

Draft Planning Proposal

Medium Density Residential Uses



September 2024

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Version 2.0 – March 2023	City Planning and Environment Committee meeting – 12 April 2023 (Pre-Gateway)
Version 3.0 – June 2023	Submit for Gateway Determination
Version 4.0 – September 2024	Exhibition

Introduction

This draft Planning Proposal (PP) Report explains the intended effect of, and justification for, the proposed amendments to *Bayside Local Environmental Plan 2021* (BLEP 2021) to amend planning controls in Zone R3 Medium Density Residential, to facilitate a range of medium-density residential uses that can be designed appropriately, in particular Attached Dwellings (ADs) and Multi Dwelling Housing (MDH).

The overarching goal of this draft PP is to facilitate increased take-up of medium-density housing typologies in the R3 zone, thereby helping to improve the diversity of housing supply across Bayside Local Government Area (LGA), while encouraging orderly development and improved design outcomes.

ADs and MDH are permitted with consent in the R3 zone. New or updated controls are required in order to better guide development and facilitate increased take-up.

By introducing these standards, the draft PP intends to better guide built form outcomes for Development Applications (DAs) lodged under the BLEP 2021.

The draft PP is aligned with the LSPS, in particular:

- **Action 7.1** Review planning controls to deliver a range of dwelling types, size and standards:
 - c) review the development controls to achieve better built form outcomes for medium density development.

It is also aligned with the LHS and has been prepared partly in response to the following action:

- **Action 6.1:** Review development controls including the use of minimum lot size and frontages controls to ensure that effective design can be achieved in infill development situations.

The draft PP has been prepared in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979 and the NSW Department of Planning, Housing and Infrastructure (DPHI) *Local Environmental Plan Making Guideline* (August 2023).

Background

Multi Dwelling Housing is defined in the Standard Instrument LEP as “3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.”

This can be in the form of:

- terraces: where all dwellings face and generally follow the alignment of one or more public roads;
- townhouses: typically two-storey housing arranged around an internalised street and lane network; or
- villas: one-storey housing arranged around an internalised street and lane network.

These forms are illustrated in Figure 1 below:



Figure 1: Forms of Multi-Dwelling Housing

Attached Dwellings are defined as “a building containing 3 or more dwellings, where –

- (a) each dwelling is attached to another dwelling by a common wall, and
- (b) each of the dwellings is on its own lot of land, and
- (c) none of the dwellings is located above any part of another dwelling.”

The subdivision of attached MDH, to create one new lot of land per dwelling, results in ADs. Therefore, any changes to planning controls on R3 zoned land under this draft PP should apply to both land uses, and take into account both construction and subdivision.

Development for the purposes of MDH or ADs is typically governed by all or some of the following LEP planning controls:

- Maximum floor space ratio (FSR);
- Maximum height of buildings;
- Minimum lot size (for construction of dwellings);
- Minimum subdivision lot size; and
- Minimum lot width.

Planning controls for Bayside’s R3 zone vary depending on whether land is on the former Rockdale or Botany Bay LGA side. Floor Space Ratio (FSR) and Height of Buildings controls tend to be higher on the former Botany Bay LGA side. There is a subdivision lot size control of 450 sqm that applies to R3 zoned land, but only on the former Rockdale LGA side. No lot size or width controls apply under BLEP 2021, although minimum frontage width controls apply to the former Rockdale LGA side (18m) under Bayside Development Control Plan 2022 (BDCP 2022).

Bayside’s LHS was adopted by Council in March 2021 (Council’s resolution of 10 March 2021 is included at **Appendix B**) and approved by the DPHI in June 2021. In its letter approving the LHS (**Appendix C**), the DPHI including the following requirements relevant to this draft PP:

4. To ensure housing diversity is achieved by 2036, Council is to expedite the following investigations and obtain Gateway for planning proposals by December 2022:
 - a) the introduction of dwelling size and mix controls;
 - b) the review and update of medium density controls;
 - c) the review and update of dual occupancy controls.

Council should concurrently review development controls including the use of controls to ensure effective design for infill development as outlined in the LHS.

9. As housing diversity is a key objective in the LHS, Council is to provide a comprehensive evidence base in relation to the delivery of medium-density housing, including dual occupancy and associated controls, particularly if Council will request an exemption from the Low Rise Housing Diversity Code. This should include:
 - a) Historical and forecast supply of medium-density housing, including statistics on range of housing types of approved over the last five years (development applications and complying development certificates) and anticipated future take-up rates.
 - b) Recommended controls outlined in LHS for medium-density housing in the implementation plan, including the current status and timeline for implementation.

A draft Implementation Plan has been prepared and will be considered by Council in the short term. This plan will outline implementation details for all actions contained in the LHS, including the above actions relating to this draft PP.

In accordance with the requirements contained in the DPHI's approval of the LHS, a summary of development approvals for MDH and ADs in the Bayside LGA over the last five years, and land capacity for future approvals, has been prepared, and is included later in this report.

Low Rise Housing Diversity Code

MDH (in the form of terraces, where all dwellings are attached and face one or more public roads) is also permissible without consent as Complying Development (CD) in Zone R3, under the Low Rise Housing Diversity Code, which is contained in the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP).

First introduced in July 2018, the LRHD Code's commencement was deferred in Bayside LGA until July 2020. With the finalisation of the BLEP 2021 in August 2021, the Code now allows MDH (terraces) as CD on R3-zoned land across the LGA (wherever Codes SEPP exemptions are not in place). The intention of the Code is to encourage further take-up of the 'missing middle' of housing supply – historically undersupplied low-medium-density housing types, such as MDH – by allowing fast tracked approvals for these housing types.

The LRHD Code contains a range of controls development must adhere to in order to qualify as CD. These relate to:

- lot size;
- lot width;
- building height;
- gross floor area (GFA) of buildings;
- setbacks (primary road, secondary road and side);
- landscaped area;
- articulation zones, screening and balconies;
- parking and vehicle access.

As these controls largely override local LEP and Development Control Plan (DCP) provisions, Council has limited input into the built form outcomes that eventuate from Code-compliant, terrace-style MDH. The exception is lot size (Clause 3B.33(1)(a) of the Code), wherein the Code allows a minimum lot area control for MDH specified in an LEP to apply in place of the default control of 600 sqm.

Unlike the controls for Dual Occupancy development in Zone R2 Low Density Residential, the Code controls for MDH (terraces) have had little effect in Bayside LGA, and are unlikely to result in outcomes that are disruptive to Bayside's R3 zone. Council officers therefore do not recommend introducing any minimum lot area control under BLEP 2021 to replace the default Code control.

Subdivision Code

The Subdivision Code, contained in the Codes SEPP, has also been amended as a result of the LRHD Code. It now allows, as CD, the subdivision of land on which a Complying Development Certificate (CDC) has been issued for terrace-style MDH, provided certain requirements are met.

Clause 6.4(1)(e) allows for the Torrens title subdivision of terrace-style MDH (creating ADs that each face a public road), for which a CDC has been issued under the LRHD Code, provided the area of each resulting lot is at least 200 sqm.

Unlike the LRHD Code, the Subdivision Code does not allow any substitute LEP control to apply in place of the above control, in relation to terrace-style MDH. Therefore, the draft PP will have no effect on the operation of the Subdivision Code.

Development Control Plans

A review of the medium density housing DCP controls has been undertaken during the preparation of BDCP 2022. The main purpose of the review was to harmonise the RDCP 2011 and *Botany Bay Development Control Plan 2013* (BBDCP 2013).

As there are a number of controls in these documents that are directly or indirectly relevant to this draft PP, it is recommended that the BDCP 2022 medium density housing controls are reviewed to ensure consistency with the subject draft PP. Though exhibited to Council at their meeting on 26 April 2023, amendments to the BDCP 2022 will not be included as part of this Planning Proposal; they have instead been deferred to a future BDCP 2022 Housekeeping review.

Part 1 - Objectives or Intended Outcomes

The objective of this draft PP is to encourage housing diversity through the facilitation of increased take-up of medium-density housing in Bayside's R3 Medium Density Residential Zone, that adheres with the residential amenity and character of the area, and is designed appropriately to respond to that amenity and character.

This will be achieved by introducing a new maximum FSR control over parts of the R3 zone, where it is already permitted with consent under the BLEP 2021.

Part 2 - Explanation of Provisions

The draft PP will introduce new controls that affect development for the purposes of:

- Construction of MDH; and
- Subdivision of land on which MDH exists, or is proposed.

It seeks to amend BLEP 2021, as follows:

- Increasing the maximum FSR control, for all R3 zoned land where a maximum FSR control of 0.6:1 currently applies, to 0.7:1 (as illustrated in the map contained at **Appendix A**); and
- Introducing a new provision stating that Clause 4.1 does not apply to the subdivision of land in Zone R3 on which the erection of MDH or an AD are approved or proposed.

Part 3 – Justification

A Need for the Draft Planning Proposal

Q1 Is the Draft Planning Proposal a result of any strategic study or report?

The draft PP is aligned with the Bayside LSPS, in particular:

- Action 7.1 Review planning controls to deliver a range of dwelling types, size and standards:
 - c) review the development controls to achieve better built form outcomes for medium density development.

It has also been prepared partly in response to Action 6.1 of the LHS. The LHS was endorsed by Council in March 2021 (**Appendix B**) and DPHI in June 2021 (**Appendix C**).

The draft PP has also been prepared in response to Requirement 4 contained in the DPHI's letter of approval of the LHS, which requires Council to expedite the review and update of medium density controls to obtain a Gateway for a Planning Proposal by December 2022.

Q2 Is the Draft Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The draft PP is supported by technical and design advice provided by a Registered Architect. This advice notes that capacity remains in the R3 zone on the former Rockdale LGA side of Bayside, while the majority of R3 zoned land in the former Botany Bay LGA side has already been developed for the highest and best use of the land. The R3 zoned land on the former Rockdale LGA side is largely subject to a maximum FSR control of 0.6:1 (refer to map included at **Appendix A**), while on the former Botany Bay LGA side, there are FSR controls of 0.85:1 and higher.

Built form testing investigated the potential to increase the FSR control, particularly on the former Rockdale LGA side, while limiting the potential impact upon neighbouring residential developments. This testing found that R3 zoned sites with a current FSR control of 0.6:1 are capable of accommodating an FSR control of 0.7:1, provided it is accompanied by a well-considered set of controls to mitigate any potential amenity issues, to be included in future reviews of the BDCP 2022.

Under Clause 4.1 of BLEP 2021, R3 zoned land on the former Rockdale LGA side is currently subject to a minimum subdivision lot size of 450 sqm, which does not include any exceptions for MDH or ADs in this zone. R3 zoned land on the former Botany Bay LGA side is not subject to a minimum subdivision lot size control.

As this presents a potential impediment to any proposals seeking MDH incorporating subdivision, an exception should be made to the minimum subdivision lot size control under Clause 4.1. It is recommended that any future review of relevant DCP provision include consideration of potential provisions to guide subdivision outcomes for these housing typologies.

There are also various precedents adopted in other Standard Instrument LEPs, which contain similar FSR controls for R3 zoned land.

Table 1, below, includes a summary of LEPs within the Eastern City District (where Bayside LGA resides) and South District (adjoining the Bayside LGA) currently containing these controls:

Table 1 – Summary of multi-dwelling housing controls in the R3 Medium Density Residential zone

LEP	FSR controls for R3-zoned land	Subdivision lot size control (for multi dwelling housing)
<i>Eastern District</i>		
Burwood LEP 2012	0.55:1	Nil
Canada Bay LEP 2013	0.7:1 1:1	Terraces: 800 sqm MDH other than terraces: 600 sqm
Inner West LEP 2022	0.6:1 0.7:1 1.1:1	Nil
Randwick LEP 2012	0.75:1 0.9:1	Nil
Strathfield LEP 2012	0.65:1 1.2:1 1.45:1	1,000 sqm
Waverley LEP 2012	0.6:1 0.9:1	Nil
Woollahra LEP 2014	Various ranging from 0.65 to 1.42:1	700 sqm
<i>South District</i>		
Canterbury-Bankstown LEP 2023	See below	See below
→Former Canterbury LGA	0.5:1	Nil
→Former Bankstown LGA	0.75:1	1,000 sqm

LEP	FSR controls for R3-zoned land	Subdivision lot size control (for multi dwelling housing)
Georges River LEP 2021	0.7:1	800 sqm
Sutherland LEP 2015	0.7:1	Nil

Note: References to Canada Bay, Waverley, Canterbury and Bankstown LEPs have been updated since Council's resolution 26 April 2023, due to amendments made to them since this time.

B Relationship to strategic planning framework

Q3 Is the draft Planning Proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The draft PP is consistent with the objectives and actions of the *Greater Sydney Region Plan: A Metropolis of Three Cities* (GSRP) and the *Eastern City District Plan* (ECDP).

