

HERITAGE IMPACT STATEMENT

Penrith Infants Department (1884 Building)

51 Henry Street, Penrith



Penrith Infants Department in May 2016.

**Weir
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Heritage

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1.0 INTRODUCTION

1.1 Preamble

This Heritage Impact Statement (HIS) has been prepared in conjunction with a Development Application for redevelopment of the site to No. 57 Henry Street, Penrith, New South Wales. The development site is across a number of different lots with different addresses. To avoid confusion, the address of the site, which incorporates the heritage item at 57 Henry Street, will hereafter be referred to as 51 Henry Street, Penrith.

The site is located within the Penrith City Council area. The principal planning control for the site is the *Penrith Local Environmental Plan 2010 (PLEP 2010)*. The site is listed as a heritage item, “Penrith Infants Department (1884 building)” under Schedule 5 Part 1 of the *PLEP 2010* and is located within the vicinity of other items listed by this Schedule. Under Part 5.10 of the *LEP 2010*:

(4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or*
- (b) on land that is within a heritage conservation area, or*
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.*

The appropriate heritage management document in this instance is a Heritage Impact Statement.

This statement has been prepared at the request of the owners of the site and accompanies plans prepared by Dickson Rothschild Design. The proposal is in line with the “New West” plans to transform the Penrith City Centre.

1.2 Authorship

This statement has been prepared by Anna McLaurin, B. Envs (Arch), M.Herit.Cons., and James Phillips, B.Sc.(Arch), B.Arch, M.Herit.Cons.(Hons), of Weir Phillips Heritage.

1.3 Limitations

A detailed history of the site and a full assessment of significance to NSW Heritage Division standards were not provided for. The history contained in this statement was compiled from readily available sources. It is considered to be sufficient for the nature of works proposed.

No historical archaeology was carried out on the site.

1.4 Methodology

This HIS has been prepared with reference to the NSW Heritage Office's (now Division) publication *Statements of Heritage Impact* (2002 update) and with reference to the Council planning documents listed under Section 1.5 below.

A site visit was carried out in July 2016. The photographs taken on the site visit are supplement by images from other sources, as accredited.

1.5 Documentary Evidence

1.5.1 General References

- Kohen, James, *The Dharug and their Neighbours: The traditional Aboriginal owners of the Sydney Region*, NSW, Dharug Link in association with Blacktown and District Historical Society, 1993.
- Judith McGregor, Carol Bagnell, *Penrith PS: A History*, NSW, The Division of Research and Planning; New South Wales Department of Education 2005
- Menz, Reginald, *Penrith's High Street, 1814-2000: 186 Years of Progress*, NSW, Reginald Menz, 2006.
- Paul Davies, *Penrith Heritage Study: Thematic History*. Unpublished study for Penrith Council, May 2006.
- Power, Bronwyn, *Western Sydney Project Monograph 1: A History of Penrith 1788-1900*, NSW, Western Sydney Project, 1983.
- Stevenson, Colin R. (comp. and ed.), *'Once Upon a Road...': A History of Penrith's High Street 1901-1920*, NSW, Penrith City Library, 1984.
- Stickley, Christine, *The Old Charm of Penrith*, NSW, C. Stickley, 1984.
- Tilghman, Douglas C., 'Woodriff, Daniel (1756-1842)', *Australian Dictionary of Biography*. National Centre of Biography, Australian National University, <http://adb.anu.edu.au>.
- Turbet, Peter, *The Aborigines of the Sydney District Before 1788*, NSW, Kangaroo Press, 2001.
- Wells, W.H., *A Geographical Dictionary of Gazetteer of the Australian Colonies, 1848*. Facsimile edition published in NSW by The Council of the Library of New South Wales, 1970.
- Willey, Keith, *When the Sky Fell Down: The Destruction of the Tribes of the Sydney Region 1788-1850s*, Sydney, William Collins Pty Ltd, 1979.
- Ziegler, Oswald L. (producer), *Penrith: The Town and Its Surrounding District in Picture and Story*, c.1948.

1.5.2 Historic Plans and Photographs

- *Plan of Part of Woodriff's Estate, Penrith, Parish of Castlereagh and Mulgoa, County of Cumberland*. Undated and unattributed plan, NSW LPI, F.P.976320.
- (Aerial photograph over the site), 1943 maps.six.nsw.gov.au
- *Penrith viewed from Methodist Church Tower*, c.1900, Penrith City Library SS0/SS0026
- *Penrith Public School Students*, c.1900 Penrith City Library RJ0/Rj00026
- *Penrith Public School*, 1972, Penrith City Library 005/005265
- *Penrith Public School*, 1982, Penrith City Library HS1986/P012

1.5.3 Heritage Listing Sheets

- *Penrith Infants Department*, Henry Street, Penrith NSW 2750. State Heritage Inventory Database No.:2260177

1.5.4 Planning Documents

- *Penrith Development Control Plan 2014.*
- *Penrith Local Environmental Plan 2010.*

1.6 Site Location

No. 51 Henry Street, Penrith is a part of a large corner lot, bound by North Street, to the north, Evan Street to the east and Henry Street to the south (Figure 1). The site is identified as Lot 1 D.P. 724160.



