

Gateway Determination

Planning proposal (Department Ref: PP-2023-1109): The Montefiore Seniors Living Planning Proposal; 116-120 High Street, 2-20 Gaza Avenue and 45-47 Barons Crescent, Hunters Hill

I, the Director at the Department of Planning, Housing and Infrastructure, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Hunters Hill Local Environmental Plan 2012 to rezone the site from R2 Low Density Residential to SP2 Infrastructure (Seniors Housing) and increase the maximum building height and the floor space ratio, should proceed subject to the following:

The LEP should be completed on or before 5 May 2025.

Gateway Conditions

1. Prior to exhibition, the planning proposal is to be updated to:
 - (a) Carry out consultation with the NSW Rural fire Service (RFS) to inform the planning proposal so that it addresses the potential overall increase in occupancy numbers on the site and can demonstrate the ability to achieve compliance with the relevant performance criteria in Section 6.4 in 'Planning for Bushfire Protection 2019'.

The planning proposal is to be updated to address the consistency with Section 9.1 Direction 4.3 Planning for Bushfire Protection and demonstrate justification for the planning proposal.
 - (b) Address consistency with 9.1 Direction 5.1 – Integrating Land Use and Transport through an assessment against the objectives of Direction and the aims, objectives and principles of:
 - i. Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and
 - ii. The Right Place for Business and Services – Planning Policy (DUAP 2001).
 - (c) Include an updated timeline based on the issuing of the Gateway determination.
2. Prior to community consultation, the planning proposal is to be revised to address the above conditions and forwarded to the Department for review and approval.
3. That the site-specific development control plan (DCP) be exhibited with the planning proposal.
4. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
 - (d) the planning proposal is categorised as complex as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment,

August 2023) and must be made publicly available for a minimum of 30 working days; and

- (e) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).

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

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

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

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

Dated 23 April 2024



Brendan Metcalfe
Director, State Rezoning
Planning Land Use Strategy, Housing and Infrastructure
Department of Planning, Housing and Infrastructure

Delegate of the Minister for Planning and Public Spaces