

Post-Exhibition Report – PP-2023-1109

The planning proposal seeks to rezone and increase both height and FSR controls to increase the capacity of senior housing currently available on site.

1 Introduction

The planning proposal is at the post-exhibition stage, which is the last stage before a Local Environmental Plan (LEP) may be made and finalised. The Sydney North Planning Panel (the Panel) determined at the rezoning review stage that the proposal had strategic and site merit on 19 December 2023. Subsequently, the Department of Planning, Housing and Infrastructure (the Department) undertook a Gateway assessment and issued a Gateway Determination on 23 April 2024 for the proposal to proceed, subject to conditions. Consultation with agencies and the community, as required by the Gateway, has now been completed.

The purpose of this report is to provide a summary of the key matters raised by members of the public and public agencies during the public exhibition of the planning proposal for 116–120 High Street, 2–20 Gaza Avenue and 45–47 Barons Crescent, Hunters Hill (the site). The report makes a recommendation to the Panel that it submit the proposal to the Department of Planning, Housing and Infrastructure for finalisation

Table 1 – Background of planning proposal

Element	Description
Date of Gateway Determination	23 April 2024
Date of Gateway Alteration	7 November 2025
Date Public Exhibition	21 November 2025 to 28 January 2026 (inclusive)
Planning Proposal no.	PP-2023-1109
LGA	Hunter’s Hill
LEP to be amended	<i>Hunters Hill Local Environmental Plan (LEP) 2012</i>
Address	116–120 High Street, 2–20 Gaza Avenue and 45–47 Barons Crescent, Hunters Hill
Brief overview of the timeframe/progress of the planning proposal	6 February 2023 – Council refused lodgement of the planning proposal due to lack of pre-lodgement procedures. 26 May 2023 – Planning proposal officially lodged with Council. 22 June 2023 – Hunters Hill Local Planning Panel considered the proposal and recommended it not proceed to Gateway.

Element	Description
	12 September 2023 – Council resolved not to support progression of the planning proposal to Gateway. 27 October 2023 – Rezoning review application (RR-2023-24) lodged with the Department. 19 December 2023 – Sydney North Planning Panel determined the proposal should proceed to Gateway and appointed itself as the Planning Proposal Authority. 25 January 2024 – Planning proposal submitted to the Department for Gateway determination. 23 April 2024 – Gateway Determination issued. 29 April 2024 – Planning proposal referred to the NSW Rural Fire Service for required pre-exhibition consultation. 31 May 2024 to 8 September 2025 – Ongoing bushfire consultation and revisions occurred, culminating in NSW Rural Fire Service advice that the proposal could be supported if compliance was achievable and a 60 m Asset Protection Zone (APZ) was adopted for relevant buildings. 24 October 2025 – Proponent submitted a revised planning proposal package demonstrating the required 60 m APZ and confirming exclusion of the existing RACF from the proposed provisions. 7 November 2025 – Gateway Alteration issued to extend the LEP completion timeframe to 27 July 2026. 20 November 2025 to 28 January 2026 – Planning proposal publicly exhibited on the NSW Planning Portal. 16 March 2026 – Proponent provided the Response to Submissions package, including the amended zoning map, detailed response table and updated draft indicative site specific DCP.
Finalisation date required by Gateway Determination	27 July 2026
Department contact:	Ian Woods, Planning Officer Planning Proposal Authority Team

1.1 The Site and local context

The subject site (see **Figure 1**) is located at 116–120 High Street, 2–20 Gaza Avenue and 45–47 Barons Crescent, Hunters Hill and comprises 18 lots in a roughly triangular configuration of approximately 40,878 m². It has frontages to Barons Crescent (north and east), High Street (south) and Gaza Avenue (west).

The site is currently occupied by a one- and two-storey residential aged care facility (RACF) in the south-east, 10 dwelling houses fronting Gaza Avenue, a synagogue near the north-eastern corner, and the Montefiore heritage garden in the south-west. Primary vehicle access is from High Street, with a secondary access from Barons Crescent. The land is zoned *R2 Low Density Residential* under the *Hunters Hill LEP 2012*.

The site is located within an established residential area of Hunters Hill, directly opposite Boronia Park Reserve (public open space) on the southern side of High Street. It is situated approximately 1.0 km east of Boronia Park Town Centre and 1.8 km north east of Gladesville Town Centre. Areas to the north, east, and west are predominantly low-density residential developments, with Lane Cove River further to the east.



Figure 1 – Subject site (Nearmaps, November 2025)