Table 2 below provides an assessment of this draft PP against the GSRP:

Table 2 – Consistency with the GSRP

Directions	Objectives	Consistency
Infrastructure and collaboration		
1. A city supported by infrastructure	Objective 1: Infrastructure supports the three cities	Consistent. The draft PP seeks to facilitate increased take-up of land uses that are already permitted with consent in the R3 zone under the BLEP 2021. It does not seek to increase the area of R3 zoned land, but rather spur increased take-up of these housing types within the existing zone boundaries. There will not be demand for out of sequence infrastructure.
	Objective 2: Infrastructure aligns with forecast growth – growth infrastructure compact	
	Objective 3: Infrastructure adapts to meet future needs	
	Objective 4: Infrastructure use is optimised	
2. A collaborative city	Objective 5: Benefits of growth realised by collaboration of governments, community and business	N/A – as above.
Liveability		
3. A city for people	Objective 6: Services and infrastructure meet communities' changing needs	See above.
	Objective 7: Communities are healthy, resilient and socially connected	
	Objective 8: Greater Sydney's communities are culturally rich with diverse neighbourhoods.	
	Objective 9: Greater Sydney celebrates the arts and supports creative industries and innovation	

Directions	Objectives	Consistency
4. Housing the city	Objective 10: Greater housing supply	Consistent. The draft PP intends to boost take-up of medium-density housing, in particular the ‘missing middle’ typologies of MDH and ADs, which are currently permitted with consent in the R3 zone. It will not impact on the application of the LRHD Code. The draft PP is also consistent with Bayside’s LSPS and LHS.
	Objective 11: Housing is more diverse and affordable	
5. A city of great places	Objective 12: Great places that bring people together	Consistent. The draft PP only affects land in Bayside’s existing R3 zone and intends to facilitate increased take-up of development that is consistent with the objectives of this zone. It is recommended that related controls added in any future review of DCP provisions are intended to help preserve amenity and streetscape character of the zone.
	Objective 13: Environmental heritage is conserved and enhanced	
Productivity		
6. A well connected city	Objective 14: A metropolis of three cities – integrated land use and transport creates walkable and 30-minute cities	Consistent. See above.
	Objective 15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive	
	Objective 16: Freight and logistics network is competitive and efficient	
	Objective 17: Regional transport is integrated with land use	
7. Jobs and skills for the city	Objective 18: Harbour CBD is stronger and more competitive	Consistent. The draft PP does not have any significant impacts upon jobs and skills, as it proposes very specific changes to controls in the R3 zone only.
	Objective 19: Greater Parramatta is stronger and better connected	
	Objective 20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City	
	Objective 21: Internationally competitive health, education, research and innovation precincts	
	Objective 22: Investment and business activity in centres	

Directions	Objectives	Consistency
	<p>Objective 23: Industrial and urban services land is planned, protected and managed</p> <p>Objective 24: Economic sectors are targeted for success</p>	
Sustainability		
8. A city in landscape	<p>Objective 25: The coast and waterways are protected and healthier</p>	Consistent. The draft PP seeks to amend planning controls only in Bayside's existing R3 zone. It is recommended that related controls added in any future review of DCP provisions are intended to help ensure good quality landscaping outcomes.
	<p>Objective 26: A cool and green parkland city in the South Creek corridor</p>	
	<p>Objective 27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced</p>	
	<p>Objective 28: Scenic and cultural landscapes are protected</p>	
	<p>Objective 29: Environmental, social and economic values in rural areas are maintained and enhanced</p>	
	<p>Objective 30: Urban tree canopy cover is increased</p>	
	<p>Objective 31: Public open space is accessible, protected and enhanced</p>	
	<p>Objective 32: The Green Grid links parks, open spaces, bushland and walking and cycling paths</p>	
9. An efficient city	<p>Objective 33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p>	Consistent. See above.
	<p>Objective 34: Energy and water flows are captured, used and re-used</p>	

Directions	Objectives	Consistency
	Objective 35: More waste is re-used and recycled to support the development of a circular economy	
10. A resilient city	Objective 36: People and places adapt to climate change and future shocks and stresses	Consistent. See above.
	Objective 37: Exposure to natural and urban hazards is reduced	
	Objective 38: Heatwaves and extreme heat are managed	

Eastern City District Plan (March 2018)

The Eastern City District Plan (ECDP) identifies a range of planning priorities for the District, in line with the four categories identified in the Greater Sydney Region Plan:

- Infrastructure and collaboration;
- Liveability;
- Productivity; and
- Sustainability.

The draft PP's consistency with the priorities in the ECDP are discussed in further detail in **Table 3** below:

Table 3 – Consistency with the Eastern City District Plan

Infrastructure and Collaboration		
E1	Planning for a city supported by infrastructure	Consistent. This priority requires that land use planning aligns with infrastructure planning. The draft PP seeks to facilitate increased take-up of land uses that are already permitted with consent in the R3 zone under the BLEP 2021. It does not seek to increase the area of R3 zoned land, but rather spur increased take-up of these housing types within the existing zone boundaries. There will not be demand for out of sequence infrastructure.
E2	Working through collaboration	N/A – as above.
Liveability		
E3	Providing services and social infrastructure to meet people's changing needs	Consistent. The draft PP does not propose to prohibit any residential uses. Rather, it intends to boost take-up of medium-density housing, in particular the 'missing middle' typologies of MDH and ADs, which are currently permitted with consent in the R3 zone. It will not impact on the application of the LRHD Code. The draft PP is also consistent with Bayside's LSPS and LHS.
E4	Fostering healthy, creative, culturally rich and socially connected communities	
E5	Providing housing supply, choice and affordability, with access to jobs, services and public transport	

E6	Creating and renewing great places and local centres, and respecting the District's heritage	
Productivity		
E7	Growing a stronger and more competitive Harbour CBD	Consistent. See above.
E8	Growing and investing in health and education precincts and the Innovation Corridor	
E9	Growing international trade gateways	
E10	Delivering integrated land use and transport planning and a 30-minute city	
E11	Growing investment, business opportunities and jobs in strategic centres	
E12	Retaining and managing industrial and urban services land	
E13	Supporting growth of targeted industry sectors	
Sustainability		
E14	Protecting and improving the health and enjoyment of Sydney Harbour and the District's waterways	Consistent. The draft PP seeks to amend planning controls only in Bayside's existing R3 zone. It is recommended that related controls added in any future review of DCP provisions are intended to help ensure good quality landscaping outcomes.
E15	Protecting and enhancing bushland and biodiversity	
E16	Protecting and enhancing scenic and cultural landscapes	
E17	Increasing urban tree canopy cover and delivering Green Grid connections	
E18	Delivering high quality open space	
E19	Reducing carbon emissions and managing energy, water and waste efficiently	
E20	Adapting to the impacts of urban and natural hazards and climate change	
Implementation		
E21	Preparing Local Strategic Planning statements informed by local strategic planning	Consistent. The LHS was prepared having regard for the LSPS.
E22	Monitoring and reporting on the delivery of the Plan	The draft PP is aligned with the adopted LSPS and LHS.

Future Transport Strategy 2056

The Future Transport Strategy 2056 is an update of the 2012 Long Term Transport Master Plan for NSW. It is a 40-year strategy, supported by plans for regional NSW and for Greater Sydney. It outlines a vision, strategic directions and customer outcomes, with infrastructure and services plans underpinning the delivery of these directions across the state.

The vision is built on the following six outcomes:

1. Customer Focused;
2. Successful Places;
3. A Strong Economy;
4. Safety and Performance;
5. Accessible Services; and
6. Sustainability.

This draft PP is consistent with Future Transport Strategy 2056.

The proposal seeks to facilitate increased take-up of land uses that are already permitted with consent in the R3 zone under the BLEP 2021. It does not seek to increase the area of R3 zoned land, but rather spur increased take-up of these housing types within the existing zone boundaries. This is consistent with the overall level and spatial distribution of growth envisioned by the approved LSPS and LHS.

South East Sydney Transport Strategy (SESTS)

This draft PP is consistent with the SESTS, for the reasons outlined in the section above. It will not result in any poorly sequenced transport infrastructure or services.

NSW State Infrastructure Strategy 2018-2038

The *NSW State Infrastructure Strategy 2018-2038* (SIS) sets out the government's priorities for the next 20 years and combined with the *Future Transport Strategy 2056*, the *Greater Sydney Region Plan* and the *Regional Development Framework*, brings together infrastructure investment and land-use planning for our cities and regions. The SIS looks beyond the current projects and identifies policies and strategies needed to provide the infrastructure that meets the needs of a growing population and a growing economy.

The Strategy sets out six overarching strategic directions to instil best practice approaches across NSW's infrastructure sectors:

1. Continuously improve the integration of land and infrastructure planning;
2. Plan, prioritise and deliver an infrastructure program that represents the best possible investment and use of public funds;
3. Optimise the management, performance and use of the State's assets;
4. Ensure NSW's existing and future infrastructure is resilient to natural hazards and human-related threats;
5. Improve state-wide connectivity and realise the benefits of technology; and
6. Drive high quality consumer-centric services and expand innovative service delivery models in infrastructure sectors.

This draft PP reflects, and is consistent with, the objectives of the NSW State Infrastructure Strategy.

Q4 Is the draft Planning Proposal consistent with Council's local strategy or other local strategic plan?

Bayside Local Strategic Planning Statement – A Land Use Vision to 2036

Council has adopted the LSPS in accordance with the guidance provided by the DPHI. Council has aligned the LSPS Priorities to the *Greater Sydney Region Plan – A Metropolis of Three Cities* (GSRP), the Planning Priorities in the Eastern City District Plan as well as Council's Community Strategic Plan.

Table 4 below provides an assessment of this draft PP against the LSPS:

Table 4 – Consistency with the LSPS

Planning Priority		Consistency
B1	Align land use planning and transport infrastructure planning to support the growth of Bayside	Consistent. The draft PP seeks to facilitate increased take-up of land uses that are already permitted with consent in the R3 zone under the BLEP 2021. It does not seek to increase the area of R3 zoned land, but rather spur increased take-up of these housing types within the existing zone boundaries. This is consistent with the overall level and spatial distribution of growth envisioned by the approved LSPS and LHS.
B2	Align land use planning with the delivery and management of assets by Bayside Council to support our community	
B3	Working through collaboration	
B4	Provide social infrastructure to meet the needs of the Bayside Community	
B5	Foster healthy, creative, culturally rich and socially connected communities	
B6	Support sustainable housing growth by concentrating high density urban growth close to centres and public transport corridors	Consistent. The LHS was prepared having regard for the Bayside LSPS.
B7	Provide choice in housing to meet the needs of the community	The draft PP is aligned with the LSPS and LHS.
B8	Provide housing that is affordable	It intends to boost take-up of medium-density housing, in particular the 'missing middle' typologies of MDH and ADs, which are currently permitted with consent in the R3 zone. Built form outcomes will be consistent with the objectives of this zone.
B9	Manage and enhance the distinctive character of the LGA through good quality urban design, respect for existing character and enhancement of the public realm	
B10	Value, protect and conserve Aboriginal heritage	
B11	Develop clear and appropriate controls for development of heritage items, adjoining sites and within conservation areas	
B12	Delivering an integrated land use and a 30-minute city	
B13	Contribute to growing a stronger and more competitive Harbour CBD	Consistent. See above.
B14	Protect and grow the international trade gateways	
B15	Growing investment, business opportunities and jobs in Bayside's strategic and local centres	

Planning Priority		Consistency
B16	Contribute to growing the health and education precincts of Kogarah, Randwick and Camperdown	Consistent. The draft PP seeks to amend planning controls only in Bayside's existing R3 zone. It is recommended that related controls added in any future review of DCP provisions are intended to help ensure good quality landscaping outcomes.
B17	Retain and manage industrial and urban services lands	
B18	Support the growth of targeted industry sectors	
B19	Protect and improve the health of Bayside's waterways and biodiversity	
B20	Increase urban tree canopy cover and enhance Green Grid connections	
B21	Deliver high quality open space	
B22	Protect and enhance scenic and cultural landscapes	
B23	Reduce carbon emissions through improved management of energy, water and waste	
B24	Reduce community risk to urban and natural hazards and improve community's resilience to social, environmental and economic shocks and stressors	

Bayside Community Strategic Plan 2018-2032

The Bayside Community Strategic Plan 2018-2032 sets the strategic direction for Council's Delivery Program and Operational Plans. The themes and directions outlined in the plan inform Council's activities towards achieving the identified outcomes.

