



Our Reference: F2004/07491-06

13 July 2010

Department of Planning
Sydney West Regional Team
Locked Bag 5020
PARRAMATTA NSW 2124



Attention: Peter Goth, Regional Director

Dear Mr Goth

Townhouse Planning Proposal

The purpose of this letter is to present a Planning Proposal to the Minister for a Gateway Determination in accordance with Clause 56 of the *Environmental Planning and Assessment Act, 1979 (EP&A Act)*.

At its meeting on 7 July 2010, Council considered Executive Manager's Report No. PLN44/10 presenting (in part) a Planning Proposal to assist meet the shortfall in Council's dwelling obligations under the *Metropolitan Strategy* caused by the deletion of certain precincts from the *Hornsby Shire Housing Strategy*. Specifically, the Planning Proposal aims to:

- Amend the *Hornsby Shire Local Environmental Plan (HSLEP) 1994* map to rezone certain precincts (once finalised) to permit townhouse development; and
- Amend the boundary of a precinct previously nominated in the *Housing Strategy*, extending the area in which 5 storey multi-unit residential development is permissible on the land and to include an additional property.

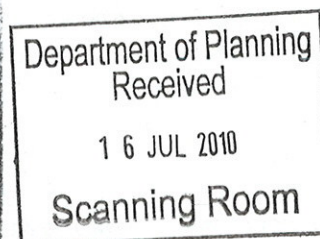
Council resolved to forward the Planning Proposal to the Minister for a Gateway Determination. In accordance with Council's resolution, please find attached a Planning Proposal prepared in accordance with Section 55 of the *EP&A Act*, including an explanation and justification for the proposed instrument and outlining a community consultation strategy for exhibition of the Proposal. An electronic copy of the Planning Proposal is also enclosed on CD.

I would be pleased if you would refer the enclosed Planning Proposal to the LEP Review Panel for a Gateway Determination. Should you have any further enquiries concerning this matter, please contact Mrs Katherine Vickery, Principal Strategic Planner, Town Planning Services on 9847 6728.

I look forward to your response.

Yours faithfully

JAMES FARRINGTON
Manager
Town Planning Services



Attachment: Townhouse Planning Proposal (hard copy and CD)
Council Report and Resolution (7 July 2010)

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Manager
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4 HORNSBY SHIRE HOUSING STRATEGY PLANNING PROPOSAL - REPORT ON SUBMISSIONS

EXECUTIVE SUMMARY

The amended *Hornsby Shire Housing Strategy* was exhibited for public comment earlier this year. Many submissions were received, providing valuable feedback which has assisted identify proposed amendments to the *Housing Strategy Planning Proposal*. Recommended amendments include the deletion of particular precincts and amendments to precinct boundaries or housing form.

The recommended deletion of particular precincts will result in a reduced dwelling yield and overall shortfall in Council's dwelling target. Accordingly, this report presents an additional proposal for consideration. The draft *Townhouse Planning Proposal* identifies precincts for rezoning to permit townhouses in certain parts of Hornsby, Asquith and Mount Colah to assist increase the supply of townhouses and to ensure Council's dwelling target is met.

This report recommends that Council endorse the amended *Housing Strategy Planning Proposal* attached to this report for submission to the Department of Planning (DOP) for gazettal, and the *Townhouse Planning Proposal* attached to this report for submission to the DOP for gateway determination and exhibition.

PURPOSE

The purpose of this report is to present the outcome of the exhibition of the amended *Housing Strategy* and to seek endorsement to:

- submit the *Housing Strategy Planning Proposal* (amended as a result of submissions) to the DOP for gazettal; and
- submit a new *Townhouse Planning Proposal* to the DOP for gateway determination and public exhibition.

BACKGROUND

The original *Housing Strategy* was exhibited in early 2009. Over 1,500 submissions were received and reviewed by Council. At its meeting on 2 December 2010, Council considered a report concerning the exhibition. The report presented a *Planning Proposal*, prepared in accordance with the State Government's new plan-making process, containing amendments to the *Strategy* as a result of consideration of submissions. Council resolved to forward the *Planning Proposal* to the DOP seeking a gateway determination to facilitate the exhibition of an amended *Housing Strategy*.

The *Hornsby Shire Housing Strategy Planning Proposal* was submitted to the DOP on 3 December 2009. A gateway determination was received on 30 December 2009, indicating that the *Planning Proposal* could be exhibited.

