



the bushland shire

creating a living environment

MINUTES OF PLANNING MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday, 7 December, 2011
at 6.37pm

PRESENT

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

NATIONAL ANTHEM

OPENING PRAYER

Karina Kreminski of Community Life Church, Cherrybrook 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

This is page 1 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 7 December, 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

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

Nil

CONFIRMATION OF MINUTES

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

THAT the Minutes of the Planning Meeting held on Wednesday 2 November 2011 be confirmed, a copy having been distributed to all Councillors.

This is page 2 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 7 December, 2011.

GENERAL MANAGER

CHAIRMAN

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

AGAINST: NIL

PETITIONS

COUNCILLOR BERMAN tabled a petition of 234 signatures requesting safety improvements for pedestrians at the pedestrian crossings at Denman Parade and Normanhurst Road at the Normanhurst Shopping Centre.

RESCISSION MOTIONS

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 and 2 were withdrawn for discussion.

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

THAT the recommendation in respect of item 3 be adopted.

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

1 PLN72/11 Development Application - Dwelling-House - 6 Talbot Way,

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

GENERAL MANAGER

CHAIRMAN

Berowra

(DA/1056/2011)

Mrs Melissa Burton, of Berowra, addressed Council regarding this item.
Mrs Deborah Ferral-Smith, of Berowra, addressed Council regarding this item.
Mr Rod Ferral-Smith, of Berowra, addressed Council regarding this item.
Mr Phillip Johnston, on behalf of the applicant, addressed Council regarding this item.
Mr Allan Villanueva, applicant, addressed Council regarding this item.

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

THAT Council assume the concurrence of the Director-General of the Department of Planning and Infrastructure pursuant to State Environmental Planning Policy No. 1 and approve Development Application No. DA/1056/2011 for a dwelling-house at Lot 35, DP 270489, No. 6 Talbot Way, Berowra, subject to the conditions of consent detailed in Schedule 1 of Executive Manager's Report No. PLN72/11, as amended by the following requirement:

Modify Condition No. 21 to read:

21. Installation of Privacy Devices

To establish and maintain a reasonable level of privacy towards the private open space of the adjoining property, No. 4 Talbot Way, a close-form lattice/louvre or solid privacy screen with minimum height of 1.5 metres to 2 metres (to be agreed between the neighbours) must be erected along the north-western elevation of the ground floor level "Alfresco area".

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

AGAINST: COUNCILLORS BROWNE AND MARTIN

B WARD DEFERRED

Nil

B WARD

Nil

C WARD DEFERRED

Nil

C WARD

This is page 4 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 7 December, 2011.

GENERAL MANAGER

CHAIRMAN

2 PLN70/11 Development Application - Subdivision of Five Lots into Four, Construction of Three Dwelling-houses and Retention of Existing Heritage Listed Dwelling - 115 Beecroft Road, Beecroft

(DA/605/2011)

Mr Jon-Claire Lee, of Beecroft, addressed Council regarding this item.

Ms Jennifer Houlihan, of Beecroft, addressed Council regarding this item.

Mrs Gail Simpson, of Beecroft, addressed Council regarding this item.

Mrs Felicity Findlay, representing Beecroft Cheltenham Civic Trust Inc., addressed Council regarding this item.

Mr Gordon Clarke, applicant, addressed Council regarding this item.

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

THAT Council assume the concurrence of the Director-General of the Department of Planning and Infrastructure pursuant to State Environmental Planning Policy No. 1 and approve Development Application No. 605/2011 for subdivision of five allotments into four, construction of three dwelling-houses and retention of the existing heritage listed dwelling at Lots 1-5 DP 2073, No. 115 Beecroft Road, Beecroft subject to the conditions of consent detailed in Schedule 1 of Executive Manager's Report No. PLN70/11, as amended by the following requirement:

Add new condition, to be inserted as Condition No. 45 with remaining conditions to be renumbered accordingly, which reads:

45. Boundary Fencing - Staining

The timber lapped fence located along the Beecroft Road boundary of the site shall be stained in a darker tone which is sympathetic to the character of the surrounding Heritage Conservation Area.

