



Mr Mark Desylva  
C/- Elaine Roff  
Urbis  
Angel Place  
Level 8, 123 Pitt Street  
Sydney NSW 2000

10/07/2019

Dear Mr Desylva

**Santa Sophia Catholic College (SSD-9772)  
Response to Submissions**

The exhibition of the above development application, including the Environmental Impact Statement (EIS), ended on 26 June 2019. All submissions received by the Department during the exhibition of the proposal are available on the Department's website at:

<https://www.planningportal.nsw.gov.au/major-projects/project/9676>

The Department requires that you provide a response to the issues raised in those submissions in accordance with clause 85A(2) of the Environmental Planning and Assessment Regulation 2000 (the Regulation).

Having reviewed the submissions and undertaken a preliminary assessment of the proposal, the Department is concerned that the proposal represents an overdevelopment of the site having regard to the height, bulk and scale of the built form, proposed traffic and parking arrangements, insufficient open space and landscaping, and residential amenity impacts. Consequently, the Department is of the opinion that significant design changes are required to address the key issues listed in **Attachment 1**. The Department has also requested additional information in **Attachment 2**.

Please note that under clause 113(7) of the Regulation, the days occurring between the date of this letter and the date on which your response to submissions is received by the Planning Secretary are not included in the deemed refusal period.

If you have any questions, please contact Scott Hay, who can be contacted on 8289 6780 or [scott.hay@planning.nsw.gov.au](mailto:scott.hay@planning.nsw.gov.au).

Yours sincerely

**A/Director  
Social and Infrastructure Assessments  
as delegate for the Planning Secretary**



## **ATTACHMENT 1 - KEY ISSUES**

### **Planning proposal**

1. The proposed development is inconsistent with the planning proposal currently under assessment by The Hills Shire Council (Ref. PP\_2018\_THILL\_012\_00). The proposed educational establishment would have a lower gross floor area (15,000m<sup>2</sup>) compared to that proposed under the planning proposal (20,000m<sup>2</sup>). Any consequent changes to the form of surrounding development (such as an increase in the maximum number of dwellings to utilise the remaining 5,000m<sup>2</sup>) would require an assessment of the impact of these changes, including any traffic impacts or infrastructure changes on how the proposed school would operate.
2. The preliminary development concept for the school site submitted with the above planning proposal committed to providing 4,630m<sup>2</sup> of ground level open space and 1,900m<sup>2</sup> of roof top play space. The proposed development is not consistent with these commitments.

### **Built form and design excellence**

3. The proposed development relies upon an undetermined planning proposal to justify the height and floor space of the proposed buildings and generally argues that increased height of these buildings would allow more open space to be provided on the site. The Department considers that the site would be dominated by the proposed built form and that insufficient open space would be provided for students. A clause 4.6 variation request is required to address any height variation of the proposed development compared to the controls of the adopted Local Environmental Plan.
4. Changes recommended by the Government Architect NSW (GANSW) at the state design review panel have not been adopted in the most recent version of the proposed development. Further consideration must be given to these recommendations.

### **Open space and landscaping**

5. The proposal is reliant on sharing proposed open space to be dedicated to Council to the south of Red Gables Road, however Council has advised that reliance on Council's open space is not supported. The Department understands that no agreement has been entered into with Council and no evidence of any consultation on a shared usage plan or agreement has been provided. In addition, no information has been provided as to how the open space would be shared between the College and the future public school identified in The Gables Masterplan. Evidence of an agreement with Council to share open space and sporting facilities in perpetuity is required.

### **Traffic, transport, and parking**

6. The proposed number of car parking spaces is insufficient for the proposed size of the development. The Hills Development Control Plan 2012 (THDCP) requires the provision of 227 car parking spaces for the proposed development. 110 car parking spaces are proposed to be provided off site in the proposed town centre car parking area through a shared usage agreement organised by the developer. No information has been provided in relation to the design and timing of construction of this car parking or details provided of the shared parking strategy with the owner/developer. Overall, the proposed development relies heavily upon street parking and the proposed town centre retail parking for users accessing the school. Insufficient justification has been provided to demonstrate that these arrangements would be adequate.
7. The Transport and Accessibility Impact Assessment submitted with the EIS identified that the proposed drop-off/pick-up area would be insufficient for the proposed maximum capacity of the school. Additional drop-off/pick-up spaces should be provided, or robust evidence submitted which demonstrates that the number of drop-off/pick-up spaces would be adequate for the proposed size of the development.

**Residential amenity**

8. Concerns are raised regarding the Noise and Vibration Assessment submitted with the EIS, including the location of background noise monitoring, being approximately 250m from the school site and not at the location of the future most affected noise sensitive receivers. An amended noise impact assessment must be submitted that incorporates background noise monitoring in accordance with the Noise Policy for Industry (EPA, 2017).
9. The proposed southern school building would have overshadowing impacts on the future residential apartment building adjacent to the site. During winter months some lower level apartments may receive less than 2 hours of sunlight during the day. As a result, any future residential development would be unable to meet the requirements of State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development in relation to solar access. This is a poor design outcome for a greenfield development site and the proposal must be redesigned to give appropriate consideration to the overshadowing impacts to future adjoining residential development.
10. The EIS fails to sufficiently address privacy impacts generated by the proposed development and has not provided any mitigation measures, instead assuming that future residents would be 'at work' during school hours. An assessment must be provided which assesses the impacts of the proposal on the privacy of future residential development adjoining the site and incorporate any appropriate mitigation measures.

11.

## **ATTACHMENT 2 - OTHER ISSUES**

1. The proposed Catholic Early Learning Centre car parking area interferes with the manoeuvrability of the waste management vehicles identified in the waste management report. The car parking area must be redesigned to allow for the safe manoeuvrability of waste management vehicles.
2. The proposed landscaping plan has failed to address the urban tree canopy targets identified by GANSW. Revised landscape plans are required to address GANSW's urban tree canopy target.
3. Details of the location, length and width of the proposed bus layover area on Fontana Drive must be provided.
4. Revised artist impressions must be provided which include details of interface treatments with future adjoining residential properties including school perimeter fencing.