The amended *Housing Strategy* was exhibited for public comment from 15 March 2010 to 23 April 2010.

DISCUSSION

This report provides a summary of the outcome of the exhibition of the amended *Housing Strategy*, and presents an amended *Housing Strategy Planning Proposal* for gazettal, along with a new *Townhouse Planning Proposal* for endorsement for exhibition.

Exhibition and Review of Submissions

The amended *Housing Strategy* was exhibited from 15 March 2010 to 23 April 2010. The gateway determination issued by the DOP was subject to conditions including a requirement that the *Proposal* be exhibited for 14 days and notified through a local newspaper, on the Council website and in writing to adjoining landowners.

To ensure the community was fully informed, Council resolved to undertake a comprehensive consultation strategy over a five week period. The consultation exceeded the statutory requirements of the gateway determination and included the same methods of consultation undertaken to exhibit the original *Strategy*. The DOP raised no objection to Council extending the exhibition period from 14 days to five weeks to allow for community drop in sessions and to facilitate the proposed advertising in accordance with Council's adopted consultation strategy.

Advertisements were placed in the *Hornsby Advocate*, the *Northern District Times*, the *Hills News*, the *Monthly Chronicle*, the *Bush Telegraph* and on Council's website. Letters and brochures were sent to property owners within and near the proposed precincts. Letters were also sent to submitters from the 2009 exhibition, along with community groups, industry groups and statutory authorities. An internet discussion forum was established and four community drop-in sessions were held at various locations.

A total of 3,341 submissions were received during the exhibition period, including individually written letters or emails, form letters and petitions. Submissions raised objections to the *Strategy* (or aspects of the *Strategy*), provided constructive feedback on how it could be improved, indicated support for the *Strategy* and suggested other precincts for inclusion. The attached *Housing Strategy Volume 3a - Report on Submissions 2010* provides a summary of submissions. The report does not attempt to capture all of the information put forward in submissions. The report focuses on providing an overview of submissions, along with a snapshot of the reasoning, key local issues identified and suggestions made. A copy of all submissions (including late submissions received up until 14 May 2010) has previously been provided to Councillors. The major reasons for objection to the amended *Strategy* continue to be traffic generation, impacts on character/streetscape and uncertainty surrounding the provision of infrastructure.

Amendments to the Housing Strategy

Council has considered the feedback provided through submissions from the community and government agencies to assist identify proposed amendments to the *Strategy*. The review of submissions and identification of draft amendments to the *Housing Strategy Planning Proposal* was overseen by the Housing Strategy Steering Committee which comprises all Councillors, the General Manager, relevant Executive Managers and staff. The Steering Committee met on two occasions to review submissions and identify potential amendments to the *Housing Strategy*. At its meeting on 8 June 2010 the Steering Committee agreed that the following amendments to precincts should be considered:

PRECINCT NAME	RECOMMENDATION
Berowra	
Berowra Commercial Centre	No change
Mt Colah	
Mt Colah Commercial Centre	Minor western boundary adjustment
Pacific Highway	No change
Judith Avenue	Delete
Asquith	
Lords Avenue	No change
Baldwin Avenue	No change
Stokes Avenue	No change
Jersey Street North	No change
Hyacinth Street	No change
Bouvardia Street	No change
Asquith Commercial Centre	No change
Pacific Highway	No change
Hornsby	
Galston Road	No change
Belair Close	Reduce height to 5 storeys
Linda Street	Delete
Waitara	
Balmoral Street	No change
Park Avenue	No change
Palmerston Road	No change
Normanhurst	
Normanhurst Road Commercial Centre	No change
Thornleigh	
Station Street	No change
Pennant Hills Rd Comm. Centre	No change
Pennant Hills	
Fisher Ave	No change
West Pennant Hills	
Thompsons Corner	No change
Beecroft	
Beecroft Road	No change
Carlingford	
Dunrossil Avenue	Delete
Fleming Street	Delete
Milton Street	Delete
Darwin Street	Delete
Carlingford Road	No change

It is recommended that Council endorse the attached *Housing Strategy Planning Proposal* which reflects the above changes for submission to the DOP for gazettal.

