

MEETING NOTICE

A meeting of the
Bayside Local Planning Panel
will be held in the Committee Room, Botany Town Hall
Corner of Edward Street and Botany Road, Botany
on **Tuesday 24 February 2026 at 5:00 PM**

ON-SITE INSPECTIONS

On-site inspections are undertaken beforehand.

AGENDA

1 ACKNOWLEDGEMENT OF COUNTRY

Bayside Council acknowledges traditional custodians: the Gadigal and Bidjigal people of the Eora nation, and pays respects to Elders past, present and emerging. The people of the Eora nation, their spirits and ancestors will always remain with our waterways and the land, our Mother Earth.

2 APOLOGIES

3 DISCLOSURES OF INTEREST

4 MINUTES OF PREVIOUS MEETINGS

Nil

5 REPORTS – PLANNING PROPOSALS

Nil

6 REPORTS – DEVELOPMENT APPLICATIONS

6.1 DA-2025/146 - 34 Bayview Street Arncliffe - Development Application...2

Members of the public, who have requested to speak at the meeting, will be invited to address the Panel by the Chairperson.

The meeting will be video recorded and live streamed to the community via Council's YouTube channel.

Meredith Wallace
General Manager

Bayside Local Planning Panel

24/02/2026

Item No	6.1
Application No	DA-2025/146
Property	34 Bayview Street Arncliffe
Application Type	Development Application
Proposal	Use of existing premises as a permanent group home and increase in capacity from fourteen (14) to twenty-four (24) residents and twenty-four (24) rooms.
Owner	Sukhanand Pty Ltd
Applicant	Mr M Masood
Ward	Ward 3
Lodgement Date	3/06/2025
No. of Submissions	Twenty-four (24)
Cost of Development	\$Nil
Reason Criteria	Contentious development
Report by	Peter Barber, Director City Futures

Reason for the Report

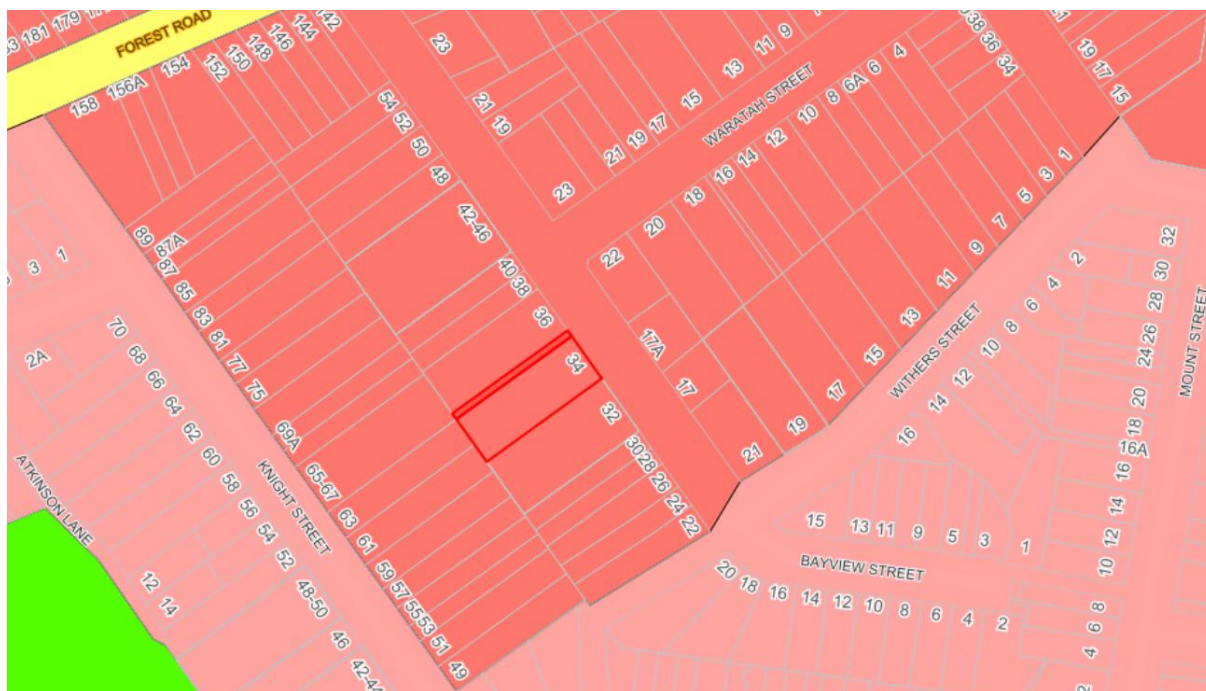
This application has been referred to the Bayside Local Planning Panel for the following reason:

In accordance with Section 2 and Schedule 1 from the Local Planning Panels Direction issued by the Minister for Planning and Public Spaces (dated 6 March 2024), development that is the subject of 10 or more unique submissions by way of objection must be determined by local planning panels. Accordingly, the proposed development for the subject site has received twenty-four (24) unique submissions by way of objection.

Officer Recommendation

1. That the Bayside Local Planning Panel, exercising the functions of Council as the consent authority pursuant to s4.16 and s4.17 of the *Environmental Planning and Assessment Act 1979*, determine Development Application DA-2025/146 for the use of the existing premises as a permanent group home and increase in capacity from fourteen (14) to twenty-four (24) residents and twenty-four (24) rooms at 34 Bayview Street, Arncliffe NSW 2205 by GRANTING CONSENT subject to the recommended conditions of consent attached to this report.
 2. That the submitters are to be notified of the Panel's decision.
-

Location Plan



Attachments

- 1 [↓](#) Planning Assessment Report
- 2 [↓](#) Draft Notice of Determination
- 3 [↓](#) Statement of Environmental Effects
- 4 [↓](#) Site Plan and Elevations
- 5 [↓](#) Traffic and Parking Assessment Report

BAYSIDE COUNCIL

Planning Assessment Report



Application Details

Application Number:	DA-2025/146
Date of Receipt:	3 June 2025
Property:	34 Bayview Street, Arncliffe NSW 2205 Lot 10 in DP 933 and Lot 9 in DP 657707
Owner:	Sukhanand Pty Ltd
Applicant:	Mr M Masood
Architect:	Thilanka Kothalawala
Town Planner:	PlanBE
Proposal:	Use of existing premises as a permanent group home and increase in capacity from fourteen (14) to twenty-four (24) residents and twenty-four (24) rooms.
Recommendation:	Approval
No. of submissions:	Twenty-four (24) submissions
Author:	Michael Maloof
Date of Report:	7 February 2026

Key Issues

The key issues identified in the assessment of the development application relate to:

- Commence use of existing premises (previously a temporary use);
- Intensity of proposed permanent group home use;
- Energy and Environmental Sustainability;
- Noise impact and Loss of amenity; and
- On street car parking.

The development application ("DA") has been assessed in accordance with the relevant requirements of the *Environmental Planning and Assessment Act 1979* ("the Act") and is recommended for approval, subject to conditions.

The officers involved in writing and authorising this report declare, to the best of their knowledge, that they have no interest, pecuniary or otherwise, in this application or persons associated with it and have provided an impartial assessment.

Recommendation

1. That the Bayside Local Planning Panel, exercising the functions of Council as the consent authority pursuant to s4.16 and s4.17 of the *Environmental Planning and Assessment Act 1979*, determine Development Application DA-2025/146 for the use of an existing premises as a permanent group home and increase in capacity from fourteen (14) to twenty-four (24) residents and twenty-four (24) rooms at 34 Bayview Street, Arncliffe NSW 2205 by GRANTING CONSENT subject to the recommended conditions of consent attached to this report.
2. That the submitters be notified of the Panel's decision.

Background

History

The following applications have previously been considered by Council in relation to the subject site:

- DA-1985/200, Addition to Sitting Room to Alloa Hospital - Approved on 3 January 1986
- BA-1993/357, Convalescent Home Install Cool room Class 3 – Approved on 2 June 1993
- DA-1994/133, Proposed Alterations and Additions to the "Alloa" Nursing Home – Approved on 14 July 1994
- BA-1995/475, Alterations and Additions "Alloa" Nursing Home Class 9a – Approved on 6 September 1995
- DA-2001/212, Installation of External Wheelchair Lift and Additions to Aged Care Centre – Approved on 9 October 2000
- CC-2001/150, Installation of External Wheelchair & Disabled Access – Approved on 9 October 2000.
- CD-2015/115, Installation of automatic sprinkler systems in existing residential building – Approved on 9 October 2014
- DA-2018/25, Alloa Aged Care Facility - Erection of new illuminated pylon signage facing Bayview Street – Approved on 28 May 2018
- PDA-2018/30, Change of use to childcare centre, educational establishment and group home (refer to SEE) – Issued on 5 January 2019
- DA-2019/467, Change of use from aged care facility to a group home for disabled persons and internal and external alterations – Approved 13 April 2021
- DA-2020/104, Change of use of existing aged care facility (known as Alloa Aged Care) to include group home accommodation for people with a disability – Approved on 4 May 2020 for a period of 18 months (temporary use).
- MDA-2025/6, Modification to DA-2019/467 to extend consent period Application – Withdrawn 18 February 2025

DA-2019/467 approved physical building works on the site. However, Council records reveal that a Construction Certificate (CC) was not subsequently lodged with Council.

The history of the subject application is summarised as follows:

- 3 June 2025 - The DA was lodged with Council.
- 13 June to 27 June 2025 – Notification to adjoining properties
- 13 June 2025 – Internal referrals sought within Council
- 30 June 2025 – Twenty-four submissions received by Council
- 11 July to 27 November 2025 – Internal referrals received within Council
- 15 July 2025 – Site Inspection organized with the applicant
- 28 August 2025 – Additional information letter sent to the applicant
- 12 September 2025 – Extension request for the Additional information from the applicant
- 3 October 2025 – Additional information received by Council (Operational and Traffic information received)
- 26 October 2025 – Additional information received by Council (SEE received)
- 10 November 2025 – Additional information received by Council (Plans received)

Proposal

Council is in receipt of a development application DA-2025/146 at 34 Bayview Street Arncliffe which seeks the use of an existing premises as a permanent group home and increase in capacity from fourteen (14) to twenty-four (24) residents and twenty-four (24) rooms.

The proposal involves the permanent continuation of use on the site as a group home and does not involve any physical building work or operational changes. The group home previously approved (DA-2019/467) was for a change of use from an aged care facility to a group home for a maximum of fourteen (14) disabled persons and involved internal and external alterations (previously approved on 13/04/2021). The current proposal does not involve any building work and varies from the previous approval in that it will be limited to a maximum of 24 rooms / residents who are low-risk and who face social disadvantage.

Council records indicate that the previously approved internal and external alterations on the site (DA-2019/467) were not carried out as no Construction Certificate was subsequently issued for the site. The other approval (DA-2020/104) was for a period of 18 months (i.e., temporary use). As such, the previously approved temporary use on the site has lapsed and therefore the current proposal is not a continuation but rather commence of a similar use.

The proposed development is summarised as follows:

- Formalise a group home for 24 residents/rooms for those experiencing social disadvantages and are low risk.
- This includes for example, people enduring housing stress, family breakdown, unemployment, financial hardship, refugee background, or people recently released from institutions or victims of a crisis. This will not include physically or mentally disabled persons. The residents are usually referred by welfare and community organisations such as Wesley Mission and the like.

Construction or Physical Works

- No change to the existing building, landscaping or fencing
- No change to Council waste collection

- No change to the existing signage on the site.

Operations

- The proposed use will operate 24 hours, 7 days a week.
- 24/7 management and support under a Plan of Management (POM); appointment-based visitors; quiet hours; general daily support, including cleaning, administrative assistance, and help with connecting to community services such as counselling, job programs, and health centres.
- The applicant has confirmed the number of residents proposed is twenty-four (24), however, the plans show twenty-three (23) bedrooms located on the ground floor and nine (9) located on the first floor resulting in a total of thirty-two (32) rooms. The applicant is seeking approval for 24 residents and indicated that a subsequent application may be lodged to increase the number of residents, should the current proposal operate without issues. This would be subject to a further assessment.
- The applicant has indicated (by email dated 15 January 2026) the use will not include any full-time registered nurse or medical officer. However, it will have one on site manager, one assistant manager, two full-time cleaning and general assistance staff, first aid kits, referrals for a General Practitioner and community services officers and one permanent property manager for maintenance and operations. Disability support workers will be available for different shifts to provide appropriate care and support.
- There are 4 existing car spaces in tandem arrangement on the site which can be used by staff.

The figures below are extracts of the proposal:

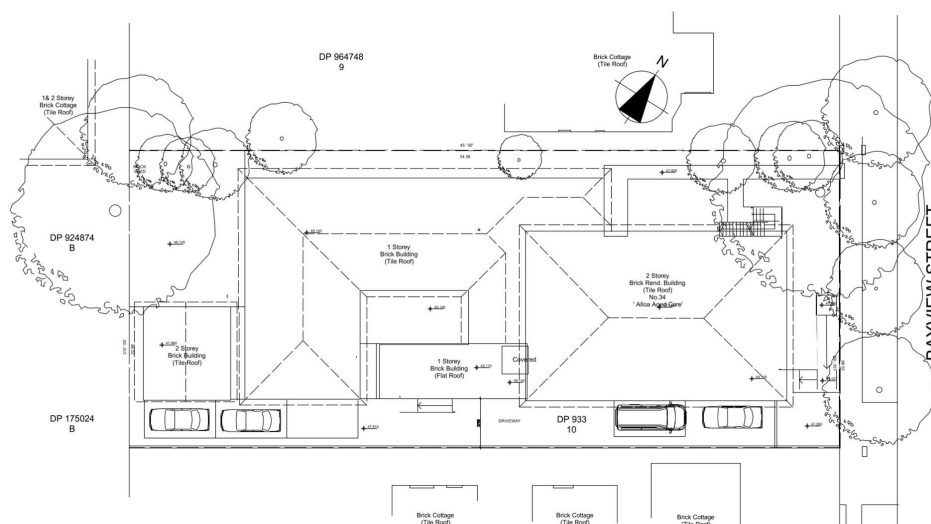


Figure 1: Site Plan showing the existing building and boundaries of the site

Site Location and Context

The site is legally known as Lot 10 in DP 933 and Lot 9 in DP 657707 and is known as 34 Bayview Street Arncliffe. The site consists of two parcels and has a north-east to

south-west orientation with north-east being the front of the site along Bayview Street and south-west being the rear of the site.

The two combined sites have a total area of 1,254.2sqm, are rectangular in shape and generally flat. The site has side boundary lengths of 54.88m and front and rear boundary widths of 22.86m and currently contain a two storey detached brick building previously used as an aged care home (Alloa Hospital) built prior to 1985.



Figure 2: Aerial photograph of the site and surrounds

The rear of the site contains a two storey semi-detached brick outbuilding which was previously used as a laundry and office associated with the aged care. The rear contains a break out area as communal open space and is landscaped. The front of the site contains landscaping as well as a courtyard along the northern side of the site. The building contains 32 bedrooms, kitchens, bathrooms, storerooms and living rooms.

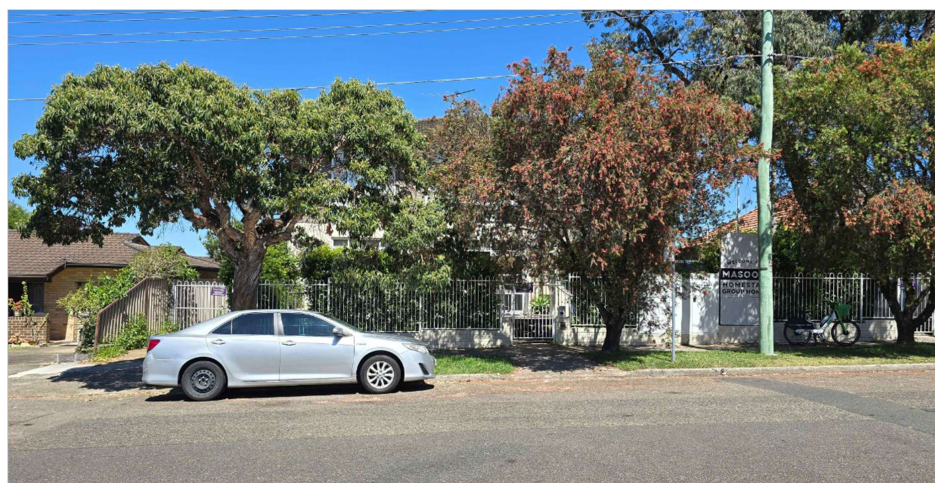


Figure 3: Front elevation of the site from Bayview Street

Development in the immediate surroundings include low density and medium density development. The site immediately to the south at 32 Bayview Street comprises numerous single storey villas with common driveway along the south-eastern side of the site. The site to the north at 36 Bayview Street comprises a single storey detached brick dwelling house. The sites to the rear at 61 and 63 Knight Street are detached dwelling houses with large rear yards. The general character of Bayview Street is detached single storey dwellings along the north-eastern side of the street.



