

RESOLUTION OF THE SYDNEY NORTH PLANNING PANEL

Background

The planning assessment team at Hornsby Shire Council (council) has identified that based on the minor nature of the modifications that the following modification of the development consent is suitable to be delegated by the Sydney North Planning Panel (panel) to council staff for determination under section 4.56 of the Environmental Planning and Assessment Act 1979 (the EP&A Act):

- DA/153/2018/B - 589-591 Old Northern Road, Glenhaven, 593 Old Northern Road, Glenhaven proposing changes to the approved staging including the following:
 - Stage A – Civil works (northern two-thirds of the site), demolition of buildings on 589-591 Old Northern Road, vegetation management plan and revegetation, services connections (e.g. sewer, water and electricity).
Some works will occur in the Stage D area including services connections which is necessary to service Stages B and C.
The civil plans also include a notation that as part of Stage A approximately 5000m³ of excavated material will be sourced from the residential care facility footprint in Stage D to be used as fill in Stage A. This is to minimise imported fill and also reduce soil that would otherwise need to be exported when Stage D civil works occur.
 - Stage B – 26 villas
 - Stage C – 25 villas
 - Stage D – Civil works remainder of the site (southern one-third of the site) and demolition of buildings on 593 Old Northern Road.
 - Stage E – 25 villas + attached dwellings
 - Stage F – residential care facility

The panel were advised that:

- The application is straightforward and without complexity; and
- The proposal does not alter the nature of the original development which remains as senior's housing development comprising stages A-F. While the modification proposes changes to the approved staging there will be no significant change to the appearance, functionality, use or scale of the development. It is considered that the proposed modifications will not have an adverse impact on the amenity of the surrounding area due to their minor nature.

Council staff also requested that the Panel delegate to council staff for determination under section 4.56 of the Environmental Planning and Assessment Act 1979 (the EP&A Act) future modification applications for DA/153/2018, excluding applications that:

- (a) propose amendments to a condition of development consent recommended by the Council but which was amended by the Court, or

- (b) proposed amendments to a condition of development consent that was not originally recommended by the Council, but which was added by the Court, or
- (c) meet the criteria relating to conflict of interest, contentious development or departure from development standards.

The Minister for Planning and Public Spaces has provided approval under section 2.16(6) of the Environmental Planning and Assessment Act 1979 (EP&A Act) for any Sydney district or regional planning panel to delegate any of its functions under the EP&A Act or any other Act (other than the power of delegation) to the general manager or other staff of a council, for any area or part of any area for which the Sydney district or regional planning panel is constituted.



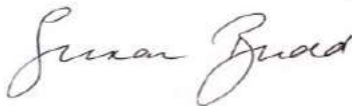
As such, the panel agreed to delegate these matters to Council staff for determination.

Resolution

This is a resolution of the Panel made on 15 March 2023 in accordance with Schedule 2 Part 5 of the EP&A Act.

That pursuant to section 2.16(6)(c) of the EP&A Act 1979 the Panel resolves to delegate to the Group Manager, Planning Division and the Manager, Development Assessments of the council the power to make a determination as consent authority under section 4.56 of the EP&A Act on:

1. DA/153/2018/B - 589-591 Old Northern Road, Glenhaven, 593 Old Northern Road, Glenhaven proposing changes to the approved staging, and
2. Future modification applications for DA/153/2018 under section 4.56 of the EP&A Act, excluding applications that:
 - a. propose amendments to a condition of development consent recommended by the Council but which was amended by the Court, or
 - b. propose amendments to a condition of development consent that was not originally recommended by the Council, but which was added by the Court, or
 - c. meet the criteria relating to conflict of interest, contentious development or departure from development standards

PANEL MEMBERS	
 Peter Debnam (Chair)	 Nicole Gurran
 Susan Budd	