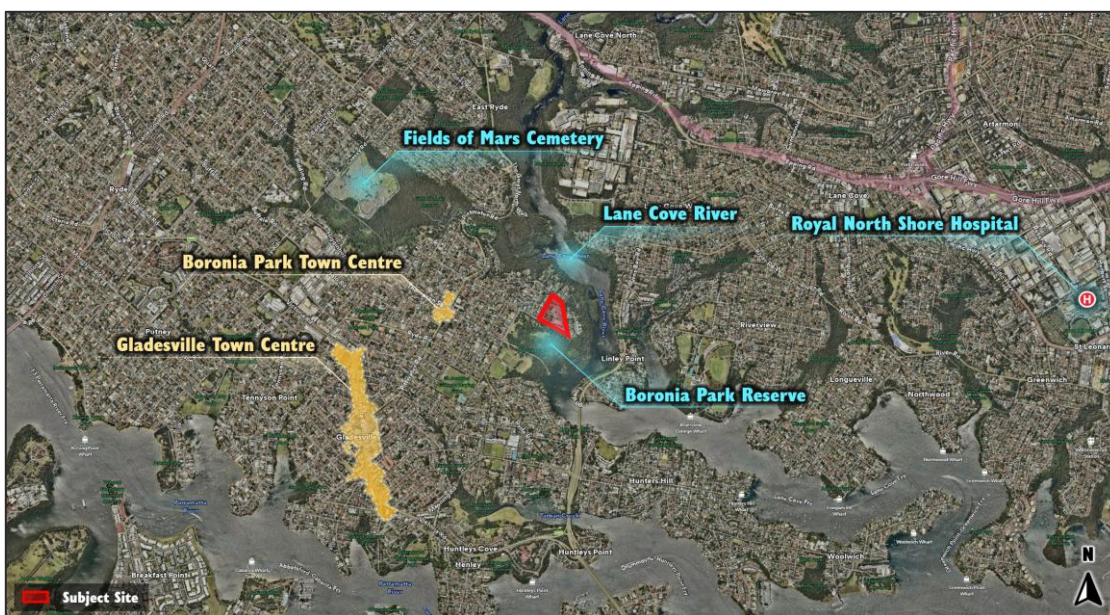


Figure 2 – Site Context (Nearmaps, November 2025)

1.2 State Electorate and local member

The site falls within the Lane Cove state electorate. The Hon. Anthony Roberts MP is the State Member.

The site falls within the Bennelong federal electorate. Mr Jerome Laxale MP is the Federal Member.

To the team's knowledge, neither MP has made any written representations regarding the proposal.

There are no donations or gifts to disclose, and a political donation disclosure is not required.

1.3 Planning Proposal

Table 2 – Overview of planning proposal

Element	Description
Site Area	40,878 m ²
Site Description	The subject site (Figure 1) is located at 116–120 High Street, 2–20 Gaza Avenue and 45–47 Barons Crescent, Hunters Hill and comprises 18 lots (Lot 2 DP 312298; Lots 9–10 DP 724017; Lots 1–2 DP 325793; Lots 50–61 DP 161119; Lots 62–63 DP 161119).
Proposal summary	The planning proposal (Attachment A) seeks to amend the <i>Hunters Hill LEP 2012</i> to increase the number of Independent Living Units (ILUs) from 18 to 144 and reduce the number of aged care beds from 334 to 194 on site. In summary, it seeks to: • rezone part of the site from <i>R2 Low Density Residential</i> to <i>SP2 Infrastructure (Seniors Housing)</i> • increase the maximum height of building (HOB) for part of the site from 8.5m to varying heights of 16m, 18m, and 24m • increase the floor space ratio (FSR) for part of the site from 0.5:1 to 1:1 The Proponent prepared a draft indicative site-specific development control plan (DCP), which was included in the exhibition package as indicative only. The PPA understand Council intends to prepare a DCP to support the proposed development on the subject site and will work with the proponent to prepare and exhibit a DCP at a later date.

The planning proposal (**Attachment A** and **Table 2**) seeks to amend the *Hunters Hill LEP 2012* per the changes in **Table 3** below.

Table 3 – Current and proposed controls

Control	Current	Proposed
Zone	<i>R2 Low Density Residential</i>	Part <i>SP2 Infrastructure (Seniors Living)</i> Remainder to remain <i>R2 Low Density Residential</i>
Maximum height of the building	8.5m	Part 24m (centre of site) Part 18m Part 16m Remainder to remain 8.5m
Floor space ratio	Part 0.5:1 Part 1:1	1:1 across the site
Number of dwellings	ILUs: 18 Aged Care Beds: 334	ILUs: 144 Aged Care Beds: 194
Additional Permitted Uses	Seniors Housing	No change

The planning proposal contains an explanation of provisions that adequately explains how the objectives of the proposal will be achieved.

