



DETERMINATION BUSINESS PAPER

Item 5

LOCAL PLANNING PANEL MEETING

**Wednesday 31 August 2022
at 2:30pm**



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5 REPORTING DEVELOPMENT APPLICATIONS FOR DETERMINATION BY THE HORNSBY LOCAL PLANNING PANEL OVER 180 DAYS

EXECUTIVE SUMMARY

- In accordance with the Local Planning Panels Directions - Operational Procedures, Council is required to monitor development applications to be determined by the Panel that may be experiencing unreasonable delays of over 180 days from lodgement.
- A list of out outstanding development applications in excess of 180 calendar days from lodgement is attached for the Hornsby Local Planning Panel's advice.

RECOMMENDATION

THAT the contents of LPP Report No. LPP51/22 be received and noted.

PURPOSE

The purpose of this report is to advise the Hornsby Local Planning Panel of development applications required to be determined by the Panel that are over 180 calendar days from lodgement.

DISCUSSION

In 2019 the NSW Productivity Commission conducted a review of the Independent Planning Commission (IPC). The review recommended several actions to streamline processes to optimise efficiency, output and performance.

The planning panel changes were implemented on 1 August 2020 to incorporate a number of the NSW Productivity Commission 's recommendations to the way Local Planning Panels work to make them more efficient and to improve the assessment and determination times of development applications and maintain panel oversight of sensitive and contentious applications.

These changes were made as part of the Planning Acceleration Program to support the State's immediate and long-term economic recovery from the COVID-19 crisis.

The changes will speed up panel determinations by:

1. Reducing the need to conduct public panel meetings for non-contentious matters by applying a '10-or-more' objection trigger for public meetings.
2. Reducing the amount of modifications going to panels.
3. Obliging panel chairs to more actively manage development applications (DAs) coming to the panels to reduce panel deferrals and assessment timeframes.
4. Allowing chairs to bring forward determination on DAs that are experiencing unreasonable delays of over 180 days from lodgement.
5. Introducing panel performance measures.

The Local Planning Panels Directions - Operational Procedures has been amended to:

- Require panels to make determinations within two weeks of being provided an assessment report.
- Require panels to hold a public meeting only where the Development Application has attracted 10 or more unique submissions by way of objection.
- Allow, at the Chair's discretion, applicants to attend a briefing, along with council staff, to explain complex matters or present confidential or commercially sensitive material.
- Oblige panel chairs to work with council to ensure key issues are addressed during assessment in order to minimise deferrals by the panels at determination stage.
- Require the panels to provide reasons for deferring a decision and set timeframes in which any additional information must be provided in order to finalise the determination.
- Give panel chairs the ability to require council to report a DA to the panel within four weeks for determination if the application has experienced unreasonable delays in excess of 180 calendar days from lodgement.

In accordance with Point 6 of the Local Planning Panels Directions - Operational Procedures, attached is a list of development applications required to be determined by the Panel that are over 180 calendar days from lodgement.

CONCLUSION

Council is required to monitor development applications to be determined by the Panel that are over 180 calendar days from lodgement. This report provides advice to the Local Planning Panel on DAs that are experiencing unreasonable delays of over 180 days from lodgement.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this report is the Major Development Manager, Cassandra Williams.

JAMES FARRINGTON

Director - Planning and Compliance

Planning and Compliance Division

Attachments:

1.  Status All LPP DA over 180 days - August



2022

File Reference: F2013/00295-003

Document Number: D08472069

List of development applications required to be determined by the LPP that are over 180 calendar days from lodgement

DA No.	Proposal	Address	Ward	Reason	Est. Date to LPP	Advice to Chair	No. Days at 31/8
DA/1146/2020	Torrens title subdivision of 1 into 10	90-92 Franklin Road Cherrybrook	C	VPA	Dec	Council has sent a formal request for amended plans to the applicant based upon the completion of studies into road widening of Franklin and John Road. Additionally, Council's Natural Resources Team are working with the applicant to explore opportunities for reducing vegetation impacts on site. It is likely that this information request will be finalised late August/ early September.	618
DA/1022/2021	Torrens title subdivision of 1 lot into 64	36-56 David Road Castle Hill	C	VPA	Dec	Amended subdivision layout and supporting documentation currently being prepared following the meeting with Council staff. The applicant is also preparing VPA for review. Additional information is not expected until late September as advised by the applicant on 17 August.	335

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List of development applications required to be determined by the LPP that are over 180 calendar days from lodgement

DA No.	Proposal	Address	Ward	Reason	Est. Date to LPP	Advice to Chair	No. Days at 31/8
DA/1244/2021	Demolition of existing structures and construction of seniors living development comprising 33 self-contained dwellings	15B-21 Penrhyn Ave, Beecroft and 579 Pennant Hills Road, West Pennant Hills	C	>10 submissions	Dec	Applicant has submitted additional information requested and reduced number of dwellings from 33 to 31. Council officers still have some concerns with the number of dwellings, resulting in non-compliant side and front setbacks throughout the development with amenity impacts associated to adjoining neighbours. A meeting with Applicant is to be scheduled to address some of these concerns.	287
DA/1368/2021	Childcare Centre	59 Edwards Road Wahroonga	B	>10 submissions	Sept	Council has sent a final RFI to the applicant regarding road safety for vehicles turning at the end of Edwards Road and waste management issues on site. Concurrently, Council has commissioned an independent review of the applicant's acoustic report, with the results of the review expected late August. September meeting likely if outstanding items can be finalised.	255

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DA No.	Proposal	Address	Ward	Reason	Est. Date to LPP	Advice to Chair	No. Days at 31/8
DA/121/2022	Demolition and construction 5 storey RFB - 64 units	23-27 Balmoral Street Waitara	B	RFB - SEPP 65 Affected Dev	Nov	Applicant requested extension to provide additional information due to consultant delays. Information to be provided by 24 August and will require re-notification, internal referrals and DEP review prior to determination.	205

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