



*the bushland shire*

*creating a living environment*

## **MINUTES OF PLANNING MEETING**

Held at COUNCIL CHAMBERS, HORNSBY  
on Wednesday, 4 August, 2010  
at 6.35 pm

### **PRESENT**

Councillors Berman (Chairman), Browne, Chopra, Evans, Hutchence, Martin, Mills, Russell and Smart

NOTE: Councillor Browne arrived at the meeting at 6.49 pm. He was not present for Apologies, Declarations of Interest and Confirmation of Minutes.

### **NATIONAL ANTHEM**

### **OPENING PRAYER**

Rev. Bill Hayward of Dural Anglican Church, Dural opened the meeting in prayer.

### **ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY**

Statement by the Chairman:

*"We recognise our Shire's rich cultural and religious diversity and we acknowledge and pay respect to the beliefs of all members of our community, regardless of creed or faith."*

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This is page 1 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 4 August, 2010.

GENERAL MANAGER

CHAIRMAN

## **ABORIGINAL RECOGNITION**

Statement by the Chairman:

*"We recognise the traditional inhabitants of the land we are meeting on tonight, the Darug and Guringai Aboriginal people, and respect is paid to their elders and their heritage."*

## **AUDIO RECORDING OF COUNCIL MEETING**

Statement by the Chairman:

*"I advise all present that tonight's meeting is being audio recorded for the purpose of assisting in the accuracy of the Minutes. The recordings may be accessed by members of the public once the Minutes have been finalised. Speakers are requested to ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms."*

## **APOLOGIES / LEAVE OF ABSENCE**

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR MARTIN,

THAT the apology and request for leave of absence from Councillor McMurdo in respect of an inability to attend the Planning Meeting on 4 August, 2010 be accepted and leave of absence be granted.

## **POLITICAL DONATIONS DISCLOSURE**

Statement by the Chairman:

*"In accordance with Section 147 of the Environmental Planning and Assessment Act 1979, any person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight's agenda, and who has made a reportable political donation or gift to a Councillor or employee of the Council, must make a Political Donations Disclosure Statement."*

*If a Councillor or employee has received a reportable political donation or gift from a person or organisation who has made a relevant planning application or a submission in respect of a relevant planning application which is on tonight's agenda, they must declare a non-pecuniary conflict of interests to the meeting, disclose the nature of the interest and manage the conflict of interests in accordance with Council's Code of Conduct."*

## **DECLARATIONS OF INTEREST**

COUNCILLOR HUTCHENCE declared a significant non-pecuniary interest in Item 5 - PLN48/10 Development Application - Erection of Two Detached Dwellings and Subdivision of One Lot into Two - 48 Ray Road, Epping. Refer to that Item for details.

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This is page 2 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 4 August, 2010.

GENERAL MANAGER

CHAIRMAN

## **CONFIRMATION OF MINUTES**

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR SMART,

THAT the Minutes of the Planning Meeting held on Wednesday, 7 July, 2010 be confirmed, a copy having been distributed to all Councillors.

FOR: COUNCILLORS BERMAN, CHOPRA, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

## **PETITIONS**

Nil

## **MAYORAL MINUTES**

Nil

## **NOTICES OF MOTION**

Nil

## **RESCISSION MOTIONS**

Nil

## **MATTERS OF URGENCY**

Nil

## **ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS**

THE MAYOR ANNOUNCED his intention to deal with the balance of the Business Paper by the exception method and announced the items.

Items 1, 2 and 5 were withdrawn for discussion.

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR HUTCHENCE,

THAT the recommendations in respect of items 3, 4, 6 and 7 be adopted.

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This is page 3 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 4 August, 2010.

GENERAL MANAGER

CHAIRMAN

FOR: COUNCILLORS BERMAN, BROWNE, CHOPRA, EVANS, HUTCHENCE,  
MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

For the sake of clarity, the above items are recorded in Agenda sequence.

*Note: Persons wishing to address Council on matters which were on the Agenda were permitted to speak, prior to the item being discussed, and their names are recorded in the Minutes in respect of that particular item.*

## **DEVELOPMENT APPLICATIONS**

### **A WARD DEFERRED**

Nil

### **A WARD**

#### **1 PLN47/10 Development Application - Removal of Two Heritage Listed Bunya Pine Trees - 19C Ethel Street, Hornsby**

**(DA/546/2010)**

RESOLVED ON THE MOTION OF COUNCILLOR SMART, seconded by COUNCILLOR EVANS,

THAT:

1. Development Application No. 546/2010 for the removal of two heritage listed Bunya Pine trees within a residential property at Lot 11 DP 853365 be approved subject to the conditions of consent detailed in Schedule 1 of Executive Manager's Report No. PLN47/10.
2. It be noted that Council's approval of Development Application No. 546/2010 in no way implies that approval will be granted for the removal of other trees, whether indigenous or not, within the Shire. What distinguishes this decision from other tree decisions is the recurring and substantial annual cost associated with the denutting of the Bunya Pines.