Figure 4: Front elevation of the neighbouring villas at No. 32 Bayview Street



Figure 5: View along the driveway of the site on the southeastern side boundary



Figure 6: Front elevation of the neighbouring dwelling house to the north at No. 36 Bayview Street

Statutory Considerations

Environmental Planning and Assessment Act, 1979

An assessment of the application has been undertaken pursuant to the provisions of the *Environmental Planning and Assessment Act, 1979* ("the Act").

S4.15 (1) - Matters for Consideration - General

S4.15 (1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

State Environmental Planning Policies

State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX building as defined under Schedule 7 of the Environmental Planning and Assessment Regulation 2021 means a building that contains at least 1 dwelling but not the following:

- (a) hotel or motel accommodation,
- (b) a boarding house, hostel or co-living housing that—
 - (i) accommodates more than 12 residents, or
 - (ii) has a gross floor area exceeding 300 square metres.

The proposed use is not defined as a boarding house, hostel or co-living housing. For the definition of a *permanent group home*, please refer to the section titled 2.3 Zone under the Bayside LEP 2021.

Based on the above developments, with more than 12 residents and a gross floor area (GFA) more than 300m², are usually excluded from BASIX requirements.

The proposal involves a group home with 24 residents and includes a Class 3 building (like a boarding house) under the Building Code of Australia (BCA). As such, this development is excluded under the Environmental Planning and Assessment Regulation 2021 from BASIX and requires submission of a Section J report (under the BCA) which addresses energy efficiency combined with BASIX Principles and possibly through a Performance Solution.

Commitments can be made within a Section J Report that will result in reductions in energy and water consumption on site within the existing building. A Section J report has not been submitted but rather a BASIX Certificate. A Section J Report is required to be submitted and this has been addressed through the imposition of a condition of development consent. Accordingly, the requirements under the Section J Report can be adhered to and, subject to the condition imposed, the proposal is acceptable in this regard.

State Environmental Planning Policy (Housing) 2021

Diverse Housing:
Chapter 3 - Part 2 - **Group homes**

Chapter 3 – Part 2 - Group Homes

The proposal has been assessed against Chapter 3 Part 2 of the Housing SEPP 2021 in the table below. The proposal meets the definition of a permanent group home as it provides permanent household accommodation for people with a disability or people who are socially disadvantaged.

The applicant has submitted a Plan of Management prepared by Masood Homestay which details the number of rooms (24), house rules, including length of stay, support services, complaints and the like, staffing and supervision, waste management and the operation of the group home.

The plans submitted with the application indicate the existing building has up to 32 rooms which can easily accommodate the proposed number of residents (24) with appropriate storage and equipment rooms to manage the use on the site. In this regard, a condition shall be imposed restricting the maximum number of residents to twenty-four (24).

Part 2 Group homes		
Control	Proposal	Compliance with Standard / Provision
<p>60 Definitions</p> <p>In this Part— <i>prescribed zone</i> means the following—</p> <p>(a) the following land use zones or an equivalent land use zone—</p> <p>(i) Zone R1 General Residential, (ii) Zone R2 Low Density Residential, (iii) Zone R3 Medium Density Residential, (iv) Zone R4 High Density Residential,</p>	<p>The proposed group home is located on land zoned R3 Medium Density Residential.</p> <p>The proposed group home is permissible within the R3 zone under this section of the SEPP (Housing) 2021.</p>	<p>Yes</p>

Part 2 Group homes		
Control	Proposal	Compliance with Standard / Provision
<p>(iva) Zone MU1 Mixed Use, (v) Zone B4 Mixed Use, (vi) Zone SP1 Special Activities, (vii) Zone SP2 Infrastructure,</p> <p>(b) another zone in which development for the purposes of dwelling houses or multi dwelling housing may be carried out with or without consent under an environmental planning instrument.</p>	<p>The use requires the consent of Council.</p> <p>Refer to the section titled BLEP 2021 for the definition of a <i>permanent group home</i>.</p>	
<p>61 Development in prescribed zones</p> <p>(1) Development for the purposes of a permanent group home or a transitional group home on land in a prescribed zone may be carried out—</p> <p>(a) without consent if the development—</p> <p>(i) does not result in more than 10 bedrooms being within 1 or more group homes on a site, and</p> <p>(ii) is carried out by or on behalf of a public authority, or</p> <p>(b) otherwise—with consent.</p> <p>(2) <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>, Part 2.2, Division 1 applies to development carried out by or on behalf of a public authority under subsection (1)(a) and, in the application of the Division, a reference in the Division to “this Chapter” is taken to be a reference to this section.</p>	<p>The proposal seeks a permanent group home accommodating twenty-four (24) rooms and exceeds 10 bedrooms.</p> <p>The group home (one person per bedroom) will be cared and supported 24 hours a day, 7 days a week by a supportive and caring in-house Support Workers.</p> <p>The use is not going to be carried out by a public authority.</p> <p>Given the above, the proposal requires Council consent.</p>	Yes
<p>62 Determination of development applications</p> <p>(1) A consent authority must not—</p> <p>(a) refuse consent to development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home, or</p>	<p>The proposal has been assessed against the provisions contained under this section and is satisfactory.</p> <p>The proposed group home is permitted under the R3 zone and is in the public interest in providing support for socially disadvantaged adults and those with disabilities.</p>	Yes

Part 2 Group homes		
Control	Proposal	Compliance with Standard / Provision
(b) impose a condition on a consent granted for a group home only because the development is for the purposes of a group home.	Council has considered the community need for the proposed permanent group home. For more information, please refer to the section titled Part 3.6 – Social Amenity, Accessibility and Adaptable Design under Council's DCP 2022.	Yes
(2) This section applies to development for the purposes of a group home that is permissible with consent under this or another environmental planning instrument.	The development is permissible under the SEPP and the BLEP 2021.	Yes
<p>63 Exempt development—existing group homes</p> <p>(1) Development for a purpose specified in <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>, Schedule 1 that is carried out within the boundaries of an existing group home by or on behalf of a public authority is exempt development if the development—</p> <p>(a) meets the development standards specified in the Schedule, as modified by subsection (2), and</p> <p>(b) complies with the requirements of <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>, section 2.20(2).</p> <p>(2) The development standards for a carport associated with an existing building are modified as follows—</p> <p>(a) the maximum surface area for a carport is 30m²,</p> <p>(b) the maximum height for a carport is 3m above ground level (existing),</p> <p>(c) a carport may be located up to 1m forward of a front building setback.</p>	<p>While a group home was previously approved on the site, it was a temporary use for a period of 18 months which has now lapsed.</p> <p>The proposal seeks the same use for the purposes of a <i>permanent group home</i> with twenty-four (24) rooms.</p> <p>The proposal is not considered to be exempt development and these controls under S.63 do not apply to the proposal.</p>	N/A
64 Complying development	The proposal seeks Council consent for the operation of a group home.	N/A

Part 2 Group homes		
Control	Proposal	Compliance with Standard / Provision
	The proposed group home will not be dealt with under the complying development provisions. As such, the controls under this section do not apply.	
<p>65 Development standards for flood control lots</p> <p>(1) Complying development must not be carried out under this Part on the following parts of a flood control lot, as certified by the council or a professional engineer who specialises in hydraulic engineering—</p> <p>(a) a flood storage area, (b) a floodway, (c) a flow path, (d) a high hazard area, (e) a high risk area.</p>	The proposed group home is not considered to meet the requirements of complying development. As such, the controls under this section do not apply.	N/A
<p>66 Development standards for land near Siding Spring Observatory</p> <p>(1) This section applies to complying development carried out under this Part on land in the following local government areas—</p> <p>(a) Coonamble, (b) Gilgandra, (c) Warrumbungle Shire, (d) Dubbo Regional.</p>	<p>The site is not located within the Siding Spring Observatory.</p> <p>The controls under this section do not apply.</p>	N/A
<p>66A No subdivision of group homes</p> <p>Despite the provisions of another environmental planning instrument, development consent must not be granted to the subdivision of group homes.</p>	The proposal does not involve the subdivision of the subject site.	Yes
<p>66B Change of use as exempt development</p> <p>(1) The change of use of a lawfully constructed dwelling to a group home is exempt development if—</p> <p>(a) the dwelling is occupied by a single household under a tenancy arrangement administered by a relevant authority, or</p>	<p>The proposal seeks Council consent for the operation of a group home in an existing building containing twenty four (24) rooms.</p> <p>As such, the proposal does not comply with the requirements listed under</p>	N/A

Part 2 Group homes		
Control	Proposal	Compliance with Standard / Provision
<p>(b) at least one bedroom, but no more than 5 bedrooms, in the dwelling is occupied by children or young people receiving out-of-home care.</p> <p>(2) In this section— out-of-home care has the same meaning as in the Children and Young Persons (Care and Protection) Act 1998, Chapter 8.</p>	<p>this clause and therefore is not exempt development.</p>	

Particulars of the proposal

The applicant has stated that the use is a continuation of a previously approved use on the site under the SEPP (Affordable Rental Housing) 2009. However, it varies in respect to the number of rooms. Although some provisions under the SEPP (ARH) 2009 were retained, the current scheme is being assessed under the Housing SEPP 2021 which superseded SEPP (ARH) 2009 and is considered to be a new proposal.

It is not considered that there will be such significant adverse impacts onto the neighbouring properties as to warrant refusal of the application. Notwithstanding, conditions are proposed to be imposed in this regard to ensure amenity impacts are minimised. The proposal will continue to provide a service to the community in making available accommodation for socially disadvantaged people and provide housing in a location which has excellent pedestrian, bicycle, and public transport access to a range of local shops, services, employment, community and outdoor recreational areas. Accordingly, appropriate conditions are recommended in this regard.

For more information relating to amenity impacts, please refer to the section under Council's Development Control Plan (DCP) 2022 later in this report.

Environmental Health

The application was referred to Council's Environmental Health Officer who raised no objections to the proposal subject to the imposition of conditions of development consent. The conditions relate to no intensification of use, health registration, amenity impacts and noise and air quality impacts. Subject to the imposition of the conditions, the proposal is not likely to result in any unreasonable environmental health impacts and is acceptable in this regard. Accordingly, the proposal is acceptable in respect to environmental health subject to the imposition of the conditions of development consent.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

The provisions of Chapter 4 of the SEPP have been considered in the assessment of the proposal. Subsection 4.6 of the SEPP requires Council to be satisfied that the site is, or can be made, suitable for its intended use at the time of determination of an application.

Residential History

The site appears to have been continuously used for residential purposes. The adjoining and adjacent properties are currently used for residential purposes. The site and surrounding land were not previously zoned for purposes identified under the Contaminated Land - Planning Guidelines, in particular industrial, agricultural or defence uses. There is no significant excavation proposed.

The proposal involves no excavation of the site. The existing building on the site is proposed to be used for the purposes of habitation as a group home.

Based on the above, the site is suitable in its present state for the proposed use, and the proposal is consistent with the provisions of Chapter 4 of the SEPP. Accordingly, the proposal is acceptable in this regard.

Disability Discrimination Act 1992

The provisions of the Disability Discrimination Act 1992 have been considered in the assessment of the development application. The applicant has submitted an access statement for the group home and Council is satisfied that the proposed development can be made suitable for the purpose of a group home subject to the recommended conditions of development consent. The existing building has previously been used as NDIS specialist disability accommodation and is satisfactory in this regard.

Bayside Local Environmental Plan 2021

The following table outlines the relevant Clauses of Bayside Local Environmental Plan 2021 ("the LEP") applicable to the proposal, while aspects warranting further discussion follows:

Relevant Clauses	Compliance with Objectives	Compliance with Standard / Provision
2.3 Zone and Zone Objectives	Yes - see discussion below table	Yes - see discussion below table
2.6 Subdivision requires consent	Not Applicable	Not Applicable
2.7 Demolition requires consent	Not Applicable	Not Applicable
4.3 Height of buildings	Yes - see discussion	Yes - see discussion
4.4 Floor space ratio ("FSR")	Yes - see discussion	Yes - see discussion
6.1 Acid Sulfate Soil Class 5	Not Applicable	Not Applicable
6.2 Earthworks	Not Applicable	Not Applicable
6.3 Stormwater and water sensitive urban design	Yes - see discussion	Yes - see discussion
6.7 Airspace operations	Yes - see discussion	Yes - see discussion
6.8 Development in areas subject to aircraft noise	Yes - see discussion	Yes - see discussion
6.11 Essential services	Yes - see discussion	Yes - see discussion

2.3 - Zone

The subject site is zoned R3 Medium Density Housing under the provisions of the LEP. The proposal is defined as a *group home* which constitutes a permissible development only with development consent. The dictionary of the BLEP 2021 defines a group home as follows:

group home (permanent) or permanent group home means a building or place used as permanent household accommodation for people with a disability or people who are socially disadvantaged, and may include the following—

- (a) multiple private rooms or suites of rooms, whether within a single building or multiple buildings,
- (b) shared or individual facilities for occupants,
- (c) shared or individual facilities for staff,
- (d) communal spaces,

but does not include development to which [State Environmental Planning Policy \(Housing\) 2021](#), Chapter 3, Part 5 applies. (i.e., Housing for Seniors and People with a Disability).

The proposed use will provide residential accommodation for socially disadvantaged people comprising 24 rooms within a single building. The building has communal spaces including a kitchen and sitting areas for both residents and staff. Accordingly, the proposed use is consistent with the above definition.

The objectives of the zone are:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure land uses are carried out in a context and setting to minimise impact on the character and amenity of the area.*
- *To enable residential development in accessible locations to maximise public transport patronage and encourage walking and cycling.*

The proposed development satisfies the objectives of the zone.

4.3 - Height of Buildings

A maximum height standard of 8.5m metres applies to the subject site.

The proposal will not involve any physical works and therefore there is no change to the overall building height. Accordingly, the proposal is acceptable in respect to the provisions and objectives of this Clause.

4.4 – Floor Space Ratio

The subject site is located within Area H which has a maximum FSR standard of 0.7:1 (GFA of 877.94 m²) applies to the subject site and proposal. The site has an area of 1,254.2m².

The existing building on the site was previously approved to have a maximum GFA of 840.4m² and equates to an FSR of 0.67:1 which complies with the provisions and objectives of this clause.

The proposal will not involve any physical works and therefore there is no change to the overall gross floor area. Accordingly, the proposal is acceptable in respect to the provisions and objectives of this Clause.

6.1 – Acid Sulfate Soils

Acid Sulfate Soils (ASS) – Class 5 affect the property by the LEP mapping. However, development consent is not required as the proposal involves a continuation of works and does not involve any physical work or soil excavation.

The proposal is consistent with the objectives and requirements of Clause 6.1, subject to the recommended conditions of consent.

6.3 – Stormwater and WSUD

The development proposes to retain the existing on-site stormwater drainage system (OSD) with downpipes that appear to be working on the site. In this regard, there were no stormwater plans submitted with the application. The application was reviewed by Councils Development Engineer who had no objections to the proposal and confirmed that there were no changes required to the existing structure and no increase in impervious area on the site. As such, no stormwater plans are required and no conditions are required to be imposed on the use of the existing building on the site.

6.7 & 6.8 – Development in Areas subject to Aircraft Noise and Airspace Operations

The subject site is located outside the 15 to 20 ANEF Contour and thus is not subject to potential adverse aircraft noise. The site is also located outside the Obstacle Limitation Surface (OLS) area i.e., the existing two storey building can be higher than RL 51.0 (appears to be up to RL 54.0). Given the above, noise attenuation measures are not required for the proposed use.

The proposal is satisfactory with respect of the requirements and objectives of this clause, subject to the recommended conditions of consent.

6.11 – Essential Services

Services are generally available on site to facilitate the proposed development. Appropriate conditions have been recommended requiring approval or consultation with relevant utility providers with regard to any specific requirements for the provision of services on the site.

S4.15(1)(a)(ii) - Provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority

There are no draft environmental planning instruments of direct relevance to the proposal.