Amendments to the draft Development Controls

Many submissions included constructive feedback and suggestions concerning the draft 5 storey development guidelines and draft key principles diagrams contained in the *Strategy*. It is recommended that the following amendments to development controls be considered:

RECOMMENDATIONS
Stokes Avenue, Asquith precinct key principles diagram
Specify that access should be provided via Stokes Avenue where possible
Beecroft Road, Beecroft precinct
Review controls in the context of the Beecroft/Cheltenham Heritage Conservation area
Landscape design controls
Specify the use of locally indigenous species
Pedestrian links
DCP to include mapped pedestrian networks and links to open space
Viability
Include a requirement to prevent any single property being left isolated and undevelopable

It is recommended that a draft Development Control Plan (DCP) be prepared based on the exhibited key principles diagrams and 5 storey controls and incorporating the above changes. A further report should be prepared presenting the draft DCP to Council for endorsement for exhibition.

Preparation of a Townhouse Planning Proposal

The recommended deletion of particular precincts from the *Housing Strategy Planning Proposal* will result in a reduced dwelling yield and overall shortfall in Council's dwelling target. Accordingly, an additional proposal has been prepared for consideration by Council.

In considering submissions on the amended *Housing Strategy* it became clear that residents prefer smaller scale development such as townhouses rather than medium or high density development. Accordingly, the Housing Strategy Steering Committee agreed that a townhouses proposal should be prepared. Council recognises that townhouses are a desired form of housing for which there is limited provision in the *Housing Strategy* due to the need to concentrate densities in centres (i.e.: close to shops and train stations).

A draft *Townhouse Planning Proposal* (attached) has been prepared for Council's consideration, outlining the objectives, intended outcomes and justification for the *Proposal*. Opportunities for the provision of townhouses have been identified in out of centre locations along transport corridors in Hornsby, Asquith and Mount Colah to assist increase the supply of this form of housing and to ensure Council's dwelling target under the *Housing Strategy* is met.

During consideration of submissions, the Steering Committee agreed that an amendment to the boundaries of the Mt Colah Commercial Centre precinct should be considered. A minor western boundary amendment is recommended as part of the *Housing Strategy Planning Proposal* (identified in the table above). However, a further extension of the north-western

boundary at the southern end of the precinct and the inclusion of an additional property in Judith Avenue has been identified for consideration and exhibition in the *Townhouse Planning Proposal*.

The *Townhouse Planning Proposal* contains maps identifying the boundaries of the precincts proposed to be rezoned and a consultation strategy for endorsement by the DOP. It is recommended that Council facilitate the exhibition of the attached *Townhouse Planning Proposal* by forwarding it to the DOP seeking a gateway determination.

CONSULTATION

The review of submissions and preparation of the amendments to the *Housing Strategy Planning Proposal* was overseen by the Housing Strategy Steering Committee which comprises all Councillors, the General Manager, relevant Executive Managers and staff. The Steering Committee met on two occasions to review submissions and identify potential amendments to the *Housing Strategy*. At its meeting on 8 June 2010 the Steering Committee agreed that an amended *Housing Strategy Planning Proposal* should be presented to Council seeking endorsement for gazettal, along with a new *Townhouse Planning Proposal* seeking endorsement for exhibition.

It is proposed that the *Townhouse Planning Proposal* be exhibited prior to the end of 2010. A consultation strategy has been prepared as part of the *Planning Proposal* for endorsement by the DOP. Following the exhibition period, a report on submissions would be presented to Council for its consideration.

STATUTORY CONSIDERATIONS

As part of the consideration of planning proposals, Council is required to consider the relevance of any State Environmental Planning Policy (SEPP) or Ministerial Direction under Section 117 of the *Environmental Planning and Assessment Act, 1979*. An assessment of relevant SEPPs and Section 117 Directions is contained within each of the attached *Planning Proposals*. The *Proposals* are not inconsistent with any SEPP or relevant Section 117 Directions.

Housing Strategy Planning Proposal

The *Housing Strategy Planning Proposal* is being progressed as part of the State Government's "gateway plan-making process". Community consultation forms part of this process and is only complete when Council has considered any submissions made concerning the *Proposal*. This report presents a summary of submissions and recommends amendments to the *Planning Proposal* as a result of community feedback.

Under Section 58 of the *Environmental Planning and Assessment (EP&A) Act 1979*, Council may vary the *Planning Proposal* after consideration of submissions, and must forward a copy of the revised *Planning Proposal* to the Minister. Further community consultation is not required unless directed by the Minister in a revised gateway determination. The amendments recommended in this report do not change the "statement of objectives or intended outcomes" of the *Proposal*. A minor amendment has been made to the "explanation of provisions". However, this does not change the intent of the provisions. The amendments to the *Housing Strategy Planning Proposal* do not warrant re-exhibition.