FOR: COUNCILLORS BERMAN, BROWNE, CHOPRA, EVANS, HUTCHENCE,  
MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

### **B WARD DEFERRED**

Nil

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This is page 4 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 4 August, 2010.

GENERAL MANAGER

CHAIRMAN

**B WARD**

- 2            PLN40/10 Development Application - Erection of a Childcare Centre and Use of an Existing Dwelling as a Manager's Residence - 206-208 Castle Hill Road, Cherrybrook**

**(DA/317/2010)**

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GENERAL MANAGER

CHAIRMAN

Mr Steven Sequeira, of Cherrybrook, addressed Council regarding this item.

MOVED ON THE MOTION OF COUNCILLOR MILLS, seconded by COUNCILLOR RUSSELL,

THAT Development Application No. 317/2010 for the construction of a childcare centre for 48 children and the change of use of an existing dwelling to a Manager's residence at Lot 4 DP 14282, Nos. 206 - 208 Castle Hill Road, Cherrybrook be approved subject to the conditions of consent detailed in Schedule 1 of Executive Manager's Report No. PLN40/10.

AN AMENDMENT WAS MOVED BY COUNCILLOR BROWNE, seconded by COUNCILLOR BERMAN PRO FORMA,

THAT Development Application No. 317/2010 for the construction of a childcare centre for 48 children and the change of use of an existing dwelling to a Manager's residence at Lot 4 DP 14282, Nos. 206 - 208 Castle Hill Road, Cherrybrook be approved subject to the conditions of consent detailed in Schedule 1 of Executive Manager's Report No. PLN40/10 as amended by the following requirement:

1. Modify condition No. 26 to read:

**26. Car Parking and Deliveries**

All car parking must be constructed and operated in accordance with Australian Standard AS 2890.1 - 2004 - Off Street Car Parking and Australian standard 2890.2 - 2002 - Off Street Commercial Vehicle Facilities and the following requirements:

- a. All parking areas and driveways are to be sealed to an all weather standard, line marked and signposted.
- b. Car parking, loading and manoeuvring areas to be used solely for nominated purposes.
- c. Vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads.
- d. All vehicular entry on to the site and egress from the site shall be made in a forward direction.
- e. Long stay staff parking must be distinguished from the short stay visitor parking by suitable signage and/or marking.
- f. An additional two car parking spaces be provided in a stacked configuration adjoining spaces 9 and 10 for staff use only.

THE AMENDMENT MOVED BY COUNCILLOR BROWNE, seconded by COUNCILLOR BERMAN WAS PUT AND LOST.

THE MOTION MOVED BY COUNCILLOR MILLS, seconded by COUNCILLOR RUSSELL WAS PUT AND CARRIED.

FOR: COUNCILLORS BERMAN, BROWNE, CHOPRA, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

**3 PLN55/10 Development Application - Construction of Fourteen Independent Living Units - 284 Castle Hill Road, Castle Hill**

**(DA/505/2010)**

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR HUTCHENCE,

THAT Development Application No. 505/2010 for the demolition of the existing laundry complex and the construction of fourteen independent living units, associated car parking, internal roads, driveways, paths and landscaping works at Lot 2005 DP 1 DP 1088072, No. 284 Castle Hill Road, Castle Hill be approved subject to the conditions of consent detailed in Schedule 1 of Executive Manager's Report No. PLN55/10.

FOR: COUNCILLORS BERMAN, BROWNE, CHOPRA, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

**C WARD DEFERRED**

Nil

**C WARD**

**4 PLN42/10 Alterations and Additions to an Existing Dwelling - 24 Barombah Road, Epping**

**(DA/566/2010)**

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GENERAL MANAGER

CHAIRMAN

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR HUTCHENCE,

THAT Council assume the concurrence of the Director-General of the Department of Planning pursuant to State Environmental Planning Policy No. 1 and approve Development Application No. 566/2010 for the erection of alterations and additions at Lot 10, DP 841537, No. 24 Barombah Road, Epping subject to the conditions of consent detailed in Schedule 1 of Executive Manager's Report No. PLN42/10.

FOR: COUNCILLORS BERMAN, BROWNE, CHOPRA, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

**5 PLN48/10 Development Application - Erection of Two Detached Dwellings and Subdivision of One Lot into Two - 48 Ray Road, Epping**

**(DA/620/2010)**

NOTE: COUNCILLOR HUTCHENCE declared a significant non-pecuniary interest in this item under Clause 51A of Council's Code of Meeting Practice (see Declarations of Interest in these Minutes). The nature of interest was stated by COUNCILLOR HUTCHENCE on the Declaration of Interest form as: "The property in question is a few houses from my own". COUNCILLOR HUTCHENCE was not present at, or in sight of, the Meeting when the item was being discussed or voted on.

Mr Patrick McManus, of Epping, addressed Council regarding this item.

