

Written Submissions		
Submission Maker	Issue	Council Officer Response
1.	▪ Bado-berong Creek, specifically the section running from Selmon Street (where the creek commences) to Sandringham St Sans Souci. ▪ The creek is in the worst state in 25 years. Without clearing the reeds, the water cannot drain away to Botany Bay. ▪ Suggest installation of large diameter concrete stormwater drains to allow water to effectively run into Botany Bay.	▪ This matter is not explicitly related to the Bayside LEP, however a response is provided below. ▪ Council is aware of the flooding issues adjacent to the Bado Berong Creek and notes that the land is low lying and subject to flooding. Information regarding flood risk for a specific property can be provided on request by lodging Flood Advice request and paying the associated fee. ▪ Bado Berong Creek is an important Biodiversity Corridor and Green Grid Corridor that supports remnant endangered ecological vegetation communities and key fish habitat. It conveys stormwater runoff via an open channel through open space from Park Road to Riverside Drive where it discharges into Botany Bay. ▪ Important points to note are - This creek has a shallow gradient and is a wetland where water infiltrates through the soil to soak away. Water levels in the creek fluctuate with tide and groundwater movement. Drainage outlets to this creek are frequently affected by the tide. The heavy and long duration rainfall experienced in February 2020 was the most significant in the area for 30 years. - Removal of native phragmites and other vegetation and excavation in the creek is not expected to reduce flooding in long duration heavy rainfall events . Large scale removal of native phragmites will result in loss of habitat for native species and increase erosion in the creek - Installation of a large concrete stormwater channel will have significant environmental impact, visual

		impact and very high cost and is still unlikely to resolve flooding issues. Detailed investigation is required to determine if there would be sufficient benefit to the community to warrant such expenditure. ▪ A Floodplain Risk Management Study and plan (FRMS) in this catchment was completed in 2005. This study did not find a viable option to reduce flooding adjacent to the properties adjacent to Horbury and Selmon Street. ▪ A review of this study will commence in 2020 and will again use the flood model and consider the feasibility of options to reduce flooding in Sans Souci Catchment. The study will include a review of existing flood mitigation options and identification of potential new options. Preliminary option identification and analysis will be completed by December 2021. ▪ During this study, Council will notify flood affected properties and seek comments on the flood mitigation options.
2.	▪ Requesting embellishment of 'Flynn's Reserve' with a bike track and other amenities to nearby residents.	▪ This submission is unrelated to the Bayside LEP, however it has been forwarded to the relevant section of Council for actioning.
3.	▪ Concern for existing side-by-side residential and industrial land uses (e.g. Pemberton St, Botany, currently zoned B1 and B4). ▪ Specific concern around impacts of heavy industrial traffic on existing and future residential uses (e.g. safety , amenity)	▪ The area in question has been subject to these particular land zonings since the notification of the Botany Bay LEP 2013. ▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to change the zoning of this land. ▪ Further consideration may be given to changes to these zones after the consolidated LEP has been notified and any strategic land use planning studies are finalised. These

		proposed changes may need to consider the conflicts between the land uses at the interface between the two zones.
4.	▪ In support of up-zoning in Kogarah to improve height and density consistency with surrounding areas ▪ This includes Marshall St, Toomevara St, and Rocky Point Rd.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to change the zoning of this land. ▪ The land in question is located within the 'Study Area' for the Kogarah Collaboration Area Place Strategy, which is a joint strategy between Bayside Council, Georges River Council and the Greater Sydney Commission. ▪ The Strategy: - Establishes a vision for the Kogarah Collaboration Area, based on the community's vision expressed in the South and Eastern City District Plans, Bayside Council and Georges River Council's Community Strategic Plans and the Rockdale Town Centre and Kogarah North Precinct master plans; - Identifies the impediments and opportunities within the Collaboration Area; - Sets out the priorities for the Collaboration Area; and - Identifies actions to deliver the vision. ▪ Further consideration may be given to locating high density development in this area after the consolidated LEP has been notified and the necessary studies are available to inform such development. Any changes will need to be in line with the Strategy and other relevant Strategic Planning policies, including the Greater Sydney Region Plan and the Eastern City District Plan.
5.	▪ Querying future use and classification of Astrolabe Park.	▪ Astrolabe Park has been zoned as RE2 Private Recreation since the notification of the Botany Bay LEP in June 2013.

		As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft BLEP to change the zoning of this land. ▪ In addition, the land is owned by UNSW and, unless the owner comes forward with a Planning Proposal to rezone the land, it is unlikely that Council will seek to rezone the land in any further changes to the BLEP.
6.	▪ Regarding rezoning of Wolli Creek area for high density residential living it should be considered whether the roads are able to handle the increased traffic. ▪ It is not a matter of just building more roads but also considering the management of road and pedestrian traffic e.g. zebra crossing or traffic lights at junction of Rockwell Ave and Levey Street to slow down traffic around the bend to prevent unnecessary death. ▪ Concern regarding exhaust fans built above the new M5 West Connex, and its effect on surrounding residents. ▪ General traffic congestion concerns.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to change the zoning or density of any land in the Wolli Creek area. ▪ The Wolli Creek area has already been subject to comprehensive redevelopment in recent years as part of the Wolli Creek and Bonar Street Urban Renewal Area. No further rezoning is being considered for this area. ▪ The Wolli Creek and Bonar Street Precinct Traffic Study was undertaken in 2013 in response to concerns regarding increased traffic congestion. Council's Traffic Committee also recently resolved to creating a one way circuit in the area, incorporating Arncliffe Street, Guess Avenue, Mount Olympus Boulevard and Magdalene Terrace. ▪ Any future Development Applications associated with the rezoning and upzoning of the areas of Wolli Creek included in the Arncliffe and Banksia Planned Precinct will also be assessed for traffic and transport implications in the local area. ▪ In addition, Council is preparing a draft Transport Strategy that recognises the importance of public transport, cycling and walking to Sydney's strategic centres and local and neighbourhood centres to reduce the need for car dependency. The draft LEP does not propose any change to zoning in Wolli Creek.

		▪ The M5 WestConnex was a state government project and their studies did not conclude that there would be an adverse health impact on the surrounding residential areas.
7.	▪ Opposing the proposed rezoning of 2-4 Guess Avenue, Wolli Creek from public recreation space to 'mixed use', in Bayside Council's proposed 2020 LEP. ▪ This will have negative consequences for the community given the significant under-supply of public parks and civic space relative to the dense residential apartments in the area. ▪ The area is already showing signs of excessive traffic congestion with the Council having to undertake a range of works in the area. Further additions to residential density would deteriorate amenity and lead to social and economic issues. ▪ The rezoning contradicts B20, B21 and B22 of the Bayside LSPS.	▪ The Planning Proposal for land at 2 and 4 Guess Avenue is a separate matter to the Bayside LEP 2020 and is currently being assessed by the Department of Planning, Industry and Environment (DPIE). ▪ Should the DPIE decide to support the Planning Proposal, the community will be given the opportunity to comment during public exhibition. ▪ The progress of this Planning Proposal can be tracked on the DPIEs LEP Tracking website.
8	▪ Does not support a rail line from Kogarah to Parramatta (including passing through Bexley and Kingsgrove).	▪ The Kogarah to Parramatta proposed rail line is a visionary project included in Future Transport 2056. This is a strategic plan prepared by Transport for NSW. ▪ This vision has been extrapolated from Future Transport 2056 into the endorsed Bayside Local Strategic Planning Statement. ▪ No large scale transport projects are being proposed as part of the draft BLEP. Any future large scale transport infrastructure projects will be under the remit of the NSW Department of Planning, Industry and Environment, and Transport NSW. ▪ Should any future transports projects affect the Bayside LGA, Council will be consulted and submit comments on the proposals.
9	▪ Proposed changes to the LEP would limit development opportunities at 17 Kinsel Grove, Bexley as the site (1220m2) would no longer be eligible for a 3m height exceedance.	▪ The current maximum Height of Building (HOB) which applies to land at 17 Kinsel Grove, Bexley (Lot C SP341545) is 8.5. The land is not currently located in a Height Incentive Area.

		▪ The nearest Height Incentive area is Area L located approximately 100m to the east. Development in Area L is currently permitted to exceed the maximum HOB by 3m on lots of at least 800sq.m. ▪ The draft BLEP proposes to change the nearest part of incentive Area L to incentive Area 5. Area 5 is proposed to allow development to exceed the maximum HOB by 3m on lots of at least 600m. ▪ However, the draft BLEP does not proposed to extend the Height Incentive Area to include the land at 17 Kinsel Grove, Bexley.
10	▪ Support for up-zoning of Bonar St and Wollongong Rd, Arncliffe to improve height and density consistency with surrounding areas ▪ Ongoing development has resulted in overshadowing and loss of privacy which could be mitigated by increasing development in the area ▪ Proximity to Arncliffe train station improves the opportunities for up-zoning in this area.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in the Arncliffe area. ▪ The Arncliffe area on the east side of the train station has recently be subject to comprehensive rezoning and upzoning as part of the Arncliffe and Banksia Planned Precinct. An area west of the train station, including the land in question, has been identified as an area for 'further investigation'. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the

		right locations" in line with the Bayside Local Strategic Planning Statement. Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
11	Rocky Point Road would benefit from additional bus services	- The frequency and reliability of bus services in this location is under the remit of Transport NSW and is not considered as part of this LEP process. - However, Council is preparing a Bayside Transport Strategy. Initial work for this strategy has identified the need for improved public transport within parts of the Bayside area, including to Ramsgate and Sans Souci. The Transport Strategy will develop specific actions around advocating for high frequency and direct bus services, better services in the evenings and on weekends and the investigation of new routes. - Bayside Council will continue to advocate and provide input to Transport for NSW to improve the public transport network for our community.
12	- Further clarification is sought on <i>Harmonised clauses, Part 6 Additional Local Provisions</i> - Converting serviced apartments to residential flat buildings (retained from BBLEP 2013), and if this will facilitate the conversion of the approved 10 storey boarding house in Bay Street, Brighton-Le-Sands to a residential flat building. - Strong opposition to any possible conversion of the approved building to a residential flat building.	Clause 6.10 of the Botany Bay LEP states the following: 6.10 Converting serviced apartments to residential flat building <i>The objective of this clause is to prevent substandard residential accommodation occurring through the conversion of serviced apartments to a residential flat building.</i> <i>Development consent must not be granted for the subdivision, under a strata scheme, of a building or a part of a building that is being, or has been, used for serviced apartments into a residential flat building unless the</i>

		<i>consent authority has considered the following in relation to the residential flat building—</i> <i>a) the design quality principles set out in Schedule 1 to State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development,</i> <i>b) the design principles of the Apartment Design Guide (within the meaning of that Policy).</i> ▪ Although there is no such clause in the Rockdale LEP 2011, it is intended to retain the clause in the BLEP to apply to all of the Bayside LGA. The clause seeks to prevent the conversion of serviced apartments to residential flat buildings, not allow it. ▪ Furthermore, a boarding house is an entirely discrete use from either a serviced apartment or a residential flat building. It is therefore not affected by this clause.
13	▪ Increased development in Banksmeadow and Botany has led to a loss of heritage, and poor development outcomes such a lack of parking and green space	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP for major changes to the zoning or density of land in this area. ▪ Council is preparing a draft Transport Strategy that recognises the importance of public transport, cycling and walking to Sydney’s strategic centres and local and neighbourhood centres to reduce the need for car dependency. ▪ Heritage and green space are important to the Bayside LGA. The Aims of the Plan (LEP) have also been updated to include biodiversity related objectives, such as: - <i>to protect, conserve and enhance the environmental, scenic and cultural heritage, and landscapes, of Bayside; &</i>

		- <i>to increase urban tree canopy cover and enable the protection and enhancement of green corridor connections.</i> ▪ Further, a Social Infrastructure Strategy is being prepared which includes an analysis of open space and recreation as well as community facilities and services. This will provide the evidence base to allow council to plan for open space and recreation across the LGA.
14	▪ Ongoing issues with a lack of resident parking and speeding in Wolli Creek	▪ Council is preparing a draft Transport Strategy that recognises the importance of public transport, cycling and walking to Sydney's strategic centres and local and neighbourhood centres, to reduce the need for car dependency. ▪ Parking will be addressed in a future consolidated DCP for the Bayside LGA.
15.	▪ There has been ongoing zoning discussions over the last decade, and residents of Booth St are seeking clarity over the future of their block ▪ There is a general sentiment that zoning of Booth St, Arncliffe is 'out of place' given surrounding high rise and should ▪ The Booth St community would like certainty around the future, and there is interest in progressing a rezoning to match the zoning/height/FSR, ▪ Rezoning this block would be consistent with the Council and the Eastern District goals of high density living in areas close to transport links and would be an ideal area to rezone to meet the housing targets ▪ A swift resolution by Council is sought	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in the Arncliffe area. ▪ The Arncliffe area on the east side of the train station has recently be subject to comprehensive rezoning and upzoning as part of the Arncliffe and Banksia Planned Precinct. An area west of the train station, including the land in question, has been identified as an area for 'further investigation'. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local

		infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
16.	▪ Preference for building height to be capped at 6-8 levels along Princes Highway at Arncliffe, (south of Forest/ Whickham roads), Banksia and Rockdale (North of Bryant Street) ▪ Opposition to ongoing development of high density buildings, as they can place significant pressure on roads and traffic congestion and impact on neighbourhood amenity (solar access, privacy, character) ▪ High density living needs to be supported with appropriate community infrastructure	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in the Arncliffe area. ▪ The Arncliffe area on the east side of the train station has recently be subject to comprehensive rezoning and upzoning as part of the Arncliffe and Banksia Planned Precinct. An area west of the train station, including the land in question, has been identified as an area for 'further investigation'. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when the necessary studies are available. Further consultation of the community on any future changes will be undertaken at the appropriate time. ▪ Council is preparing a draft Transport Strategy that recognises the importance of public transport, cycling and walking to Sydney's strategic centres and local and neighbourhood centres to reduce the need for car dependency. ▪ A Social Infrastructure Strategy is being prepared which includes an analysis of open space and recreation as well as community facilities and services. This will provide the evidence base to allow council to plan for open space and recreation across the LGA.

17.	▪ Height of buildings on The Boulevard, Brighton Le Sands is not keeping with the character of the area. ▪ There are two different heights on each side of the road, and the taller side (28m, mixed use zone) will overshadow the other side (14m, R4 zone). ▪ The height in the mixed use zone should be lowered.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. ▪ The Brighton Le Sands Masterplan is currently being prepared for certain land within Brighton Le Sands. The Masterplan may provide recommendations to consider potential changes to planning controls in the future. Any such changes would require a rigorous assessment, including matters such as overshadowing, and building height controls. ▪ Any new buildings will be subject to the Development Assessment process, where they will be assessed against the relevant DCP requirements and the standards set out in the NSW Apartment Design Guide, which includes consideration of issues like overshadowing.								
18.	▪ Change from 1:1 to 0.55: 1 FSR will restrict the development potential for the area. ▪ Given the proximity of Mascot to the CBD, the area should be prioritised for higher density living. ▪ FSR should not change.	▪ Aloha Street is currently affected by Clause 4.4A of the Botany Bay LEP. This clause seeks to: a) Ensure that the bulk and scale of development is compatible with the character of the locality; and b) Promote good residential amenity. ▪ Despite a general FSR standard of 1:1 currently applying to land in Aloha Street, Clause 4.4A also sets out the following maximum FSR standards for that are applicable to a dwelling house development on lots of a certain size in 'Area 3':<table><tr><td><200sq.m.</td><td>0.85:1</td></tr><tr><td>200-250sq.m.</td><td>0.80:1</td></tr><tr><td>251-300sq.m.</td><td>0.75:1</td></tr><tr><td>301-350sq.m.</td><td>0.70:1</td></tr></table>	<200sq.m.	0.85:1	200-250sq.m.	0.80:1	251-300sq.m.	0.75:1	301-350sq.m.	0.70:1
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19.	- Request that President Ave be considered for R4 zoning - This is to encourage development in the immediate area to be consistent with other apartment blocks in the area	- As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. - Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. - Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.												