Table 5 below identifies how the draft PP is consistent with the themes:

Table 5 — Consistency with The Bayside Council Community Strategic Plan 2018-2032 themes

Theme One – In 2032 Bayside will be a vibrant place	Strategies (Council's role)	Consistency
Community Outcome 1.1 – Bayside's places are accessible to all	Create spaces, places and interactions that are safe, accessible, and engaging (Deliver)	Consistent. The draft PP seeks to facilitate increased take-up of medium density residential uses that are already permitted with consent in the R3 zone under the BLEP 2021. It does not propose to upzone land in any underserved or unsustainable locations.
	Improve availability of parking for residents (Deliver, Advocate)	
	Promote the provision of affordable housing for those who need it (Partner, Advocate)	
	Provide safe, accessible open space with a range of active and passive recreation opportunities to match Bayside's growing community (Deliver, Partner)	

	Welcome visitors and tourists to Bayside (Partner)	
Community Outcome 1.2 – Bayside's places are dynamic and connected	Create green and welcoming streetscapes (Deliver)	Consistent. The draft PP only proposes to amend planning controls in Bayside's existing R3 zone. It is recommended that related controls added in any future review of DCP provisions will ensure design outcomes respond appropriately to the streetscape.
	Ensure public buildings are well maintained as important community hubs with the opportunity for shared and multiple use of facilities (Deliver, Advocate)	
	Facilitate greater connectivity through active transport (Deliver, Partner, Advocate)	
	Support and deliver cultural and arts facilities, programs, events, and opportunities (Deliver, Partner, Advocate)	
Community Outcome 1.3 – Bayside's places are people focussed	Activate local areas and town centres with facilities valued by the community (Deliver, Partner)	Consistent. See above.
	Create and maintain vibrant, visually appealing, and welcoming places with their own village atmosphere and sense of identity (Deliver, Partner, Advocate)	
	Promote innovative and well-designed local developments which incorporate open space and put people first (Deliver, Partner, Advocate)	
Community Outcome 1.4 – Bayside's transport system works	Promote adequate, accessible, reliable public transport for ease of travel to work and leisure (Advocate)	Consistent. See above.
	Promote Bayside as a 30-minute City where residents do not have to travel for more than 30 minutes to work (Advocate)	
	Support an effective and efficient local road network through investment in maintenance and reduced traffic issues in Bayside (Deliver, Partner, Advocate)	
Theme Two – In 2032 our people will be connected in a creative City	Strategies (Council's role)	Consistency
Community Outcome 2.1 – Bayside celebrates and respects our diverse community	Reflect and celebrate cultural diversity in Bayside's activities (Deliver, Partner)	Consistent.
	Support cultural and arts events that reflect and involve community (Deliver, Partner)	
	Treat community members with dignity and respect (Deliver, Partner, Advocate)	

	Value, respect and celebrate Bayside's shared heritage and history (Deliver, Partner, Advocate)	
Community Outcome 2.2 – Bayside utilises and benefits from technology	Harness technological changes and ensure benefits are shared across Bayside (Deliver, Advocate)	N/A – as above.
	Promote smart use of technologies to make life better (Advocate)	
	Provide accessible information and services online and through social media (Deliver)	
Community Outcome 2.3 – The community feels valued and supported	Engage and communicate with all community members (Deliver)	Consistent. If the draft PP is supported by Council and a Gateway Determination issued by the DPHI, a formal public consultation process would take place.
	Promote access to active recreation, health care and education services to support a healthy community (Deliver, Partner, Advocate)	
	Provide services and facilities which ensure all community members feel a sense of belonging, including children, families, young people, and seniors (Deliver, Advocate)	
	Value and acknowledge our pets, and welcome them across Bayside (Deliver, Advocate)	
	Work with our partners to ensure flexible care/support arrangements for seniors, children, people with disabilities and vulnerable members of our community are available across Bayside (Partner, Advocate)	
Community Outcome 2.4 – The community is united and proud to live in Bayside	Develop and support community connections and networks which enhance resilience (Partner, Advocate)	Consistent. See above.
	Develop and support emerging community leadership (Partner)	
	Ensure Council's decisions reflect community objectives and desires (Deliver)	
	Engage effectively with community and provide information in a timely manner (Deliver)	
	Foster a sense of community pride in and satisfaction with Bayside (Deliver, Partner, Advocate)	
	Support community to play their part and imagine the	

	future together (Partner, Advocate)	
Theme Three – In 2032 Bayside will be green, resilient, and sustainable	Strategies (Council's role)	Consistency
Community Outcome 3.1 – Bayside is resilient to economic, social, and environmental impacts	Build community capacity and resilience to prepare for, cope with, adapt to and recover from economic, social, and environmental impacts (Deliver, Partner, Advocate)	N/A – as above.
	Engage with community to provide an appropriate response to threats and adverse events (Deliver, Partner)	
	Promote education about climate change so that the community understands the potential impacts (Deliver, Partner, Advocate)	
	Support and promote local climate and resilience leadership and initiatives (Partner, Advocate)	
Community Outcome 3.2 – Bayside's use of renewable energy is increasing	Promote and facilitate emerging transport technologies for greener transportation and to meet the community's changing needs (Partner, Advocate)	N/A – as above.
	Promote the use of renewable energy through community education (Deliver, Partner, Advocate)	
	Prioritise renewable energy use by Council where possible to reduce greenhouse gas emissions, and report publicly on benefits (Deliver, Advocate)	
Community Outcome 3.3 – Bayside's waterways and green corridors are regenerated and preserved	Capture and reuse rainwater at Council facilities where feasible (Deliver)	Consistent. The draft PP seeks to amend planning controls only in Bayside's existing R3 zone. It is recommended that related controls added in any future review of DCP provisions are intended to help ensure good quality landscaping outcomes.
	Enhance and extend green grid corridors (Deliver, Partner, Advocate)	
	Increase Bayside's tree canopy (Deliver)	
	Involve community in the preservation of natural areas (Deliver, Partner)	
	Respect, manage and protect the natural environment and biodiversity (Deliver, Partner)	
Community Outcome 3.4 – Bayside's waste is well managed	Address illegal dumping proactively (Deliver, Partner, Advocate)	N/A – as above.
	Educate the community on sustainable waste	

	management and recycling practices (Deliver, Partner)	
	Promote a circular economy by encouraging and/or implementing avoidance, reuse, rehoming, repair, recycling, recovery solutions before landfilling (Deliver, Partner, Advocate)	
Theme Four – In 2032 Bayside will be a prosperous community	Strategies (Council's role)	Consistency
Community Outcome 4.1 – Bayside generates diverse local employment and business opportunities	Encourage and support improved employment outcomes for First Nations peoples (Deliver, Partner, Advocate)	N/A – as above.
	Monitor socio-economic outcomes and work with partners to identify actions Council can support (Partner)	
	Support innovative and new and emerging businesses to locate in Bayside (Partner, Advocate)	
	Support local apprenticeships and cadetships, as a major employer (Deliver, Advocate)	
Community Outcome 4.2 – Bayside recognises and leverages opportunities for economic development	Support major employers to partner with local small business (Advocate)	Consistent. The draft PP does not have any significant impacts upon jobs and skills, as it proposes very specific changes to controls in the R3 zone only
	Take advantage of Bayside's position as an international hub for transport and logistics related business (Advocate)	
	Preserve industrial lands and employment lands and partner with major employers to support local jobs (Deliver, Partner)	
	Encourage participation from creative industries and entrepreneurial businesses (Advocate)	
	Ensure local Plans and regulations have kept pace with the sharing economy (Deliver)	
Community Outcome 4.3 – Council is financially sustainable and well governed	Ensure Council decision making is transparent, and data driven (Deliver)	N/A – as above
	Foster a customer centric culture (Deliver)	
	Invest in a skilled and dynamic workforce to meet future challenges, meet accountability and compliance requirements,	

	and deliver Council's quadruple bottom line: social, environmental, economic, and civic leadership (Deliver)	
	Manage Council assets to meet community expectations within available resources (Deliver)	
	Manage Council finances for the long-term benefit of the community and to prioritise infrastructure funding commitments (Deliver)	
	Plan for growth and development so the benefits of prosperity are shared (Deliver)	

Bayside Local Housing Strategy

The purpose of the Bayside Local Housing Strategy (Bayside LHS) is to set the strategic framework and vision for housing in the Bayside LGA up to 2036.

The Bayside LHS has been prepared in accordance with the NSW Government Local Housing Strategy Guidelines and Template (2018) and the requirements of the Greater Sydney Region Plan: A Metropolis of Three Cities (2018) and its Eastern City District Plan (2018).

Council is required to meet the Eastern City District Plan housing target of 10,150 dwellings between 2016 and 2021, deliver a 6 to 10 year housing target, and outline its contribution to the Eastern City District's 20 year housing target. The District Plan also requires all Councils to develop an affordable housing contributions scheme.

To respond to the requirements, Council has developed the following housing targets for the Bayside LGA (**Table 6**). The evidence base behind these targets is contained within the Bayside LHS.

Table 6 – Bayside Housing Targets

2016-2021	2021-2026	2026-2036	TOTAL 2016-2036
10,150	7,720	8,151	26,021

Source: SGS 2019

As directed by planning policy, this capacity should be in accessible locations with high levels of amenity and serviceability.

Accordingly, the Bayside LHS conducted a proximity analysis to determine the parts of the Bayside LGA that are most suited to accommodating additional housing. The proximity analysis measured proximity to:

- Railway stations
- Other public transport stops with a service running at least every 20 minutes
- Supermarkets
- Schools
- Open space
- Community facilities.

The Bayside LHS was prepared having regard for the Bayside LSPS.

The draft PP is aligned with the LHS and partly responds to the following action contained in the Strategy:

- **Action 6.1:** *Review development controls including the use of minimum lot size and frontages controls to ensure that effective design can be achieved in infill development situations.*

Action 6.1 is assigned a short-term (0-2 years) timeframe and refers to a broader undertaking, including a separate proposal which examines Dual Occupancies and Semi-Detached Dwellings in Bayside's R2 zone. The draft PP will partly complete this Action, insofar as it relates to consideration of MDH and ADs in the R3 zone.

Historical and Forecast Supply of Medium-Density Housing

The DPHI's 30 June 2021 letter approving the Bayside LHS (**Appendix C**) determined that the LHS addresses housing supply and the need for housing diversity, although it noted that commitment to further actions for housing diversity and delivery are required.

The following requirements included in the letter of approval are relevant to this draft PP:

4. *To ensure housing diversity is achieved by 2036, Council is to expedite the following investigations and obtain Gateway for planning proposals by December 2022:*
 - a) *the introduction of dwelling size and mix controls;*
 - b) *the review and update of medium density controls;*
 - c) *the review and update of dual occupancy controls.*

Council should concurrently review development controls including the use of controls to ensure effective design for infill development as outlined in the LHS.

9. *As housing diversity is a key objective in the LHS, Council is to provide a comprehensive evidence base in relation to the delivery of medium-density housing, including dual occupancy and associated controls, particularly if Council will request an exemption from the Low Rise Housing Diversity Code. This should include:*
 - a) *Historical and forecast supply of medium-density housing, including statistics on range of housing types of approved over the last five years (development applications and complying development certificates) and anticipated future take-up rates.*
 - b) *Recommended controls outlined in LHS for medium-density housing in the implementation plan, including the current status and timeline for implementation.*

This draft PP concerns the review and update of medium density controls, in accordance with Requirement 4.b).

In partial completion of the above requirements, an analysis of historical and theoretical future supply of medium-density housing typologies relevant to this draft PP has been carried out.

Historical Supply of MDH and ADs in Bayside LGA (2016-2021)

A 5-year review of approvals of MDH and ADs in Bayside LGA's R3 zone (full DAs and CDCs), from May 2017 to May 2022, is included in **Table 7**.

Table 7 – Summary of Approvals History of MDH and ADs in Bayside LGA's R3 zone (May 2017-May 2022)

Year	Zone R3 Approvals	Number of dwellings approved	Average lot size (sqm)	Average lot width (sqm)
May 2017-May 2018	3	18	1,103.8	25.88
May 2018-May 2019	7	45	1,299.51	20.62
May 2019-May 2020	5	23	909	19.57
May 2020-May 2021	3	16	1,088.91	20.3
May 2021-May 2022	2	11	1,186.53	34.23
TOTAL	20	113	1,117.55	24.12

Of the 20 approvals issued in this 5-year period, 19 were for DAs assessed under the BLEP 2021 and 1 was by CDC issued under the LRHD Code. 15 of the approvals occurred on the former Rockdale LGA side, while 5 were on the former Botany Bay LGA side.

Of the 5 approvals on the former Botany Bay LGA side (where no minimum subdivision lot size control exists), 3 included Torrens Title subdivision. None of the approvals on the former Rockdale LGA side (where a minimum subdivision lot size control of 450 sqm exists) featured Torrens Title subdivision, although Strata subdivision, to which Clause 4.1 of the BLEP 2021 does not apply, featured prominently.

