



# HUNTER'S HILL COUNCIL

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Your Reference: RR-2023-24

14 November 2023

Mr Brendan Metcalfe  
Department of Planning and Environment  
Locked Bag 5022  
Parramatta NSW 2124

Dear Brendan,

**Request for a rezoning review – Montefiore Seniors Living – 116-120 High Street, 2-20  
Gaza Avenue and 45-47 Barons Crescent, Hunters Hill (RR-2023-24)**

This is in response to your letter of November 3 2023 for the rezoning review, lodged in the NSW portal on October 30 2023.

We wish to advise that we have reviewed the documents on the planning portal associated with the rezoning review and can confirm that the proposal which has been submitted for a rezoning review is the same proposal that was previously considered by Council.

Council officers prepared a detailed report on the planning proposal which is attached for you to view. This report provided findings on the detailed assessment of technical reports supporting the Planning Proposal and also discussed in the body of the report the strategic merit of this proposal.

This report was considered by Council at the Extraordinary meeting on 12 September 2023 and as a result, Council resolved not to support the Montefiore Planning Proposal, as follows:

*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*
  - ii. *network; and*
  - iii. *new development should ideally occur in proximity to the local*
  - iv. *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.*

Attached is a copy of Council resolution.

As a result of Councils consideration and resolution of this proposal of 12 September 2023, Council does not support the Montefiore Planning Proposal, that is Councils current position.

I trust that the above comments have assisted you, please do not hesitate in contacting us if you require any further information via my email or direct 9879 9460.

Yours sincerely



Steve Kourepis  
**Director**  
**Town Planning**