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

AGAINST: NIL

GENERAL BUSINESS

Nil

CONFIDENTIAL ITEMS

Nil

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

This is page 5 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 7 December, 2011.

GENERAL MANAGER

CHAIRMAN

MAYORAL MINUTES

4 MM17/11 Termination of Lease – Hornsby and District Branch of the Country Women’s Association of NSW

(F2004/09431)

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

THAT:

1. Council note the advice from the Hornsby and District Branch of the Country Women’s Association of NSW (CWA) that it will vacate the community building in Hornsby Park on 1 March 2012.
2. Council write to the CWA acknowledging the Association’s position and commits to continuing to work with the Association during the interim period before the completion of the new Hornsby Aquatic Centre complex.
3. Council reaffirm its commitment to offering the CWA the use of a facility within the new Hornsby Aquatic Centre complex upon its completion.

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

AGAINST: NIL

5 MM18/11 Brooklyn Sewage Treatment Plant

(F2004/08681-02)

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

THAT:

1. A letter be sent to the Minister responsible for Sydney Water, The Hon. Greg Pearce MP seeking confirmation of the Government’s commitment to providing sewage treatment systems of the highest standards of treatment and discharge controls that protect the natural environment; and that the NSW Government remains committed to providing such high quality sewage systems for the residents of the Galston and Cowan areas in the 2013/14 financial year.
2. A letter be sent to the Minister for the Environment, The Hon. Robyn Parker MP seeking her assurances that no decision is made in relation to Sydney Water’s proposal to increase nutrient discharges into the Hawkesbury River estuary until all relevant information has been released for public scrutiny.
3. A letter be written to Members of the Legislative Council of the New South Wales

This is page 6 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 7 December, 2011.

GENERAL MANAGER

CHAIRMAN

Parliament seeking that they convene a Parliamentary Inquiry into the Brooklyn Sewage Treatment Project to ascertain how a plant built so recently and at significant public expense after a prolonged planning period, can so demonstrably fail to meet the expectations of the community and the environment's needs within months of it commencing operation.

4. A report be submitted to Council outlining how monitoring tests on discharges from the Brooklyn Sewage Treatment Plant can be undertaken to ascertain if effluent being discharged from the Plant meets its licensing requirements.

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

AGAINST: NIL

NOTICES OF MOTION

Nil

SUPPLEMENTARY AGENDA

3 WK71/11 Termination of Contract C20/2010B: Grass Cutting of Roadsides for Sites in Zone 2 (south of Thornleigh)

(F2010/00638)

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

THAT Council:

1. Notify Luhrmann Environment Management Pty Ltd of its decision to terminate Council's Contract C20/2010B - Grass Cutting of Roadsides in Zone 2.
2. Award House With No Steps (HWNS) a two year contract to take-over the grass cutting of sites in Zone 2 commencing February 2012 rather than call fresh tenders on account of "extenuating circumstances" including:
 - (a) Council recently tested the open market in calling tenderers for grass cutting of Zone 1 and Zone 2. HWNS tendered for both but was awarded Zone 1. Council has found HWNS performance in Zone 1 to be satisfactory.
 - (b) It would not be practical to delay grass cutting by approximately five months to call tenders during this time of year.
 - (c) Contracting HWNS for the Zone 2 works would result in a satisfactory result which would otherwise not be achieved if tenders were invited.

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

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

GENERAL MANAGER

CHAIRMAN

MARTIN, MCMURDO, MILLS, RUSSELL AND SMART

AGAINST: NIL

MATTERS OF URGENCY

Nil

QUESTIONS WITHOUT NOTICE

Nil

THE MEETING terminated at 8.38pm.

These Minutes were confirmed at the meeting held on Wednesday, 1 February 2012, at which meeting the signature hereunder was subscribed.

CONFIRMED

CHAIRMAN

This is page 8 of the Minutes of the Planning Meeting of Hornsby Shire Council held on 7 December, 2011.

GENERAL MANAGER

CHAIRMAN