



**Local Planning Panel**  
**28 August 2025 at 11am**



## ORDER OF BUSINESS

Attendance, Apologies,  
Declarations of Interests

1 Confirmation of Minutes

2 General Business

HUNTER'S HILL COUNCIL  
LOCAL PLANNING PANEL  
28 August 2025

**INDEX**

1 – CONFIRMATION OF MINUTES

- 1 Confirmation of Minutes of Local Planning Panel 1 held 10 April 2025

2 - GENERAL BUSINESS

- 2.1 Review of Hunters Hill Local Environmental Plan 2012 1

## COMMENCEMENT

The meeting opened at 11.45am.

## IN ATTENDANCE

Charles Hill	Chairperson
Graham Brown	Expert Member
Brian Kirk	Expert Member
Diana Kirk	Community Representative

## ALSO PRESENT

Nick Tobin	Acting General Manager
Steve Kourepis	Director, Town Planning
Shahram Mehdizadgan	Senior Executive Town Planner
Patrick Ogisi	Town Planner
Kieran Metcalfe	Strategic Planner
Elina Braunstein	Gyde Consulting
Helen Deegan	Gyde Consulting
Sarah Valentine	Town Planning Coordinator

## APOLOGIES

No apologies were received.

## DECLARATIONS OF INTEREST

The Chair called for Declarations of Interest without response.

## CONFIRMATION OF MINUTES

**001/25** RESOLVED on the MOTION of Mr Hill

That the Minutes of Local Planning Panel of previous Meeting held on 29/08/2024 be adopted.

RECORD OF VOTING	
For	Against
Mr Charles Hill	
Mr Graham Brown	
Mr Brian Kirk	
Ms Diana Kirk	



**GENERAL BUSINESS****2.1 GLADESVILLE MASTERPLAN PLANNING PROPOSAL****PROCEEDINGS IN BRIEF**

Kieran Metcalfe, assisted by Elina Braunstein and Helen Deegan, presented an overview of the Gladesville Masterplan Planning Proposal.

**002/25 RESOLUTION**

The LPP resolved that:

1. The LPP advises Council that it supports the attached Planning Proposal investigations, which will support the submission of a Planning Proposal to the Department of Planning, Housing and Infrastructure seeking a Gateway Determination in accordance with section 3.34 of the *Environmental Planning and Assessment Act 1979*, noting the following comments:
  - i. The proposed Clause 6.11 (5)(a) should be a separate sub-clause, if it is Council's intention that the site must be developed as a whole, and consideration must be given to strengthen the wording of this sub-clause;
  - ii. Consideration of the inclusion of Blocks 1, 2 and 3 should continue to ensure the viability of the Gladesville Shopping Centre.

RECORD OF VOTING	
For	Against
Mr Charles Hill	
Mr Graham Brown	
Mr Brian Kirk	
Ms Diana Kirk	

**DEVELOPMENT APPLICATIONS****3.1 11 MOOREFIELD AVENUE, HUNTERS HILL****PROCEEDINGS IN BRIEF**

Ms Jacqueline Seraglio addressed the meeting outlining her concerns with the application particularly with the inaccurate drawings, 3D modelling and view impacts.

Mr Barry Buffier addressed the meeting and outlined his concerns with the design, excessive excavation and glazing, and impact on views from houses directly across the water. Mr Buffier also outlined the huge privacy impacts on 3 Moorefield Avenue.

**003/25 RESOLUTION**

That pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, that Development Application No.2024/0237 for demolition of existing dwelling and

associated structures, construction of new three level dwelling house, swimming pool and detached green roofed garage at No.11 Moorefield Avenue Hunters Hill, be refused for the following reasons:

1. The proposal does not satisfy the provisions of Section 4.15 of the Environmental Planning & Assessment Act 1979, particularly in relation to clauses (1)(a)(i), (iii), (b)(c)(d) and (e) for general matters of consideration of development applications.
2. The proposal fails to comply with the two storey objectives requirements of Clause 4.3, 1(b) of Hunters Hill Local Environmental Plan 2012.
3. Excessive excavation of the site will not be supported under Clause 6.2 Earthworks of the Hunters Hill Local Environmental Plan 2012 and Part 3.3.4 (f) Landscaped area within the Hunters Hill Consolidated Development Control Plan 2013.
4. The proposed landscaped area of 57% or 759.35sqm fails to comply with the required landscaped area of 60% under Clause 6.9 of Hunters Hill Local Environmental Plan 2012. It should be noted that a Clause 4.6 variation has not been submitted in regard to this non-compliance.
5. The proposal fails to comply with the objectives of Clause 6.7 Foreshore Scenic Protection Area under Hunters Hill Local Environmental Plan 2012. It is considered that the bulk/scale, three storey appearance, excessive amount of glazing, and uncharacteristic design of the proposed structures may have an adverse impact on the character of the conservation area when viewed from the waterway.
6. Extensive glazing and reflectivity towards the waterway fails to comply with Part 2.2.4 – *Desired Character* regarding design parameters of Consolidated Development Control Plan 2013.
7. The proposed colour of the exterior ‘Dulux Natural White’ is considered to be too light, and fails to comply with Part 2.2.4 – *Desired Character* regarding design parameters of Consolidated Development Control Plan 2013. It should be noted that the Municipality is the oldest Garden Suburb.
8. The proposal fails to comply with Part 3.3.2 Height (b) Consolidated Development Control Plan 2013, as proposal contains three (3) storeys and would have the appearance of three (3) storeys.
9. The proposal fails to comply at 9am and 3pm mid-winter with the general requirements and objectives stipulated under Part 3.5.2 – Solar Access of the Consolidated Development Control Plan 2013, being that new development must not eliminate more than one third of the existing sunlight to adjacent properties at ground level, measured at 9 am, 12 noon and 3 pm of the winter solstice. The proposal would not allow for reasonable access to sunlight to adjoining buildings and their recreational open space.

10. The proposal fails to comply with the objectives of Part 3.5.3 – Visual Privacy and Part 3.5.4 - Acoustic Privacy under Consolidated Development Control Plan 2013.
11. The proposal fails to comply with View Sharing - Part 3.5.5 of Consolidated Development Control Plan 2013, as it is hard to determine the potential level of view loss, which would eventuate from the proposal, as no view analysis has been submitted by the applicant, demonstrating the potential level of view loss to surrounding properties.
12. Councils' Heritage Advisor does not support the proposal in its current form, for the following reasons:  
***Recommendation:** The proposed new dwelling requires extensive amendment to comply with the Hunters Hill DCP controls with regard to the excavation proposed and the 3 storey scale of the building. Essentially the lower ground floor level needs to be removed from the proposal, along with the proposed noncompliant excavation of the site proposed.*  
*In its current form, the proposal should be refused as it does not comply with Objectives (1) (a) and (1) (b) of Clause 5.10 of the Hunters Hill LEP as it fails to conserve the environmental heritage of Hunters Hill and the heritage significance of the C1 Heritage Conservation Area for the following reasons:*  
*-The proposed basement excavation would adversely impact on the topography of the C1 The Peninsula Heritage Conservation Area; and*  
*- The proposed 3-storey appearance of the proposed new dwelling on the waterfront is not compatible with the C1 The Peninsula Heritage Conservation area.*
13. Council's Engineer does not support the application in its current form.
14. Council's Landscape Advisor does not support the application in its current form.
15. The proposal does not meet the objectives of Hunters Hill Consolidated DCP 2013, has a detrimental impact on the existing and desired future character of Hunter's Hill.
16. The proposal would create an undesirable precedent undermining Council's planning objectives.
17. The proposal would not be in the public interest.

RECORD OF VOTING	
For	Against
Mr Charles Hill	
Mr Graham Brown	
Mr Brian Kirk	
Ms Diana Kirk	

## 3.2 22 LYNDBURST CRESCENT, HUNTERS HILL

## PROCEEDINGS IN BRIEF

Mr Robert Weir, architect, addressed the meeting and concurred with the Council's recommendation.

Mr Anthony Betros, town planner, addressed the meeting, concurring with the report. He also requested that the inclusion of Condition BOC20 relating to the creation of an easement over adjoining properties for stormwater disposal be reviewed and following further advice from Council staff, the Panel was advised that the deletion of this condition was appropriate.

**004/25 RESOLUTION**

That DA2024-0190 for the construction of a new three storey dwelling be approved subject to the following conditions:

**Part A - General Conditions****GEN1**

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

Drawing Number	Drawn By	Plan Dated
Site Plan, Dwg DA_01, Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed First Floor Plan, Dwg DA_02, Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed Ground Floor Plan, Dwg DA_03, Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed Lower Ground Floor Plan, Dwg DA_04, Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed Roof Plan, Dwg DA05, Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed North & South Elevation, Dwg DA06, DA09 Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed West Elevation, Dwg DA07, DA10 Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed East Elevation, Dwg DA08, DA11 Rev A Project MLH	Weir Phillips Architects	18/10/2024
Proposed Section, Dwg DA12, Rev A Project MLH	Weir Phillips Architects	18/10/2024
External Finishes, Dwg DA13, Rev A Project MLH	Weir Phillips Architects	18/10/2024



Shadow Diagrams Dwg DA_14, Rev A Project MLH	Weir Phillips Architects	18/10/2024
Landscape Plan Dwg DA01-04 REV 03	Wyer & Co	31/03/2023

In the event of any inconsistency between the approved plans and documents, the approved plans prevail. In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

## GEN2

Prior to the commencement of any works associated with this development consent, including demolition, landscaping and excavation, a construction certificate must be issued for the erection of a building.

## GEN9

1. The following new trees must be installed prior to the issuing of the Occupation Certificate.

No of Trees	Species	Location	Minimum container size at purchase
1	<i>Tristanopsis</i> Luscious (Water Gum) or <i>Ficus rubiginosa</i> (Port Jackson Fig) or <i>Banksia integrifolia</i> (Coast Banksia).	In place of the <i>Angophora costata</i> (Smooth Barked Apple)	100L
1	<i>Olea europaea</i> (European Olive)	Landscape Plan (prepared by Wyer & Co, dwg no DA01-04 REV 03, dated 31March 2023)	100L
1	<i>Plumeria acutifolia</i> (Frangipani)	Landscape Plan (prepared by Wyer & Co, dwg no DA01-04 REV 03, dated 31March 2023)	100L
5	<i>Howea forsteriana</i> (Kentia Palm)	Landscape Plan (prepared by Wyer & Co, dwg no DA01-04 REV 03, dated 31March 2023)	100L
1	<i>Livistonia australis</i> (Cabbage Palm)	Landscape Plan (prepared by Wyer & Co, dwg no DA01-04	100L

		REV 03, dated 31March 2023)	
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2. New trees must be grown in accordance with the AS2303 Australian Standard Tree stock for landscape use 2018 and meet the requirements of this standard at the time of planting.
3. New trees must be planted in natural ground with adequate soil volume. Planter boxes will not be accepted for tree planting.
4. New trees must be appropriately located away from existing buildings and structures.
5. New landscape plantings must be maintained in a healthy condition for an establishment period of two (2) years. Maintenance includes watering, weeding, pest and disease control and any other operations required to maintain the plantings in a healthy condition.
6. Tree maintenance must be implemented and complied with immediately following the tree planting, and until the trees reach a minimum height of 5m.
7. If the newly planted trees fail to establish or do not reach a height of 5m, they must be replaced with trees of comparable qualities and container size of 100 litres.
8. The conditions of this consent will apply to all replacement trees, including the maintenance and reporting which re-starts at each replanting event.

#### **Part B – Before Issue of a Construction Certificate**

##### **BCC3**

Before the issue of a construction certificate, a construction site management plan must be prepared, and provided to the certifier. The plan must include the following matters:

- a) The location and materials for protective fencing and hoardings on the perimeter of the site;
- b) Provisions for public safety;
- c) Pedestrian and vehicular site access points and construction activity zones;
- d) Details of construction traffic management including:
  - i) Proposed truck size and movements to and from the site;
  - ii) Estimated frequency of truck movements;
  - iii) Measures to ensure pedestrian safety near the site;
  - iv) Swept path to be provided demonstrating entry and exit from site. Plans to take into consideration parked cars, kerbs, trees etc and
  - v) A certificate of currency of 20mil to be included with the CTMP
- e) Details of bulk earthworks to be carried out;
- f) The location of site storage areas and sheds;

- g) The equipment used to carry out works;
- h) The location of a garbage container with a tight-fitting lid;
- i) Dust, noise and vibration control measures;
- j) The location of temporary toilets;
- k) The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with:
  - i) AS 4970 – Protection of trees on development sites;
  - ii) An applicable Development Control Plan;
  - iii) An arborist's report approved as part of this consent.

A copy of the construction site management plan must be kept on-site at all times while work is being carried out.

#### **BCC4**

Before the issue of a construction certificate, the certifier must ensure the construction certificate plans and specifications detail the following required amendments to the approved plans and documents:

- a) The Landscape Plan (prepared by Wyer & Co, dwg no DA01-04 REV 03, dated 31 March 2023) should be amended as follows:

- The proposed *Angophora costata* (Smooth Barked Apple) replaced with one (1) 100 L specimen of the following:

*Tristaniaopsis luscious* (Water Gum) or  
*Ficus rubiginosa* (Port Jackson Fig) or  
*Banksia integrifolia* (Coast Banksia).

#### **BCC5**

Before the issue of a construction certificate, an erosion and sediment control plan must be prepared by a suitably qualified person in accordance with the following documents and provided to the certifier:

- a) Council's relevant development control plan,
- b) the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time), and
- c) the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust) (as amended from time to time).

#### **BCC6**

Before the issue of the relevant construction certificate, the long service levy of \$4,778.00, as calculated at the date of this consent, must be paid to the Long Service Corporation of Council under the Building and Construction Industry Long Service Payments Act 1986, section 34, and evidence of the payment is to be provided to the certifier.

**BCC7**

Before the issue of the relevant construction certificate, the applicant must:

- a) make payment of \$5,000.00 for a security deposit to the consent authority, and
- b) if a principal certifier is required to be appointed for the development – provide the principal certifier with written evidence of the payment and the amount paid.

**BCC10**

Pursuant to section 4.17 of the Environmental Planning and Assessment Act 1979, and Hunters Hill Council Section 7.12 Local Infrastructure Contribution Plan 2020, a contribution of \$13,651.00 shall be paid to council for the provision, extension or augmentation of key community infrastructure.

The amount to be paid may need to be adjusted at the time of the actual payment in accordance with the provisions of Hunters Hill Council Section 7.12 Local Infrastructure Contribution Plan 2020, Clause 11 – Indexing Cost. The contribution must be paid to Council:

In the case of complying development, at the time notice is given to Council under Section 4.28 of the EPA Act of the applicant's intention to subdivide, commence work or erect a building.

In all other instances the Section 7.12 levy must be calculated and paid a week prior to the issue of the first Section 6.4 certificate. Receipt of payment must be included with copies of the documents provided to Council in accordance with clause 142(2), 151(2) or 160(2) of the EPA Regulation (whichever is applicable, depending on the certificate which is being issued).

Subdivision, or work of any kind, may not occur on the subject site until the required Section 7.12 levy has been paid to Council.

**BCC11**

Building work that involves residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following:

(1) for work that requires a principal contractor to be appointed:

- (i) the name and licence number of the principal contractor, and
- (ii) the name of the insurer of the work under the Home Building Act 1989, Part 6,

(2) for work to be carried out by an owner-builder:

- (i) the name of the owner-builder, and
- (ii) if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989—the number of the owner-builder permit.

(3) If the information notified under subsection (2) is no longer correct, it is a



condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.

**BCC12**

Under Section 75 of the Environmental Planning and Assessment Regulation 2021, it is a condition of this development consent that all the commitments listed in BASIX Certificate No 1770694S for the development are fulfilled. Plans and specifications complying with this condition must be submitted to the Registered Certifier for approval prior to the issue of any Construction Certificate. The Registered Certifier must ensure that the building plans and specifications submitted and referenced fully satisfy the requirement of this condition.

**BCC13**

Prior to the issue of a Construction Certificate the approved plans must be lodged to Sydney Water to determine whether the development will affect Sydney Water assets and if further requirements need to be met.

Prior to issue of a Construction Certificate, a copy of the Sydney Water notice of requirements and building plan approval must be submitted to the Certifier.

**BCC14**

Prior to issue of a Construction Certificate, detailed construction documentation demonstrating and confirming compliance how access to a swimming pool (as defined in the Swimming Pools Act 1992), will be restricted to comply with the Swimming Pools Act 1992 and Swimming Pools Regulation 2018 must be submitted to and reviewed by the Registered Certifier.

Note: where modifications to the approved plans are required to achieve compliance with this condition, a modification to the development consent may be required.

**BCC15**

Prior to issue of a construction certificate, approval to discharge trade wastewater must be obtained from Sydney Water.

**BCC17**

All works requiring the use of the road reserve will need a Work Zone Application. The Work Zone Application is to be obtained from and approved by Council, prior to the issue of the Construction Certificate.

**BCC19**

Before any site work commences, a dilapidation report must be prepared by a suitably qualified engineer detailing the structural condition of adjoining buildings, structures or works and public land, to the satisfaction of the certifier.

Where access has not been granted to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the satisfaction of the certifier, that all reasonable steps were taken to obtain access to the adjoining properties.

No less than 7 days before any site work commences, adjoining building owner(s) must be provided with a copy of the dilapidation report for their property(ies) and a copy of the report(s) must be provided to council (where council is not the principal certifier) at the same time.

**BCC20**

Prior to issue of a Construction Certificate, a report prepared by a professional structural engineer must be submitted to the Certifier confirming the existing building is structurally adequate and able to withstand all proposed loads, including proposed loads during construction.

**BCC23**

A detailed Stormwater Management Plan which complies with Council's Specification for Stormwater Management and the Development Control Plan, must be submitted to Council for approval prior to the issue of the Construction Certificate. The Stormwater Management Plan and supporting calculations are to be prepared by a suitably qualified Chartered Engineer, with current Corporate Membership with the Institution of Engineers, Australian, having experience in hydrology and hydraulics.

**BCC25**

A suitable sub-surface drainage system is to be provided adjacent to all excavated and sub-floor areas. This system is to be connected to an approved disposal system. The details of this drainage system are to be shown on the Stormwater Management Plans prior to the issue of the Construction Certificate.

**BCC30**

Prior to issue of a construction certificate, detailed construction documentation demonstrating all motors, filters, pumps, equipment or fittings associated with or forming part of the pool, pool filtering system, rainwater tank or any air conditioning unit must be submitted to the Certifier. The Certifier must review, assess and confirm the detailed construction documentation to ensure the noise emitted from any of the abovementioned pumps or equipment will not exceed LAeq of 5 dB(A) above background noise when measured at any lot boundary.

**SPECIAL**

Prior to the issue of a Construction Certificate, details must be submitted demonstrating the stormwater being gravity fed to Council's nearest stormwater drainage line in accordance with Australian Standard 3500 *"Plumbing and Drainage"*

**SPECIAL**

Prior to the issue of a Construction Certificate, details are to be submitted for roof water and surface stormwater being conveyed by pipeline to the river foreshores

**SPECIAL**

A suitable sub-surface drainage system is to be provided adjacent to all excavated areas and such drains being connected to an approved disposal system. The details of this drainage system should be show in the hydraulic plans or within the stormwater concept plan prior to the issue of the Construction Certificate.

**Part C – Before Building Work Commences****BBW5**

Building or subdivision work in accordance with this development consent must not be commenced until the applicant has given notice to Hunter's Hill Council of the person's intention to commence such work. The notice must include:

- (a) the name and address of the person giving notice,
- (b) a description of the work to be carried out,
- (c) the address of the land on which the work will be carried out,
- (d) the registered numbers and date of issue of the development consent and construction certificate,
- (e) a statement signed by or on behalf of the principal certifier that all conditions of the consent that must be satisfied before the work commences have been satisfied,
- (f) the date on which the work is intended commence.

The notice must be lodged on the NSW planning portal.

**BBW6**

A sign shall be displayed in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

The sign must list the following details:

- (a) The name, address and telephone number of the principal certifier.
- (b) The name of the Principal Contractor and an afterhours telephone number.
- (c) That unauthorised entry to the site is prohibited.

The sign must be maintained while the building work, subdivision work or demolition work is being carried out and removed upon completion.

**BBW7**

An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project.

**BBW8**

Building or subdivision work in accordance with the development consent must not be commenced until the developer has appointed a principal certifier for the work in accordance with the provisions of the Environmental Planning & Assessment Regulation 2021.

The notice must be lodged on the NSW planning portal.

**BBW9**

Prior to works commencing, toilet facilities must be provided and maintained at a ratio of one toilet plus one additional toilet for every 20 persons working at the site.

**BBW10**

Before any site work commences, the Principal Certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).