To facilitate the gazettal of the *Housing Strategy Planning Proposal*, Council must submit the *Proposal* to the DOP for the legal instrument (the LEP) to be drafted and made by the Minister. Draft LEP amendments are contained in the *Housing Strategy Planning Proposal*. The draft LEP amendments have been prepared, where possible, to comply with the State Government's *Standard Instrument Template*, which provides a consistent format for all new comprehensive LEPs. The *Standard Instrument* mandates that height controls be shown in metres, not storeys, on a 'Height of Buildings Map'. Accordingly, the equivalent height in metres for 5 storey and 10 storey development has been identified. An urban design consultant has reviewed the equivalent heights in metres and confirmed their appropriateness in controlling the desired maximum number of storeys. It is recommended that the *Housing Strategy Planning Proposal* be implemented through the following changes to the *Hornsby Shire Local Environmental Plan 1994*.

Precinct type	Proposed draft LEP amendment
Townhouses	Rezone to Residential B (Medium Density) zone
5 storey residential	Rezone to Residential C (Medium/High Density) zone and include a 5 storey equivalent height restriction in metres (17.5m)
5 storey mixed use	No change to Business zones, include a 5 storey equivalent height restriction in metres (17.5m)
8-10 storey residential	Rezone to Residential D (Medium/High Density) zone and include a maximum 10 storey equivalent height restriction in metres (32.5m)
8-10 storey mixed use	No change to Business zones, include a maximum 10 storey equivalent height restriction in metres (32.5m)

Townhouse Planning Proposal

A *Planning Proposal* has been prepared to rezone land to permit townhouses in parts of Hornsby, Asquith and Mount Colah. The *Townhouse Planning Proposal* (attached) sets out Council's objectives in preparing the *Proposal*, the intended outcomes of the *Proposal*, justification for the *Proposal*, and the intended community consultation to be undertaken.

To facilitate the exhibition of the *Townhouse Planning Proposal*, Council must submit the *Proposal* to the DOP for a gateway determination under section 56 of the *EP&A Act*.

Development Control Plan

This report recommends that a DCP be prepared based on the key principles diagrams and 5 storey controls exhibited as part of the *Housing Strategy*. The draft DCP would be prepared to incorporate the changes recommended in this report and presented to Council for endorsement for exhibition. In accordance with the *EP&A Act* the draft development control plan would be required to be exhibited for at least 28 days. Following the exhibition, a report on submissions would be presented to Council for its consideration detailing any recommended amendments to the draft DCP.

TRIPLE BOTTOM LINE SUMMARY

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

A Triple Bottom Line summary was provided in respect of the *Housing Strategy* in Executive Manager's Report No. PLN5/09 considered by Council on 4 February 2009.

CONCLUSION

A number of changes to the amended *Housing Strategy* are proposed based on consideration of submissions received during the public exhibition period. The amended *Hornsby Shire Housing Strategy Planning Proposal* attached to this report should be endorsed by Council for submission to the DOP for gazettal. The *Townhouse Planning Proposal* attached to this report should be endorsed by Council for submission to the DOP for gateway determination to facilitate public exhibition.

RECOMMENDATION

THAT

1. Council forward the attached *Housing Strategy Planning Proposal* to the Minister for Planning for gazettal pursuant to Section 59 of the *Environmental Planning and Assessment Act, 1979*, incorporating the following amendments:
 - 1.1 Delete the Dunrossil Avenue, Carlingford precinct;
 - 1.2 Delete the Fleming Street, Carlingford precinct;
 - 1.3 Delete the Milton Street, Carlingford precinct;
 - 1.4 Delete the Darwin Street, Carlingford precinct;
 - 1.5 Reduce the height of the Belair Close, Hornsby precinct to 5 storeys;
 - 1.6 Include a minor western boundary adjustment to the Mount Colah Commercial Centre precinct;
 - 1.7 Delete the Linda Street, Hornsby precinct; and
 - 1.8 Delete the Judith Avenue, Mount Colah precinct.
2. A Development Control Plan be prepared and reported to Council, based on the exhibited key principles diagrams and 5 storey controls and incorporating the following changes:
 - 2.1 Amend the Stokes Avenue, Asquith precinct key principles diagram to specify that access should be provided via Stokes Avenue where possible;
 - 2.2 Review the controls for the Beecroft Road, Beecroft precinct in the context of the Beecroft/Cheltenham Heritage Conservation Area;
 - 2.3 Specify the use of locally indigenous species in landscaping controls;
 - 2.4 Include mapped pedestrian networks and links to open space; and
 - 2.5 Include a requirement to prevent any single property being left isolated and undevelopable.
3. Council facilitate the exhibition of the attached *Townhouse Planning Proposal* by forwarding it to the Minister for Planning seeking a "gateway determination" pursuant

to Section 56(1) of the *Environmental Planning and Assessment Act, 1979*.