This suggests that DAs featuring some form of subdivision is a popular format for these housing typologies. It also indicates that the minimum subdivision lot size of 450 sqm on the former Rockdale LGA side presents an impediment to development proposals featuring Torrens Title subdivision, as each subdivided lot including a MDH dwelling would need to have an area of at least 450 sqm.

Theoretical Capacity for Future Supply of MDH and ADs

A high-level analysis of Bayside LGA's R3 zone was carried out, to determine a theoretical capacity for future supply of medium-density housing typologies considered under this draft PP. This analysis took into account the number of DP lots and overall land area in each R3 zoned precinct, but excluded sites that are already Strata subdivided or developed for the highest and best uses of the land (i.e. MDH, ADs, Residential Flat Buildings and higher-density specialist housing - such as aged care homes).

In total, there are 44 precincts zoned R3 across the Bayside LGA that have some remaining theoretical development capacity. These range from very large precincts such as those in Brighton Le Sands and Arncliffe, to smaller pockets of R3 zoned land in Bexley and Kogarah. The overwhelming majority of precincts are on the former Rockdale LGA side, while only 4 precincts on the former Botany Bay LGA side have some theoretical capacity remaining.

Within these 44 precincts, there are 3,005 Deposited Plan (DP) lots that are not Strata subdivided or developed for medium-high density residential typologies, amounting to a total land area of 156 hectares.

Overall, this suggests that there remains sufficient remnant land capacity in Bayside LGA's existing R3 zone to cater for an increase in take-up of medium-density housing typologies under the proposed planning controls.

Feasibility and Yield of Proposed Controls

In December 2022, Council engaged SGS Economics and Planning to test the feasibility and impact of the maximum FSR control in R3 zones from 0.6:1 to 0.7:1.

The findings of the analysis showed:

Feasibility

- The overall increase in the FSR for the sites result in a corresponding increase in yield for the development sites.
- Increasing the FSR would not result in a lower potential yield or negatively impact on the feasibility as compared to existing controls.

Yield

- **Current FSR controls** produce additional development capacity that could yield a net-new 4,700 dwellings (over existing improvements) to the supply of housing within contiguous R3 medium density residential zoned land.
- **Proposed FSR controls** produce additional development capacity that could yield a net-new 5,900 dwellings (over existing improvements) to the supply of housing. It also represents an incremental increase of 1,200 more dwellings over current FSR controls.

On this basis, the proposed controls (0.6:1 to 0.7:1) are feasible and can yield sufficient take up for medium density dwellings in the R3 zoned land subject to the planning proposal.

Draft Bayside Centres and Employment Strategy

Council is in the process of preparing a draft Centres and Employment Strategy. A background paper was prepared by SGS to inform this Strategy and was placed on exhibition for public comment in March 2020.

The draft PP does not impact upon this draft Strategy.

Draft Bayside Transport Strategy

The purpose of the Bayside Transport Strategy (BTS) is to provide policy and directives to Council to enhance the existing transport network and plan for increased demand.

One of the key aims of the strategy is to facilitate the delivery of the Future Transport 2056 '30-minute city' concept which is the benchmark indicator for successfully integrated land use and transport planning whereby residents can reach their closest strategic and metropolitan centre within 30-minutes by public transport, walking or cycling.

The draft BTS notes that when planning for growth, public transport nodes are the right places for increasing land use density.

The draft BTS also recommended the preparation of a Bike Plan to facilitate an increase in the use of cycling to support the 30-minute city concept.

The draft PP does not impact upon this draft Strategy.

Draft Bayside Bike Plan

In accordance with the draft BTS, the draft Bayside Bike Plan (BBP) has been prepared to guide investment in infrastructure to build a safe and connected cycling network to facilitate an increase in the use of cycling and the creation of more bicycle friendly local centres.

The draft PP does not impact upon this draft Strategy.

Q5 Is the draft Planning Proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

Consistency with applicable State Environmental Planning Policies is provided in **Table 9** below:

Table 9 – Consistency with applicable State Environmental Planning Policies (SEPPs)

No.	Title	Consistency with draft Planning Proposal
65	Design Quality of Residential Apartment Development	Not relevant to this draft Planning Proposal
	(Building Sustainability Index: BASIX) 2004	Not relevant to this draft Planning Proposal
	(Biodiversity & Conservation) 2021	Not relevant to this draft Planning Proposal
	(Exempt and Complying Development Codes) 2008	<p>Comment:</p> <p>Part 3B Low Rise Housing Diversity Code (LRHD Code) of the Codes SEPP allows development for the purposes of Dual Occupancies as CD in R2 and R3 zones across Bayside LGA (where other Codes SEPP exemptions are not in place).</p> <p>Clause 3B.33(1)(a) of the Code contain stipulations that terrace-style MDH proposed as CD must occur on a parent lot that is at least the following:</p> <ul style="list-style-type: none"> (a) 600 sqm in area, or a minimum lot area specified in an LEP; and (b) 21m in width, measured at the building line. <p>No minimum lot size control currently exists in BLEP 2021 or either existing DCP, and there are no plans to introduce a lot size control or minimum lot width control under this draft PP.</p> <p>This will not have any effect on the operation of the LRHD Code.</p> <p>Part 6 Subdivision Code contains provisions pertaining to the subdivision (Torrens and Strata title) – as CD – of MDH (terraces) for which a CDC has been issued under the LRHD Code. Under Clause 6.4(e), Torrens title subdivision of terrace-style MDH (which has been approved as CD) may be carried out as CD under this Code, if the area of each resulting lot is at least 200 sqm.</p> <p>There is no opportunity to replace this control with an equivalent LEP control. Therefore, the draft PP will have no impact on the operation of this Code.</p> <p>The draft PP is consistent with this SEPP.</p>
	(Housing) 2021	<p>Not relevant to this draft Planning Proposal</p> <p>Under Chapter 2 Affordable housing of this SEPP, residential development (including MDH and ADs) that is carried out within 800m of a B1, B2 or B4 zone, by or on land owned by the Aboriginal Housing Office or Land and Housing Corporation, can be eligible for a bonus maximum FSR control above and beyond the control for that land contained in BLEP 2021, if the bonus floor area is used for the purposes of affordable housing and if certain other requirements are met.</p> <p>The draft PP seeks to introduce a new FSR control for the R3 zone, which will factor into the application of this chapter. Otherwise, the draft PP will have no impact on the operation of this chapter and is consistent with the SEPP.</p>

No.	Title	Consistency with draft Planning Proposal
	(Industry & Employment) 2021	Not relevant to this draft Planning Proposal
	(Planning Systems) 2021	Not relevant to this draft Planning Proposal
	(Precincts – Eastern Harbour City) 2021	Not relevant to this draft Planning Proposal
	(Primary Production) 2021	Not relevant to this draft Planning Proposal
	(Resilience & Hazards) 2021	Not relevant to this draft Planning Proposal
	(Resources & Energy) 2021	Not relevant to this draft Planning Proposal
	(Transport & Infrastructure) 2021	Not relevant to this draft Planning Proposal

Q6 Is the draft Planning Proposal consistent with applicable Local Planning Directions

Table 10 below reviews the consistency of the draft PP with the Local Planning Directions for LEPs under section 9.1 (formerly section 117 Ministerial Directions) of the *Environmental Planning and Assessment Act 1979*.

Table 10 – Consistency with Local Planning Directions

Focus area 1: Planning Systems			
No.	Title	Draft Planning Proposal consistency with terms of direction	Consistent: Yes/ No (if No, is inconsistency adequately justified?)
1.1	Implementation of Regional Plans	<p>Objective: The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.</p> <p>Application: This direction applies to a PPA when preparing a PP for land to which a Regional Plan has been released by the Minister for Planning.</p> <p>Direction 1.1 Planning proposals must be consistent with a Regional Plan released by the Minister for Planning</p> <p>Comment: The draft PP is consistent with the Greater Sydney Region Plan (GSRP). An assessment of the draft PP's consistency with relevant directions and objectives of the GSRP is included earlier in this report at Table 2.</p>	Yes
1.2	Development of Aboriginal Land Council Land	<p>Not applicable Bayside LGA is not identified on the Land Application Map contained within <i>State Environmental Planning Policy (Aboriginal Land) 2019</i>.</p>	N/A

1.3	Approval and Referral Requirements	Not applicable The draft PP does not propose to include provisions that require the concurrence, consultation or referral of DAs to a Minister or public authority. No inconsistencies with the terms of the direction were identified.	N/A
1.4	Site Specific Provisions	Not applicable The draft PP does not contain any site specific provisions.	N/A

Focus area 1: Planning Systems – Place-based

No.	Title	Draft Planning Proposal consistency with terms of direction	Consistent: Yes/ No (if No, is inconsistency adequately justified?)
1.5	Parramatta Road Corridor Urban Transformation Strategy	Not applicable The direction does not apply to Bayside LGA.	Not applicable
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable The direction does not apply to Bayside LGA.	Not applicable
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable The direction does not apply to Bayside LGA.	Not applicable
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable The direction does not apply to Bayside LGA.	Not applicable
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable The direction does not apply to Bayside LGA.	Not applicable
1.10	Implementation of the Western Sydney Aerotropolis Plan	Not applicable The direction does not apply to Bayside LGA.	Not applicable
1.11	Implementation of Bayside West Precincts Bayside West 2036 Plan	<p>Objective <i>The objective of this direction is to ensure development within the Bayside West Precincts (Arncliffe, Banksia and Cooks Cove) is consistent with the Bayside West 2036 Plan (the Plan).</i></p> <p>Application <i>This direction applies when a PPA prepares a PP for land in the Bayside LGA area that applies to land within the Bayside West Precincts in the Arncliffe, Banksia and Cooks Cove Bayside.</i></p>	Yes

		<p>Direction 1.11 <i>A PPA must ensure that a PP is consistent with the Bayside West Precincts 2036 Plan, approved by the Minister for Planning and published on the Department of Planning and Environment website in September 2018.</i></p> <p>Comment: The draft PP applies generally to R3-zoned land across Bayside LGA, including land within Bayside West Precincts. This draft PP does not create any conflict with this Direction, or prevent future planning exercises being carried out in fulfilment of this Direction.</p>	
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	<p>Not applicable The direction does not apply to this draft PP as it is not within the Cooks Cove Precinct.</p>	Not applicable
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	<p>Not applicable The direction does not apply to Bayside LGA.</p>	Not applicable
1.14	Implementation of Greater Macarthur 2040	<p>Not applicable The direction does not apply to Bayside LGA.</p>	Not applicable
1.15	Implementation of the Pymont Peninsula Place Strategy	<p>Not applicable The direction does not apply to Bayside LGA.</p>	Not applicable
1.16	North West Rail Link Corridor Strategy	<p>Not applicable The direction does not apply to Bayside LGA.</p>	Not applicable
1.17	Implementation of the Bays West Place Strategy	<p>Not applicable The direction does not apply to Bayside LGA.</p>	Not applicable
Focus area 3: Biodiversity and Conservation			
No.	Title	Draft Planning Proposal consistency with terms of direction	Consistent: Yes/ No (if No, is inconsistency adequately justified?)
3.1	Conservation Zones	<p>Not applicable. The draft PP does not contain any conservation zones.</p>	Not applicable
3.2	Heritage Conservation	<p>Objective <i>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i></p> <p>Application <i>This direction applies when a PPA prepares a PP.</i></p> <p>Direction 3.2 <i>A PP must contain provisions that facilitate the conservation of:</i></p>	Yes

		<p>(a) <i>items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</i></p> <p>(b) <i>Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</i></p> <p>(c) <i>Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</i></p> <p>Comment: The draft PP does not propose any changes to the heritage provisions/controls contained in the BLEP 2021. It seeks to amend planning controls for certain land uses already permitted in the R3 zone under the BLEP 2021 and LRHD Code, to facilitate built form outcomes consistent with the objectives of this zone.</p>	
3.3	Sydney Drinking Water Catchments	Not applicable Bayside LGA is not identified as an LGA within the Sydney drinking water catchment.	Not applicable
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable The direction does not apply to Bayside LGA.	Not applicable
3.5	Recreation Vehicle Areas	Not applicable The Direction is not applicable to this draft PP.	Not applicable
Focus area 4: Resilience and Hazards			
No.	Title	Draft Planning Proposal consistency with terms of direction	Consistent: Yes/ No (if No, is inconsistency adequately justified?)
4.1	Flooding	<p>Objectives <i>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</i></p> <p>Application <i>This direction applies to all PPAs that are responsible for flood prone land when preparing a PP that creates, removes or alters a zone or a provision that affects flood prone land.</i></p>	Yes

Direction 4.1

A PP must include provisions that give effect to and are consistent with:

- (a) the NSW Flood Prone Land Policy;
- (b) the principles of the Floodplain Development Manual 2005 (FPDM 2005);
- (c) the Considering flooding in land use planning guideline 2021; and
- (d) any adopted flood study and/or floodplain risk management (FPRM) plan prepared in accordance with the principles of the Floodplain Development Manual 2005 and adopted by the relevant council.