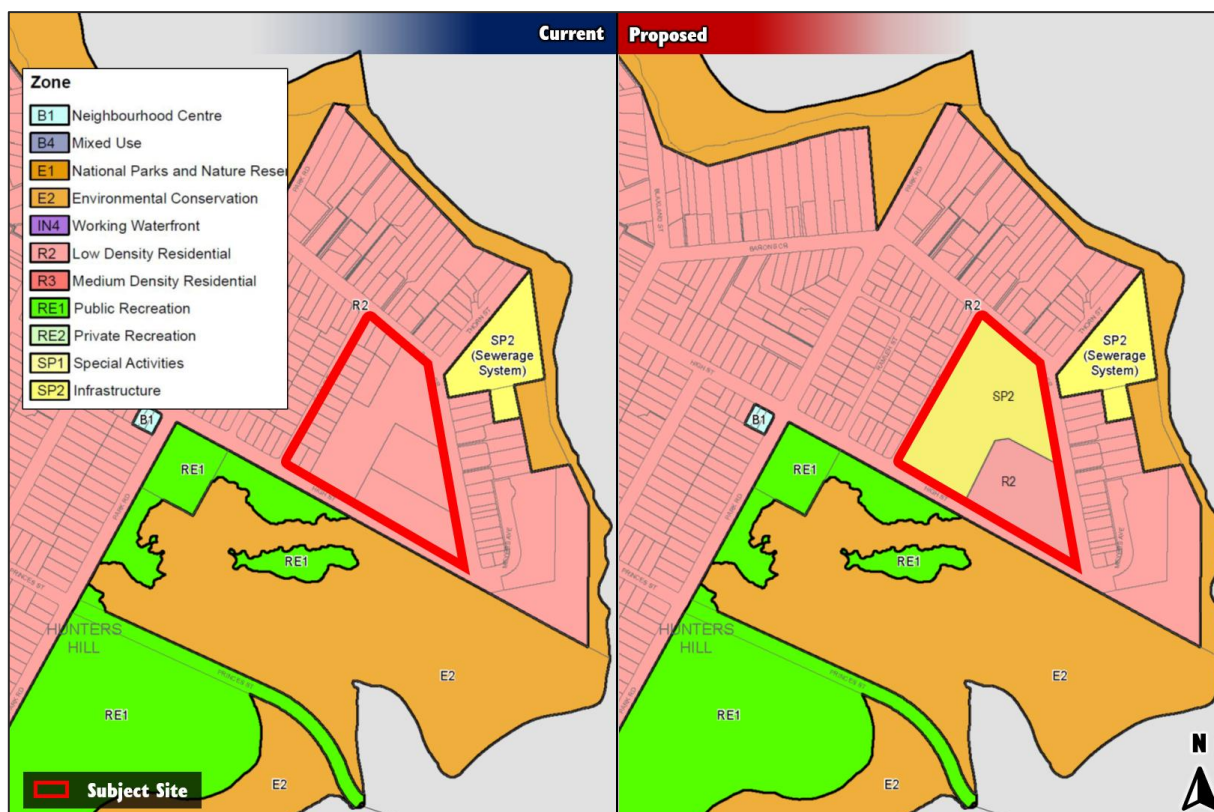


Figure 3. Zoning – current vs. exhibited planning proposal, (October 2025)



Figure 4: Max. HOB – current vs. exhibited planning proposal (October 2025)

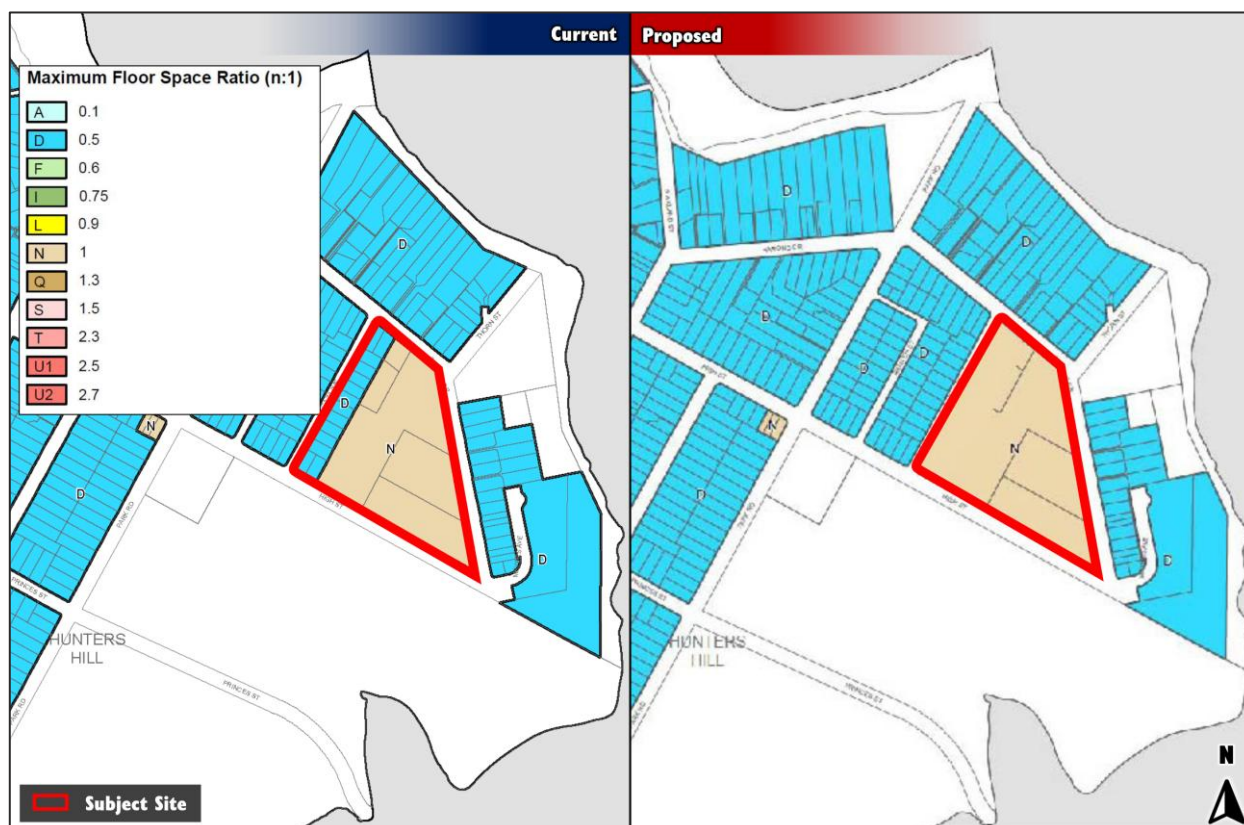


Figure 5: FSR– current vs. exhibited planning proposal (October 2025)

1.4 Rezoning Review

On 18 December 2023, the Panel considered a rezoning review for this planning proposal because Council notified the Proponent it will not support the proposed amendment.

On 19 December 2023, the Panel determined to support the planning proposal because the proposal has strategic and site-specific merit and is consistent with state and local strategies.

The Panel recommended the proposal be submitted for a Gateway determination, their reasons for which are provided in **Attachment B**.