- 3.1 Should the Minister determine under Section 56(2) of the *Environmental Planning and Assessment Act, 1979* that the matter may proceed, Council publicly exhibit the *Townhouse Planning Proposal* in accordance with the consultation strategy outlined in the *Planning Proposal* (or as otherwise directed by the Minister).
- 3.2 Following the exhibition of the *Townhouse Planning Proposal*, a report on submissions be presented to Council.
4. Submitters be advised of Council's resolution.

JAMES FARRINGTON
Manager - Town Planning Services
Planning Division

SCOTT PHILLIPS
Executive Manager
Planning Division

Attachments:

- | | |
|---|-------------------------------|
| 1. Housing Strategy Planning Proposal Location Map | Included under separate cover |
| 2. Housing Strategy Volume 3a - Report on Submissions 2010 | Included under separate cover |
| 3. Housing Strategy Planning Proposal (Version 2 / July 2010) | Included under separate cover |
| 4. Townhouse Planning Proposal | Included under separate cover |

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NOTE: COUNCILLOR BERMAN declared a less than 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 BERMAN on the Declaration of Interest form as: "Persons known to me owned property or had other interests in precincts discussed in this item", and the explanation of why the interest does not require further action in the circumstances was "To the best of my knowledge these interests were not significant and did not affect my position".

NOTE: COUNCILLOR HUTCHENCE declared a less than 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 HUTCHENCE on the Declaration of Interest form as: "Having clients in directly or indirectly affected areas", and the explanation of why the interest does not require further action in the circumstances was "The clients are but a few out of a large list of clients, have made no strong representations to me regarding their point of view on the Item and have had no impact as to my decision making process making the interest less than significant".

NOTE: COUNCILLOR SMART declared a pecuniary interest in the section of this item pertaining to the Berowra Precinct, under Clause 52 of Council's Code of Meeting Practice (see Declarations of Interest in these Minutes). The nature of interest was stated by COUNCILLOR SMART on the Declaration of Interest form as: "I am a tenant in the building located at Shop 5a/993 Pacific Highway, Berowra, which is within the area being considered by Council in Item 4. I requested that discussion and voting of the Berowra section of the item be voted on separately so I could leave for the area of conflict".

NOTE: As COUNCILLOR SMART had indicated an interest in the Berowra Precinct, the Mayor asked if there were any members of the public present who intended to speak in respect of that Precinct. As no members of the public indicated such intent, COUNCILLOR SMART remained present for discussion of the Housing Strategy Planning Proposal (exclusive of the Berowra Precinct), including all addresses by members of the public.

Mr Matt Mushalik, of Epping, addressed Council regarding this item.

Ms Margaret McMahon, of Mount Colah, addressed Council regarding this item.

Ms Helen Hajduk, of Mount Colah, addressed Council regarding this item.

Mr John Lambeth, on behalf of the North of Hornsby Residents Action Group, addressed Council regarding this item.

Ms Marcia Horvai, of behalf of the Pennant Hills District Civic Trust Inc, addressed Council regarding this item.

Mr Brian Ash, of Pennant Hills, addressed Council regarding this item.

Mr David Clark, on behalf of the Beecroft Cheltenham Civic Trust, addressed Council regarding this item.

Mr Brian Askie, of Carlingford, addressed Council regarding this item.

Ms Gwen Martin, on behalf of the Thornleigh Residents Group, addressed Council regarding this item.

Mr Bill Aitken, of Normanhurst, addressed Council regarding this item.

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Ms Kim Mullins, of Hornsby, addressed Council regarding this item.
Mr Dave Fressle, of Asquith, addressed Council regarding this item.
Ms Trish Oberg, of Carlingford, addressed Council regarding this item.
Mr Andrew Manion, of Thornleigh, addressed Council regarding this item.
Mr Bill Brennan, of Mount Colah, addressed Council regarding this item.
Mr Tomas Machacek, of Hornsby, addressed Council regarding this item.