A PP must not rezone land within the flood planning area from Recreation, Rural, Special Purpose or Conservation Zones to a Residential, Business, Industrial or Special Purpose Zones

A PP must not contain provisions that apply to the flood planning area which:

- a) permit development in floodway areas,
- b) permit development that will result in significant flood impacts to other properties,
- c) permit development for the purposes of residential accommodation in high hazard areas,
- d) permit a significant increase in the development and/or dwelling density of that land,
- e) permit development for the purpose of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate,
- f) permit development to be carried out without development consent except for the purposes of exempt development or agriculture. Dams, drainage canals, levees, still require development consent,
- g) are likely to result in a significantly increased requirement for government spending on emergency management services, flood mitigation and emergency response measures, which can include but are not limited to the provision of road infrastructure, flood mitigation infrastructure and utilities, or
- h) permit hazardous industries or hazardous storage establishments where hazardous materials cannot be effectively contained during the occurrence of a flood event.

A PP must not contain provisions that apply to areas between the flood planning area and probable maximum flood to which Special Flood Considerations apply which:

- (a) permit development in floodway areas;
- (b) permit development that will result in significant flood impacts to other properties;
- (c) permit a significant increase in the dwelling density of that land;

		<p>(d) <i>permit the development of centre-based childcare facilities, hostels, boarding houses, group homes, hospitals, residential care facilities, respite day care centres and seniors housing in areas where the occupants of the development cannot effectively evacuate;</i></p> <p>(e) <i>are likely to affect the safe occupation of and efficient evacuation of the lot; or</i></p> <p>(f) <i>are likely to result in a significantly increased requirement for government spending on emergency management services, and flood mitigation and emergency response measures, which can include but not limited to road infrastructure, flood mitigation infrastructure and utilities.</i></p> <p><i>For the purposes of preparing a PP, the flood planning area must be consistent with the principles of the FPDM 2005 or as otherwise determined by a FPRM Study or Plan adopted by the relevant council.</i></p> <p>The draft PP introduces new controls in relation to land uses already permitted in Bayside's R3 zone - parts of which are identified as flood planning areas - but does not propose to alter the boundaries of this zone.</p> <p>It seeks an increase to the maximum FSR control on part of the R3 zone on the former Rockdale LGA side, including some properties identified as occurring in flood planning areas, from 0.6:1 to 0.7:1.</p> <p>This is intended to facilitate an increased take-up of uses that are already permissible, but does not represent a significant increase in density above the built form outcomes already envisioned in this zone.</p> <p>Furthermore, the BDCP 2022 contains provisions requiring developments impacted by flooding to respond appropriately to any site limitations or risks when DAs are being considered.</p> <p>On balance, the draft PP is consistent with this Direction.</p>	
4.2	Coastal Management	<p>Objective <i>The objective of this direction is to protect and manage coastal areas of NSW.</i></p> <p>Application <i>This direction applies when a PPA prepares a PP that applies to land that is within the coastal zone, as defined under the Coastal Management Act 2016 – comprising the coastal wetlands and littoral rainforests area, coastal vulnerability area, coastal environment area and coastal use area – and as identified by chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021.</i></p> <p>Direction 4.2</p>	Yes

		<p><i>A PP must include provisions that give effect to and are consistent with:</i></p> <ul style="list-style-type: none"> <i>(a) the objects of the Coastal Management Act 2016 and the objectives of the relevant coastal management areas;</i> <i>(b) the NSW Coastal Management Manual and associated Toolkit;</i> <i>(c) NSW Coastal Design Guidelines 2003; and</i> <i>(d) Any relevant Coastal Management Program that has been certified by the Minister, or any Coastal Zone Management Plan under the Coastal Protection Act 1979 that continues to have effect under clause 4 of Schedule 3 to the Coastal Management Act 2016, that applies to the land.</i> <p><i>A PP must not rezone land which would enable increased development or more intensive land-use on land:</i></p> <ul style="list-style-type: none"> <i>(a) within a coastal vulnerability area identified by chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021; or</i> <i>(b) that has been identified as land affected by a current or future coastal hazard in a LEP or DCP, or a study or assessment undertaken:</i> <ul style="list-style-type: none"> <i>i. by or on behalf of the RPA and the PPA, or</i> <i>ii. by or on behalf of a public authority and provided to the RPA and the PPA.</i> <p><i>A planning proposal must not rezone land which would enable increased development or more intensive land-use on land within a coastal wetlands and littoral rainforests area identified by chapter 2 of the State Environmental Planning Policy (Resilience and Hazards) 2021.</i></p> <p>Comment: The draft PP proposes to introduce planning controls in relation to specific medium-density residential uses in the R3 zone, which partly occurs within the Coastal Zone.</p> <p>However, the draft PP does not propose any rezoning or significant increase in density, but rather an incremental change to facilitate increased take-up of permissible land uses, consistent with the objectives of the zone. The draft PP is consistent with this direction.</p>	
4.3	Planning for Bushfire Protection	<p>Not applicable</p> <p>Bayside LGA does not contain any land mapped as bushfire prone land under s10.3 of the <i>Environmental Planning and Assessment Act 1979</i>.</p>	Not applicable
4.4	Remediation of Contaminated Land	<p>Objective</p> <p><i>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</i></p>	Yes

		<p>Application This direction applies to:</p> <ul style="list-style-type: none"> (a) land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997, (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out, (c) the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land: <ul style="list-style-type: none"> i. in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and ii. on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge). <p>Direction 4.4 A draft Planning Proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land specified in paragraph (2) if the inclusion of the land in that zone would permit a change of use of the land, unless:</p> <ul style="list-style-type: none"> (a) the draft Planning Proposal authority has considered whether the land is contaminated, and (b) if the land is contaminated, the draft Planning Proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and (c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the draft Planning Proposal authority is satisfied that the land will be so remediated before the land is used for that purpose. <p>Comment: The draft PP is not amending any provisions to alter land use permissibility beyond an incremental increase in the maximum FSR control, to facilitate increased take-up of land uses that are already permitted in the R3 zone.</p>	
4.5	Acid Sulfate Soils	<p>Objective The objective of this direction is to avoid significant adverse environmental impacts from the use of</p>	Yes

land that has a probability of containing acid sulfate soils.

Application

This direction applies when a PPA prepares a PP that will apply to land having a probability of containing acid sulfate soils as shown on the Acid Sulfate Soils Planning Maps.

Direction 4.5

The RPA must consider the Acid Sulfate Soils Planning Guidelines adopted by the Secretary of the DPHI when preparing a PP that applies to any land identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils being present.

When a PPA is preparing a PP to introduce provisions to regulate works in acid sulfate soils, those provisions must be consistent with:

- (a) the Acid Sulfate Soils Model LEP in the Acid Sulfate Soils Planning Guidelines adopted by the Secretary, or*
- (b) such other provisions provided by the Secretary that are consistent with the Acid Sulfate Soils Planning Guidelines.*

A PPA must not prepare a PP that proposes an intensification of land uses on land identified as having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps unless the RPA has considered an acid sulfate soils study assessing the appropriateness of the change of land use given the presence of acid sulfate soils.

The RPA must provide a copy of any such study to the Secretary prior to undertaking community consultation. Where provisions referred to above have not been introduced and the RPA is preparing a PP that proposes an intensification of land uses on land identified as having a probability of acid sulfate soils on the Acid Sulfate Soils Planning Maps, the PP must contain provisions consistent with the above.

Comment:

The land subject to this draft PP includes all R3 zoned land in Bayside LGA, where MDH and ADs are already permitted. This zone occurs over a number of different Acid Sulfate Soils classes. The draft PP represents a general increase in density for specific medium-density housing typologies in the R3 zone.

Clause 6.1 of the BLEP 2021 requires an Acid Sulfate Soils Management Plan at DA stage, before carrying out any development on land impacted by Acid Sulphate Soils.

On balance, the draft PP is consistent with this Direction.

4.6	Mine Subsidence and Unstable Land	Not applicable Bayside LGA does not contain land within a proclaimed Mine Subsidence District, or land that has been identified as unstable.	Not applicable.
Focus area 5: Transport and Infrastructure			
No.	Title	Draft Planning Proposal consistency with terms of direction	Consistent: Yes/ No (if No, is inconsistency adequately justified?)
5.1	Integrating Land Use and Transport	<p>Objectives The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight. <p>Application This direction applies when a PPA prepares a PP that will create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p> <p>Direction 5.1 A Planning Proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of Improving Transport Choice – Guidelines for planning and development (DUAP 2001) and The Right Place for Business and Services – Planning Policy (DUAP 2001) (Guidelines).</p> <p>Comment: The draft PP seeks to introduce new planning controls for land uses that are already permitted across Bayside's R3 zone. It seeks to facilitate increased take-up of these permissible land uses, consistent with the objectives of the zone, but not to alter the zone boundaries.</p> <p>This is consistent with the overall level and spatial distribution of growth envisioned by the approved LSPS and LHS. The draft PP is consistent with this Direction.</p>	Yes
5.2	Reserving Land for Public Purposes	Not applicable The draft PP does not include any proposal to reserve land for public purposes.	Not applicable.

5.3	Development near Regulated Airports and Defence Airfields	<p>Objectives <i>The objectives of this direction are:</i></p> <ul style="list-style-type: none"> (a) <i>to ensure the effective and safe operation of regulated airports and defence airfields,</i> (b) <i>to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and</i> (c) <i>to ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</i> <p>Application <i>This direction applies when a relevant planning authority prepares a planning proposal that will create, alter or remove a zone or a provision relating to land near a regulated airport which includes a defence airfield.</i></p> <p>Direction 5.3 <i>In the preparation of a Planning Proposal that sets controls for development of land near a core regulated airport, the relevant planning authority must:</i></p> <ul style="list-style-type: none"> (a) <i>consult with the Department of the Commonwealth responsible for airports and the lessee/operator of that airport;</i> (b) <i>for land affected by the prescribed airspace (as defined in Regulation 6(1) of the Airports (Protection of Airspace) Regulation 1996, prepare appropriate development standards, such as height controls.</i> (c) <i>not allow development types that are incompatible with the current and future operation of that airport.</i> (d) <i>obtain permission from that Department of the Commonwealth, or their delegate, where a planning proposal seeks to allow, as permissible with consent, development that would constitute a controlled activity as defined in section 182 of the Airports Act 1996. This permission must be obtained prior to undertaking community consultation in satisfaction of section 57 of the Environmental Planning and Assessment Act 1979.</i> <p><i>A planning proposal must include a provision to ensure that development meets Australian Standard 2021 – 2015, Acoustic- Aircraft Noise Intrusion – Building siting and construction with respect to interior noise levels, if the proposal seeks to rezone land:</i></p> <ul style="list-style-type: none"> (a) <i>for residential purposes or to increase residential densities in areas where the ANEF is between 20 and 25; or</i> (b) <i>for hotels, motels, offices or public buildings where the ANEF is between 25 and 30; or</i> (c) <i>for commercial or industrial purposes where the ANEF is above 30.</i> <p>Comment: <i>The draft PP seeks to introduce new planning controls relating to land uses that are already permitted across Bayside's R3 zone. The potential increase in density in the vicinity of Sydney Airport</i></p>	Yes
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		as a result of the draft PP is not significant enough to infringe on any elements of this Direction. No changes to maximum height of buildings controls are proposed. The draft PP is consistent with this Direction.	
5.4	Shooting Ranges	The direction does not apply to this draft PP as the site is not located on or adjoin an existing shooting range.	Not applicable
Focus area 6: Housing			
No.	Title	Draft Planning Proposal consistency with terms of direction	Consistent: Yes/ No (if No, is inconsistency adequately justified?)
6.1	Residential Zones	<p>Objectives <i>The objectives of this direction are:</i></p> <ul style="list-style-type: none"> (a) <i>to encourage a variety and choice of housing types to provide for existing and future housing needs,</i> (b) <i>to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</i> (c) <i>to minimise the impact of residential development on the environmental and resource lands.</i> <p>Application <i>This direction applies when a PPA prepares a PP that will affect land within:</i></p> <ul style="list-style-type: none"> (a) <i>an existing or proposed residential zone (including the alteration of any existing residential zone boundary),</i> (b) <i>any other zone in which significant residential development is permitted or proposed to be permitted.</i> <p>Direction 6.1 <i>A PP must include provisions that encourage the provision of housing that will:</i></p> <ul style="list-style-type: none"> (a) <i>broaden the choice of building types and locations available in the housing market, and</i> (b) <i>make more efficient use of existing infrastructure and services, and</i> (c) <i>reduce the consumption of land for housing and associated urban development on the urban fringe, and</i> (d) <i>be of good design.</i> <p><i>A PP must, in relation to land which this direction applies:</i></p> <ul style="list-style-type: none"> (a) <i>contain a requirement that residential development is not permitted until land is adequately services (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it) and</i> (b) <i>not contain provisions which will reduce the permissible residential density of land.</i> 	Yes