The Panel appointed itself as the planning proposal authority (PPA).

The proposal was submitted to the Department for a Gateway determination on 25 January 2024.

1.5 Gateway determination

The Gateway determination issued on 23 April 2024 (**Attachment C**) determined that the proposal should proceed subject to the following conditions:

1. *Prior to exhibition, the planning proposal is to be updated to:*
 - (a) *Carry out consultation with the NSW Rural fire Service (RFS) to inform the planning proposal so that it addresses the potential overall increase in occupancy numbers on the site and can demonstrate the ability to achieve compliance with the relevant performance criteria in Section 6.4 in 'Planning for Bushfire Protection 2019'. The planning proposal is to be updated to address the consistency with Section 9.1 Direction 4.3 Planning for Bushfire Protection and demonstrate justification for the planning proposal.*
 - (b) *Address consistency with 9.1 Direction 5.1 – Integrating Land Use and Transport through an assessment against the objectives of Direction and the aims, objectives and principles of:*
 - i. *Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and*
 - ii. *The Right Place for Business and Services – Planning Policy (DUAP 2001).*
 - (c) *Include an updated timeline based on the issuing of the Gateway determination.*
2. *Prior to community consultation, the planning proposal is to be revised to address the above conditions and forwarded to the Department for review and approval.*
3. *That the site-specific development control plan (DCP) be exhibited with the planning proposal.*
4. *Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:*
 - (d) *the planning proposal is categorised as complex as described in the Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 30 working days; and*
 - (e) *the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in Local Environmental Plan Making Guideline (Department of Planning and Environment, August 2023).*

5. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- NSW Rural Fire Service (RFS);
- Sydney Water;
- Ausgrid;
- Jemena; and
- Transport for NSW

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

On 7 November 2025 the Gateway determination was altered to extend the LEP completion timeframe to 27 July 2026 (**Attachment C1**).

All conditions of the Gateway determination (as altered) have been met (see **Attachment D**).

1.6 Council led Hunters Hill LEP 2012 housekeeping amendment (PP-2025-1941)

The PPA Team is aware that Hunter's Hill Council is separately progressing a housekeeping amendment to remove the existing APUs applying to the site, which is currently under gateway assessment with the Department.

As reflected in the planning proposal, part of the site will remain zoned *R2 Low Density Residential*, which does not permit Seniors Housing under the *Hunters Hill LEP 2012*. However, the provisions of the State Environmental Planning Policy (Housing) 2021 will continue to apply to the R2 portion of the land, which permits Seniors Housing, as a relevant planning instrument in the assessment of future development. The Department are carefully considering the housekeeping proposal at Gateway currently.

2 Community Consultation

2.1 Pre-exhibition Consultation

In accordance with the Gateway determination, NSW Rural Fire Service (RFS) were consulted prior to exhibition. The combined package of RFS pre-exhibition comments can be found at **Attachment K**.

On 31 May 2024, NSW RFS identified that the proposed development on site was not supported as infill Special Fire Protection Purpose (SFPP). In response to this submission, the proponent amended the planning proposal to remove the proposed *SP2 Infrastructure (Seniors Housing)* zone on the existing RACF area.

On 8 September 2025, RFS identified that specific Asset Protection Zones (APZ) were required and that the risk-based approaches proposed were not supported. Further correspondence was

received from RFS stating they would be supporting of the proposal proceeding to exhibition should a 60 metre SFPP APZ from the hazard to the northeast be demonstrated.

The concept plan was subsequently updated to demonstrate that a 60 m APZ for the SFPP buildings, in line with RFS advice, could be achieved.

2.2 Public Exhibition

On 30 October 2025, the PPA team forwarded the amended planning proposal to the North, East and Central Coast (NECC) team to review and approve, as per Condition 2 of the Gateway Determination. On 7 November 2025, the NECC team advised that they were satisfied the proposal had met the Gateway Determination conditions and could proceed to exhibition (**Attachment E**).

In accordance with the Gateway determination, the planning proposal and supporting material were publicly exhibited on the NSW Planning Portal for a minimum of 30 working days, from 20 November 2025 to 28 January 2026.

3 Submissions

3.1 Submissions during exhibition

A total of 76 submissions were received during the exhibition period, including:

- 69 public submissions, including 67 unique submissions, 2 duplicate submissions and submissions from the Hunters Hill Trust and the Montefiore Redevelopment Community Action Association Inc. (MRCAA) community action groups (**Attachment H**). This also includes
- 2 late submissions received after the close of the exhibition period; and
- 5 agency submissions (**Attachment I**).

On 3 February, Hunters Hill Council advised the PPA team they did not wish to make a submission on this proposal (**Attachment G**).

Of the 69 unique community submissions, 63 (91%) objected to the proposal, 1 (<2%) supported the proposal, and 5 (7%) were unclear/mixed on their position.

A table outlining the PPA Team and Proponent's response to submissions is provided as **Attachment F**.