MOVED ON THE MOTION OF COUNCILLOR HUTCHENCE, seconded by
COUNCILLOR EVANS,

THAT:

1. Pursuant to Section 58(2) of the Environmental Planning and Assessment Act, 1979, Council forward the attached Housing Strategy Planning Proposal (excluding the Berowra Precinct and any aspects of the recommendation relating to that Precinct for the purpose of separate consideration) to the Minister for Planning, incorporating the following amendments:
 - 1.1 Delete the Dunrossil Avenue, Carlingford precinct;
 - 1.2 Delete the Flemming Street, Carlingford precinct;
 - 1.3 Delete the Milton Street, Carlingford precinct;
 - 1.4 Delete the Darwin Street, Carlingford precinct;
 - 1.5 Reduce the height of the Belair Close, Hornsby precinct to five storeys;
 - 1.6 Include a minor western boundary adjustment to the Mount Colah Commercial Centre precinct;
 - 1.7 Delete the Linda Street, Hornsby precinct; and
 - 1.8 Delete the Judith Avenue, Mount Colah precinct.

However, Council request that the Minister defer making the Housing Strategy Planning Proposal until after the NSW Government has:

- i) Completed its review of the Metropolitan Strategy 2036 following comprehensive consultation with affected local councils;
- ii) Given Council an unequivocal written guarantee that it will deliver on all necessary infrastructure commitments, including but not limited to; the upgrade of the rail and road networks, including existing major intersections, the upgrade of all utility infrastructure and the upgrade of all State community services such as schools, hospitals and emergency services to accommodate the additional population that will eventuate from the Housing Strategy; and
- iii) Reached an agreement with the NSW community regarding the population debate

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and the future size and density of the Sydney metropolitan region.

- iv) Acknowledged the gross inadequacy of the \$20,000 cap on Section 94 Development Contributions and permit Council to introduce a realistic and proper Development Contributions Plan to provide the necessary local infrastructure and services to the local community.
2. A Development Control Plan be prepared and reported to Council, based on the exhibited key principles diagrams and five storey controls and incorporating the following changes:
 - 2.1 Amend the Stokes Avenue, Asquith precinct key principles diagram to specify that access should be provided via Stokes Avenue where possible;
 - 2.2 Review the controls for the Beecroft Road, Beecroft precinct in the context of the Beecroft/Cheltenham Heritage Conservation Area;
 - 2.3 Specify the use of locally indigenous species in landscaping controls;
 - 2.4 Include mapped pedestrian networks and links to open space; and
 - 2.5 Include a requirement to prevent any single property being left isolated and undevelopable.
 - 2.6 Include reference to the recommendations of NSW Health's 'Healthy Urban Development' checklist and the National Heart Foundation's 'Blueprint for an Active Australia', particularly recommendations for creating precincts that enable active and well-connected lifestyles.
 3. Council facilitate the exhibition of the Townhouse Planning Proposal attached to Executive Manager's Report No. PLN44/10 by forwarding it to the Minister for Planning seeking a 'gateway determination' pursuant to Section 56(1) of the Environmental Planning and Assessment Act, 1979.
 - 3.1 Should the Minister determine under Section 56(2) of the Environmental Planning and Assessment Act, 1979 that the matter may proceed, Council publicly exhibit the Townhouse Planning Proposal in accordance with the consultation strategy outlined in the Planning Proposal (or as otherwise directed by the Minister).
 - 3.2 Following the exhibition of the Townhouse Planning Proposal, a report on submissions be presented to Council.
 4. Submitters be advised of Council's resolution.
 5. It be recorded that this Housing Strategy, as adopted, is a consequence of consensus support by Councillors with individual Councillors expressing concern about particular aspects or precincts.

