



# **ELECTRONIC DETERMINATION BUSINESS PAPER**

## **LOCAL PLANNING PANEL MEETING**

**Wednesday 25 August 2021  
at 6:30pm**



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### **ITEMS**

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**4 ELECTRONIC - REPORTING DEVELOPMENT APPLICATIONS FOR DETERMINATION BY THE HORNSBY LOCAL PLANNING PANEL OVER 180 DAYS**

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**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. LPP23/21 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.  LPP DAs over 180 days - August  
 2021

File Reference: F2013/00295-003

Document Number: D08221612

## 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 25/8
<b>DA/416/2020</b>	10-12 storey mixed use building accommodating retail tenancies at the ground floor level, commercial tenancies at the first floor level, a residential care facility at levels 3-11, a residential apartment at level 12 and strata subdivision	228-234 Pacific Highway Hornsby	B	>10% contravention of height development standard	September	Applicant currently finalising a legal agreement for the revised ROW for the adjoining site and submission of an amended CTMP.  RMS and Sydney Trains concurrence outstanding.	450
<b>DA/487/2020</b>	Change of use of existing industrial building to a warehouse or distribution centre and 24/7 operation	35E Sefton Road, Thornleigh	B	>10 submissions	September	Applicant preparing revised SEE to confirm proposed reduction in operating hours to 7am-7pm Monday to Saturday, no work on Sunday or public holidays. RFI to be submitted by 13 August 2021 and application to be re-notified	427
<b>DA/528/2020</b>	Concept development application for shop top housing comprising a ground level drive thru KFC restaurant and 35 units in a 5 storey building	409-411 Pacific Highway Asquith	A	SEPP 65 Affected Development	October	Amended plans lodged and meeting with Council's Design Excellence Panel to be arranged to enable the assessment to be finalised.	414

## ATTACHMENT 1 - ITEM 4

## 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 25/8
DA/581/2020	Alterations and additions to an existing industrial building strata subdivision of one lot into five	35E Sefton Road, Thornleigh	B	>10% contravention of height development standard and >10 submissions	September	Revised Clause 4.6 submitted. Application under assessment.	400
DA/1146/2020	Torrens title subdivision of 1 into 10	90-92 Franklin Road Cherrybrook	C	VPA	November	Explanatory note for VPA lodged and under review. Application under assessment + consultant traffic engineer to be engaged to review.	267
DA/20/2021	Demolition of structures and construction of a 5 storey shop top housing development with basement parking	5 Wongala Cres Beecroft	C	>10% contravention of height development standard and SEPP 65 Affected Development	October	Amended plans and documentation expected 18 August to resolve heritage articulation, waste access, revised acoustic report and CMP Plan.	225
DA/56/2021	Construction of a group home comprising 4x 2 bedroom units + manager bedroom	11 Denman Parade, Normanhurst	B	Conflict of interest	October	Consultant ecologist engaged to assess application. Application under assessment.	202

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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 25/8
DA/131/2021	Construction of a Boarding House	Lot B - 134 Burdett Street Wahroonga	B	>10 submissions	October	Amended acoustic and CTMP information outstanding (due 30 August 2021). Applicant required to lodge a S4.55 application to modify the approved subdivision layout that applies to the site.	198
DA/133/2021	Construction of a Boarding House	Lot A - 134 Burdett Street Wahroonga	B	>10 submissions	October	Amended acoustic and CTMP information outstanding (due 30 August 2021). Applicant required to lodge a S4.55 application to modify the approved subdivision layout that applies to the site.	198
DA/137/2021	Construction of a dwelling house	38A Malton Road, Beecroft	C	>10 submissions	September	Additional information submitted. Application under assessment.	196
DA/161/2021	Construction of a dwelling house	38B Malton Road, Beecroft	C	>10 submissions	September	Additional information submitted. Application under assessment.	189

## ATTACHMENT 1 - ITEM 4