20	▪ Support for FSR along bus and train corridors ▪ Support for development from 23 King Edwards Street to Rawson St, Rockdale	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
21.	▪ Planning controls re. 80 Ramsgate Road, Ramsgate (no specific comments)	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
22.	▪ Current height of buildings next to Depena Reserve is too tall ▪ Current height restrictions are not being enforced ▪ Russell Ave floods after heavy rain and needs to be addressed. ▪ No further development around the Reserve	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to introduce widespread changes to the

		develop standards applicable in residential zones, such as height. ▪ Most proposals for new buildings will continue to be subject to the Development Assessment process, where they will be assessed against the relevant DCP requirements, and the standards set out in the NSW Apartment Design Guide. ▪ All new developments within a site identified as affected by 1% AEP flooding require compliance with the flood planning requirements stated in clauses 6.5 and 6.6 of the LEP, and DCP flood planning controls. ▪ Any proposal to develop the existing reserve will require a detailed flood assessment, and compatibility with the flood hazard of the land, and shall not adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties.
23	▪ Support for R4 zoning at northern end of Somerville St, Arncliffe ▪ Request that rezoning of this area is considered as part of this LEP review.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in the Arncliffe area. ▪ The Arncliffe area on the east side of the train station has recently be subject to comprehensive rezoning and upzoning as part of the Arncliffe and Banksia Planned Precinct. An area west of the train station, including the land in question, has been identified as an area for 'further investigation'. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify

		where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
24	▪ Support for high rise development (Forest Road Arncliffe)	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
25	▪ The area is already overdeveloped	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in

	- Overdevelopment is causing traffic congestion and reducing residential amenity (health impacts, social issues, safety, peacefulness). - Land zoned for the freeway must be maintained to reduce traffic congestion in the area	the draft Bayside LEP to further change the zoning or density of any land in this area. - The M6 Stage 1 project has been approved by the NSW State government, and the studies supporting the project indicate there will be reduced vehicle movements along the Princes Highway, and The Grand Parade. Details on this project are available on the TfNSW website. - The proposed M6 Stage 2 is included in Future Transport 2056 strategic plan released by TfNSW. If this project goes ahead, it will potentially remove more vehicles from surface roads through Bayside. The Bayside Local Strategic Planning Statement includes an action for Council to advocate for the second stage to be underground.
26	Concern that dwelling houses in Rhodes St (currently zoned B7) will become a prohibited use due to the removal of a clause currently contained in BBLEP 2013.	- The dwellings in question were rezoned from the old 2a (Residential A) under classification (under BBLEP 1995) to B7 Business Park to allow for the expansion of, and access to, the business park immediately to the west if needed. While the current Land Use Table in the BBLEP 2013 permits dwelling houses in the B7 zone with consent, the proposed BLEP prohibits dwelling houses in the B7 zone. This is intended to protect the business park use from future residential development. - The existing residential properties will benefit from existing use rights despite changes to the Bayside LEP.
27	Concern that dwelling houses in Rhodes St (currently zoned B7) will become a prohibited use due to the removal of a clause currently contained in BBLEP 2013.	As per the response above.
28	Maderes Ave should be rezoned to R4 to fit with the surrounding developments.	As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area.

		▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
29	▪ Turrella should be rezoned to encourage more apartments ▪ Apartments near train stations (Like Wolli Creek) are beneficial as they are efficient and provide easy access to facilities	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement.

		▪ It should be noted that a significant area of Employment Land exists within the suburb of Turrella. The Eastern City District Plan clearly states that Employment Land is to be retained and managed, and is not to be rezoned to residential or mixed use. ▪ The NSW Department of Planning, Industry and Environment returned strategic planning powers for the former Turrella Planned Precinct to Bayside Council. Further consideration may be given to changes to land within Turrella after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
30	▪ Clarity needed around the future use of land at the former Caltex petrol station (O’Riordan and Haran St) ▪ Concern that this site will be used for more high density residential ▪ Considers that more apartments buildings will crowd the area	▪ The land in question is currently zoned as B4 Mixed Use, and has been since 2013. Both the BLEP 2013 and RLEP 2011 currently permit residential flat buildings and shop top housing with consent. The proposed BLEP will continue to allow these uses in the B4 zone. High density residential development is, therefore, permitted with consent subject to a Development Application.
31	▪ Higher density development should be targeted to areas along train corridors and around key employment hubs such as St George Hospital and TAFE (e.g. Kitchener St, Taylor St, King St). ▪ This type of development could support population growth targets	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to change the zoning of this land. ▪ The land in question is located within the ‘Study Area’ for the Kogarah Collaboration Area Place Strategy, which is a joint strategy between Bayside Council, Georges River Council and the Greater Sydney Commission. The Strategy: - Establishes a vision for the Kogarah Collaboration Area, based on the community’s vision expressed in the South and Eastern City District Plans, Bayside Council and Georges River Council’s Community

		Strategic Plans and the Rockdale Town Centre and Kogarah North Precinct master plans; - Identifies the impediments and opportunities within the Collaboration Area; - Sets out the priorities for the Collaboration Area; and - Identifies actions to deliver the vision. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "<i>more housing in the right locations</i>", in line with the Bayside Local Strategic Planning Statement. ▪ Further consideration may be given to locating high density development in this area after the consolidated LEP has been notified and any strategic land use planning studies are finalised. Any changes will need to be in line with the Strategy, and other relevant Strategic Planning policies, including the Greater Sydney Region Plan and the Eastern City District Plan.
32	▪ F6 tunnel appears in LEP as above ground, but it would be better as a tunnel (to avoid acquisition of houses and noise impacts)	▪ The M6 Stage 2 is included in Transport Future 2056 released by TfNSW. If this project goes ahead, it will potentially remove more vehicles from surface roads through Bayside. The Bayside Local Strategic Planning Statement includes an action for Council to advocate for the second stage to be underground.

		Any change to the zoning of land identified as SP2 Infrastructure Classified Roads will require approval from TfNSW.
33	Concern that Rhodes St, Hillsdale has been retained as a business zone, despite the residential nature of the street.	- The dwellings in question were rezoned from the old 2a (Residential A) under classification (under BBLEP 1995) to B7 Business Park to allow for the expansion of, and access to, the business park immediately to the west if needed. While the current Land Use Table in the BBLEP 2013 permits dwelling houses in the B7 zone with consent, the proposed BLEP prohibits dwelling houses in the B7 zone. This is intended to protect the business park use from future residential development. - The existing residential properties will benefit from existing use rights despite changes to the Bayside LEP.
34	- Submission was made with respect to the Rockdale LEP - RLEP does not appear to have adopted State government strategies on dual occupancy - minimum lot size should be 225sqm to allow for subdivision on blocks 450sqm. - Would be beneficial to encourage more low density residential development - RLEP has inconsistencies with Botany LEP.	- No changes are proposed to minimum lot sizes as part of the Bayside LEP - Minimum subdivision lot size (Clause 4.1 of the Standard Instrument LEP) is an optional clause for any LEP. The Botany Bay LEP 2013 did not adopt the clause, whereas the Rockdale LEP 2011 did adopt the clause; - Clause 4.1 is proposed to be adopted in the consolidated Bayside LEP. - Minimum lot sizes under Rockdale LEP will be adopted and for former Botany, residential zones will continue to be guided by the development controls in the Botany Bay DCP 2013 until a new consolidated Bayside DCP has been adopted, or until such time as the new Bayside LEP can be amended to include minimum lot sizes for residential zones in the former Botany LGA.

		▪ A more comprehensive review of the LEP will be undertaken in the near future and will include consideration of the findings of a number of strategies, including a housing strategy, which will be used to inform appropriate locations for potential higher residential densities in certain locations.
35	▪ Support for rezoning	▪ Noted. Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Any potential for rezoning of appropriate areas will be considered as part of a future LEP review process, to be undertaken in the near future, following review of any strategic land use planning studies, once finalised.
36	▪ Draft LEP provides limited scope for increased development and more compatible land uses on Robey St and Baxter Road, Mascot. ▪ These streets currently have a mix of land uses (i.e. residential and commercial), but commercial use is curtailed with 3 tonne load limits ▪ Height should be increased to be. 44m across both sides of both streets, and FSR should also be increased.	▪ The draft Bayside LEP 2020 proposes the harmonisation of three existing LEPs. ▪ Potential for rezoning will be considered in the near future as part of an LEP review process that will consider various land use planning strategies, such as employment land, housing, retail and commercial to determine whether there is strategic merit in amending planning controls in certain locations.

37	▪ 32 - 34 Ricketty Street, Mascot - no specific comments	Noted.
38	▪ Opposes re-zoning of 2-4 Guess St Wolli Creek from RE1 to B4 due to: - o Negative impacts on community and environment - o Existing lack of open spaces and community infrastructure - o Limited opportunities to replace RE1 space in Wolli Creek with housing and infrastructure already in place (and difficulties accessing open spaces such as Cahill Park) - o Existing levels of high-density development in the suburb - o Potential strain on open spaces, public transport and traffic network if more people move into the suburb Contradicts Premiers Priorities of 'increasing homes within 10 minutes' walk of quality green, open and public spaces and 'increasing the tree canopy and green cover across Greater Sydney'.	▪ The Planning Proposal for land at 2 and 4 Guess Avenue is a separate matter to the Bayside LEP 2020 and is currently being assessed by the Department of Planning, Industry and Environment (DPIE). ▪ Should the DPIE decide to support the Planning Proposal, the community will be given the opportunity to comment during public exhibition. ▪ The progress of this Planning Proposal can be tracked on the DPIEs LEP tracking website.
39	▪ Difficult to understand proposed changes, and would suggest simpler wording	▪ The community was notified by letter of the opportunity to contact Council's strategic planning staff who are available to answer questions about the draft LEP.
40	▪ Support for maintaining R2 Low density zoning between Banksia Station and Forest Road, as well as the existing 0.5:1 FSR and 8m height limit.	Noted.
41	▪ 46 Macdonald Street is affected by a road reservation and is zoned SP2. ▪ Concern that the reservation has been in place for an excessive amount of time (i.e. since 1951), and that no change to the reservation or zoning has been proposed in the Draft LEP. ▪ Particular concern over the potential for this site to be impacted by future transport projects, and seeking assistance from Council in negotiating alternatives with RMS	▪ The M6 Stage 2 is included in <i>Transport Future 2056</i> released by TfNSW. If this project goes ahead, it will potentially remove more vehicles from surface roads through Bayside. The Bayside Local Strategic Planning Statement includes an action for Council to advocate for the second stage to be underground. ▪ Any change to the zoning of land identified as SP2 Infrastructure Classified Roads will require approval from TfNSW.

42	Concern with proposed changes to FSR in Aloha St, Mascot (1:1 to 0.55:1) – specifically, that the 1:1 FSR should be retained to promote ongoing development and encourage investment/ boost economic recovery after the COVID-19 pandemic.	- Aloha Street is currently affected by Clause 4.4A of the Botany Bay LEP. This clause seeks to: c) Ensure that the bulk and scale of development is compatible with the character of the locality; and d) Promote good residential amenity. - Despite a general FSR standard of 1:1 currently applying to land in Aloha Street, Clause 4.4A also sets out the following maximum FSR standards for that are applicable to a dwelling house development on lots of a certain size in ‘Area 3’:<table><tr><td><200sq.m.</td><td>0.85:1</td></tr><tr><td>200-250sq.m.</td><td>0.80:1</td></tr><tr><td>251-300sq.m.</td><td>0.75:1</td></tr><tr><td>301-350sq.m.</td><td>0.70:1</td></tr><tr><td>351-400sq.m.</td><td>0.65:1</td></tr><tr><td>401-450sq.m.</td><td>0.60:1</td></tr><tr><td>>450sq.m.</td><td>0.55:1</td></tr><tr><td>Multi dwelling housing</td><td>0.80:1</td></tr><tr><td>Residential flat building</td><td>1:1</td></tr><tr><td>All other residential development</td><td>0.5:1</td></tr></table> - The majority of the existing lots on Aloha Street are greater than 450sq.m., with an FSR of 0.55sq.m already applying to these lots. - Proposed Clause 4.4(11) in the BLEP seeks to replace the requirements of existing Clause 4.4A. The stated objectives of this clause are: f) to establish standards for the maximum development density and intensity of land use; g) to ensure that buildings are compatible with the bulk and scale of the existing and desired future character of the locality;	<200sq.m.	0.85:1	200-250sq.m.	0.80:1	251-300sq.m.	0.75:1	301-350sq.m.	0.70:1	351-400sq.m.	0.65:1	401-450sq.m.	0.60:1	>450sq.m.	0.55:1	Multi dwelling housing	0.80:1	Residential flat building	1:1	All other residential development	0.5:1
<200sq.m.	0.85:1																					
200-250sq.m.	0.80:1																					
251-300sq.m.	0.75:1																					
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401-450sq.m.	0.60:1																					
>450sq.m.	0.55:1																					
Multi dwelling housing	0.80:1																					
Residential flat building	1:1																					
All other residential development	0.5:1																					

	Concerns around the quality of infrastructure in the area (e.g. roads, drainage)	currently being assessed by the Department of Planning, Industry and Environment (DPIE). - Should the DPIE decide to support the Planning Proposal, the community will be given the opportunity to comment during public exhibition. - The progress of this Planning Proposal can be tracked on the DPIEs LEP Tracking website.
44	- Concern around the number of large trucks on Rocky Point Road - Suggestion that large trucks should be re-routed to the Princes Highway	Rocky Point Road is a State road, and a designated freight route. Council supports and has advocated for the M6 Stage 2 to progress, as this would remove more surface vehicles travelling through the LGA, including Rocky Point Road.
45	Suggestion that parking restrictions for spectators should be places on Eve St and Oakleigh Ave.	This suggestion is not related to the provisions contained within the Bayside LEP, however it has been forwarded to the relevant Council department for action.
46	Draft LEP does not provide enough protection for Monterey / San Souci riparian land, waterways, creeks and native fauna (specifically from Georges River at San Souci towards Kogarah)	- To ensure riparian land, waterways and wetlands and their inhabiting native flora and fauna are protected, Council have harmonised and amended the Riparian Land and Waterways/ Watercourse clause in the draft LEP. - This clause is now supported by Riparian Corridor mapping across the Bayside LGA, based on best practise guidelines and has been updated with additional objectives and requirements to ensure the protection of flora and fauna, not just their habitats.
47	Opposed to increase of HOB at 152-206 Rocky Point Road due to lack of infrastructure (e.g. road access) and concern that it will worsen existing traffic congestion.	The building heights at 152-206 Rocky Point Road were determined via a Planning Proposal process which considered the site specific and strategic merits of the building heights proposed, including consideration of traffic impacts. The planning controls are less than 5 years

		old and are not subject to change as part of the Bayside LEP. Any future Development Application would need to consider the potential traffic impacts in further detail as part of its assessment.
48	- Opposed to increase of HOB at 152-206 Rocky Point Road due to concern that it will worsen existing traffic congestion. - Concern that peak hours along Rocky Point Road are made worse by limited parking restrictions.	- The building heights at 152-206 Rocky Point Road were determined via a Planning Proposal process which considered the site specific and strategic merits of the building heights proposed, including consideration of traffic impacts. The planning controls are less than 5 years old and are not subject to change as part of the Bayside LEP. - Any future Development Application would need to consider the potential traffic impacts in further detail as part of its assessment.
49	- Support for any action to assist in preserving Yarra Bay (with the acknowledgement that this is not in Bayside LGA). - Lack of support for light rail in Bayside.	- Should a Development Application be lodged for a proposed Cruise Terminal, Council and the community will be invited to make comment. - Transport for NSW are the authority that considers the most appropriate routes for light rail.
50	Support for decreasing minimum subdivision requirements (700sqm) to encourage more low/medium density developments (e.g. duplexes) instead of high density housing.	- Minimum subdivision lot size (Clause 4.1 of the Standard Instrument LEP) is an optional clause for any LEP. The Botany Bay LEP 2013 did not adopt the clause, whereas the Rockdale LEP 2011 did adopt the clause. - No changes are proposed to minimum lot sizes as part of the Bayside LEP. - Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A

		Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ A more comprehensive review of the LEP will be undertaken in the near future and will include consideration of the findings of a number of strategies, including the housing strategy, which will be used to inform appropriate locations for any potential locations for increased density of residential development.
51	▪ Property (Bonar St, Arncliffe, between Thompson St and Monk Ave) is included in the NSW Government's <i>Bayside West Precincts 2036</i> ▪ Original plans were to rezone the site to R4, however this has been deferred. ▪ Existing block is mostly low density, but is surrounded by apartment blocks, so is out of character with the rest of the area. ▪ This draft LEP also does not provide any clarity on future plans for the area, and a final decision on zoning is sought.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in the Arncliffe area. ▪ The Arncliffe area on the east side of the train station has recently be subject to comprehensive rezoning and upzoning as part of the Arncliffe and Banksia Planned Precinct. An area west of the train station, including the land in question, has been identified as an area for 'further investigation'. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth

		and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
52	▪ Hercules Road Brighton Le Sands – zoning, FBL (no specific comments)	Noted.
53	▪ Turrella could be improved with more apartments and shops, and improved walkability	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ In addition, Council is preparing a draft Transport Strategy that recognises the importance of public transport, cycling and walking to Sydney's strategic centres and local and neighbourhood centres to reduce the need for car dependency. ▪ A more comprehensive review of the LEP will be undertaken in the near future and will include consideration of the findings of a number of strategies,

		including housing and commercial and retail, which will be used to inform appropriate locations for shops and higher residential densities. ▪ It should be noted that a significant area of Employment Land exists within the suburb of Turrella. The Eastern City District Plan clearly states that Employment Land is to be retained and managed, and is not to be rezoned to residential or mixed use. ▪ The NSW Department of Planning, Industry and Environment returned strategic planning powers for the former Turrella Planned Precinct to Bayside Council. ▪ Further consideration may be given to changes to zoning and/or land use planning controls for suitable land within Turrella after the consolidated LEP has been notified, and when any strategic land use planning studies are finalised – only if any appropriate land is identified in the locality.
54	▪ Does not support additional high density residential buildings (over 3 storeys) in Botany and Banksmeadow ▪ Opposes cruise ship terminal in Yarra Bay ▪ All future developments should be built with enough parking	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. ▪ A more comprehensive review of the LEP will be undertaken in the near future and will include consideration of the findings of a number of strategies, including a housing strategy, which will be used to inform appropriate locations for potential higher residential densities in certain locations. ▪ Bayside Council at its meeting of 13 November 2019 resolved to oppose the NSW State government's proposal for a cruise ship terminal in Botany Bay. Further information is available at https://haveyoursay.bayside.nsw.gov.au/saveourbay.