**Part D – During Building Work****DBW5**

While site work is being carried out, noise generated from the site must be controlled in accordance with the requirements of the approved noise and vibration management plan.

**DBW14**

A copy of all stamped approved plans, specifications and documents (including the plans, specifications and documents submitted and approved with the Construction Certificate) must be kept on site at all times so as to be readily available for perusal by Council or the Principal Certifier.

All documents kept on site in accordance with this condition must be provided to Council or the Principal Certifier upon their request.

**DBW15**

All kerb and gutters, roads and footpaths are to be protected throughout the building operations as required by Council. No obstruction to be caused to pedestrian use of Council's footpath area or vehicular use of Council's roadway area during building operations.

**DBW16**

No rock breaking or other machinery for the excavation, drilling or removal of rock shall be used on the site without the prior approval from the Principal Certifying Authority being obtained. Should rock breaking or associated machinery be



proposed or required the following details are to be submitted to the Principal Certifying Authority for consideration:

- a. The type and size of machinery proposed to be utilised for the purpose of excavation, movement, drilling or removal of rock or other material.
- b. The routes of all trucks to convey any spoil from the site or any fill to the site.

A comprehensive report prepared by a Geotechnical Engineer following that Engineer's inspection of the site and all adjoining and nearby buildings which shall detail the measures recommended to be utilised in undertaking the work so as to prevent any damage to any adjoining or nearby buildings.

**DBW19**

No portion of the proposed building work works, as approved within the subject site, are to encroach upon any road reserve, private land or other public land including easements except where permitted by the Local Government Act 1993. This includes the opening and closing of gates and door that must open and close within the subject site.

**SPECIAL**

All building materials, spoil, debris and other material arising from the carrying out of building work, shall be contained wholly within the allotment boundaries. Such accumulation is to be properly disposed of at regular intervals to the satisfaction of Council and the Principal Certifying Authority.

The pathway and road reserve shall be kept in a clean, tidy and safe condition during building operations. At no point can any public reserve be used to place or store such material Council reserves the right, without notice to rectify any such breach and to change the cost against the applicant/owner/builder, as the case may be.

**Part G - Prior to the Issue of an Occupation Certificate**

**BOC1**

Before the issue of an occupation certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.

**BOC9**

A Final Occupation Certificate will not be issued until all conditions of this consent have been complied with in accordance with the provisions of the Environmental Planning & Assessment Act 1979.

**BOC10**

prior to an occupation certificate being issued, the certifier must be in receipt of a BASIX completion receipt from the Planning Secretary, in accordance with Section 45 of the Environmental Planning and Assessment Regulation 2021.

**BOC11**

Prior to an occupation certificate being issued, the swimming pool (as defined in the Swimming Pools Act 1992) must be registered in accordance with the Swimming Pools Act 1992. Registration can be completed online at [www.swimmingpoolregister.nsw.gov.au](http://www.swimmingpoolregister.nsw.gov.au).

**BOC 16**

An appropriately qualified and practising Chartered Engineer, with current Corporate Membership with the Institution of Engineers, Australia, must certify to the Principal Certifying Authority, that the stormwater drainage system is constructed in accordance with this Development Consent, Council's Stormwater Management Policy and Development Control Plan and the provisions of the relevant Australian Standards. A copy of the Certificate must be submitted to Council (if it is not the Principal Certifying Authority) upon completion of the development works and prior to the issue of an Occupation Certificate.

**BOC27**

Before the issue of an Occupation Certificate, a final Arboricultural Compliance Report must be submitted to and approved by the Principal Certifier.

RECORD OF VOTING	
For	Against
Mr Charles Hill	
Mr Graham Brown	
Mr Brian Kirk	
Ms Diana Kirk	

**3.3 LOT 879 CROWN STREET, HENLEY**

**PROCEEDINGS IN BRIEF**

**RESOLUTION**

That pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, that Development Application No.2024/0236 for construction of a double garage/storage structure on land adjoining the Henley Cottage Reserve replacing an existing garage at Lot 879 Crown Street, Henley, be approved subject to the following conditions:

**Standard Conditions**

**GEN1**

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

Drawing Number	Drawn By	Plan Dated
Site Plan, DA0.01, revision A	Mark Wilson Architects	16.10.24
Floor Plan, DA1.01, revision A	Mark Wilson Architects	16.10.24
Elevations, Sheet 1, revision A	Mark Wilson Architects	16.10.24
Sections and Materials Board, DA2.01, revision A	Mark Wilson Architects	16.10.24

In the event of any inconsistency between the approved plans and documents, the approved plans prevail. In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

## **GEN2**

Prior to the commencement of any works associated with this development consent, including demolition, landscaping and excavation, a construction certificate must be issued for the erection of a building.

## **BCC3**

Before the issue of a construction certificate, a construction site management plan must be prepared, and provided to the Principal Certifier. The plan must include the following matters:

- a) The location and materials for protective fencing and hoardings on the perimeter of the site;
- b) Provisions for public safety;
- c) Pedestrian and vehicular site access points and construction activity zones;
- d) Details of construction traffic management including:
  - i) Proposed truck size and movements to and from the site;
  - ii) Estimated frequency of truck movements;
  - iii) Measures to ensure pedestrian safety near the site;
  - iv) Swept path to be provided demonstrating entry and exit from site. Plans to take into consideration parked cars, kerbs, trees etc and
  - v) A certificate of currency of 20mil to be included with the CTMP
- e) Details of bulk earthworks to be carried out;
- f) The location of site storage areas and sheds;
- g) The equipment used to carry out works;
- h) The location of a garbage container with a tight-fitting lid;
- i) Dust, noise and vibration control measures;
- j) The location of temporary toilets;
- k) The protective measures for the preservation of trees on-site and in adjoining public areas including measures in accordance with:

- i) AS 4970 – Protection of trees on development sites;
- ii) An applicable Development Control Plan;
- iii) An arborist's report approved as part of this consent.

A copy of the construction site management plan must be kept on-site at all times while work is being carried out.

#### **BCC7**

Before the issue of the relevant construction certificate, the applicant must:

- a) make payment of for a security deposit to the consent authority, and
- b) if a principal certifier is required to be appointed for the development – provide the principal certifier with written evidence of the payment and the amount paid.

#### **BCC10**

Pursuant to section 4.17 of the Environmental Planning and Assessment Act 1979, and Hunters Hill Council Section 7.12 Local Infrastructure Contribution Plan 2020, a contribution of **\$597** shall be paid to council for the provision, extension or augmentation of key community infrastructure.

The amount to be paid may need to be adjusted at the time of the actual payment in accordance with the provisions of Hunters Hill Council Section 7.12 Local Infrastructure Contribution Plan 2020, Clause 11 – Indexing Cost. The contribution must be paid to Council:

In the case of complying development, at the time notice is given to Council under Section 4.28 of the EPA Act of the applicant's intention to subdivide, commence work or erect a building.

In all other instances the Section 7.12 levy must be calculated and paid a week prior to the issue of the first Section 6.4 certificate. Receipt of payment must be included with copies of the documents provided to Council in accordance with clause 142(2), 151(2) or 160(2) of the EPA Regulation (whichever is applicable, depending on the certificate which is being issued).

Subdivision, or work of any kind, may not occur on the subject site until the required Section 7.12 levy has been paid to Council.

#### **BCC23**

A detailed Stormwater Management Plan which complies with Council's Specification for Stormwater Management and the Development Control Plan, must be submitted to Council for approval prior to the issue of the Construction Certificate. The Stormwater Management Plan and supporting calculations are to be prepared by a suitably qualified Chartered Engineer, with current Corporate

Membership with the Institution of Engineers, Australian, having experience in hydrology and hydraulics.

**BBW5**

Building or subdivision work in accordance with this development consent must not be commenced until the applicant has given notice to Hunter's Hill Council of the person's intention to commence such work. The notice must include:

- (a) the name and address of the person giving notice,
- (b) a description of the work to be carried out,
- (c) the address of the land on which the work will be carried out,
- (d) the registered numbers and date of issue of the development consent and construction certificate,
- (e) a statement signed by or on behalf of the principal certifier that all conditions of the consent that must be satisfied before the work commences have been satisfied,
- (f) the date on which the work is intended commence.

The notice must be lodged on the NSW planning portal.

**BBW6**

A sign shall be displayed in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

The sign must list the following details:

- (a) The name, address and telephone number of the principal certifier.
- (b) The name of the Principal Contractor and an afterhours telephone number.
- (c) That unauthorised entry to the site is prohibited.

The sign must be maintained while the building work, subdivision work or demolition work is being carried out and removed upon completion.

**BBW7**

An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project.

**BBW8**

Building or subdivision work in accordance with the development consent must not be commenced until the developer has appointed a principal certifier for the work in accordance with the provisions of the Environmental Planning & Assessment

Regulation 2021.

The notice must be lodged on the NSW planning portal.

**BBW9**

Prior to works commencing, toilet facilities must be provided and maintained at a ratio of one toilet plus one additional toilet for every 20 persons working at the site.

**BBW10**

Before any site work commences, the Principal Certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book) (as amended from time to time).

**DBW3**

Site work must only be carried out between the following times –

Monday – Friday 7:00am to 6:00pm  
Saturdays 8:00am to 1:00pm  
Sundays and Public Holidays No activities permitted

Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.

**DBW4**

While site work is being carried out:

- a) the measures required by the construction site management plan and the erosion and sediment control plan (plans) must be implemented at all times, and
- b) a copy of these plans must be kept on site at all times and made available to council officers upon request.

**DBW7**

While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.

**DBW8**

While site work is being carried out, any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any

other infrastructure in the street footpath area) must be paid as directed by the consent authority.

**DBW11**

While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with:

- a) the construction site management plan <INSERT required/approved> under this consent,
- b) the relevant requirements of AS 4970 Protection of trees on development sites,
- c) Council's relevant development control plan (in force as at the date of determination of this consent) and
- d) any arborist's report approved under this consent.

This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

**DBW13**

The work must be carried out in accordance with the requirements of the Building Code of Australia.

**DBW14**

A copy of all stamped approved plans, specifications and documents (including the plans, specifications and documents submitted and approved with the Construction Certificate) must be kept on site at all times so as to be readily available for perusal by Council or the Principal Certifier.

All documents kept on site in accordance with this condition must be provided to Council or the Principal Certifier upon their request.

**DBW15**

All kerb and gutters, roads and footpaths are to be protected throughout the building operations as required by Council. No obstruction to be caused to pedestrian use of Council's footpath area or vehicular use of Council's roadway area during building operations.

**DBW18**

All excavations shall be properly guarded and protected with hoardings or fencing to prevent falls.

**DBW19**

No portion of the proposed building works, as approved within the subject site, are to encroach upon any road reserve, private land or other public land including easements except where permitted by the Local Government Act 1993. This includes the opening and closing of gates and door that must open and close within the subject site.

**BOC8**

Before the issue of the relevant occupation certificate, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works must be submitted to the satisfaction of the principal certifier:

- a) All stormwater drainage systems and storage systems, and
- b) The following matters that council requires to be documented
- c) A copy of the plans must be provided to council with the

**BOC9**

A Final Occupation Certificate will not be issued until all conditions of this consent have been complied with in accordance with the provisions of the Environmental Planning & Assessment Act 1979.

**BOC16**

An appropriately qualified and practising Chartered Engineer, with current Corporate Membership with the Institution of Engineers, Australia, must certify to the Principal Certifying Authority, that the stormwater drainage system is constructed in accordance with this Development Consent, Council's Stormwater Management Policy and Development Control Plan and the provisions of the relevant Australian Standards. A copy of the Certificate must be submitted to Council (if it is not the Principal Certifying Authority) upon completion of the development works and prior to the issue of an Occupation Certificate.

RECORD OF VOTING	
For	Against
Mr Charles Hill	
Mr Graham Brown	
Mr Brian Kirk	
Ms Diana Kirk	

The meeting closed at 1.17pm.





<b>ITEM NO</b>	: 2.1
<b>SUBJECT</b>	: REVIEW OF HUNTERS HILL LOCAL ENVIRONMENTAL PLAN 2012
<b>STRATEGIC OUTCOME</b>	: NEIGHBOURHOODS EMBODY CHARACTER AND HERITAGE AND FOSTER A STRONG SENSE OF BELONGING
<b>ACTION</b>	: COMPLETE THE REVIEW OF THE LEP AND DCP
<b>REPORTING OFFICER</b>	: KIERAN METCALFE

Ref:784624

## PURPOSE

The purpose of this report is to seek the advice of the Hunters Hill Local Planning Panel (LPP) on the merits of a Council initiated Planning Proposal (PP) to amend the Hunters Hill Local Environmental Plan 2012 (LEP).

The subject PP has been prepared in accordance with the Hunters Hill Local Strategic Planning Statement (LSPS), and in consultation with the Hunters Hill Community. The proposed LEP amendments are being sought to strengthen the LEP, predominantly through removing anomalies, making the document easier to interpret and reinforcing provisions related to the conservation of the character, heritage and the environment of the Municipality.

This report to the LPP is in accordance with the Local Plan Making Guideline (August 2023), published by the former NSW Department of Planning and Environment, and Ministerial Direction (9.1 Local Planning Panels – Planning Proposals), which requires that Council's refer PPs to local planning panels for advice.

## RECOMMENDATION

That the LPP Resolve that:

1. The LPP advises Council that it supports the attached Planning Proposal being referred to the Department of Planning, Housing and Infrastructure seeking a Gateway Determination in accordance *with section 3.34 of the Environmental Planning and Assessment Act 1979*.

## BACKGROUND

Council is currently undertaking a review of the LEP in accordance with the LSPS. This review is being undertaken concurrently with the review of the Hunters Hill Consolidated Development Control Plan 2013 (DCP), with intent to have both sets of documentation available for concurrent public exhibition following the provision of a Gateway Determination from the Department of Planning, Housing and Infrastructure (DPHI) in relation to the LEP.

The subject review has been undertaken in consultation with the Hunters Hill Community, with the proposed LEP amendments being sought to strengthen the plan, predominantly through removing anomalies, making the documents easier to interpret and to reinforce provisions related to the conservation of the character, heritage and the environment of the Municipality.

Changes to an LEP are generally enacted through a PP. In relation to the process for review of the LEP through the preparation of a PP, early due diligence should be undertaken to scope a proposal and before preparation of any PP as outlined within the Local Environmental Plan Making Guideline (LEP Guideline). This may include high-level desktop studies, review of the site setting and context, identification of objectives of the proposal and development of any concepts and feasibility. This due diligence generally takes the form of a scoping proposal.

With regard to all council-initiated PPs, the council should submit the scoping proposal to DPHI's relevant Place or Regional team and request a meeting, if deemed necessary. DPHI is responsible for managing and coordinating this process with council.

A scoping proposal was subsequently developed in relation to the subject PP. Following initial community consultation and receipt and consideration of community feedback, this Scoping Proposal was reported to Council for its consideration at its Ordinary Meeting of 23 October 2023. At this meeting Council Resolved:

1. *That the report be received and noted.*
2. *That Council note community feedback received in relation to the review of the LEP and DCP and thank those in the community who have provided feedback.*
3. *That the Hunters Hill Municipality – Character Study Recommendations report prepared by Paul Davies, June 2021 (included as an attachment to this report) be adopted.*
4. *That the attached Scoping Proposal be made available on Council's website and by correspondence to all previous registered stakeholders for 14 days.*
5. *That, as a result of any feedback, recommended variations to the scoping proposal be added before being brought back to the November meeting of Council for endorsement and referral to the Department of Planning and Environment.*
6. *That Council's website be updated to reflect the next steps and future opportunities for consultation before the Planning Proposal is submitted.*

In accordance with Item 4 of the above Resolution, Council invited the community to comment and provide feedback on the LEP Scoping Proposal between 24 October and 7 November 2023. Following this consultation, this matter was reported to Council's Ordinary Meeting of 27 November 2023. Redacted submissions that had been received as a result of the above consultation were attached to this report, along with a summary of the main issues raised and associated responses. Following consideration of this additional feedback, at its Ordinary Meeting of 27 November 2023 Council Resolved:

1. *That the report be received and noted.*

2. *That Council note stakeholder feedback received in relation to the draft scoping proposal and thank those in the community who have provided feedback.*
3. *That Council refer the attached amended scoping proposal to the Department of Planning and Environment for review with the inclusion of an outdoor dining provision within the schedule of exempt development of the LEP to read as follows:*
  - i. *Must be associated with an adjacent food and drink premises being carried out with lawful consent.*
  - ii. *If located on the footway of a public road, must be consistent with an approval granted under Section 125 of the Roads Act 1993.*
  - iii. *Must not be located on land steeper than a 1:50 gradient.*

Subsequent to the above Resolution of 27 November 2023, the amended Scoping Proposal was referred to DPHI on 23 January 2024.

DPHI did not provide a response to the above referral. However, Council Staff did meet with relevant DPHI representatives on 14 February 2024 to discuss the Scoping Proposal. Feedback received from DPHI during this meeting was considered in the development of the subsequent PP.

## REPORT

As detailed previously within this report, Council is currently undertaking a review of the LEP and DCP in consultation with the Hunters Hill Community.

The proposed LEP and DCP amendments are being sought to strengthen the plans, predominantly through removing anomalies, making the document easier to interpret and to reinforce provisions related to the conservation of the character, heritage and the environment of the Municipality.

The sections of the LEP proposed to be amended and the associated objectives of these amendments are outlined below:

- **Clause 1.2 Aims** – To ensure the LEP captures the principal of ecologically sustainable development, to include references to the relevant Development Control Plan (DCP) and LSPS and to strengthen heritage, character and landscape provisions.
- **Clause 1.2 Aims** – To ensure the LEP captures the principle of ecologically sustainable development, to include references to the relevant DCP and LSPS and to strengthen heritage, character and landscape provisions.
- **Land Use Tables:**
  - To remove reference to land uses that do not exist and/or are not envisaged within the Hunters Hill LGA.
  - To include land uses that are complimentary to certain land use zones.
  - To facilitate land uses which are consistent with certain land use zones.

- To maintain garden suburb character and provide plant and tree cover.
- **Clause 4.1 Minimum subdivision size** - To ensure practical outcomes for battle axe block subdivisions and to clarify that minimum lot size provisions under this clause also apply to dual occupancy development.
- **Clause 4.3 Height of buildings** - To clarify and strengthen provisions related to development scale and form to assist in maintaining character and minimise impacts to adjacent areas, whilst also facilitating appropriate development where impacts to existing character and the environment can be managed.
- **Clauses 4.4 and 4.5 Floor space ratio** - To clarify and strengthen provisions related to development scale and form and to ensure practical outcomes for battle axe block subdivisions.
- **Clauses 6.3 to 6.6 Stormwater management, terrestrial biodiversity, riparian land and adjoining waterways, limited development on the foreshore** - To ensure consistency with the intent of the Parramatta River Masterplan, which aims to create a world class river that is living and swimmable again.
- **Clause 6.9 Landscaped area for dwelling houses and secondary dwellings** - To simplify provisions for landscaping of dwellings while retaining the intent of providing generous landscape areas to enhance the garden suburb character of the municipality.
- **Schedule 1 Additional permitted use** - Removal of items from Schedule 1 where the listing does not complement the existing or intended use of the site.
- **Schedule 2 Exempt development** - Addition of a new exempt development item (outdoor dining) to Schedule 2.

A previous version of this PP was reported to the LPP meeting of 28 March 2024. As a result of its consideration of this matter, the LPP Resolved:

1. *The LPP advises Council that it supports the attached Planning Proposal being referred to the Department of Planning, Housing and Infrastructure seeking a Gateway Determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979.*

The PP was then reported to Council's Ordinary Meeting of 27 April 2024. At this meeting it was Resolved that Council:

*(A) Forward the Planning Proposal included as Attachment 1 of this report to the Department of Planning, Housing and Infrastructure seeking a Gateway Determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979 to amend Hunters Hill Local Environmental Plan 2012.*

*(B) Subject to (A) above, advise the Department of Planning, Housing and Infrastructure that Council will be seeking to be authorised as the Local Plan Making Authority.*

*(C) Subject to (A) above, Council endorse for public exhibition the Planning Proposal as outlined in (A).*

*(D) Note that following public exhibition, the Planning Proposal would be reported back to Council detailing the outcome of the public exhibition period at which time Council may resolve:*

- (1) To proceed with the Planning Proposal as exhibited.*
- (2) To proceed with amended controls in the Planning Proposal to that exhibited.*
- (3) To not proceed with the Planning Proposal.*

*(E) Delegate authority to the General Manager to make amendments to the Planning Proposal that:*

- (1) Are minor and do not alter the intent of the Planning Proposal; or*
- (2) Are required in order to comply with the Gateway Determination.*

Subsequent to Item A of the above Resolution, the PP was submitted to DPHI seeking a Gateway Determination.

