



MINUTES OF LOCAL PLANNING PANEL MEETING

Held via TELECONFERENCE
on Wednesday 25 March 2026
at 10:30 AM



PRESENT

Chairperson - Stephen Leathley

Expert Panel Member - Anthony Hudson

Expert Panel Member - Marjorie Ferguson

Community Member - Tony Jones

STAFF PRESENT

Manager, Development Assessment - Rod Pickles

Major Development Manager - Cassandra Williams

Senior Town Planner - George Papworth

Senior Town Planner - Katrina Maxwell

APOLOGIES / LEAVE OF ABSENCE

NIL

POLITICAL DONATIONS DISCLOSURE

NIL

DECLARATIONS OF INTEREST

Anthony Hudson declared a conflict of interest with item 1 and was not involved in the consideration and determination of this application.

ELECTRONIC DETERMINATIONS

- 1 LPP10/26 DA/978/2025 - Construction of a multi-purpose hall and alterations & additions to a Place of Worship - 444 Galston Road, Dural**

(DA/978/2025)

RECOMMENDATION

THAT the Hornsby Local Planning Panel, exercising the functions of Council as the consent authority, approve Development Application No. DA/978/2025 for the construction of a multi-purpose hall and alterations and additions to a place of worship at Lot 22 DP 239110, No. 444 Galston Road Dural subject to the conditions of consent in Schedule 1 of LPP Report No. LPP10/26.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised in the written submissions.

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 and the following amendment:

Amend condition No. 2 to read:

2. Amendment of Plans

1. To comply with Councils requirement in terms of waste collection vehicle access, the approved plans are to be amended as follows:
 - a. The Civil Engineering Design plans must be amended to show the turning head/ loading bay at the end of the driveway/ accessway for medium rigid waste collection vehicles (MRV) and other service vehicles to turn around and must be consistent with the Traffic Report.
2. To ensure the operational measures implemented protect the amenity of the local area, the Plan of Management is to be amended as follows:
 - a. Rows 2 and 3 of the broader time table of events on Page 5 is to be amended so that a maximum number of persons on the landholding does not exceed 150 persons at any time.
 - b. A record of attendance must be maintained to ensure the number of persons permitted on the landholding at any one time does not exceed 150. The records must be made available to Council upon request.
3. These amended plans must be submitted with the application for the Construction Certificate.

Reason: To require minor amendments to the approved plans and supporting documentation following assessment of the development.

The reasons for this decision are:

- The proposed development generally complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2024.
- The Panel notes that subject to the recommended conditions, the Panel can be satisfied that the proposed development conforms to the specifications and requirements of the document titled Planning for Bush Fire Protection 2019 prepared by the NSW Rural Fire Service in accordance with the requirements of Section 4.14(1)(a) of the Environmental Planning Assessment Act 1979.
- 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, Marjorie Ferguson, Tony Jones

AGAINST: NIL

2 LPP3/26 DA/1383/2025 - Conversion of existing strata subdivision to Torrens title - 6 Oakhill Drive, Castle Hill

(DA/1383/2025)

RECOMMENDATION

- A. THAT the Hornsby Local Planning Panel, exercising the functions of Council as the consent authority, support the contravention of Clause 4.1 Minimum Lot Size 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/1383/2025 for Torrens title subdivision of an existing strata titled property comprising two detached dwellings at CP SP 50726, No. 6 Oakhill Drive, Castle Hill subject to the conditions of consent in Schedule 1 of LPP Report No. LPP3/26.

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 resolved to adopt the officer's recommendation and approve the proposed development subject to the conditions contained in Schedule 1 of the report and the following amendments:

New condition No. 1A to read:

1A. Amendment of Plans

1. The approved Plan of Subdivision (Plan No. 15972 Issue A) prepared by Hammond Smeallie and Co. Pty Ltd, dated 27 February 2026 is to be amended to delete the reference to strata from proposed Lot 1.
2. This amended plan must be submitted with the application for the Subdivision Certificate.

Reason: To require minor amendments to the approved plans and supporting documentation following assessment of the development.

Amend condition No. 2 to read:

2. Subdivision Certificate Application

A Subdivision Certificate Application is required to be lodged with Council, which is to include a completed Subdivision Certificate form and checklist, a final plan of subdivision prepared in accordance with the requirements of the *Conveyancing Act 1919* and the following information:

1. A surveyor's certificate certifying that all services, drainage lines or access are located wholly within the property boundaries. Where services encroach over the new boundaries, easements are to be created.
2. Certification that the requirements of relevant utility authorities have been met.

Note: The fee payable is to be in accordance with Council's fees and charges.

Note: Council will not issue a Subdivision Certificate until all conditions of the development consent have been completed.

Note: At the present time Hornsby Shire Council is the only authority that can be appointed as a PC for subdivision works within the Shire.

Reason: Statutory requirement of the Conveyancing Act 1919

Amend condition No. 4 to read:

4. Creation of Easements

The following matter(s) must be nominated on the plan of subdivision under s88B of the *Conveyancing Act 1919*:

1. A sewer easement benefiting Lot 2 and burdening Lot 1 as shown in the approved subdivision plan.
2. An easement for overhang benefiting Lot 2 and burdening Lot 1 as shown in the approved plan of subdivision (including any necessary drainage of water in any overhanging gutter).
3. An appropriate easement benefiting Lot 2 and burdening Lot 1 for the carrying out of repairs and maintenance of any part of buildings on Lot 2 (and including any necessary vehicular and pedestrian access for this work).

Note: Council must be nominated as the authority to release, vary or modify any easement, restriction, or covenant.

Reason: To create legal entitlements to facilitate the proper use and management of land.

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 Natalie Richter (Consultant Planner) and Gary Skow (Registered Surveyor) Hammond Smeallie Surveyors dated 4 February 2026 received by Council on 4 February 2026 to contravene the Minimum subdivision lot size development standard in Clause 4.1 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 that:
 - Compliance with the development standards is unreasonable and unnecessary in the circumstances of the case, and
 - There are sufficient environmental planning grounds to justify contravening the development standard.
- 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, Anthony Hudson, Marjorie Ferguson, Tony Jones

AGAINST: NIL

**3 LPP13/26 Reporting Development Applications for Determination by the Hornsby
Local Planning Panel over 180 Days**

(F2013/00295-005)

RECOMMENDATION

THAT the contents of LPP Report No. LPP13/26 be received and noted.

VOTING OF THE PANEL MEMBERS

FOR: Stephen Leathley, Anthony Hudson, Marjorie Ferguson, Tony Jones

AGAINST: NIL

THE MEETING concluded at 11.19am.

A handwritten signature in black ink, consisting of several overlapping loops and lines, positioned above the title 'Chairperson'.

Chairperson