		Yarra bay is located outside of the Bayside LGA and is not subject to the draft Bayside LEP. ▪ Car parking for any Development Application is assessed in accordance with the applicable Development Control Plan.
55	▪ Wolli Creek should have a bigger park, and other services such as a Post Office ▪ Significant flooding during heavy rain in Arncliffe St, Wolli Creek ▪ Ongoing traffic concerns with Arncliffe St, including the need to reduce the number of cars on this street ▪ Wetlands should be protected from further development	▪ Wolli Creek is zoned B4 Mixed Use which permits commercial uses (including banks, post offices etc). Beyond the zoning permitting such uses, it is the commercial decision of relevant businesses as to whether they choose to locate in a particular centre. No rezoning is proposed in the Wolli Creek area as part of this Planning Proposal. ▪ A Masterplan for Cahill Park was adopted in 2016 and upgrades to the park have been delivered in the past few years, including upgrades to the cycleway, foreshore, building and playground. Additional open space will be delivered as part of this. ▪ Council is aware of the flooding issues and is currently completing a project that will mitigate flood impacts and improve the road and public domain. This project includes changes to parking on Arncliffe Street. ▪ Construction is underway and will be completed in the next 12 months. ▪ The draft Bayside LEP 2020 proposes to enhance the protection of Bayside's waterways and wetlands from the impacts of future development as follows: - Zoning waterways which are currently unzoned, such as Muddy Creek, and sections of the Georges River and Cooks River to W2 – Recreational Waterways. - Mapping our Riparian Corridors along waterways and wetlands, using best practise guidelines. The

		riparian land and waterways Clauses in the draft LEP identifies land where development implications exist to reduce impacts in riparian lands and waterways. - Extension of the Foreshore Building Line (FBL) along Wolli Creek adjacent to the Turrella Industrial Precinct, to protect the foreshore from the impacts of future development.
56	▪ Requests that the Draft BLEP 2020 be amended to increase height of building from 10m to 15m, and increase floor space ratio from 0.85:1 to 1.35:1 at 26 Tupia St, Botany Bay. ▪ An uplift to the HOB and FSR are supported by the location of the site which is situated along a future transit corridor and close to the airport. ▪ Additionally, the site was previously a 'Deferred Matter' under Clause 1.3 of the BBLEP 2013 (meaning that the BBLEP 1995 was applied instead) and allowed a 1:1 FSR and a discretionary height limit.	▪ Under the Botany Bay LEP 2013, No. 26 Tupia Street, Botany (the site), is identified as 'Deferred Matter'. ▪ It is proposed to introduce all three sites currently identified as 'Deferred Matter' under the Botany Bay LEP 2013 into the draft Bayside LEP 2020, including application of appropriate zoning and planning controls for each site. ▪ As the subject site is deferred from the Botany Bay LEP 2013, the relevant controls contained in the Botany LEP 1995 for the site continue to apply. ▪ The site is zoned Residential 2(b) (equivalent zone under the BBLEP 2013 is the R3 Medium Density Residential Zone); ▪ FSR 1:1 and height to be compatible with the scale of existing residential development in the locality. ▪ The controls under the BBLEP 2013 for surrounding R3 Medium Density Residential zoned land were also taken into consideration: - FSR: 0.85:1 ; - Height: 10 metres. ▪ The draft Bayside LEP 2020 has considered these controls and proposes to zone the site R3 Medium Density Residential; and to include the site on the Height of

		Buildings Map with a height of 10 metres; and the Floor Space Ratio Map with a FSR of 0.85:1. ▪ The submission notes that the landowners were not consulted about the Council led Planning Proposal to remove Clauses 4.3(2A) and 4.4B ('bonus provisions') relating, respectively, to maximum additional building height and FSR permitted on land zoned R3 Medium Density Residential (R3) and R4 High Density Residential (R4) under the Botany Bay LEP 2013. ▪ To be clear, as the bonus provisions only apply to land currently zoned R3 and R4 <u>under the Botany Bay LEP 2013</u>, the owners of the site were not notified. ▪ In the near future, a more comprehensive review of the LEP will be undertaken that will include consideration of the findings of a number of strategies, including a housing strategy, which will be used to inform appropriate locations for higher residential densities. ▪ As previously advised to the owner of the site, and their planning consultant, the option remains to lodge a Planning Proposal to seek amendments to the current applicable planning controls for the site. Council staff will consider the strategic and site specific merits of a Planning Proposal to determine whether further amendments to the controls are warranted.
57	▪ Supports having a single LEP for Bayside	Noted.
58	▪ Zoning should be changed around Moate Ave, Brighton Le Sands to increase development potential	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. ▪ The Brighton Le Sands Masterplan is currently being prepared for certain land within Brighton Le Sands. The

		Masterplan may provide recommendations to consider potential changes to planning controls in the future. Any such changes would require rigorous assessment. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
59	▪ Sites of worship need to be located in appropriate locations, as demonstrated by various NSW Land and Environment Court decisions ▪ Supports the Draft LEP, particularly the addition of public worship as a permissible use in R2 zones which provides a sound balance between space for public worship, sensitive uses and other impacts such as traffic and noise.	▪ This submission relates to the exhibition of the draft Georges River LEP 2020 and has been forwarded to Georges River Council for their consideration. ▪ In any case, it is proposed to retain 'Places of public worship' as a use which is 'Permitted with consent' in the R2 'low density residential' zone in the draft Bayside LEP. A Development Application will be required for this use, which will determine whether or not the use is appropriate in the location.
60	▪ Concern around weed growth in Bardwell Valley, and the lack of regular maintenance and bushcare to address this	▪ The zoning of Bardwell Valley is not proposed to change under the Draft BLEP. It is zoned RE1 Public Recreation.

	▪ Ongoing flooding issues, particularly at the creek and under the golf course ▪ Rubbish collection and pick up could be more comprehensive, particularly around the creek ▪ Signage around the area might increase interest and encourage more community involvement and discourage poor behaviour	▪ This open space forms part of the Bardwell Valley Open Space Green Grid Corridor which extends from Wolli Creek through to Bexley Golf Course and beyond. This has been identified as a Priority Green Grid Corridor by the NSW state government, and Council has commenced preparing a masterplan for this corridor. Community engagement will be undertaken as part of this master planning and further input on this important open space area will be sought. ▪ Council staff note the following in response to the submission: - The creek bed and banks throughout the valley suffer from repeated inundation with stormwater loaded with nutrient, significant bank erosion and sediment deposition, resulting in complete weed infestation. - Future works will consider a sweep of the planted area to remove vines, annual and small woody weeds and treatment of the creek bank to suppress and kill weedy vines. This may also be combined with mulching and planting. - The creek banks in the golf course have been sprayed this year to control the weeds and in following contracts it is proposed to treat these areas with weed suppressing jute matting combined with native planting.
61	▪ Supports draft LEP, particularly the minimum subdivision and floor space ratios	Noted.
62	▪ The plan is very complex, and could be simplified to improve flexibility ▪ Existing high-density residential development along highways does not represent good planning outcomes	▪ The community was notified by letter of the draft Bayside LEP 2020 and the opportunity to contact Council's strategic planning staff, who are available to answer questions about the draft LEP.

		▪ The draft Bayside LEP 2020 is a harmonisation of three existing LEPs. A more comprehensive review of the BLEP will be undertaken in the near future, and will include consideration of the findings of a number of strategies, including housing, which will be used to inform potential appropriate locations for higher residential densities.
63	▪ Concern that the proposed freeway, in addition to ongoing development and other industry is increasing pollution and leading to poor community health outcomes.	▪ The draft Bayside LEP 2020 proposes the harmonisation of three existing LEPs. ▪ A more comprehensive review of the LEP will be undertaken in the near future and will include consideration of the findings of a number of strategies, including housing, which will be used to inform potential appropriate locations for higher residential densities. ▪ The M6 Stage 1 project has been approved by the NSW state government, and is not a council responsibility. The project is anticipated to also remove over 2,000 trucks from surface roads in Bayside. ▪ The M6 Stage 2 is included in Transport Future 2056 released by TfNSW. If this project goes ahead, it will potentially remove more vehicles from surface roads through Bayside. The Bayside Local Strategic Planning Statement includes an action for Council to advocate for the second stage to be underground.
64	▪ Concern with transparency of LEP and other planning processes ▪ Request for face-to-face meeting ▪ The draft LEP has not considered submissions made previously by the church regarding rezoning of 72 Wollongong Road, Arncliffe (St Mark's Coptic Orthodox Cathedral), and previous changes as proposed in the 2016 Arncliffe Banksia Priority Precinct Proposal.	▪ Council acknowledges the respondent's continued representations seeking a rezoning and upzoning of this land. ▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in

	▪ The church has a growing community and has been expanding services and sites to accommodate this growth. Future vision includes aged care, residential and social housing, education facilities, spaces for worship as well as parking, cafes and restaurants ▪ The Church is seeking an increase in the FSR to 3.5:1 (or up to 4.0:1), and a maximum building height of 30m (stepping down to 20m at Station St)	the draft Bayside LEP to further change the zoning or density of any land in the Arncliffe area. ▪ The Arncliffe area on the east side of the train station has recently be subject to comprehensive rezoning and upzoning as part of the Arncliffe and Banksia Planned Precinct/Bayside West Precincts initiative. An area west of the train station, which includes the land in question, has been identified as an area for 'further investigation'. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Therefore, further consideration <i>may</i> be given to changes to land in the locality after the consolidated LEP has been notified, and when any strategic land use planning studies are finalised.
65	▪ LEP and DCP process has not been undertaken with due process, with additional questions around the transparency of decisions making process about neighbourhood character ▪ Concern that no minimum subdivision currently exists for duplex buildings, however DA's for the same are regularly refused ▪ Concern with ongoing costs of planning application appeals	▪ The LEP has been undertaken in accordance with the legislative process as per the NSW Environmental Planning & Assessment Act 1979. ▪ Minimum subdivision lot size (Clause 4.1 of the Standard Instrument LEP) is an optional clause for any LEP. The Botany Bay LEP 2013 did not adopt the clause, whereas the Rockdale LEP 2011 did adopt the clause.

		- Clause 4.1 is proposed to be adopted in the consolidated Bayside LEP although, for the purposes of minimum lot subdivision for duplex lots, it will still not apply to land in the former Botany Bay LGA. - Minimum lot sizes in residential zones will continue to be guided by the development controls in the Botany Bay DCP 2013 until a new consolidated Bayside DCP has been adopted, or until such time as the new Bayside LEP can be amended to include minimum lot sizes for residential zones in the former Botany LGA. The latter would require consideration of the recommendations of various strategic land use planning studies, including the Housing Strategy, that are yet to be finalised.
66	Places of Public Worship should not be permitted with consent in R2 and R3 zones.	It is proposed to retain 'Places of public worship' as a use which is 'Permitted with consent' in the R2 'low density residential' and R3 'medium density residential' zone in the draft Bayside LEP. A Development Application will be required for this use, which will determine whether or not the use is appropriate in the location.
67	Support for Draft Bayside LEP	Noted.
68	- There should be less restrictions on building height and tree removal - Housing developments should accommodate population increase (e.g. through granny flats and subdivision)	- As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to consider further changes to the zoning, density or minimum subdivision lot sizes. - Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of

		Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. Further consideration may be given to changes to development standards in appropriately-located residential zones after the consolidated Bayside LEP has been notified and when any strategic land use planning studies are finalised.
69	Request for outdoor gym - Rockdale Park	This is not a matter related to the Bayside LEP, however it has been forwarded to the relevant section of Council for actioning.
70	No specific comments	Noted.
71	Lots should be a minimum 230sqm in medium density areas	- No changes are proposed to minimum lot sizes as part of the Bayside LEP - Minimum subdivision lot size (Clause 4.1 of the Standard Instrument LEP) is an optional clause for any LEP. The Botany Bay LEP 2013 did not adopt the clause, whereas the Rockdale LEP 2011 did adopt the clause; - Clause 4.1 is proposed to be adopted in the consolidated Bayside LEP. - Minimum lot sizes under Rockdale LEP will be adopted and for former Botany, residential zones will continue to be guided by the development controls in the Botany Bay DCP 2013 until a new consolidated Bayside DCP has been adopted, or until such time as the new Bayside LEP can be

		amended to include minimum lot sizes for residential zones in the former Botany LGA. ▪ A more comprehensive review of the LEP will be undertaken in the near future and will include consideration of the findings of a number of strategies, including a housing strategy, which will be used to inform any potential changes to minimum lot sizes for residential zones.
72	▪ Building heights limits should reflect the surrounding area and ensure that there is adequate solar access and retention of views.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to introduce widespread changes to the develop standards applicable in residential zones, which may have implications such as blocking light or views to and from existing buildings. ▪ Proposals for new developments will continue to be subject to the Development Assessment process, where they will be assessed against the relevant statutory planning framework, including the LEP and DCP requirements, and the standards set out in the NSW planning policies, including the Apartment Design Guide.
73	▪ Opposed to proposed heights at 161-173 Princes Highway, and Allen St because of impacts on neighbourhood character, overshadowing and overcrowding. ▪ Maximum height should be 40m.	▪ The upzoning of this land was notified by the Department of Planning, Industry and Environment in October 2018 as part of the Bayside West/Arncliffe and Banksia Planned Precincts initiative. ▪ The draft Bayside LEP does not propose to further upzone this land, or increase planning controls for this land.
74	▪ LEP documents were difficult to access, and were complex and hard to understand, and provided limited information on the changes proposed	▪ The proposed maps, and the colours used within those maps, have been created in accordance with the 'Standard Technical Requirements for Spatial Datasets and Maps'

	Map colours are difficult to understand	(August 2017) as issued by the Department of Planning, Industry and Environment.
75	- Chandler St to President Ave should either be included in Rockdale Town Centre, or allow building height for 3-5 storeys. 648 - 652 Princes Hwy and 1-3 Ashton St should either be included in Rockdale Town Center, or increase FSR to 3.5:1 and height to 30m to match surrounding areas and improve business opportunities and investment, - Bayside Council should be open to more development - More affordable housing is needed around Rockdale Plaza.	- As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to change the zoning or density of any land in this area. - Furthermore, the properties referred to are located within the 'Study Area' for the Kogarah Collaboration Area Place Strategy, which is a joint strategy between Bayside Council, Georges River Council and the Greater Sydney Commission; - The Strategy: - Establishes a vision for the Kogarah Collaboration Area, based on the community's vision expressed in the South and Eastern City District Plans, Bayside Council and Georges River Council's Community Strategic Plans and the Rockdale Town Centre and Kogarah North Precinct master plans; - Identifies the impediments and opportunities within the Collaboration Area; - Sets out the priorities for the Collaboration Area; and - Identifies actions to deliver the vision. - Further consideration may be given to locating high density development in this area after the consolidated LEP has been notified and the necessary studies are available to inform such development. Any changes will need to be in line with the Strategy and other relevant Strategic Planning policy, including the Greater Sydney Region Plan and the Eastern City District Plan.

