

## COMMENCEMENT

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

## IN ATTENDANCE

The Mayor Zac Miles, Deputy Mayor Elizabeth Krassoi, Councillors Ross Williams, Jim Sanderson, Richard Quinn, Tatyana Virgara and Julia Prieston.

## ALSO PRESENT

General Manager Mitchell Murphy, Director Community Engagement & Customer Service Annie Goodman, Director Infrastructure and Environmental Sustainability Samantha Urquhart, Director People and Culture Rosanna Guerra, Director Town Planning Steve Kourepis, Manager Communications & Events Jacqui Jones, Minute Taker Sarah Jenkins, Manager Digital and Customer Information, Jade Reed (recording)

## APOLOGIES

No apologies were received.

## DECLARATIONS OF INTEREST

The Mayor called for Declarations of Interest without response.

## TABLING OF PETITIONS

### PROCEEDINGS IN BRIEF

Nil

## COUNCIL REPORTS

### 1.1 MONTEFIORE PLANNING PROPOSAL

#### PROCEEDINGS IN BRIEF

Mr Robert Orie addressed the meeting. An extension of time was granted for Mr Orie (moved by Clr Quinn, seconded by Clr Prieston and carried unanimously).

Mr Peter Strudwick addressed the meeting. An extension of time was granted for Mr Strudwick (moved by Clr Williams, seconded by Clr Prieston and carried unanimously). A further extension of time was granted for Mr Strudwick (moved by Clr Quinn, seconded by Clr Sanderson and carried unanimously).

Ms Kate Russell addressed the meeting.

A statement prepared by Mr Richard Sleeman was read by the General Manager.

Mr Robert Hayes addressed the meeting. An extension of time was granted for Mr Hayes (moved by Clr Quinn, seconded by Clr Krassoi and carried unanimously). A further extension of time was granted for Mr Hayes (moved by Clr Williams, seconded by Clr Prieston and carried unanimously).

Councillor Prieston left the meeting at 06:58 pm and returned at 07:00 pm.

Ms Karyn Raisin addressed the meeting. An extension of time was granted for Ms Raisin (moved by Clr Williams, seconded by Clr Sanderson and carried unanimously). A further extension of time was granted for Ms Raisin (moved by Clr Williams, seconded by Clr Prieston and carried unanimously).

Dr Alister Sharp addressed the meeting. An extension of time was granted for Dr Sharp (moved by Clr Sanderson, seconded by Clr Quinn and carried unanimously).

Ms Heather Armstrong addressed the meeting. An extension of time was granted for Ms Armstrong (moved by Clr Williams, seconded by Clr Quinn and carried unanimously). A further extension of time was granted for Ms Armstrong (moved by Clr Williams, seconded by Clr Sanderson and carried unanimously). A further extension of time was granted for Ms Armstrong (moved by Clr Williams, seconded by Clr Sanderson and carried unanimously).

#### **RECOMMENDATION**

That Council supports the recommendations set out below:

- (A) Forward the Planning Proposal to the Department of Planning and Environment seeking a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*, with the following amendments to *Hunters Hill Local Environmental Plan 2012* (Hunters Hill LEP):
  - (i) Amend Hunters Hill LEP Land Zoning (LZN) Map to rezone land at 116-120 High Street, 2-20 Gaza Avenue and 45-47 Barons Crescent from R2 Low Density Residential to SP2 Infrastructure (Seniors Housing).
  - (ii) Amend Hunters Hill LEP Height of Building (HOB) Map to increase the maximum building height control across the site from 8.5m to part 16m and part 24m.
  - (iii) Amend Hunters Hill LEP Floor Space Ratio (FSR) Map to increase the maximum permissible FSR from 0.5:1 to 1:1 for land at 116-118 High Street, 2-20 High Street and 45-47 Barons Crescent. Land at 49-50 Barons Crescent will remain at an FSR of 1:1.
- (B) Subject to (A) above, Council endorse for public exhibition the Planning Proposal as outlined in (A).

- (C) Council endorse the draft site-specific Development Control Plan provisions being placed on public exhibition with the draft Planning Proposal.
- (D) Note that following public exhibition the Planning Proposal and site-specific Development Control Plan will be reported back to Council detailing the outcome of the public exhibition period at which time Council may resolve:
  - (1) To proceed as recommended in this report.
  - (2) To proceed with amended controls in the Planning Proposal and Development Control Plan to that exhibited.
  - (3) To not proceed with the Planning Proposal and Development Control Plan.
- (E) Delegate authority to the General Manager to make amendments to the Planning Proposal and Development Control Plan that:
  - (1) Are minor and do not alter the intent,
  - (2) Are required in order to comply with the Gateway Determination; or
  - (3) Are made to address matters raised within the review and detailed assessment of technical reports supporting the Planning Proposal as included within the Attachments to this report.

