

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	21 October 2020
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Gabrielle Morrish, Mark Colburt and Chandi Saba
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Nil

Papers circulated electronically on 7 October 2020.

MATTER DETERMINED

PPSSCC-38 – The Hills Shire - DA 456/2020/JP - St Gabriel's School, 190 Old Northern Road Castle Hill, Alterations and additions to St Gabriel's School (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at items 7 and 8 in Schedule 1.

Application to vary a development standard

Following consideration of a written request from the applicant, made under cl 4.6 (3) of The Hills Local Environmental Plan 2012 (LEP), that has demonstrated that:

- a) compliance with cl. 4.3 is unreasonable or unnecessary in the circumstances; and
- b) there are sufficient environmental planning grounds to justify contravening the development standard

The Panel is satisfied that:

- a) the applicant's written request adequately addresses the matters required to be addressed under cl 4.6 (3) of the LEP; and
- b) the development is in the public interest because it is consistent with the objectives of cl. 4.3 of the LEP and the objectives for development in the R2 Low Density Residential zone; and
- c) the concurrence of the Secretary has been assumed.

The Panel determined to uphold the Clause 4.6 variation to building height; and approve the application for the reasons outlined in the Council Assessment Report.

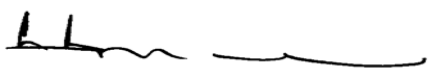
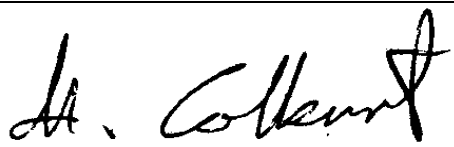
The decision was **unanimous**.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that there were no written submissions made during the public exhibition.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 David Ryan
 Chandi Saba	 Mark Colburt
 Gabrielle Morrish	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-38 – The Hills Shire - DA 456/2020/JP
2	PROPOSED DEVELOPMENT	Alterations and additions to St Gabriel's School
3	STREET ADDRESS	St Gabriel's School, 190 Old Northern Road Castle Hill
4	APPLICANT/OWNER	Applicant: St. Gabriel's School c/- DFP Planning Owner: The Trustees of the Roman Catholic Church
5	TYPE OF REGIONAL DEVELOPMENT	CIV > \$5M - Private infrastructure and community facilities
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy No. 64 – Advertising and Signage • The Hills Local Environmental Plan 2012 ○ Draft environmental planning instruments: Nil ○ Development control plans: ○ DCP Part B Section 2 – Residential ○ DCP Part C Section 1 – Parking ○ DCP Part C Section 2 – Signage ○ DCP Part C Section 3 – Landscaping ○ DCP Part C Section 4 – Heritage ○ Planning agreements: Nil ○ Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i> ○ Coastal zone management plan: [Nil] ○ The likely impacts of the development, including environmental

		impacts on the natural and built environment and social and economic impacts in the locality ○ The suitability of the site for the development ○ Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations ○ The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	• Council assessment report: 15 October 2020 • A written submission Clause 4.6 • Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	• Papers were circulated electronically on 7 October 2020.
9	COUNCIL RECOMMENDATION	Approval subject to conditions
10	DRAFT CONDITIONS	Attached to the Council Assessment Report