In response to the above request, DPHI advised that the PP would not proceed to assessment, suggesting that the PP should be simplified, with clear statements setting out the proposed amendments to the LEP and the intent of each without including the exact proposed drafting changes. DPHI also recommended that the proposed changes to Schedule 5 Environmental heritage be removed from the planning proposal and form part of a new planning proposal relating to heritage matters only. Following receipt of this response, it was discussed between Council and DPHI Staff that an appropriate way to progress with the proposal would be the development of two separate and simplified PPs, one for ‘heritage’ and a second for ‘all other matters’.

In consideration of the above, at its Ordinary Meeting of February 2025 Council Resolved:

*A. In relation to Council’s current review of the Hunters Hill Local Environmental Plan 2010, that Council prepare two separate planning proposals as follows:*

- i. Schedule 5 Environmental heritage.*
- ii. All other matters.*

The ‘all other matters’ PP (included as Attachment 1 to this report) has now been updated in accordance with the above advice from DPHI and Resolution of Council’s Ordinary Meeting of February 2025 (refer to Attachment 2 of this report).

The ‘heritage’ PP is intended to be drafted by November 2025, due to further heritage inventory work being required.

In addition to the above, Council has also sought legal review and advice in order to ensure the PP is legally sound, and the wording of Part 2 – Explanation of Provisions and Appendix 1 achieve Part 1 – Background, Objectives and Intended Outcomes of the PP. The attached PP incorporates this legal advice.

Following receipt of advice from the LPP, the next step in the LEP review process would be to seek a Resolution of Council to refer the attached PP to DPHI seeking a Gateway Determination in accordance with section 3.34 of the *Environmental Planning and Assessment Act 1979*. This

report recommends that this referral now be undertaken, subject to subsequent LPP advice and Council Resolution to this effect.

## CONCLUSION

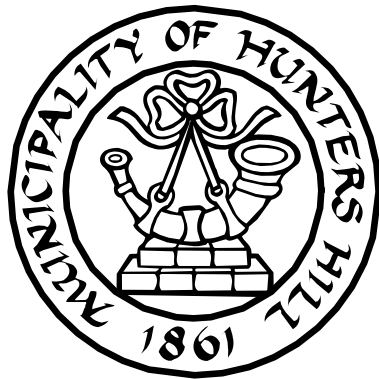
The purpose of this report is to seek the advice of the LPP on the merits of the attached PP, which has been prepared in consultation with the Hunters Hill Community and in accordance with the LSPS.

This report to the LPP is in accordance with the Local Plan Making Guideline (August 2023), published by the former NSW Department of Planning and Environment, and Ministerial Direction (9.1 Local Planning Panels – Planning Proposals), which requires that Council's refer PPs to local planning panels for advice.

Following receipt of advice from the LPP, the next step in the LEP review process would be to seek a Resolution of Council to refer the attached PP to DPHI seeking a Gateway Determination in accordance with section 3.34 of the *Environmental Planning and Assessment Act 1979*. This report recommends that this referral now be undertaken, subject to subsequent LPP advice and Council Resolution to this effect.

## ATTACHMENTS

1. Attachment 1 - Planning Proposal - LEP Review [↓](#)
2. Attachment 2 – Extract from the Minutes of Council's Ordinary Meeting of 24 February 2025 [↓](#)



## **HUNTERS HILL COUNCIL**

### **PLANNING PROPOSAL**

Local Environmental Plan Review  
August 2025

DOC ID 1353414903/V1



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## Executive Summary

This Planning Proposal (PP) has been prepared by Hunters Hill Council (Council) in relation to proposed amendments to the Hunters Hill Local Environmental Plan 2012 (LEP). This PP has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), and in accordance with the (former) Department of Planning and Environment Local Environmental Plan Making Guideline.

The PP does not seek to enact any specific type of development or to rezone land. Rather, the PP substantially seeks to amend anomalies and errors, improve the ability to interpret the LEP and facilitate the protection and enhancement of the environment, character and heritage of the Municipality.

This LEP amendment is being sought concurrently with a review of the Hunters Hill Development Control Plan (DCP). This DCP review would seek to rectify anomalies within the document and better reflect and support the provisions of the LEP and relevant NSW Government legislation, guidelines and policies.

Should Council Resolve to seek a Gateway Determination in relation to this PP, and should such a Gateway Determination be issued, Council will place the PP on public exhibition for a period of not less than 28 days and undertake consultation with all stakeholders as directed, in accordance with conditions of the Gateway Determination.

This PP is intended to be reported to Council for consideration at its September 2025 Ordinary Meeting (seeking referral of this PP for Gateway Determination), with the subject LEP amendment process intended to be finalised by June 2026.

## Part 1 – Background, Objectives and Intended Outcomes

This PP has been prepared by Council in relation to proposed amendments to the LEP. The LEP applies to the Hunter Hill Local Government Area (LGA). Amendments associated with this PP in some instances apply to the wider LGA, whereas others apply to specific areas of the LGA. The geographic application of the specific components of this PP are outlined in further detail within Part 2 of this PP.

This PP is one of a number of proposed LEP amendments outlined within the Hunters Hill Local Strategic Planning Statement (LSPS).

The sections of the LEP proposed to be amended and the associated objectives of these amendments are outlined below:

- **Clause 1.2 Aims** – To ensure the LEP captures the principle of ecologically sustainable development, to include references to the relevant DCP and LSPS and to strengthen heritage, character and landscape provisions.
- **Land Use Tables:**
  - To remove reference to land uses that do not exist and/or are not envisaged within the Hunters Hill LGA.
  - To include land uses that are complimentary to certain land use zones.

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- To facilitate land uses which are consistent with certain land use zones.
- To maintain garden suburb character and provide plant and tree cover.
- **Clause 4.1 Minimum subdivision size** - To ensure practical outcomes for battle axe block subdivisions and to clarify that minimum lot size provisions under this clause also apply to dual occupancy development.
- **Clause 4.3 Height of Buildings** - To clarify and strengthen provisions related to development scale and form to assist in maintaining character and minimise impacts to adjacent areas, whilst also facilitating appropriate development where impacts to existing character and the environment can be managed.
- **Clauses 4.4 and 4.5 Floor space ratio** - To clarify and strengthen provisions related to development scale and form and to ensure practical outcomes for battle axe block subdivisions.
- **Clauses 6.3 to 6.6 Stormwater management, terrestrial biodiversity, riparian land and adjoining waterways, limited development on the foreshore** - To ensure consistency with the intent of the Parramatta River Masterplan, which aims to create a world class river that is living and swimmable again.
- **Clause 6.9 Landscaped area for dwelling houses and secondary dwellings** - To simplify provisions for landscaping of dwellings while retaining the intent of providing generous landscape areas to enhance the garden suburb character of the municipality.
- **Schedule 1 Additional permitted use** - Removal of items from Schedule 1 where the listing does not complement the existing or intended use of the site.
- **Schedule 2 Exempt development** - Addition of a new exempt development item (outdoor dining) to Schedule 2.

This PP has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), and in consideration of the (former) Department of Planning and Environment Local Environmental Plan Making Guideline.

This LEP amendment is being sought concurrently with a review of the Hunters Hill Development Control Plan (DCP). This DCP review would seek to rectify anomalies within the document and better reflect and support the provisions of the LEP and relevant NSW Government legislation, guidelines and policies.

## Part 2 – Explanation of Provisions

To achieve the intended outcomes, this PP seeks to amend the LEP 2012. Each of the proposed amendments sought through this PP are explained against each relevant clause of the LEP under the headings below. Appendix 1 of this PP also provides some example clauses of the proposed controls to provide clear guidance of the outcomes that this PP seeks to achieve. The final version of the clauses to be inserted into the LEP would be subject to drafting and agreement with the NSW Parliamentary Counsel's Office.

### Aims of Plan

#### **Proposal**

It is proposed to amend Clause 1.2 of the LEP to:

- Reference the principle of ecologically sustainable development (ESD).
- Reference other key documents within the local strategic planning framework, including the LSPS and DCP.
- Strengthen wording relating to the management of important environmental, heritage, character and scenic qualities of the Municipality, including trees and vegetation, and ensure this wording refers to both public and private land.
- Reference natural hazards and climate change.
- Ensure development considers and supports active and public transport.

#### **Rationale**

##### Ecologically sustainable development

Council has a desire to promote the importance of ESD. ESD is a long-standing and internationally recognised concept. The concept has been affirmed by the 2002 World Summit for Sustainable Development and has been included in over 60 pieces of NSW legislation. [\*Australia's National Strategy for Ecologically Sustainable Development \(1992\)\*](#) defines ecologically sustainable development as: *'using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased.'*

ESD requires the effective integration of economic, environmental, social and equity considerations in decision-making processes. ESD aims to provide for the needs of present generations without compromising the ability of future generations to meet their own needs.

##### Reference to other key documents within the local strategic planning framework, including the LSPS and DCP

DCPs are not statutory documents, however, they are important in outlining planning provisions to manage development, through maintaining amenity and reducing impacts on surrounding development and the environment. Reference to the DCP within Clause 1.2 would highlight that DCPs are a key part of the development assessment framework.

The LSPS is an important strategic planning document, and as such, it is proposed that the LEP could indicate consistency with it. The aim of this reference would be to promote development that is consistent with the Council's vision for Hunters Hill as outlined within the LSPS.

Strengthen wording relating to the management of important environmental, heritage, character and scenic qualities of the Municipality

This proposed amendment seeks to recognise the critical importance of maintaining and enhancing environmental values and corridors (including trees and vegetation), natural features, character, scenic qualities, water resources and ecological processes. It is intended that reference to these aspects also refer to 'private and public' land where relevant to make clear that maintaining a network of open spaces that conserve natural and scenic qualities extends across both land tenures.

Reference natural hazards and climate change

Reference to natural hazards and climate change is proposed to be included within Clause 1.2, to ensure consideration of the potential impact of these factors on development within the Municipality.

Reference to active and public transport

It is proposed to include reference to active and public transport within Clause 1.2, to ensure development considers and supports active and public transport and to reduce dependence on private motor vehicle usage.

## Permitted or prohibited development - Land use table

It is proposed to amend the land use table under Part 2 of the LEP as described below.

### **Proposal**

#### Zone R2 Low Density Residential

- Add additional description to the zone objectives (as outlined within the example provisions included as Appendix 1 of this PP) to ensure that new development is respectful of, and compatible with, the garden suburb character and heritage values that distinguish low-density localities of the Municipality.

### **Rationale**

Additional description of the desired character of the municipality and strengthening of wording around respect and preservation of existing character is proposed to be included within Clause 1 to clarify and strengthen these objectives.

### **Proposal**

#### Zone R3 Medium Density Residential

- Amend zone objectives in order to:
  - Ensure that the design of development provides and integrates with deep soil landscaping to reflect the garden and bushland character of the municipality.

- Provide for housing that is compatible with the desired future character of the area in terms of bulk, height and scale.
- Provide a transition between low density residential housing and higher density forms of development.
- Encourage residential development that is in keeping with local amenity, including public and private views.

**Rationale**

The proposed amendments to the zone objectives are sought to maintain garden suburb character, respect existing amenity and desired future character of medium density residential areas.

**Proposal****RE1 Public Recreation**

- Expand the permitted land uses in the RE1 Public Recreation zone to include:
  - Information and education facilities.
  - Markets.
  - Recreation facilities (outdoor).
  - Restaurants and cafes.
  - Take away food and drink premises.

**Rationale**

The additional permitted uses will allow a greater range of activities to take place in public recreation areas including cafes and restaurants where there is demand – either in existing buildings or new facilities.

**Proposal****E1 Local Centre**

- Amend E1 Local Centre provisions to include new objectives which seek to:
  - Enhance the viability, vitality and amenity of the local centres while protecting and enhancing the village character.
  - Manage potential impacts of non-residential uses on the amenity of adjacent residential areas, having regard to building design, operation and activities, traffic generation and the car parking capacity of local roads.
  - Maintain the local character and heritage and enhance the village atmosphere of local centres by managing the height, bulk and scale of buildings and ensuring that new or altered buildings reflect the proportions of surrounding traditional shop fronts.
  - Encourage development that is compatible with the centre's position on the hierarchy of local centres.

**Rationale**

The additional provisions would seek to maintain and enhance the character and amenity of local centres within the municipality, maintain hierarchy of local centres and minimise land use conflict between local centres and adjacent residential areas.

**Proposal****MU1 Mixed Use**

Include an additional objective within the MU1 Mixed Use zone which seeks to maximise active and public transport opportunities.

**Rationale**

Active transport is the most sustainable form of transport and contributes to improving neighbourhoods and the environment, reducing car use and traffic congestion, supporting local economies, and improving the general health of communities in NSW (*source: Transport for NSW*). This amendment would seek to promote active and public transport opportunities within mixed use areas and to reduce dependence on private motor vehicle usage.

**Principal development standards**

It is proposed to amend the principal development standards under Part 4 of the LEP as described below.

**Proposal****Minimum subdivision size**

- Make amendments to Clause 4.1 which seek to:
  - Soften visual impacts of residential developments when also viewed from a neighbouring property, and to facilitate generous rather than just sufficient space for trees and plantings around buildings.
  - Accommodate residential developments that would be compatible with size, scale and existing character of both surrounding buildings and the locality.
- Add a new provision within Clause 4.1 that seeks to exclude the 'handle' of a battle axe block from the lot size calculation.
- Add a new provision within Clause 4.1 that seeks to clarify that minimum subdivision lot size provisions under this clause also apply to dual occupancy development.

**Rationale**

The proposed amendments would seek to broaden and strengthen provisions within clause 4.1 relating to softening visual impacts and ensuring consideration of the locality and not just adjacent buildings with regard to compatibility of new development with the existing built environment.

With regard to battle axe blocks, assessing development applications for these blocks has been problematic in the past, where unsatisfactory access handles have been proposed that are too narrow. The exclusion of access handles from the lot size calculation for battle axe blocks would

provide an opportunity to promote a suitable site for housing without compromising the access handle, and is a provision applied by many other councils.

Clarification that minimum subdivision lot size provisions under this clause also apply to dual occupancy development will assist to ensure that subdivision standards under this clause are not compromised through pursual of torrens title subdivision of complying development approved dual occupancy development under clause 6.3 of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Council is aware of previous legal proceedings in this regard, and this clarification would seek to provide certainty for proponents and Council in relation to this matter.

### **Proposal**

#### **Height of buildings**

It is proposed to amend Part 4.3 of the LEP as follows:

- Amend the objectives of this clause to strengthen provisions relating to height of buildings by substituting terms such as 'would be' and 'potential' with terms such as 'to ensure' and 'are'.
- To remove other potentially subjective terms such 'excessive' and to ensure that provisions recognise neighbouring properties in relation to impacts such as overshadowing, loss of privacy, obstruction of views and general visual impacts.
- To include new additional provisions and development standards applying to land Zone R2 Low Density Residential or Zone R3 Medium Density Residential to which a maximum building height of 8.5 metres applies which seek to outline the objectives which:
  - Facilitate view sharing.
  - Minimise the adverse effects of the bulk and scale of buildings, particularly on streetscape character.
  - Limit building height to no greater than two stories above existing ground level, unless the additional story is within the basement of a building, where Council is satisfied that the building height and bulk is of an appropriate form and scale and environmental impacts are minimal and landscaping is suitable.
  - Specify and define appropriate wall height.

### **Rationale**

To clarify and strengthen provisions related to development scale and form to assist in maintaining character and minimise impacts to adjacent areas, whilst also facilitating appropriate development where impacts to existing character and the environment can be managed.

### **Proposal**

#### **Floor space ratio**

It is proposed to amend Part 4.4 of the LEP as follows:

- Substitute potentially subjective words such as 'encourage' and 'may be' with words such as 'ensure' and 'is'.



- Introduce new objectives which seek to minimise adverse effects of bulk and scale of buildings and limit excavation of sites and retain natural ground levels for the purpose of landscaping, biodiversity and containing urban run-off.
- Remove provision which circumvents floor space ratio requirements where a development meets the height and landscaped area provisions of the LEP.

**Rationale**

To strengthen provisions related to maintaining character, minimising adverse effects of bulk and scale and strengthening provisions related to landscaped area.

**Proposal****Calculation of floor space ratio and site area**

It is proposed to amend Clause 4.5 of the LEP as follows:

Exclude the handle of a battle axe block from the calculation of site area.

**Rationale**

To ensure suitable outcomes in the calculation of floor space ratio for battle axe blocks, given the handle area is generally used for property access only.

**Proposal****Heritage conservation**

It is proposed to amend Clause 5.10 of the LEP as follows:

- To amend the objectives of this clause, to facilitate not only conservation, but also enhancement of the character of the Municipality.
- Reference both the item and area concerned with regard to the effect of proposed development on heritage significance.

**Rationale**

To strengthen provisions related to heritage character and to not only conserve but enhance these heritage qualities within the Municipality.

**Additional local provisions**

It is proposed to amend Part 6 of the LEP as described below, and as outlined within Appendix 1 of this PP.

**Proposal****Development on river front areas**

It is proposed to amend Clause 6.7 of the LEP as follows:

- Amend the objectives to ensure recognition and protection of this natural and visual environment, and to reinforce the dominance of landscape over built form.

- Refer to conservation of existing vegetation and rocky outcrops, rather than just trees.
- Refer to maintenance of existing views and vistas both to and from waterways and public places.
- Minimise the visual impact of development both to and from the nearest waterway or riverfront area, and to maintain existing natural landscape and landform

**Rationale**

To strengthen provisions protecting the amenity of river front areas within the Municipality.

**Proposal****Clause 6.9 Landscaped areas for dwelling houses and secondary dwellings**

It is proposed to amend Clause 6.9 to provide a clear and specific quantification of required landscaped area, with specific exclusions from the landscaped area calculation.

**Rationale**

The existing Clause 6.9 has been difficult to interpret by applicants. It is proposed to simplify this clause while retaining the intent of providing generous landscape areas to enhance the garden suburb character of the municipality.

**Proposal****Development in local centres and mixed use areas**

It is proposed that a new clause (Clause 6.11) be included within the LEP. The new clause would seek to:

- Ensure the scale and function of development in village and local centres are appropriate to the location.
- Ensure development in village and local centres is compatible with the desired character, heritage values and amenity of surrounding development.
- Facilitate the creation of walkable access to local daily needs, including local services, retail and neighbourhood supermarkets.

**Rationale**

The NSW Government's Employment Zones Reform was finalised in December 2021 with the inclusion of the new zones within the Standard Instrument Local Environmental Plan Order 2006. Implementation of the reform commenced in 2022 with the translation of existing Business and Industrial zones into the Employment zones.

During initial community consultation associated with the proposed LEP amendments, a high level of community concern was raised regarding the above reform. The proposed inclusion of Clause 6.11 seeks to ensure the scale and function of development in village and local centres is appropriate to the location and compatible with the desired character, heritage values and amenity of surrounding development. The proposed inclusion of Clause 6.11 also seeks to support walkable access to local daily needs, including local services, retail and neighbourhood supermarkets.

## Additional permitted uses

**Proposal**

It is proposed to amend Schedule 1 as described within Table 1 below.

