Infrastructure .....	5
3.4	Site considerations .....	5
3.5	Signage.....	6
3.6	Fees and Charges .....	6
3.7	Legislative.....	6
3.8	Off-street and private EV charging .....	6
3.9	Licence Requirements .....	7
3.10	Monitoring and evaluation.....	7
<b>4</b>	<b>Policy implementation .....</b>	<b>7</b>
4.1	Policy responsibilities.....	7
4.2	Procedures .....	7
<b>5</b>	<b>Document control .....</b>	<b>8</b>
5.1	Review .....	8
5.2	Version history .....	8

## 1 Introduction

### 1.1 Background

Bayside Council is committed to supporting the uptake of electric vehicles (EVs) in the Bayside Local Government Area. The transition from vehicles with internal combustion engines powered by fossil fuels to vehicles powered by electricity from renewable sources will enable reduction in community greenhouse gas emissions.

Council supports the provision of publicly accessible electric vehicle charging infrastructure and supports electricity from a renewable source to reduce greenhouse gas emissions and maximise the environmental benefits of the transition to electric vehicles.

The purpose of this Policy is to provide guidelines for the establishment, operation, management, and removal of Electric Vehicle Charging Infrastructure (EVCI) on Council Land in the Bayside Local Government Area.

## 2 Objectives of the Policy

The objectives of this policy are to:

- Provide guidelines for the establishment, operation, management, maintenance, and removal of EVCI on appropriate parcels of Council Land in the Bayside LGA.
- Clearly outline the roles and responsibilities of third-party providers and Council in relation to the establishment, operation, management, and removal of EVCI.
- Support the uptake of EVs which will aid the community in reducing transport-related emissions in the Bayside LGA.
- Support residents to access publicly accessible EVCI as part of an integrated transport network.
- Ensure that the placement of EVCI does not negatively impact the amenity of the public domain.
- Increase public awareness of EVs and EVCI.

## 3 Policy

### 3.1 Application

- The provision of EVCI on Council land within Bayside LGA is subject to approval by Bayside Council.
- The EVCI provider is required to complete Council's EVCI Application Form. Council will assess and determine the application.
- EVCI will be subject to agreements between suppliers and Council.
- These agreements will address all aspects from establishment, operation, management, and removal of EVCI on Council Land in the Bayside Local Government Area.

### 3.2 EVCI Provider Selection

The installation and operation of EVCI on Council Land by a suitable provider/s will be subject to assessment of the application by Council.

Key aspects of the EVCI application and assessment process include:

- Demonstrating experience, skills and resources in establishing, operating and managing EVCI.
- Developing a design layout of the overall EVCI site including details of parking, signage, safety, access, traffic management, type of charger/compatibility and required power supply in accordance with the requirements outlined in this Policy.
- Provision of a suitable management plan for operation, maintenance and removal of EVCI.
- Successful providers will be required to enter into a lease/licence/agreement (unless other consent pathways are identified) with Council for the site.
- 100% clean green energy

### 3.3 Electric Vehicle Charging Infrastructure

Council will consider the below types of EVCI only:

- Fast - Level 2 Chargers (AC 7-22kW) for commuter parking sites and car parks with 4-8 hour parking limits
- Ultra Fast - Level 3 Chargers (DC 50-350kW) for destination locations and transit corridors with 2 hour or less parking limits

Chargers with integrated advertising is not permitted on Council Land.

Ultra-fast chargers have a capacity of up to 350 kilowatts (kW). Vehicles can recharge between 200 and 400 kilometres (km) in approximately 15 minutes.

Destination chargers have a capacity of between 7 kW and 25 kW. Vehicles can recharge between 40 km and 140 km per hour. These chargers are best suited in commuter carparks or tourist accommodation where people leave their cars parked for longer periods of time.

EVCI must have suitable access to an existing electrical supply. Sites with sufficient supply to support EVCI's will be prioritised. At sites where the supply is not adequate, it will be the responsibility of the provider to organise and fund any network improvements.