3.1.1 Submissions supporting the proposal

One submission was received from the community in support of the proposal. Two submissions received provided support for certain aspects of the proposal while raising concerns with other aspects. In summary, the main points of the support for the proposal included:

- Increase in seniors housing provision
- Negligible traffic/road impacts
- Current building's condition/visual impact
- Built form suits the site
- Improved activation/offering

3.1.2 Submissions objecting to and/or raising issues about the proposal

A total of 63 of the 69 community submissions received during public exhibition objected to the proposal. A detailed response to the key issues raised in these submissions is detailed in section 3.2 of this report. These issues include:

- Built Form and Development Intensity (91%)
- Transport, Traffic and Access Impacts (88%)
- Character, Visual, and Streetscape Impacts (81%)
- Amenity impacts (62%)
- Parking Supply, Overflow and Management (57%)
- Sets precedent (48%)
- Assessment adequacy and independence (41%)
- Social Impact and Community Benefit (39%)
- Proposal Detail, Consistency, and Outcome Certainty (38%)
- Planning Policy Compliance and Strategic Merit (36%)
- Environmental and heritage impacts (33%)
- Construction impacts (26%)
- Bushfire and emergency management (22%)

3.1.3 Submissions from Agencies and Council

In accordance with the Gateway Determination, the following agencies were consulted during public exhibition:

- RFS;
- Sydney Water;
- Ausgrid;
- Jemena; and
- Transport for NSW (TfNSW)
- Hunters Hill Council

The agency submissions are provided in full in **Attachment I**.

Jemena and Ausgrid raised no objections.

Sydney Water raised no objections however noted a critical wastewater asset, the Northern Suburbs Ocean Outfall Sewer (NSOOS), traversing the site and requested the Proponent engage a Water Servicing Coordinator prior to any future development application (DA) and submit a Feasibility application. Sydney Water noted that water and wastewater servicing should be available.

TfNSW raised no objections. They noted the site is bound by local roads, and that the surrounding network provides multiple direct and efficient routes and entry points for emergency response vehicles. TfNSW also commented that the site is served by local bus routes (with Montefiore's private resident shuttle also operating), and that any detailed access or intersection treatments can be addressed at a future DA stage.

The RFS raised concern that the required 60 m SFPP APZ to the north-east was not reflected consistently across the documentation. The matters raised by RFS and the proponent's response to RFS's submission is further discussed below.

3.1.4 Representation from Parliamentary Members and Lobbyists

To the team's knowledge, neither MP has made any written representations regarding the proposal.

There have been no meetings or communications with registered lobbyists with respect to this proposal.

3.2 Key Issues from submissions

3.2.1 Issue No.1 – Built Form and Development Intensity

Community Views:

Built form and development intensity was the most frequently raised issue in community submissions. Built form and development intensity was raised in 63 of 69 submissions (91%). A majority of submitters objected to the proposed 4–6-storey built form, increase in FSR to 1:1 and expansion in the number of independent living units. They considered the proposal to be out of scale with the surrounding low-rise residential context and had concerns around the relationship of the proposed buildings to Gaza Avenue and Barons Crescent. Submitters also raised concerns about visual dominance, loss of openness, and the adequacy of setbacks and landscape buffers.

Proponent Response:

The Proponent stated that the site is identified in Council's Local Housing Strategy as a strategic site for additional seniors housing density and that height, bulk and scale are managed through statutory LEP controls and a site-specific DCP. The Proponent noted the proposed concept plan locates higher buildings towards the centre of the site, with lower height controls retained along Gaza Avenue and High Street and building heights stepping down towards the site boundaries to provide a transition to neighbouring low-rise dwellings.

The Proponent also states that the controls provide certainty about future scale through numeric height limits within the LEP and storey controls and roof-top plant controls through the proposed draft indicative DCP. The existing FSR is retained across most of the site, with the only additional uplift in FSR controls applying to the western strip fronting Gaza Avenue, where future buildings would still be subject to the lower 8.5 m height limit. They also state that built form moderation is achieved through setbacks, building separation, upper-level setbacks, deep-soil landscaping and retained and additional canopy planting, with taller buildings kept away from site edges and continuous built-edge or institutional outcomes avoided through building spacing, varied forms and architectural expression.

PPA Team Response:

The Panel and the Department separately determined that the Planning Proposal, as it relates to height and floor space ratio controls, demonstrated sufficient strategic and site-specific merit to be supported.

The PPA team notes that although Council's adopted Local Housing Strategy does not recommend specifically built form controls for the site, it does acknowledge that the site has potential to undergo master planning and redevelopment.

The Low and Mid-Rise Housing Policy is part of the State Environmental Planning Policy (Housing) 2021 which seeks to encourage the delivery of low and mid-rise housing within 800 metres of nominated town centres and transport hubs. Boronia Park Town Centre is a nominated centre under the Policy, allowing mid-rise housing up to 6-storeys on land around the town centre. Whilst the subject site does not fall within the 800m radius of the centre, areas to the west of the site are

included within this area. This uplift is likely to result in changes to the low-rise residential character surrounding the site, irrespective of the outcomes of this planning proposal. Increases in building height enabled by the Policy in the locality surrounding the site would progressively improve the transition in built form between the residential areas within the catchment area and the subject site.

The building form will be further refined to address bulk, overshadowing and visual impact concerns during the DA stage. Further fine grain detail controls addressing these matters can also be addressed through a site specific DCP for the site. Whilst the PPA team understands Council is seeking to prepare a site-specific DCP for the site, to ensure these controls are implemented it is recommended a local clause be included in the Planning Proposal to require a site-specific DCP be in place prior to the first DA being approved.

On that basis, the PPA Team considers that built form and development intensity issues can be managed through the LEP, DCP and DA framework and do not prevent the planning proposal from progressing to finalisation.

3.2.2 Issue No.2 – Traffic, Transport, and Access Impacts

Community Views:

Traffic, transport and access impacts was raised in 61 of 69 submissions (88%). Submitters were concerned about existing and future congestion in the Boronia Park precinct, the suitability and capacity of surrounding local streets, increased service and delivery vehicle movements, and cumulative impacts on the wider road network.