		Comment: The draft PP seeks to introduce new planning controls to facilitate increased take-up of permissible medium-density housing types in Bayside's existing R3 zone. This is consistent with the Direction.	
6.2	Caravan Parks and Manufactured Home Estates	Not applicable The Direction is not relevant to this draft PP.	Not applicable.
Focus area 7: Industry and Employment			
No.	Title	Draft Planning Proposal consistency with terms of direction	Consistent: Yes/ No (if No, is inconsistency adequately justified?)
7.1	Business and Industrial Zones	Not applicable The draft PP does not include any business or industrial zones.	Not applicable
7.2	Reduction in non-hosted short-term rental accommodation period	Not applicable The Direction is not relevant to this draft PP.	Not applicable
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable The Direction does not apply to the Bayside LGA.	Not applicable
Focus area 8: Resources and Energy			
No.	Title	Draft Planning Proposal consistency with terms of direction	Consistent: Yes/ No (if No, is inconsistency adequately justified?)
8.1	Mining, Petroleum Production & Extractive Industries	Not applicable. The Bayside LGA does not contain land zoned for mining, petroleum or extractive industries.	Not applicable
Focus area 8: Resources and Energy			
No.	Title	Draft Planning Proposal consistency with terms of direction	Consistent: Yes/ No (if No, is inconsistency adequately justified?)
9.1	Rural Zones	Not applicable. The draft PP does not affect any Rural Zones.	Not applicable
9.2	Rural Lands	Not applicable The direction does not apply to the Bayside LGA.	Not applicable
9.3	Oyster Aquaculture	Not applicable. The draft PP does not affect any Priority Oyster Aquaculture Areas.	Not applicable

9.4	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable The Direction does not apply to the Bayside LGA.	Not applicable
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C Environmental, social and economic impact

Q7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The draft PP only applies to R3 zoned land across the Bayside LGA, seeking to facilitate increased take-up of land uses already permitted in this zone, but not to alter the boundaries of the zone. No adverse ecological impacts are likely.

Q8 Are there any other likely environmental effects as a result of the draft Planning Proposal and how are they proposed to be managed?

Urban Design Considerations

A review of relevant urban design considerations has been undertaken by a Registered Architect, in order to determine appropriate planning controls to achieve greater diversity in Bayside's housing supply. This was undertaken with a focus on facilitating further take-up of MDH and ADs in the R3 zone, while ensuring consistency with the zone objectives and adhering with the residential amenity and character of Bayside's R3 zoned precincts.

This review explored LEP planning controls such as height of buildings, FSR, lot size and lot width, as well as potential DCP provisions to further guide development of these housing typologies.

Existing Planning Controls and Theoretical Capacity in the R3 Zone

A desktop review of all R3 zoned precincts in the Bayside LGA was carried out, including controls that currently apply and theoretical capacity of each precinct for further development.

On the former Botany Bay LGA side, a denser, townhouse-style development of up to 3 storeys is encouraged on R3 zoned land. Maximum FSR controls generally range from 0.85:1 to 1:1, with some site-specific exceptions.

On the former Rockdale LGA side, a more suburban built form is encouraged, with a maximum of 2 storeys and generous setbacks from side boundaries. With the exception of certain precinct-specific controls, including recently rezoned land in Arncliffe and Banksia Planned Precincts, the maximum FSR control is 0.6:1 for R3 zoned land on this side (refer to map included at **Appendix A**).

In total, there are 60 precincts zoned R3 across the Bayside LGA. These range from very large precincts such as those in Brighton Le Sands, Arncliffe and Eastgardens, to smaller pockets of R3 zoned land, for example, in Bexley, Kogarah and Mascot. The extent and distribution of R3 zoned land in the Bayside LGA is shown in **Figure 2** below:

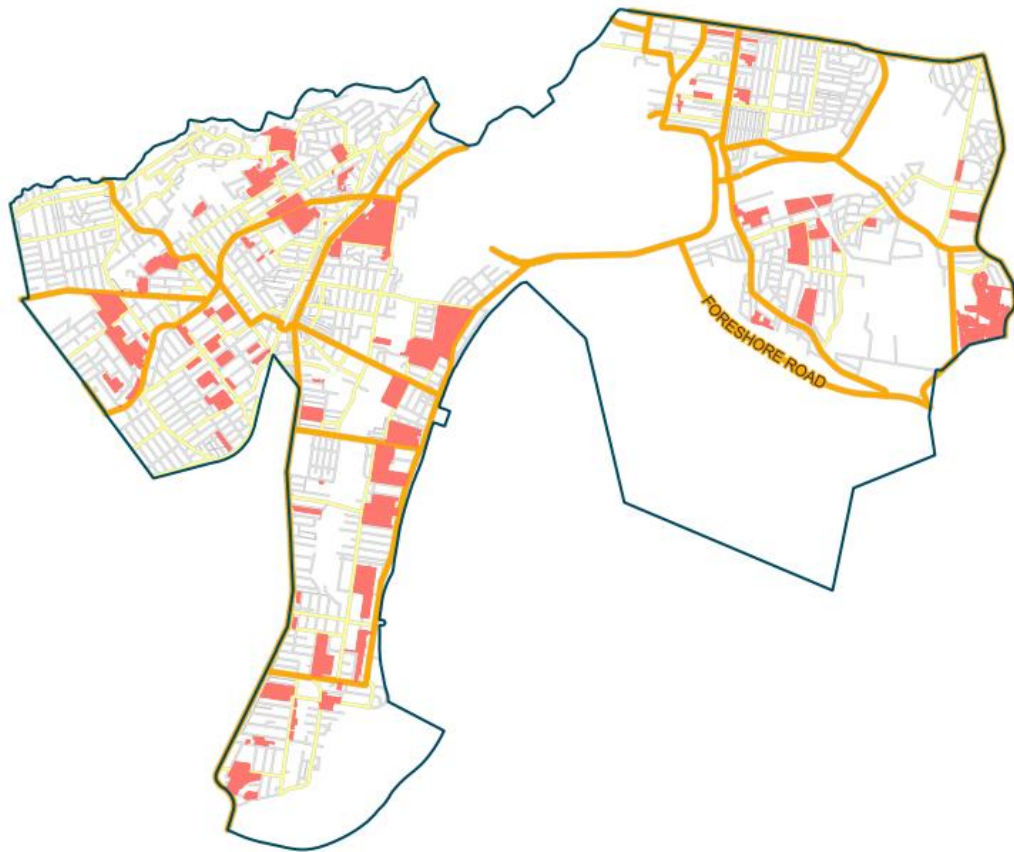


Figure 2: Zone R3 Medium Density Residential in the Bayside LGA

Of the 60 precincts zoned R3, there are 44 precincts that have some remaining theoretical development capacity, including lots that are not already Strata subdivided or developed to their highest and best use. The overwhelming majority of these precincts are on the former Rockdale LGA side, while only 4 precincts on the former Botany Bay LGA side have some theoretical capacity remaining.

Whereas former Botany Bay LGA's R3 zones contain limited theoretical capacity and already benefit from generous medium-density planning controls, the former Rockdale LGA has significantly more capacity to accommodate MDH for which the conservative FSR control of 0.6:1 presents an impediment. Sites currently zoned R3 vary in size from as small as 250 sqm to in excess of 900 sqm. Potential development sites are generally larger and more suburban in character.

Review of Potential Built Form Outcomes

Built form testing has explored alternative multi-dwelling typologies in typical sites, including various configurations of dwelling with both basement and at-grade parking. These alternative control types allowed reduced setbacks in the front of the site, to maintain a street presentation consistent with other building types permissible in the R3 zone. This was combined with reduced building bulk and increased landscaping in the rear of the site to consolidate rear landscaped garden character.

Figure 3 below shows the general envelope resulting from the amalgamation of two typical lots on the former Rockdale LGA side and development under current controls for this side of the LGA.

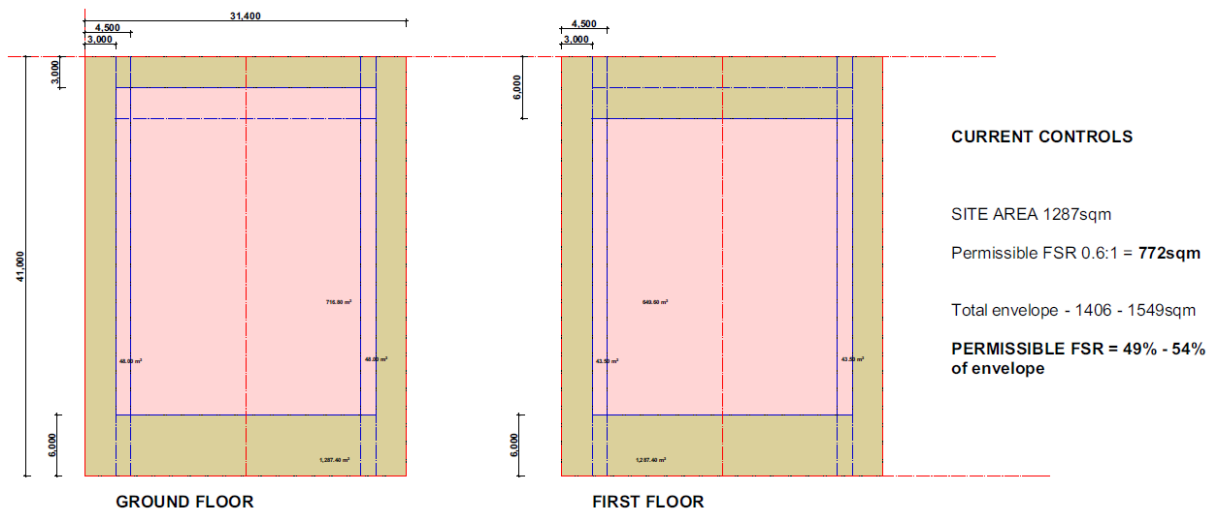


Figure 3: Developable Area for a Sample R3 Zoned Development Site - Current Controls (former Rockdale LGA side)

Under current DCP controls, density may be capable of being increased, if developed with a basement on a two-lot amalgamation. Developments with at-grade parking and single lot development will struggle to reach a higher density though.

Recommended New Planning Controls

When considering the Local Environmental Plan (LEP) controls, it is recommended that increased take-up of these land uses can be driven primarily by an increased FSR control.

Built form testing confirms that R3 zoned precincts on the former Rockdale LGA side are generally capable of accommodating two-storey MDH on single lots, at a maximum FSR control of 0.7:1, if developed with a basement parking area. At-grade parking is possible on some individual sites, but this generally requires amalgamation of two lots.

Elsewhere in Bayside LGA's R3 zone, maximum FSR controls are already generous, at 0.85:1 or greater, and should not be revisited.

No change is recommended to BLEP 2021 Height of Building controls in the R3 zone which, on the former Rockdale LGA side, already allow sufficient height for a typical 2-storey built form outcome, while keeping with the current neighbourhood character.

In addition, DCP provisions are recommended to be revisited generally for these medium-density residential typologies. Built form testing suggests the following outcomes could be adopted, outlined in **Table 11** below:

Table 11: Potential New DCP Controls for MDH and ADs in R3 zone

Control type	Suggested future controls
Minimum front setback	Consistent with prevailing street setback If no established setback exists: 6m
Minimum secondary street setback	3m
Minimum side setback	For front 2/3 of site: 900mm, for buildings up to 4m height; 1,500mm, for buildings up to 7.5m height; 3,000mm, for buildings above 7.5m height
Minimum rear setback	4m at ground floor 6m at first floor
Minimum articulation zone	1.2m, forward of the building line Permissible elements: porches, bay windows, balconies (for a maximum of 1/3 of façade area)

Minimum private open space	36 sqm, plus Minimum width of 4m; and 9 sqm hard paving
Minimum landscaped area	30%
Minimum landscaped area in front setback	30% of front setback
Requirement for new trees	Minimum of 2 indigenous canopy trees that will attain a minimum mature height of 5m must be planted within 3m of the front boundary Minimum of 2 indigenous canopy trees that will attain a minimum mature height of 5m must be planted within 2m of the rear boundary
Requirement for existing trees	Development should be designed to retain existing canopy trees
Car parking	No change to current provisions
Garage / parking setback	Not to be dominant feature of the façade. To be subservient in scale and integrated into the design.