76	▪ An additional objective (i.e. yearly assessment demonstrating increased Biodiversity land within Bayside) should be included to support areas marked as "Biodiversity" on the "Terrestrial Biodiversity Map". ▪ In paragraph 6.4 (4), development within biodiversity areas should be approved only in exceptional circumstances, and the LEP should not allow development within biodiverse areas. ▪ In paragraph 6.4 (4) (b) (ii), offset measures should be determined by an independent assessment/authority. It be complex than 1:1 land area offset.	• In preparing the draft Bayside Local Environmental Plan (LEP) we have focused on 'harmonisation' of the former Rockdale (RLEP) 2011 and Botany Bay LEP (BBLEP) controls. The aim of this approach is to use as many existing controls and Clauses from these LEPS as possible, minimise changes, and to remove any unnecessary or outdated clauses to remove any complexity. • Notwithstanding, the Terrestrial Biodiversity Clause has also been updated to improve environmental outcomes and meet LSPS and Eastern City District Plan environmental practice, including the addition of objectives of: - maintain and enhance terrestrial biodiversity by protecting, restoring and enhancing biodiversity corridors; and - including an opportunity for offsetting biodiversity impacts. • The Aims of the Plan (LEP) have also been updated to include biodiversity related objectives, such as: - to protect, conserve and enhance the environmental, scenic and cultural heritage, and landscapes, of Bayside; & - to increase urban tree canopy cover and enable the protection and enhancement of green corridor connections. • Any significant changes to controls and clauses, although they may have a positive impact on the environment, may have a significant impact on future development in the LGA. It is therefore imperative that any significant changes are informed by a robust evidence base.
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77	▪ The Draft Planning Proposal F19/1273 (187 Slade Road, Bexley North) should be considered in the development of new controls for Bexley Town Centre. ▪ There is general support for the Draft Bayside LEP 2020, however it does not propose to change the existing FSR or HOB controls on the site. ▪ Planning proposal F19/1273 was submitted in December 2019, and seeks to: ○ amend the HOB to allow a maximum of 20 and 35m, ○ amend the FSR to allow a maximum of 3.2:1 and 3.6:1, exclude the site from Area C on the Height and FSR Maps.	• The owner of 187 Slade Road has already submitted a bespoke Planning Proposal for this land which proposes the following changes to the Rockdale LEP 2011: - Increasing the maximum HOB from 16m (plus 6m incentive) to 20m and 35m; - Increasing the maximum FSR from 2:1 (plus 0.5:1 incentive) to 3.2:1 and 3.6:1; and - Removing the land from the current incentive areas. • The Planning Proposal is supported by its own studies which are currently being assessed as part of an LEP amendment process which is entirely separate from this draft Bayside LEP process. • The representations of the proponent of the Planning Proposal are noted.
78	▪ General support for the Draft Bayside LEP ▪ The draft LEP proposed to amend some FSR controls at 97 Banksia St, Botany, which may result in a reversion to a maximum FSR of 0.85:1, (rather than 1.5:1) should the conditions of draft Clause 4.4(10) not be met. This position is supported by recommendations made in the Gateway Determination. ▪ There is support for retention for the B5 Zone and additional permitted uses at 1024-1044 Botany Road, Mascot. However, there is opposition to the inclusion of the site in Riparian Lands Map due to a lack of an underlying evidence base. An external consultant (Gunninah) was commissioned to undertake an assessment of the ecological context for the site, finding that the site has minimal ecological value and no ecological significance.	• Noted. • Condition 1(h) of the Gateway determination issued by DPIE states “<i>h) delete the bonus floor space clause (cl.4.4(2A)) under the Botany Bay LEP 2013;</i>” As such, reinstating this clause would be against the conditions of the Gateway. • As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density in this area. • Council is progressing the ‘Bayside Housing Strategy’ which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time

		frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. • Further consideration may be given to changes to this area after the consolidated LEP has been notified and when the necessary studies are available. • It should be noted that the Riparian Land Clause already exists within both the Botany Bay LEP 2013 (Cl 6.9) and Rockdale LEP 2011 (Cl6.9). The proposed Bayside LEP 2020 seeks to harmonise the objectives and requirements of this Clause. The current Clause of the Botany Bay LEP 2013 is, in fact, more restrictive as it applies to all land within 40m of the top of a bank of each watercourse, including Mill Stream. This means that more of the subject land is affected by the current Botany Bay LEP Clause, compared to the proposed Bayside LEP 2020 Clause and mapping. • The proposed Riparian Corridor Mapping has been developed using best practise guidelines as recommended by Water NSW. The Guidelines recommend riparian corridor widths based on watercourse order as classified under the Strahler System of ordering watercourses (Figure 1) and uses spatial data published on the Department's website. • The width of the buffer is measured from the top of the bank on both sides of the watercourse. Figure 1 The Strahler classification system
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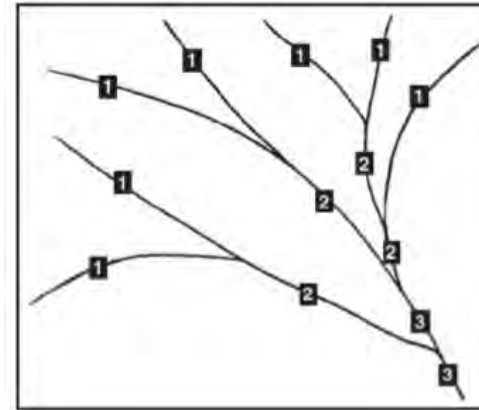


Table 1 Recommended Riparian Corridor (RC) widths

Watercourse Type	RC width (each side of watercourse)
1 st order	10 metres
2 nd order	20 metres
3 rd order	30 metres
4 th order	40 metres

- Mill Stream forms part of the Botany Wetlands, which is classified as a Class 2, requiring a 20m RC width. It is acknowledged that the subject site is located within the Eastern Economic Corridor as strategic

		employment land, as identified in the Eastern City District Plan and. It is equally acknowledged that Mill Stream and the Botany Wetlands is identified as a Green Grid Priority area in the Eastern City District Plan, recognised for its rare vegetation communities and the significant opportunity to enhance public use and access along this corridor. • The key objectives of the RC mapping in the Bayside LEP is not to unreasonably preclude the development of land, particularly where applicants can demonstrate that there would be no adverse impacts and can meet the Clause objectives. Rather they seek to preserve and enhance Riparian Corridor, where it is reasonable. Any future development of the subject site will need to address these matters, and strike a balance between a reasonable development of the site, whilst ensuring that impacts to the surrounding wetlands are minimised where possible.
79	▪ General support for the consolidation of the BBLEP and RLEP ▪ Ongoing support for an LEP framework that would incentivise investment by the private sector, particularly as the Westfield Eastgardens site represents significant opportunities for redevelopment. ▪ Ongoing collaboration with Scentre group on the future plans for the area are requested, particularly for future amendments to the Bayside LEP.	• The submission relates to Westfield Eastgardens Shopping Centre located at 152 Bunnerong Road, Eastgardens (the site). • The draft Bayside LEP 2020 proposes the harmonisation of three existing LEPs. As such, no amendments are proposed to the controls applying to the site as part of this harmonisation. • However, the site is currently the subject of a draft Planning Proposal to amend the height of buildings and Floor Space Ratio applying to the subject land. • Council staff have been consulting with the landowner during the assessment of the draft Planning Proposal, and will continue to do so, including on any amendments to

		the BLEP that could affect the assessment of the proposal.
80	▪ Requests ongoing collaboration with Council regarding opportunities for master planning and rezoning 120 Kingsland Road, Bexley North. ▪ This has been previously outlined in submissions to the LSPS.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to introduce widespread changes to the planning controls for the subject land. ▪ Further consideration may be given to changes to development standards in appropriately-located residential zones after the consolidated Bayside LEP has been notified and when any strategic land use planning studies are finalised.
81	▪ Concern with M6 Upgrade (Stage 1), and request that this be put on hold for 12 months with consideration to an increased number of people now working from home. ▪ Further clarity is needed with regards to progression of the project. ▪ Proposed Cruise Ship Terminal project should be terminated due to detrimental impacts on the environment and expected ongoing costs of maintenance. ▪ Local investment in projects should be prioritised.	▪ The M6 Stage 1 project has been approved by the NSW state government, and is not a council responsibility. The project is anticipated to also remove over 2,000 trucks from surface roads in Bayside. ▪ The M6 Stage 2 is included in <i>Transport Future 2056</i> released by TfNSW. If this project goes ahead, it will potentially remove more vehicles from surface roads through Bayside. The Bayside Local Strategic Planning Statement includes an action for Council to advocate for the second stage to be underground. ▪ The bid process for companies to construct project infrastructure is a matter for the NSW State government. ▪ At its meeting of 13 November 2019, Bayside Council resolved to oppose the NSW State government's proposal for a cruise ship terminal in Botany Bay. Further information is available at https://haveyoursay.bayside.nsw.gov.au/saveourbay. Yarra bay is located outside of the Bayside LGA and is not subject to the draft Bayside LEP.

82	▪ The draft LEP should have taken a more comprehensive approach, rather than simply harmonisation ▪ Land within 400m of Arncliffe station and Stanley Street should have a minimum density of 2:1, R4 zoning and a HOB of 22m ▪ This will provide adequate feasibility for land contains substantial development opportunity; better utilise transport infrastructure; allow more developer contributions that can fund services and facility to the existing community and new residents and be consistent with Regional and District Plans.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in the Arncliffe area. ▪ The Arncliffe area on the east side of the train station has recently be subject to comprehensive rezoning and upzoning as part of the Arncliffe and Banksia Planned Precinct. An area west of the train station, including the land in question, has been identified as an area for 'further investigation'. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
83	▪ Bayside is an area that has important habitats for native flora and fauna, and supports remnant vegetation. ▪ Draft LEP does not appear to specifically protect environmentally sensitive areas by including them under Environmental Protection zoning (e.g. intertidal areas from Dolls Point to Sandringham, Taren Point Bridge as a feeding and roosting site for migratory birds).	▪ As part of the LEP review process, Council have investigated rezoning environmentally sensitive areas in the LGA (which are generally zoned RE1 – Public Recreation) to environmental protection zoning such as E2, E3 and E4. A detailed investigation of land uses permissible in such zones, specifically the E2 – Environmental Conservation zone, compared to those permissible in land

	▪ Recommends that all areas of remnant native vegetation, wetlands, riparian areas identified as Environmentally Sensitive Lands be given protection under specific Environmental Protection Zoning E2,E3,E4. ▪ Recommends that intertidal habitats between Dolls Point and Taren Point Bridge be identified as Environmentally Sensitive Land and be given protection under Environmental Protective Zoning.	zoned for recreation revealed that rezoning would have little additional benefit. The E2 zoning would also result in unnecessary constraints on the use of recreational land in the LGA. ▪ Furthermore, before an Environmental zone can be put in place, evidence of the land's environmental value needs to be verified by tests such as flora and fauna reports, biodiversity field inspections and ground surveys, or Aboriginal heritage field inspections and cultural heritage reports. It will not be sufficient for a Council to rely on one methodology. This is simply not feasible in the timeframe granted by the Department of Planning, Industry and Environment to finalise the Bayside LEP. ▪ The value of E zones is also enhanced by ensuring zoning decisions are evidence-based. This makes any such rezoning a medium-term proposition for Council to investigate in any future LEP amendment.
84	▪ Council rezoned land from R2 to B2 in 2011, which reduced the value of various properties as it did not allow the development of 'villas'. Property owners were not notified of this change at the time. ▪ The LEP should be amended to allow villas in the B2 zone to improve streetscapes and coherence of land use.	• The submission maker has objected to a previous rezoning of properties from R2 to B2 in certain areas, under which zone the owners are '...no longer allowed to build villas'. The submission-maker refers to the following properties as examples of those affected by the new zoning restrictions: - 49, 51 etc Chuter Avenue, Ramsgate Beach; and - 194, 196 etc Chuter Avenue, Sans Souci. • There are no proposed B2 zones in the suburbs of Ramsgate, Ramsgate Beach or Sans Souci. • The above properties have been zoned R2 since the notification of the Rockdale LEP 2011, and 'attached dwellings' continue to be permitted in the R2 zone. No changes to this are proposed in the draft Bayside LEP.

85	▪ Suggested that HOB be increased to 5-9 storeys (at least) from Chandler Street to President Avenue, or include this area in Rockdale Town Centre zoning. ▪ General support for taller buildings ▪ Include 648 – 653 Princes Highway and 1-3 Ashton St in Rockdale Town Centre zoning ▪ DA-2017/211 has been approved however it is suggested that the controls be amended to 30m, and FSR 3.5 – 4.1:1	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to change the zoning of this land. ▪ The land in question is located within the 'Study Area' for the Kogarah Collaboration Area Place Strategy, which is a joint strategy between Bayside Council, Georges River Council and the Greater Sydney Commission. ▪ The Strategy: - Establishes a vision for the Kogarah Collaboration Area, based on the community's vision expressed in the South and Eastern City District Plans, Bayside Council and Georges River Council's Community Strategic Plans and the Rockdale Town Centre and Kogarah North Precinct master plans; - Identifies the impediments and opportunities within the Collaboration Area; - Sets out the priorities for the Collaboration Area; and - Identifies actions to deliver the vision. ▪ Further consideration may be given to locating higher density development in this area after the consolidated LEP has been notified, and any strategic land use planning studies are finalised. Any changes will need to be in line with the Strategy and other relevant Strategic Planning policy, including the Greater Sydney Region Plan and the Eastern City District Plan.
86	▪ The exhibition process should have been extended in light of COVID-19, and should have provided a clearer summary of changes. ▪ Additionally, a number of maps and appendices could not be located. ▪ Design excellence is supported, particularly for buildings that are high density or represent significant investment, and should be used to ensure that the development is appropriate for each site,	▪ The exhibition period was extended by an additional two weeks allow further comments from the community. ▪ Comments on the exhibition documents are noted. ▪ The draft Design Excellence Maps have been on exhibition with all other draft LEP documents. ▪ As the draft Bayside LEP process is largely an exercise in consolidating three existing LEPs, there are no plans at

	incorporating good design, green space to ensure long term community benefit. ▪ Improved planning is needed for high density areas to ensure their sustainability into the future (e.g. with more green space/ parks, developer contributions, schools and other community infrastructure, maintenance, safety) ▪ Development standards (HOB, FSR) should be better enforced by council so as to benefit the community, and appropriate measures taken to minimise detrimental impacts of their construction ▪ Roads around high density areas should be reduced to 40kmph	this stage to alter clauses such as those relating to Design Excellence. This may be something that is explored as part of future amendments to the Bayside LEP once it has been notified, and when the necessary investigatory work required to inform such work is available. ▪ While the detailed comments on the potential future development in areas such as Mascot, there are currently no plans in the draft Bayside LEP to make major, widespread changes to the zoning or density of these areas. ▪ Further consideration may be given to changes to these areas once the consolidated LEP has been notified and when the necessary studies to support any changes are available. • Most of the matters referred to in the submission are outside the remit of the current LEP process and are largely matters to be considered as part of site-specific Planning Proposals and Development Applications. • With reference to the proposed deletion of clause 4.3(2A) from the Botany Bay LEP, this has been dealt with in detail in 'Height of Buildings – Deletion of Bonus Provisions' section of Pgs. 10-11 of the draft Planning Proposal report. This has already been the subject of a separate Planning Proposal specific to the deletion of the Bonus Provisions in the BBLEP 2013, which has been the subject of an earlier assessment by the Department of Planning, Industry and Environment.
87	▪ Object to the reduction of FSR at 10 Wellington Place from 1:1 to 0.55:1. ▪ HOB restrictions on the property are out of alignment with neighbouring residential properties on Middlemiss St (as well as	▪ Wellington Street is currently affected by Clause 4.4A of the Botany Bay LEP. This clause seeks to: e) Ensure that the bulk and scale of development is compatible with the character of the locality; and

	other inconsistencies), and seem to encourage tall, narrow housing forms. Proposed that the block from Henley St to Coward St be amended to a 11m HOB	f) Promote good residential amenity. - Despite a general FSR standard of 1:1 currently applying to land in Wellington Street, Clause 4.4A also sets out the following maximum FSR standards for that are applicable to a dwelling house development on lots of a certain size in 'Area 3': <table><tr><td><200sq.m.</td><td>0.85:1</td></tr><tr><td>200-250sq.m.</td><td>0.80:1</td></tr><tr><td>251-300sq.m.</td><td>0.75:1</td></tr><tr><td>301-350sq.m.</td><td>0.70:1</td></tr><tr><td>351-400sq.m.</td><td>0.65:1</td></tr><tr><td>401-450sq.m.</td><td>0.60:1</td></tr><tr><td>>450sq.m.</td><td>0.55:1</td></tr><tr><td>Multi dwelling housing</td><td>0.80:1</td></tr><tr><td>Residential flat building</td><td>1:1</td></tr><tr><td>All other residential development</td><td>0.5:1</td></tr></table> - The majority of the existing lots on Wellington Street are greater than 450sq.m, with an FSR of 0.55sq.m already applying to these lots. - Proposed Clause 4.4(11) in the BLEP seeks to replace the requirements of existing Clause 4.4A. The stated objectives of this clause are: k) to establish standards for the maximum development density and intensity of land use; l) to ensure that buildings are compatible with the bulk and scale of the existing and desired future character of the locality; m) to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain; n) to maintain an appropriate visual relationship between new development and the existing character	<200sq.m.	0.85:1	200-250sq.m.	0.80:1	251-300sq.m.	0.75:1	301-350sq.m.	0.70:1	351-400sq.m.	0.65:1	401-450sq.m.	0.60:1	>450sq.m.	0.55:1	Multi dwelling housing	0.80:1	Residential flat building	1:1	All other residential development	0.5:1
<200sq.m.	0.85:1																					
200-250sq.m.	0.80:1																					
251-300sq.m.	0.75:1																					
301-350sq.m.	0.70:1																					
351-400sq.m.	0.65:1																					
401-450sq.m.	0.60:1																					
>450sq.m.	0.55:1																					
Multi dwelling housing	0.80:1																					
Residential flat building	1:1																					
All other residential development	0.5:1																					

