



*the bushland shire*

*creating a living environment*

## **MINUTES OF PLANNING MEETING**

Held at COUNCIL CHAMBERS, HORNSBY  
on Wednesday, 3 August, 2011  
at 6.34pm

### **PRESENT**

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

NOTE: Councillor Hutchence left the meeting at 7.11pm following consideration of Item 6 and did not return. He was not present for consideration of Item 3.

### **NATIONAL ANTHEM**

### **OPENING PRAYER**

Rev. Bill Hayward of Dural Anglican Church 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."*

---

This is page 1 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 3 August, 2011.

GENERAL MANAGER

CHAIRMAN

## **ABORIGINAL RECOGNITION**

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 EVANS, seconded by COUNCILLOR HUTCHENCE,

THAT the apology and request for leave of absence from Councillor McMurdo in respect of an inability to attend the Planning Meeting on 3 August, 2011 be accepted and leave of absence be granted.

FOR: COUNCILLORS BERMAN, BROWNE, CHOPRA, EVANS, HUTCHENCE, MARTIN, 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-*

---

This is page 2 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 3 August, 2011.

*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 MILLS declared a significant non-pecuniary interest in Item 6 - PLN60/11 Epping Town Centre Study. Refer to that Item for details.

## **CONFIRMATION OF MINUTES**

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

THAT the Minutes of the Planning Meeting held on Wednesday 6 July 2011 be confirmed, a copy having been distributed to all Councillors.

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

AGAINST: NIL

## **PETITIONS**

Nil

## **MAYORAL MINUTES**

NOTE: Mayoral Minute No. MM8/11 is included in the 'Supplementary Reports' section of these Minutes as Item 8.

## **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 3, 6, 7 and 8 were withdrawn for discussion.

---

This is page 3 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 3 August, 2011.

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

THAT the recommendations in respect of items 1, 2, 4 and 5 be adopted.

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 PLN56/11 Development Application - Subdivision - Two Lots Into Four 6 and 8 Harwood Avenue, Mount Kuring-gai**

**(DA/522/2011)**

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

THAT Development Application No. 522/2011 for the subdivision of two lots into four at Lot 1 DP 523459 and Lot 2 DP 523459, Nos. 6 and 8 Harwood Avenue, Mount Kuring-gai be approved subject to the conditions of consent detailed in Schedule 1 of Executive Manager's Report No. PLN56/11.

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

AGAINST: NIL

#### **2 PLN59/11 Development Application - Erection of an Affordable Housing Development Comprising 33 Units 8A Northcote Road, Hornsby**

**(DA/334/2011)**

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

---

This is page 4 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 3 August, 2011.

GENERAL MANAGER

CHAIRMAN

THAT Development Application No. 334/2011 for the construction of an Affordable Housing development comprising 33 units at Lot A DP 399538, No. 8A Northcote Road, Hornsby be refused for the reasons detailed in the independent town planning consultant's report by Nexus Environmental Planning Pty Ltd and reproduced in Schedule 1 of Executive Manager's Report No. PLN59/11.

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

AGAINST: NIL

**B WARD DEFERRED**

Nil

**B WARD**

**3 PLN54/11 Development Application – Advertisements - Cherrybrook Village Shopping Centre, 41 - 47 Shepherds Drive, Cherrybrook (DA/510/2011)**

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

THAT Development Application No. 510/2011 for the erection of signage at Lot 1 DP 816893, Cherrybrook Village Shopping Centre, 41 – 47 Shepherds Drive, Cherrybrook be approved subject to the three external signs identified as signs 9, 10 and 11 on the plans being deleted from the development and subject to the conditions of consent detailed in Schedule 1 of Executive Manager's Report No. PLN54/11, as amended by the following requirement:

1. Add Condition No. 6 which reads:

**6. Drink Responsibly Signage**

The words 'DRINK RESPONSIBLY' shall be included within Wall Signs 2 and 4. The words 'DRINK RESPONSIBLY' shall be at least 25% of the size of the word 'LIQUOR' (as it appears in the standard Woolworths Liquor Logo) and shall complement the advertising on these signs (as well as sharing illumination if the approved signage is illuminated).

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

AGAINST: NIL

**C WARD DEFERRED**

---

This is page 5 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 3 August, 2011.

