



*the bushland shire*

*creating a living environment*

## **MINUTES OF PLANNING MEETING**

Held at COUNCIL CHAMBERS, HORNSBY  
on Wednesday, 1 June, 2011  
at 6.34pm

### **PRESENT**

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

### **NATIONAL ANTHEM**

### **OPENING PRAYER**

The Mayor 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."*

### **ABORIGINAL RECOGNITION**

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This is page 1 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 1 June, 2011.

GENERAL MANAGER

CHAIRMAN

Statement by the Chairman:

*"We acknowledge we are on the traditional lands of the Darug and Guringai Peoples. We pay our respects to elders past and present."*

## **AUDIO RECORDING OF COUNCIL MEETING**

Statement by the Chairman:

*"I advise all present that tonight's meeting is being audio recorded for the purposes of providing a record of public comment at the meeting, supporting the democratic process, broadening knowledge and participation in community affairs, and demonstrating Council's commitment to openness and accountability. The recordings will be made available on Council's website once the Minutes have been finalised. All 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 BROWNE, seconded by COUNCILLOR HUTCHENCE,

THAT the apology and request for leave of absence from Councillor Martin in respect of an inability to attend the Planning Meeting on 1 June 2011 be accepted and leave of absence be granted.

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

AGAINST: NIL

## **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**

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This is page 2 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 1 June, 2011.

COUNCILLOR BERMAN declared a less than significant non-pecuniary interest in Item 2 – PLN48/11 Wahroonga (North) Heritage Conservation Area Planning Proposal – Report on Submissions. Refer to that Item for details.

COUNCILLOR HUTCHENCE declared a less than significant non-pecuniary interest in Item 2 – PLN48/11 Wahroonga (North) Heritage Conservation Area Planning Proposal – Report on Submissions. Refer to that Item for details.

### **CONFIRMATION OF MINUTES**

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

THAT the Minutes of the Planning Meeting held on Wednesday 4 May 2011 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

### **PETITIONS**

COUNCILLOR SMART tabled a petition of 20 signatures objecting to the Wahroonga (North) Heritage Conservation Area Planning Proposal (Item 2).

### **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.

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Item 2 was withdrawn for discussion.

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

THAT the recommendation in respect of item 1 be adopted.

FOR: COUNCILLORS BERMAN, BROWNE, CHOPRA, EVANS, HUTCHENCE, MCMURDO, 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**

Nil

### **B WARD DEFERRED**

Nil

### **B WARD**

Nil

### **C WARD DEFERRED**

Nil

### **C WARD**

Nil

## **GENERAL BUSINESS**

### **1 PLN46/11 Draft Comprehensive Local Environmental Plan - Consultation**

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GENERAL MANAGER

CHAIRMAN

**with Public Authorities**

**(F2007/00692-03)**

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

THAT:

1. Council endorse the revised draft Comprehensive Local Environmental Plan attached to Executive Manager's Report No. PLN46/11 for public exhibition.
2. A submission be made to the Department of Planning and Infrastructure pursuant to Section 64 of the Environmental Planning and Assessment Act, 1979 requesting certification to enable the draft Comprehensive Local Environmental Plan to be placed on public exhibition.
3. Should conditions of certification only require minor amendment to the draft Comprehensive Local Environmental Plan, the General Manager be delegated authority to endorse and exhibit the Plan for a minimum of 60 days in accordance with the consultation strategy attached to Executive Manager's Report No. PLN92/10.
4. Following exhibition of the draft Comprehensive Local Environmental Plan, a report on submissions be presented to Council for its consideration.

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

AGAINST: NIL

**2 PLN48/11 Wahroonga (North) Heritage Conservation Area Planning Proposal - Report On Submissions**

**(F2010/00623)**

NOTE: COUNCILLOR BERMAN declared a less than 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 BERMAN on the Declaration of Interest form as "People known to me live in the affected area" and the explanation of why the interest does not require further action in the circumstances was "I do not know them well enough to be concerned".

NOTE: COUNCILLOR HUTCHENCE declared a less than 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 "Client lives in the area under consideration" and the explanation of why the interest does not require further action in the circumstances was "Client has not spoken regarding this item and the interest in less than significant".

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GENERAL MANAGER

CHAIRMAN

Mr Graham Hepworth, on behalf of Concerned Residents Against HCA Proposal, addressed Council regarding this item.

Mr Stuart Murray, of Wahroonga, addressed Council regarding this item.

**RESOLVED ON THE MOTION OF COUNCILLOR BROWNE, seconded by COUNCILLOR MCMURDO,**

**THAT:**

1. Council forward the Wahroonga (North) Heritage Conservation Area Planning Proposal attached to Executive Manager's Report No. PLN48/11 to the Minister for Planning and Infrastructure for gazettal pursuant to Section 59 of the Environmental Planning and Assessment Act 1979.
2. Submitters be advised of Council's resolution.

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

**AGAINST: NIL**

**QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

**SUPPLEMENTARY AGENDA**

Nil

**CONFIDENTIAL ITEMS**

Nil

**QUESTIONS WITHOUT NOTICE**

Nil

**THE MEETING** terminated at 7.38pm.

These Minutes were confirmed at the meeting held on Wednesday, 6 July, 2011, at which meeting the signature hereunder was subscribed.

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This is page 6 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 1 June, 2011.

GENERAL MANAGER

CHAIRMAN

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