S4.15 (1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

Bayside Development Control Plan 2022

The application is subject to the Bayside Development Control Plan 2022 ("the DCP"). This is the comprehensive DCP relevant to the proposal. The following table outlines the relevant Clauses of the DCP applicable to the proposal, while aspects warranting further discussion follows:

Relevant Clauses	Compliance with Objectives	Compliance with Standard / Provision
PART 3 – GENERAL DEVELOPMENT PROVISIONS		
3.3 Energy and Environmental Sustainability	Yes - see discussion	Yes - see discussion
3.5 Transport, Parking and Access	Yes - see discussion	Yes - see discussion
3.6 Social Amenity, Accessibility and Adaptable Design	Yes - see discussion	Yes - see discussion
3.7 Landscaping, Private Open Space and Biodiversity	Yes - see discussion	Yes - see discussion
3.8 Tree Preservation and Vegetation Management	Yes - see discussion	Yes - see discussion
3.9 Stormwater Management and WSUD	Yes (addressed previously in this report)	Yes (addressed previously in this report)
3.11 Contamination	Yes (addressed previously in this report)	Yes (addressed previously in this report)
3.12 Waste Minimisation and Site Facilities	Yes - see discussion	Yes - see discussion
3.13 Areas subject to Aircraft Noise and Airport airspace	Yes - see discussion	Yes - see discussion
3.18 Utilities and Mechanical Plant	Yes - see discussion	Yes - see discussion
PART 5 – RESIDENTIAL AND MIXED-USE DEVELOPMENTS		
5.2.6 Group Homes and Respite Day Care Centres	Yes - see discussion	Yes - see discussion

PART 3 – GENERAL DEVELOPMENT CONTROLS

Part 3.3 – Energy and Environmental Sustainability

The proposal will include a permanent group home which is within the Class 3 of the Building Code of Australia. As such, a Section J Report is required to refer to the energy usage and environmental sustainability of the proposed use. This has been addressed through the imposition of a condition of development consent. For more information, please refer to a previous section of this report titled "*State Environmental Planning Policy (Sustainable Buildings) 2022.*"

Part 3.5 – Transport, Parking and Access

This section of Council's DCP states that group homes must provide parking in accordance with the requirements stipulated in SEPP Housing 2021. The SEPP has no specific rate for group homes in a development application but indicates a group home for a Complying Development would ordinarily require the following parking provision which is used as a guide:

17 Requirement to provide car parking

- (1) At least 2 off-street car parking spaces must be provided on the site on which a group home is erected.*
- (2) At least 2 off-street car parking spaces must be retained on a site on which alterations or additions to an existing off-street car parking space are carried out.*
- (3) A car parking space under this section may be an open hard stand space or a carport or garage, whether attached or detached from the group home.*

The site contains four open hard stand car parking spaces along the southeastern side boundary. While the above control does not strictly apply to the site (as it applies to Complying Development), and can technically be calculated as no spaces are required given the DCP asks for the minimum car parking requirements under the SEPP, which in the case of a DA is silent, though consideration has been given to likely parking generated by the proposal, similar to that of a complying development. In this regard, the proposed use is considered likely to provide sufficient on-site car parking to service the number of staff and small portion of patrons in the proposed group home who may drive. The subject site is located within an accessible area being less than 400m away from Banksia Railway Station with proximity to public bus services in all directions.

It is noted that the previously approved nursing home comprised 34 rooms and the NDIS use with disabled residents comprised 14 rooms. The number of parking spaces on the site catered for the nursing home given the low car usage for the occupants. The proposed group home will comprise socially disadvantaged people who are likely to have a higher level of car usage than both the previous approvals, which relate to elderly and those with intellectual and physical disabilities. It is anticipated that a portion of residents will use public transport and others ride bicycles parking them in the front/side setback (refer to Figure 8). Based on the likely modal split of the proposed use, a portion of the residents are expected to drive and park their vehicle within Bayview Street.

The application was referred to Council's Development Engineer who raised no objections to the proposal with respect to parking. This was based on four (4) parking spaces provided on the site which cater for staff and general data on group homes which indicate a low parking requirement as they are typically for people who are disadvantaged (including the disabled) and do not have a high rate of car ownership. In addition, the likely portion of occupants that will drive can park within Bayview Street and the surrounding street network without reducing road safety or the free flow of traffic within Forest Road being the nearest major arterial road (classified road).

The proposal will include a maximum of 24 residents at any time, which is likely to generate an increase in traffic to and from the site during operating hours, which are 24 hours a day, seven days a week. Based on a modal split of 50% (due to some residents using bicycles, public transport and ride-share vehicles to and from the site), the proposal is likely to generate approximately 12 vehicle trips during morning and afternoon peak hours. These trips spread over two peak hours in the morning and afternoon, would result in approximately 6 trips per hour or one every ten-minute period. This level of traffic can be absorbed within the surrounding road network without affecting road safety or the free flow of traffic within the residential precinct.

The design and location of the parking facilities and pedestrian access on the site will remain as previously approved and retain adequate separation and levels of safety. In this regard, Council's Development Engineer raises no objection to the proposal in respect to traffic and car parking provision, which is considered acceptable in this instance. Accordingly, the proposal satisfies the transport, access and parking requirements of Council's DCP 2022.

Part 3.6 – Social Amenity, Accessibility and Adaptable Design

The proposal has been designed so that the development is accessible from the public domain

and internally. The development provides ramping from the footpath to the rooms on the ground floor while internal stairs provide access to the first floor. The communal open space areas on the ground floor area accessible from the existing building.

The proposal provides 22 adaptable rooms within the development which are located on the ground floor. The applicant has provided an access statement along with an access certificate prepared by Sydney Access Consultants (Gary Finn) dated 30 May 2025. The certificate confirms the design drawings are consistent with the objectives of the Disability Discrimination Act 1992.

A Social Impact Assessment (SIA) is an evaluation of the social consequences of a proposal on affected groups of people and on their way of life. The proposal is for a use that is similar to one previously carried out on the site (as a group home), which is permissible development within the R3 Medium Density Residential zone. Given the history of use, there is clearly a community need for a group home to continue operating on the site. In addition, the proposed residents are in a different / lower risk category, and the likely amenity and social impacts of the proposed use have been considered and addressed within this report. These impacts can be reduced by the current design and conditions of consent imposed to regulate and appropriately manage the proposed use. The conditions imposed and regulated management of the use distinguish it from those previously conducted on the site. In this regard, the proposed use can operate in a regulated fashion without the need to implement a trial period as previously approved on the site.

In accordance with Part 3.6.3 of the Bayside DCP 2022, a Social Impact Assessment (SIA) is normally required to address the community need and social impacts of a proposed group home under Section 4.15 of the Environmental Planning and Assessment Act. Given a community need for the use has been established, it was determined that a SIA would not be required in this instance. Further, the development is not for the construction of a new group home but rather, the reuse of an existing building that was previously approved as a nursing home.

Notwithstanding the above, it is considered that the likely amenity impacts of the proposed use can be minimised with the imposition of the recommended conditions of development consent.

Based on the above, the proposal is satisfactory and complies with the objectives of this Part of Council's DCP 2022.

Part 3.7 and 3.8 – Landscaping, Private Open Space, Biodiversity and Tree/Vegetation Management

The proposed use will not alter the existing provision of landscaped areas or private open space on the site. The proposal will retain the existing mature trees and 320m² of landscaped area (or 25% of the site) and contain sufficient open space at the rear and on the roof terrace of the existing building.

Council's DCP 2022 ordinarily requires the minimum provision of 25% of the site as landscaped area within low to medium residential zone. Clause 5.2.6 of the DCP stipulates a minimum of 20% of the site as landscaped area (this section of the DCP is discussed in more detail later in this report). The proposal complies with these requirements and will retain the front setback as landscaped area which is highly visible from the street. In this regard, the proposal complies with the DCP and will retain sufficient landscape elements to soften and screen the existing building.

The site has an existing established landscaped area at the rear and front of the site. The proposal will maintain the existing landscaped area which is generally consistent with the objectives of this section.

The proposal is satisfactory and consistent with the objectives and provisions of Parts 3.7 and 3.8 of the DCP 2022.

Part 3.9 – Stormwater Management and WSUD

An assessment against stormwater management has been discussed in response to Clause 6.3 of the LEP, in the previous Section of this report.

Part 3.11 – Contamination

An assessment of contamination has been discussed in response to *SEPP (Resilience and Hazards) 2021* in a previous Section of this report.

Part 3.12 – Waste Minimisation and Management

The proposed group home will not involve any building work or physical changes to the existing building on the site. As such, a Waste Minimisation and Management Plan was not required to be submitted with the application.

The proposed use will retain existing waste collection arrangements and have increased the size of their waste bins to cater for any increased waste from the use of the site. In this regard, conditions have been imposed in the Draft Notice of Determination.

The application was referred to Council's Waste Officer who did not raise any objections to the proposal.

Appropriate conditions have been included in the draft Notice of Determination in respect to waste collection and ensuring the property, footpath and street are kept in a clean and tidy condition at all times.

3.13 – Development in areas subject to Aircraft Noise and Sydney Airport Operations

The proposal does not intrude into the Sydney Airport OLS and PANS-OPS and is not affected by the ANEF noise contours. The proposal was not required to be referred Sydney Airport Corporation and is acceptable in this regard. For more information, please refer to clauses 6.7 and 6.8 under the Bayside LEP 2021 previously in this report.

Part 3.18 - Utilities and Mechanical Plant

Appropriate site facilities currently exist on the site. Utilities are located in an appropriate location, including air conditioning units along the side elevations of the building.

PART 5 – RESIDENTIAL AND MIXED-USE DEVELOPMENTS

5.2.6 Group Homes and Respite Day Care Centres

Part 5.2.6 of the BDCP 2022 provides provisions for group homes and respite day care centres. These controls apply to the construction of new group homes. The proposal will involve the retention of the existing building and the use of the premises for the purposes of a permanent group home. As such, the following controls under Part 5.2.6 are relevant and apply:

Site Requirements and Building Setbacks

The proposal meets the following DCP requirements:

DCP Requirement	Proposal	Compliance
A minimum site area of at least 450sqm	Site Area of 1,254.2m ²	Yes
Lawful access/frontage to a public road	Access/frontage to Bayview Street	Yes
Primary road frontage width of at least 12m	Frontage of 22.86m	Yes
Has at least one area of the site measuring 12m x 12m	Open space area at the rear of 11.7m x 9m. This is not unreasonable as there is also a roof top terrace area of 4.5m x 11.5m or 51.75m ² .	Yes

Based on the above, the proposal is compliant with the above requirements.

The site coverage of the group home and ancillary structures is less than 70% of the site area and the proposal will continue the use of the existing building which is acceptable in respect to site requirements and building setbacks.

Detailed Design

Council's DCP stipulates a group home must reflect the local character of the area and engage with the adjoining public domain. The proposal will retain the existing building on the site which may not be consistent with the local character of low density residential development in the neighbourhood. However, the existing building is not unreasonable and is screened with existing mature landscape planting including trees and shrubs.

The building has a formal frontage to the street and side driveway for loading and deliveries. The design aspects, including roof, entries, windows and plant, are acceptable when considered against the objectives and controls in this Part of the DCP.

Materials and Finishes

The existing building contains various materials and finishes which are not unreasonable for a building of this age and given the history of use as a nursing home. The proposed materials and finishes, together with the massing, form, scale and siting, are acceptable and will be retained in connection with the continuation of the use of the premises for a group home.

Building Entries

Building entries are easily identifiable, accessible, and positively contribute to the streetscape.

The proposal will retain the existing letterboxes, street numbering and front, side and rear boundary fencing which is appropriate for the site.

The proposal meets the objective of this Part of the DCP and is acceptable when considered against the applicable controls and provisions.

Pedestrian access and circulation

The proposal is acceptable, noting:

- All corridors have a minimum 2m width and access to natural light;

- An Access Report has been provided and found to be acceptable by Council's Environmental Health Officer; and,
- Ramps have a maximum grade of 1:14.

The proposal contains suitable pedestrian access and circulation on the site and complies with the above requirements. Accordingly, the proposed use is acceptable in respect to pedestrian access and circulation.

Landscaped Area, Private Open Space and Car Parking

The proposed group home meets the landscaped area requirement of a minimum of 20% of the site area, with 50% behind the front building line and a minimum width of 2.5m. The proposal complies with these requirements and is acceptable in respect to landscaping. This has been addressed in more detail previously in this report.

Private open space is provided greater than 24sqm in area, accessible from a living room, with a minimum dimension exceeding 4m and a slope less than 1:50. The private open space provided exceeds 24m² and is off common areas including the rear of the building and the corridor to the first floor terrace.

At least two car spaces are required. Four (4) parking spaces have been provided, appropriately located and designed on the site. This has been addressed in more detail previously in this report. For more information, please refer to the section titled 3.5 Traffic, access and parking in this report.

Management

The proposal will include a room for a permanent manager to live on the premises and be available at all times to ensure the operation is running compliant with the conditions imposed and POM for the site. Previous uses did not involve a permanent on site manager nor compliance with the strict conditions imposed in the draft Notice of Determination.

S4.15(1)(a)(iii) - Provisions any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

There is no planning agreement applicable to the proposal.

S4.15(1)(a)(iv) - Provisions of the Regulation

In terms of provisions of the Regulation:

- The DA submission has included sufficient information to enable environmental assessment of the application (Clause 24);
- No other concurrences or other approvals are proposed or required (Clause 25);
- No approval under the Local Government Act 1993 is sought as part of this DA (Clause 31(3)); and
- No demolition works are proposed.

The application was referred to Council's Fire Safety Officer who stated the following:

"I reviewed the submitted plans and SOEE for the subject Change of Use and consider that there are no grounds for a further BCA upgrade as the existing site conditions and fire services are considered acceptable for the continued use as a group home."

There is an existing fire schedule and Annual Fire Safety Statement for the site which is up to date (ES-1992/69), therefore there are no building or fire conditions required and there are no grounds to ask for a Construction Certificate or Building Information Certificate."



Figure 7: The property has fire safety measures in place including hose reels and fire extinguishers.

All relevant provisions of the Regulations have been taken into account in the assessment of this proposal.

S4.15(1)(b) - Likely Impacts of Development

This Section of the Act requires consideration of natural and built environmental impacts, and social and economic impacts. The potential and likely impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls. The impacts that have not already been addressed or warrant some elaboration are as follows:

Natural Environmental Impacts

Trees

No changes are proposed to the site in respect to trees.

Stormwater Quality and Quantity

No changes are proposed to the site in respect to the existing stormwater drainage system.

Air Conditioning units

The air conditioning units to each room attached to the southeastern elevation of the existing building were part of the previously approved building works on the site. In this regard, Council's records indicate that no complaints were previously made in this regard.

Built Environmental Impacts

The proposal will involve the use of the property for the purposes of a group home and will not involve any building work or physical changes to the site. Accordingly, there are no likely built environmental impacts.

Impacts from the Proposed Use

Privacy (Aural and Visual) and Operational Impacts

The proposal will include the use of the existing building as a group home which has appropriate setbacks and a first-floor deck with privacy louvres along the southeastern edge. A temporary group home was previously approved and operated on the site along with internal alterations and additions to improve the facility. The proposed use has different categories of residents to be housed on the site, and the application requires a POM, complaints register, on site manager and other increased management practices to be implemented on the site. In this regard, subject to the recommended conditions, the proposal is not considered likely to result in any excessive or unreasonable amenity impacts in respect to aural and visual privacy.

Traffic and Parking

This has been addressed previously in this report. Please refer to the section titled Part 3.5 – Transport, Parking and Access.

Social Impacts

Social impacts of the proposal are expected to be positive or neutral, with the provision of a group home catering for people of social disadvantage and the like. The proposal will facilitate the reuse of an existing nursing home building and will meet the needs of future residents, within a form that can be managed to be compatible with the character of the area and with impacts which are not significantly adverse given the imposition of conditions, and are commensurate with social impacts likely to be expected from the proposed use of the site, given the planning controls.

For more information, please refer to the section of this report titled Part 3.6 – Social Amenity, Accessibility and Adaptable Design.

Economic Impacts

In terms of economic impacts, the proposal is not likely to cause any anticipated negative economic impacts and will result in positive economic impacts from the operation of the group home and labour / staff needed to be employed in the operation of the use.

S4.15(1)(c) - Suitability of the Site

The relevant matters pertaining to the suitability of the site for the proposed development have been considered in the assessment of the proposal, throughout this report. There are no known major physical constraints, environmental impacts, natural hazards or exceptional circumstances that would hinder the suitability of the site for the proposed development. Appropriate conditions of consent are proposed to further manage and mitigate impacts on neighbouring properties and the environment. Subject to the recommended conditions, the proposal is suitable for the site.