		of areas or locations that are not undergoing or likely to undergo a substantial transformation; and o) to ensure that buildings do not adversely affect the streetscape, skyline or landscape when viewed from adjoining roads and other public places such as parks, and community facilities. ▪ The clause also states that development for the purposes of a dwelling house, semi-detached dwellings, attached dwellings and dual occupancies on land in ‘Area 2’ (previously Area 3) will be subject to the following maximum FSR standards applicable to lots of a certain size: <table><tr><td><200sq.m.</td><td>0.80:1</td></tr><tr><td>200-250sq.m.</td><td>0.75:1</td></tr><tr><td>251-300sq.m.</td><td>0.70:1</td></tr><tr><td>301-350sq.m.</td><td>0.65:1</td></tr><tr><td>351-449sq.m.</td><td>0.60:1</td></tr><tr><td>>450sq.m.</td><td>0.55:1</td></tr></table> ▪ A majority of properties on Wellington Street will continue to be subject to a maximum FSR standard of 0.55:1, whereas smaller lots will continue to benefit from higher maximum FSR standards. Furthermore, the proposed maximum FSR standards will continue to allow for the same level of development of the lots while respecting the objectives of the clause. ▪ No changes to building heights are proposed as part of the draft Bayside LEP. If the recommendations of the Housing Strategy (once finalised) identify certain areas within the Bayside LGA for potential height or density increases, investigation may occur as to the appropriateness of certain controls for certain sites at a future time.	<200sq.m.	0.80:1	200-250sq.m.	0.75:1	251-300sq.m.	0.70:1	301-350sq.m.	0.65:1	351-449sq.m.	0.60:1	>450sq.m.	0.55:1
<200sq.m.	0.80:1													
200-250sq.m.	0.75:1													
251-300sq.m.	0.70:1													
301-350sq.m.	0.65:1													
351-449sq.m.	0.60:1													
>450sq.m.	0.55:1													

88	▪ Objection to inclusion of 'education and information facilities', 'registered clubs', 'restaurants and cafes' and 'take away food and drink premises' as land uses permitted with consent in RE1 zone. ▪ Concern that that such uses will increase noise pollution, parking issues and safety concerns. ▪ Concern that the exhibition period has not adequately notified residents as the local newsletter is not being circulated.	▪ 'Registered clubs', 'take away food and drink premises' and 'restaurants and cafes' are prohibited in the RE1 zone under the Bayside LEP. Attachment A was incorrect at the time of exhibition, however Attachments E and F accurately reflect the permissibility of land uses within the RE1 zone. ▪ 'Education and information facilities' are appropriate use for the zone, and are proposed to be permitted with consent. It is considered to be an appropriate use in the zone, to support the objectives and is consistent with the LEP Practice Note PN09-006. ▪ Hard copies were not available to the public due to the COVID-19 restrictions. However, noting the legislative changes to the NSW Environmental Planning and Assessment Act, 1979, enabling online exhibition in lieu of physical documentation, Bayside ensured a notice was published on Council's website to inform the community. ▪ Residents were notified of the exhibition by letter, which identified that Council officers were available to assist with enquiries.
89	▪ Objects to inclusion of "Registered Clubs", "Take-away food & drink premises", and "Restaurants or cafes" in RE1 zone.	▪ 'Registered clubs', 'take away food and drink premises' and 'restaurants and cafes' are prohibited in the RE1 zone under the Bayside LEP. Attachment A was incorrect at the time of exhibition, however Attachments E and F accurately reflect the permissibility of land uses within the RE1 zone.
90	▪ Objection to inclusion of 'education and information facilities', 'registered clubs', 'restaurants and cafes' and 'take away food and drink premises' and 'museums' as land uses in RE1 zone. ▪ Concern that that such uses will increase noise pollution, parking issues and safety concerns.	▪ 'Registered clubs', 'take away food and drink premises' and 'restaurants and cafes' are prohibited in the RE1 zone under the Bayside LEP. Attachment A was incorrect at the time of exhibition, however Attachments E and F accurately reflect the permissibility of land uses within the RE1 zone.

	▪ Queried why these uses have now been included, when it was not previously a use in RE1 zoned land in the BBLEP or RLEP.	▪ ‘Education and information facilities’ are an appropriate use for the zone, and are proposed to be permitted with consent. It is considered to be an appropriate use in the zone, to support the objectives and is consistent with the LEP Practice Note PN09-006.
91	▪ Objection to inclusion of ‘education and information facilities’, ‘registered clubs’, ‘restaurants and cafes’ and ‘take away food and drink premises’ as land uses permitted with consent in RE1 zone. ▪ Queried why these uses have now been included, when they were not previously a permissible use in RE1 zoned land in the BBLEP or RLEP. Their inclusion also represents a departure from the standard instrument, and was not supported by the Local Planning Panel recommendation in Dec 2019. ▪ Argues that there is limited justification or information provided for the inclusion of clubs in RE1 Zone	▪ ‘Registered clubs’, ‘take away food and drink premises’ and ‘restaurants and cafes’ are prohibited in the RE1 zone under the Bayside LEP. Attachment A was incorrect at the time of exhibition, however Attachments E and F accurately reflect the permissibility of land uses within the RE1 zone. ▪ ‘Education and information facilities’ are appropriate use for the zone, and are proposed to be permitted with consent. It is considered to be an appropriate use in the zone, to support the objectives and is consistent with the LEP Practice Note PN09-006.
92	▪ 263-273 King St sits within the Mascot Station and Business Development precincts (currently zoned B5, with a 22m HOB and 3:1 FSR). ▪ No changes to the zoning, FSR or HOB are currently proposed in the draft Bayside LEP. ▪ Considers that the site has the capacity to support an increased HOB, up to 44m and the existing B5 zoning is restrictive, and should be rezoned to B4. Argues that these amendments should be included in the draft Bayside LEP.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. ▪ While any site subject to a Planning Proposal has strategic and site specific planning merits to justify any proposed amendments, it is noted that a Planning Proposal was lodged for land zoned B5 Business Development zone at 146-154 O’Riordan St, Mascot, to amend the height of buildings control for the part of the site facing O’Riordan Street from 22 metres to 44 metres. The proposal was considered to have strategic and site specific merit, such that the Department of Planning, Industry & Environment has issued a Gateway Determination (available to view on DPIE’s LEP Tracking website).

		It should be noted that the Eastern City District Plan clearly states that Employment Land is to be retained and managed, and is not to be rezoned to residential or mixed use. The proposal to rezone B5 Business Development (employment land) to B4 Mixed Use zone has no strategic merit when considering the specific provisions of the Eastern City District Plan that relate to rezoning such land.
93	- The subject sites (53 General Holmes Drive and 161-167 Bestic St) have been the subject of past discussion regarding potential up-zoning, given the strategic merit of the sites. - It is requested that the draft LEP consider the following amendments to the sites - Rezoning to B4 Mixed Use - Increase FSR to 3:1 - Increase HOB to 22m	- As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further amend the zoning or density of any land in this area. - Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. - Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
94	- The site at 9-15 Byrnes St and 5 Erith St are currently zoned under the Ports SEPP. - The site would be better regulated and zoned under the Draft Bayside LEP. - The site should be incorporated and rezoned as B7 Business zone through the current amending process.	Council endorsed a formal submission for the Three Ports SEPP amendments on 14 November 2018 and forwarded it to DPIE for consideration. The content of that submission remains the formal position of Council on the matter, for the land within the submission that is subject

	Rezoning the site to B7 would be consistent with the surrounding zoning on adjacent lots, and could provide a better, more coherent planning outcome for the area.	to the Three Ports SEPP area, and the land that is subject to the Botany Bay LEP 2013. - The position Council took in the submission was heavily informed by the Gateway Determination that had been issued several years earlier, in which DPIE did not agree to rezoning land to B7 Business Park zone – which is what the submission maker is seeking. - Representations by individual property owners whose land is within the area that the Three Ports SEPP amendments apply should consult directly with DPIE, who are the Planning Proposal Authority for the amendments to that Environmental Planning Instrument.
95	- General support for Clause 1.2 (Aims), however Council must aim to improve and maintain condition of the existing open space. - In relation to Clause 1.2(2)(b) Council should give ongoing consideration to what constitutes as design excellence - In relation to Clause 1.2(2)(j) Choice of trees need to be appropriate the location, and a healthy canopy must be supported with adequate space. - Clarification required around the DCP - In relation to the RE1 and RE2 zones, the submission indicates that some areas of the environment need to be conserved and that private use of land should not override public use. - Suggestion that Environmental Management Zone should be applied as relevant in the LEP - The third objective of Zone W3 would be rewritten to: <i>to minimise impacts arising from the active use of waterways on ecological values</i> - Clause 3.1(5)(b) this subclause needs to be supported by DCP provisions. - Heritage Conservation (Clause 5:10) should be expanded to include natural environment and significant trees	- Suggestions are noted. - Design excellence is clarified in Clause 6.12 of the draft Bayside LEP. - Noted. The DCP provides guidance in relation to appropriate tree species. - A consolidated Bayside DCP is being prepared, and will be subject to exhibition in the future. - As part of the LEP review process, Council have investigated rezoning environmentally sensitive areas in the LGA (which are generally zoned RE1 – Public Recreation) to environmental protection zoning such as E2, E3 and E4. A detailed investigation of land uses permissible in such zones, specifically the E2 – Environmental Conservation zone, compared to those permissible in land zoned for recreation revealed that rezoning would have little additional benefit. The E2 zoning would also result in unnecessary constraints on the use of recreational land in the LGA. - Furthermore, before an Environmental zone can be put in place, evidence of the land's environmental value needs

	▪ Considerations of the impacts of light spill should be incorporated in the draft LEP. ▪ Clause 6.1(6)(a) and (b) may have the potential to impact on drainage of the West Botany Street Market Gardens ▪ Clause 6.4 needs to refer to biodiversity as well as threatened species. ▪ Clause 6.5 (1) (b) should be amended to give consideration to potential impacts of climate change and associated sea level rise. ▪ Support for Clause 6.7.	to be verified by tests such as flora and fauna reports, biodiversity field inspections and ground surveys, or Aboriginal heritage field inspections and cultural heritage reports. It will not be sufficient for a Council to rely on one methodology. This is simply not feasible in the timeframe granted by the Department of Planning, Industry and Environment to finalise the Bayside LEP. ▪ The value of Environmental zones is also enhanced by ensuring zoning decisions are evidence-based. This makes any such rezoning a medium-term proposition for Council to investigate in any future LEP amendment. ▪ Objectives of the W3 zone are consistent with the Standard Instrument LEP. It is proposed to retain this zone, with the current objectives of the zone from the BBLEP 2013 to be carried over. ▪ Clause 3.1 (5) (b) - Relevant provisions of the SEPP will be incorporated into the draft Bayside DCP, which Council are currently preparing. ▪ Clause 5.10 Heritage Conservation – Historically, councils have been reluctant to include areas of the natural environment on the heritage list. Bayside Council may consider expanding its heritage list to include areas of the natural environment and more significant trees (we note that there are a few examples of trees included the list). ▪ There are quite a few natural areas on the heritage schedule of draft Bayside LEP. For example Bardwell Creek Flora Reserve and Stotts Reserve. ▪ There are also numerous streets listed for their landscape qualities and street trees, for example, Bay Street in Botany. ▪ There are numerous parks and reserves throughout Bayside that are on the heritage schedule, for example Memorial Park, Mascot and Gardiner Park, Bexley.
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		▪ Nominations for listing on the heritage schedule can be made at any time. If there is a particular place you wish to nominate please contact Council's Heritage Advisor for details on what information needs to be provided.
96	▪ A Planning Proposal is currently with council to rezone Lot 1, DP 840050 from RE1 to R2 (same as adjoining DP 123104 Lot 1, under same ownership) ▪ This rezoning has 'in principle' support from Council, as the zoning is in conflict with the private ownership of the land. ▪ Rezoning would enable the site to be used for educational purposes, in conjunction with the educational use on the adjoining lot. ▪ It is requested that this rezoning application be included in the draft Bayside LEP.	• As alluded to in the submission, the owner of Primrose House (the Scots College) has already submitted a bespoke Planning Proposal for this land, which proposes rezoning the land from RE1 Public Recreation to R2 Low Density Residential under the Rockdale LEP 2011. • The Planning Proposal is supported by its own studies which are currently being assessed as part of an LEP amendment process - which is entirely separate from the draft Bayside LEP process. • The representations of the proponent of the Planning Proposal are noted, but this site-specific LEP amendment will continue to be assessed separately.
97	▪ Objects to the inclusion of registered clubs, take-away food and drink premises' and 'restaurants/cafes' in RE1 zone. ▪ These uses were not previously allowed in RLEP or BBLEP, and are not well suited to the objectives of the zone. Additionally, could result in increased traffic, the need for more car parking and anti-social behaviour. ▪ Additionally, there is already adequate amenities in the area	▪ 'Registered clubs', 'take away food and drink premises' and 'restaurants and cafes' are prohibited in the RE1 zone under the Bayside LEP. Attachment A was incorrect at the time of exhibition, however Attachments E and F accurately reflect the permissibility of land uses within the RE1 zone.
98	▪ IN2 area along Wentworth and Baker Street should be extended to allow more retail, creative industries and events as well as longer trading hours.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further amend the zoning, density or permissible uses of any land in this area. ▪ The Bayside Centres and Employment Land Strategy will provide recommendations in relation to employment lands and centres. Any recommendations to change land use controls will be implemented through future planning proposals.

		- Further consideration may be given to changes to this area after the consolidated LEP has been notified and when the necessary studies are available. - Trading hours continue to be dealt with during the Development Assessment process for any application.
99	LEP should give further consideration to the arts and creative industries (e.g. through greater retail and business opportunities)	- As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to change the zoning of this land. - The Bayside Centres and Employment Land Strategy will provide recommendations in relation to the employment lands and centres. Any recommendations to change land use controls will be implemented through future planning proposals. - Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
100	- Development controls proposed for 26 Tupia St will preclude suitable development (e.g. height and FSR, as well as land uses such as food and drink premises) - It is suggested that the site be given greater consideration with regard to potential height restrictions (e.g. greater than 10m) and permissible land uses (e.g. cafes and restaurants) - It is suggested that the Design Excellence Clause (6.12) be applied more throughout the Draft LEP. - The requirements to demonstrate design excellence through a Design Review Panel or Competition process should be applied to all sites that exceed the height or floor space ratio (particularly those referred to within Clauses 4.3 and 4.4) - Clause 6.12 should provide greater certainty to applicants on how many Design Review Panels are needed and what must be achieved through the process	- Under the Botany Bay LEP 2013, No. 26 Tupia Street, Botany (the site), is identified as 'Deferred Matter'. - It is proposed to introduce all three sites currently identified as 'Deferred Matter' under the Botany Bay LEP 2013 into the draft Bayside LEP 2020, including application of appropriate zoning and planning controls for each site. - As the subject site is deferred from the Botany Bay LEP 2013, the relevant controls contained in the Botany LEP 1995 for the site continue to apply. - The site is zoned Residential 2(b) (equivalent zone under the BBLEP 2013 is the R3 Medium Density Residential Zone); - FSR 1:1 and height to be compatible with the scale of existing residential development in the locality.