**Table 1** – Proposed Schedule 1 Amendments

Item number	Existing	Comment	Recommendation
1	<p><b>Use of certain land at 21c Farnell Street, Boronia Park</b></p> <p>1) This clause applies to land at 21c Farnell Street, Boronia Park, being Lot 13, Section 6, DP 758143 and Crown Reserve R87767.</p> <p>2) Development for the purpose of community facilities is permitted with development consent.</p>	<p>This site is zoned R2 Low Density Residential. Community facilities are permissible in the zone.</p>	Remove land from Schedule 1
2	<p><b>Use of certain land at 2, 4, 6 and 8 Flagstaff Street, Gladesville</b></p> <p>1) This clause applies to land at 2 and 4 Flagstaff Street, Gladesville, being Lots 3 and 4, DP 16241 and land at 6–8 Flagstaff Street, Gladesville, being Lot 1, DP 1022691.</p> <p>2) Development for the purposes of health consulting rooms and office premises, with a total floor area that does not exceed 30m<sup>2</sup>, is permitted with development consent.</p>	<p>The site is zoned is zoned R3 Medium Density Residential.</p> <p>Health consulting rooms permissible under State Environmental Planning Policy (Transport and Infrastructure) 2021.</p> <p>Given the location of the site close to the town centre and other planning provisions that apply, the application of a site specific provision for size is not considered necessary.</p>	Remove land from Schedule 1
3	<p><b>Use of certain land at 17 and 19 Massey Street, Gladesville</b></p> <p>1) This clause applies to land at 17 and 19 Massey Street, Gladesville, being Lots 1 and 2, DP 16241.</p>	<ul style="list-style-type: none"> <li>As above in No. 2</li> </ul>	Remove land from Schedule 1

Item number	Existing	Comment	Recommendation
	2) Development for the purposes of health consulting rooms and office premises, with a total floor area that does not exceed 30m2, is permitted with development consent		
4	<b>Use of certain land at 20a Alexandra Street, Hunters Hill</b>  1) This clause applies to land at 20a Alexandra Street, Hunters Hill, being Lot 1, DP 1070714.  2) Development for the purpose of seniors housing is permitted with development consent.	<ul style="list-style-type: none"> <li>Seniors housing permitted in the R2 Residential zone under the Housing SEPP. However, moratorium on seniors housing only applies in HCAs until December 2023 under the Housing SEPP.</li> <li>Land exists within a Heritage Conservation Area (HCA).</li> </ul>	Retain as existing.
5	<b>Use of certain land at 32 Alexandra Street, Hunters Hill</b>  1) This clause applies to land at 32 Alexandra Street, Hunters Hill, being Lot 127, DP 1114617 and comprising the Hunters Hill Post Office.  2) Development for the purposes of business premises, multi dwelling housing and shop top housing is permitted with development consent	<ul style="list-style-type: none"> <li>Land is zoned R2 Low Density Residential.</li> <li>Not suitable to zone commercial given its location in a R2 Low Density Residential zone</li> </ul>	Retain as existing.
6	<b>6. Use of certain land at 45 and 47 Barons Crescent, 4–20 Gaza Avenue and 118 High Street, Hunters Hill</b>  1) This clause applies to land at 45 and 47 Barons Crescent, 4–20 Gaza Avenue and 118 High Street, Hunters Hill, being (respectively) Lot 51, DP 16119, Lot 50,	<ul style="list-style-type: none"> <li>Montefiore seniors living.</li> <li>2 Gaza St, Lot 61/DP 16119 and 116 High St, Lot 62/DP16119 are missing – bought</li> </ul>	Not in a HCA.  New masterplan and planning controls are being proposed for the site.

Item number	Existing	Comment	Recommendation
	<p>DP 16119, Lots 52–60, DP 16119 and Lot 63, DP 16119.</p> <p>2) Development for the purpose of seniors housing is permitted with development consent</p>	<p>by Montefiore since the LEP was gazetted</p> <ul style="list-style-type: none"> <li>Seniors housing permitted in the R2 Residential zone under the Housing SEPP</li> <li>Land not in a HCA.</li> </ul>	Remove from Schedule 1.
7	<p><b>Use of certain land at 49–51 Barons Crescent, Hunters Hill</b></p> <p>1) This clause applies to land at 49–51 Barons Crescent, Hunters Hill, being Lot 2, DP 312298, Lots 1 and 2, DP 325793 and Lots 9 and 10, DP 724017.</p> <p>2) Development for the purpose of seniors housing is permitted with development consent.</p>	<ul style="list-style-type: none"> <li>Part of Montefiore.</li> <li>Seniors housing permitted in the R2 Residential zone under the Housing SEPP</li> </ul>	<p>Not in a HCA.</p> <p>Remove from Schedule 1.</p>
8	<p><b>Use of certain land at 1 De Milhau Road and 35a Gladesville Road, Hunters Hill</b></p> <p>1) This clause applies to land at 1 De Milhau Road and 35a Gladesville Road, Hunters Hill, being Lot 1, DP 302331 and Lot 12, DP 846102.</p> <p>2) Development for the purpose of seniors housing is permitted with development consent.</p>	<ul style="list-style-type: none"> <li>Lot 1, DP 302331 is known as 1A De Milhau Rd in planning portal.</li> <li>Seniors housing permitted in the R2 Residential zone under the Housing SEPP</li> <li>Not in a HCA.</li> </ul>	<p>Not in a HCA.</p> <p>Remove from Schedule 1.</p>
9	<p><b>Use of certain land at 1 Durham Street, Hunters Hill</b></p> <p>1) This clause applies to land at 1 Durham Street, Hunters Hill, being Lots 10 and 11, DP 4614.</p>	<ul style="list-style-type: none"> <li>Community facilities are permissible in the R2 zone.</li> </ul>	Remove from Schedule 1

Item number	Existing	Comment	Recommendation
	2) Development for the purpose of community facilities is permitted with development consent.		
10	<b>Use of certain land at 35 Gladesville Road, Hunters Hill</b>  1) This clause applies to land at 35 Gladesville Road, Hunters Hill, being Lot 38, DP 224608 and Lot 11, DP 846102.  2) Development for the purpose of seniors housing is permitted with development consent.	<ul style="list-style-type: none"> <li>Address &amp; lot/DPs correct.</li> <li>Seniors housing permitted in the R2 Residential zone under the Housing SEPP</li> <li>Not in a HCA.</li> </ul>	Remove from Schedule 1
11	<b>Use of certain land at 41 Gladesville Road, Hunters Hill</b>  1) This clause applies to land at 41 Gladesville Road, Hunters Hill, being Lot 1, DP 716526.  2) Development for the purpose of seniors housing is permitted with development consent.	<ul style="list-style-type: none"> <li>Address &amp; lot/DP correct.</li> <li>Seniors housing permitted in the R2 Residential zone under the Housing SEPP.</li> <li>Not in a HCA.</li> </ul>	Remove from Schedule 1
12	<b>Use of certain land at 43 Gladesville Road, Hunters Hill</b>  1) This clause applies to land at 43 Gladesville Road, Hunters Hill, being Lot 2, DP 716526.  2) Development for the purpose of seniors housing is permitted with development consent.	<ul style="list-style-type: none"> <li>Seniors housing is permitted in the R2 Residential zone under the Housing SEPP.</li> <li>Not in a HCA.</li> </ul>	Remove from Schedule 1
13	<b>Use of certain land at 8 Passy Avenue, Hunters Hill</b>  1) This clause applies to land at 8 Passy Avenue, Hunters Hill, being Lot 1, DP	<ul style="list-style-type: none"> <li>Seniors housing permitted in the R2 Residential zone under the Housing SEPP. However,</li> </ul>	Retain as existing.

Item number	Existing	Comment	Recommendation
	<p>133826, Lot 1, DP 206036 and Lot 1, DP 922514.</p> <p>2) Development for the purpose of seniors housing is permitted with development consent</p>	<p>moratorium on seniors housing only applies in HCAs until December 2023 under the Housing SEPP.</p> <ul style="list-style-type: none"> <li>Land exists within a HCA.</li> </ul>	
14	<p><b>Use of certain land at 10 and 12 Salter Street, Huntleys Cove</b></p> <p>1) This clause applies to land at 10 and 12 Salter Street, Huntleys Cove, being Lot 1, DP 823988 and known as "The Priory".</p> <p>2) Development for the purposes of community facilities, function centres and restaurants or cafes is permitted with development consent.</p>	<ul style="list-style-type: none"> <li>Land zoned R2 Low Density Residential.</li> </ul>	Retain as existing.
15	<p><b>Use of certain land at 11 Gladstone Avenue, Woolwich</b></p> <p>1) This clause applies to land at 11 Gladstone Avenue, Woolwich, being Lots 1–5, Section E, DP 1015 and Lot 1, DP 795282.</p> <p>2) Development for the purpose of seniors housing is permitted with development consent.</p>	<ul style="list-style-type: none"> <li>Seniors housing permitted in the R2 Residential zone under the Housing SEPP. However, moratorium on seniors housing only applies in HCAs until December 2023 under the Housing SEPP.</li> <li>Land exists within a HCA.</li> </ul>	Retain as existing.
16	<p><b>Use of certain land at 2C Margaret Street, Woolwich</b></p> <p>1) This clause applies to land at 2C Margaret Street, Woolwich, being Lots 2 and 4, DP 880264.</p>	<ul style="list-style-type: none"> <li>Lots 2 &amp; 4 DP 880264</li> <li>Currently zoned IN4 Working Waterfront.</li> </ul>	Retain as existing.

Item number	Existing	Comment	Recommendation
	2) Development for the purpose of residential accommodation is permitted with development consent.		
17	<p><b>Use of certain land at 103 Woolwich Road, Woolwich</b></p> <p>1) This clause applies to land at 103 Woolwich Road, Woolwich, being Lot 5, DP 3110.</p> <p>2) Development for the purposes of restaurants or cafes and shop top housing is permitted with development consent.</p>	<ul style="list-style-type: none"> <li>Currently zoned R2.</li> </ul>	Retain as existing.

#### **Rationale**

To remove redundant additional permitted uses, which have no practical effect due to permissibility of the identified land use under the LEP or other legislation.

#### **Exempt development**

#### **Proposal**

Amend Schedule 2 to include outdoor dining as a new exempt development item.

#### **Rationale**

To facilitate and also provide appropriate provisions relating to outdoor dining in addition to existing provisions under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

This proposed amendment, similar to an outdoor dining clause included within Schedule 2 of the Mosman LEP 2012, is further described within Appendix 1 and is intended to permit appropriately managed outdoor dining as exempt development throughout the Municipality, including within heritage conservation areas.



## Part 3 – Justification

The strategic and site specific merit (justification) for this PP is considered within this Part.

### Section A – Need for the Planning Proposal

*Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?*

Yes. This PP is one of a number of proposed LEP amendments outlined within the LSPS. This PP, and the associated review of the DCP, will also give effect to the following Planning Priorities contained within the LSPS:

**Table 2: Consistency of this PP with applicable LSPS Planning Priorities**

LSPS Planning Priority	Consistency with this PP
Planning Priority 4.2 - Review and amend the Hunters Hill DCP, to ensure development controls preserve the character and amenity of Hunters Hill and promote best practice design to support the LEP Review.	The DCP is being reviewed and amended concurrently with the LEP to ensure development controls preserve the character and amenity of Hunters Hill and promote best practice design to support the LEP Review.
Planning Priority 8.5 - Investigate opportunities for improved stormwater management and work with the Parramatta River Catchment Group to improve the health and sustainability of the river catchment.	This PP includes provisions which seek to align the LEP with the intent of the Parramatta River Masterplan, Step 4 (February 2021).

In addition to the above, the PP and associated DCP review will also give effect to the following actions contained within Council's Local Housing Strategy (LHS):

**Table 3: Consistency of this PP with applicable LHS Actions**

LHS Action	Consistency with this PP
Action 1.2 - Develop a range of tailored site-specific controls within the revised LEP and DCP to manage change and support sensitive uplift in key strategic centres and neighbourhood centres.	The PP will give effect to this action through the development of a range of tailored site-specific controls within the revised LEP (as detailed within Part 2 of this PP) to manage change and support sensitive uplift in key strategic centres and neighbourhood centres, such as mixed use and employment zones.
Action 3.1 – Encourage design and delivery of new housing that is focused on environmental sustainability and the delivery of good environmental outcomes through high quality residential design.	The PP includes various proposed LEP amendments that seek to encourage design and delivery of new housing that is focused on environmental sustainability and the delivery of good environmental outcomes through high quality residential design as detailed within Part 2 of this PP. This includes various proposed amendments to environmental provisions within residential zones.
Action 3.3 – Design revised planning controls that encourage design excellence in new	Revised planning controls are proposed that seek to encourage sensitive response of

development and a sensitive response to the surrounding streetscapes.	development to the surrounding streetscapes as detailed within Part 2 of this PP.
Action 3.5 – Use the Hunter’s Hill DCP as a mechanism to improve environmental sustainability and resilience in new residential precincts.	The Hunter’s Hill DCP is being reviewed concurrently with the review of the LEP through this PP. This DCP review will seek to align with this PP in improving environmental sustainability and resilience in new residential precincts as detailed within Part 2 of this PP.
Action 4.5 – Review and amend the Hunter’s Hill DCP to: clarify and reinforce development controls addressing the garden-suburb concept, view scapes and character statements, which support the rich character and sense of place in Hunter’s Hill LGA.	The Hunter’s Hill DCP is being reviewed concurrently with the review of the LEP through this PP. This DCP review will seek to align with this PP to clarify and reinforce development controls addressing the garden-suburb concept, view scapes and character statements, which support the rich character and sense of place in Hunter’s Hill LGA.

The LEP and DCP review will also assist to facilitate the following items within Housing Priority 3 of the Local Housing Strategy:

- New development considers local character and heritage character.
- Detailed character work informs protection of significant environmental, aesthetic and social values.

With regard to addressing administrative errors within an LEP as proposed, page 14 of the LEP Making Guideline outlines a description and timeframes associated with this process, which have been considered as part of the development of this PP.

It can also be noted that both LEPs and DCPs should be reviewed every 5 years in accordance with section 3.12 of the *Environmental Planning and Assessment Act 1979*. The subject review process is intended to ensure Council’s LEP and DCP review is being undertaken as required in accordance with the *Environmental Planning and Assessment Act 1979*.

*Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

This PP relates to updates to the LEP to meet the objectives and intended outcomes as outlined within Part 1 of this PP. As such, there is no other way to achieve the objectives and intended outcomes as outlined within this PP.

## Section B – Relationship to Strategic Planning Framework

*Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

Yes. Chapter 6 of the North District Plan, which gives effect to the Greater Sydney Region Plan, requires ‘councils to update local environmental plans through the development of their local strategic planning statements and other relevant plans and policies’. This PP is an action of Council’s adopted LSPS and as such the current review of the LEP is in accordance with the North District Plan and the wider regional strategic planning framework.

The consistency of this PP with relevant objectives contained within the Greater Sydney Region Plan and the North District Plan are outlined within Tables 4 and 5 below respectively.

Greater Sydney Region Plan

**Table 4: Consistency of this PP with applicable Greater Sydney Region Plan Objectives**

Objective	Consistency with this PP
Objective 13 - Environmental heritage is identified, conserved and enhanced	As detailed within Part 2, this PP incorporates proposed amendments to heritage provisions which will seek to conserve and enhance environmental heritage.
Objective 25 – The coast and waterways are protected and healthier	This PP incorporates proposed amendments to the objectives and additional local provisions contained within the LEP. These proposed amendments seek to further enhance stormwater quality and further protect terrestrial biodiversity, riparian land and adjoining waterways and foreshore areas in line with the intent of the Parramatta River Masterplan and further strengthen provisions to protect the environment. These proposed amendments will assist to facilitate waterways that are protected and healthier.
Objective 27 – Biodiversity is protected, urban bushland and remnant vegetation is enhanced	This PP incorporates proposed amendments to the objectives and additional local provisions contained within the LEP. These proposed amendments seek to further protect terrestrial biodiversity, riparian land and adjoining waterways and foreshore areas in line with the intent of the Parramatta River Masterplan and further strengthen provisions to protect the environment. These proposed amendments will assist to protect and enhance biodiversity, urban bushland and remnant vegetation.
Objective 28 – Public open space is accessible, protected and enhanced	Proposed amendments to the RE1 land use table as outlined within this PP will seek to further enhance functionality and accessibility of public open space through facilitating a wider range of uses within public recreation areas.

North District Plan

**Table 5: Consistency of this PP with applicable North District Plan Planning Priorities**

Planning Priority	Consistency with this PP
Planning Priority N6 - Creating and renewing great places and local centres, and respecting the District's heritage	This PP incorporates proposed amendments to Clause 5.10 of the LEP which would seek to facilitate protection and enhancement of heritage.

Planning Priority N15 - Protecting and improving the health and enjoyment of Sydney Harbour and the District's waterways	This PP incorporates proposed amendments to the objectives and additional local provisions contained within the LEP. These proposed amendments seek to further enhance stormwater quality and further protect terrestrial biodiversity, riparian land and adjoining waterways and foreshore areas in line with the intent of the Parramatta River Masterplan and further strengthen provisions to protect the environment. These proposed amendments will assist to facilitate protection and improvement of the health and enjoyment of Sydney Harbour and the District's waterways.
Planning Priority N16 - Protecting and enhancing bushland and biodiversity	This PP incorporates proposed amendments to the objectives and additional local provisions contained within the LEP. These proposed amendments seek to further protect terrestrial biodiversity, riparian land and adjoining waterways and foreshore areas in line with the intent of the Parramatta River Masterplan and further strengthen provisions to protect the environment. These proposed amendments will assist to facilitate protection and enhancement of bushland and biodiversity.
Planning Priority N17 - Protecting and enhancing scenic and cultural landscapes	As detailed within Part 2 of this PP, a number of LEP amendments are proposed which would seek to protect and enhance scenic and cultural landscapes through strengthening of provisions related to the conservation and enhancement of heritage, character and the natural environment.
Planning Priority N23 - Preparing local strategic planning statements informed by local strategic planning	As outlined within Table 1 of this PP, this PP seeks to give effect to the LSPS.

*Q4. Will the planning proposal give effect to a Council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?*

Yes. This PP is one of a number of proposed LEP amendments outlined within the LSPS.

*Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?*

As detailed above the PP is consistent with the North District Plan. The PP is also not inconsistent with any other applicable State and regional studies or strategies.

*Q6. Is the planning proposal consistent with the applicable State Environmental Planning Policies (SEPPs)?*

Consideration of potentially applicable SEPPs has been undertaken within Table 5 below. As detailed within Table 6, the PP is generally consistent with the SEPPs.

**Table 6 - Assessment Against Potentially Applicable State Environmental Planning Policies (SEPPs)**

State Environmental Planning Policy	Applicable/Not Applicable	Comments
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Applicable	<p>This PP does not seek to facilitate clearing of vegetation or enact any type of specific land development regulated under the SEPP.</p> <p>However, the PP does seek to protect biodiversity values, preserve amenity through the preservation of trees and other vegetation, protect and enhance water quality and preserve access to foreshore land along with promoting various other conservation objectives outlined within the SEPP.</p>
State Environmental Planning Policy (Housing) 2021	Applicable	The PP would not seek to enact any specific housing development. However, the subject LEP review has been undertaken in consideration of the provisions of the SEPP, including recommendation for removal of a number of Additional Permitted Uses within Schedule 1 of the LEP where those uses are permitted under the SEPP.
State Environmental Planning Policy (Planning Systems) 2021	Not Applicable	The PP does not seek to enact State and Regional Development or development of Aboriginal Land as defined by the SEPP.
State Environmental Planning Policy (Resources and Energy) 2021	Not Applicable	The PP is unlikely to have any implication for mining, petroleum production and extractive industries.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Applicable	The provisions of the PP would not seek to enact any specific development that would affect or be impacted by this SEPP. However, development proposals within the LGA would continue to be subject to the relevant provisions of this SEPP.
State Environmental Planning Policy (Resilience and Hazards) 2021	Not Applicable	This PP does not seek enact any type of specific land development regulated under the SEPP.

Q7. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Consideration of section 9.1 directions has been undertaken within Table 6 below. As detailed within Table 7, the PP is generally consistent with the applicable directions.

**Table 7: Assessment against Section 9.1 Ministerial Directions**

No	Direction	Objective	Applicable	Consistency	Comment
Planning Systems					
1.1	Implementation of Regional Plans	The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions, and actions contained in Regional Plans.	Yes	Yes	The planning proposal gives effect to the objectives of the North District Plan 2056.
1.2	Development of Aboriginal Land Council Land	The objective of this direction is to provide for the consideration of development delivery plans prepared under Chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021 when planning proposals are prepared by a planning proposal authority.	No	N/A	The PP does not seek to enact or impact upon delivery plans prepared under chapter 3 of the State Environmental Planning Policy (Planning Systems) 2021.
1.3	Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	Yes	Yes	The PP does not seek to result in concurrence from the Minister or referral authorities.
1.4	Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	No	N/A	This direction applies to all relevant planning authorities when preparing a planning proposal that will allow a particular development to be carried out. As can be noted within Part 2 of this PP, this Direction is

No	Direction	Objective	Applicable	Consistency	Comment
					not relevant as the proposal would not allow a particular development to be carried out.
1.4A	Exclusion of Development Standards from Variation	The objective of this direction is to maintain flexibility in the application of development standards by ensuring that exclusions from the application of clause 4.6 of a Standard Instrument Local Environmental Plan (Standard Instrument LEP) or an equivalent provision of any other environmental planning instrument, are only applied in limited circumstances.	Yes	Yes	The PP does not seek to introduce or alter an existing exclusion to clause 4.6 of a Standard Instrument LEP or an equivalent Provision.
1.5	Parramatta Road Corridor Urban Transformation Strategy	The objectives of this direction are to: (a) facilitate development within the Parramatta Road Corridor that is consistent with the Parramatta Road Corridor Urban Transformation Strategy (November, 2016), the Parramatta Road Corridor Implementation Tool Kit, and the Parramatta Road Corridor Urban Transformation Implementation Update 2021, (b) provide a diversity of jobs and housing to meet the needs of a broad cross-section of the community, and	No	N/A	The LGA is located outside of the Parramatta Road Corridor Urban Transformation Strategy area.