S4.15(1)(d) - Public Submissions

Public Submissions

The development has been notified in accordance with the DCP, between 13 June 2025 and 27 June 2025. During that time Council received twenty-four (24) submissions. The issues raised in the submissions are discussed below:

Issue 1: In past the patrons are not disabled and appear to include backpackers, university students and children with their parents. As such, the proposed use is not for a group home and is more like a hotel or boarding house. The use is publicly advertised as accommodation with stays as short as 1 week available.

Comment: The use appears to be advertised on various websites (e.g. Air BnB and other real estate websites) as a hotel and not a group home. This has been addressed through the imposition of a condition of development consent which requires the removal of such advertising and replace with the correct use which is for a group home (permanent) which is a place used as a permanent household accommodation for people with a disability or people who are socially disadvantaged.

Issue 2: Noise complaints, loud music and yelling from the site as there are too many occupants resulting in a loss of amenity for the adjoining properties. Noise emissions and disruptions at night. A person has two dogs residing on the premises that bark all day and night.

Comment: The proposed use will be appropriately managed through the use of a Plan of Management (POM) which contains restrictions and management procedures required for the operation of the use. The POM will include a Complaints Handling Procedure and a complaints register to ensure that appropriate follow-up measures are undertaken. Details will be included in the POM such as prohibiting the use of loud music from the premises, particularly during nighttime hours.

Occupants who reside on the premises with dogs will be required to comply with the provisions of the POM in respect to noise emissions and monitoring their dog's behaviour. Noise impacts from barking are outside the scope of this Council assessment report. Generally, such matters are resolved on a case-by-case basis with Council's enforcement officers acting on a complaint. Council's records indicate one complaint was received on 13 June 2025 regarding two dogs that were left on the premises by a resident that moved out. The two dogs have since been relocated from the property. Accordingly, Council has no authority to prohibit dogs residing on the premises.

Noise emanates from the existing open first floor balcony at the front of the site (as shown in Figure 8) and the first floor open deck at the rear (with the privacy louvres) as shown in Figure 9). The area shown in figure 8 has a length of 13.4m from front building alignment (northern corner) and is setback 6.2m from side with tall landscaping on the boundary to retain privacy.

The area shown in figure 9 is on the first floor but contains a privacy screen to reduce overlooking and loss of privacy to the adjoining properties to the south.

Both the areas discussed above will be managed by the POM for the site and restrict noise emissions particularly during nighttime hours. This has been addressed through the imposition of a condition of consent limiting the hours of their use and prohibiting the use of amplified music.



Figure 8: Northern elevation (side) of the existing building visible from Bayview Street



Figure 9: Open deck to the rear with privacy screen along the southeastern elevation (side) of the existing building

Issue 3: Public safety is a concern with a staff member yelling abuse day and night; too many cars coming and going; numerous incidents where police and ambulances are being called to the site; we are scared to go into our back yard as a person may jump the fence into our property and cause harm. We do not want violent or abusive neighbours and fear for our public safety.

Comment: The proposed use will be for a group home for socially disadvantaged people (included domestic violence and crisis victims) which is different to the previous use which included intellectually disabled and other NDIS patients. The proposal will also operate in an appropriate manner with a live in manager on the site at all times who will enforce a POM and implement the formal complaints register. The conditions imposed in the draft Notice of Determination seek to minimise amenity impacts that were previously experienced by neighbouring residents. The conditions and POM provisions are enforceable by Council.

Issue 4: Lack of on-street car parking in Bayview Street as there are too many cars in connection with the use. No street parking is available since this use was previously approved by Council. Traffic volumes have increased notably in connection with the use. Cars from people residing on the premise have constantly blocked my driveway. The Traffic and Parking Impact Statement refers to DA-2020/104 and is based on 14 rooms not 24 which is currently proposed.

Comment: While it is anticipated that some cars associated with the use can and will be parked within Bayview Street, the proposed use is likely to generate a low rate of car usage given the provision of four parking spaces on the site and parking availability within Bayview Street. Notwithstanding this, the rate of car usage is considered to be low given the nature of the occupants of the site which are socially disadvantaged, experiencing financial hardship or been victims of a crisis and given the proximity of the site to public transport in the area (e.g. Banksia Railway Station and bus services).

The Traffic and Parking Impact Statement refers to the history of approvals but is not based on 14 rooms and refers to an application for 34 rooms on the site. Since that time this has been reduced to 24 rooms. However, the report calculates traffic generation based on housing for aged and disabled and this does not reflect the likely traffic to be generated by a group home. The SEPP does not specify a parking rate and therefore parking provided is deemed to be satisfactory. Notwithstanding this, traffic has been considered and is previously discussed in this report.

Traffic and parking in connection with the use has been addressed previously in this report. For more information, please refer to Part 3.5 – Transport, Parking and Access.

Issue 5: Public safety is a concern and some time ago a petition presenting many issues was submitted to Council with more than 10 household signatures. Up to now, nothing has been done about the property.

Comment: The petition and complaints received by Council were reviewed by Enforcement Officers who took action that they could at the time. Some issues were resolved by the business owner, and some were not resolved (e.g., on street parking).

Issue 6: The use generates rubbish everywhere, (on the site, adjoining properties and street), and the bins for this property are always full.

Comment: The proposed use will require the implementation of a POM which includes waste management and handling procedures. The proposed use is not likely to generate excessive waste or as much as previously generated on the site given the different nature of occupants to reside on the premises. Notwithstanding this, the management restrictions to be put in place (in the POM) will ensure the site is managed appropriately in respect to waste.

Issue 7: The use currently breaches the Occupation Certificate that was issued for the site. The use is not working to code and should not be approved or expanded. The neighbours

have had enough issues with this site, which is NOT managed by its owners. We pay rates and follow the rules, while the applicant does not. The site should be an aged care facility.

Comment: The proposed use, if approved, will regularize the use subject to appropriate and enforceable conditions of consent, require improved management in operating the use and ongoing inspections by Council in relation to the use. These inspections are required as outlined in the conditions of consent from Council's Environmental Health Officer. In this regard, the proposed use will bring the property into compliance with the regulation and ensure that amenity impacts are minimised. While the existing building on the site is more suitable as a nursing home and likely to result in less amenity impacts, the current owner has lawfully applied for consent to use the property for the purposes of a group home. Such a use is permissible within the R3 Medium Density zone and the subject of assessment in this report.

Issue 8: The proposed use will devalue our homes, which we have spent so much money on.

Comment: No information or evidence has been submitted that would substantiate this claim.

Issue 9: The infrastructure does not cater for that many residences on the site. To increase the number of people to 34 is a scam simply to raise money. Many submissions objected to 34 rooms and claimed it is an oversize development. Inadequate due care has been taken in the operation of the facility. When will the government step in and stop this use? What quality of life will be provided to surrounding residents?

Comment: The proposal includes a reduction of the number of occupants on the site from 34 to 24 and a condition of consent shall be imposed in this regard. The existing building has 32 rooms and can accommodate 24 occupants with sufficient access to services and infrastructure. Consideration has been given to the constraints of the site and appropriate conditions have been imposed that seek to regulate the operation of the site for the purposes of a group home (and no other use) whilst minimizing potential impacts and loss of amenity. Conditions include a POM with a complaints register being implemented allowing residents to make a complaint and have a live in Manager on the premises to ensure any complaint is followed up.

Issue 10: The use has been operating without consent for the last twelve months (previous consent was temporary). The use is out of character with the existing residential neighbourhood and does not fit within the character of the area. The information submitted by the applicant was prepared by the applicant not a consultant and therefore is not credible due to lack of expertise. The original approval for use of the site was in 2021 and it has now been almost four years since.

Comment: The proposed use, if approved, will regularize the use subject to appropriate and enforceable conditions of consent, require improved management in operating the use and ongoing inspections by Council. In this regard, the proposed use will bring the property into compliance with the regulation and ensure that amenity impacts are minimised. The proposed use will retain the existing building with no building work or physical alterations. The owner has lawfully applied for consent to use the property for the purposes of a group home. Such a use is permissible within the R3 Medium Density zone and the subject of assessment in this report. The information submitted by the applicant has been qualified, assessed in this report and subject to conditions, the permissible use is not considered to be unreasonable.

Issue 11: The risk of fire from individuals having their own electrical equipment in their rooms

Comment: The proposal will include a shared central kitchen for cooking and food preparation which is managed by the business operator. Individuals may have private electrical equipment in their rooms such as radios, computers and the like. In this regard, the property has compliant fire safety measures including fire extinguishers, hose reels and a centralized alarm system in the case of fire. An Annual Fire Safety Statement (AFSS) is required to be completed by the business owner every year and submitted to Council. To date, the owner has complied with their legal responsibilities in relation to fire management and fire safety.

Issue 12: The proposal does not comply with the requirements for group homes under the Housing SEPP 2021. This includes the front setback of 8.7m (provides 4.483m) and rear setback of 8m (provides 1m)

Comment: The proposal will involve the use of the existing building on the site which was previously approved for various uses. As such, assessment of the current proposal is for the use of the premises as a group home, not the construction of a new building to be used for that purpose. Accordingly, Council can not make the applicant alter the existing building to comply with the standard normally applied to the construction of a new group home.

Issue 13: A website is advertising the property as a "homestay" meaning short term accommodation as short as one week. Photographs on the website show double bunks (4 beds) in one room. The registered company (Business name: Masood Homestay, ABN 26 892 189 567), is not current and is overdue for renewal. This is misleading and concerning.

Comment: The website in question has been updated to reflect the use is a group home which accurately reflects the use for which the current application is sought. However, the photographs used on the website are not accurate and the applicant has been advised in this instance. The business operating the use on the site has been checked on the ASIC website (Business name: Masood Homestay, ABN 26 892 189 567) and appears to be registered (current) and up to date.

Issue 14: An ankle monitoring device suggests either a parolee under special supervisory conditions, OR a person on bail. Nowhere in the DA is there mention of residents actively involved with the criminal justice system.

Comment: This is not a relevant matter to be considered under the planning heads of consideration under the Environmental Planning and Assessment Act 1979 (as amended).

Issue 15: We understand that Bayview Street 2205 is zoned R2, low density residential. The proposed maximum number of residents is 34. Together with the proposed 2 overnight resident staff, that makes 36 people residing. Is this number consistent with R2 zoning?

Comment: The subject site is zone R3 Medium Density Residential under the Bayside LEP 2021. The site was previously approved for the purpose of a nursing home. The proposed use will utilise the existing building on the site which contains 32 rooms.

Issue 16: The DA floor plan shows 25 bedrooms, 4 bathrooms, and one WC over two floor spaces. Another separate WC is shown adjacent to the communal kitchen. The 25 bedrooms occupy space previously said to contain 14 bedrooms. The separate bathrooms and WCs make it likely that the rooms are without toilets and/or plumbing. Is this apparent crowding consistent with R2 zoning?

Comment: The subject site is zoned R3 Medium Density Residential under the Bayside LEP 2021 which contains a variety of medium density uses. The existing building was previously used as a nursing home, and not all rooms contain an ensuite. Based on the above, the proposed density of the rooms within the group home is not unreasonable and be adequately managed by the operator.

Referral Comments

A summary of comments from other agencies or from other Departments within Council is below:

Other agencies

Nil

Council Departments/Experts

Development Engineer

No objection to the proposed use, and there are no conditions required to be included in the draft Notice of Determination.

Environmental Scientist

No objections, which have been included as conditions of consent.

Landscape Architect

No objections, which have been included as conditions of consent.

Environmental Health Officer

Recommended conditions, which have been included as conditions of consent. These relate to the health of residents and operation of the group home.

Building Surveyor/Fire Safety

Recommended single condition, which has been included as a condition of consent to address the fire safety requirements applying to the site.

S4.15(1)(e) - Public interest

The proposal has been assessed against the relevant planning instruments and controls applying to the site, also having regard to the applicable objectives of the controls. As demonstrated in this assessment of the development application, the proposal is suitable for the site and has acceptable environmental impacts, subject to recommended conditions. Impacts on adjoining properties have been considered and addressed. As such, granting approval to the proposed development will be in the public interest, subject to the recommended conditions which help manage and mitigate environmental or potential environmental impacts.

S7.11/S7.12 - Development Contributions

The proposal is not subject to development contributions under Council's Contribution Plans.

Housing and Productivity Contribution (HPC)

Under the *Environmental Planning and Assessment (Housing and Productivity Contribution) Order 2023*, an application for a group home is exempt from paying the Housing and Productivity Contribution. Such exemptions including similar residential housing forms including public housing, affordable housing, boarding houses and seniors residential care facilities.

Conclusion and Reasons for Decision

The proposed development at 34 Bayview Street, Arncliffe NSW 2205 has been assessed in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*

including relevant environmental planning instruments and Bayside Development Control Plan 2022.

The proposed development, being the use of an existing premises as a permanent group home for twenty-four (24) residents, is a permissible land use within the zone with development consent. In response to the public notification, twenty-four (24) submissions were received. The matters raised in these submissions include on street parking, rubbish, noise, loss of amenity, intensity of the use comprising 24 resident rooms, public safety, and the like. These matters have been discussed and addressed in this report and in this instance do not warrant refusal of the proposal.

The proposal is supported for the following main reasons:

- The proposal is acceptable when considered against all relevant State Environmental Planning Policies, including State Environmental Planning Policy (Housing) 2021.
- The development, subject to conditions, is consistent with the objectives of the R3 Medium Density Residential zone and the relevant objectives of Bayside Local Environmental Plan 2021.
- The development, subject to conditions, is consistent with the objectives of and relevant controls in the Bayside Development Control Plan 2022.
- The proposal, as conditioned, will not result in any significant impact on the environment or the amenity of nearby residents.
- The issues raised by objectors have been considered and where appropriate, addressed via amendments to plans or specific conditions or consent.
- Recommended conditions of consent appropriately mitigate and manage potential environmental impacts of the proposal.

Schedule 1 – Draft Conditions of Consent

Refer to draft conditions attached separately.



NOTICE OF DETERMINATION OF A DEVELOPMENT APPLICATION

Application number	DA-2025/146 PAN-540411
Applicant	Mohammed Masood 34 Bayview St, Arncliffe NSW, Australia
Description of development	Use of existing premises as a permanent group home and increase in capacity from fourteen (14) to twenty-four (24) residents and twenty-four (24) rooms
Property	34 BAYVIEW STREET ARNCLIFFE 2205 10/-/DP933 9/-/DP657707
Determination	Approved Consent Authority - Local Planning Panel
Date of determination	4/01/26
Date from which the consent operates	24/02/26
Date on which the consent lapses	24/02/31

Under section 4.18(1) of the EP&A Act, notice is given that the above development application has been determined by the granting of consent using the power in section 4.16(1)(a) of the EP&A Act, subject to the conditions specified in this notice.

Reasons for approval

- The proposal is acceptable when considered against all relevant State Environmental Planning Policies, including State Environmental Planning Policy (Housing) 2021.
- The development, subject to conditions, is consistent with the objectives of the R3 Medium Density Residential zone and the relevant objectives of Bayside Local Environmental Plan 2021.
- The development, subject to conditions, is consistent with the objectives of and relevant controls in the Bayside Development Control Plan 2022.
- The proposal, as conditioned, will not result in any significant impact on the environment or the amenity of nearby residents.
- The issues raised by objectors have been considered and where appropriate, addressed via amendments to plans or specific conditions or consent.
- Recommended conditions of consent appropriately mitigate and manage potential environmental impacts of the proposal.

Right of appeal / review of determination

If you are dissatisfied with this determination:

Request a review

You may request a review of the consent authority's decision under section 8.3(1) of the EP&A Act. The application must be made to the consent authority within 6 months from the date that you received the original determination notice provided that an appeal under section 8.7 of the EP&A Act has not been disposed of by the Court.

Rights to appeal

You have a right under section 8.7 of the EP&A Act to appeal to the Court within 6 months after the date on which the determination appealed against is notified or registered on the NSW planning portal.

The Dictionary at the end of this consent defines words and expressions for the purposes of this determination.

Carine Elias
Manager Development Services
Person on behalf of the consent authority

For further information, please contact Michael Maloof / Senior Development Assessment Planner

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

General Conditions

1

Amendments require Modification Application

Further alterations and/or additions to the subject building, including the relocation of the fire booster valves and/or provision of an electricity substation, the fitting of any form of doors and/or walls, shall not be undertaken without first obtaining approval from Council under Section 4.55 of the *Environmental Planning and Assessment Act*.

Condition reason: To avoid changes that may result in adverse impacts without proper assessment.

2

Approved Plans kept on Site

A copy of the Development Consent and the approved stamped plans and specifications must be kept on the site at all times and be available to Council officers upon request.