GENERAL MANAGER

CHAIRMAN

Nil

## **C WARD**

### **4 PLN58/11 Development Application - Erection of a dwelling-house 10A Redgum Avenue, Pennant Hills**

**(DA/346/2011)**

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

THAT Development Application No. 346/2011 for the erection of a two-storey dwelling-house and in-ground swimming pool at Lot 72, DP 1152456, 10A Redgum Avenue, Pennant Hills, be approved subject to the conditions of consent detailed in Schedule 1 of Executive Manager's Report No. PLN58/11.

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

AGAINST: NIL

## **GENERAL BUSINESS**

### **5 PLN44/11 Policy - Property Numbering**

**(F2004/08564-02)**

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

THAT Council adopt the Property Numbering Policy attached to Executive Manager's Report No. PLN44/11.

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

AGAINST: NIL

### **6 PLN60/11 Epping Town Centre Study**

**(F2010/00546-02)**

NOTE: COUNCILLOR MILLS 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 MILLS on the Declaration of Interest form as: "Persons involved in this project are known to me". COUNCILLOR MILLS was not present at, or in sight of, the Meeting when the matter was being debated or voted on.

RESOLVED ON THE MOTION OF COUNCILLOR HUTCHENCE, seconded by

---

This is page 6 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 3 August, 2011.

GENERAL MANAGER

CHAIRMAN

COUNCILLOR BROWNE,

THAT:

1. Council endorse the Epping Town Centre Study for public exhibition.
2. The Study be exhibited for a minimum period of two months generally in accordance with the consultation strategy attached to Executive Manager's Report No. PLN60/11.
3. The General Manager be delegated authority to endorse the exhibition material, including the preparation of an information brochure.
4. To facilitate the opportunity for the Epping community and stakeholders to provide feedback on the Study which includes recommendations addressing traffic management strategies, public domain and urban design improvements that cross local government boundaries, Council write to Parramatta City Council and the Department of Planning and Infrastructure seeking a further meeting of the Epping Town Centre Steering Committee to encourage the joint exhibition of the Study.

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

AGAINST: NIL

**7 PLN61/11 Hornsby Quarry Planning Proposal**

**(F2011/00979)**

Mr Joe Nagy, of Wahroonga, addressed Council regarding this item.

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

THAT:

1. Council endorse progression of the Hornsby Quarry Planning Proposal attached to Executive Manager's Report No. PLN61/11 to allow the filling of Hornsby Quarry as permissible development.
2. Pursuant to Section 56(1) of the Environmental Planning and Assessment Act 1979, Council forward the Planning Proposal to the Minister for Planning and Infrastructure seeking Gateway Determination to progress the preparation of the Planning Proposal.
3. Should the Minister determine under Section 56(2) of the Environmental Planning and Assessment Act 1979 that the matter may proceed without significant amendment to the Proposal, Council publicly exhibit the Planning Proposal in accordance with the Minister's determination.
4. A public hearing pursuant to Section 57(6) of the Environmental Planning and

---

This is page 7 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 3 August, 2011.

GENERAL MANAGER

CHAIRMAN

Assessment Act be held following the exhibition of the Planning Proposal.

5. An independent facilitator be retained to conduct the public hearing for the reclassification of the land.
6. Following the exhibition, a report on submissions received in response to the public exhibition and at the public hearing be prepared for Council's consideration.

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

AGAINST: NIL

#### **SUPPLEMENTARY REPORTS**

#### **8 MM8/11 Proposed Sale of Council Property at Hornsby**

**(F2006/00711-02)**

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

THAT Council authorise the use of Council's Seal on the Contract for the Sale of Land and the Deed of Release in relation to this matter as deemed appropriate by Council's legal advisers.

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

AGAINST: NIL

#### **QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

#### **CONFIDENTIAL ITEMS**

Nil

#### **QUESTIONS WITHOUT NOTICE**

Nil

**THE MEETING** terminated at 7.14pm.

These Minutes were confirmed at the meeting held on Wednesday, 7 September, 2011, at which meeting the signature hereunder was subscribed.

---

This is page 8 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 3 August, 2011.

GENERAL MANAGER

CHAIRMAN



CONFIRMED

CHAIRMAN

---

---

This is page 9 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 3 August, 2011.

GENERAL MANAGER

CHAIRMAN