Deputy Mayor Krassoi left the meeting at 07:42 pm and returned at 07:44 pm..

**179/23**

RESOLVED on the MOTION of Councillor Williams, seconded Councillor Sanderson

A MOTION was moved by Cllr Ross Williams seconded by Cllr Jim Sanderson that:

That Council does not support the Montefiore Planning Proposal for the reasons set out below:

1. The Planning Proposal lacks strategic merit and fails to meet site-specific merit and meet relevant Government guidelines and community expectations:
2. The Hunters Hill Planning Panel highlighted inadequate community consultation and reports (*these remain significantly unaddressed*). The Local Planning Panel does not support sending the Planning Proposal to Gateway Determination.
3. The proposed building heights are too high and out of local character. The proposal needs to be far more moderate in scale and meet the standards of *SEPP (Housing)* Part 5 Housing for seniors and people with a disability.
4. There will be serious impacts for the local area from the current proposal, including:
  - i. A significant increase in traffic in an area where Council's own *Boronia Park Precinct: Local Area Traffic Management Plan* found Key Issues, including: Rat running; Traffic speeds and irresponsible driving; Pedestrian safety; and Parking.

- ii. The site being in an isolated location away from major roads, transport and facilities.
  - iii. The proposed entry to the underground carpark and Loading Dock in Barons Crescent will have impacts on houses opposite and surrounding area.
  - iv. The proposed pedestrian entry near the Synagogue is likely to cause parking impacts in Barons Crescent.
5. An unprecedented rezoning of residential land to SP2 (Seniors Housing), will set a serious precedent for the Municipality of Hunter's Hill (and beyond) by allowing zoning and heights that are not consistent with the Hunters Hill LEP.
6. Residential zoning should be used as:
  - i. The site does not have existing infrastructure of the kind which is contemplated by the *SEPP (Infrastructure)*. Nor does the Planning Proposal or subsequent development envisage that this will change. The existing and proposed use of the site is residential.
  - ii. The Planning Proposal seeks to avoid compliance with the *SEPP (Housing)* by characterising the site and its uses as something which they are not; namely infrastructure.
  - iii. Assessment must have regard to the planning principles including, here, the *SEPP (Housing)*.
7. The Proponent's right to redevelop is acknowledged, but the proposal must recognise the Design principles set out in Part 5 Division 6 of the *SEPP (Housing)*, including:
  - i. Neighbourhood amenity and streetscapes, including current character; heritage conservation; and
  - ii. Visual and acoustic privacy.
8. The Site Specific DCP is inadequate and will not apply if a future development application is State significant development.
9. Council has inadequate information to make a well-informed decision to progress the Planning Proposal. Council is of the view that the report by the Director of Town Planning highlights numerous issues with the Planning Proposal where important requirements are either not satisfied or not satisfied to an adequate standard. These issues must be addressed.
10. The Planning Proposal is not consistent with the requirements of Hunter's Hill Future Transport Strategy 2056 being:
  - i. new development should ideally occur on the major trunk transit network; and
  - ii. new development should ideally occur in proximity to the local centres and transport hubs with the LGA.
11. Consultation with the community has been inadequate and not addressed since
  - i. Council's Resolution 249/22 RESOLVED That Council: 1. Receive and note the resolutions unanimously passed by the residents at the meeting as listed in the attachment to this report; and 2. Resolve that should Council form a view that the proposal have strategic merit Council hold a community consultation meeting at the Town Hall as

- soon as practicable and before submission by Council for gateway determination; and
- ii. the Local Planning Panels advice. The Council's report states "... it is our opinion that the applicant has not adequately consulted the local community. A consideration should ensure that a broader range of community views are sought."
12. The Planning Proposal fails to meet key requirements which are a central part of the current Hunters Hill LEP. The LEP has a strategic outcome that is not met in the report "Neighbourhoods Reflect Local Character".
13. That Council invite Montefiore to resubmit an alternative proposal consistent with a residential site zoning.

RECORD OF VOTING	
For	Against
Deputy Mayor Elizabeth Krassoi	Mayor Zac Miles
Councillor Ross Williams	Councillor Tatyana Virgara
Councillor Jim Sanderson	
Councillor Richard Quinn	
Councillor Julia Prieston	

CARRIED. Noting that Mayor Miles abstained.

## QUESTIONS WITH OR WITHOUT NOTICE

Nil

## CONCLUSION

The meeting concluded at 8.16pm.

I confirm that these Minutes are a true and accurate record of Extraordinary Meeting No. 4524 held on 12 September 2023.

.....  
Councillor Zac Miles  
MAYOR

.....  
Mitchell Murphy  
GENERAL MANAGER