No	Direction	Objective	Applicable	Consistency	Comment
		(c) guide the incremental transformation of the Parramatta Road Corridor in line with the delivery of necessary infrastructure.			
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	The objective of this direction is to ensure development within the North West Priority Growth Area is consistent with the North West Priority Growth Area Land Use and Infrastructure Strategy (the Strategy).	No	N/A	The LGA is located outside of the North West Priority Growth area.
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	The objective of this direction is to ensure development within the Greater Parramatta Priority Growth Area is consistent with the Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan dated July 2017 (the Interim Plan).	No	N/A	The LGA is located outside of the Greater Parramatta Priority Growth area.
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	The objective of this direction is to ensure development within the Wilton Priority Growth Area is consistent with the Wilton Interim Land Use and Infrastructure Implementation Plan and Background Analysis.	No	N/A	The LGA is located outside of the Wilton Priority Growth Area.



No	Direction	Objective	Applicable	Consistency	Comment
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	The objective of this direction is to ensure development within the precincts between Glenfield and Macarthur is consistent with the plans for these precincts.	No	N/A	The LGA is located outside of the Glenfield to Macarthur Urban Renewal Corridor.
1.10	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	The objective of this direction is to ensure development within the Western Sydney Aerotropolis is consistent with the Western Sydney Aerotropolis Plan dated September 2020.	No	N/A	The LGA is located outside of the Western Sydney Aerotropolis area.
1.11	Implementation of Bayside West Precincts 2036 Plan	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 Precincts 2036 Plan (the Plan).	No	N/A	The LGA is located outside of the Bayside West Precincts.
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	The objective of this direction is to ensure development within the Cooks Cove Precinct is consistent with the Cooks Cove Planning Principles.	No	N/A	The LGA is located outside of the Cooks Cove Precinct area.
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	The objective of this direction is to ensure development within the St Leonards and Crows Nest Precinct is consistent with the St Leonards and Crows Nest 2036 Plan (the Plan).	No	N/A	The LGA is located outside of the St Leonards and Crows Nest 2036 Plan area.

No	Direction	Objective	Applicable	Consistency	Comment
1.14	Implementation of Greater Macarthur 2040	The objective of this direction is to ensure that development within the Greater Macarthur Growth Area is consistent with: (a) Greater Macarthur 2040 dated November 2018, (b) the Greater Macarthur Growth Area Structure Plan 2022 (Structure Plan), and (c) the Guide to the Greater Macarthur Growth Area (Guide).	No	N/A	The LGA is located outside of the Greater Macarthur growth area.
1.15	Implementation of the Pyrmont Peninsula Place Strategy	The objectives of this direction are to: (a) facilitate development within the Pyrmont Peninsula that is consistent with the Pyrmont Peninsula Place Strategy (Place Strategy) and the Economic Development Strategy, (b) align the planning framework with the Eastern City District Plan Planning Priority E7 Growing a Stronger and More Competitive Harbour CBD and actively support the consistent delivery of objectives in the Eastern City District Plan and Greater Sydney Region Plan, and	No	N/A	The LGA is located outside of the Pyrmont Peninsula Place Strategy area.

No	Direction	Objective	Applicable	Consistency	Comment
		(c) guide growth and change balanced with character, heritage, and infrastructure considerations (amongst others) across the Peninsula under the Place Strategy.			
1.16	North West Rail Link Corridor Strategy	The objectives of this direction are to: (a) promote transit-oriented development and manage growth around the eight train stations of the North West Rail Link (NWRL), and (b) ensure development within the NWRL corridor is consistent with the proposals set out in the NWRL Corridor Strategy and precinct Structure Plans.	No	N/A	The LGA is located outside of the North West Rail Link Corridor Strategy area.
1.17	Implementation of Bayside West Place Strategy	The objectives of this direction are to: (a) facilitate development within the Bays West precinct that is consistent with the Bays West Place Strategy (Place Strategy) and the Urban Design Framework (which includes the Sustainability Framework and Connecting with Country Framework), (c) actively support the consistent delivery of	No	N/A	The LGA is located outside of the Bayside West Place Strategy area.

No	Direction	Objective	Applicable	Consistency	Comment
		objectives in the Eastern City District Plan and Greater Sydney Region Plan, and (d) guide growth and change balanced with character, Indigenous and European heritage, working harbour and infrastructure considerations across the Bays West precinct under the Place Strategy.			
1.18	Implementation of the Macquarie Park Innovation Precinct	The objective of this direction is to ensure development within the Macquarie Park Innovation Precinct is consistent with the Macquarie Park Innovation Precinct Place Strategy (Place Strategy) and Macquarie Park Innovation Precinct Strategic Master Plan (Master Plan).	No	N/A	The LGA is located outside of the Macquarie Park Innovation Precinct that is located to the northwest of the Hunters Hill LGA.
1.19	Implementation of the Westmead Place Strategy	The objectives of this direction are to: (a) facilitate development within the Westmead and Parramatta North precincts that is consistent with the Westmead Place Strategy, and (b) actively support the consistent delivery of objectives in the Central City District Plan and Greater Sydney Region Plan.	No	N/A	The LGA is located outside of the Westmead Place Strategy area.

No	Direction	Objective	Applicable	Consistency	Comment
1.20	Implementation of the Camellia-Rosehill Place Strategy	The objectives of this direction are to: (a) facilitate development within the Camellia-Rosehill precinct that is consistent with the Camellia-Rosehill Place Strategy, (b) guide growth and change in the Camellia-Rosehill precinct in a coordinated manner, that delivers appropriate infrastructure and retains the precinct's role as an employment hub, and (c) actively support the consistent delivery of objectives in the Central City District Plan and Greater Sydney Region Plan.	No	N/A	The LGA is located outside of the Camellia-Rosehill Place Strategy area.
1.21	Implementation of South West Growth Area Structure Plan	The objective of this direction is to ensure that development within the South West Growth Area (also referred to as the South West Growth Centre) is consistent with Structure Plan and Guide dated December 2022.	No	N/A	The LGA is located outside of the South West Growth Area Structure Plan area.
1.22	Implementation of the Cherrybrook Station Place Strategy	The objectives of this direction are to: (a) facilitate development within the Cherrybrook Station Precinct that is consistent with	No	N/A	The LGA is located outside of the Cherrybrook Station Place Strategy area.

No	Direction	Objective	Applicable	Consistency	Comment
		the Cherrybrook Station Precinct Place Strategy, and (b) actively support the consistent delivery of objectives in the North District Plan and Greater Sydney Region Plan.			
Design and Place					
N/A					
Biodiversity and Conservation					
3.1	Conservation Zones	The objective of this direction is to protect and conserve environmentally sensitive areas.	Yes	Yes	The PP seeks to facilitate the protection and enhancement of environmentally sensitive areas and will not reduce the conservation standards that apply to land within the LGA.
3.2	Heritage Conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and Indigenous heritage significance.	Yes	Yes	The PP contains provisions that facilitate the conservation of areas of heritage significance.
3.3	Sydney Drinking Water Catchment	The objective of this direction is to provide for healthy catchments and protect water quality in the Sydney drinking water catchment.	No	N/A	The LGA is located outside of the areas identified in the Ministerial Direction.
3.4	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	The objective of this direction is to ensure that a balanced and consistent approach is taken when applying conservation zones and overlays to land on the NSW Far North Coast.	No	N/A	The LGA is not located within the Far North Coast.

No	Direction	Objective	Applicable	Consistency	Comment
3.5	Recreational Vehicle Areas	The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	No	N/A	The PP does not seek to enable land to be developed for the purpose of a recreation vehicle area.
3.6	Strategic Conservation Planning	The objective of this direction is to protect, conserve or enhance areas with high biodiversity value.	No	N/A	The PP does not apply to land that is identified as avoided land or a strategic conservation area.
3.7	Public Bushland	The objective of this direction is to protect bushland in urban areas, including rehabilitated areas, and ensure the ecological viability of the bushland, by: (a) preserving: i. biodiversity and habitat corridors, ii. links between public bushland and other nearby bushland, iii. bushland as a natural stabiliser of the soil surface, iv. existing hydrological landforms, processes, and functions, including natural drainage lines, watercourses, wetlands, and foreshores,	Yes	Yes	The PP would seek to protect bushland in urban areas, including rehabilitated areas, and ensure the ecological viability of the bushland in accordance with this direction. This would be achieved through strengthening conservation provisions within the LEP applying to the LGA, as outlined within this PP.

No	Direction	Objective	Applicable	Consistency	Comment
		v. the recreational, educational, scientific, aesthetic, environmental, ecological, and cultural values, and potential of the land, and (b) mitigating disturbance caused by development, (c) giving priority to retaining public bushland.			
3.8	Willandra Lakes Region	The objectives of this direction are to: (a) protect, conserve, and manage the Willandra Lakes Region World Heritage Property (World Heritage Property) in accordance with a strategic plan of management prepared for World Heritage Property, and (b) establish a consultation process for making decisions on conservation and development within the World Heritage Property.	No	N/A	The LGA is not located within the Willandra Lakes World Heritage Property.
3.9	Sydney Harbour Foreshores and Waterways Area	The objectives of this direction are to: (a) protect and enhance the natural assets and unique environmental, scenic, and visual qualities of Sydney	Yes	Yes	The PP does not seek to enact any particular development activity. Rather, the PP seeks to protect and enhance the qualities of the Sydney Harbour and its foreshores in accordance with this direction as detailed within this document.



No	Direction	Objective	Applicable	Consistency	Comment
		Harbour and its islands and foreshores (b) minimise risk to development from rising sea levels or changing flood patterns as a result of climate change (c) ensure the protection, maintenance and rehabilitation of watercourses, wetlands, riparian lands, remnant vegetation and ecological connectivity (d) protect or enhance terrestrial and aquatic species, populations and ecological communities, including by avoiding physical damage to, or shading of, aquatic vegetation, (e) promote the equitable use of the Foreshores and Waterways Area (f) protect the cultural heritage significance of Sydney Harbour, its islands and foreshores (g) ensure a prosperous working harbour and effective transport corridor; and (h) encourage a culturally rich and vibrant place for people.			

No	Direction	Objective	Applicable	Consistency	Comment
3.10	Water Catchment Protection	<p>The objectives of this direction are to:</p> <p>(a) maintain and improve the water quality (including ground water) and flows of natural waterbodies, and reduce urban run-off and stormwater pollution</p> <p>(b) protect and improve the hydrological, ecological, and geomorphological processes of natural waterbodies and their connectivity</p> <p>(c) protect and enhance the environmental quality of water catchments by managing them in an ecologically sustainable manner, for the benefit of all users</p> <p>(d) protect, maintain and rehabilitate watercourses, wetlands, riparian lands and their vegetation and ecological connectivity.</p>	No	N/A	The LGA is located outside of any water catchment areas.
Resilience and Hazards					
4.1	Flooding	<p>The objectives of this direction are to:</p> <p>(a) ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain</p>	No	N/A	The PP does not seek to enact any particular development activity or to rezone land. The PP is also unlikely to have any impact on flooding or flood impacts.

No	Direction	Objective	Applicable	Consistency	Comment
		Development Manual 2005, and (b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.			
4.2	Coastal Management	The objective of this direction is to protect and manage coastal areas of NSW.	No	N/A	The PP does not seek to enact any particular development activity or to rezone land.
4.3	Planning for Bushfire Protection	The objectives of this direction are to: (a) protect life, property, and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) encourage sound management of bush fire prone areas.	No	N/A	The PP does not seek to enact any particular development activity or to rezone land. The PP is also unlikely to impact upon bushfire risk.
4.4	Remediation of Contaminated Lands	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.	No	N/A	The PP does not seek to enact any particular development activity or to rezone land. The PP is also unlikely to impact upon contaminated land risk.
4.5	Acid Sulfate Soils	The objective of this direction is to avoid significant adverse	No	N/A	The PP does not seek to enact any particular development activity or to rezone land. The

No	Direction	Objective	Applicable	Consistency	Comment
		environmental impacts from the use of land that has a probability of containing acid sulfate soils.			PP is also unlikely to impact upon acid sulfate soil risk.
4.6	Mine Subsidence & Unstable Land	The objective of this direction is to prevent damage to life, property and the environment on land identified as unstable or potentially subject to mine subsidence.	No	N/A	The LGA is not located within a Mine Subsidence Area or unstable land.
Transport and Infrastructure					
5.1	Integrating Land Use & Transport	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: (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	Yes	Yes	The PP does not seek to enact any particular development activity or to rezone land. However, the PP seeks to better align existing provisions of the LEP with ' <i>Improving Transport Choice – Guidelines for planning and development (DUAP 2001)</i> ' and ' <i>The Right Place for Business and Services – Planning Policy (DUAP 2001)</i> ' as detailed within this document.

No	Direction	Objective	Applicable	Consistency	Comment
		(d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.			
5.2	Reserving Land for Public Purposes	The objectives of this direction are to: (a) facilitate the provision of public services and facilities by reserving land for public purposes, and (b) facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.	Yes	Yes	The PP does not seek to alter land available for public purposes.
5.3	Development Near Regulated Airports and Defence Airfields	The objectives of this direction are to: (a) ensure the effective and safe operation of regulated airports and defence airfields; (b) ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and (c) ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that the development is not	No	N/A	The LGA is not located in close proximity to any airports or airfields.

No	Direction	Objective	Applicable	Consistency	Comment
		adversely affected by aircraft noise.			
5.4	Shooting Ranges	The objectives of this direction are to: (a) maintain appropriate levels of public safety and amenity when rezoning land adjacent to an existing shooting range, (b) reduce land use conflict arising between existing shooting ranges and rezoning of adjacent land, (c) identify issues that must be addressed when giving consideration to rezoning land adjacent to an existing shooting range.	No	N/A	The LGA is not located in close proximity to any shooting ranges.
Housing					
6.1	Residential Zones	The objectives of this direction are to: (a) encourage a variety and choice of housing types to provide for existing and future housing needs, (b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) minimise the impact of residential development on	No	N/A	The PP does not seek to enact any particular development activity or to rezone land.

No	Direction	Objective	Applicable	Consistency	Comment
		the environment and resource lands.			
6.2	Caravan Parks and Manufactured Home Estates	The objectives of this direction are to: (a) provide for a variety of housing types, and (b) provide opportunities for caravan parks and manufactured home estates.	No	N/A	The PP does not seek to rezone land and is unlikely to impact upon any caravan parks or manufactured home estates.
Industry and Employment					
7.1	Business and Industrial Zones	The objectives of this direction are to: (a) encourage employment growth in suitable locations, (b) protect employment land in employment zones, and (c) support the viability of identified centres.	No	N/A	The PP does not seek to rezone land or reduce the total potential floor space area for employment uses, related public services or reduce the total potential floor space area in employment zones.
7.2	Reduction in Non-hosted Short-term Rental Accommodation Period	The objectives of this direction are to: (a) mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced, and (b) ensure the impacts of short-term rental accommodation and views of the community are considered.	No	N/A	The PP is not within the Byron Shire Council LGA as outlined within this section 9.1 Direction.

No	Direction	Objective	Applicable	Consistency	Comment
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	The objectives for managing commercial and retail development along the Pacific Highway are to: (a) protect the Pacific Highway's function, that is to operate as the North Coast's primary inter- and intra-regional road traffic route, (b) prevent inappropriate development fronting the highway, (c) protect public expenditure invested in the Pacific Highway, (d) protect and improve highway safety and highway efficiency, (e) provide for the food, vehicle service and rest needs of travellers on the highway, and (f) reinforce the role of retail and commercial development in town centres, where they can best serve the populations of the towns.	No	N/A	The PP will not impact on development along the Pacific Highway.
Resources & Energy					
8.1	Mining, Petroleum Production and Extractive Industries	The objective of this direction is to ensure that the future extraction of state or regionally significant reserves of coal, other minerals,	No	N/A	The PP will not impact on any petroleum production or extractive industries.



No	Direction	Objective	Applicable	Consistency	Comment
		petroleum and extractive materials are not compromised by inappropriate development.			
Primary Production					
9.1	Rural Zones	The objective of this direction is to protect the agricultural production value of rural land.	No	N/A	The PP does not impact upon land zoned for rural purposes.
9.2	Rural Lands	The objectives of this direction are to: (a) protect the agricultural production value of rural land, (b) facilitate the orderly and economic use and development of rural lands for rural and related purposes, (c) assist in the proper management, development, and protection of rural lands to promote the social, economic, and environmental welfare of the State, (d) minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses, (e) encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land,	No	N/A	The PP does not impact upon land zoned for rural purposes.

No	Direction	Objective	Applicable	Consistency	Comment
		(f) support the delivery of the actions outlined in the NSW Right to Farm Policy.			
9.3	Oyster Aquaculture	The objectives of this direction are to: (a) ensure that 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal, and (b) protect 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.	No	N/A	The PP will not impact upon Priority Oyster Aquaculture Areas.
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	The objectives of this direction are to: (a) ensure that the best agricultural land will be available for current and future generations to grow food and fibre, (b) provide more certainty on the status of the best agricultural land, thereby assisting councils with their local strategic settlement planning, and	No	N/A	The LGA is not within the NSW Far North Coast.

No	Direction	Objective	Applicable	Consistency	Comment
		(c) reduce land use conflict arising between agricultural use and non-agricultural use of farmland as caused by urban encroachment into farming areas.			

## Section C – Environmental, Social and Economic Impact

*Q8. 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 PP seeks to facilitate the protection and enhancement of environmentally sensitive areas and will not reduce the conservation standards that apply to land within the LGA. As such, the PP is unlikely to adversely affect critical habitat or threatened species, populations or ecological communities, or their habitats.

*Q9. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

The PP does not seek to enact any specific type of development or to rezone land. Rather, the PP substantially seeks to amend anomalies and errors, improve the ability to interpret the LEP and facilitate the protection and enhancement of the environment, character and heritage of the LGA. As such, there are not likely to be any other likely environmental effects as a result of the PP.

*Q10. How has the planning proposal adequately addressed any social and economic effects?*

The PP does not seek to enact any specific type of development or to rezone land. Rather, the PP substantially seeks to amend anomalies and errors, improve the ability to interpret the LEP and facilitate the protection and enhancement of the environment, character and heritage of the LGA. As such, any potential social and economic effects of the PP are likely to be limited but also positive.

## Section D – State and Commonwealth Interests

*Q11. Is there adequate public infrastructure for the planning proposal?*

The PP does not seek to enact any specific type of development or to rezone land. Rather, the PP substantially seeks to amend anomalies and errors, improve the ability to interpret the LEP and facilitate the protection and enhancement of environment, character and heritage of the LGA. As such, any potential public infrastructure effects of the PP are likely to be limited but also positive.

*Q12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?*

A Gateway Determination has not yet been issued for this PP. Relevant authorities will be consulted in accordance with the requirements of the Gateway Determination. The views of consulted public authorities will be summarised and addressed as appropriate in the final PP.

## Part 4 Mapping

No mapping amendments are proposed in relation to this Planning Proposal.

## Part 5 Community Consultation

Initial consultation in relation to the LEP and DCP review commenced in March 2023. This consultation included a community meeting which was held on the evening of 15 March 2023 at the Hunters Hill Town Hall.

Following the abovementioned community meeting, submissions were invited and were received from the community until 29 May 2023.

Feedback provided by stakeholders as detailed above has been collated, reviewed and considered as part of the LEP and DCP review process.

Redacted submissions that have been received as a result of the above consultation are attached to the report to Council's 23 October 2023 Ordinary Meeting, along with a summary of the issues raised and associated responses.

In addition to the above, a submission was also received from the Conservation Advisory Panel on 11 July 2023 which was also considered as part of this process. This submission was also attached to the report to Council's 23 October 2023 Ordinary Meeting.

Following its review of the LEP Scoping Proposal developed to inform this PP, at its Ordinary Meeting of 23 October 2023 Council Resolved:

4. ....That the attached Scoping Proposal be made available on Council's website and by correspondence to all previous registered stakeholders for 14 days....

In accordance with this Resolution, Council invited the community to comment and provide feedback on the LEP Scoping Proposal between 24 October and 7 November 2023. Following this consultation, this matter was reported to Council's Ordinary Meeting of 27 November 2023. Redacted submissions that had been received as a result of the above consultation were attached to this report, along with a summary of the main issues raised and associated responses.

All feedback provided by stakeholders as detailed above has been collated, reviewed and considered as part of the LEP and DCP review process, including in the development and finalisation of the LEP Scoping Proposal and the development of this PP.

Should Council Resolve to seek a Gateway Determination in relation to this PP, and should such a Gateway Determination be issued, Council will place the PP on public exhibition for a period of not less than 28 days and undertake consultation with all stakeholders as directed, in accordance with conditions of the Gateway Determination.

## Part 6 Project Timeline

The following project timeline is intended to be a guide only and may be subject to changes (for example as a result of community consultation or third party/government agency timeframes).