	▪ Clause 6.12 ((6) should be removed, or amended to provide a description on the circumstances and procedures under which a design competition would be held. ▪ The sites in clauses 4.3 and 4.4 are anomalies, and future LEPs should aim to justify these anomalies.	▪ The controls under the BBLEP 2013 for surrounding R3 Medium Density Residential zoned land were also taken into consideration: ▪ FSR: 0.85:1. ▪ Height: 10 metres. ▪ The draft Bayside LEP 2020 has considered these controls and proposes to zone the site R3 Medium Density Residential; and to include the site on the Height of Buildings Map with a height of 10 metres; and the Floor Space Ratio Map with a FSR of 0.85:1. ▪ As previously advised to the owner of the site, and their planning consultant, the option remains to lodge a Planning Proposal to seek amendments to the current applicable planning controls for the site. Council staff will consider the strategic and site specific merits of a Planning Proposal to determine whether further amendments to the controls are warranted. ▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to amend the Design Excellence clause. ▪ Potential for amendments to the planning controls applying to the land will be considered in the near future as part of a comprehensive LEP process that will consider strategies (such as) as urban design, heritage and housing to determine whether there is strategic merit in amending the applicability of the Design Excellence clause.
101	▪ Concern that the draft LEP identifies 365 West St, Rockdale in a flood prone zone ▪ Council has a responsibility to protect areas from flooding (e.g. by increasing the height of storm drains, reducing the amount of impermeable surfaces etc)	▪ Being a low lying area and close proximity to the Muddy Creek, part of the site at 365 West Botany Street can be affected in 1% AEP flooding. The 1% AEP flood means there is a 1% chance of a flood of this height, or higher occurring in any one year. ▪ A Floodplain Risk Management Study and plan (FRMS) in this catchment was completed in 1998. This study did not

		find a viable option to reduce flooding adjacent to the properties adjacent to this site. ▪ A review of this study will commence in 2020 and will again use the flood model and consider the feasibility of options to reduce flooding in the whole catchment. The study will include a review of existing flood mitigation options and identification of potential new options. Council is aiming to complete Preliminary option identification and analysis by December 2021. ▪ During this study Council will notify flood affected properties and seek comments on the flood mitigation options. ▪ Once flood mitigation options are identified in the FRMS, Council will consider implementation of the options subject to cost/benefit ratio to the community, and available funding.
102	▪ The Turrella industrial area is zoned IN2, however the traffic generated by this area appears to outstrip the zoning and generates significant noise and air pollution. ▪ Concern for the impact of significant amount of truck movements on sensitive uses in the area (residential, educational) ▪ Current use of the land seems does not seem to meet the objectives of IN2, and council should consider relocating this industry elsewhere.	▪ The industrial land identified in the submission has been subject to the particular zoning since the notification of the Rockdale LEP 2011. ▪ As the draft BLEP largely represents an exercise in consolidating the three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. ▪ It should be noted that a significant area of Employment Land exists within the suburb of Turrella. The Eastern City District Plan clearly states that Employment Land is to be retained and managed, and is not to be rezoned to residential or mixed use. ▪ The NSW Department of Planning, Industry and Environment returned strategic planning powers for the former Turrella Planned Precinct to Bayside Council. Further consideration may be given to changes to zoning and/or land use planning controls for suitable land within Turrella

		after the consolidated LEP has been notified, and when any strategic land use planning studies are finalised – only if any appropriate land is identified in the locality.
103	Support for Maps	Noted.
104	Removal of 'residential flat buildings' in R3 zones could have detrimental impacts on property values (specifically 1A Washington Street, Bexley), and might limit possible development opportunities in the future.	Residential Flat Buildings are currently prohibited in the R3 Medium Density Residential zone under Rockdale LEP 2011. This is not proposed to change as part of the draft Bayside LEP.
105	- Supports changes to Part 4 - Principal Development Standards 4.4 in R3 and R4 zones at 96A Bay St, Botany - Neighbourhood character of the area would support an increase in height at this site from 4 storeys to 6 storeys. This would also reduce rail noise for residents.	- As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. - Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
106	- Discontent at process of harmonisation, rather than preparing a more comprehensive review. - Land within 400m of Arncliffe Station and the southern side of Stanley Street should be zoned R4, have a HOB of 22m and a 2:1 FSR. This would support future development, better utilise railways, allow for more development contributions and allow consistency with the Regional and District Plans.	- As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in the Arncliffe area. - The Arncliffe area on the east side of the train station has recently be subject to comprehensive rezoning and upzoning as part of the Arncliffe and Banksia Planned Precinct. An area west of the train station, including the land in question, has been identified as an area for 'further investigation'. - Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that

		aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
107	▪ Exhibition should have been deferred until community meetings and/or information sessions could be held, and documents could be viewed in hard-copy. ▪ Feels that parts of the community were excluded from contributing.	▪ Hard copies were not available to the public due to the COVID-19 restrictions. However, noting the legislative changes to the NSW Environmental Planning and Assessment Act, 1979, enabling online exhibition in lieu of physical documentation, Bayside ensured a notice was published on Council's website to inform the community. ▪ Residents were notified of the exhibition by letter, which identified that Council officers were available to assist with enquiries.
108	▪ New LEP has limited regard for retaining history and will destroy the 'single storey, free standing dwelling' neighbourhood character of the area. ▪ Increased development resulting in multi-storey buildings has had a detrimental impact on social cohesion. ▪ New controls appear to have eliminated LEP provisions that would support the retention of single dwellings on a lot, while allowing for 'default' 3-storey, multi-dwelling developments. ▪ Objects to loss of (or lack of protection) for detached housing in areas around Mascot (e.g. Forster St, Olivia St, Aloha St). ▪ Requests that provisions be instated for a maximum HOB of 2 storeys and limits on number of dwellings on a lot, particularly in areas of historical significance.	▪ Heritage is important to the Bayside LGA. The Aims of the Plan (LEP) have also been updated to include biodiversity related objectives, such as: ▪ <i>to protect, conserve and enhance the environmental, scenic and cultural heritage, and landscapes, of Bayside;</i> ▪ Heritage Strategies are currently being prepared for both Aboriginal Heritage and Non Aboriginal Heritage. This includes consideration of new heritage conservation areas. This will be placed on exhibition in 2020. ▪ Changes will be made to the Bayside LEP based on the recommendations of these studies. ▪ No changes to building heights are proposed as part of the draft Bayside LEP. If the recommendations of the Housing Strategy (once finalised) identify certain areas within the Bayside LGA for potential height or density increases,

		investigation may occur as to the appropriateness of certain controls for certain sites at a future time.
109	▪ Objects to allowing registered clubs in RE1 zones.	▪ ‘Registered clubs’ are prohibited in the RE1 zone under the Bayside LEP. Attachment D was incorrect at the time of exhibition, however Attachments A, E and F accurately reflect the permissibility of land uses within the RE1 zone.
110	▪ Objects to allowing registered clubs in RE1 zones.	▪ ‘Registered clubs’ are prohibited in the RE1 zone under the Bayside LEP. Attachment D was incorrect at the time of exhibition, however Attachments A, E and F accurately reflect the permissibility of land uses within the RE1 zone.
111	▪ Bayside is an area that has important habitats for native flora and fauna, and supports remnant vegetation. ▪ Draft LEP does not appear to specifically protect environmentally sensitive areas by including them under Environmental Protection zoning (e.g. intertidal areas from Dolls Point to Sandringham, Taren Point Bridge as a feeding and roosting site for migratory birds). ▪ Recommends that all areas of remnant native vegetation, wetlands, riparian areas identified as Environmentally Sensitive Lands be given protection under specific Environmental Protection Zoning E2, E3, E4. ▪ Recommends that intertidal habitats between Dolls Point and Taren Point Bridge be identified as Environmentally Sensitive Land and be given protection under Environmental Protective Zoning.	▪ As part of the LEP review process, Council have investigated rezoning environmentally sensitive areas in the LGA (which are generally zoned RE1 – Public Recreation) to environmental protection zoning such as E2, E3 and E4. A detailed investigation of land uses permissible in such zones, specifically the E2 – Environmental Conservation zone, compared to those permissible in land zoned for recreation revealed that rezoning would have little additional benefit. The E2 zoning would also result in unnecessary constraints on the use of recreational land in the LGA. ▪ Furthermore, before an Environmental zone can be put in place, evidence of the land’s environmental value needs to be verified by tests such as flora and fauna reports, biodiversity field inspections and ground surveys, or Aboriginal heritage field inspections and cultural heritage reports. It will not be sufficient for a Council to rely on one methodology. This is simply not feasible in the timeframe granted by the Department of Planning, Industry and Environment to finalise the Bayside LEP.

		▪ The value of Environmental zones is also enhanced by ensuring zoning decisions are evidence-based. This makes any such rezoning a medium-term proposition for Council to investigate in any future LEP amendment.
112	▪ Supportive of Draft LEP.	▪ Noted.
113	▪ Objects to “Registered clubs” as permitted with consent in RE1 zones.	▪ ‘Registered clubs’ are prohibited in the RE1 zone under the Bayside LEP. Attachment D was incorrect at the time of exhibition, however Attachments A, E and F accurately reflect the permissibility of land uses within the RE1 zone.
114	▪ Draft documents on exhibition are difficult to understand and does not seek to protect the environment ▪ Clarification sought on maximum height for P4 areas ▪ Ongoing concern about the overall effects of high rise buildings	▪ Council recognises the social and environmental value of local waterways and wetlands, and the importance of, maintaining, managing, protecting them. ▪ Council also has a strong commitment to regenerate and protect Bayside’s waterways and riparian corridors as reflected in our Community Strategic Plan and Local Strategic Planning Statement. Priorities for Council, as outlined in these strategic documents, seek to protect and improve the health of Bayside’s waterways and biodiversity. The above proposed changes to the LEP helps to regulate impacts to our waterways and achieve these priorities ‘on the ground’. ▪ The legend ‘P4’ was missing from the HOB maps in error. ‘P4’ represents 18m.
115	▪ Requests that HOB and FSR controls at 648-652 Princes Highway and 1-3 Ashton Street are amended to 30 and 3.5:1 ▪ Chandler St to President Ave should be amended to have an HOB of up to 9 storeys	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further amend the zoning or density of any land in this area. ▪ Council is progressing the ‘Bayside Housing Strategy’ which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A

		Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
116	Conflicts between HOB maps and existing 4 storeys at Banksia Ave	Buildings in this area may have been approved outside of the current height controls via a separate process (ie Land and Environment Court, former Part 3A process etc), or before these applicable controls were in place. Any new developments must comply with current height required as per the draft Bayside LEP.
117	Objection to the inclusion "Registered Clubs", "Take-away food & drink premises", and "Restaurants or cafes" as permitted with consent in RE1 Public Recreation zone	'Registered clubs', 'take away food and drink premises' and 'restaurants and cafes' are prohibited in the RE1 zone under the Bayside LEP. Attachment A was incorrect at the time of exhibition, however Attachments E and F accurately reflect the permissibility of land uses within the RE1 zone.
118	- Object to rezoning of New Illawarra Road at Bexley North for higher density. - Further development will result in increased traffic.	- The draft Bayside LEP does not proposed any amendments to planning controls in this area. - A Planning Proposal for the site was submitted to Council for amendments to the RLEP 2011, which was not supported by Council. The proponent has sought a Rezoning Review, and a Gateway Determination is imminent. If a Gateway Determination is issued by DPIE that requires Council to exhibit the Planning Proposal, this will form a separate process to the Draft Bayside LEP.

		▪ In addition, Council is preparing a draft Transport Strategy that recognises the importance of public transport, cycling and walking to Sydney's strategic centres and local and neighbourhood centres to reduce the need for car dependency.
119	▪ Objection to the inclusion "Registered Clubs", "Take-away food & drink premises", and "Restaurants or cafes" as permitted with consent in RE1 Public Recreation zone	▪ 'Registered clubs', 'take away food and drink premises' and 'restaurants and cafes' are prohibited in the RE1 zone under the Bayside LEP. Attachment A was incorrect at the time of exhibition, however Attachments E and F accurately reflect the permissibility of land uses within the RE1 zone.
120	▪ Request that 51-53 Rhodes St be rezoned from B7 to either B4 or R3 to align with neighbouring residential uses.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further amend the zoning or density of any land in this area. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ It is noted that the Eastern City District Plan clearly states that Employment Land is to be retained and managed, and is not to be rezoned to residential or mixed use. Any further consideration that may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised

		would need to be cognisant of this strategic planning position.
121	▪ Support for the LEP as it related to 96A Bay St ▪ The site neighbours a Port Railway line, and taller buildings will reduce railway noise to neighbours and will align with other tall buildings in the neighbourhood	▪ Noted.
122	▪ Requests a rezoning at 161-165 Bestic St and 53 General Holmes Drive – an application is to be submitted.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further amend the zoning or density of any land in this area. ▪ Noted. Any future Planning Proposal applications will be considered by Council from the time of lodgement.
123	▪ Objects to further high-density residential developments on King Edward St. ▪ R2 zoning should maintain a 2 storey limit, and should not allow multi-dwelling apartments.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further amend the zoning or density of any land in this area. ▪ Areas zoned R2 Low Density Residential in the RLEP 2011 do not permit multi-dwelling housing are generally subject to an 8.5m height limit.
124	▪ Proposed building heights for Hattersley St, Banksia between Subway Rd and Telstra lane which are out of character with the local area ▪ View corridors to Botany Bay from Banksia Ridge will be compromised by a multi-story development in the vicinity of Banksia railway station. ▪ Inadequate capacity of existing road and public transport options.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further amend the zoning or density of any land in this area ▪ Matter such as view corridors would be addressed as part of the assessment of a future Development Application. ▪ In addition, Council is preparing a draft Transport Strategy that recognises the importance of public transport, cycling and walking to Sydney's strategic centres and local and neighbourhood centres to reduce the need for car dependency.
125	▪ The Draft LEP does not accommodate enough provisions for housing diversity, and should cater to low-rise medium density development.	▪ No changes are proposed to minimum lot sizes as part of the Bayside LEP. Minimum subdivision lot size (Clause 4.1 of the

	▪ Objects to minimum 700sqm for dual occupancy, and argues for a minimum of 500sqm, with 12m frontages as long as there is ongoing consideration to neighbourhood character and appropriate landscaping. ▪ Argues for multi-dwelling housing to be permitted in R2 zone, with support from Bayside DCP. ▪ Chuter Ave, Sans Souci should be up-zoned to R3, as per surrounding streets.	Standard Instrument LEP) is an optional clause for any LEP. The Botany Bay LEP 2013 did not adopt the clause, whereas the Rockdale LEP 2011 did adopt the clause. Clause 4.1 is proposed to be adopted in the consolidated Bayside LEP. ▪ Minimum lot sizes under Rockdale LEP will be adopted unchanged and for former Botany, residential zones will continue to be guided by the development controls in the Botany Bay DCP 2013 until a new consolidated Bayside DCP has been adopted, or until such time as the new Bayside LEP can be amended to include minimum lot sizes for residential zones in the former Botany LGA. ▪ It should be noted that the draft Bayside LEP does not include minimum lot sizes for dual occupancy development. However, the minimum lot size requirements for dual occupancy torrens title subdivision currently within Rockdale LEP 2011 will remain. ▪ Multi-dwelling housing is not considered an appropriate form of development for the R2 Low Density Residential zone, and is therefore prohibited. ▪ A more comprehensive review of the LEP will be undertaken in the near future and will include consideration of the findings of a number of strategies, including a housing strategy, which will be used to inform appropriate minimum lot sizes and locations.
126	▪ The Draft LEP does not accommodate enough provisions for housing diversity, and should cater to low-rise medium density development. ▪ Objects to minimum 700sqm for dual occupancy, and argues for a minimum of 500sqm, with 12m frontages as long as there is ongoing consideration to neighbourhood character and appropriate landscaping. ▪ Argues for multi-dwelling housing to be permitted in R2 zone, with support from Bayside DCP.	▪ No changes are proposed to minimum lot sizes as part of the Bayside LEP. Minimum subdivision lot size (Clause 4.1 of the Standard Instrument LEP) is an optional clause for any LEP. The Botany Bay LEP 2013 did not adopt the clause, whereas the Rockdale LEP 2011 did adopt the clause. Clause 4.1 is proposed to be adopted in the consolidated Bayside LEP. ▪ Minimum lot sizes under Rockdale LEP will be adopted unchanged and for former Botany, residential zones will