### 3.4 Site considerations

The following criteria will be considered by Council when selecting location(s) for EVCI:

- Council owned or managed land.
- Current and anticipated future land use of the site.
- Existing car parking availability (preferably off-street locations to minimise interference with pedestrian and cycle networks, outdoor dining and active frontages).
- Minimal impact on car parking availability for non EVs.



- Not adversely impact road safety or traffic movements.
- Proximity to a range of amenities such as parks, beaches, tourist areas, public transport, active transport, business precincts, community and public facilities.
- Accessibility at all hours with adequate lighting.
- Compliance with relevant Australia Standards
- Locations in areas of high demand, or nominated by the public and avoiding locations that impact low rise residential addresses.
- Suitable access to an existing electricity supply
- Personal safety of end users in areas of high surveillance
- Potential for multiple bays in one location
- Availability or provision of shade

EVCI locations within the road corridor will require Bayside Traffic Committee endorsement prior to implementation and operation.

### **3.5 Signage**

Parking bays allocated to electric vehicles will be signposted using standardised Transport for NSW signage. They will also be clearly marked on the road surface.

EV charging locations will be listed on Council's website.

Council will provide information about the public EV chargers to the community including content to enhance community understanding about electric vehicles and how to charge them.

Integrated advertising on EVCI is not permitted.

### **3.6 Fees and Charges**

Any associated fees are set out in Council's Schedule of Fees and Charges and is subject to annual review.

### **3.7 Legislative**

The on-street electric vehicle (EV) chargers are installed under the Roads Act 1993 and State Environmental Planning Policy (Transport and Infrastructure) 2021. The installation of the associated parking signs for EV on-street parking must be reported to the Council's Local Traffic Committee and Council for consideration and approval.

### **3.8 Off-street and private EV charging**

Council's Development Control Plan (DCP) includes controls to ensure that electric vehicle charging infrastructure is incorporated into new development, supporting the installation of off-street EV charging.

Council will provide advice and information to residents and businesses about installing private EV charging infrastructure where possible.

### **3.9 Licence Requirements**

Council requires providers to enter into an appropriate leasing/licensing agreement addressing:

- The providers responsibility for all implementation and operation costs for the full life cycle of the infrastructure.
- Service Level Agreements for operation, maintenance and inspection of EVCIs to ensure a reliable service is provided to consumers.
- Responsibility for the decommissioning of the infrastructure
- Evidence of adequate insurances for public indemnity, workers compensation and legal liability
- Length of operation of EVCIs
- Site specific conditions
- Details of proposed design including associated lines and signs
- All costs being borne by the infrastructure provider
- Agreement term to be no longer than 10 years.

The provider may be required to upgrade existing EV infrastructure to meet the latest industry standards and requirements.

Council reserves the right to:

- decline an application for EVCIs where appropriate.
- accept one or more providers within proximity to each other.
- remove any EVCIs at any time and for any reason if it is found not to be in the best interest of the community. All costs will be the responsibility of the infrastructure provider.

### **3.10 Monitoring and evaluation**

The effectiveness of this Policy will be monitored and evaluated on a regular basis regarding:

- number of charging stations installed.
- utilisation rates
- increase in EVs in the community.
- user satisfaction and community satisfaction

Council reserves the right to terminate an agreement for low performing locations.

## **4 Policy implementation**

### **4.1 Policy responsibilities**

The Director City Futures has responsibility for this policy.

### **4.2 Procedures**

Procedures that support this policy may be approved by the General Manager from time to time.

## 5 Document control

### 5.1 Review

This policy is reviewed at least every four years and when relevant legislation changes.

The Manager Governance & Risk may approve non-significant and/or minor editorial amendments that do not change the policy substance.

### 5.2 Version history

Version	Release Date	Author	Reason for Change
1.0	24/04/2024 (Council) 10/04/2024 (CPE Com)	Manager Strategic Planning	New document