



# **MINUTES OF LOCAL PLANNING PANEL MEETING**

Held via TELECONFERENCE  
on Wednesday 27 August 2025  
at 4:00 PM





## **PRESENT**

Chairperson - Stephen Leathley

Expert Panel Member - Clare Brown

Expert Panel Member - Greg Flynn

Community Member - Tony Jones

## **STAFF PRESENT**

Manager, Development Assessment - Rod Pickles

Major Development Manager - Cassandra Williams

Senior Town Planner - Tim Buwalda

Town Planner - Sophie Valentine

Town Planner - Rachel Hughes

## **AUDIO RECORDING OF LOCAL PLANNING PANEL MEETING**

Statement by the Chairperson:

*"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 of the non-confidential parts of the meeting 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. No other persons are permitted to record the meeting, unless specifically authorised by Council to do so."*

## **APOLOGIES / LEAVE OF ABSENCE**

NIL

## **POLITICAL DONATIONS DISCLOSURE**

NIL

## **DECLARATIONS OF INTEREST**

NIL



## ADDRESSES TO THE PANEL

The following members of the public addressed the Panel on the items on the agenda for the public meeting:

**1            LPP19/25    DA/1407/2024 - Demolition and Torrens title subdivision of one lot into four - 19A and 21 Day Road, Cheltenham**

Byles Creek Valley Union Inc	Against
Brett Gardiner	Against
Georgia Cameron	Against
Peter Fryar (town planner)	For
Chris Paunescu (engineer)	For
Wal Dobrow (applicant's representative)	For

**2            LPP17/25    Further Report - DA/85/2025 - Demolition of structures and construction of a dwelling house - 316 & 318 Malton Road, North Epping**

John Vaughan	Against
Natalie Nolan (town planner)	For

## IN ACCORDANCE WITH CLAUSE 3.3(5.b) OF SCHEDULE 1 OF THE OPERATIONAL PROCEDURES DIRECTIONS ISSUED 1 FEBRUARY 2023

The Panel Chair closed the public meeting at 4.50pm.



## LOCAL PLANNING PANEL

1            **LPP19/25    DA/1407/2024 - Demolition and Torrens title subdivision of one lot into four - 19A and 21 Day Road, Cheltenham**

**(DA/1407/2024)**

### RECOMMENDATION

THAT the Hornsby Local Planning Panel, exercising the functions of Council as the consent authority, approve Development Application No. DA/1407/2025 for demolition and Torrens title subdivision of one lot into four at Lots 1 and 2 DP 1298219, Nos. 19A and 21 Day Road, Cheltenham, subject to the conditions of consent in Schedule 1 of LPP Report No. LPP19/25.

### PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised in the written submissions and by the speakers at the meeting including loss of trees and previous clearing of the site, overdevelopment privacy and amenity impacts, stormwater and flooding impacts, increase in noise and traffic.

The Panel considered the provisions of section 61 Demolition of buildings of the Environmental Planning and Assessment Regulation 2021 and is satisfied that the recommended conditions of consent ensure the provisions are addressed.

The Panel is satisfied that the development has adequately met the provisions of State Environmental Planning Policy (Resilience and Hazards) 2021.

The Panel resolved to adopt the officer's recommendation and approve the proposed development subject to the conditions contained in Schedule 1 of the report, as amended by Late Memo LM11/25 (amended condition No. 15) and the following amendments:

*Amend condition No. 50 to read:*

#### **50.     Landscaping of Site**

All pervious areas of the site and disturbed areas of the road reserve adjoining the site must be appropriately landscaped with suitable indigenous turf, trees, and shrubs to complement the development and prevent erosion of soil.

*Note: Advice on suitable species for landscaping can be obtained from Council's planting guide 'Indigenous Plants for the Bushland Shire', available at [www.hornsby.nsw.gov.au](http://www.hornsby.nsw.gov.au).*

*Reason: To enhance the environmental and visual qualities of the development.*

#### **The reasons for this decision are:**

- In accordance with Clause 5.21 of the Hornsby Local Environmental Plan 2013 and subject to the recommended conditions, the Panel is satisfied that the development has adequately addressed the matters required to be demonstrated by Clause 5.21(2) and (3) of the Hornsby Local Environmental Plan 2013.
- The Panel is satisfied that the development has adequately met the provisions of section 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021.
- The Panel is satisfied that the development meets the objectives of Chapter 6 of the State



Environmental Planning Policy (Biodiversity and Conservation) 2021.

- The Panel is satisfied that the development has adequately met the provisions of section 61 Demolition of buildings of the Environmental Planning and Assessment Regulation 2021, subject to the recommended conditions of consent.
- The proposed development generally complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2024.
- The proposed development does not create unreasonable environmental impacts to adjoining development with regard to amenity or privacy, subject to the recommended conditions of consent.