	▪ Chuter Ave, Sans Souci should be up-zoned to R3, as per surrounding streets.	continue to be guided by the development controls in the Botany Bay DCP 2013 until a new consolidated Bayside DCP has been adopted, or until such time as the new Bayside LEP can be amended to include minimum lot sizes for residential zones in the former Botany LGA. ▪ It should be noted that the draft Bayside LEP does not include minimum lot sizes for dual occupancy development. However, the minimum lot size requirements for dual occupancy torrens title subdivision currently within Rockdale LEP 2011 will remain. ▪ Multi-dwelling housing is not considered an appropriate form of development for the R2 Low Density Residential zone and is therefore prohibited. ▪ A more comprehensive review of the LEP will be undertaken in the near future and will include consideration of the findings of a number of strategies, including a housing strategy, which will be used to inform appropriate minimum lot sizes and locations.
127	▪ There are additional areas that should be considered for heritage zoning, including areas that were identified in the 1991 Heritage study, as well as the Oceanview Estate in Bexley and the Moorefield Estate in Kogarah. ▪ Other streets should be retained as heritage areas, including Lansdowne and Hamilton Streets, Bexley, Farr and Gibbs St in Banksia, and Brighton Parade, Brighton Le Sands.	▪ Heritage Strategies are currently being prepared for both Aboriginal Heritage and Non-Aboriginal Heritage. This includes consideration of new heritage conservation areas. It is proposed that this will be exhibited in 2020. ▪ Any relevant changes will be made to the Bayside LEP based on the recommendations of these studies.
128	▪ Argues for an increase in HOB (to 39m) and FSR (to 4.5:1) at 1-19 Station Street, Kogarah to support the strategic location of the site, and in line with the objectives of regional and district plans. ▪ The submission also seeks the deletion of site amalgamation bonuses to height and FSR under Clauses 3.3(3)(d) and 4.4.(5)(d).	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is

		noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ The land in question is located within the 'Study Area' for the Kogarah Collaboration Area Place Strategy, which is a joint strategy between Bayside Council, Georges River Council and the Greater Sydney Commission. ▪ The Strategy: - Establishes a vision for the Kogarah Collaboration Area, based on the community's vision expressed in the South and Eastern City District Plans, Bayside Council and Georges River Council's Community Strategic Plans and the Rockdale Town Centre and Kogarah North Precinct master plans; - Identifies the impediments and opportunities within the Collaboration Area; - Sets out the priorities for the Collaboration Area; and - Identifies actions to deliver the vision. ▪ Further consideration may be given to locating high density development in this area after the consolidated LEP has been notified and the necessary studies are available to inform such development. Any changes will need to be in line with the Strategy and other relevant Strategic Planning policies, including the Greater Sydney Region Plan and the Eastern City District Plan.
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129	▪ Objection to Clause 6.15 (Active Street Frontages) as it limits commercial opportunities. ASF could be market driven instead (with specific reference to 200 Coward St, Mascot). ▪ Objects to Clause 6.19(2) of the Bayside LEP requiring a minimum 5,000sqm for non-residential land uses. With specific reference to 128 Bunnerong Road, Pagewood, the submission highlights that the Design Excellence Panel has given previous support for a more concentrated area of retail (3,500sqm), and that the size of Westfield Eastgardens makes it difficult for other retail to compete.	▪ No changes are proposed to existing Active Street Frontages as part of the draft Bayside LEP. Active Street Frontages will continue to be mapped, since they improve the amenity to the public domain by encouraging pedestrian activity, and can also assist in supporting the economic viability of the centre where this provision will apply. The subject land is located within a Strategic Centre, and Active Street Frontages are most appropriate in the location. ▪ Clause 6.19(2) was introduced in November 2019 as part of Amendment No.8 to the Botany Bay 2013, as per a condition of the Gateway Determination issued by DPIE. Given that this provision is less than 1 year old, and was included in the Gateway Determination by DPIE for the Planning Proposal, it is not considered appropriate to amend this clause.
130	▪ Emphasises the importance of maintaining restrictions on retail development in the B6 Enterprise Corridor Zone to ensure viability of existing hierarchies. ▪ Specific reference to 152-200 and 206 Rocky Point Road, and the potential impacts that additional permissible retail uses on this site would have on Kogarah Strategic Centre, and smaller centres at Sans Souci and Ramsgate. ▪ Council should support only minor retail formats in the B6 Enterprise Corridor Zone by maintaining the existing LEP 2011 provisions that prohibit neighbourhood supermarkets and full-line supermarkets, and only permit neighbourhood shops with a retail floor space not greater than 100m2, within the B6 Zone.	▪ It should be noted that no Additional Permitted Uses are proposed for the site in question. ▪ The planning controls applying to this site were recently amended in 2016, and do not warrant revisiting at this time. ▪ Council cannot limit retailing on individual sites beyond the provisions of the LEP. Planning cannot be undertaken in a manner that influences retail competition.
131	▪ Objects to prohibiting the use of office space in R2 zone ▪ Heritage items to be expanded ▪ Parks throughout the LGA to be retained ▪ Additional car parking required to address current shortfall in Bay Street.	▪ Office Premises are inconsistent with the objectives of the R2 and R3 residential zones, and retention of the clause will allow for inappropriately located, out-of-centre office development. In any case, Home Business (with consent) and Home Occupation (without consent) are proposed to be permitted in the R2 and R3 zones, and are considered to be far more consistent with the scale of office type premises

		that could be reasonably considered in the R2 and R3 zones without introducing significant amenity impacts. ▪ Furthermore, after conducting a review, it is considered that the existing building stock that this clause applies to is generally not suitable for adaptive reuse, due to retaining only minimal architectural merit. ▪ A Heritage Study is currently being prepared by Council. The study will investigate the various Heritage items and determine whether any additional items are recommended for inclusion in the BLEP. ▪ A Social Infrastructure Strategy is currently being prepared by Council. This will include an analysis of open space and recreation as well as community facilities and services. It will be placed on exhibition in the near future. This will provide the evidence base to allow council to plan for open space and recreation across the LGA into the future. ▪ Council is preparing a draft Transport Strategy that recognises the importance of public transport, cycling and walking to Sydney's strategic centres and local and neighbourhood centres to reduce the need for car dependency. Comments can be made when that Strategy is exhibited.
132	▪ Extended exhibition was required due to COVID-19 ▪ Objects to prohibiting the use of office space in R2 zone, selling off public land for private development, and increases in building heights ▪ Support for maintaining minimum lot sizes for dual occupancies ▪ Golf courses in Kogarah, Bexley and Botany should be protected, and more trees should be planted throughout. ▪ R2 zoning should remain low-density	▪ The exhibition period for the draft Bayside LEP was extended by two weeks to allow additional time for the community to comment. Public notification of the extension was provided on Council's website. ▪ Office Premises are inconsistent with the objectives of the R2 and R3 residential zones, and retention of the clause will allow for inappropriately located, out-of-centre office development. In any case, Home Business (with consent) and Home Occupation (without consent) are proposed to be permitted in the R2 and R3 zones, and are considered to be

		far more consistent with the scale of office type premises that could be reasonably considered in the R2 and R3 zones. ▪ Furthermore, after conducting a review, it is considered that the existing building stock that this clause applies to is generally not suitable for adaptive reuse, due to retaining only minimal architectural merit. ▪ A Social Infrastructure Strategy is currently being prepared by Council. This will include an analysis of open space and recreation as well as community facilities and services. It will be placed on exhibition in the near future. This will provide the evidence base to allow council to plan for open space and recreation across the LGA into the future. ▪ Points relating to minimum lot sizes for dual occupancies, golf courses, and low density development in the R2 zone, are noted.
133	▪ Building heights proposed as Hattersley St (between Subway Rd and Telstra Ln) are out of character. ▪ Additional height of buildings at Banksia railway will limit view corridors to Botany Bay ▪ Existing road and public transport will not support increased patronage ▪ Medium density development around Banksia is preferred, and is the most appropriate with consideration to road and public transport capacity.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. ▪ Council is preparing a draft Transport Strategy that recognises the importance of public transport, cycling and walking to Sydney's strategic centres and local and neighbourhood centres to reduce the need for car dependency. ▪ The point on medium density is noted.
134	▪ There should be provisions for developing an Urban Farm in Bayside to provide employment for local residents, boost the economy and ensure an ongoing food source. ▪ Potential locations include small reserves along the Cooks River.	▪ Over 15 ha of land in Bayside is already zoned to allow agriculture, being the three market garden sites located at Kyeemagh (8ha), Arncliffe (4.2ha) and Kogarah (3.75ha). These parcels are heritage listed and are zoned RU4 Primary Production Small Lots. The zone objectives enable sustainable primary industry and other compatible land

		uses, promote diversity and employment opportunities in relation to primary industry enterprises and also protect the agricultural value of the heritage listed market gardens. ▪ On a smaller scale Council has a number of community gardens where residents can garden collectively providing a valuable recreational activity that contributes to health and wellbeing, social connectedness and sustainable living practices. ▪ Land and reserves adjacent to Bayside's rivers, such as the Cooks River, have an important role in maintaining/enhancing native vegetation, biodiversity and water quality along the riparian corridors. ▪ It is considered the LEP already permits agriculture to occur within the LGA.
135	▪ Wetland habitats need to be preserved, particularly around Landing Lights and Rockdale wetland corridor.	▪ Council recognises the social and environmental value of local waterways and wetlands, and the importance of, maintaining, managing, protecting them. ▪ The proposed new clauses controls and mapping in the draft Bayside LEP seek to enhance the protection of Bayside's waterways and wetlands from the impacts of future development as follows: • Zoning waterways which are currently unzoned, such as Muddy Creek, and sections of the Georges River and Cooks River, W2 – Recreational Waterways. This ensures that these waterways are best protected from inappropriate land uses and development. • Mapping our Riparian Corridors along waterways and wetlands, using best practise guidelines. The riparian land and waterways Clauses in the draft LEP identifies land where development implications exist to reduce impacts in riparian lands and waterways. This means

		that any Development Application lodged for a site within these corridors requires a higher level of assessment and supporting documentation. • Extension of the Foreshore Building Line (FBL) along Wolli Creek adjacent to the Turrella Industrial Precinct to protect the foreshore from the impacts of future development. This effectively restricts any development within the FBL if it cannot meet the Clause objectives and control requirements. ▪ Council also has a strong commitment to regenerate and protect Bayside's waterways and riparian corridors as reflected in our Community Strategic Plan and Local Strategic Planning Statement. Priorities for Council, as outlined in these strategic documents, seek to protect and improve the health of Bayside's waterways and biodiversity. The above proposed changes to the LEP helps to regulate impacts to our waterways and achieve these priorities 'on the ground'.
136	▪ Small lot sizes are limiting the capacity of lots with good frontage (6m) should be able to build multi-dwelling houses in R2 zones.	▪ No changes are proposed to minimum lot sizes as part of the Bayside LEP. ▪ Minimum subdivision lot size (Clause 4.1 of the Standard Instrument LEP) is an optional clause for any LEP. The Botany Bay LEP 2013 did not adopt the clause, whereas the Rockdale LEP 2011 did adopt the clause; ▪ Clause 4.1 is proposed to be adopted in the consolidated Bayside LEP. ▪ Minimum lot sizes under Rockdale LEP will be adopted and for former Botany, residential zones will continue to be guided by the development controls in the Botany Bay DCP 2013 until a new consolidated Bayside DCP has been adopted, or until such time as the new Bayside LEP can be

		amended to include minimum lot sizes for residential zones in the former Botany LGA. ▪ A more comprehensive review of the LEP will be undertaken in the near future and will include consideration of the findings of a number of strategies, including a housing strategy, which will be used to inform appropriate locations for potential higher residential densities.
137	▪ Concern that the draft LEP was exhibited during COVID-19, which restricted access to physical documents and limited engagement from members of the community that do not have access to the internet.	▪ Hard copies were not available to the public due to the COVID-19 restrictions. However, noting the legislative changes to the NSW Environmental Planning and Assessment Act, 1979, enabling online exhibition in lieu of physical documentation, Bayside ensured a notice was published on Council's website to inform the community. ▪ Residents were notified of the exhibition by letter, which identified that Council officers were available to assist with enquiries.
138	▪ R2 zoning permissible uses should be expanded to include dual occupancy (particularly Wentworth Ave) ▪ Canopy trees in residential areas should be discouraged as they attract animal disease vectors.	▪ Dual occupancies are a permissible use in the R2 zone in the draft Bayside LEP. ▪ Noted. Detailed controls relating to trees will be addressed as part of a consolidated Development Control Plan in the future.
139	▪ Height limits should be placed on apartments, and all building regulations should be adhered to. ▪ Heritage buildings must be protected ▪ Trees and habitat areas should be preserved, and landscaping provided around new developments	▪ Height limits are mapped within the draft Bayside LEP. ▪ Heritage and green space are important to the Bayside LGA. The Aims of the Plan (LEP) have also been updated to include biodiversity related objectives, such as: - to protect, conserve and enhance the environmental, scenic and cultural heritage, and landscapes, of Bayside; & - to increase urban tree canopy cover and enable the protection and enhancement of green corridor connections.

		Specific clauses will be included in the Bayside LEP, relating to preservation of biodiversity, riparian areas, waterways and wetlands.
140	Request for extension of R3 zone to 174-184 King St (currently R2) to support population growth.	- As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further amend the zoning or density of any land in this area. - Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. - Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
141	- Clarification sought on the progress of the 9 studies undertaken to inform the LSPS, and how the current application of R2 and R3 zones in Bexley are justified. - General support for medium density housing provisions to allow 'ageing in place' - Clarification sought on the potential for rezoning to R3 controls in the Bexley area, particularly in the block bounded by St Georges Road/ Iliffe St, Mimosa St and Downey St to improve coherence and continuity of zoning controls. - Support for Kogarah to Parramatta Mass Transit Link, and for a train station at Bexley.	- Studies and strategies are being progressed by Council and are to be exhibited in 2020. - As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. - Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities

		Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when the necessary studies are available.
142	▪ Objects to maintaining multi-dwelling housing and residential flat buildings in the R2 zone.	▪ Multi-dwelling housing and residential flat buildings continue to be prohibited in the R2 zone in the area of the Bayside LGA that the RLEP 2011 currently applies. DPIE conditioned the Gateway Determination to retain these uses for the area applicable to the current BBLEP 2013 only.
143	▪ Encourages ongoing protection of environment heritage buildings in Arncliffe / Wolli Creek ▪ Council should advocate for good quality development outcomes	▪ The Bayside Heritage Strategy is being progressed and will provide recommendations of additional listings in this area if necessary. ▪ Council could potentially consider a wider review of potential heritage items in the Arncliffe area, in consultation with the community. ▪ Council recognises the social and environmental value of local waterways and wetlands, and the importance of, maintaining, managing, and protecting them. Provisions have been included in the LEP relating to these matters. ▪ The proposed new clauses, controls and mapping in the draft Bayside LEP seek to enhance the protection of Bayside's waterways and wetlands from the impacts of future development. ▪ Council also has a strong commitment to regenerate and protect Bayside's waterways and riparian corridors as reflected in our Community Strategic Plan, and Local Strategic Planning Statement. Priorities for Council, as outlined in these strategic documents, include protecting

		and improving the health of Bayside's waterways and biodiversity. The above proposed changes to the LEP helps to regulate impacts to our waterways and achieve these priorities 'on the ground'.
144	▪ Open spaces for recreation have not increased, despite ongoing residential development, and high density developments should be supported with parks ▪ Concern for increasing 'Additional Permitted Uses' and for large amounts of area in the LGA that are not controlled by Council (e.g. Cooks Cove, Three Ports).	▪ A Social Infrastructure Strategy is currently being prepared by Council. This will include an analysis of open space and recreation as well as community facilities and services. It will be placed on exhibition in the near future. This will provide the evidence base to allow council to plan for open space and recreation across the LGA into the future. ▪ No significant changes are proposed to Additional Permitted Uses as part of the draft Bayside LEP. ▪ Changes proposed to be made to SREP 33 Cooks Cove, or the Three Ports SEPP, are, ultimately, at the discretion of DPIE. Any such changes would be subject to public exhibition, so that community concerns can be considered.
145	▪ Concern for the proposed increases in Bayside housing numbers, and the impact that this might have on neighbourhood character ▪ Increases in density should be matched by an increase in public space to adequately meet community needs, and protect bushland and wildlife, as well as other social infrastructure to ease demands on schools, hospitals etc. ▪ Objects to additional increases in population density near Wolli Creek Regional Park, and any proposal to re-introduce the Turrella/Bardwell Park priority precinct ▪ If higher density is required, it should be well setback and below 3 storeys.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to change the zoning or density of any land in Wolli Creek or Turrella. ▪ A Social Infrastructure Strategy is currently being prepared by Council. This will include an analysis of open space and recreation as well as community facilities and services. It will be placed on exhibition in the near future. This will provide the evidence base to allow council to plan for open space and recreation across the LGA into the future. ▪ Heritage and green space are important to the Bayside LGA. The Aims of the Plan (LEP) have also been updated to include biodiversity related objectives, such as:

		- to protect, conserve and enhance the environmental, scenic and cultural heritage, and landscapes, of Bayside; & - to increase urban tree canopy cover and enable the protection and enhancement of green corridor connections. ▪ The NSW Department of Planning, Industry and Environment returned strategic planning powers for the former Turrella and Bardwell Park Planned Precincts to Bayside Council. Further consideration may be given to changes to land within these areas after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
146	▪ Arncliffe and Wolli Creek represent poor quality developments ▪ There is a lack of infrastructure to support these developments	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to amend the zoning or density of any land in Wolli Creek or Arncliffe. ▪ Council is preparing a draft Transport Strategy that recognises the importance of public transport, cycling and walking to Sydney's strategic centres and local and neighbourhood centres to reduce the need for car dependency. The draft LEP does not propose any changes to zoning or density controls in Wolli Creek. ▪ Furthermore, a Social Infrastructure Strategy is being prepared, which includes an analysis of open space and recreation as well as community facilities and services. This will provide the evidence base to allow council to plan for open space and recreation across the Bayside LGA.
147	▪ Support for zoning that supports high density ▪ Roads and other infrastructure should be upgraded to support high rise developments	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the

		draft Bayside LEP to further change the zoning or density of any land in the Bayside LGA. ▪ Council is preparing a draft Transport Strategy that recognises the importance of public transport, cycling and walking to Sydney's strategic centres and local and neighbourhood centres to reduce the need for car dependency. ▪ Furthermore, a Social Infrastructure Strategy is being prepared, which includes an analysis of open space and recreation as well as community facilities and services. This will provide the evidence base to allow council to plan for open space and recreation across the Bayside LGA.
148	▪ Local character statements should be prepared for each suburb. ▪ Local centres and facilities must be prioritised, with attention given to reducing traffic and improving pedestrian experience and opportunities for active transport. ▪ Concern that IN2 land at Turrella encroaches on natural areas in Wolli Creek, and should be rectified. ▪ Suggests that arts and cultural facilities should be identified in the Objectives of each relevant zone. ▪ Design excellence provisions should be extended to all development applications that exceed planning provisions. ▪ Supports provisions that retain and encourage tree canopies. ▪ Street parking is an ongoing safety concern. ▪ Seeks clarification on townhouse dwellings in R2 zoned land. ▪ Seeks clarification on EBP RSL, and the uses permitted on the land. ▪ Seeks clarification on minimum lot size proposed for LSZ_001. ▪ Requests ECDP maps with greater useability.	▪ Local character statements are currently being progressed by Council and will be subject to exhibition in the future. ▪ Council is preparing a draft Transport Strategy that recognises the importance of public transport, cycling and walking to Sydney's strategic centres and local and neighbourhood centres to reduce the need for car dependency. ▪ Creek alignments are dynamic in nature. This is particularly the case with Wolli Creek, which is subject to frequent flooding and inundation, thereby periodically transforming its banks as result of erosion. Subsequently, these natural processes may lead to the gradual retreat of the bank into the adjoining land, as is evidently the case in some parts of Turrella, adjoining the eastern banks of Wolli Creek. ▪ The process of boundary adjustments to correspond with creek alignments are complex matters. The application of planning controls, which regularise development with the intention of minimising impacts to the waterway, are considered to be more beneficial than what could be achieved as result of a boundary adjustment.