Q9 How has the draft Planning Proposal adequately addressed any social and economic effects?

The draft PP will result in positive social and economic outcomes for the Bayside LGA by facilitating increased diversity in housing supply, ensuring that a range of housing types are available to cater for different demographics.

D State and Commonwealth interests

Q10 Is there adequate public infrastructure for the draft Planning Proposal?

Council is in the process of preparing new infrastructure strategies in accordance with the Bayside Asset Management Strategy and as outlined in the Bayside LSPS. The strategies will inform provision of additional local infrastructure to meet the needs of the future population. These strategies are:

- Social Infrastructure (Open Space, recreation and community facilities);
- Transport Strategy (including Bike Plan);
- Centres and Employment Lands Strategy;
- Aboriginal Heritage Study;
- Non-Aboriginal Heritage Strategy;
- Flooding and Stormwater Study;
- Environmental Review of Planning Controls; and
- Land Use and Infrastructure Limitations Study.

Council has also commenced the preparation of key statutory or policy documents which will assist in the implementation of local infrastructure:

- Bayside Development Contributions Plan; and
- Bayside Plan of Management.

Public Domain Plans will also provide direction and expectations about public assets.

The draft PP does not impact upon the intent or objectives of the draft strategies, and future plans, for planning residential development within the Bayside LGA. The draft PP has the

intention of facilitating increased take-up of 'missing middle' medium-density housing typologies that are already permissible in the R3 zone under the BLEP 2021.

Q11 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

As this draft PP has not yet been forwarded to the Minister for Planning for a Gateway Determination, the appropriate State and Commonwealth public authorities have not yet been consulted. However, State and Commonwealth public authorities will be consulted in accordance with a Gateway Determination and will be given at least 21 days to comment on this draft PP.

Part 4 – Mapping

Refer to **Table 12** for an outline of the changes to the draft Bayside LEP maps.

Table 12 – Proposed Map Sheet Amendments

Map Sheet ID No.	Existing	Proposed
FSR_001 FSR_002 FSR_003 FSR_004 FSR_005 FSR_006 FSR_007	Land that is currently zoned R3 and that is also subject to FSR map category 'F' (0.6:1). Note: not applicable to all R3 zoned land, only R3 zoned land with an FSR of 0.6:1.	Amend FSR control for land that is currently zoned R3 and that is also subject to FSR map category 'F' (0.6:1) to map category 'H' (0.7:1).

Part 5 - Community Consultation

The draft PP will be exhibited for the minimum period stipulated in the Gateway determination (typically 28 days) in accordance with the provisions of the *EP&A Act 1979* and the *Environmental Planning & Assessment Regulation 2000* and any requirements of the Gateway determination.

Public exhibition of this draft PP will include:

- Exhibition notice on Council's website;
- Community engagement project set up on Council's Have Your Say website;
- Notices in Council libraries;
- Notification to all Talking Bayside Members;
- Notification to anyone who submitted feedback as part of Council's 'Planning Our Future' and 'Local Strategic Planning Statement' consultation projects; and
- Letters to State and Commonwealth Government agencies identified in the Gateway Determination.

Part 6 – Project Timeline

Table 13 below provides a proposed, approximate timeline for the project:

Table 13 – Approximate Project Timeline

Task	Timing
Bayside Local Planning Panel Meeting (to recommend submitting to DPHI for Gateway Determination)	November 2022
Bayside Council Meeting (to resolve to submit to DPHI for Gateway Determination)	April 2023
Submit to DPHI for Gateway Determination	June 2023
Issue of Gateway Determination	August 2023
Anticipated timeframe for the completion of required technical information	September 2023
Issue of amended Gateway Determination and extension of timeframe	August 2024
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	September 2024
Commencement and completion dates for public exhibition period	October 2024
Timeframe for consideration of submissions	October - November 2024
Bayside Council City Planning and Environment Committee Meeting (to consider submissions and recommend submitting to DPHI for finalisation)	February 2025
Bayside Council Meeting ((to resolve to DPHI for finalisation)	February 2025
Date of submission to the Department to finalise the LEP	February 2025
Anticipated date of finalisation of LEP Amendment	March 2025

Appendix A

**Map of Bayside R3 Medium Density Residential Zone
subject to Maximum Floor Space Ratio Control of 0.6:1**



Appendix B

Council Endorsement of Bayside Local Housing Strategy (10 March 2021)

RESOLUTION

Minute 2021/047

Resolved on the motion of Councillors Barlow and Macdonald

- 1 That Council delegates authority to the General Manager to make administrative amendments to the Deed of Variation to the Planning Agreement for 177 Russell Avenue, Dolls Point, if required after conclusion of the exhibition period.
- 2 That Council delegates authority to the General Manager to execute the Deed of Variation to the previously executed Voluntary Planning Agreement consistent with the information included in this report and attachments.
- 3 That the General Manager seeks the agreement of the proponent to include a clause in the Deed of Variation that requires plants to be sourced from the Bayside Garden Centre where possible, so that the benefit to The Intellectual Disability Foundation of St George (a partner in Bayside Garden Centre) is not lost as a consequence of the proposed change from Council undertaking the landscape work to the proponent undertaking the landscape work.

Division on planning decision

For: Councillors Curry, Morrissey, Sedrak, Ibrahim, Nagi, Rapisardi, Kalligas, Saravinovski, Barlow, Macdonald, McDougall and Awada

The Motion was declared carried.

8.3 Bayside Local Housing Strategy - Post Exhibition Report

Councillor Saravinovski had previously declared a Less than Significant Non-Pecuniary Interest, and left the Chamber for consideration of, and voting on, this item.

Councillor Ibrahim had previously declared a Pecuniary Interest, and left the Chamber for consideration of, and voting on, this item.

The following person made a written submission to the meeting:

- Gibran Khouri, interested resident, against the Officer Recommendation.

RESOLUTION

Minute 2021/048

Resolved on the motion of Councillors Tsounis and Awada

- 1 That Council adopts the draft Bayside Housing Strategy, with the exception of Action 2, Action 3.6 and Action 4.6.
- 2 That Council delegates to the General Manager the determination of Actions 2, 3.6 and 4.6 and to update the draft Bayside Housing Strategy if necessary.

- 3 That Council delegates to the General Manager the submission of the final draft Bayside Housing Strategy to the Department of Planning, Industry and Environment for its review and endorsement.

Division on planning decision

For: Councillors Nagi, Rapisardi, Tsounis, Barlow, Macdonald and Awada

Against: Councillors Curry, Morrissey, Kalligas and McDougall

Abstained: Councillor Sedrak

The Motion was declared carried.

8.11 2018-21 Delivery Program & 2020-21 Operational Plan 6 Monthly Progress Report

Garnett Brownbill, interested citizen, was scheduled to speak against the Officer Recommendation. At 7.35 pm three call attempts were made to Mr Brownbill. The first attempt failed to connect. The second attempt failed to answer and went to voicemail. The third attempt failed to connect, went to voicemail and a message was left noting Council was unable to connect him for his registered opportunity to address the meeting.

RESOLUTION

Minute 2021/049

Resolved on the motion of Councillors Ibrahim and Rapisardi

That Council receives and notes the statutory 6 month progress report on Council's 2018-21 Delivery Program & 2020-21 Operational Plan.

8.12 72 Laycock Street, Bexley North - Order of AHEPA NSW Inc

Councillor Tsounis had previously declared a Less than Significant Non-Pecuniary Interest.

Councillor Kalligas had previously declared a Less than Significant Non-Pecuniary Interest.

Councillor Awada had previously declared a Less than Significant Non-Pecuniary Interest.

The following person spoke at the meeting:

- Christopher Alexandrou, member of AHEPA NSW Inc, speaking for the Officer Recommendation.

Appendix C

**Department of Planning and Environment Letter of Approval of
Bayside Local Housing Strategy**



IRF21/2397

Ms Meredith Wallace
General Manager
Bayside Council
444-446 Princes Highway
Rockdale NSW 2216

Dear Ms Wallace

Bayside Council - Local Housing Strategy

Thank you for submitting Bayside Council's Local Housing Strategy (LHS) to the Department.

The Department commends Council on preparing a robust evidence base to support its LHS, providing Council with a clear understanding of the housing needs of the Bayside local government area and a strong commitment to strategic planning.

I can confirm that I have determined to approve Bayside Council's LHS adopted by Council in March 2021. My decision reflects the analysis undertaken to develop a comprehensive strategic planning and an evidence base to inform your LHS and deliver more than 7,720 dwellings for the period 2021-26.

In doing so, I have determined that:

- The LHS addresses housing supply, including the 6-10 year housing target, to be delivered mainly through capacity under existing planning controls, current and subsequent planning proposal.
- The LHS addresses the need for housing diversity, although commitment to further actions for housing diversity and delivery are required.
- The LHS addresses housing affordability, although commitment to further actions for delivery are required.
- The LHS is generally consistent with Section 9.1 Directions and SEPPs.
- The LHS is consistent with the Eastern City District Plan, subject to the requirements identified below.

My approval is subject to the following requirements:

1. Based on the committed pipeline and capacity under existing planning controls the Department's assessment of Bayside Council's LHS indicates that Council has ability to meet the Greater Sydney Commission's (GSC) target of 8,500 –

10,500 additional dwellings in the 2021-2026 period. This is subject to implementing the actions in its LHS and those requirements outlined in this approval. Council is to therefore adopt and work towards achieving and exceeding a minimum housing target aligned to the GSC target range for this period to ensure that regional strategic planning can be appropriately managed.

2. Within four months of Council being notified of the LHS approval, Council is to prepare an updated and prioritised Implementation and Delivery Plan that clearly articulates the actions, roles and responsibilities and timing to facilitate housing supply, diversity and affordability between 2021 and 2026 and beyond. This is critical particularly based on Council's recent decision at its meeting on 9 June 2021, wherein Council resolved to proceed with Rockdale Town Centre and Waltz Street precinct, and not at this stage progress the areas of Bay Street (Rockdale to Brighton) and West Arncliffe. Council may need to consult with DPIE, TfSNW, Sydney Water and adjoining Councils. Council should submit at the same time to the Department any feasibility analysis and updated collated data identifying completions and committed development pipeline.
3. Council is to prioritise the Eastgardens future investigation area, in collaboration with Randwick City Council and DPIE, for the future planning of the strategic centre and one other future investigation area of Council's choosing as a matter of priority to ensure housing supply, diversity and affordability is secured in a timely manner. The investigation area should include the confirmation of future implementation mechanisms including any necessary planning proposals and their timing.
4. To ensure housing diversity is achieved by 2026, Council is to expedite the following investigations and obtain Gateway for planning proposals by December 2022:
 - a) the introduction of dwelling size and mix controls;
 - b) the review and update of medium density controls; and
 - c) the review and update of dual occupancy controls.Council should concurrently review development controls including the use of controls to ensure effective design for infill development as outlined in the LHS.
5. For all future investigation areas (irrespective of their priority), confirm the indicative yields, desired dwelling mix and timeline for future investigation areas, so both Council and DPIE understand the timing of housing delivery in the 10+ year (2026+) period. The investigation area studies may need to be supported by feasibility analysis.
6. Provide housing diversity targets including non-standard dwellings in future iterations of the LHS for the entire LGA. This should include student accommodation, key worker housing and seniors housing, and may need to be supported by feasibility analysis.

7. Future iterations of the LHS continue to be informed by a detailed land use opportunities and constraints analysis and mapping to confirm long-term housing opportunities. This analysis should:
 - be contextualised having regard to the Greater Sydney Regional Plan, Eastern City District Plan, the Bayside LSPS (including any updates), Future Transport 2056, SETS and delivered infrastructure reinvestments and the progression and implementation of the LHS actions;
 - be undertaken in collaboration with relevant stakeholders;
 - consider the implications of DPIE 2019 Population Projections for the LGA, or any future revised DPIE projections;
 - clearly articulate existing and future opportunities and constraints as either manageable or insurmountable;
 - include the relevant evidence base from any background study/ies prepared by Council and include better referencing to other existing and emerging Council strategies, such as the Centres and Employment Lands Strategy, the Social Infrastructure Strategy, and the Land Use Limitation Study; and
 - consider how to best manage and balance housing needs with economic and productivity objectives particularly in the strategic centres and along key economic corridors such as the Princes Highway.
8. Future iterations of the LSPS and LHS should detail the key local and State infrastructure commitments and investment decisions that will support the unlocking of housing supply. This analysis should consider public and active transport, education and health facilities, open space, community infrastructure, drinking supply, wastewater and utility services. Council is encouraged to cross reference any endorsed Council strategies and plans, where relevant, and collaborate with DPIE and other State agencies (and in particular SINSW, Sydney Water and TfNSW) to ensure identified opportunities are realistic and accurately reflect staging, sequencing, servicing and delivery of critical infrastructure such as public transport, education facilities and drinking supply and waste water services. Thresholds/triggers, funding, responsibilities for delivery and indicative timeframes should also be identified.
9. As housing diversity is a key objective in the LHS, Council is to provide a comprehensive evidence base in relation to the delivery of medium-density housing, including dual occupancy and associated controls, particularly if Council will request an exemption from the Low Rise Housing Diversity Code. This should include:
 - a. Historical and forecast supply of medium-density housing, including statistics on range of housing types approved over the last five years (DA and CDCs) and anticipated future take-up rates.
 - b. Recommended controls outlined in LHS for medium-density housing in the implementation plan, including current status and timeline for implementation.