Concerns were also raised about the adequacy and currency of the exhibited traffic data, as well as the implications of increased traffic and more complex vehicle movements for older people accessing bus stops, community facilities and medical services.

Agency Views:

TfNSW raised no objection to the planning proposal, nor raise concerns around the data used to inform the supporting traffic impact assessment. They advised that the site is bounded by local roads which should have capacity to service the future development of the site. TfNSW also noted that the Strategic Bushfire Study identifies multiple direct and efficient routes and entry points for emergency response vehicles and did not raise any transport-related bushfire concerns at this stage.

Proponent Response:

The Proponent has prepared a Transport Impact Assessment (**Attachment A6**), which concludes that surrounding local streets will continue to operate within TfNSW environmental capacity limits. The report states that no surrounding road is expected to exceed capacity during either network peak or site peak periods, and that overall traffic increases are expected to be modest and capable of being absorbed by the local street network. The assessment also concludes future development on site will not result in significant broader network impacts, including on Ryde Road and Pittwater Road.

The Proponent's concept scheme proposes two vehicle access points, being the existing High Street access and a relocated Barons Crescent access, with the latter improving safety by providing better sight distance than the current arrangement. They also state that servicing vehicles other than waste collection will use the Barons Crescent access, with a turning bay enabling forward-in and forward-out movements.

A total of 218 on-site parking spaces is proposed, and construction traffic will be addressed as part of any future DA, with a preliminary Construction Traffic Management Plan to accompany any future DA.

PPA Team Response:

TfNSW's submission did not raise any objections regarding the capacity of the existing road network to accommodate traffic generated by this proposal, nor of the adequacy of the supporting Transport Impact Assessment. TfNSW also notes the Strategic Bushfire Study's finding that the surrounding road network provides multiple direct and efficient routes and entry points for emergency response vehicles.

The PPA Team also sought advice from the Department's Transport Advisory team, which advised that the Transport Impact Assessment is prepared in accordance with relevant guidelines and adequately demonstrates the transport and traffic requirements to support the planning proposal.

More detailed matters relating to local congestion, intersection performance, service vehicle routing, parking demand, road safety and final access design can be further assessed and refined through future development applications, supported by updated transport and traffic analysis where required.

Having regard to TfNSW's advice and the Department's Transport Advisory team, the PPA Team is satisfied that traffic and transport issues have been adequately addressed to the level required at this stage and do not prevent the planning proposal from proceeding to finalisation

3.2.3 Issue No.3 – Bushfire Risk and Emergency Management

Community Views:

15 of 69 submissions (22%) raised concerns relating to bushfire risk and emergency management. Community submissions raised concerns about bushfire hazard, the adequacy of APZs, evacuation feasibility and the broader emergency management implications on the site. Submitters questioned whether the required APZs could be accommodated within the site, whether the proposal appropriately addressed Planning for Bushfire Protection 2019, and whether the bushfire assessment dealt with the site holistically, including the relationship between the proposed rezoning area and the existing RACF. Concerns were also raised about reliance on later-stage assessment for evacuation, shelter-in-place and other emergency management measures.

Agency Views:

The RFS stated that they would be supportive of the development outlined within this planning proposal should it demonstrate the SFPP APZ's outlined in the supporting Strategic Bushfire Study could be met. The RFS stated that BAL-29 setbacks for land proposed to be zoned *SP2 Infrastructure (Seniors Housing)* were not appropriate, regardless of the proposed future use detailed in supporting concept schemes. They stated that at planning proposal stage the rezoning boundary must reflect the agreed APZ outcome.

As noted above, TfNSW also advised that the established surrounding road network provides multiple direct and efficient routes and entry points for emergency response vehicles.

Proponent Response:

The Proponent notes that a Strategic Bushfire Study was prepared following consultation with the RFS and that bushfire risk has been addressed at the strategic level appropriate to this planning proposal. While maintaining its broader position about the strategic capability of the site and the future resolution of detailed bushfire measures at DA stage, the Proponent, in response to the RFS's submission, has proposed an amendment to the *SP2 Infrastructure (Seniors Housing)*

mapping outline so that the zoning reflects the required APZ outcome. This is further detailed below.

PPA Team Response:

The RFS's exhibition submission states that it can support rezoning to *SP2 Infrastructure (Seniors Housing)* if the SFPP APZs identified in the Strategic Bushfire Study are used to define the rezoning area, including a 60-metre SFPP APZ to the north-east. In response, the Proponent has proposed the north-east APZ land remains zoned *R2 Low Density Residential* and *SP2 Infrastructure (Seniors Housing)* applies only outside the required SFPP APZs, which adequately addresses the RFS's concerns.

TfNSW also notes that the surrounding road network provides multiple direct and efficient routes and entry points for emergency vehicles, supporting emergency access and evacuation at a network level. More detailed matters such as evacuation procedures, any shelter-in-place arrangements, and construction standards under Planning for Bushfire Protection 2019 are worked through at DA stage.

Given the proposed changes to the land use zoning map and the agency advice received, the PPA Team considers that bushfire risk and emergency management concerns have been adequately addressed and do not prevent the planning proposal from proceeding to finalisation.

