



DETERMINATION BUSINESS PAPER

LOCAL PLANNING PANEL MEETING

**Wednesday 30 April 2025
at 2:00 PM**



TABLE OF CONTENTS

ITEMS

Item 1	LPP12/25 DA/907/2024 - Demolition and Construction of a Residential Flat Building Comprising 39 Units - 454-458 Peats Ferry Road, Asquith	1
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**1 DA/907/2024 - DEMOLITION AND CONSTRUCTION OF A RESIDENTIAL FLAT BUILDING
COMPRISING 39 UNITS - 454-458 PEATS FERRY ROAD, ASQUITH**

DA No:	DA/907/2024 - PAN-460378 (Lodged on 22 August 2024)
Description:	Demolition and construction of a residential flat building comprising 39 units
Property:	Lots 22, 23 & 24, DP 23965, No. 454-458 Peats Ferry Road, Asquith
Applicant:	D.R. Design (NSW) Pty Limited
Owner:	Impala Bathrooms Pty Ltd, Mr John Mallia & Mr John Mark Mallia
Estimated Value:	\$19,077,391
Ward:	A Ward
Clause 4.6 Request:	Clause 4.3 Height of Buildings of HLEP
Submissions:	3
LPP Criteria:	Proposal contravenes a development standard by more than 10% Council land SEPP Housing, Chapter 4 applies
Author:	Donna Clarke, Landmark Planning Pty Ltd
COI Declaration:	No Council staff involved in the assessment of this application have declared a Conflict of Interest.

RECOMMENDATION

- A. THAT the Hornsby Local Planning Panel, exercising the functions of Council as the consent authority, vary Clause 4.3 Height of buildings Development Standard pursuant to Clause 4.6 of the Hornsby Local Environmental Plan 2013 as the applicants written request has adequately addressed the merits required to be demonstrated by subclause (3) and the proposed development is consistent with the objectives of the standard and the objectives for development within the zone in which the development is proposed to be carried out.
- B. THAT the Hornsby Local Planning Panel, exercising the functions of Council as the consent authority, approve Development Application No. DA/907/2024 for demolition and construction of a residential flat building comprising 39 units at Lots 22, 23 & 24, DP 23965, No. 454-458 Peats Ferry Road, Asquith subject to the conditions of consent in Attachment 2 of LPP Report No. LPP12/25.

EXECUTIVE SUMMARY

- The application proposes demolition of existing structures and construction of a residential flat building comprising 39 units.
- The development involves land owned by Council and is required to be determined by the Hornsby Local Planning Panel. In accordance with Council's adopted Policy '*Conflict of Interest Policy for Proposed Council Development and Applications Involving Council Staff or Councillors*' an independent assessment of the development application has been undertaken by Landmark Planning Pty Ltd.
- A total of three submissions have been received in respect of the application.
- The assessment report by Landmark Planning is attached to this report for the Hornsby Local Planning Panel's consideration. The independent consultant's report recommends that the application be approved.

ASSESSMENT

In accordance with the referral criteria and procedural requirements for Local Planning Panels, the assessment of the development application has been referred to an independent town planning consultant as the development includes land owned by Council. The report by Landmark Planning is held at Attachment 1 of this report.

CONCLUSION

The application proposes demolition of existing structures and construction of a residential flat building comprising 39 units.

The development generally meets the desired outcomes of Council's planning controls and is satisfactory having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Council received three submissions during the public notification period. The matters raised have been addressed in the independent assessment report.







Council has referred the application to an independent town planner to carry out an assessment of the application. The assessment concludes that the application should be approved. It is recommended that the Hornsby Local Planning Panel approve the development in accordance with the recommendations in the report prepared by Landmark Planning and the conditions of consent held at Attachment 2 of this report.

Note: At the time of the completion of this planning report, no persons have made a Political Donations Disclosure Statement pursuant to Section 10.4 of the Environmental Planning and Assessment Act 1979 in respect of the subject planning application.

CASSANDRA WILLIAMS
Major Development Manager - Development
Assessments
Planning and Compliance Division

ROD PICKLES
Manager - Development Assessments
Planning and Compliance Division

Attachments:

1.  Consultant Report
2.  Draft Conditions of Consent
3.  Clause 4.6 Request
4.  Architectural Plans
5.  Landscape Plan
6.  Shadow Diagrams

File Reference: DA/907/2024
Document Number: D09100634