AN AMENDMENT WAS MOVED BY COUNCILLOR BROWNE, seconded by

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COUNCILLOR MARTIN,

THAT:

1. Pursuant to Section 58(2) of the Environmental Planning and Assessment Act, 1979, Council forward the attached Housing Strategy Planning Proposal (excluding the Berowra Precinct and any aspects of the recommendation relating to that Precinct for the purpose of separate consideration) to the Minister for Planning, incorporating the following amendments:
 - 1.1 Delete the Dunrossil Avenue, Carlingford precinct;
 - 1.2 Delete the Flemming Street, Carlingford precinct;
 - 1.3 Delete the Milton Street, Carlingford precinct;
 - 1.4 Delete the Darwin Street, Carlingford precinct;
 - 1.5 Reduce the height of the Belair Close, Hornsby precinct to five storeys;
 - 1.6 Include a minor western boundary adjustment to the Mount Colah Commercial Centre precinct;
 - 1.7 Delete the Linda Street, Hornsby precinct;
 - 1.8 Delete the Judith Avenue, Mount Colah precinct; and
 - 1.9 Delete the Fisher Avenue, Pennant Hills precinct.

However, Council request that the Minister defer making the Housing Strategy Planning Proposal until after the NSW Government has:

- i) Completed its review of the Metropolitan Strategy 2036 following comprehensive consultation with affected local councils;
- ii) Given Council an unequivocal written guarantee that it will deliver on all necessary infrastructure commitments, including but not limited to; the upgrade of the rail and road networks, including existing major intersections, the upgrade of all utility infrastructure and the upgrade of all State community services such as schools, hospitals and emergency services to accommodate the additional population that will eventuate from the Housing Strategy; and
- iii) Reached an agreement with the NSW community regarding the population debate and the future size and density of the Sydney metropolitan region.
- iv) Acknowledged the gross inadequacy of the \$20,000 cap on Section 94 Development Contributions and permit Council to introduce a realistic and proper Development Contributions Plan to provide the necessary local infrastructure and services to the local community.

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GENERAL MANAGER

CHAIRMAN

2. A Development Control Plan be prepared and reported to Council, based on the exhibited key principles diagrams and five storey controls and incorporating the following changes:
 - 2.1 Amend the Stokes Avenue, Asquith precinct key principles diagram to specify that access should be provided via Stokes Avenue where possible;
 - 2.2 Review the controls for the Beecroft Road, Beecroft precinct in the context of the Beecroft/Cheltenham Heritage Conservation Area;
 - 2.3 Specify the use of locally indigenous species in landscaping controls;
 - 2.4 Include mapped pedestrian networks and links to open space; and
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 - 2.6 Include reference to the recommendations of NSW Health's 'Healthy Urban Development' checklist and the National Heart Foundation's 'Blueprint for an Active Australia', particularly recommendations for creating precincts that enable active and well-connected lifestyles.
3. Council facilitate the exhibition of the Townhouse Planning Proposal attached to Executive Manager's Report No. PLN44/10 by forwarding it to the Minister for Planning seeking a 'gateway determination' pursuant to Section 56(1) of the Environmental Planning and Assessment Act, 1979.
 - 3.1 Should the Minister determine under Section 56(2) of the Environmental Planning and Assessment Act, 1979 that the matter may proceed, Council publicly exhibit the Townhouse Planning Proposal in accordance with the consultation strategy outlined in the Planning Proposal (or as otherwise directed by the Minister).
 - 3.2 Following the exhibition of the Townhouse Planning Proposal, a report on submissions be presented to Council.
4. Submitters be advised of Council's resolution.
5. It be recorded that this Housing Strategy, as adopted, is a consequence of consensus support by Councillors with individual Councillors expressing concern about particular aspects or precincts.

THE AMENDMENT MOVED BY COUNCILLOR BROWNE, seconded by COUNCILLOR MARTIN WAS PUT AND LOST.

THE MOTION MOVED BY COUNCILLOR HUTCHENCE, seconded by COUNCILLOR EVANS WAS PUT AND CARRIED.

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

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GENERAL MANAGER

CHAIRMAN

AGAINST: NIL

NOTE: At this point, COUNCILLOR SMART, having declared a pecuniary interest relating to the Berowra Precinct, left the Meeting to enable Council to give consideration to the inclusion of the Berowra Precinct in the Housing Strategy Planning Proposal. COUNCILLOR SMART was not present at, or in sight of, the Meeting when the Berowra Precinct was being discussed or voted on.

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

THAT Council include the Berowra Precinct in the Housing Strategy Planning Proposal as adopted in the previous motion carried by Council and apply all aspects of the previous motion to the Berowra Precinct as necessary.

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

AGAINST: NIL

5 PLN37/10 Reporting Variations to Development Standards

(F2004/07599)

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

THAT the contents of Executive Manager's Report No. PLN37/10 be received and noted.

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

AGAINST: NIL

QUESTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

SUPPLEMENTARY AGENDA

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