



SSROC submission on:

**The Department of Planning, Housing and
Infrastructure's**

**Proposed Waste Planning Changes Consultation
Paper**

Submitted to economic.policy@dpie.nsw.gov.au

19 December 2025

Southern Sydney Regional Organisation of Councils

Bayside – Burwood – Canada Bay – Canterbury Bankstown – Georges River – Inner West –
Randwick – Strathfield – Sutherland – City of Sydney – Waverley – Woollahra

Introduction

The Southern Sydney Regional Organisation of Councils (SSROC) is an association of 12 councils spanning Sydney's southern suburbs, eastern suburbs, CBD, and inner west and covering a third of the Greater Sydney's population, over 1.9 million people. Our Councils manage around 655,000 tonnes of household waste each year, which is about 20 per cent of all NSW household waste.

SSROC provides a forum through which our member councils can interact, exchange ideas and work collaboratively to solve regional issues and contribute to the future sustainability of the region. We advocate on behalf of our region to ensure that the major issues are addressed by all levels of government. Our current focus includes the environment, procurement, waste, and planning.

Waste Planning Changes Consultation Paper

Overall, SSROC is supportive of the proposed changes outlined in the Department of Planning, Housing and Infrastructure (DPHI) Waste Planning Changes Consultation Paper with our feedback below focused on some of the details that need adjusting or more discussion with councils.

A) Better facilitate minor changes to bin enclosures for residential developments as complying development.

Key Consultation questions:

1. Are these changes appropriate to facilitate most modifications to garbage bin storage enclosures as complying development that may be necessary to meet the FOGO mandates?

Yes, this is needed for some apartment buildings to facilitate modifications to the bin storage enclosures to allow additional bins which will be necessary to meet the FOGO mandate.

2. Should developments be required to comply with any other aspects of councils' DCPs, or will this be too difficult to implement (e.g. for older buildings)?

Many of SSROC's Local Government Areas have older building stock. In these older buildings it may not be possible to comply with all waste planning controls in a current councils' development control plan (DCP) so this may be too restrictive.

3. Should bin enclosures under these controls be limited to a certain percentage of street frontage? If so, what should it be?

The extent of bin enclosure modification should be limited to mitigate potential negative impacts to the streetscape and minimise reductions to landscaping/non-permeable areas. This could be achieved by setting a maximum percentage of the street frontage for the bin enclosure or extent of the front setback affected or a percentage of the existing structure size or possibly a combination of several controls. This may require more feedback from councils.

4. *Are any other development standards needed to prevent inappropriate development?*

- Ensure that where the structure encroaches within 1-3 metres of a side or rear boundary, there is provision of adequate landscaping to help manage potential amenity issues, including odour.
- Ensure that any changes to the standard ensure that the modified enclosure is structurally sound and does not encroach on any registered easements.
- Ensure safe and efficient access and movement to the street or designated collection point for the site.

B) Create a new standard mandatory clause for local environmental plans regarding waste minimisation and resource recovery

Key consultation question: *Would a clause like the example in the consultation paper be helpful for council planners to ensure developments appropriately provide for waste management, especially for FOGO waste? Are any changes needed?*

Yes, we are supportive of a new mandatory clause for local environmental plans covering waste minimisation and resource recovery. It should be changed to reference the relevant council's development control plan and any subjective terminology such as "high quality" should be removed or more clearly defined. The NSW EPA's Better Practice Guide for Resource Recovery in Residential developments could be referenced however, it is unclear if the NSW EPA will have the resources to regularly update this document and it was last updated in 2019, with the previous update quite a few years before then.

We suggest the following wording changes to section (e):

(e) meets any relevant waste collection service requirements of the relevant council. Where there are none, the Better practice guide for resource recovery in residential developments, published by the NSW Environment Protection Authority (EPA) may to be used to inform the waste collection service requirements.

We encourage DPHI to share the revised wording for this mandatory clause with the relevant regional organisations of councils and LGNSW for review by councils before it is finalised.

Key consultation question: *Should the proposed clause also apply to commercial developments (such as development that the FOGO business mandate applies to (s170B of the Protection of the Environment Operations Act 1997 (POEO Act))?*

It should also apply to commercial developments as commercial premises (restaurants, offices) are often high-volume waste generators. Excluding them leaves a regulatory gap where new commercial builds might not provide suitable measures for residual waste, recycling and FOGO separation.



C) Allowing community recycling facilities as permitted without consent if carried out by or on behalf of a public authority

SSROC is supportive of efforts to simplify this process for councils trying to establish a new community recycling centre in their LGA.

D) Requiring commercial and industrial developments to comply with EPA guidance or DCP controls when a change of use occurs

Key consultation question: *Is this a significant issue? What types of changes of use are most problematic? Is there another way to address this issue without greatly limiting the use of complying development change of use provisions?*

Some of our councils provided feedback that this would be a helpful change particularly when a change of use results in a much higher generation of waste such as a change of use to a café. There are also problems when a change of use goes from dry goods warehouse changes use to a food manufacturer. Their waste profile changes from cardboard (dry) to putrescible food waste (wet/odorous). If they are not required to upgrade their bin storage to meet DCP controls, they often store overflowing bins in carparks or on the street, causing leachate and vermin issues.

However, this needs more consideration from compliance staff in councils who we have not been able to engage in this consultation within the tight timeframe for feedback. We suggest that we liaise with DPHI and other Sydney ROCs and LGNSW to find the relevant stakeholders in councils that would be responsible for enforcing DCP controls when a change of use occurs to provide you with more tailored feedback.

In conclusion, we commend DPHI for undertaking these consultations on proposed changes and hope to continue to collaborate with DPHI on improving waste planning controls to meet Sydney's growing population and housing challenges. Please note that although SSROC member Councils have provided information for this submission, it is yet to be endorsed at a formal SSROC Delegates meeting. I will contact you should any issues arise as a result.

For any enquiries, please contact me by email: ssroc@ssroc.nsw.gov.au, or 02 8396 3800.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Vincent Ogu', written over a light blue horizontal line.

Dr Vincent Ogu
Program Manager
Southern Sydney Regional Organisation of Councils