Condition reason: To ensure relevant information is available on site.

3

Compliance with the Building Code of Australia (BCA)

The proposed use of the existing building for the purposes of a permanent group home must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

Condition reason: Environmental Planning and Assessment Regulation Clause 69(1).

4

Approved plans and supporting documentation

Development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.

Approved plans

Plan number	Revision number	Plan title	Drawn by	Date of plan
S 001	-	Site Plan	Thilanka Kothalawala	06/11/2025
S 002	-	Ground Floor Plan	Thilanka Kothalawala	06/11/2025
S 003	-	First Floor Plan	Thilanka Kothalawala	06/11/2025
S 004	-	Elevations	Thilanka Kothalawala	06/11/2025

Approved documents			
Document title	Version number	Prepared by	Date of document
Plan of Management	-	Mohammed Masood	-
Statement of Environmental Effects	A	PlanBE	2025
Traffic Impact Statement	B	AMH Traffic	25/09/2025
Access Consultant Certificate	001	Sydney Access Consultants	2 April 2020
In the event of any inconsistency between the approved plans and documents, the approved Plans prevail. In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.			
Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.			
5 Proposed Use			
The development is approved as a " <i>Group Home (Permanent)</i> " as referred to in Chapter 3 Part 2 of the State Environmental Planning Policy (Housing) 2021.			
The use shall not involve a boarding house, hostel or residential rental accommodation other than for those people specified in the Statement of Environmental Effects, i.e., those enduring social disadvantage, housing stress, family breakdown, unemployment, domestic violence, financial hardship, refugee background, or people recently released from institutions or victims of a crisis, or similar.			
Condition reason: To ensure the use carried out on the site is as approved.			
6 Plan of Management			
The Plan of Management listed in Condition No. 2 is to be updated prior to the issue of the Occupation Certificate to the satisfaction of the Director City Futures to address the following:			
<ol style="list-style-type: none"> 1. The proposed measures to minimise acoustic disturbance to adjoining residential properties from noise emanating from the site; 2. Management of the ground (courtyard) and first floor (roof top terrace) common open space areas at the front and rear of the site with no amplified music at any time or groups of people in these areas between 9.00pm and 7.00am the next morning. This is to prevent any adverse noise impacts on the neighbouring properties. 3. A manager of the premises shall reside on the property and be responsible at all times to ensure the orderly conduct and good behaviour of all occupants of and visitors to the group home. 4. Maintenance specifics generally of the group home shall be detailed in the POM. 5. Parking allocation for staff parking on the site only. Measures to ensure no cars are parked blocking driveways on neighbouring properties and no parking of vehicles across Council's nature strip or footpath. Should you park in Bayview Street, please be respectful and spread out leaving several parking spaces for neighbouring residents (i.e., please preserve parking spaces on the street for other road users). 			

	<p>6. Access Control measures to ensure the safety of residents</p> <p>7. Visiting times in accordance with the conditions of this consent, including site access requirements and parking for visitors on the site</p> <p>8. Complaints register and how to manage and resolve complaints. The manager of the premises is to keep a log of details of complaints and incidents associated with the group home.</p> <p>The approved Plan of Management, as amended by the above, is to be adopted and implemented at all times and shall be made freely available to staff, occupants and visitors who frequent the group home.</p> <p>The Plan of Management is to be submitted to Council prior to commencement of the proposed use and again upon every revision or otherwise once every four years.</p> <p>Condition reason: To ensure the group home operates with minimal adverse amenity impacts on the adjoining residential properties.</p>
7	<p>Registration – Environmental Health</p> <p>Prior to issue of commencement of operation of the proposed group home, the premises must be registered with Council's Environmental Health Section in accordance with the following relevant legislation:</p> <p>1. Boarding House - Boarding Houses Act 2012.</p> <p>Condition reason: To ensure registration of the use in accordance with relevant legislation.</p>
8	<p>Section J Report</p> <p>Prior to the commencement of the proposed group home use under this consent, the applicant must submit to Council a Section J Report under the National Construction Code in relation to the energy efficiency requirements for a Class 3 building.</p> <p>Condition reason: To ensure the proposed use operates compliant with the energy efficiency requirements of the National Construction Code for a class 3 building.</p>
9	<p>Consolidation of Lots</p> <p>Both allotments involved in the proposed use must be consolidated into one allotment. Details demonstrating compliance with the requirements of this condition and evidence of registration are to be submitted to the satisfaction of Council prior to the commencement of the permanent group home. This includes copies of the plans and receipt of registration with the NSW Land Registry Services.</p> <p>Condition reason: To encourage the orderly and economic use of the land.</p>

Change of use

Ongoing use for change of use

10	Hours of Operation.
	The hours of operation of the approved group home use are limited to 24 hours a day 7 days a week.
	The approved hours of operation exclude trading, preparation, waste collection and deliveries to and from the premises. These uses are limited to between 7.00 am and 7.00pm Monday to Saturday.
	Condition reason: To minimise impacts to the community.
11	Signage Requesting Orderly Behaviour
	Signage shall be erected at the front of and within the premises that is legible and clearly visible to all occupants and visitors advising of the nearby residences and seeking quiet and orderly behaviour is retained within and around the premises at all times.
	Signs shall be erected within the premises displaying the "House Rules" including restrictions relating to the use of common areas such as, no amplified music or loud entertainment being played.
	Signs shall be appropriately located within the premises advising patrons of the nearby residences and seeking quiet and orderly ingress and egress to and from the premises particularly during late night hours.
	At all times the manager of the group home shall ensure that staff give appropriate directions regarding and take reasonable steps to control any noisy or offensive behaviour of residents or visitors to the premises.
	Condition reason: To minimise adverse impacts resulting from the approved use.
12	Neighbourhood Amenity
	The proposed group home shall be conducted in such a manner as not to interfere with or materially affect the amenity of the neighbourhood by reason of noise, vibration, odour, fumes, vapour, steam, soot, ash, dust, particulate matter, waste water, waste products, grit, oil or other impurities which are a nuisance or injurious to health.
	No amplified music or loud entertainment shall be provided within the communal open space areas on the site in connection with the use. This includes both ground and first floors.
	Condition reason: In order to ensure the proposed use does not result in acoustic impacts on the adjoining properties.
13	Number of Rooms and Manager
	The maximum number of residents accommodated at the facility shall be limited to twenty-four (24) at any one time. Each room will contain a maximum of one person, and one room will be dedicated to the "live in" on site manager residing at the premises at all times.

	Condition reason: To ensure the proposed use does not exceed the capacity of the site.
14	<p>Public Advertising</p> <p>Any public advertising of the subject premises online (on the internet) or otherwise shall be deleted apart from any that market the use solely as a “group home” or “permanent group home” and not other forms of residential accommodation.</p> <p>Any such advertising is to accurately reflect the use as a group home and not contain inaccurate or misleading information, (such as photographs of bunk beds).</p> <p>The manager of the premises shall be responsible for any public advertising and shall keep adequate records of each resident and their circumstances in demonstrating they satisfy the type of residents for this group home. This includes for example, people enduring social disadvantage, housing stress, family breakdown, domestic violence, unemployment, financial hardship, refugee background, or people recently released from institutions or victims of a crisis. This will not include physically or mentally disabled persons and the like.</p> <p>Condition reason: To ensure the use does not attract the wrong occupants and is accurately marketed online.</p>
15	<p>Landscape</p> <p>The existing trees and landscaping provided on the site shall be maintained for the lifetime of the proposed use. In the event of landscaping dying then replacement planting must be undertaken within 4 weeks of the landscaping appearing dead.</p> <p>Condition reason: To ensure the landscape planting on the site is maintained and adequately screens the proposed use.</p>
16	<p>Waste and Recycling</p> <ol style="list-style-type: none"> 1. Waste collection shall occur between the hours of 7:00am to 7:00pm Monday to Saturday. 2. The disposal of waste material and the collection of recyclables must be disposed of or collected in allocated receptacles in a manner that does not interfere with the amenity of the inhabitants of the neighbourhood. 3. All waste and recycling containers shall be stored in the designated waste storage area. The waste containers are not to be over filled, and the lids kept closed at all times except when material is being put in them. 4. The Manager on site shall ensure that the premises, footpath, nature strip and street areas in front of the site are kept clean and tidy at all times. The manager must patrol these areas at least once a day to collect any rubbish or litter and ensure they remain in a tidy condition. <p>Condition reason: The ensure the site remains in a clean and tidy condition at all times.</p>
17	<p>No Intensification of Activities</p> <p>No intensification of activities shall occur on the premises without prior consent from Council.</p> <p>Condition reason: To avoid changes that may result in adverse impacts without proper</p>

	assessment.
18	<p>Noise from Mechanical Plant / Ventilation and Air Conditioning</p> <ol style="list-style-type: none"> 1. The use of the premises, building services, equipment, machinery and, ancillary fittings shall not give rise to an “offensive noise” as defined under the provisions of the Protection of the Environment Operations Act 1997, and 2. The use of mechanical plant including air conditioners, fans, compressors, condensers, freezers, swimming pool or spa pumps (whether commercial or domestic) shall not cause sound pressure levels in excess of the criteria given in the NSW Industrial Noise Policy – 2000. <p>Condition reason: To manage site operations so that adverse impacts to the locality are minimised.</p>
19	<p>Room Numbering</p> <p>Each bedroom must be numbered and there must be displayed clearly on the door of or in each bedroom the maximum number of persons, being limited to one person, allowed to be accommodated in the bedroom.</p> <p>Condition reason: To ensure compliance with relevant standards and legislation.</p>
20	<p>Health of Furnishings</p> <p>All fixtures, fittings, furniture, shall be constructed of durable, smooth, impervious materials capable of being easily cleaned. All parts of the premises and all appurtenances (including furniture, fittings, bedsteads, beds and bed linen) must be kept in a clean and healthy condition, and free from vermin.</p> <p>Condition reason: To ensure compliance with relevant standards and legislation.</p>
21	<p>Bedding and Linen Provision</p> <p>If the place is one in which persons may board or lodge for 7 days or longer, an adequate number of beds (each provided with a mattress), adequate storage space and blinds, curtains or similar devices to screen bedroom and dormitory windows for privacy must be provided for the occupants.</p> <p>Condition reason: To ensure compliance with relevant standards and legislation.</p>
22	<p>Car Parking</p> <p>A minimum of four (4) off street car spaces in tandem arrangement shall be provided in accordance with the plans submitted with the application. Such spaces shall be paved, linemarked and made freely available at all times during business hours of the site for staff. Parking spaces shall not be enclosed without further approval of Council. The enclosure of car spaces is not permitted unless the enclosure complies with the design requirements of AS2890.1.</p> <p>Condition reason: To ensure the proposed use complies with Council's DCP 2022 in respect to car parking.</p>

General advisory notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means BAYSIDE COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Bayside Local Planning Panel

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to

building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Sydney district or regional planning panel means Sydney Eastern City Planning Panel.

DRAFT

STATEMENT OF ENVIRONMENTAL EFFECTS

Group Home / Supportive Accommodation

34 Bayview Street, Arncliffe

CLIENT: MOHAMMED MASOOD / MASOOD HOMESTAY



SEE – 34 Bayview Street, Arncliffe

AUTHOR: K. Moyle

Contact:

Kristy Moyle
PlanBE Planning Consultancy
Servicing NSW & Australia
Ph: 0415 153 883 Email: planbe.planning@gmail.com | accounts@planbe.net.au
ABN: 64 221 140 955

© COPYRIGHT 2025 – PLANBE PLANNING CONSULTANCY

PlanBE Planning Consultancy advises that this document and all information contained therein is protected by copyright under the Australian Copyright Act 1968. Reproduction of this document in part or whole and/or use without the written permission from PlanBE Planning Consultancy constitutes a breach of copyright. The document may only be used for the purposes for which it was commissioned. Any reference to the document must include the document in its entirety and include reference to PlanBE Planning Consultancy.

DISCLAIMER:

While every reasonable effort has been made to ensure that the information contained in this document is correct at the time of printing, PlanBE Planning Consultancy disclaim all liability to any person in respect of anything done or omitted to be done in reliance upon the whole or any part of this document.

Issue	Issued To	Qty	Author
Draft	Mohammed Masood	1	Kristy Moyle
Final	Mohammed Masood	1	Kristy Moyle

TABLE OF CONTENTS

TABLE OF CONTENTS	3
1 INTRODUCTION	5
2 PARTICULARS	5
2.1 ZONING	6
2.2 PROPOSED DEVELOPMENT	6
2.3 DESCRIPTION OF THE SITE	7
2.4 ENVIRONMENTAL CONSIDERATIONS	7
3 PLANNING ASSESSMENT – INSTRUMENTS & CONTROLS	7
3.1 BAYSIDE LOCAL ENVIRONMENTAL PLAN, 2013	7
3.2 SEPP (HOUSING) 2021	7
3.3 BAYSIDE COUNCIL DEVELOPMENT CONTROL PLAN	8
DEVELOPMENT CONTROLS	8
GENERAL DEVELOPMENT PROVISIONS	8
ENERGY AND ENVIRONMENTAL SUSTAINABILITY	8
HERITAGE	9
TRANSPORT, PARKING AND ACCESS	9
SOCIAL AMENITY, ACCESSIBILITY AND ADAPTABLE DESIGN	9
WASTE MANAGEMENT MINIMISATION AND SITE FACILITIES	9
SIGNS AND ADVERTISING	9
NON-RESIDENTIAL DEVELOPMENT	10
ARNCLIFFE AND BANKSIA	10

SEE – 34 Bayview Street, Arncliffe

AUTHOR: K. Moyle

4 ASSESSMENT OF IMPACT	10
4.1 CONTEXT AND SETTING	10
4.2 CONSTRUCTION	11
4.3 HAZARDS	11
5 CONCLUSION	11
APPENDICES	12
Appendix A: Traffic and Parking Impact Assessment (AMH Traffic, 2025)	
Appendix B: Plan of Management (Masood Homestay, 2025)	
Appendix C: Support Letter from Wesley Mission	

1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by PlanBE Planning Consultancy to accompany DA-2025/146 lodged with Bayside Council for 34 Bayview Street, Arncliffe NSW 2205.

The proponent, Mr Mohammed Masood, manager of Masood Homestay, operates a Group Home / Supportive Accommodation at the subject site. The group home was approved under a temporary development application DA-2020/104. Under the temporary development application, the site was approved for a maximum of 34 residents. The client is now seeking a permanent development application, and no physical or operational changes are proposed.

The purpose of this application is to formalise ongoing operations as a permanent Group Home / Supportive Accommodation, consistent with previous approvals and supported by existing studies (traffic, access and environmental reports) which are included as appendices to this report. No new construction works are proposed—this DA is primarily a change of use and compliance regularisation.

The site of the proposed development has a history of lawful approval by Bayside Council, subsequent to its previous use as a residential aged care facility with 60+ beds. While Council has indicated a preference to scale down occupancy, the Applicant seeks to maintain a reasonable capacity that is consistent with prior approval for 34 residents, noting this represents a substantial reduction from the original aged-care capacity which provided for >60 residents. The applicant seeks to emphasise the importance of safe, affordable and supportive accommodation

2 PARTICULARS

ADDRESS:	34 Bayview Street, Arncliffe
DESCRIPTION:	Lot 10 DP 933
OWNERS:	Mohammed Masood / Masood Homestay
ZONE:	R3 Medium Density Residential
BUSHFIRE STATUS:	N/A

2.1 ZONING

The site is zoned R3 Medium Density Residential under Bayside LEP 2021. The objectives of the zone are as follows:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure land uses are carried out in a context and setting to minimise impact on the character and amenity of the area.*
- *To enable residential development in accessible locations to maximise public transport patronage and encourage walking and cycling.*

The proposal is for a permanent group home which is permissible with consent in this zone. The group home will meet the day-to-day needs of residents. Residents are low-risk people who face social disadvantage — for example, housing stress, family breakdown, unemployment, financial hardship, refugee background, or people recently released from institutions or victims of crisis. Residents are usually referred by welfare and community organisations such as Wesley Mission.

The needs of residents are able to be met within a context and setting that minimises impact upon the character, amenity and neighbouring residents of the area.

2.2 PROPOSED DEVELOPMENT

Use:	Permanent Group Home / Supportive Accommodation.
Occupancy:	34 residents sought, consistent with DA-2020/104
Residents:	Low-risk people who face social disadvantage — for example, housing stress, family breakdown, unemployment, financial hardship, refugee background, or people recently released from institutions or victims of crisis. Residents are usually referred by welfare and community organisations such as Wesley Mission.
Operations:	24/7 management and support under a Plan of Management; appointment-based visitors; quiet hours. general daily support, including cleaning, administrative assistance, and help with connecting to community services such as counselling, job programs, and health centres
Works:	No new structural works; existing building retained.