**Table 8 - Project Timeline**

Task	Target Date
Report to Hunters Hill Local Planning Panel	August 2025
Report of Planning Proposal to Council seeking referral for Gateway Determination.	September 2025
Gateway Determination	October 2025
Consideration of Gateway Determination and preparation for public exhibition.	November – December 2025
Public agency consultation, public exhibition and assessment stage, which includes review of submissions.	January - April 2026
Planning Proposal finalisation and report to Council seeking consideration of submissions and finalisation of Planning Proposal. Referral to the NSW Government and notification.	May – June 2026

## Summary and Conclusion

This PP has been prepared by Council in relation to proposed amendments to the LEP in accordance with section 3.33 of the EP&A Act and the Local Environmental Plan Making Guideline. This PP is one of a number of proposed LEP amendments as outlined within the LSPS.

The PP does not seek to enact any specific type of development or to rezone land. Rather, the PP substantially seeks to amend anomalies and errors, improve the ability to interpret the LEP and facilitate the protection and enhancement of the environment, character and heritage of the LGA. As such, any potential impacts of the proposal are likely to be positive.

This LEP amendment is being sought concurrently with a review of the Hunters Hill Development Control Plan (DCP). This DCP review would seek to simplify the structure of the DCP, rectify anomalies within the document and better reflect and support the provisions of the LEP and relevant NSW Government legislation, guidelines and policies.

Initial consultation in relation to the LEP and DCP review commenced in March 2023. All feedback provided by stakeholders as a result of the initial consultation process has been collated, reviewed and considered as part of the LEP and DCP review process, including in the development and finalisation of the LEP Scoping Proposal and the development of this PP.

Should Council Resolve to seek a Gateway Determination in relation to this PP, and should such a Gateway Determination be issued, Council will place the PP on public exhibition for a period of not less than 28 days and undertake consultation with all stakeholders as directed, in accordance with conditions of the Gateway Determination.

This PP is intended to be reported to Council for consideration at its September 2025 Ordinary Meeting (seeking referral of this PP for Gateway Determination), with the subject LEP amendment process intended to be finalised by June 2026.

## Appendix 1 – Example Provisions

The final version of the provisions to be included within the LEP are subject to drafting and agreement with NSW Parliamentary Counsel's Office. However, examples of potential provisions which seek to achieve the objectives and intended outcomes of this PP are provided below.

Each of the proposed amendments sought through this PP are explained against each relevant clause of the LEP under the headings below. Proposed changes are highlighted. Where content is proposed to be included it has been underlined. Where content is proposed to be removed it has been crossed out.

### Clause 1.2 Aims

(2) *The particular aims of this Plan are as follows—*

- (a) to promote ecologically sustainable development.
- (b) to create a land use framework for controlling development in the municipality that -
  - i. allows detailed provisions to be made in any development control plan made by the Council.
  - and
  - ii. is consistent with the adopted Hunters Hill Local Strategic Planning Statement.
- (c) to maintain and enhance the character and identity of established neighbourhoods in ~~Hunters Hill~~ the municipality by regulating the use and development of land,
- (d) to maintain and enhance biodiversity values and corridors by conserving natural features and scenic qualities that distinguish the municipality, to protect, enhance and sustainably manage the biodiversity values and corridors, natural features, scenic qualities, water resources and ecological processes within the municipality for the benefit of current and future generations. This includes protection and enhancement of trees and vegetation.
- (e) to conserve Aboriginal heritage and European heritage that influence the character and identity of the municipality.
- (f) to accommodate a range of housing that will maintain the garden suburb character of the municipality, while responding to the needs of a growing population and changing demographics,
- (g) to consolidate housing growth in locations that are well-serviced by shops, transport and community services,
- (h) to ensure development considers and supports active and public transport.
- (i) to provide for employment and a variety of businesses that service residents of the municipality and surrounding areas,
- (j) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,
- (k) to maintain a network of ~~private and public~~ open spaces that conserve natural and scenic qualities and biodiversity as well as providing a variety of active and passive recreation opportunities for residents of the municipality and surrounding areas,



- (l) to accommodate a range of community and educational infrastructure for residents of the municipality and surrounding areas,
- (m) to promote high standards of urban and architectural design quality,
- (n) to protect and promote public access to and along the foreshores,
- (o) to maintain and improve water quality within the catchments of the municipality,
- (p) to facilitate adaptation to climate change and ensure sustainable building development,
- (q) to manage risks to the community and the environment in areas subject to natural hazards and risks,
- (r) to retain views to and from water and foreshore reserves and public areas from streets and residential lots,
- (s) to protect and enhance landform and vegetation, particularly foreshores and bushland, in order to maintain the landscape amenity of the municipality,
- (t) to manage change in a way that ensures an ecologically and economically sustainable urban environment in which the needs and aspirations of the community are prioritised,
- (u) to preserve and continue the garden suburb character of dwellings set in informal gardens including mature trees that distinguish the low density localities,
- (v) to minimise excavation and alteration of topography and manage impacts, including the potential impact of construction dewatering.

## Part 2 Permitted or prohibited development - Land use table

### Proposal

Amend the objectives of Zone R2 Low Density Residential as follows:

#### Zone R2 Low Density Residential

##### 1 Objectives of zone

- To provide for the housing needs of the community within a low-density residential environment dominated by vegetation with buildings recessed in general landscape settings.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain the identity and amenity of Hunters Hill the municipality by ensuring that new buildings are development is respectful of and compatible with the garden suburb character and heritage values that distinguish the low-density localities.
- To provide for and preserve high levels of amenity that are consistent with a low-density residential environment.
- To maintain the garden suburb character of dwellings set in informal gardens including mature trees that distinguish the low density localities.
- To maintain and restore the general dominance of landscape over built form, particularly in River Front Areas.
- To ensure that sites are of sufficient size to provide for buildings, vehicular and pedestrian access, landscaping and retention of natural topographical features.

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- To ensure that development is of a height and scale consistent with a low density residential environment.
- To encourage residential development that maintains or enhances local amenity and, in particular, public and private views.
- To minimise the adverse effects of bulk and scale of new development.

## 2 Permitted without consent

Home occupations; Roads.

## 3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Secondary dwellings; Tank-based aquaculture.

## 4 Prohibited

Any development not specified in item 2 or 3.

### Proposal

Amend objectives of R3 Medium Density zone as follows:

- **Remove** – ‘To ensure that development is compatible with the character and heritage of the locality’.
- **Add** – To ensure that the design of development provides and integrates with deep soil landscaping to reflect the garden suburb character of the municipality.

Proposed wording for LEP (with the proposed changes highlighted) is outlined below.

### R3 Medium Density Residential

#### 1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that development is compatible with the character and heritage of the locality.
- To ensure that the design of development provides and integrates with deep soil landscaping to reflect the garden and bushland character of the municipality.
- To provide for levels of amenity that are reasonable for a medium density residential environment.
- To provide for housing that is compatible with the desired future character of the area in terms of bulk, height and scale.
- To provide a transition between low density residential housing and higher density forms of development.

- To encourage residential development that is in keeping with local amenity, including public and private views.

**2 Permitted without consent** Home occupations; Roads

**3 Permitted with consent**

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Group homes; Home-based child care; Home businesses; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Residential flat buildings; Respite day care centres; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shop top housing; Tank-based aquaculture

**4 Prohibited**

Any other development not specified in item 2 or 3.

**RE1 Public Recreation**

**1 Objectives of zone**

- To enable land to be used for public open space or recreational purposes
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

**2 Permitted without consent**

Environmental facilities; Environmental protection works; Roads

**3 Permitted with consent**

Aquaculture; Community facilities; Information and education facilities; Kiosks; Markets; Recreation areas; Recreation facilities (outdoor); Restaurants or cafes; Take away food and drink premises;

**4 Prohibited** Any development not specified in item 2 or 3

**E1 Local Centre**

**1 Objectives of zone**

- To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.
- To encourage investment in local commercial development that generates employment opportunities and economic growth.
- To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To enhance the viability, vitality and amenity of the local centres while protecting and enhancing the village character.
- To manage potential impacts of non-residential uses on the amenity of adjacent residential areas, having regard to building design, operation and activities, traffic generation and the car parking capacity of local roads.

- To maintain the local character and heritage and enhance the village atmosphere of local centres by managing the height, bulk and scale of buildings and ensuring that new or altered buildings reflect the proportions of surrounding traditional shop fronts.
- To encourage development that is compatible with the centre's position on the hierarchy of local centres.

#### Zone MU1 Mixed Use

##### 1 Objectives of zone

- To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To ensure that new buildings provide an appropriate transition between employment zones and surrounding residential localities.
- To maximise active and public transport opportunities.

#### Part 4 Principal development standards

##### Proposal

##### 4.1 Minimum subdivision size

##### Make the following amendments to Clause 4.1:

(1) the objectives of this clause are as follows-

- (a) to soften visual impacts of residential developments when viewed from any waterway, park, neighbouring property or road by providing sufficient generous space for trees and plantings around every building.
- (b) to accommodate residential developments that would be compatible with size, scale and existing character of surrounding buildings and the locality.
- (2) This clause applies to a subdivision of any land shown on the [Lot Size Map](#) that requires development consent and that is carried out after the commencement of this Plan.
- (3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.

**(3a) If a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size.**

**(3b) For the avoidance of doubt, this clause applies to the subdivision of land for the purpose of a dual occupancy.**

(4) This clause does not apply in relation to the subdivision of any land —

- (a) by the registration of a strata plan or strata plan of subdivision under the [Strata Schemes Development Act 2015](#), or
- (b) by any kind of subdivision under the [Community Land Development Act 2021](#).

##### 4.3 Height of buildings

**Make the following amendments to Clause 4.3 (a):**

The objectives of this clause are as follows-

- (a) ~~to specify limits for~~ **to ensure** the size and scale of development ~~that would be~~ **are** compatible with the character and amenity ~~and potential~~ of particular locations,
- (e) to protect existing dwellings **and neighbouring properties** from ~~excessive~~ overshadowing, loss of privacy, obstruction of views and general visual impacts.

**4.3A Height of buildings (additional provisions)**

**(1A) The objectives of this clause are as follows—**

**(a) to provide for view sharing,**

**(b) to minimise the adverse effects of the bulk and scale of buildings, particularly on streetscape character,**

**(1) This clause applies to all land in Zone R2 Low Density Residential or Zone R3 Medium Density Residential to which a maximum building height of 8.5 metres applies as shown on the Height of Buildings Map.**

**(2) No building may be erected on land to which this clause applies if the building is more than 8.5 metres in height or has more than two storeys above ground level (existing).**

**(3) However, the consent authority may grant development consent for an additional storey in the basement of a building on land to which this clause applies if the consent authority is satisfied that the building height and bulk is of an appropriate form and scale and environmental impacts are minimal.**

**(4) A building on land to which this clause applies must not have a wall height, at any point of the building (other than at a chimney, gable end or dormer window), that exceeds 7.2 metres.**

**(5) In this clause—**

***dormer window* means a window in the roof plane that measures no more than 25% of the width of the roof in that plane, or 1.8 metres, whichever is less.**

***wall height* means the vertical distance from ground level (existing) to the underside of the eaves at the wall line or parapet, whichever is highest.**

**Proposal**

**4.4 Floor space ratio**

**Make the following amendments to Clauses 4.4 (a) and (d):**

(1) The objectives of this clause are as follows-

- (a) to specify limits for the size of development ~~that would be~~ **to achieve** compatibility ~~ity~~ with the character and potential of particular locations,
- (d) to ~~encourage~~ **ensure** buildings that maximise the proportion of the site area that ~~may be~~ **is** retained ~~or established~~ as landscaped area,
- (e) to minimise adverse effects of bulk and scale of buildings.**

(f) to limit excavation of sites and retain natural ground levels for the purpose of landscaping, biodiversity and containing urban run-off.

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the [Floor Space Ratio Map](#).

(2A) Despite subclause (2), if a dwelling house on any land complies with clause 4.3, in respect of height, and clause 6.9, in respect of landscaping, there is no maximum floor space ratio for that dwelling house.

(2BA) Despite subclause (2), the maximum floor space ratio for a building being used for one of the following purposes is—

- (a) a dual occupancy—0.5:1,
- (b) multi dwelling housing—0.6:1.

#### **Proposal**

#### **4.5 Calculation of floor space ratio and site area**

... (3) **Site area** In determining the site area of proposed development for the purpose of applying a floor space ratio, the **site area** is taken to be—

- (a) if the proposed development is to be carried out on only one lot, the area of that lot, or
- (b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.

For the purpose of calculating the site area of a battle-axe lot, the area of the access handle is excluded.

In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.

#### **Clause 5.10 Heritage conservation**

Make the following amendments to Clause 5.10 (1) (a), (4) and (5):

(1) **Objectives** The objectives of this clause are as follows-

- (a) to ensure the conservation and enhancement of the environmental heritage and character of Hunter Hill the municipality...

### **Part 6 Additional local provisions**

#### **Clause 6.3 Stormwater management**

#### **Stormwater Management and Water Sensitive Urban Design**

1) The objectives of this clause are as follows:

- (a) to minimise the adverse impacts of stormwater runoff and diffuse stormwater pollution downstream of new development
- (b) to ensure that development on properties adjoining bushland, riparian land or other areas of native vegetation is designed to minimise the impacts of stormwater runoff into those areas
- (c) to ensure that new development contributes to achieving the NSW Water Quality Objectives
- (d) to improve the health of the Parramatta River and Lane Cove River

- (e) to protect and enhance the values of all waterways in the Parramatta and Lane Cove River catchments
- 2) This clause applies to all areas of the municipality.
- 3) Development consent must not be granted to development on any land unless the consent authority is satisfied that the development:
  - (a) is designed to maximise pervious surfaces and vegetation coverage
  - (b) is designed to reduce the quantity (volume) of stormwater discharged from the land, including:
    - i. maximising the harvesting and use of rainwater and/or stormwater for appropriate non-potable end uses, reducing the quantity of runoff
    - ii. maximising infiltration and evapotranspiration, having regard to the soil characteristics affecting on-site infiltration of water
  - (c) is designed to avoid, mitigate or offset stormwater quality impacts
  - (d) will avoid, mitigate or offset any adverse impacts of stormwater runoff on adjoining properties, native bushland, waterways and groundwater systems
  - (e) is designed in keeping with the principles of water sensitive urban design.
- 4) For the purposes of subclause (3)(e), the water sensitive urban design principles are—
  - (a) minimising demand on Sydney's centralised water supply system
  - (b) minimising wastewater discharge
  - (c) minimising stormwater runoff
  - (d) improving the quality of remaining stormwater runoff to a standard suitable to meet downstream water quality objectives
  - (e) minimising harmful impacts of urban development on surface and groundwater flow regimes
  - (f) protecting and enhancing natural waterways
  - (g) integration of stormwater management systems into the landscape in a manner that provides multiple benefits, including water quality protection, stormwater retention and detention, enhancement of ecological processes, habitat and biodiversity, urban heat mitigation, recreational value and visual amenity.

#### Clause 6.4 Terrestrial biodiversity

...(1) The objective of this clause is to protect, maintain and ~~improve~~ enhance the diversity and condition of native vegetation and habitat, including the following—...

#### Clause 6.5 Riparian land and adjoining waterways

##### Waterways and Riparian Land

- 1) The objectives of this clause are as follows —
  - (a) to protect or improve—
    - i. water quality within waterways, and

- ii. the stability of the bed and banks of waterways, and
  - iii. aquatic and riparian species, communities, populations and habitats, and
  - iv. ecological processes within waterways and riparian lands, and
  - v. scenic, recreational and cultural heritage values of waterways and riparian lands.
- (b) where practicable, to provide for the rehabilitation of existing piped or channelised waterways to a more natural state.
- (c) where practicable, to provide for improved habitat connectivity along riparian corridors.
- (d) where practicable, to provide for improved green grid (active transport and recreation) links along riparian corridors, having regard to protection of high value vegetation, including endangered ecological communities that occur within these corridors.
- 2) **This clause applies to riparian land.** Riparian land is identified by the presence of a waterway, where the presence of a waterway is either—
- (a) Identified in the NSW Government Hydroline dataset; or
  - (b) Identified via physical features that are consistent with the definition of a “river” within the *Water Management Act 2000*
- 3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider—
- (a) whether the development is likely to have an adverse impact on the following—
    - i. the water quality in any waterway,
    - ii. the natural flow regime, including groundwater flows to any waterway,
    - iii. aquatic and riparian species, populations, communities, habitats and ecosystems,
    - iv. the stability of the bed, shore and banks of any waterway,
    - v. the free passage of native aquatic and terrestrial organisms within or along any waterway and riparian land,
    - vi. public access to, and use of, any public waterway and its foreshores,
  - (b) any opportunities for rehabilitation or re-creation of any waterway and its riparian areas,
  - (c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- 4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—
- (a) is consistent with the objectives of this clause, and
  - (b) integrates riparian, stormwater and flooding measures, and
  - (c) is designed, sited and will be managed to avoid any potential adverse environmental impacts, and



- (d) if a potential adverse environmental impact cannot be avoided by adopting feasible alternatives—the development minimises or mitigates any such impact to a satisfactory extent.

#### Clause 6.6 Limited development on the foreshore

##### Foreshore area development

- 1) The objective of this clause is to:
  - (a) ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area, and
  - (b) connect recreational open space through a continuous public foreshore.
- 2) Development consent must not be granted for development on land in the foreshore area except for the following purposes—
  - (a) the extension, alteration or rebuilding of an existing building wholly or partly in the foreshore area,
  - (b) boat sheds, sea retaining walls, wharves, slipways, jetties, waterway access stairs, swimming pools, fences, cycleways, walking trails or picnic facilities.
- 3) Development consent must not be granted under subclause (2) unless the consent authority is satisfied that—
  - (a) the development will achieve the objectives for the zone in which the land is located, and
  - (b) the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be visually compatible and recessive with the surrounding area and preserve and enhance the natural environment, and
  - (c) the development will not cause environmental harm such as —
    - i. pollution or siltation of the waterway, and
    - ii. an adverse effect on surrounding uses, marine habitat, wetland areas, fauna and flora habitats, and
    - iii. an adverse effect on drainage patterns, and
    - iv. excessive clearing of native vegetation contiguous to adjacent foreshore or public open space, or fencing that would prevent the movement of fauna between such vegetation, and
  - (d) the development will not cause congestion or generate conflict between people using open space areas or the waterway, and
  - (e) opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and
  - (f) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and

(g) in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and

(h) sea level rise or change of flooding patterns as a result of climate change has been considered.

4) In deciding whether to grant consent for development in the foreshore area, the consent authority must consider whether and to what extent the development would encourage the following—

(a) continuous public access to and along the foreshore through or adjacent to the proposed development,

(b) public access to link with existing or proposed open space,

(c) public access to be secured by appropriate covenants, agreements or other instruments registered on the title to land,

(d) public access to be located above mean high water mark,

(e) the reinforcing of the foreshore character and respect for existing environmental conditions.

5) In this clause—

**foreshore area** means the land between the foreshore building line and the mean high water mark of the nearest natural waterbody.

**foreshore building line** means the line shown as the foreshore building line on the Foreshore Building Line Map.

**Note—**

State Environmental Planning Policy (Biodiversity and Conservation) 2021, Chapter 6 also applies to the Foreshores and Waterways Area within the meaning of the Chapter.

#### Clause 6.7 Development on river front areas

(1) The objectives of this clause are as follows—

(a) to identify river front areas that have particular scenic value when viewed from waterways and adjacent foreshore areas,

(a1) to recognise and protect this natural and visually significant environment,

(a2) to reinforce the dominance of landscape over built form,

(b) to ensure that development in these areas minimises visual impacts by appropriate siting and design of buildings together with the conservation of existing trees, vegetation and rocky outcrops,

(c) to maintain existing views and vistas towards to and from waterways from and public places.

(2) This clause applies to land identified as “River Front Area” on the [River Front Area Map](#).

(3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that—

(a) measures will be taken, including in relation to the location, design and appearance of the development and conservation of existing trees, to minimise the visual impact of the development to and from the nearest waterway or riverfront area, and

(b) any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out, and of surrounding land, will be maintained, and

(b1) the development will maintain the existing natural landscape and landform, and

(c) existing views towards waterways from public roads and reserves would not be obstructed.

**Note—**

[State Environmental Planning Policy \(Biodiversity and Conservation\) 2021](#), Chapter 6 also applies to the Foreshores and Waterways Area within the meaning of the Chapter.

