



<b>DATE OF DEFERRAL</b>	8 May 2020
<b>PANEL MEMBERS</b>	Peter Debnam (Chair), Julie Savet Ward, Sue Francis, David White, Ross Walker
<b>APOLOGIES</b>	Brian Kirk
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held via teleconference on 6 May 2020, opened at 1.05pm and closed at 4.08pm.

#### **MATTER DEFERRED**

2019SNH025 – Hornsby – DA101/2019 for rehabilitation of existing Hornsby Quarry (as described in Schedule 1)

#### **REASONS FOR DEFERRAL**






The Panel acknowledged the application provided substantial information on the proposed rehabilitation of the Hornsby Quarry and has considerable merit in laying the groundwork for a unique and major recreational area in the Hornsby Shire.

However, the Panel noted that several key issues of significant public interest are sufficiently unresolved and the Deferred Commencement Conditions set out in the Assessment Report do not provide the Panel or the public with the necessary certainty in the outcomes. Consequently, the Panel deferred the Application so the Applicant can:

1. Complete the Biodiversity Offset Package, Vegetation Management Plan, Habitat Creation and Enhancement Plan, to the level of detail described in the Deferred Commencement Conditions in the Assessment Report, and submit those documents for public exhibition and finalisation;
2. Provide a definitive plan outlining protection measures, including the extent and scheduling of works, for the maximum possible buffer zone around the Powerful Owl breeding pair's roosting tree in the Northern Spoil Mound, and submit this plan for public exhibition and finalisation;
3. Provide additional information regarding staging of the project. The Staging Plan should address works, stabilisation, rehabilitation and revegetation required in each stage as well as how each stage relates to other stages across the site; and
4. Provide further information on the Volcanic Diatreme located on the eastern face of the quarry void. The Diatreme must be clearly identified on relevant plans and cross sections and the Panel needs advice from the Applicant regarding how the Diatreme is incorporated in the proposal in terms of the level of fill, treatment, rehabilitation and protection whilst appropriately reflecting its geological significance. The Panel recommends this work be undertaken in consultation with geological societies who have the appropriate expertise in this field.
5. Make any subsequent changes to the proposed rehabilitation of the Hornsby Quarry as a result of the above.

The Panel believes the above information could be finalised in the next few months and once the information has been provided to Council, a Supplementary Assessment Report prepared by the independent planner should be provided to the Panel as soon as possible. The Panel Chair will then convene a further public meeting to determine the application.

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Julie Savet Ward
 Sue Francis	 David White
 Ross Walker (OAM)	

**SCHEDULE 1**

<b>1</b>	<b>PANEL REF – LGA – DA NO.</b>	2019SNH025 – Hornsby – DA101/2019
<b>2</b>	<b>PROPOSED DEVELOPMENT</b>	Rehabilitation of the existing Hornsby Quarry involving bulk earthworks (and associated civil works including construction of access tracks, drainage and retaining walls), site remediation, tree removal, revegetation work and site rehabilitation.
<b>3</b>	<b>STREET ADDRESS</b>	1X Quarry Road, 14B Dural Street, 203X Peats Ferry Road, 1X Bridge Road, 82X-98X Manor Road, 36X-38X Summers Avenue Hornsby
<b>4</b>	<b>APPLICANT/OWNER</b>	Hornsby Shire Council
<b>5</b>	<b>TYPE OF REGIONAL DEVELOPMENT</b>	Designated Development
<b>6</b>	<b>RELEVANT MANDATORY CONSIDERATIONS</b>	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No. 19 - Bushland in Urban Areas</li> <li>○ State Environmental Planning Policy No. 33 - Hazardous and Offensive Development</li> <li>○ State Environmental Planning Policy No. 44 - Koala Habitat Protection</li> <li>○ State Environmental Planning Policy No. 55 - Remediation of Land</li> <li>○ State Environmental Planning Policy (Mining, Petroleum, Production and Extractive Industries) 2007</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>○ Sydney Regional Environmental Plan No. 20 - Hawkesbury Nepean (No. 2 - 1997)</li> <li>○ Hornsby Local Environmental Plan 2013</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Hornsby Development Control Plan 2013</li> <li>○ Hornsby Shire Council Section 94 Development Contributions Plan 2014 - 2024 and s7.12 Contributions Plan 2019 - 2029</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
<b>7</b>	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council assessment report: 23 April 2020</li> <li>• Written submissions during public exhibition: 605</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ Community submissions: Joe Nicita, Mick Marr, Jan Primrose on behalf of Protecting Your Suburban Environment, Jill Green on behalf of STEP Inc, Dan Smith on behalf of SNORC MTB Club, Carol Ford on behalf of Friends of Berowa Valley, Robin Buchanan on</li> </ul> </li> </ul>

		<p>behalf of Powerful Owl Coalition, Patricia Brown on behalf of Byles Creek Valley Union Inc, Jacquelyn Johnson on behalf of Nature Conservation Council of NSW, John Inshaw on behalf of the Galston Residents Association, Nelson Wallish, Trudi Semeniuk, Lucy Bal, Margate Brocx, Ian Purcival, Vic Semeniuk, John French, Georgia Cameron,</p> <ul style="list-style-type: none"> <li>○ Council assessment officer – Ellen Robertshaw (consultant planner for council), James Farrington</li> <li>○ On behalf of the applicant – Stephen Head, Bob Stephens, David Beharrell, Kirsten Crosby, Rob Rajca</li> <li>● Written submissions from people presenting at public teleconference 6 May 2020: 12</li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>● Briefing: 24 July 2019 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Peter Debnam, Sue Francis, Ross Walker, David White</li> <li>○ <u>Council assessment staff</u>: Caroline Maeshian, Rod Pickles, Ellen Robertshaw (consultant planner for council), Cassandra Williams, Craig Clendinning, David Beharrell.</li> </ul> </li> <li>● Site inspection: 24 July 2019 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Peter Debnam, Sue Francis, Ross Walker, David White</li> <li>○ <u>Council assessment staff</u>: Caroline Maeshian, Rod Pickles, Ellen Robertshaw (consultant planner for council), Cassandra Williams, Craig Clendinning, David Beharrell.</li> </ul> </li> <li>● Site inspection: 30 April 2020 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Julie Savet Ward</li> <li>○ <u>Council assessment staff</u>: Caroline Maeshian, Ellen Robertshaw (consultant planner for council), Bob Stephens (provided site access).</li> </ul> </li> <li>● Final briefing to discuss council's recommendation, 6 May 2020 at 12pm. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Peter Debnam, Julie Savet Ward, Sue Francis, Ross Walker, David White</li> <li>○ <u>Council assessment staff</u>: Caroline Maeshian, Rod Pickles, Ellen Robertshaw (consultant planner for council), James Farrington</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report