3.3 Planning Proposal changes

3.3.1 Proponent led changes

1. *Changes to the permitted uses within the SP2 Infrastructure (Seniors Housing) zone*

In a post-exhibition review of the exhibited Planning Proposal, the PPA team identified that in the "*Explanation of Provisions*" section (pg.35), two additional definitions 'community facility' and 'restaurant and café' were proposed to be added to the SP2 zone. These uses were not considered in the Gateway assessment but added by the proponent prior to public exhibition. The proponent has confirmed that it wishes to have these uses for ancillary purposes for the proposed senior's development.

PPA team comments

It is unclear how these new uses would be added to the LEP, as the exhibited Planning Proposal does not seek to amend *the Hunters Hill LEP 2012* to introduce any additional permitted uses or site-specific clauses, therefore it would appear the proponent intended to add the amendments to the land use table for SP2 zoned land.

A change to the permissible uses within a specific zone could have wider consequences than just this one site and is not supported by the PPA on this basis.

The current land uses permitted with consent within the SP2 Infrastructure zone include any development that is ordinarily incidental or ancillary to development for that infrastructure purpose designated for the site.

Given the LEP already contains the ability to allow the proposed ancillary uses suggested in the proposal, the PPA team does not support their inclusion and does not recommend the Panel include a formal additional permitted use or site-specific clause to explicitly permit 'community facility' and 'restaurant and café'.

2. Changes to proposed land use zoning

In response to the NSW RFS submission during the public exhibition period, the Proponent has proposed a revised Land Zoning Map so that the *SP2 Infrastructure (Seniors Housing)* boundary follows the Strategic Bushfire Study's SFPP 60 m APZ on the north-east interface, with all land within the 60 m APZ retained as *R2 Low Density Residential*. This addresses the RFS request that rezoning mapping align with the agreed APZ configuration and provides certainty to the RFS and community about development outcomes within the *R2 Low Density Residential* area.

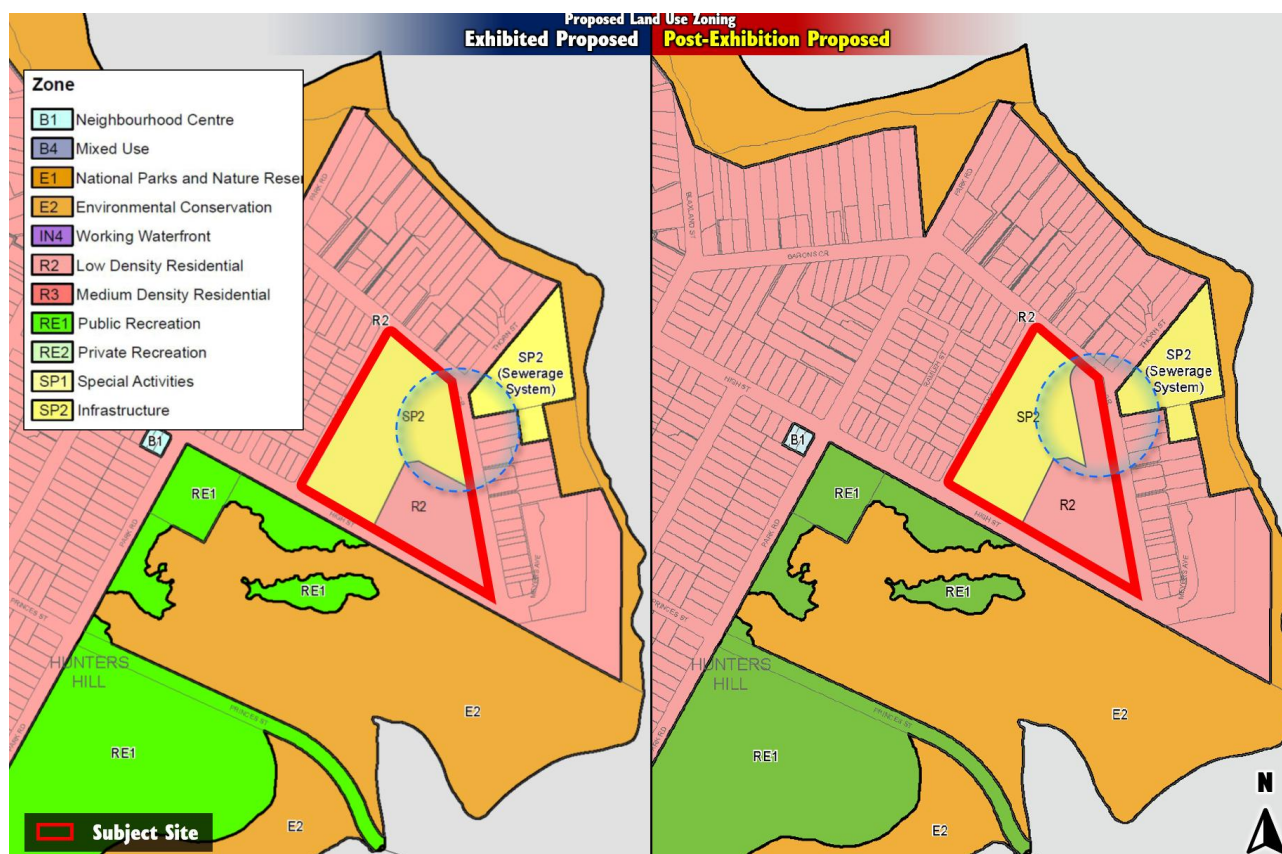


Figure 6: Exhibited vs. Post-exhibition proposed zoning, changes circled dotted blue (March 2026)

PPA team comments

The PPA team note that in RFS's submission they explicitly state the need for any SFPP uses to meeting the relevant 60m APZ buffer. The PPA team also notes that although the concept scheme supporting the proposal demonstrates SFPP uses can meet the 60m APZ buffer, there are areas zoned *SP2 Infrastructure (Seniors Housing)* that cannot meet this requirement.

