



MINUTES OF Local Planning Panel meeting

Held via Teleconference, HORNSBY
on Wednesday 29 July 2026
at 4:00 PM



PRESENT

Chairperson - Scott Barwick

Expert Panel Member - Marjorie Ferguson

Expert Panel Member - Michael Leavey

Community Member - Selina Cheng

STAFF PRESENT

Manager, Development Assessment - Rod Pickles

Major Development Manager - Cassandra Williams

Senior Town Planner - Tim Buwalda

A/Manager, Strategic Landuse Planning - Aaron Harding

Environmental Protection Manager - Peter Fox

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 item on the agenda for the public meeting:

**1 LPP19/26 DA/1104/2025 - Construction of a dwelling house and swimming pool -
21 John Radley Avenue, Dural**

Eli Gescheit (applicant's town planner)	For
Brad May (applicant's environmental engineer)	For
Sindhura Vemareddy (owner)	For
Vinod Vemareddy (owner)	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 4:38pm.

LOCAL PLANNING PANEL

1 **LPP19/26 DA/1104/2025 - Construction of a dwelling house and swimming pool -
21 John Radley Avenue, Dural**

(DA/1104/2025)

RECOMMENDATION REFUSAL

THAT the Hornsby Local Planning Panel, exercising the functions of Council as the consent authority, refuse Development Application No. DA/1104/2025 for the construction of a dwelling house and swimming pool and the remediation of the site at Lot 40, DP 1007285, No. 21 John Radley Avenue, Dural for the reasons detailed in Schedule 1 of LPP Report No. LPP19/26.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised in the written submissions.

The Panel considered the additional information provided by the applicant and Late Memo No. LM8/26 prepared by Council in response to the submitted additional information.

The Panel is not satisfied that the development has adequately met the provisions of State Environmental Planning Policy (Resilience and Hazards) 2021.

The Panel notes that there is positive covenant on the title which requires approval from the Environment Protection Authority. The Section 88B states:

Terms of Restriction sixthly referred to in the above-mentioned plan:

No excavation or disturbance of the surface of the vertical batter bank of any kind is permitted without the express written permission of the Environmental Protection Authority and the Council of the Shire or Hornsby.

Terms of Restriction eighthly referred to in the above-mentioned plan:

The erection of any building is prohibited unless approval is obtained from the Environmental Protection Authority and the Council of the Shire or Hornsby.

The Panel notes that the Environment Protection Authority has not provided approval for the erection of any building on the site. Accordingly, the covenant cannot be suspended under Section 1.9A(3) of the Hornsby Local Environmental Plan 2013 and therefore the panel does not have delegations to approve the proposed development.

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

Furthermore, the Panel would encourage the applicant to consider lodging a s8.2 review that amends the application in the terms indicated by the site auditor and to allow a full assessment of this approach by Council and the EPA.

Confirm that no owners consent is required to facilitate the provision of any services to a future dwelling.

VOTING OF THE PANEL MEMBERS

FOR: Scott Barwick, Marjorie Ferguson, Michael Leavey, Selina Cheng

AGAINST: NIL

THE MEETING concluded at 5.03pm.

A handwritten signature in black ink, appearing to read 'S. B. Smith', written in a cursive style.

Chairperson