#### **VOTING OF THE PANEL MEMBERS**

FOR: Stephen Leathley, Clare Brown, Greg Flynn, Tony Jones

AGAINST: NIL

#### **2 LPP17/25 Further Report - DA/85/2025 - Demolition of structures and construction of a dwelling house - 316 & 318 Malton Road, North Epping**

**(DA/85/2025)**

#### **RECOMMENDATION**

- A. THAT the Hornsby Local Planning Panel, exercising the functions of Council as the consent authority, approve Development Application No. DA/85/2025 for demolition of structure and construction of a dwelling house at Lot 6A DP 27021 and Lot 7 DP 21101, Nos. 316 & 318 Malton Road, North Epping subject to the conditions of consent in Schedule 1 of LPP Report No. LPP17/25.

#### **PANEL'S CONSIDERATION AND DETERMINATION**

The Panel considered the matters raised in the written submissions and by the speakers at the meeting including character, bulk and scale, setbacks, overshadowing, design lends itself to a function centre attached to a dwelling, privacy and amenity impacts.

The Panel considered the provisions of section 61 Demolition of buildings of the Environmental Planning and Assessment Regulation 2021 and is satisfied that the recommended conditions of consent ensure the provisions are addressed.

The Panel is satisfied that the development has adequately met the provisions of section 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021.

The Panel resolved to adopt the officer's recommendation and approve the proposed development subject to the conditions contained in Schedule 1 of the report as amended by Late Memo LM10/25 (new condition No. 23A).

#### **The reasons for this decision are:**

- The Panel is satisfied that the development has adequately met the provisions of section 4.6



of State Environmental Planning Policy (Resilience and Hazards) 2021.

- The Panel is satisfied that the development has adequately met the provisions of section 61 Demolition of buildings of the Environmental Planning and Assessment Regulation 2021, subject to the recommended conditions of consent.
- The proposed development generally complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2024.
- The proposed development does not create unreasonable environmental impacts to adjoining development with regard to solar access, amenity or privacy, subject to the recommended conditions of consent.
- The Panel is satisfied that the existing streetscape and proposed development can exist together in harmony without having the same density, scale or appearance.

#### **VOTING OF THE PANEL MEMBERS**

FOR: Stephen Leathley, Clare Brown, Greg Flynn, Tony Jones

AGAINST: NIL

#### **ELECTRONIC DETERMINATION**

**3 LPP20/25 DA/679/2025 - Alterations & additions to a dwelling house - 4 Eastcote Road, North Epping**

**(DA/679/2025)**

#### **RECOMMENDATION**

- A. THAT the Hornsby Local Planning Panel, exercising the functions of Council as the consent authority, contravene Clause 4.3 Height of buildings Development Standard pursuant to Clause 4.6 of the Hornsby Local Environmental Plan 2013, as it is satisfied that the applicant has demonstrated that the provisions of Clause 4.6(3)(a) and (b) have been met.
- B. THAT the Hornsby Local Planning Panel, exercising the functions of Council as the consent authority, approve Development Application No. DA/679/2025 for alterations and additions to a dwelling house at Lot 4 DP 27760, No. 4 Eastcote Road, North Epping subject to the conditions of consent in Schedule 1 of LPP Report No. LPP20/25.

#### **PANEL'S CONSIDERATION AND DETERMINATION**

The Panel considered the Clause 4.6 submission and is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3) of the Hornsby Local Environmental Plan 2013.

The Panel considered the provisions of section 61 of the Environmental Planning and Assessment Regulation 2021 Demolition of buildings and is satisfied that the recommended conditions of consent ensure the provisions are addressed.

The Panel is satisfied that the development has adequately met the provisions of section 4.6 of State



Environmental Planning Policy (Resilience and Hazards) 2021.

The Panel resolved to adopt the officer's recommendation and approve the proposed development subject to the conditions contained in Schedule 1 of the report.

**The reasons for this decision are:**

- The Panel has considered the applicant's written request under Clause 4.6 of the Hornsby Local Environmental Plan 2013 prepared by ICR (undated) received by Council on 22 July 2025 to vary the height of buildings development standard in Clause 4.3 of the Hornsby Local Environmental Plan 2013.
- In accordance with Clause 4.6 of the Hornsby Local Environmental Plan 2013, the Panel is satisfied that the applicant has demonstrated that:
  - The applicant's written request has adequately addressed the matters required to be demonstrated by clause 4.6(3)(a) and (b) of the Hornsby Local Environmental Plan 2013 and consider that:
    - Compliance with the development standard is unreasonable and unnecessary in the circumstances of the case, and
    - There are sufficient environmental planning grounds to justify the variation of the development standard.
- The Panel is satisfied that the development has adequately met the provisions of section 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021.
- The Panel is satisfied that the development has adequately met the provisions of section 61 Demolition of buildings of the Environmental Planning and Assessment Regulation 2021, subject to the recommended conditions of consent.
- The proposed development generally complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2024.
- The proposed development does not create unreasonable environmental impacts to adjoining development with regard to visual bulk, solar access, amenity or privacy, subject to the recommended conditions of consent.

**VOTING OF THE PANEL MEMBERS**

FOR: Stephen Leathley, Clare Brown, Greg Flynn, Tony Jones

AGAINST: NIL

THE MEETING concluded at 5.34pm.



**Chairperson**