



18 March 2020

Mr Robert Buckham  
Principal Executive Planner  
The Hills Shire Council

via email: [REDACTED]

Dear Mr Buckham,

**Santa Sophia Catholic College SSD 9772**

I write in relation to the above application which is currently before the Independent Planning Commission (Commission) for determination. In its consideration, the Commission has identified a number of matters that require further clarification.

The Commission seeks clarification from the Hills Shire Council (Council) on the following:

1. Why was Santa Sophia Catholic College considered for this site when it was not part of Council's indicative Layout Plan/Precinct Plan for the North Box Hill release area?
2. Was the at-grade temporary car park west of the site approved by Council?
3. What is the reasoning behind Council's request that the SSD application not be determined until related DAs for new roads are resolved?
4. Did the planning proposal for the town centre include the proposed school?
5. Could Council elaborate on their concern regarding the FSR and height exceedance associated with the application?
6. Can Council confirm the status of the in-principle agreement of the shared use of Council's playing fields with the school?

The Commission would be grateful if Council could prepare a response to these matters by close of business **Tuesday 31 March 2020**.

Should you have any questions, I have asked Ms Helen Mulcahy, [REDACTED] [REDACTED] to liaise directly with you.

Yours sincerely,

**Peter Williams**  
Panel Chair

**From:** [Robert Buckham](#)  
**To:** [Callum Firth](#)  
**Cc:** [Helen Mulcahy](#)  
**Subject:** RE: Santa Sophia Catholic College - Questions for Council  
**Date:** Friday, 27 March 2020 10:17:17 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)

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Hello Callum,

I have provided a response to the questions raised by the Commission below. Given current IT constraints I hope this email is sufficient rather than a formal letter.

1. Why was Santa Sophia Catholic College considered for this site when it was not part of Council's indicative Layout Plan/Precinct Plan for the North Box Hill release area?

*Private schools are private enterprises driven by the market. Council had not been approached by any private education provider at the time of the initial Box Hill North precinct planning work.*

*An educational establishment was always permissible within the Town Centre under State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (SEPP). Under the SEPP, all new schools are classified as State Significant Development (regardless of capital investment value) of which the Minister for Planning is the consent authority and supersedes local applicable planning controls.*

*Despite this, the planning proposal sought to enable the redistribution of gross floor area within the Town Centre to ensure the achievement of planned development yields. Further, the proposal seeks to enable an improved built form outcome once the school is factored into the development concept.*

2. Was the at-grade temporary car park west of the site approved by Council?

*Development Consent 29/2020/HA for a Temporary Carpark (Precinct E) to Service the Santa Sophia Catholic College was approved on 21 October 2019.*

3. What is the reasoning behind Council's request that the SSD application not be determined until related DAs for new roads are resolved?

*When the submission was made, the design of the roads surrounding the site including intersection treatments were not finalised and as such the implications of the design or any changes was not known. These roads are now approved and under construction. For your records the relevant applications are 2051/2018/ZB (Red Gables Road and Fontana Drive) and 1542/2019/ZB (internal/ town centre roads).*

4. Did the planning proposal for the town centre include the proposed school?

*The planning proposal was initiated in order to facilitate the inclusion of the new school on a portion of land within the Box Hill North Town Centre and redistribute the commercial and residential floor space 'entitlement' from this land to the remainder of the Town Centre.*

*Amendments to the Box Hill North DCP (as it relates to the Box Hill North Town Centre) were initiated in support of the planning proposal including amendments*

*to the Indicative Layout Plan for the Town Centre and inclusion of additional objectives and controls relating to the proposed new school (including specification of a minimum amount of outdoor play space).*

5. Could Council elaborate on their concern regarding the FSR and height exceedance associated with the application?

*When the submission was made, the planning proposal had not been endorsed by Council. The school application that was submitted provided a height much greater than initially tabled to Council staff. It was also noted that the justification to the height exceedance was based on the heights foreshadowed in the planning proposal. It is noted that the planning proposal for the adjoining land has now been finalised.*

6. Can Council confirm the status of the in-principle agreement of the shared use of Council's playing fields with the school?

*The agreement is currently being drafted and reviewed by Council's Corporate Lawyer.*

Please contact me directly if you have any further questions.

Regards



## Robert Buckham

Principal Executive Planner (New Release & Growth Centres)

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**From:** Callum Firth [REDACTED]  
**Sent:** Wednesday, 18 March 2020 11:29 AM  
**To:** Robert Buckham  
**Cc:** Helen Mulcahy  
**Subject:** Santa Sophia Catholic College - Questions for Council

Dear Robert,

**Santa Sophia Catholic College SSD 9772**

Please find attached a letter containing questions that the Commission Panel has identified as important in the assessment of the above application.

The Commission would be grateful if Council could clarify the enclosed points.

Please let myself or Helen know if you have any questions.

Kind regards,

**Callum Firth | Student Planner**

Independent Planning Commission NSW  
Level 3, 201 Elizabeth Street Sydney NSW 2000



**New South Wales Government**  
**Independent Planning Commission**

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