The existing concept scheme locates a building used for administrative purposes within part of the site previously proposed to be zoned *SP2 Infrastructure (Seniors Housing)*. Although the concept scheme shows that this building won't be used for seniors purposes, the proposed zoning could allow seniors uses to be developed in this area.

The PPA team understands that the RFS are supportive of maintaining this portion of land as *R2 Low Density Residential* as the concept scheme, and supporting bush fire study, demonstrate that this portion of the site can meet the required APZ's for non SFPP developments.

Given the Proponent's proposed change seeks to maintain the current *R2 Low Density Residential* zone, the PPA team are of the opinion that this does not need to be re-exhibited as it is a change

in direct response to an agency submission and seeks to maintain the current zone, rather than introducing an alternative new zone.

The PPA team recommend the Panel support the Proponent's post-exhibition zone change as it is in direct response to an agency submission and if not supported would be going against RFS advice.

3.3.2 Department led changes

1. *Site Specific DCP Clause*

Given the community feedback focused on built form outcomes and the intent of the proponent and Council to work together to deliver a site-specific DCP for the site, the PPA team recommend that the planning proposal be amended to include a local clause requiring a site specific DCP be finalised prior to the first DA being approved on the site. This clause will ensure that a DCP be in place which will contain appropriate built form outcomes for the site and provides greater certainty to the community.

4 Next Steps

The Department is the Local Plan-Making Authority (LPMA) for this planning proposal.

The Panel's decision and the final planning proposal will be submitted to the Department through the NSW Planning Portal for finalisation.

The Department will prepare a finalisation report in accordance with the *LEP Making Guidelines* (August 2023) and will determine whether to make the LEP, with or without variation. The Department may defer the inclusion of a matter in the proposed LEP or not make the LEP.

In accordance with section 3.36(1) of the *EP&A Act*, the Department will organise drafting of the LEP and finalisation of maps and will consult the Panel on any draft instrument.

5 Recommendation

Based on this post-exhibition report, it is recommended that the Sydney North Planning Panel determine that the planning proposal should be updated as follows, then submitted to the Department for finalisation:

- Amend the proposed Land Zoning Map so that the *SP2 Infrastructure (Seniors Housing)* boundary aligns with the Strategic Bushfire Study's 60 m SFPP APZ on the north-eastern edge of the site, with land within that 60 m APZ retained as *R2 Low Density Residential* (as shown in **Attachment J1**)
- Remove discussions surrounding the introduction of additional definitions of 'community facility' and 'restaurant and café' within the *SP2 Infrastructure (Seniors Housing)* zone.
- Include in the Proposal LEP Amendments section, a local clause requiring a site specific DCP be finalised prior to the first DA being approved on the site.
- Update the planning proposal and supporting documentation, where required, to reflect the proposed change to the land use zoning as described to ensure consistency across the planning proposal package.

The planning proposal (as amended above) is considered suitable for finalisation because:

- the proposal demonstrates strategic and site-specific merit
- the conditions of the Gateway have been met
- agency and community consultation has occurred in accordance with the Gateway determination
- the post-exhibition changes respond to the issues raised in submissions, resolve the inconsistency identified by the NSW Rural Fire Service between the exhibited mapping and the required 60 m SFPP APZ, and do not alter the intent of the planning proposal or require re-exhibition.

5.1 Attachments

Attachment A – Planning Proposal (exhibited)

Attachment A1 – App. A – Survey

Attachment A2 – App. B – Urban Design Report

Attachment A3 – App. C – Service and Infrastructure Report

Attachment A4 – App. D – Detailed Site Investigation

Attachment A5 – App. E – Preliminary Arborist Report

Attachment A6 – App. F – Traffic and Access Report

Attachment A7 – App. G – Community Needs Assessment

Attachment A8 – App. H – Community Consultation Report

Attachment A9 – App. I – Heritage Report

Attachment A10 – App. J – Economic Report

Attachment A11 – App. K – Landscape Package

Attachment A12 – App. L – Archaeology Report

Attachment A13 – App. M – Draft indicative Development Control Plan

Attachment A14 – App. N – Strategic Bushfire Strategy

Attachment B – Rezoning Review Record of Decision (19 December 2023)

Attachment C – Gateway Determination (PP-2023-1109)

Attachment C1 – Gateway Alteration (PP-2023-1109) – dated 7 November 2025

Attachment D – Assessment Against Gateway Determination

Attachment E – NECC confirmation of meeting Gateway conditions (7 November 2025)

Attachment F – Summary of community submissions and responses

Attachment G – Council submission

Attachment H – Community submissions (redacted)

Attachment I – Agency submissions

Attachment J – Proponent Response to Submissions Letter (16 March 2026)

Attachment J1 – Att. A –Amended Zoning Map (16 March 2026)

Attachment J2 – Att B – Detailed Response to Submissions Table (16 March 2026)

Attachment J3 – Att C –Updated Draft Indicative DCP (16 March 2026)

Attachment K – NSW RFS Pre-Exhibition Consultation

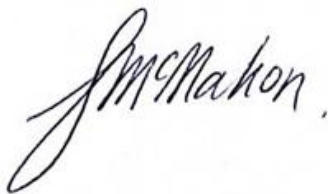


_____ (Signature)

_____24/04/2026_____ (Date)

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