

DATE OF DETERMINATION	31 July 2025
DATE OF PANEL DECISION	31 July 2025
PANEL MEMBERS	Abigail Goldberg (Chair), Steve Murray, Natasha Harras
APOLOGIES	None
DECLARATIONS OF INTEREST	David Ryan declared a perceived conflict as his company is engaged by the applicant on another project.

Papers circulated electronically on 30 July 2025.

MATTER DETERMINED

PPSSCC-622 – The Hills Shire Council – 691/2025/JP at 29-37 Marie Street Castle Hill 2154 – Demolition of Existing Classroom, Construction of a New Classroom Building and Alterations and Additions to Existing Buildings.

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 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 2019 (LEP), the Panel is satisfied that the applicant has demonstrated that:

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

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

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 which have been summarised below:

This Development Application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, issues raised in submissions and the key issues identified in this report, it is considered that the application can be supported.

The Applicant's Clause 4.6 written request to vary Clause 4.3 Height of Building development standard under The Hills Local Environmental Plan 2019 can be supported as it adequately justifies the contravention of the development standard having regard to the requirements of Clause 4.6(3). It is considered that the variation can be supported as compliance with the standard is unreasonable or unnecessary in this instance and there are sufficient environmental planning grounds to justify the contravention. The development is consistent with the objectives of the standard and the objectives for development within the zone.

The Development Application has been assessed against the relevant heads of Consideration

under Section 4.15 of the Environmental Planning and Assessment Act, 1979, State Environmental Planning Policy (Planning Systems) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, State Environmental Planning Policy (Sustainable Buildings) 2022, The Hills Local Environmental Plan 2019 and The Hills Development Control Plan 2012 and considered satisfactory.

CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report with the following amendments.

- Addition of new Condition 83:
Number of Staff and Students The maximum number of staff and students are limited to 100 Staff and 1,380 Students as approved under 1451/2019/JP.

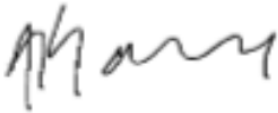
This condition is added to address the concerns of neighbours with regard to traffic and parking given that the proposal increases the floor space and number of classrooms on the site.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition. The Panel notes that issues of concern included:

- Traffic concerns
- Insufficient parking

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report and through the Panel's supplementary condition 83 as above.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Steve Murray
 Natasha Harras	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-622 – Th Hills Shire Council – 691/2025/JP
2	PROPOSED DEVELOPMENT	Demolition of Existing Classroom, Construction of a New Classroom Building and Alterations and Additions to Existing Buildings.
3	STREET ADDRESS	29-37 Marie Street Castle Hill 2154
4	APPLICANT/OWNER	Applicant: Catholic Schools Parramatta Diocese Owner: Trustees Roman Catholic Church Diocese Parramatta
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ State Environmental Planning Policy (Sustainable Buildings) 2022 ○ State Environmental Planning Policy (Planning Systems) 2021 ○ The Hills Local Environmental Plan 2019 • Draft environmental planning instruments: Nil • Development control plans: ○ The Hills Development Control Plan 2012 • Planning agreements: Nil • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</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: 30 July 2025 • List any clause 4.6 variation requests here ○ Variation of 22% to maximum building height at 10.98m • Written submissions during public exhibition: Three (3) • Total number of unique submissions received by way of objection: Three (3)
8	COUNCIL RECOMMENDATION	Approval
9	DRAFT CONDITIONS	Attached to the Council Assessment Report