2.3 DESCRIPTION OF THE SITE

The site contains a long-standing institutional / residential complex in a residential street with excellent public transport access (Arncliffe Station and bus services). The built form is established, with vehicle and pedestrian access from Bayview Street and connections to urban utilities. The site is not identified as a heritage item or within a Heritage Conservation Area.

2.4 ENVIRONMENTAL CONSIDERATIONS

The DA does not involve demolition, excavation or vegetation removal. Environmental risks (noise, traffic, waste, lighting) are low-intensity and managed via the Plan of Management and standard conditions.

3 PLANNING ASSESSMENT – INSTRUMENTS & CONTROLS

The proposal is considered in relation to the following planning instruments:

- Bayside Local Environmental Plan 2021
- State Environmental Planning Policy (Housing) 2021
- Bayside Council Development Control Plan, 2024

3.1 BAYSIDE LOCAL ENVIRONMENTAL PLAN, 2021

A group home (permanent) / supportive accommodation is permissible with consent in the R3 zone. The proposal provides much-needed supportive housing in a residential setting, preserving amenity through on-site management and a non-intrusive operational profile and maximising use of public transport and pedestrian activity, which is consistent with R3 objectives.

As the proposal is for continuing use within an existing building, front and rear setbacks are unchanged and activities are not proposed to be intensified by this DA.

3.2 SEPP (HOUSING) 2021

The proposal aligns with the SEPP intent to facilitate diverse, supportive, and special-needs housing in well-serviced locations. The proposed development will provide general daily supports including cleaning, administrative assistance and help with connecting to community services (counselling, job programs, and health centres).

While the application proceeds with consent (merit assessment), the SEPP context supports flexibility in parking and operational controls where public transport is proximate and traffic generation is low.

3.3 BAYSIDE DEVELOPMENT CONTROL PLAN 2022

The DCP provides detailed provisions for non-residential uses in residential areas, traffic and parking, accessibility, CPTED, signage, landscaping, waste and amenity. The proposal meets the objectives on a merit basis as summarised below and detailed in Section “Development Controls”.

DEVELOPMENT CONTROLS

GENERAL DEVELOPMENT PROVISIONS

SECTION	DEVELOPMENT CONTROLS	PROPOSED DEVELOPMENT	COMPLIANCE Y / N
3.1.2 Interface with Public Domain	C1: Buildings are to have a clearly defined entry point; and address the street, side street, rear laneway or any adjacent parks and/or public spaces C2: The visual and physical connection between the building frontage and the public domain must promote a high level of pedestrian amenity and equitable access.	The proposal is to operate within existing buildings onsite. The front is clearly identified and the site is accessible for pedestrians and those with lesser mobility in accordance with this part.	Y
3.1.3 Crime Prevention through Environmental Design	C1: CPTED principles are to be addressed in all development applications where there is the potential to minimise risk and improve safety.	The proposal is to continue to operate within existing, established buildings. These buildings are separated from the street with fencing that is pervious, allowing for passive surveillance without entrapment zones and in a manner that delineates private over public spaces. The site makes use of lighting to provide security and act as a deterrent for antisocial activity which, when combined with 24/7 staffing further ensures compliance with this part.	Y

ENERGY AND ENVIRONMENTAL SUSTAINABILITY

SECTION	DEVELOPMENT CONTROLS	PROPOSED DEVELOPMENT	COMPLIANCE Y / N
3.3.1 General Controls	C1: Glazing located to reduce energy loss. C2: Glazing of north / exposed areas to be protected. C3: Large glazed areas to be protected / eaves and overhangs to provide protection. C4: Lighting should be energy efficient	Although existing, the building provides passive solar access for each room. Windows are covered by eaves and larger areas of glazing are protected by a combination of mature trees and landscaping features. Energy efficient lighting is used for communal outdoor spaces and energy efficient appliances, fittings	Y

SEE – 34 Bayview Street, Arncliffe

AUTHOR: K. Moyle

		and fixtures are used wherever practicable.	
--	--	---	--

HERITAGE

The proposal is not located within an area of heritage value. It is not in the vicinity of a heritage item.	N/A
---	-----

TRANSPORT, PARKING AND ACCESS

SECTION	DEVELOPMENT CONTROLS	PROPOSED DEVELOPMENT	COMPLIANCE Y / N
General The proposal seeks to continue operations on a site that has already been completely developed. Access to the site is predominantly via public transport options. Residents generally do not own cars, as most use public or community transport. However, there is limited on-site parking available for staff and visitors.			Y
Waste collection Waste collection is via Council roadside collection. No loading / unloading is required within the site for this purpose as waste will be contained in bins and put out for collection by staff in accordance with the Traffic Impact Statement prepared by AMH Traffic, September 2025.			Y
Traffic Impact Statement The Traffic Impact Statement prepared by confirms that car parking conforms to the requirements of the DCP and relevant Australian Standards. Refer to this report for further detail (ref: P25063).			Refer to TIS

SOCIAL AMENITY, ACCESSIBILITY AND ADAPTABLE DESIGN

SECTION	DEVELOPMENT CONTROLS	PROPOSED DEVELOPMENT	COMPLIANCE Y / N
The proposal is for continuing use of existing buildings as a group home. The group home provides accommodation for up to 34 persons within a residential setting. The group home is accessible, with ground level accommodation providing adaptable options for persons with limited mobility. The premises are staffed 24/7 to enable residents supported living to provide enhanced quality of life and autonomy.			Y

WASTE MANAGEMENT MINIMISATION AND SITE FACILITIES

SECTION	DEVELOPMENT CONTROLS	PROPOSED DEVELOPMENT	COMPLIANCE Y / N
Sufficient space has been provided for storage of waste and recycling generated on premises. Waste and recycling are kept in approved council bins and stored within the property at all times except during weekly waste collection when they are taken to the kerb for pickup by staff.			Y

SIGNS AND ADVERTISING

SECTION	DEVELOPMENT CONTROLS	PROPOSED DEVELOPMENT	COMPLIANCE Y / N
3.16.1 General No flashing, moving or video signs are used to identify the building. Signage will not be massive or protrude from the front of the building and signage will be in colours that are sympathetic to the residential character of the locality. All signage is to comply with the			Y

SEE – 34 Bayview Street, Arncliffe

AUTHOR: K. Moyle

relevant Australian Standards, including AS/NZS 1170.0:2002 (Structural design actions), AS/NZS 1170.2:2011 (Structural design actions) and future signage will be fixed to the satisfaction of Council upon consent for permanent operations.	
3.16.4 Signage in Residential Zones Signage is to have a maximum advertising display area of 1.2m x 0.6m and be affixed to the front ground level facade of the dwelling or to the front boundary wall or fence. Any signage will relate only to premises situated on the subject land, and specify the purpose for which the land is used, the identification and description of the business and the services provided.	Y

NON-RESIDENTIAL DEVELOPMENT

SECTION	DEVELOPMENT CONTROLS	PROPOSED DEVELOPMENT	COMPLIANCE Y / N
6.1.1 General (Group home noted as providing residential services) Street identification numbering is provided. Air conditioning is not installed on the front façade of the building. Signage is limited to minimise visual impact (and in accordance with the previous section). The building addresses the street and is easily identifiable.			Y

ARNCLIFFE AND BANKSIA

SECTION	DEVELOPMENT CONTROLS	PROPOSED DEVELOPMENT	COMPLIANCE Y / N
7.4.1 General The proposal is consistent with the vision for the Arncliffe and Banksia Precincts. It helps to connect and strengthen local communities for persons that are in need of supported accommodation, whilst promoting the use of public transport and community transport facilities. It represents an orderly, efficient and environmentally sensitive landuse and it does not require any further external inputs in order to achieve its function. The design is sympathetic to the streetscape, and consistent with the character of the Precinct.			

4 ASSESSMENT OF IMPACT

4.1 CONTEXT AND SETTING

The proposed group home is located within a locality that comprises a variety of single and multi-dwelling housing. All buildings are existing, and no changes are proposed to increase footprint / extent or appearance. The building is finished in materials that are sympathetic to the residential character of the locality and set back from side boundaries sufficiently to preserve neighbouring residential amenity.

Multi-dwelling housing / higher density housing is observed at various locations throughout this locality, creating a diversity of housing types that is consistent with the objectives of the zone.

4.2 CONSTRUCTION

There is to be no construction associated with this proposed activity. The proposed use does not include construction.

4.4 HAZARDS

The site is not bushfire or flood prone, nor is it mapped or recorded as containing hazardous material or having a history of supporting hazardous industry.

5 CONCLUSION

This SEE demonstrates that the Permanent Group Home / Supportive Accommodation at 34 Bayview Street, Arncliffe:

- Is permissible with consent in the R3 zone (BLEP 2021) and aligns with the intent of SEPP (Housing) 2021 to support diverse, needs-based housing in serviced locations.
- Formalises an established, lawful residential/supportive use with a documented approvals history (DA-2020/104 at 34 residents and DA-2019/467 at 14 residents).
- Proposes no new works, maintains existing setbacks, and does not intensify any historic built-form non-compliance.
- Generates minimal traffic/parking demand as residents generally do not own cars, as most use public or community transport.
- Protects amenity and neighbourhood character through a robust Plan of Management and residential-scale operations.
- Presents negligible environmental impact and no adverse cumulative effects.

The proposal provides much-needed supportive accommodation for people facing social or housing disadvantage, helping reduce local homelessness and social stress within the Bayside area. It is therefore of considerable public benefit, retaining much-needed supportive accommodation within an accessible, serviced location, while ensuring acceptable environmental and amenity outcomes.

Approval is recommended, subject to standard conditions.

K. Moyle (Director)
PlanBE Planning Consultancy

SEE – 34 Bayview Street, Arncliffe

AUTHOR: K. Moyle

APPENDICES

Appendix A:



34 BAYVIEW STREET, ARNCLIFFE NSW

TRAFFIC IMPACT STATEMENT

Proposed Group Home

18 September 2025

Prepared for Masood Homestay

REF: P25063

Document Control

Version	Date	Prepared By
A-DRAFT	23/05/2025	A.F.
A-FINAL	26/05/2025	A.F.
B-FINAL	25/09/2025	A.F.

TABLE OF CONTENTS

1	INTRODUCTION	3
1.1	Preamble	3
1.2	Proposed Development.....	3
2	BACKGROUND AND EXISTING CONDITIONS.....	4
2.1	Subject Site Location	4
2.2	Road Network.....	4
2.2.1	Bayview Street	4
2.3	Public Transport.....	5
3	CAR PARKING	7
3.1	Car Parking Requirement	7
3.2	Access and Parking Design Assessment	7
3.3	Waste Collection and Loading	7
4	TRAFFIC CONSIDERATIONS.....	8
4.1	Traffic Generation	8
5	CONCLUSIONS	9
	APPENDIX A: DEVELOPMENT PLAN	10

COPYRIGHT © 2025 AMH TRAFFIC PTY LTD. All rights reserved.

This report and its contents are the intellectual property of AMH Traffic Pty Ltd. No part of this document may be reproduced, distributed, or transmitted in any form or by any means, without the prior written permission of the copyright holder. This document is intended solely for the use of the named recipient or client and should be relied upon only for the specific purpose for which it was prepared.

1 INTRODUCTION

1.1 Preamble

AMH Traffic has been engaged by Masood Homestay, henceforth 'the client', to prepare a transport impact statement report for a proposed group home at 34 Bayview Street, Arncliffe.

During the preparation of this report, reference has been made to the following:

- Architectural plans prepared by Sydney Access Consultants,
- Bayside City Council Development Control Plan (2022), and
- Australian Standards AS2890.

This report has been prepared to address the transport and parking implications of the proposed development.

1.2 Proposed Development

The group home currently operates under a temporary development application DA-2020/104 for which the Occupation Certificate was issued on 29 June 2020. Under the temporary development application, the site was approved for a maximum of 34 residents. The client is now seeking a permanent development application, and no physical or operational changes are proposed.

The group home has 34 rooms and operates 24/7 with shift-based staff arrangements. There will be a maximum of two (2) staff on-site at any one-time.

Two (2) tandem car parking spaces are provided on-site. An additional drop-off / pickup parking space has been provided to transport residents to and from the group home.

Vehicle access is provided via the existing 8m shared crossover to Bayview Street.

The development plans are attached in **Appendix A** for reference.

2 BACKGROUND AND EXISTING CONDITIONS

2.1 Subject Site Location

The group home is located on the western side of Bayview Street and has a frontage of approximately 23m to Bayview Street.

The location of the subject site and its surrounding area are depicted in **Figure 1**.



Figure 1: Subject Site (Source: Nearmap)

2.2 Road Network

2.2.1 Bayview Street

Bayview Street is a local road that is under the management of Bayside City Council. It is generally aligned in a north-south orientation. In the vicinity of the subject site, Bayview Street provides one traffic lane in each direction and is set within an approximately 11m wide carriageway.

Two 15-minute on-street parking spaces are available at the site frontage. The rest of the kerbside parking along Bayview Street is unrestricted.

Footpaths are provided on both sides of the street.

Bayview Street has a default speed limit of 50 km/hr.

Figure 2 and **Figure 3** show typical views of Bayview Street.



Figure 2: Bayview Street Looking North (Source: Google Maps)



Figure 3: Bayview Street Looking South (Source: Google Maps)

2.3 Public Transport

The subject site has good access to the public transport network.

Banksia Train Station which services the T4 line is located 550m southeast of the subject site.

Bus service 473 (Rockdale to Campsie) runs along Wollongong Road and the nearest bus stop is located 550m west of the subject site.

3 CAR PARKING

3.1 Car Parking Requirement

Parking requirements for group homes are set out in the State Environmental Planning Policy (SEPP) (Housing) 2021. The requirement is the provision of at least 2 parking spaces on the site on which a group home is erected.

Since 3 parking spaces are provided on-site, the SEPP parking requirements have been met.

3.2 Access and Parking Design Assessment

The access and parking design and layout has been assessed against Bayside Development Control Plan (2022) and relevant Australian Standards as summarised below:

- The internal driveway width is 3.75m, meeting the minimum requirements of Bayside Technical Specification Traffic, Parking and Access (2023),
- The dimensions of parking spaces are 3m by 5.5m and exceeds the minimum requirements of AS2890.1 (2004), and
- According to the Bayside Technical Specification Traffic, Parking and Access (2023), tandem parking spaces are allowed for residential developments, if the car spaces are owned or allocated to the same owner or occupant and there is a maximum of two (2) car parking spaces in line, which is the case for the proposed development.

It is confirmed that the car park conforms to the requirements of the DCP and relevant Australian Standards.

3.3 Waste Collection and Loading

Waste will be stored at the allocated waste storage area. Waste collection will be via Council's waste collection services. Staff will put the bins out for collection and return them to the storage area after.

There will be minimal loading activity at the site. Any deliveries can occur on-site or from the street using the 15-minute restricted parking spaces.

4 TRAFFIC CONSIDERATIONS

4.1 Traffic Generation

Transport for NSW (TfNSW) provides traffic generation rates for different land uses in their Guide to Transport Impact Assessment (2024). Group homes are not listed in the guide. As a result, guidance has been extracted from the Institute of Transport Engineers (ITE) Trip Generation Handbook 9th Edition. The ITE lists assisted living which is defined as follows:

“Residential settings that provide either routine general protective oversight or assistance with activities necessary for independent living to mentally or physically limited persons. They commonly have separated living quarters for residents, and services include dining, housekeeping, social and physical activities, medication administration and transportation”

Assuming full capacity, the peak trip generation of the group home is summarised in **Table 1**.