10. Council is to monitor and review the supply and delivery of housing, in particular, to track its performance against the 6-10 year housing target and the housing diversity and affordability outcomes delivered. The Monitoring and Implementation framework shall include timing, take up rates and any specific issues that would need to trigger an update of the LHS. A monitoring and review system should be set up to ensure that appropriate mechanisms can be identified and implemented to meet Council's housing needs.
11. Future iterations of the LHS should outline a clear commitment on the timing and process for reviews and updates.
12. The direction and strategic planning approaches endorsed in State-led precinct plans are to prevail in the event of any inconsistency with this approval and/or the Council's LHS (as revised and current).
13. Council is to update or revise the LHS to inform its LSPS following the making of a future District Plan.

Any planning proposals for new housing development will be assessed against Bayside Council's LHS, the requirements above and Advisory Notes enclosed. Any State Government policy changes that may occur in the future are to prevail in the event of any inconsistency.

Implementing your Local Housing Strategy

The State Government is committed to reducing the time taken to complete planning proposals that support housing delivery by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage.

To meet these commitments, a detailed implementation plan is required. This should reflect a comprehensive work program for all strategic planning work Council commits to undertake to implement its LHS, and should include but not be limited to:

- The future investigation areas of Banksia, Arncliffe, Rockdale, Kogarah, Carlton, Bexley North, Bardwell Park, Brighton Le Sands, Eastgardens, and Ramsgate
- Future planning proposals and amendments to Development Control Plans to enable greater housing diversity and medium-density housing.
- An Affordable Housing Policy, and (if feasible) include a Contribution Scheme in accordance with the Department's Guideline for Developing an Affordable Housing Contribution Scheme that commits Council to examining the feasibility of levying affordable housing contributions for any new planning proposals that would result in development uplift or an increase in land value. This should be included in a future LHS, or be completed earlier, if possible.

- When preparing the Scheme, Council is to demonstrate:
 - it has considered all mechanisms and locations that may be available to secure affordable housing; and
 - in consultation with relevant stakeholders, State Government-owned sites capable of contributing to long-term social and affordable housing demand are identified.

Local Housing Strategy Reviews and Updates

We strongly recommend that Council review and revise (where required) its LHS before the LSPS is required to be reviewed by the GSC. This will help best inform the next update to the LSPS.

It will also provide Council with the opportunity to improve and clarify aspects of the LHS. The Advisory Notes enclosed provide specific guidance on matters that Council is encouraged to consider when updating the LHS. The Department will expect these same matters, including alignment with the LHS, to be addressed in planning proposals and will be reinforcing them through Gateway determinations as an interim measure in the absence of the LHS review process.

Once again, I would like to take this opportunity to acknowledge the significant amount of work your team has undertaken to develop the LHS. Please be advised that the LHS will be published on the NSW Planning Portal alongside the letter of approval and Advisory Notes.

Should you have any further questions, please contact myself or Jenny Rudolph, Director Local Strategies and Plan Making on 8275 1030.

Yours sincerely



Amanda Harvey
Executive Director
Local Strategies and Plan Making

30 June 2021

Encl: Advisory Notes



Bayside Council Local Housing Strategy

Advisory Notes

The following advisory notes identify the further work Council will need to undertake to strongly position future planning proposals and further iterations of the Local Housing Strategy (LH). The advisory notes provide specific guidance on matters that Council is encouraged to consider when updating the LH. The Department will expect these same matters to be addressed in planning proposals (where relevant) and that these will be reinforced through Gateway determinations as an interim measure in the absence of the LH review process.

Matter	Consideration for future LHS updates and preparation and assessment of planning proposals
General	
Implementation	<p>Future iterations of the LHS should be underpinned by an Implementation Plan with a priority work program, clearly defined roles, responsibilities and definitive timeframes with risks and dependencies identified and clarity around delivery and anticipated yields.</p> <p>The Plan should be prepared in consultation with DPIE, TfNSW and SINSW, to ensure any critical interdependencies are satisfactorily resolved. This is encouraged to be informed by resourcing and budgets to demonstrate how housing targets will be delivered.</p> <p>The Implementation Plan should specifically address work streams related to items identified in Councils work program, including:-</p> <ul style="list-style-type: none"> • details of any interdependencies, thresholds or impediments that are required to be secured to facilitate housing delivery, diversity and affordability. • confirmation of the extent and timing of any specific changes Council is planning to make to its LEP, DCP, or contribution plans to implement the LHS. • expedite planning for all other future investigation areas (noting Eastgardens and one other investigation area selected by Council are to be expedited to ensure supply for the 6-10 year period) and in doing so, identify a potential yield for each future investigation area, or alternatively indicative targets for dwelling types; • consider the South East Transport Strategy (SETS) and the opportunities that transport infrastructure investments provide to support a resilient housing supply pipeline. • demonstrate that the proposed approach to delivering housing diversity in the upcoming Comprehensive LEP is the most effective application of planning provisions to achieving housing diversity. • consider the housing priorities and requirements across all cohorts and plan for non-standard dwellings.

1



Matter	Consideration for future LHS updates and preparation and assessment of planning proposals
	<ul style="list-style-type: none"> • expedite the introduction of dwelling size and mix controls. • expedite the review of medium density and dual occupancy controls. • expedite the planning of Eastgardens future investigation area in consultation with Randwick City Council, and one other future investigation area to be nominated by Council and in doing so establish targets to ensure housing diversity is achieved. • articulate, in future strategic planning work, the need to balance employment and housing functions of strategic centres, particularly regarding facilitation of housing supply and affordability to meet the needs of lower income workers. • consider all mechanisms and locations that may be available to secure affordable housing. • identify State Government-owned land and LAHC opportunities as potential opportunities to renew social housing estates to meet increasing demand and long-term social and affordable housing opportunities. • consider whether a broader policy for the protection of existing affordable housing is appropriate. <p>The future LHS should also ensure that the supply pipeline data is cross-checked against published data and is inclusive of the scope of imminent developments and planning proposals.</p>
Review and monitoring framework	Revisions to the LHS may be required in response to significant changes in the LGA such as announcements on new infrastructure investment and employment opportunities, significant changes in projected population growth or updates to the LSPS. The framework should also review the supply and delivery of housing, including the 6-10 year housing target and targets for medium-density and seniors housing.
Infrastructure	Future iterations of the LHS should detail the key local and State infrastructure commitments and investment decisions that will support the unlocking of housing supply. This analysis should consider public and active transport, education and health facilities, open space, community infrastructure, drinking supply, wastewater and utility services. Council is encouraged to cross reference any endorsed Council strategies and plans, where relevant, and collaborate with DPIE and other State agencies (and in particular Transport for NSW (TfNSW), Schools Infrastructure NSW (SINSW) and Sydney Water) to ensure identified opportunities are realistic and accurately reflect staging, sequencing, servicing and delivery of critical infrastructure such as public transport, education facilities and drinking supply and wastewater services. Thresholds/triggers, funding, responsibilities for delivery and indicative timeframes should also be identified.

2



Matter	Consideration for future LHS updates and preparation and assessment of planning proposals
Making appropriate provision for any additional housing opportunities that may arise out of sequence	<p>The inclusion of a transparent and robust framework to consider additional opportunities will assist Council, the Department and other relevant agencies to assess proposals that are inconsistent with the LHS. It will also ensure that changes to land use or development controls do not take place without demonstrating strong strategic merit.</p> <p>Council is encouraged to develop a framework within which to consider such proposals, including but not limited to the following heads of consideration:</p> <ul style="list-style-type: none"> • Strategic merit and case for change • Robust demographic evidence • Housing Affordability and Diversity • Demand analysis and economic impacts • Infrastructure delivery and funding to be borne by the proponent • Stakeholder consultation and outcomes • Sustainability and resilience
Community and Stakeholder Engagement	Future iterations of the LHS address feedback provided through the exhibition and community engagement process of the LHS.
Consultation and engagement with agencies	<p>Council should continue consultation with the following agencies and Councils:</p> <ul style="list-style-type: none"> • TfNSW in relation to the future investigation areas and impacts of the SETS on housing. • SINSW: <ul style="list-style-type: none"> ○ Prior to the finalisation of any future strategy or planning proposal that proposes a significant increase in the number of dwellings; and ○ When Council is aware of variations in the following: <ul style="list-style-type: none"> - The actual number of lots or dwellings varying from planning proposal estimates/ strategic plans. - An emerging demographic that varies from the planned population profile, either with more or less families with children. - Rates of development and dwelling take-up varying from planned release programs or forecast residential take-up rates. ○ Neighbouring councils: Collaboration with Randwick Council on planning for Eastgardens-Maroubra Junction. <p>This is to ensure SINSW specifically understands where growth, or changes to growth rates are occurring and can effectively respond by targeting appropriate resourcing to impacted Government schools.</p>

3



Matter	Consideration for future LHS updates and preparation and assessment of planning proposals
Affordable Housing	<p>Council's LHS evidence base is considered sufficient to justify the preparation of a SEPP70 affordable housing contribution scheme. An LHS requirement of approval is included for Council to prepare a scheme that sets out delivery and rent models, tenant eligibility criteria, tenancy allocation, asset ownership and management.</p> <p>Notwithstanding potential issues related to development feasibility, the District Plan requires Council to prepare an affordable housing contribution scheme. The scheme would be prepared in advance of any out-of-sequence planning proposals and sends a critical signal to the market regarding Council's strategic planning intentions regarding affordable housing provision. It will also commit Council to examining the feasibility of affordable housing contributions for all new proposals that are likely to result in an uplift of land value. If feasible and appropriate, affordable housing contributions would be required by LEP provisions that implement the contributions scheme. The scheme should be prepared in accordance with the <i>Greater Sydney Region Plan</i> key parameters for successful implementation of Affordable Rental Housing Targets and the NSW Government's <i>Guideline for Developing an Affordable Housing Contribution Scheme</i>.</p> <p>Future iterations of the LHS should be required to consider all mechanisms and locations that may be available to secure affordable housing.</p> <p>Future iterations of the LHS should identify State Government-owned land and LAHC opportunities as potential opportunities to renew social housing estates to meet increasing demand and long-term social and affordable housing opportunities. This can be done in liaison with LAHC.</p> <p>Council should also consider whether a broader policy for the protection of existing affordable housing is appropriate.</p>
Housing Diversity	Future iterations of the LHS will need consider the cohorts such as seniors living, key worker housing, student accommodation and group homes and their housing needs to ensure they are appropriately accommodated. Council is encouraged to investigate the inclusion of seniors housing provisions in its LEP that increase the supply of housing for seniors and people with a disability.
Interdependencies with relevant local evidence base	Incorporate the findings and outcomes of latest studies, policies and State-led precinct plans prepared since the publication and release of the LHS.
Structure Plan	Future iterations of the LHS should include a structure plan(s) that clearly identifies housing growth areas /precincts and their anticipated delivery over the short, medium- and longer-term horizons. Annotations to identify likely yield ranges and any key threshold assumptions should also be included.
Data	
Data	Council should ensure in the future LHS that supply pipeline data is cross-checked against published data and is inclusive of the scope of imminent developments and planning proposals.

4



Matter	Consideration for future LHS updates and preparation and assessment of planning proposals
<p>Clarification of 6 to 10 year target and 10-20 year housing forecast.</p>	<p>Revisions to the LHS should provide a breakdown of how the 6 to 10 year target will be achieved, including when and where anticipated supply will be delivered and explain market take up rates. LHS revisions will also need to include a revised housing delivery forecast for the 10-20 year period as new information becomes available.</p> <p>The Department does not support Council claiming credit for the dwellings delivered within the 0-5 year or 6-10 year period and carrying these dwellings into the 10+ year period. Council should ensure that all population and dwelling forecasts are cross-checked against published DPIE projections to provide greater transparency. Additional guidance and support can be arranged with the Department's Evidence and Insights team to resolve any discrepancies in dwelling forecasts. Council should also consider the actions and timeframes identified in Council's LSPS and the GSC's letter of assurance.</p>