**Clause 6.9 Landscaped areas for dwelling houses and secondary dwellings**

1. *The objectives of this clause are as follows—*

- (a) *to maintain the character and identity of Hunters Hill by ensuring that dwelling houses and secondary dwellings are surrounded and separated by individual gardens,*
- (b) *to soften the visual impacts of dwelling houses and secondary dwellings when viewed from any waterway, park or road by providing sufficient space for trees and plantings around every building,*
- (c) *to protect and preserve native vegetation in general, and in particular, native vegetation that occurs in a riverfront area or on riparian land*
- (d) *to ensure that the size and scale of dwelling houses and secondary dwellings are compatible with the existing character of their surrounding locality,*
- (e) *to minimise the discharge of stormwater from any site, whether by drainage or by overland flow.*

2. *The landscaped area of any site on which development for the purpose of a dwelling house or a secondary dwelling is carried out must not be less than —*

- (a) *for each site with a direct frontage to the Parramatta River or the Lane Cove River—60% of the site area, or*
- (b) *for all other sites—50% of the site area.*

3. *For the purposes of subclause (2), the site area is to be calculated under clause 4.5 (3) and any area that has a length or a width of less than 2 metres is not to be included in calculating the proportion of landscaped area.*

4. *The minimum landscaped area under subclause (2) may be reduced by a maximum of one third for the purpose of accommodating a pathway, a patio / terrace (unroofed) or a pool (if the pool has a water surface area of less than 40 square metres), but only if the consent authority is satisfied that the proposed development would be consistent with the objectives of this clause.*

**6.11 Development in local centres and mixed use areas**

(1) The objectives of this clause are as follows—

- (a) to ensure the scale and function of development in village and local centres are appropriate to the location.
- (b) to ensure development in village and local centres is compatible with the desired character, heritage values and amenity of surrounding development.
- (c) to facilitate the creation of walkable access to local daily needs, including local services, retail and neighbourhood supermarkets.

(2) This clause applies to land identified as Zone E1 Local Centre or MU1 Mixed Use on the Land Zoning Map.

(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered—

(a) the impact of the development on—

(i) the character, heritage values and amenity of surrounding residential areas, and

(ii) the desired character, heritage values and amenity of the local centre, and

(b) whether the development is consistent with providing for residents' daily needs within the hierarchy of village and local centres.

#### Schedule 1 Additional permitted uses

##### ~~1 Use of certain land at 21c Farnell Street, Boronia Park~~

~~(1) This clause applies to land at 21c Farnell Street, Boronia Park, being Lot 13, Section 6, DP 758143 and Crown Reserve R87767.~~

~~(2) Development for the purpose of community facilities is permitted with development consent.~~

##### ~~2 Use of certain land at 2, 4, 6 and 8 Flagstaff Street, Gladesville~~

~~(1) This clause applies to land at 2 and 4 Flagstaff Street, Gladesville, being Lots 3 and 4, DP 16241 and land at 6-8 Flagstaff Street, Gladesville, being Lot 1, DP 1022691.~~

~~(2) Development for the purposes of health consulting rooms and office premises, with a total floor area that does not exceed 30m<sup>2</sup>, is permitted with development consent.~~

##### ~~3 Use of certain land at 17 and 19 Massey Street, Gladesville~~

~~(1) This clause applies to land at 17 and 19 Massey Street, Gladesville, being Lots 1 and 2, DP 16241.~~

~~(2) Development for the purposes of health consulting rooms and office premises, with a total floor area that does not exceed 30m<sup>2</sup>, is permitted with development consent.~~

##### ~~1.4 Use of certain land at 20a Alexandra Street, Hunters Hill~~

~~(1) This clause applies to land at 20a Alexandra Street, Hunters Hill, being Lot 1, DP 1070714.~~

~~(2) Development for the purpose of seniors housing is permitted with development consent.~~

##### ~~2.5 Use of certain land at 32 Alexandra Street, Hunters Hill~~

~~(1) This clause applies to land at 32 Alexandra Street, Hunters Hill, being Lot 127, DP 1114617 and comprising the Hunters Hill Post Office.~~

~~(2) Development for the purposes of business premises, multi dwelling housing and shop top housing is permitted with development consent.~~

##### ~~6 Use of certain land at 45 and 47 Barons Crescent, 4-20 Gaza Avenue and 118 High Street, Hunters Hill~~

~~(1) This clause applies to land at 45 and 47 Barons Crescent, 4-20 Gaza Avenue and 118 High Street, Hunters Hill, being (respectively) Lot 51, DP 16119, Lot 50, DP 16119, Lots 52-60, DP 16119 and Lot 63, DP 16119.~~

~~(2) Development for the purpose of seniors housing is permitted with development consent.~~

~~**7 Use of certain land at 49–51 Barons Crescent, Hunters Hill**~~

~~(1) This clause applies to land at 49–51 Barons Crescent, Hunters Hill, being Lot 2, DP 312298, Lots 1 and 2, DP 325793 and Lots 9 and 10, DP 724017.~~

~~(2) Development for the purpose of seniors housing is permitted with development consent.~~

~~**8 Use of certain land at 1 De Milhau Road and 35a Gladesville Road, Hunters Hill**~~

~~(1) This clause applies to land at 1 De Milhau Road and 35a Gladesville Road, Hunters Hill, being Lot 1, DP 302331 and Lot 12, DP 846102.~~

~~(2) Development for the purpose of seniors housing is permitted with development consent.~~

~~**9 Use of certain land at 1 Durham Street, Hunters Hill**~~

~~(1) This clause applies to land at 1 Durham Street, Hunters Hill, being Lots 10 and 11, DP 4614.~~

~~(2) Development for the purpose of community facilities is permitted with development consent.~~

~~**10 Use of certain land at 35 Gladesville Road, Hunters Hill**~~

~~(1) This clause applies to land at 35 Gladesville Road, Hunters Hill, being Lot 38, DP 224608 and Lot 11, DP 846102.~~

~~(2) Development for the purpose of seniors housing is permitted with development consent.~~

~~**11 Use of certain land at 41 Gladesville Road, Hunters Hill**~~

~~(1) This clause applies to land at 41 Gladesville Road, Hunters Hill, being Lot 1, DP 716526.~~

~~(2) Development for the purpose of seniors housing is permitted with development consent.~~

~~**12 Use of certain land at 43 Gladesville Road, Hunters Hill**~~

~~(1) This clause applies to land at 43 Gladesville Road, Hunters Hill, being Lot 2, DP 716526.~~

~~(2) Development for the purpose of seniors housing is permitted with development consent.~~

~~**3 13 Use of certain land at 8 Passy Avenue, Hunters Hill**~~

(1) This clause applies to land at 8 Passy Avenue, Hunters Hill, being Lot 1, DP 133826,

Lot 1, DP 206036 and Lot 1, DP 922514.

(2) Development for the purpose of seniors housing is permitted with development consent.

~~**4 14 Use of certain land at 10 and 12 Salter Street, Huntleys Cove**~~

(1) This clause applies to land at 10 and 12 Salter Street, Huntleys Cove, being Lot 1, DP 823988 and known as “The Priory”.

(2) Development for the purposes of community facilities, function centres and restaurants or cafes is permitted with development consent.

~~**5 15 Use of certain land at 11 Gladstone Avenue, Woolwich**~~

(1) This clause applies to land at 11 Gladstone Avenue, Woolwich, being Lots 1–5, Section E, DP 1015 and Lot 1, DP 795282.

(2) Development for the purpose of seniors housing is permitted with development consent.

**6.16 Use of certain land at 2C Margaret Street, Woolwich**

(1) This clause applies to land at 2C Margaret Street, Woolwich, being Lots 2 and 4, DP 880264.

(2) Development for the purpose of residential accommodation is permitted with development consent.

**7.17 Use of certain land at 103 Woolwich Road, Woolwich**

(1) This clause applies to land at 103 Woolwich Road, Woolwich, being Lot 5, DP 3110.

(2) Development for the purposes of restaurants or cafes and shop top housing is permitted with development consent.

**Schedule 2 Exempt development**

**Outdoor dining**

In order to be exempt development, the development must meet the following standards:

(1) Must be associated with an adjacent food and drink premises being carried out with lawful consent.

(2) Must be carried out in accordance with any approval granted under section 68 of the *Local Government Act 1993*.

(3) If located on the footway of a public road, must be carried out in accordance with an approval granted under section 125 of the *Roads Act 1993*.

(4) Must not be located on land steeper than a 1:50 gradient.

## MINUTES OF ORDINARY MEETING

held 24 February 2025 24  
February 2025

## COMMENCEMENT

The meeting opened with Acknowledgement of Country and Prayer at 6pm.

## IN ATTENDANCE

The Mayor Zac Miles, Deputy Mayor Julia Prieston, Councillors Marc Lane, Carol Tannous-Sleiman, Tatyana Virgara and Ross Williams.

## ALSO PRESENT

General Manager Mitchell Murphy, Director Community and Customer Services Annie Goodman, Director Infrastructure and Environmental Sustainability Samantha Urquhart, Director People and Culture Rosanna Guerra, Director Town Planning Steve Kourepis, Manager Communications and Events Shery Demian, Recording Jade Reed and Minute taker Sarah Valentine.

## APOLOGIES

Councillor Carla Kassab.

## DECLARATIONS OF INTEREST

The Mayor called for Declarations of Interest without response.

## CONFIRMATION OF MINUTES

**001/25** RESOLVED on the MOTION of Deputy Mayor Prieston, seconded Councillor Tannous Sleiman

That the Minutes of Ordinary Meeting No. 4540, 16 December 2024 be confirmed.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED unanimously

## MINUTES OF ORDINARY MEETING

held 24 February 2025 24  
February 2025

## MAYORAL MINUTES &amp; REPORTS

## 2.1 MAYORAL MINUTE: VALE MAYORESS LORNA MERRINGTON

## PROCEEDINGS IN BRIEF

**002/25** RESOLVED on the MOTION of Mayor Miles

1. That the report be received and noted.
2. That a letter of condolence be forwarded to the late Lorna Merrington's family.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED unanimously

## 2.2 MAYORAL MINUTE: HUNTERS HILL RESIDENTS RECOGNISED IN THE AUSTRALIA DAY 2025 HONOURS LIST AND COUNCIL'S LOCAL AUSTRALIA DAY AWARDS

## PROCEEDINGS IN BRIEF

**003/25** RESOLVED on the MOTION of Mayor Miles

1. That the report be received and noted.
2. That a letter of congratulations be forwarded to Mrs Maritsa and Mr Romualdas Cibas from Huntleys Cove.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED unanimously



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MINUTES OF ORDINARY MEETINGheld 24 February 2025 24  
February 2025

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## TABLING OF PETITIONS

## PROCEEDINGS IN BRIEF

Nil

## ADDRESSES FROM THE PUBLIC

## PROCEEDINGS IN BRIEF

Refer to Items 4.6 and 4.2

## iCOUNCIL REPORTS

## 4.1 COUNCIL'S JOURNEY TO A FOOD ORGANICS SERVICE

## PROCEEDINGS IN BRIEF

Moved on the MOTION of Councillor Williams, seconded Deputy Mayor Prieston

A MOTION was moved by Cr Ross Williams seconded by Deputy Mayor Julia Prieston that:

1. That Council note the information as to why a food organics service is necessary in the near future.
2. That Council agree to partner with Lane Cove Council on the implementation of a food organics service.
3. That Council agree on Food Only (FO) as the current preferred model for a service (currently in line with Lane Cove Council) and endorse the next steps as outlined in the body of this report to work towards this service implementation.

An amendment to add a further point 4 was moved by Deputy Mayor Prieston and accepted by the mover, Cr Williams. The MOTION became:

1. That Council note the information as to why a food organics service is necessary in the near future.
2. That Council agree to partner with Lane Cove Council on the implementation of a food organics service.
3. That Council agree on Food Only (FO) as the current preferred model for a service (currently in line with Lane Cove Council) and endorse the next steps as outlined in the body of this report to work towards this service implementation.
4. That Council writes to the Premier and Environment Minister outlining it's concerns regarding the closure of Lucas Heights and Woodlawn.

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February 2025**004/25** RESOLVED on the MOTION of Councillor Williams, seconded Deputy Mayor Prieston

1. That Council note the information as to why a food organics service is necessary in the near future.
2. That Council agree to partner with Lane Cove Council on the implementation of a food organics service.
3. That Council agree on Food Only (FO) as the current preferred model for a service (currently in line with Lane Cove Council) and endorse the next steps as outlined in the body of this report to work towards this service implementation.
4. That Council writes to the Premier and Environment Minister outlining it's concerns regarding the closure of Lucas Heights and Woodlawn.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED unanimously

## MOVE ITEM

**005/25** RESOLVED on the MOTION of Councillor Williams, seconded Councillor Tannous Sleiman

That at 06:19 pm, Item 4.6 be brought forward to be discussed prior to Item 4.2.

## 4.6 DRAFT NEW SIGNIFICANT TREE REGISTER LISTINGS

## PROCEEDINGS IN BRIEF

Rev'd Michael Armstrong addressed the meeting. Rev'd Armstrong was granted an extension of time, moved by Cr Williams and seconded by Deputy Mayor Prieston and carried by majority:

RECORD OF VOTING	
For	Against
Mayor Zac Miles	Councillor Tatyana Virgara
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	

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Ms Iola Halsall addressed the meeting. Ms Halsall was granted an extension of time, moved by Cr Williams and seconded by Deputy Mayor Prieston and carried by majority:

RECORD OF VOTING	
For	Against
Mayor Zac Miles	Councillor Tatyana Virgara
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	

Ms Heather Armstrong addressed the meeting. Ms Armstrong was granted an extension of time, moved by Cr Williams and seconded by Cr Lane and carried by majority:

RECORD OF VOTING	
For	Against
Mayor Zac Miles	Councillor Carol Tannous Sleiman
Deputy Mayor Julia Prieston	Councillor Tatyana Virgara
Councillor Marc Lane	
Councillor Ross Williams	

Ms Armstrong also table a Sydney Morning Herald article dated 14 February 2025 titled "How hot is your suburb?"

**RECOMMENDATION**

1. That the report be received and noted.
2. That Council adopt the draft new Significant Tree Register listings.
3. That all community members that made submissions be advised of Council's decision regarding the inclusion of the draft new listings to the Significant Tree Register.

MOVED on the MOTION of Councillor Lane, seconded Councillor Virgara

1. That the report be received and noted.
2. That Council adopt the draft new Significant Tree Register listings with the exception of the Eucalyptus Pilularis at 17 Barons Crescent, the Corymbia Maculata at St Marks Church and the Cinnamomum Camphoras at Figtree Road.
3. That all community members that made submissions be advised of Council's decision regarding the inclusion of the draft new listings to the Significant Tree Register.
4. That a report on the pruning process in relation to safety and regular maintenance be brought back to the next Council meeting and advice on the safety risk of the three trees removed in Item 2.

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RECORD OF VOTING	
For	Against
Councillor Marc Lane	Mayor Zac Miles
Councillor Tatyana Virgara	Deputy Mayor Julia Prieston
	Councillor Ross Williams
	Councillor Carol Tannous Sleiman

The MOTION was LOST.

Councillor Tannous Sleiman left the meeting at 07.23 pm.

Councillor TS Tannous Sleiman returned to the meeting at 07.24 pm.

MOVED on the MOTION of Deputy Mayor Prieston, seconded Councillor Tannous Sleiman

A MOTION was moved by Cr Julia Prieston seconded by Cr Carol Tannous Sleiman that:

1. That the report be received and noted.
2. That Council adopt the draft new Significant Tree Register listings with the exception of the Eucalyptus Pilularis at 17 Barons Crescent, the Corymbia Maculata at St Marks Church and the Cinnamomum Camphoras at Figtree Road.
3. That all community members that made submissions be advised of Council's decision regarding the inclusion of the draft new listings to the Significant Tree Register.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	Councillor Marc Lane
Deputy Mayor Julia Prieston	Councillor Ross Williams
Councillor Carol Tannous Sleiman	Councillor Tatyana Virgara

The MOTION was CARRIED on the casting vote of Mayor Miles.

**006/25** RESOLVED on the MOTION of Deputy Mayor Prieston, seconded Councillor Tannous Sleiman

1. That the report be received and noted.
2. That Council adopt the draft new Significant Tree Register listings with the exception of the Eucalyptus Pilularis at 17 Barons Crescent, the Corymbia Maculata at St Marks Church and the Cinnamomum Camphoras at Figtree Road.
3. That all community members that made submissions be advised of Council's decision regarding the inclusion of the draft new listings to the Significant Tree Register.

RECORD OF VOTING	
For	Against

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Mayor Zac Miles	Councillor Marc Lane
Deputy Mayor Julia Prieston	Councillor Ross Williams
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED

4.2 REVIEW OF HUNTERS HILL LOCAL ENVIRONMENTAL PLAN 2012 AND HUNTERS HILL  
CONSOLIDATED DEVELOPMENT CONTROL PLAN 2013

PROCEEDINGS IN BRIEF

Jim Sanderson addressed the meeting

**RECOMMENDATION**

1. That Council supports the recommendation set out below:
  - A. In relation to Council's current review of the Hunters Hill Local Environmental Plan 2010, that Council prepare two separate planning proposals as follows:
    - i. Schedule 5 Environmental heritage.
    - ii. All other matters.

MOVED on the MOTION of Councillor Williams, seconded Councillor Lane

An MOTION was moved by Cr Ross Williams seconded by Cr Marc Lane that:

1. That the matter be deferred until Council is advised of the content of the current Planning Proposal and that the correspondence from the Department of Planning be provided as background to the direction which Council needs to take.

MOVED on the MOTION of Councillor Virgara

Cr Virgara foreshadowed the recommended motion in the report:

1. That Council supports the recommendation set out below:
  - A. In relation to Council's current review of the Hunters Hill Local Environmental Plan 2010, that Council prepare two separate planning proposals as follows:
    - i. Schedule 5 Environmental heritage.
    - ii. All other matters.

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Deputy Mayor Prieston left the meeting at 07.46 pm.  
Deputy Mayor Prieston returned to the meeting at 07:47 pm.

The AMENDED MOTION was PUT to the meeting:

1. That the matter be deferred until Council is advised of the content of the current Planning Proposal and that the correspondence from the Department of Planning be provided as background to the direction which Council needs to take.

RECORD OF VOTING	
For	Against
Councillor Marc Lane	Mayor Zac Miles
Councillor Ross Williams	Deputy Mayor Julia Prieston
	Councillor Carol Tannous Sleiman
	Councillor Tatyana Virgara

The AMENDED MOTION was NOT CARRIED

**007/25** RESOLVED on the MOTION of Councillor Virgara

1. That Council supports the recommendation set out below:
  - A. In relation to Council's current review of the Hunters Hill Local Environmental Plan 2010, that Council prepare two separate planning proposals as follows:
    - i. Schedule 5 Environmental heritage.
    - ii. All other matters.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	Councillor Marc Lane
Deputy Mayor Julia Prieston	Councillor Ross Williams
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED

## 4.3 BORONIA LATM - UPDATE

## PROCEEDINGS IN BRIEF

MOVED on the MOTION of Deputy Mayor Prieston, seconded Mayor Miles

1. That this report be received and noted.

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2. That Council endorse the proposed recommended option C, (shown at Diagram 3 in the body of this report) for traffic calming devices within the Boronia Local Area Traffic Management precinct; and
3. That Council undertake community consultation for a period of 28 days, as detailed in the body of this report.

Cr Virgara proposed an amendment to point 3 of the motion that was accepted by the mover. The motion became:

1. That this report be received and noted.
2. That Council endorse the proposed recommended option C, (shown at Diagram 3 in the body of this report) for traffic calming devices within the Boronia Local Area Traffic Management precinct; and
3. That Council undertake community consultation, including a community meeting, for a period of 28 days, as detailed in the body of this report.

Cr Williams proposed an amendment to point 2 of the motion that was accepted by the mover. The motion became:

1. That this report be received and noted.
2. That Council prefers the proposed recommended option C, (shown at Diagram 3 in the body of this report) for traffic calming devices within the Boronia Local Area Traffic Management precinct; and
3. That Council undertake community consultation, including a community meeting, for a period of 28 days, as detailed in the body of this report.

**008/25** RESOLVED on the MOTION of Deputy Mayor Prieston, seconded Mayor Miles

1. That this report be received and noted.
2. That Council prefers the proposed recommended option C, (shown at Diagram 3 in the body of this report) for traffic calming devices within the Boronia Local Area Traffic Management precinct; and
3. That Council undertake community consultation, including a community meeting, for a period of 28 days, as detailed in the body of this report.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED unanimously

#### 4.4 BIKE PLAN ROUTE HH1 - REVIEW

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## PROCEEDINGS IN BRIEF

**RECOMMENDATION**

1. That the concept plans for route HH1 to reduce on road vehicle speeds and to improve pedestrian amenity be adopted in principle, subject to detail design.
2. That priority for detail design be given to the locations as shown at Table 1 below to ensure that Get Active funding allocation is utilised prior to 30 June 25.
3. That community consultation for the detailed design locations, shown at Table 1 be undertaken for a period of 28 days.