		▪ The proposed new clauses, controls and mapping in the draft Bayside LEP 2020 seek to enhance the protection of Bayside's waterways and wetlands from the impacts of future development as follows: ▪ Extension of the Foreshore Building Line (FBL) along Wolli Creek adjacent to the Turrella Industrial Precinct to protect the foreshore from the impacts of future development. This effectively restricts any development within the FBL if it cannot meet the Clause objectives and control requirements. ▪ The riparian land and waterways Clauses in the draft LEP identifies land where development implications exist to reduce impacts in riparian lands and waterways. This means that any Development Application lodged for a site within these areas requires a higher level of assessment and supporting documentation to demonstrate that there will be negligible impact. ▪ Zoning the unzoned Wolli Creek Waterway to W1 – Natural Waterway in order to limit inappropriate development that could occur if the land was to be zoned W2 Recreational Waterways. The objectives of this zone include protecting ecological values of natural waterways, and preventing development that could have adverse impacts on the natural values of waterways. ▪ The EBP RSL is proposed to be zoned 'B1 Neighbourhood Centre' under the draft Bayside LEP. ▪ Multi-dwelling housing is proposed to be prohibited in the R2 zone. ▪ Minimum lot sizes are proposed to remain unchanged under the draft Bayside LEP. ▪ Council noted comments in relation to maps contained in the ECDP. The ECDP was drafted by the Greater Sydney
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		Commission, as such, Council does not have the delegation to make mapping amendments to this document.
149	▪ Proposal contradicts previous correspondence received by Council (9th October, 2019, 19/286560 re. Aloha and Forster St heritage areas). ▪ Rejects proposed rezoning of the area as it will eliminate heritage elements and change the neighbourhood character. ▪ Further high-rise developments should be discouraged, with greater emphasis on quality open space and low-rise residential.	▪ With regards to the HCA, Council will be considering submissions received from the community in due course. When a date is fixed for the meeting then anyone who made a submission will be notified of the date and time of the meeting. ▪ The decision regarding whether the HCA shall proceed will be made by Council. If a HCA is to proceed, then a Planning Proposal to amend the Bayside LEP will be required and Council will again write to all those owners within the HCA.
150	▪ 1285 Botany Road has a restrictive covenant placed to restrict its use to tenancies and occupation of less than 90 days ▪ Requests that Draft LEP is amended to permit residential use, in addition to serviced apartments use, with particular consideration to the growing need for residential apartments, and the falling demand for short-stay accommodation (particularly with COVID-19).	▪ The draft Bayside LEP does not make any changes to existing covenants on specific sites. ▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.

151	▪ 575-589 and 602-606 Princes Highway, Rockdale ▪ Supports the additional 'permitted with consent' uses to B4 Zone, but requests that 'vehicle body repair' is also included. ▪ Requests that the subject sites be subject to a 31m HOB, similar to the B4 zoned land to the south of the sites, and that the minimum lot size provisions are removed. ▪ An alternative suggestion to the 31m HOB is that the minimum site area for the additional height bonus should be 1,500 square metres.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further amend the zoning or density of any land in this area. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ 'Vehicle Body Repair' is currently prohibited in both the RLEP 2011 and BBLEP 2013. The Draft Bayside LEP is consistent with this approach. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
152	▪ Recommends that noise measuring points should be included in LEP maps ▪ Seeking clarification of HOB_008, with particular concern for high rise facing Botany Road, and the impacts this would have on traffic in the area. ▪ Objects to road widening of Botany Road (as per LRA_008), particularly due to the impacts this would have on Mascot shopping strips.	▪ Noise is dealt with in detail in Bayside Council's DCP's. ▪ Height of buildings are not proposed to change in this location as part of the draft Bayside LEP. ▪ Land Reservation is not proposed to change as part of the draft bayside LEP. ▪ Heritage Strategies are currently being prepared for both Aboriginal Heritage and Non-Aboriginal Heritage. This includes consideration of new heritage conservation areas. Council is aiming to place these strategies on exhibition in 2020.

	▪ Does not want any further heritage listings in Mascot area as it would impede progress. Listing should not be imposed on individual property owners ▪ Concern at lack of parking, and lack of traffic lights at pedestrian crossing at Mascot Station.	▪ Any changes proposed to be made to the Bayside LEP will be informed by the recommendations of these studies. ▪ Council is preparing a draft Transport Strategy that recognises the importance of public transport, cycling and walking to Sydney's strategic centres and local and neighbourhood centres to reduce the need for car dependency. The draft Strategy will consider the objectives of Future Transport 2056 and the Bayside Local Strategic Planning Statement.
153	▪ Supports development of an affordable housing policy and contributions scheme, and encourages Bayside to achieve a minimum of 10% affordable housing stock. ▪ Affordable housing should be incentivised through tax rebates and waiving of Section 7.11 requirements.	▪ Local Infrastructure Contributions Plans (s7.11 EP&A Act), VPA policies and an affordable housing policy (when drafted) will be open for public comment through the relevant exhibition periods. These will need to have an evidence base underpinning the recommendation. This work is currently in progress. ▪ Bayside Council is bound by relevant NSW planning legislation relating to affordable housing, and cannot bypass such requirements.
154	▪ Objects to development near the foreshore area at Turrella (adjoining Wolli Creek), due to flooding issues and potential disruption of habitats and fauna in the area.	▪ The Foreshore Building Line map and written clause is to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area. ▪ Any new development within the foreshore building line map will require detailed flood impact assessment, as per the flood planning clause proposed in the Bayside Local Environmental Plan 2020.
155	▪ Concern that some businesses are operating in contravention to their DA approval conditions, such as exceeding truck tonnage limits and breaking loading/unloading rules.	▪ This matter is not related to the draft Bayside LEP. Any concerns in relation to breaches of conditions of consent should be raised with Council's compliance unit.
156	▪ Support for increased density at Turrella due to proximity to train station (specifically 33-35 Cook St).	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the

		draft Bayside LEP to further change the zoning or density of any land in this area. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ It should be noted that a significant area of Employment Land exists within the suburb of Turrella. The Eastern City District Plan clearly states that Employment Land is to be retained and managed, and is not to be rezoned to residential or mixed use. ▪ The NSW Department of Planning, Industry and Environment returned strategic planning powers for the former Turrella Planned Precinct to Bayside Council. Further consideration may be given to changes to land within Turrella after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
157	▪ General support for the draft LEP.	Noted.
158	▪ Request that more parking be added around the LGA, particularly due to more people and cars as a result of apartment developments.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further amend the zoning or density of any land in the Bayside LGA. ▪ Council is preparing a draft Transport Strategy that recognises the importance of public transport, cycling and walking to Sydney's strategic centres and local and

		neighbourhood centres to reduce the need for car dependency. The draft Strategy will consider the objectives of Future Transport 2056 and the Bayside Local Strategic Planning Statement. ▪ Parking rates will be address in a future consolidated DCP for the Bayside LGA.
159	▪ Request to rezone lots on the Princes Hwy from Ashton St to President Ave and increase HOB to at least 10 storeys to improve continuity with surrounding buildings (in Georges River Council).	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to change the zoning of this land. ▪ The land in question is located within the 'Study Area' for the Kogarah Collaboration Area Place Strategy, which is a joint strategy between Bayside Council, Georges River Council and the Greater Sydney Commission. ▪ The Strategy: - Establishes a vision for the Kogarah Collaboration Area, based on the community's vision expressed in the South and Eastern City District Plans, Bayside Council and Georges River Council's Community Strategic Plans and the Rockdale Town Centre and Kogarah North Precinct master plans; - Identifies the impediments and opportunities within the Collaboration Area; - Sets out the priorities for the Collaboration Area; and - Identifies actions to deliver the vision. ▪ Further consideration may be given to potential higher densities of development in this area after the consolidated LEP has been notified, and any strategic land use planning studies are finalised. Any changes will need to be in line with the Strategy and other relevant Strategic Planning policy, including the Greater Sydney Region Plan and the Eastern City District Plan.

160	▪ Highlights that HOB Map 005 does not have a legend item for P4, and notes that height should be retained at 18m. ▪ Requests to be informed of any changes to HOB in the area in the future due to concern over impacts on view corridors to Botany Bay.	▪ The legend 'P4' was missing from the HOB maps in error. 'P4' represents 18m. ▪ Amendments to maximum building heights are not proposed as part of the draft Bayside LEP.
161	▪ Requests that R2 zoning is retained at 1 Highworth Ave to ensure that neighbourhood amenity in the area is maintained. ▪ If 1 Highworth Ave is rezoned to allow commercial food outlets, then it is requested that such developments have strict controls on acoustic, visual and odour impacts.	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to amend the zoning of this land. ▪ These matters would be addressed as part of the assessment of a future Development Application.
162	▪ Requests support for the development of 152-206 Rocky Point Road for seniors housing and retail uses through rezoning to a mixed use use, or inclusion of the site for such uses under Schedule 1 Additional Permitted Uses ▪ Suggests that the B6 Zoning along Princes Highway is not suitable, and further restricts appropriate land uses such as seniors housing and retail ▪ Seniors housing would achieve multiple aims in the district plan, while also providing space for social infrastructure	▪ A Planning Proposal was submitted for the subject land in 2015, which was the subject of a Rezoning Review by the Sydney Eastern City Planning Panel. Following the decision of the SECPP, the DPIE issued a Gateway Determination for the Planning Proposal. The Planning Proposal was notified by the Minister on 15 April 2016, which rezoned the land to part R4 High Density Residential and part B6 Enterprise Corridor. ▪ The B6 Enterprise Corridor zone is employment land, as described in the Eastern City District Plan (ECDP). It is a clear directive of the ECDP that employment land cannot be rezoned to residential or mixed use. The purpose of employment land is to accommodate employment, not land uses which can be accommodated in more appropriate, existing zones elsewhere within the Bayside LGA. ▪ The B6 Enterprise Corridor zone is predominantly applied to areas along road corridors to accommodate large floor plate uses, such as Specialised Retail Premises, not grocery stores, which are instead supported in more easily accessible neighbourhood, local and town centres, rather than along busy road corridors. ▪ Provisions included in the Draft LEP, as well as existing provisions in State Environmental Planning Policy (Housing

		for Seniors or People with a Disability) 2004, enable consideration and assessment of proposed Seniors Housing developments, on land appropriately zoned for this use. ▪ Given the currency of planning controls relating to the site, and the current applicable strategic planning framework, there is no justification to amend the zoning or controls to enable the uses that the submission advocates. ▪ Furthermore, a mixed use zoning, or enabling uses consistent with a mixed use zone, would be inconsistent with the broader zoning, land use planning context and location.
163	▪ Argues for an increase in HOB (to 39m) and FSR (to 4.5:1) at 1-19 Station Street, Kogarah to support the strategic location of the site, and in line with the objectives of regional and district plans. ▪ The submission also seeks the deletion of site amalgamation bonuses to height and FSR under Clauses 3.3(3)(d) and 4.4.(5)(d).1-19 Station Street	▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area, or to delete any site specific provisions that currently apply to the site. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Further consideration may be given to changes to this area after the consolidated LEP has been notified and when any strategic land use planning studies are finalised.
164	▪ Indicated some issues with receiving and reviewing information on the exhibition and providing a submission	▪ Hard copies were not available to the public due to the COVID-19 restrictions. However, noting the legislative

	▪ Concern with foreshore building line and steepness of slopes ▪ FSR is appropriate for the site (23 Slade Road, Bardwell Park). ▪ Zoning and HOB is inadequate, however notes that a previous proposal to rezone to R3 has been postponed. Supports R3 up-zoning. ▪ There is an overall deficit of quality public spaces, which could be addressed through development opportunities provided by R3 zoning.	changes to the NSW Environmental Planning and Assessment Act, 1979, enabling online exhibition in lieu of physical documentation, Bayside ensured a notice was published on Council's website to inform the community. ▪ Residents were notified of the exhibition by letter, which identified that Council officers were available to assist with enquiries. ▪ The purpose of extending the Foreshore Building Line (FBL) along Wolli Creek adjacent to the Turrella Industrial Precinct is to protect the foreshore from the impacts of future development. This effectively restricts any development within the FBL if it cannot meet the Clause objectives and control requirements. ▪ As the draft BLEP largely represents an exercise in consolidating three LEPs, there are currently no plans in the draft Bayside LEP to further change the zoning or density of any land in this area. ▪ Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. ▪ Furthermore, a Social Infrastructure Strategy is being prepared which includes an analysis of open space and recreation as well as community facilities and services. This will provide the evidence base to allow council to plan for open space and recreation across the LGA.
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165	Concern about signage as part of the draft Bayside LEP	Signage provisions are proposed to be removed as 'exempt development'. Council is satisfied that SEPP (Exempt and Complying Development Codes) 2008 will adequately cover the matters currently included in Schedule 2 of both the Botany Bay LEP 2013 and the Rockdale LEP 2011.
166	- Property Council of NSW relayed general support for the Draft LEP, specifically support for the changes to the 'bonus provisions' clauses. - Some concern that Council has not been able to progress a planning proposal that seeks to actively boost housing supply in Bayside. - Supports current proposal to remove residential flat buildings from R2 and R3 permissible uses. - Recommends that final wording for new flooding clause does not impose requirements above those which are already proposed by the NSW state government.	- Noted. - Council is progressing the 'Bayside Housing Strategy' which will be exhibited in 2020. The Strategy will identify areas for further growth and further investigation. It is noted that the ECDP Action 16(d) requires a Council's housing strategy to meet the requirements of A Metropolis of Three Cities Objective 10. This requires Council to identify where housing targets can be achieved in the 6-10 year time frame that aligns with existing and proposed local infrastructure. The alignment of growth and transport infrastructure is key to achieving "more housing in the right locations" in line with the Bayside Local Strategic Planning Statement. - Noted. - The Flood planning package circulated by the NSW Government included draft guidelines for Flood Planning areas and draft LEP clauses, and was released after the draft Bayside LEP 2020 was prepared. The documents are currently in draft for public consultation, and are not yet endorsed by the NSW government. When, and if, they are adopted, Council will consider them in future reviews of the LEP clause. - The draft Bayside LEP flood planning clauses are consistent. - General support for the Draft LEP, specifically support for the changes to the 'bonus provisions' clauses.

		▪ Some concern that Council has not been able to progress a planning proposal that seeks to actively boost housing supply in Bayside. ▪ Supports current proposal to remove residential flat buildings from R2 and R3 permissible uses. ▪ Recommends that final wording for new flooding clause does not impose requirements above those which are already proposed by the NSW state government.
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