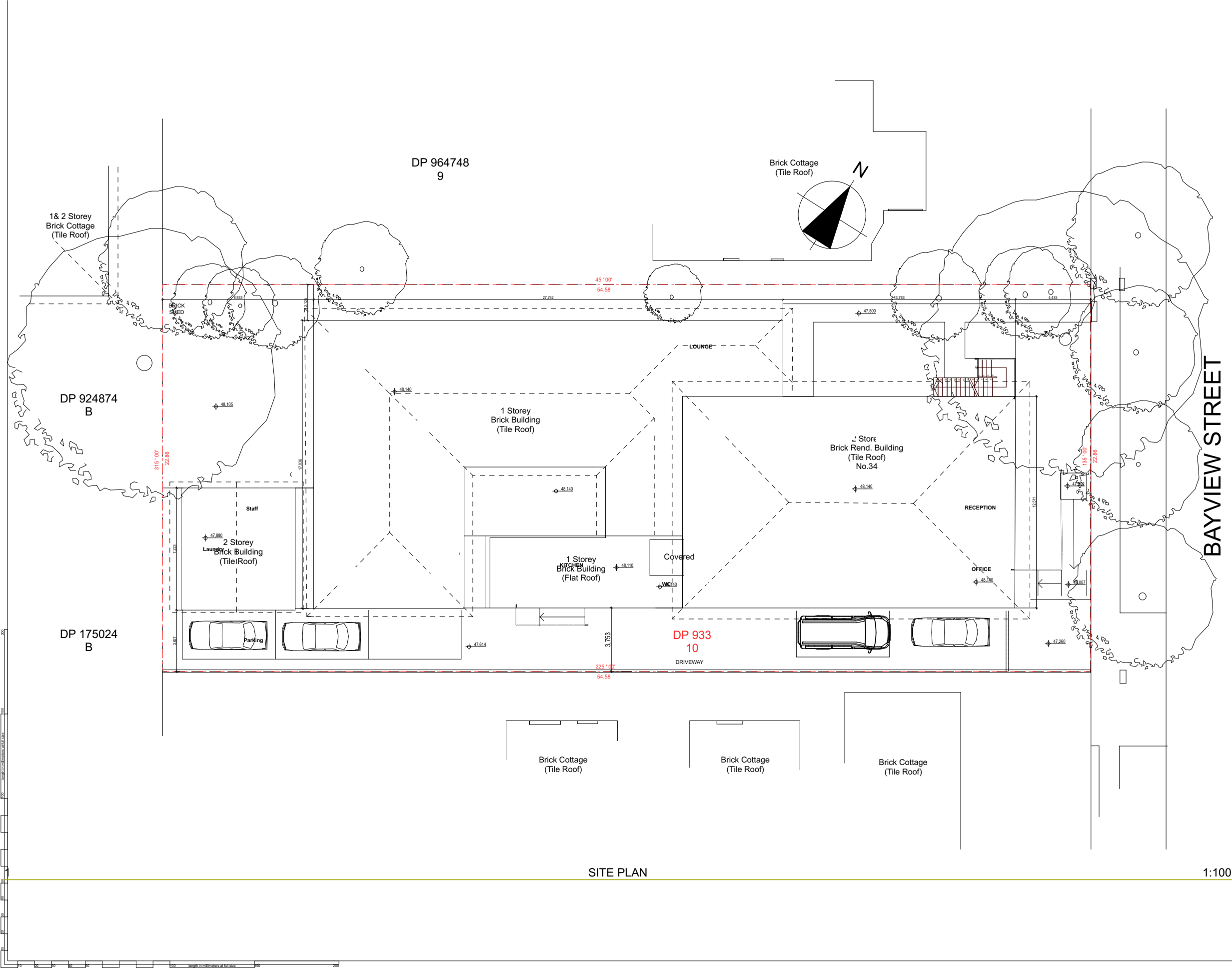
Land Use	Yield	Size	Peak	Traffic Generation Rate (vehicle trips per room or employee)	Vehicle Trips
Assisted Living	Beds/Rooms	34 rooms	AM	0.14	5
			PM	0.22	8
	Employees	2 employees	AM	N/A	N/A
			PM	0.55	1

Table 1: Peak Hour Trip Generation (Source: ITE 9th Edition)

As shown in the table above, the expected traffic generated by the group home is approximately 5 and 9 vehicle trips in the AM peak period and PM peak period, respectively.

Based on the above, it is ascertained that the traffic generated by the proposed development is very minimal and will not have any adverse impacts on the safe operation of Bayview Street and the wider road network.

APPENDIX A: DEVELOPMENT PLAN



SITE PLAN

1:100

ARCHICAD EDUCATION VERSION

SYDNEY ACCESS CONSULTANTS

The builder shall check and verify all dimensions and verify all errors and omissions to the Architect. Do not scale the drawings. Drawings shall not be used for construction purposes until issued by the Architect for construction.

Client:
Marlowe Homes PL (NDIS Provider)
Project Name:
Alloa GROUP HOMES
34 Bayview St Arncliffe
2205

Drawing Title:
GENERAL - SITE PLAN
SITE PLAN

Scale: as noted	Date:
Status: PRELIMINARY	Checked By:
Project No: 18A066	Drawing No.: CDC 003
Plot Date:	31/3/20

SEE – 34 Bayview Street, Arncliffe

AUTHOR: K. Moyle

Appendix B:

MASOOD HOMESTAY

34 Bayview Street, Arncliffe NSW 2205

PLAN OF MANAGEMENT

Plan of Management

Property: 34 Bayview Street, Arncliffe NSW 2205

Development Application: DA-2025/146

Prepared by: Mohammed Masood

1. Introduction

This Plan of Management outlines the operational structure and management practices for Masood Homestay. The property operates as a Permanent Group Home / Supportive Accommodation, providing stable housing and non-clinical support for socially disadvantaged individuals. The Plan ensures that the premises is managed in a safe, responsible, and compliant manner in accordance with SEPP (Housing) 2021, Bayside LEP 2021, and Bayside DCP 2022.

2. Occupancy

Maximum number of residents: [To be confirmed – proposed 24 residents]

Resident Profile: Individuals experiencing social or economic disadvantage, including housing stress, homelessness, family breakdown, domestic violence, settlement hardship, job loss, mild mental health challenges, or social isolation (e.g. limited English proficiency, cultural adjustment). All residents are low-risk and must agree to House Rules.

3. Referrals and Admissions

Residents are referred by agencies such as Wesley Mission and SGCH. No public advertising is used. Each applicant undergoes an intake process to confirm eligibility and suitability.

4. Staffing and Supervision

On-site staff include a Site Manager, Administrative Support, and Cleaning & Maintenance Personnel. Staff are present during the day with an on-call manager available after hours.

5. House Rules

Residents must behave respectfully, avoid aggression or substance abuse, observe quiet hours (10:00 pm – 7:00 am), respect neighbours, keep the premises clean, pay rent on time, and follow safety procedures.

6. Length of Stay

Residents are accommodated on a medium to long-term basis depending on need. Minimum intended stay: approx. 6 weeks. Typical duration: 3 to 12 months. Shorter stays may occur for temporary crises.

7. Support Services

Supportive accommodation provides non-clinical assistance such as cleaning, admin help, lifestyle guidance, referrals to local services (GPs, counselling, employment), wellbeing check-ins, and access to first aid. No nursing or medical care on-site.

8. Traffic, Parking, and Transport

The site is near Arncliffe Train Station and bus routes. Most residents do not drive, though vehicle ownership cannot be fully restricted. Preference is given to applicants without vehicles. 2–3 parking spaces are allocated for staff. Residents are encouraged to use public transport. The AMH Traffic Report (Rev B, Sept 2025) confirms low impact.

9. Waste Management

Formal agreement with Bayside Council: 2 × 660L red-lid bins (general waste) and 1 × 660L yellow-lid (recycling). Bins stored within property; collection from inside site. Staff monitor waste and hygiene.

10. Complaints Procedure

A complaint register is maintained. Complaints can be lodged with the Site Manager and will be acknowledged within 48 hours. Serious matters may be escalated to Council or Police.

11. Safety and Emergency Procedures

Fire safety systems are inspected annually. Evacuation diagrams displayed. Staff trained in First Aid and emergency procedures. Incidents logged.

12. Monitoring and Review

This Plan is reviewed annually to ensure compliance with Council conditions and planning instruments. Changes to operations will be reported to Council.

Prepared by: Mohammed Masood | Masood Homestay | 34 Bayview Street, Arncliffe NSW 2205

Figure 4 illustrates the public transport network around the subject site.

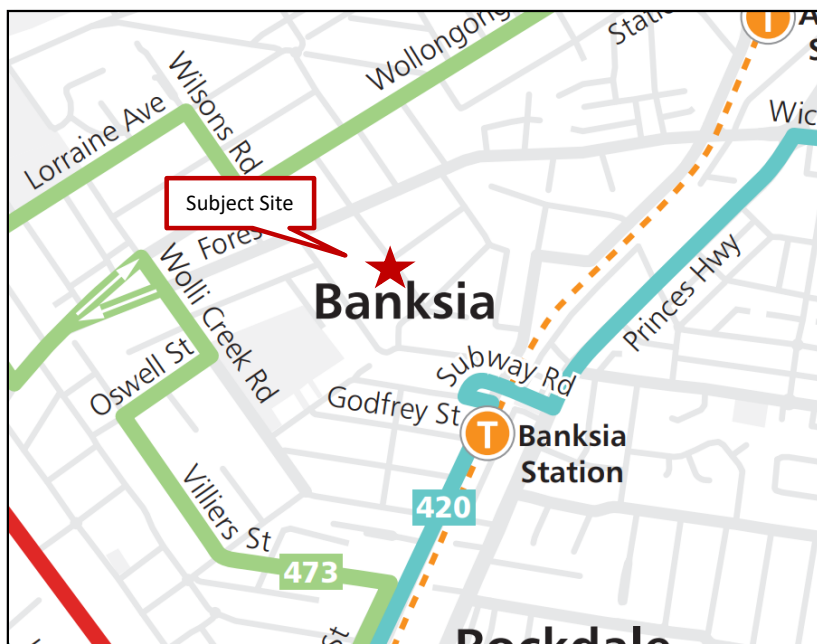


Figure 4: Public Transport Map (Source: <https://transportnsw.info/>)

5 CONCLUSIONS

The assessment of the parking and traffic impacts of the proposed development has concluded that:

- The proposed development meets relevant SEPP (Housing) 2021 car parking requirements,
- The parking access and layout arrangements meet the DCP and relevant Australian Standards, and
- The traffic generated by the proposed development can be accommodated by Bayview Street as well as the wider road network without any adverse effects.

In conclusion, this assessment indicates that the proposed development meets the parking requirements of the Housing SEPP (2021) and relevant Australian standards and is not expected to impact the traffic or parking conditions in the area adversely. Therefore, it should be supported on traffic and parking grounds.

SEE – 34 Bayview Street, Arncliffe

AUTHOR: K. Moyle

Appendix C:



9 September 2025

To whom it may concern

RE: Accommodation at 34 Bayview St Arncliffe

My name is David Kennedy I am the team leader of the Wesley Mission Homelessness Team St. George and Sutherland Shire; our service supports homeless and at risk of homeless people to find alternative accommodation.

We work with a range of client groups including single men and women and couples. Most of our clients have a mental health or some other issue which restricts their capacity to secure affordable long-term housing. All of them are in receipt of benefits and therefore have low incomes.

Over the last approximately 18 months we have supported clients to move into the accommodation run by Mr. Mohammed Masood at 34 Bayview St Arncliffe, where there has been a vacancy.

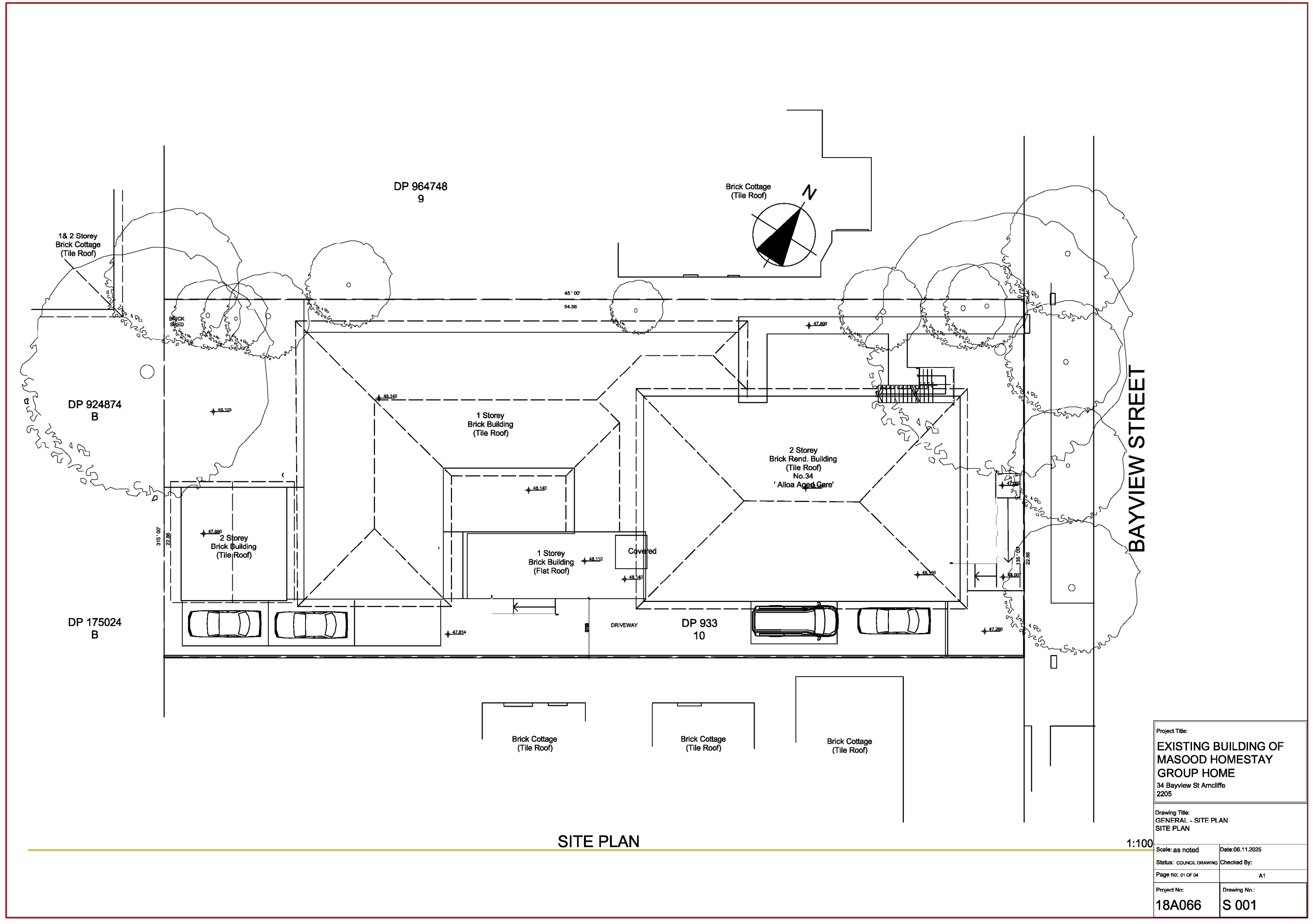
Mr. Masood has been supportive of our clients on these occasions; most have few other options other than the street.

