



11 March 2025

Peter McManus  
Team Leader Social and Diverse Housing Assessments  
Department of Planning, Housing and Infrastructure

via email: [REDACTED]

Dear Peter,

**Pathways Cremorne Seniors Housing (SSD-49472213)  
Request for Further Information**

I refer to the State significant development (**SSD**) application for Pathways Cremorne Seniors Housing (SSD-49472213) (**Application**), currently before the Independent Planning Commission (**Commission**) for determination. The Commission is seeking a response on the following matter:

**SSD Pathway and Ancillary Use**

The Department has outlined in its assessment report that the project is declared SSD as it satisfies the criteria pursuant to section 2.6(1) and item 28 to Schedule 1 of *State Environmental Planning Policy (Planning Systems) 2021 (SEPP Planning Systems)* which states (our emphasis in **bold**):

**28 Seniors housing**

- (1) *Development for the purposes of seniors housing if—*
  - (a) *the seniors housing component has an estimated development cost of—*
    - (i) *for development on land in the Greater Sydney region—more than \$30 million, or*
    - (ii) *otherwise—more than \$20 million, and*
  - (b) *the seniors housing component includes a residential care facility, and*
  - (c) **other components of the proposed development are not prohibited on the land under an environmental planning instrument.**
- (2) *This section does not apply to development on land within the area of the City of Sydney.*

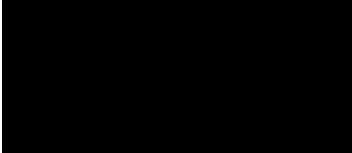
In relation to the above and the project's proposed café, the Commission notes pursuant to the North Sydney Local Environmental Plan 2012 (**NSLEP**) the land use of *restaurant or café* (a type of *food and drink premises* – subsequently a *retail premises* and *commercial premises*) is prohibited within Zone R4 High Density Residential (**R4 zone**). The Department's assessment report for the Application outlines that, although a prohibited use under the NSLEP, the café is considered minor and sufficiently related to the proposed seniors housing development and is ancillary and incidental to the *seniors housing* purpose of the project.

**Noting that the proposed café use would be open to members of the public and not for the exclusive use of the seniors housing residents and their visitors, the Commission requests further information supporting the assertion that the proposed café use is ancillary and incidental to the *seniors housing* purpose of the project.**

The Commission requests a response on the above matter by **5pm Wednesday, 19 March 2025**.

Should you require any clarification in relation to the above, or wish to discuss further, please contact Kendall Clydsdale or Phoebe Jarvis at [REDACTED] or [REDACTED] respectively.

Yours sincerely,



**Stephen Barry**  
Planning Director