RESOLVED ON THE MOTION OF COUNCILLOR MARTIN, seconded by COUNCILLOR EVANS,

THAT Council assume the concurrence of the Director-General of the Department of Planning pursuant to State Environmental Planning Policy No. 1 and approve Development Application No. 620/2010 for the demolition of an existing dwelling, erection of two detached dwellings and subdivision of one lot into two at Lot 4 DP 9631 (No. 48) Ray Road, Epping, subject to the conditions of consent detailed in Schedule 1 of Executive Manager's Report No. PLN48/10.

FOR: COUNCILLORS BERMAN, BROWNE, CHOPRA, EVANS, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

**GENERAL BUSINESS**

**6 PLN45/10 Local Heritage Assistance Fund 2010/2011**

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RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR HUTCHENCE,

THAT:

1. Council endorse the expenditure of funds to the value of \$60,000 from the Local Heritage Assistance Fund budget to the following projects (to be completed and reimbursed prior to 30 June 2011).

| Project No. | Property Address                          | Applicant Name          | Project Description  | Recommended Funding Amount and Comment  |
|-------------|---|-------------------------|--|---|
| 1           | 44 Beecroft Road, Beecroft                | Phillip Backhouse       | Replacing tin roof to front room and entry foyer, Facia's gully, guttering   | <b>\$2,245</b> (subject to hardwood or Oregon timber being used)  |
| 2           | 100 Beecroft Road Beecroft                | Robert Olsen            | Removal and replacement of all front veranda roofing iron. Removal and replacement of roof area above store and repainting | <b>\$10,000</b> (subject to treated pine not being used for works and documentation being submitted to Council regarding traditional colour scheme for paintwork) |
| 3           | Lot 17 Collingridge Point, Berowra Waters | Annette Crowe           | Restore coach ceiling in living room and the fascia on the north wall. This includes all necessary structural works        | <b>\$8,598</b> (subject to the retention of the timber ceiling profile and treatment of termites within roof cavity if observed during construction)              |
| 4           | 106 Bay Road Berrilee                     | Rhonda Ramsey           | Replace rotten veranda and posts   | <b>\$8,360</b> (subject to hardwood or Oregon timber being used)  |
| 5           | 429 Galston Road, Dural                   | Margaret Hunter         | Replacement of roof  | <b>\$10,000</b> (subject to appropriate guttering material being used such as zincalume or galvanised iron)   |
| 6           | Cnr Chester or Oxford Street, Epping      | Gordon Herriott         | Replace pressed pattern ceiling that has rusted due to leaking roof  | <b>\$6,000</b>  |
| 7           | 241 Pacific Highway, Hornsby              | Max and Lorraine Lowery | Roof and gable repairs to north elevation. Repair of dormer windows  | <b>\$5,000</b> (subject to treated pine not being used for works)   |
| 8           | 368 Pacific Highway, Hornsby              | Kellie Morle            | Structural repairs to sub floor and rear veranda area  | <b>\$1,790</b> (recommended that the apparent inadequate subfloor drainage/ventilation be investigated by owner to ensure long                                    |

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|----|--|---------------------------|--|--|
|    |  |                           |  | term stability of item)  |
| 9  | 62 Malsbury Road<br>Normanhurst            | Martyn Goundry            | Footing stabilisation  | <b>\$6,500</b><br>(recommended that the apparent inadequate drainage be investigated to ensure addressed in the long term) |
| 10 | 14 The Comenarra<br>Parkway,<br>Thornleigh | Sten and Clare<br>Hopkins | Replacement/repair of consumer mains.<br>Replacement of rotten timber window and ledge | <b>\$1,507</b> (subject to treated pine not being used for works)  |

2. Applicants be advised of Council's resolution.
3. Should any applicant not accept the offer of financial assistance or the works are unable to be completed this financial year, the General Manager be authorised to endorse any additional allocation or redistribution of funds following a recommendation from the Executive Manager, Planning Division.

FOR: COUNCILLORS BERMAN, BROWNE, CHOPRA, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

## 7 PLN52/10 Reporting Variations to Development Standards

(F2004/07599)

RESOLVED ON THE MOTION OF COUNCILLOR EVANS, seconded by COUNCILLOR HUTCHENCE,

THAT the contents of Executive Manager's Report No. PLN52/10 be received and noted.

FOR: COUNCILLORS BERMAN, BROWNE, CHOPRA, EVANS, HUTCHENCE, MARTIN, MILLS, RUSSELL AND SMART

AGAINST: NIL

## QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

## SUPPLEMENTARY AGENDA

Nil

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GENERAL MANAGER

CHAIRMAN

**CONFIDENTIAL ITEMS**

Nil

**QUESTIONS WITHOUT NOTICE**

Nil

**THE MEETING** terminated at 7.49 pm.

These Minutes were confirmed at the meeting held on Wednesday, 1 September, 2010, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

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GENERAL MANAGER

CHAIRMAN