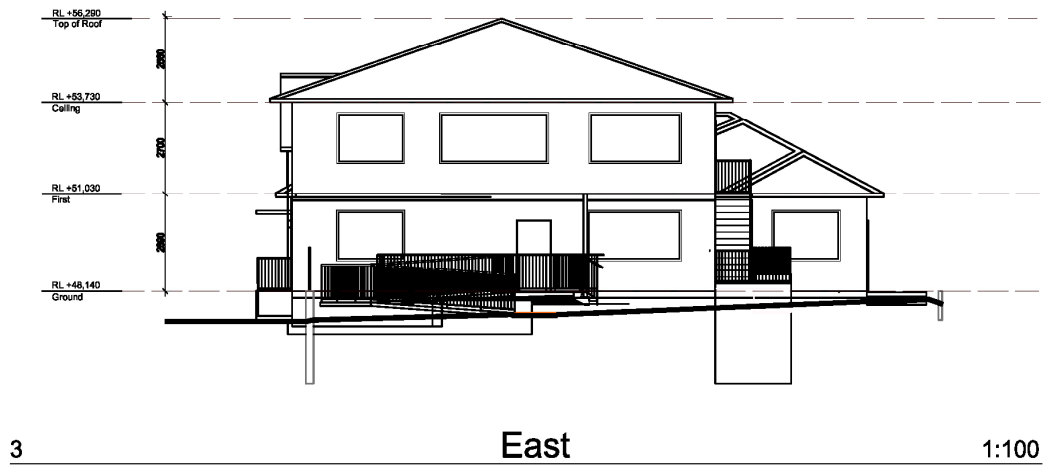
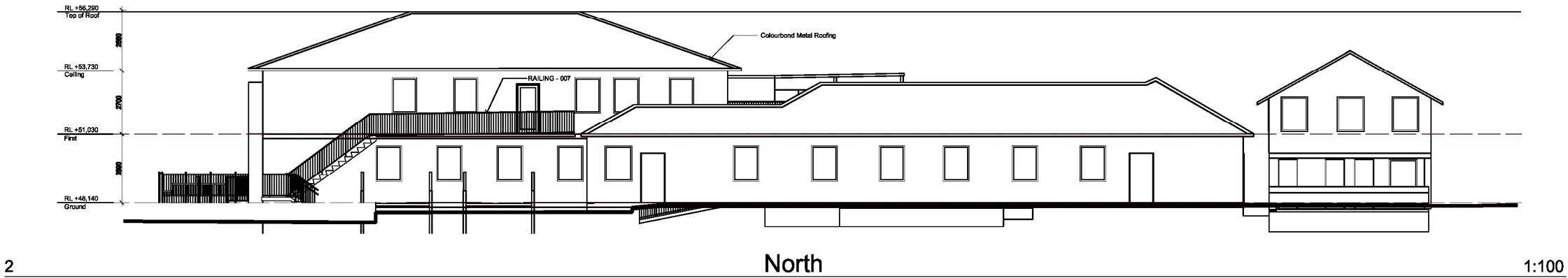
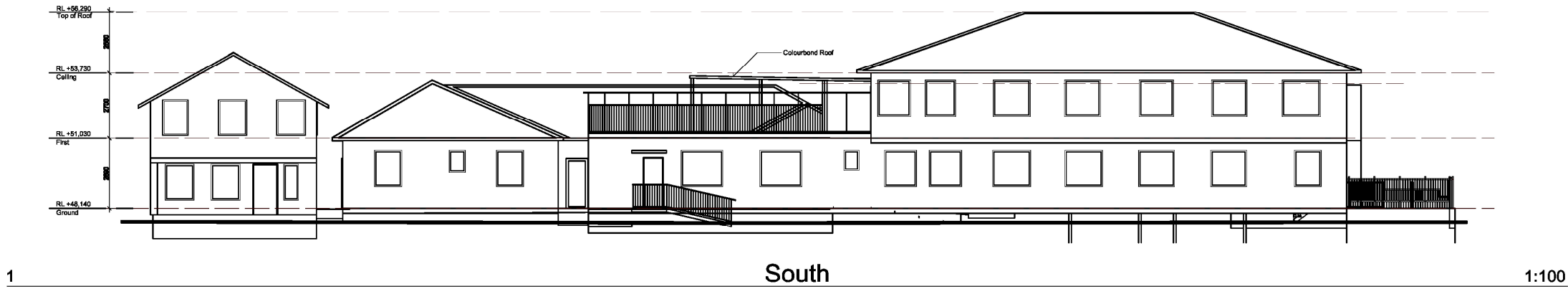
There have been occasions when our service has paid the bond of clients moving into 34 Bayview St due to their ineligibility to the standard bond loan that can be provided by Homes NSW.

The rental market is extremely tight and many of our clients are at a disadvantage in such a competitive environment. Mr. Masood's establishment provides such people with a long term, more affordable option than is readily available.

David Kennedy |

Wesley Mission |





Project Title:	
EXISTING BUILDING OF MASOOD HOMESTAY GROUP HOME 34 Bayview St Amcliffe 2205	
Drawing Title: ELEVATIONS AND SECTIONS - ELEVATION South, North, East, West	
Scale: as noted	Date: 06.11.2025
Status: COUNCIL DRAWING	Checked By:
Page no: 04 OF 04	A1
Project No: 18A066	Drawing No.: S 004



34 BAYVIEW STREET, ARNCLIFFE NSW

TRAFFIC IMPACT STATEMENT

Proposed Group Home

18 September 2025

Prepared for Masood Homestay

REF: P25063

Document Control

Version	Date	Prepared By
A-DRAFT	23/05/2025	A.F.
A-FINAL	26/05/2025	A.F.
B-FINAL	25/09/2025	A.F.

TABLE OF CONTENTS

1	INTRODUCTION	3
1.1	Preamble	3
1.2	Proposed Development.....	3
2	BACKGROUND AND EXISTING CONDITIONS.....	4
2.1	Subject Site Location	4
2.2	Road Network.....	4
2.2.1	Bayview Street	4
2.3	Public Transport.....	5
3	CAR PARKING	7
3.1	Car Parking Requirement	7
3.2	Access and Parking Design Assessment	7
3.3	Waste Collection and Loading	7
4	TRAFFIC CONSIDERATIONS.....	8
4.1	Traffic Generation	8
5	CONCLUSIONS	9
	APPENDIX A: DEVELOPMENT PLAN	10

COPYRIGHT © 2025 AMH TRAFFIC PTY LTD. All rights reserved.

This report and its contents are the intellectual property of AMH Traffic Pty Ltd. No part of this document may be reproduced, distributed, or transmitted in any form or by any means, without the prior written permission of the copyright holder. This document is intended solely for the use of the named recipient or client and should be relied upon only for the specific purpose for which it was prepared.

1 INTRODUCTION

1.1 Preamble

AMH Traffic has been engaged by Masood Homestay, henceforth 'the client', to prepare a transport impact statement report for a proposed group home at 34 Bayview Street, Arncliffe.

During the preparation of this report, reference has been made to the following:

- Architectural plans prepared by Sydney Access Consultants,
- Bayside City Council Development Control Plan (2022), and
- Australian Standards AS2890.

This report has been prepared to address the transport and parking implications of the proposed development.

1.2 Proposed Development

The group home currently operates under a temporary development application DA-2020/104 for which the Occupation Certificate was issued on 29 June 2020. Under the temporary development application, the site was approved for a maximum of 34 residents. The client is now seeking a permanent development application, and no physical or operational changes are proposed.

The group home has 34 rooms and operates 24/7 with shift-based staff arrangements. There will be a maximum of two (2) staff on-site at any one-time.

Two (2) tandem car parking spaces are provided on-site. An additional drop-off / pickup parking space has been provided to transport residents to and from the group home.

Vehicle access is provided via the existing 8m shared crossover to Bayview Street.

The development plans are attached in **Appendix A** for reference.

2 BACKGROUND AND EXISTING CONDITIONS

2.1 Subject Site Location

The group home is located on the western side of Bayview Street and has a frontage of approximately 23m to Bayview Street.

The location of the subject site and its surrounding area are depicted in **Figure 1**.



Figure 1: Subject Site (Source: Nearmap)

2.2 Road Network

2.2.1 Bayview Street

Bayview Street is a local road that is under the management of Bayside City Council. It is generally aligned in a north-south orientation. In the vicinity of the subject site, Bayview Street provides one traffic lane in each direction and is set within an approximately 11m wide carriageway.

Two 15-minute on-street parking spaces are available at the site frontage. The rest of the kerbside parking along Bayview Street is unrestricted.

Footpaths are provided on both sides of the street.

Bayview Street has a default speed limit of 50 km/hr.

Figure 2 and **Figure 3** show typical views of Bayview Street.



Figure 2: Bayview Street Looking North (Source: Google Maps)



Figure 3: Bayview Street Looking South (Source: Google Maps)

2.3 Public Transport

The subject site has good access to the public transport network.

Banksia Train Station which services the T4 line is located 550m southeast of the subject site.

Bus service 473 (Rockdale to Campsie) runs along Wollongong Road and the nearest bus stop is located 550m west of the subject site.

Figure 4 illustrates the public transport network around the subject site.

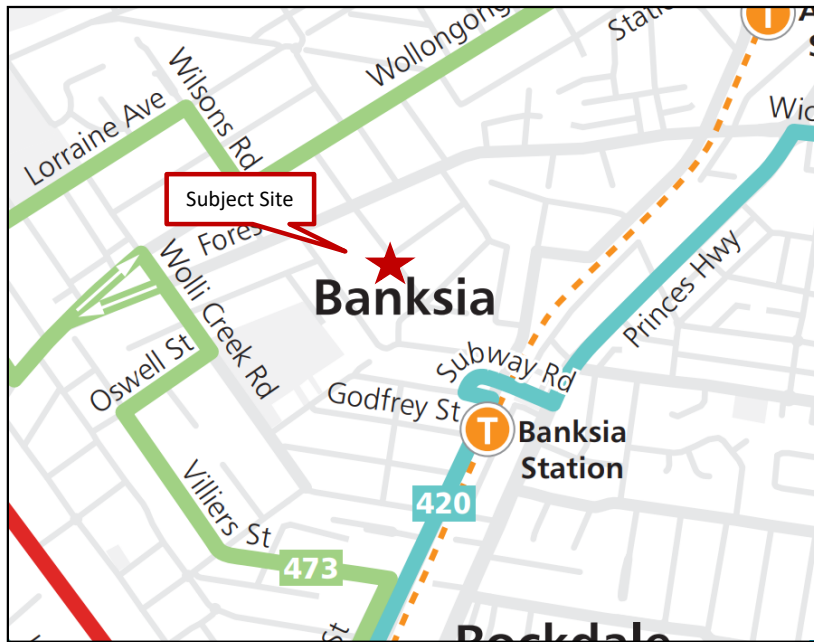


Figure 4: Public Transport Map (Source: <https://transportnsw.info/>)

3 CAR PARKING

3.1 Car Parking Requirement

Parking requirements for group homes are set out in the State Environmental Planning Policy (SEPP) (Housing) 2021. The requirement is the provision of at least 2 parking spaces on the site on which a group home is erected.

Since 3 parking spaces are provided on-site, the SEPP parking requirements have been met.

3.2 Access and Parking Design Assessment

The access and parking design and layout has been assessed against Bayside Development Control Plan (2022) and relevant Australian Standards as summarised below:

- The internal driveway width is 3.75m, meeting the minimum requirements of Bayside Technical Specification Traffic, Parking and Access (2023),
- The dimensions of parking spaces are 3m by 5.5m and exceeds the minimum requirements of AS2890.1 (2004), and
- According to the Bayside Technical Specification Traffic, Parking and Access (2023), tandem parking spaces are allowed for residential developments, if the car spaces are owned or allocated to the same owner or occupant and there is a maximum of two (2) car parking spaces in line, which is the case for the proposed development.

It is confirmed that the car park conforms to the requirements of the DCP and relevant Australian Standards.

3.3 Waste Collection and Loading

Waste will be stored at the allocated waste storage area. Waste collection will be via Council's waste collection services. Staff will put the bins out for collection and return them to the storage area after.

There will be minimal loading activity at the site. Any deliveries can occur on-site or from the street using the 15-minute restricted parking spaces.

4 TRAFFIC CONSIDERATIONS

4.1 Traffic Generation

Transport for NSW (TfNSW) provides traffic generation rates for different land uses in their Guide to Transport Impact Assessment (2024). Group homes are not listed in the guide. As a result, guidance has been extracted from the Institute of Transport Engineers (ITE) Trip Generation Handbook 9th Edition. The ITE lists assisted living which is defined as follows:

“Residential settings that provide either routine general protective oversight or assistance with activities necessary for independent living to mentally or physically limited persons. They commonly have separated living quarters for residents, and services include dining, housekeeping, social and physical activities, medication administration and transportation”

Assuming full capacity, the peak trip generation of the group home is summarised in **Table 1**.

Land Use	Yield	Size	Peak	Traffic Generation Rate (vehicle trips per room or employee)	Vehicle Trips
Assisted Living	Beds/Rooms	34 rooms	AM	0.14	5
			PM	0.22	8
	Employees	2 employees	AM	N/A	N/A
			PM	0.55	1

Table 1: Peak Hour Trip Generation (Source: ITE 9th Edition)

As shown in the table above, the expected traffic generated by the group home is approximately 5 and 9 vehicle trips in the AM peak period and PM peak period, respectively.

Based on the above, it is ascertained that the traffic generated by the proposed development is very minimal and will not have any adverse impacts on the safe operation of Bayview Street and the wider road network.

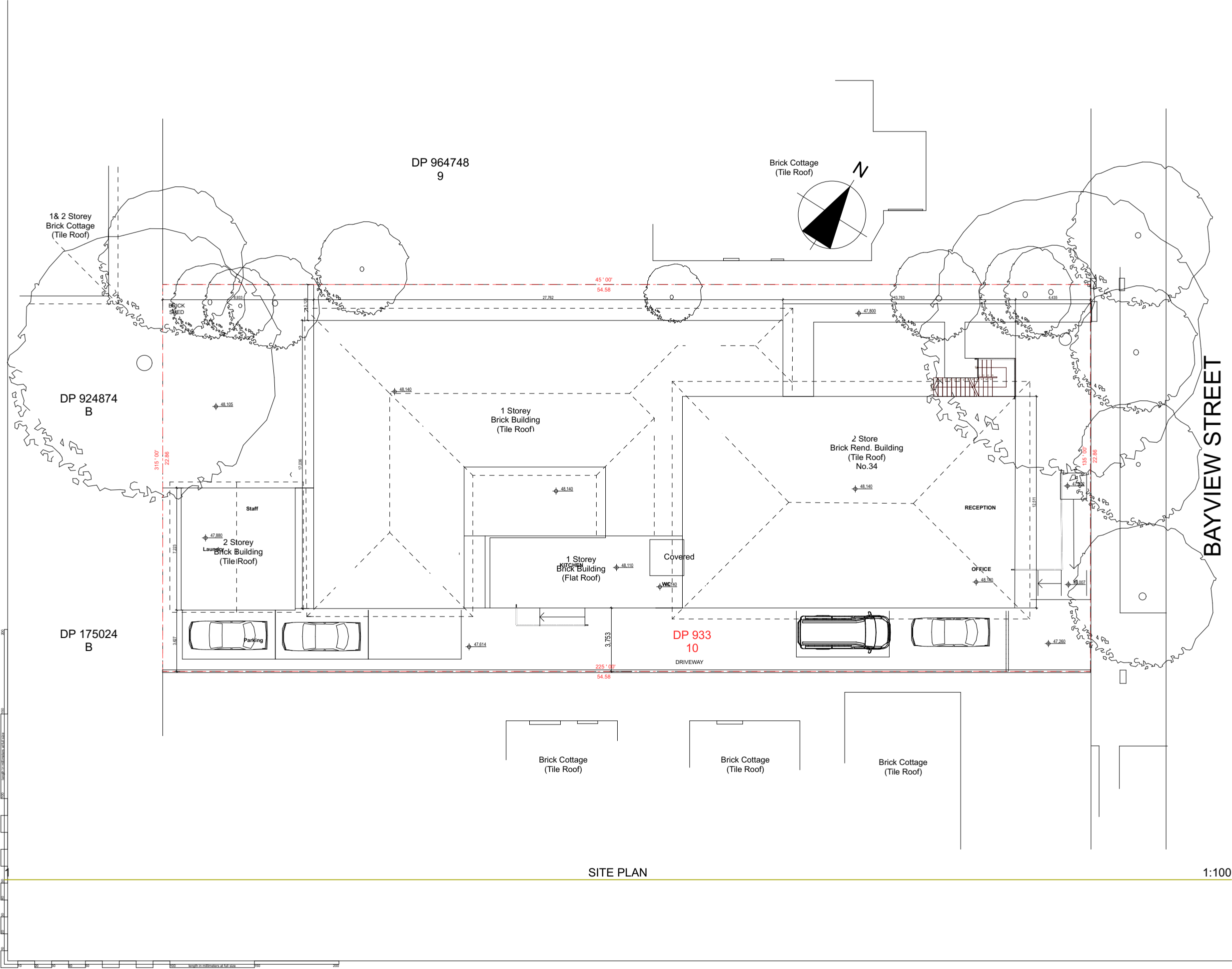
5 CONCLUSIONS

The assessment of the parking and traffic impacts of the proposed development has concluded that:

- The proposed development meets relevant SEPP (Housing) 2021 car parking requirements,
- The parking access and layout arrangements meet the DCP and relevant Australian Standards, and
- The traffic generated by the proposed development can be accommodated by Bayview Street as well as the wider road network without any adverse effects.

In conclusion, this assessment indicates that the proposed development meets the parking requirements of the Housing SEPP (2021) and relevant Australian standards and is not expected to impact the traffic or parking conditions in the area adversely. Therefore, it should be supported on traffic and parking grounds.

APPENDIX A: DEVELOPMENT PLAN



ARCHICAD EDUCATION VERSION.

SYDNEY ACCESS CONSULTANTS

The builder shall check and verify all dimensions and verify all errors and omissions to the Architect. Do not scale the drawings. Drawings shall not be used for construction purposes until issued by the Architect for construction.

Client:
Marlowe Homes PL (NDIS Provider)
Project Name:
Alloa GROUP HOMES
34 Bayview St Arncliffe
2205

Drawing Title:
GENERAL - SITE PLAN
SITE PLAN

Scale: as noted	Date:
Status: PRELIMINARY	Checked By:
Project No: 18A066	Drawing No.: CDC 003
Plot Date:	31/3/20