MOVED on the MOTION of Deputy Mayor Prieston, seconded Councillor Virgara

A MOTION was moved by Deputy Mayor Julia Prieston seconded by Cr Tatyana Virgara that:

1. That the concept plans for sites 1 and 15 be adopted for the purposes of proceeding to detail design and community consultation with the aim of improving the overall safety for walking and cycling along the HH1 route.
2. That detail designs be prepared for sites 1 and 15 and community consultation on the detailed designs be undertaken as a priority.
3. That council reconsider the concept designs for the remaining sites, including without limitation, to:
  - i. determine the need for and utility of traffic devices at each of the identified sites;
  - ii. explore alternative sites such as the intersection at The Avenue, Mount St and Alexandra St;
  - iii. explore alternative options to improve the safety for walking and cycling along the HH1 route.
4. That community consultation on the concept designs resulting from the process undertaken in point 3 above for the remaining sites be undertaken prior to proceeding to detailed designs.

An AMENDMENT was MOVED by Cr Lane, seconded by Cr Williams:

1. That the concept plans for sites 1, 3 and 15 be adopted for the purposes of proceeding to detail design and community consultation with the aim of improving the overall safety for walking and cycling along the HH1 route.
2. That detail designs be prepared for sites 1, 3 and 15 and community consultation on the detailed designs be undertaken as a priority.
3. That council reconsider the concept designs for the remaining sites, including without limitation, to:

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- i. determine the need for and utility of traffic devices at each of the identified sites;
  - ii. explore alternative sites such as the intersection at The Avenue, Mount St and Alexandra St;
  - iii. explore alternative options to improve the safety for walking and cycling along the HH1 route.
4. That community consultation on the concept designs resulting from the process undertaken in point 3 above for the remaining sites be undertaken prior to proceeding to detailed designs.

A further AMENDMENT was MOVED by Cr Lane, seconded by Cr Williams:

1. That the concept plans for sites 1, 3, 4, 5 and 15 be adopted for the purposes of proceeding to detail design and community consultation with the aim of improving the overall safety for walking and cycling along the HH1 route.
2. That detail designs be prepared for sites 1 and 15, and 3, 4 and 5 as a package and community consultation on the detailed designs be undertaken as a priority.
3. That council reconsider the concept designs for the remaining sites, including without limitation, to:
  - i. determine the need for and utility of traffic devices at each of the identified sites;
  - ii. explore alternative sites such as the intersection at The Avenue, Mount St and Alexandra St;
  - iii. explore alternative options to improve the safety for walking and cycling along the HH1 route.
4. That community consultation on the concept designs resulting from the process undertaken in point 3 above for the remaining sites be undertaken prior to proceeding to detailed designs.

The AMENDED MOTION was PUT to the meeting

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The AMENDED MOTION was CARRIED unanimously and became the MOTION

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February 2025**009/25** RESOLVED on the MOTION of Councillor Lane, seconded Councillor Williams

1. That the concept plans for sites 1, 3, 4, 5 and 15 be adopted for the purposes of proceeding to detail design and community consultation with the aim of improving the overall safety for walking and cycling along the HH1 route.
2. That detail designs be prepared for sites 1 and 15, and 3, 4 and 5 as a package and community consultation on the detailed designs be undertaken as a priority.
3. That council reconsider the concept designs for the remaining sites, including without limitation, to:
  - i. determine the need for and utility of traffic devices at each of the identified sites;
  - ii. explore alternative sites such as the intersection at The Avenue, Mount St and Alexandra St;
  - iii. explore alternative options to improve the safety for walking and cycling along the HH1 route.
4. That community consultation on the concept designs resulting from the process undertaken in point 3 above for the remaining sites be undertaken prior to proceeding to detailed designs.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED unanimously

4.5 ELECTRIC VEHICLE CHARGING PROPOSAL AT 3A COWELL ST, GLADESVILLE

## PROCEEDINGS IN BRIEF

**010/25** RESOLVED on the MOTION of Deputy Mayor Prieston, seconded Councillor Virgara

That Council go into Closed Session to consider the confidential item.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	Councillor Carol Tannous Sleiman
Deputy Mayor Julia Prieston	
Councillor Marc Lane	

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Councillor Ross Williams	
Councillor Tatyana Virgara	

The MOTION was CARRIED

**RECOMMENDATION**

1. That Council endorse the installation of 1 x electric vehicle charger with 2 x dedicated charging bays within the carpark of 3A Cowell St, Gladesville as shown located at Figure 2 within this report.
2. That Council endorses the associated changes to carpark configuration to allow for charging according to the Australian Standard 2890.1-1986 Parking Facilities, as shown on Figure 3 within this report.
3. That Council endorse the General Manager (or delegated representative) to sign a Licence Agreement with Fast Cities Australia Pty Ltd (Evie Networks), with key terms outlined within the Confidential Commercial-In-Confidence report provided.
4. That Council commit the revenue gained annually from the Licence Agreement to the Sustainability Reserve to fund future sustainability projects.

**011/25** RESOLVED on the MOTION of Councillor Williams, seconded Councillor Tannous Sleiman

That Council move out of closed session and return to a public meeting.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED unanimously

**012/25** RESOLVED on the AMENDED MOTION of Councillor Williams, seconded Deputy Mayor Prieston

1. That Council endorse the installation of 1 x electric vehicle charger with 2 x dedicated charging bays within the carpark of 3A Cowell St, Gladesville as shown located at Figure 2 within this report.
2. That Council endorses the associated changes to carpark configuration to allow for charging according to the Australian Standard 2890.1-1986 Parking Facilities, as shown on Figure 3 within this report.

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3. That Council endorse the General Manager (or delegated representative) to negotiate and sign a Licence Agreement with Fast Cities Australia Pty Ltd (Evie Networks), with key terms no less favourable than those outlined within the Confidential Commercial-In-Confidence report provided.
4. That Council commit the revenue gained annually from the Licence Agreement to the Sustainability Reserve to fund future sustainability projects.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED unanimously

4.7 DRAFT COMMUNITY ENGAGEMENT STRATEGY AND COMMUNITY PARTICIPATION PLAN

PROCEEDINGS IN BRIEF

**013/25** RESOLVED on the MOTION of Councillor Virgara, seconded Deputy Mayor Prieston

1. That the report be received and noted.
2. That Council adopt the draft Community Engagement Strategy and Community Participation Plan.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED unanimously

4.8 PROGRESS REPORT ON THE DELIVERY PROGRAM AND OPERATIONAL PLAN FOR THE 6 MONTH PERIOD 01 JULY TO 31 DECEMBER 2024

PROCEEDINGS IN BRIEF

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February 2025**014/25** RESOLVED on the MOTION of Councillor Williams, seconded Councillor Lane

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED unanimously

4.9 DRAFT HUNTERS HILL LOCAL INFRASTRUCTURE CONTRIBUTION PLAN 2025-2030

## PROCEEDINGS IN BRIEF

**RECOMMENDATION**

1. That Council endorse the Draft Hunters Hill Local Infrastructure Contribution Plan 2025-2030 for public exhibition for a period of a minimum of 28 days pursuant to the provisions of the Environmental Planning and Assessment Regulations 2021.
2. That the outcome of the public exhibition of the Hunters Hill Infrastructure Contribution Plan 2025 be reported back to Council following completion of the exhibition period.

**015/25** RESOLVED on the MOTION of Councillor Lane, seconded Councillor Williams

1. That Council endorse the Draft Hunters Hill Local Infrastructure Contribution Plan 2025-2030 for public exhibition for a period of a minimum of 28 days pursuant to the provisions of the Environmental Planning and Assessment Regulations 2021.
2. That the outcome of the public exhibition of the Hunters Hill Infrastructure Contribution Plan 2025 be reported back to Council following completion of the exhibition period.
3. That council urgently commission an infrastructure needs assessment on the proposed development under the Low/Medium Housing SEPP and Gladesville Master Plan and prepare a s7.11 contribution plan on that basis for the Gladesville Area, the study and drafting to be funded from the general reserve.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	

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Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED unanimously

## 4.10 QUARTERLY BUDGET REVIEW AS AT 31 DECEMBER 2024

## PROCEEDINGS IN BRIEF

**016/25** RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Tannous Sleiman

1. That the report be received and noted.
2. That variations to the FY2024-25 operational and capital budget, as outlined in this report, be adopted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

## 4.11 AUDIT AND RISK COMMITTEE

## PROCEEDINGS IN BRIEF

**017/25** RESOLVED on the MOTION of Councillor Virgara, seconded Councillor Williams

1. That the current Audit Risk and Improvement Committee (ARIC) members are re-appointed for a new term.
2. That the ARIC membership fees are payable in accordance with industry standards and in reflection of the enhanced responsibilities under the new and broadened LGNSW ARIC ToR framework.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	

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Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

## 4.12 COMMITTEES OF COUNCIL

## PROCEEDINGS IN BRIEF

MOVED on the MOTION of Deputy Mayor Prieston, seconded Councillor Virgara

A MOTION was moved by Cllr Julia Prieston seconded by Cllr Tatyana Virgara that:

1. That the report be received and noted.
2. That Council determines the Chairpersons (via the open voting process, i.e. show of hands) for the following Committees of Council:
  - Arts Advisory Committee
  - Bushland Management Advisory Committee
  - Cultural and Events Advisory Committee
  - Sustainability Advisory Committee

MOVED on the AMENDMENT of Councillor Williams, seconded Councillor Lane

An AMENDMENT was moved by Cllr Ross Williams seconded by Cllr Marc Lane that:

1. That the report be received and noted.
2. That Council determines the Chairpersons (via the open voting process, i.e. show of hands) for the following Committees of Council:
  - Arts Advisory Committee
  - Bushland Management Advisory Committee
  - Cultural and Events Advisory Committee
  - Sustainability Advisory Committee
3. Increase the number of Councillors on the Sustainability Committee to three and nominate Cr Lane as the additional member.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	Councillor Carol Tannous Sleiman
Deputy Mayor Julia Prieston	Councillor Tatyana Virgara
Councillor Marc Lane	
Councillor Ross Williams	

The AMENDED MOTION was CARRIED and became the MOTION

**018/25** RESOLVED on the MOTION of Councillor Williams, seconded Councillor Lane

1. That the report be received and noted.

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2. That Council determines the Chairpersons (via the open voting process, i.e. show of hands) for the following Committees of Council:
  - Arts Advisory Committee
  - Bushland Management Advisory Committee
  - Cultural and Events Advisory Committee
  - Sustainability Advisory Committee
3. Increase the number of Councillors on the Sustainability Committee to three and nominate Cr Lane as the additional member.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

Chairpersons were determined as follows:

Committee Of Council	Chairperson
Arts Advisory Committee	Cr Williams
Bushland Management Advisory Committee	Cr Kassab
Cultural and Events Advisory Committee	Deputy Mayor Prieston
Sustainability Advisory Committee	Cr Tannous-Sleiman

## CARRIED MOTION

- 019/25** RESOLVED on the MOTION of Councillor Virgara, seconded Deputy Mayor Prieston that Items 4.13, 4.14, 4.16, 4.20, 4.21, 4.22, 4.23 and 4.24 be moved in block.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously



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## 4.13 REQUEST FOR FEE WAIVER - MAMAS &amp; CO. CHOIR FUNDRAISING CONCERT 2025

## PROCEEDINGS IN BRIEF

**020/25** RESOLVED on the MOTION of Councillor Virgara, seconded Deputy Mayor Prieston

1. That Council supports the Mamas & Co. Choir fundraising concert by waiving the hire fees for the Hunters Hill Town Hall on Sunday 16 November 2025 in the amount of \$1344.
2. That the Mamas & Co. Choir be required to pay a bond of \$1000.
3. That the Mamas & Co. Choir be required to pay a fee to cover the cost of cleaning Henley Community Centre following the event in the amount of \$200.
4. That any after-hours call outs to Council Officers during the event will be charged at \$160 per hour, minimum one hour, as per Council's fees and charges.
5. That the Mamas & Co. Choir be required to acknowledge Council's sponsorship in presenting the fundraising concert.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

## 4.14 SUMMARY OF COUNCIL INVESTMENTS AS AT 31 DECEMBER 2024 AND 31 JANUARY 2025

## PROCEEDINGS IN BRIEF

**021/25** RESOLVED on the MOTION of Councillor Virgara, seconded Deputy Mayor Prieston

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

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February 2025

The MOTION was CARRIED unanimously

4.15 DEVELOPMENT APPLICATIONS DETERMINED UNDER DELEGATED AUTHORITY IN  
DECEMBER 2024 AND JANUARY 2025

## PROCEEDINGS IN BRIEF

**022/25** RESOLVED on the MOTION of Councillor Williams, seconded Deputy Mayor Prieston

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

## 4.16 REPORT OF LEGAL MATTERS - JANUARY 2025

## PROCEEDINGS IN BRIEF

**023/25** RESOLVED on the MOTION of Councillor Virgara, seconded Deputy Mayor Prieston

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

4.17 COUNCIL-RELATED DEVELOPMENT APPLICATION CONFLICT OF INTEREST POLICY -  
FOR PUBLIC EXHIBITION

## PROCEEDINGS IN BRIEF

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## MINUTES OF ORDINARY MEETING

held 24 February 2025  
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February 2025**RECOMMENDATION**

That Council:

1. Endorse the draft Council-related Development Application Conflict of Interest Policy (see Attachment 1).
2. Place the endorsed Council-related Development Application Conflict of Interest Policy on public exhibition for a period of not less than 28 days, inviting submissions from the public for 28 days.
3. Receive a further report on the draft Council-related Development Application Conflict of Interest Policy that includes consideration of any submissions made within the time allowed, prior to formal adoption.

**024/25** RESOLVED on the MOTION of Councillor Lane, seconded Councillor Williams

A MOTION was moved by Cllr Marc Lane seconded by Cllr Ross Williams:

That Council:

1. Endorse the draft Council-related Development Application Conflict of Interest Policy (see Attachment 1).
2. Prior to exhibition council to add definitions for "relative" and "small" for the purpose of 2.1 and 4.3.5 respectively.
3. Place the endorsed Council-related Development Application Conflict of Interest Policy on public exhibition for a period of not less than 28 days, inviting submissions from the public for 28 days.
4. Receive a further report on the draft Council-related Development Application Conflict of Interest Policy that includes consideration of any submissions made within the time allowed, prior to formal adoption.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

4.18 SIGNAGE AND BANNERS POLICY FOR PUBLIC EXHIBITION

PROCEEDINGS IN BRIEF

## MINUTES OF ORDINARY MEETING

held 24 February 2025  
24  
February 2025

MOVED on the MOTION of Deputy Mayor Prieston, seconded Councillor Tannous Sleiman

That Council:

1. Endorse the draft Signage and Banners Policy attached to the report (see Attachment 1).
2. Place the endorsed Signage and Banners Policy on public exhibition for a period of at not less than 28 days, inviting submissions from the public for 28 days.
3. Receive a further report on the draft Signage and Banners Policy that includes consideration of any submissions made within the time allowed, prior to formal adoption.

**025/25** Mayor Miles proposed and AMENDMENT that was accepted by the mover.

RESOLVED on the MOTION of Deputy Mayor Prieston, seconded Councillor Tannous Sleiman

1. That Council defer this matter to be considered at a future Councillor briefing.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

4.19 HUNTERS HILL LANE COVE PARRAMATTA AND RYDE BUSH FIRE RISK MANAGEMENT PLAN

## PROCEEDINGS IN BRIEF

**026/25** RESOLVED on the MOTION of Councillor Williams, seconded Councillor Tannous Sleiman

1. That Council endorse the Hunters Hill Lane Cove Parramatta and Ryde Bush Fire Risk Management Plan approved by the NSW Bushfire Coordinating Committee.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	

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## MINUTES OF ORDINARY MEETING

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Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

4.20 TARBAN CREEK PRIORITISED FOR PARRAMATTA RIVER CATCHMENT GROUPS BANK  
NATURALISATION PROJECT

## PROCEEDINGS IN BRIEF

**027/25** RESOLVED on the MOTION of Councillor Virgara, seconded Deputy Mayor Prieston

1. That the report be received and noted.
2. That Council staff continue to liaise with the Parramatta River Catchment Group to develop a detailed concept design for Tarban Creek Section 3 east from Manning Road- refer to attached map.
3. That following further investigations and community feedback, a further report be brought back to the July Ordinary Meeting of Council with the development of a detailed concept design and a recommendation to proceed to seek grant funding for the different components of the design.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

4.21 REVISED DATA BREACH POLICY

## PROCEEDINGS IN BRIEF

**028/25** RESOLVED on the MOTION of Councillor Virgara, seconded Deputy Mayor Prieston

1. That report be received and noted.
2. That the revised Data Breach Policy is adopted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	

## MINUTES OF ORDINARY MEETING

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February 2025

Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

## 4.22 AGENCY INFORMATION GUIDE

## PROCEEDINGS IN BRIEF

**029/25** RESOLVED on the MOTION of Councillor Virgara, seconded Deputy Mayor Prieston

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

## 4.23 HUNTER'S HILL COUNCIL MEMORIALS POLICY

## PROCEEDINGS IN BRIEF

**030/25** RESOLVED on the MOTION of Councillor Virgara, seconded Deputy Mayor Prieston

1. That Council places the Hunter's Hill Council Memorials Policy, as shown at Attachment 1, on public exhibition for a period of 28 days; and
2. That a further report be brought back to a future Council Meeting, for consideration and adoption of the updated Hunter's Hill Council Memorials Policy.
3. That a further review of the Hunter's Hill Council Memorials Policy be undertaken every three (3) years, or in line with any legislative updates.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

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## MINUTES OF ORDINARY MEETING

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Councillor Ross Williams

The MOTION was CARRIED unanimously

## 4.24 COUNCILLOR BRIEFINGS AND WORKSHOPS

## PROCEEDINGS IN BRIEF

**031/25** RESOLVED on the MOTION of Councillor Virgara, seconded Deputy Mayor Prieston

1. That the report be received and noted.

RECORD OF VOTING	
For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

The MOTION was CARRIED unanimously

## QUESTIONS WITH OR WITHOUT NOTICE

Nil

## GENERAL BUSINESS

The General Manager advised that the former Henley bowls site had received very positive coverage on Better Homes and Gardens.

The Mayor formally thanked the General Manager for his outstanding service to Council over the last three years.

## COUNCIL IN CLOSED SESSION

## COUNCIL IN CLOSED SESSION

**032/25** RESOLVED on the MOTION of Councillor Williams, seconded Councillor Tannous Sleiman

That Council move into Closed Session to consider the following confidential items:

8.1 Appointment of the Acting General Manager

8.2 Process for the Recruitment of the General Manager

RECORD OF VOTING
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## MINUTES OF ORDINARY MEETING

held 24 February 2025  
24  
February 2025

For	Against
Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Ross Williams	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

The MOTION was CARRIED unanimously

## REPORT OF COUNCIL IN CONFIDENTIAL SESSION

The Mayor advised that during closed session, two resolutions were passed as follows.

## Item 8.1 Appointment of Acting General Manager:

1. That the report be received and noted.
2. That the resignation of Mr Mitchell Murphy is acknowledged with a response letter formally thanking him for service as General Manager over the past 3 years and congratulating him on his new position.
3. That Mr Nicholas Tobin is appointed as Acting General Manager from 10 March 2025.
4. That the Acting General Manager will assume all General Manager delegations as per Council's Delegations Register for the period of appointment.
5. That Mr Tobin's appointment is made in writing at the current General Manager's Total Remuneration Package (TRP).

RECORD OF VOTING	
For	Against
Mayor Zac Miles	Councillor Marc Lane
Deputy Mayor Julia Prieston	Councillor Ross Williams
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	

## Item 8.2 Process for the Recruitment of the General Manager

1. That the report be received and noted.
2. That the General Manager recruitment process be conducted as per the Guidelines set out by the Office of Local Government and the Department of Premier and Cabinet.
3. That the timetable outlined in the report for the General Manager recruitment be adopted.
4. That the Mayor, in conjunction with the Director People and Culture, commences the tender process based on the attached Brief for the Recruitment and Appointment of the General Manager of Hunter's Hill Council.

RECORD OF VOTING	
For	Against

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## MINUTES OF ORDINARY MEETING

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Mayor Zac Miles	
Deputy Mayor Julia Prieston	
Councillor Marc Lane	
Councillor Carol Tannous Sleiman	
Councillor Tatyana Virgara	
Councillor Ross Williams	

## CONCLUSION

The meeting concluded at 9.58pm.

I confirm that these Minutes are a true and accurate record of Ordinary Meeting No. 4541 held on 24 February 2025.

.....  
Councillor Zac Miles  
MAYOR

.....  
Nick Tobin  
ACTING GENERAL MANAGER