Figure 1: Site Location. NSW Lands Department, 2016.

2.0 BRIEF OUTLINE OF THE HISTORICAL DEVELOPMENT OF THE SITE

2.1 Land of the Dharug

When humans first occupied the Sydney region is not known. Some of the earliest archaeological evidence of human occupation in the Sydney region comes from the gravel beds buried under the sands and silts in the Penrith-Castlereagh Region, adjacent to the Nepean River. Artifacts have been found in this area suggesting human occupation at least 28,000 years ago and possibly as far back as 40,000 years.¹

The earliest European colonists recorded few details about the kinship structures of the Aboriginal people. The immediate and decided impact that they had, as outlined below, creates difficulties in the use of the records that were produced. Recent research suggests the existence of networks of bands, as opposed to the tribal

¹ James Kohen, *The Dharug and their Neighbours: The traditional Aboriginal owners of the Sydney Region*, NSW, Dharug Link in association with Blacktown and District Historical Society, 1993, p.4.

structures implied by early records. These bands were themselves subgroups of much larger groups bound by complex rights of language, marriage and ceremony. What were once defined as 'tribal areas' are thus more accurately described as localities where different languages were spoken.²

At the time of the arrival of the First Fleet in 1788, present-day Penrith lay on the border of the land of the Dharug people, the predominant language group over the Cumberland Plain, and the Gandangara people, whose country extended into the Blue Mountains. Several bands were identified within the wider Penrith City area including the Gomerrigal-Tongarra at South Creek; the Mulgoa (Mulgowey), who lived along the Nepean River from Mulgoa to Castlereagh; and the Boorooberongal clan, who occupied the area from Castlereagh to Richmond:

*'The reason for this area being attractive to hunter-gathers is obvious - the river provided a regular supply of water, and a range of fish, birds, mussels, and aquatic plants all of which could be exploited for food. Not only that, but the gravels themselves contained stones which could be broken to produce sharp cutting edges, the kinds of edges needed to make stone tools used for sharpening spears and for carving clubs and throwing sticks.'*³

While not recording any encounters with Aborigines on his journey of exploration into the Nepean area in 1789, Captain Tench did note signs of occupation.

The initial, often cautious, welcome that was extended to the European colonists turned to displeasure when it became apparent that they were here to stay. Traditional lifestyle was disrupted by the loss of lands and exposure to new technologies; food sources were depleted. With no resistance to European diseases, the Dharug were decimated by an outbreak of smallpox in 1789-90.

While some of the Dharug people in the present-day Penrith area maintained a semi-traditional lifestyle into the 1840s, and others lived and worked on European farms, such as the Cox holdings in the Mulgoa Valley, conflict flared between the two cultures. From 1796 until his death in 1802, Pemulwuy led an organised Dharug resistance to European settlement. Serious conflict flared again around the Nepean settlements in March 1816, when Macquarie reported that Aborigines had killed five settlers along the Nepean River and forced others to abandon their farms. Macquarie dispatched a military expedition into the Nepean, Hawkesbury and Grose Rivers with orders to seize all Aboriginal men, women and children met with from Sydney onwards. In one encounter at Appin, fourteen men, women and children were killed and five captured. Macquarie's expedition achieved its objectives and, in April 1817, organised Dharug attacks on the Cumberland Plains all but ceased.⁴

While early census clearly show the deprivations caused by European settlement - the 1828 Census recorded only 38 people from the 'Nepean tribe,' 15 from the 'Mulgoa tribe,' 73 from the 'Richmond tribe' and 30 from the 'Booroogorang tribe' - the descendants of the Dharug continue to occupy the present-day Penrith City area and there are numerous archaeological sites recorded in the area.

2.2 European History

The European history of the present-day City of Penrith has been shaped by three factors: the Hawkesbury-Nepean River (and its associated waterways), the Great Western Highway (and its predecessors) and the Great Western Railway. The first shaped the primarily agricultural pursuits of the district, while the second and third provided access to markets and, in the twentieth century, conduits for suburban and industrial development.

² Peter Turbet, *The Aborigines of the Sydney District Before 1788*, NSW, Kangaroo Press, 2001, p.18.

³ James Kohen, *op.cit.*, 1993, p.4.

⁴ Keith Willey, *When the Sky Fell Down: The Destruction of the Tribes of the Sydney Region 1788-1850s*, Sydney, William Collins Pty Ltd, 1979, p.198.

2.2.1 Early Exploration and Settlement

The first European settlement was established on the shores of Sydney Harbour in Cadi Country in January 1788. From the earliest days of settlement, exploration parties were sent out into the surrounding countryside in order to ascertain what resources were available to aid survival and settlement. The City of Penrith is located on the fringes of what became known as the Cumberland Plains.

Exploration of the Nepean-Hawkesbury River began in the winter of 1789, when Governor Phillip lead a party up the river from Broken Bay to present-day Agnes Bank. He named the river the 'Hawkesbury River' in honour of Baron Hawkesbury. The southern end of the river was 'discovered' separately by Captain Tench. Governor Phillip named the river that Tench found and described as being 'broad as the Thames at Putney' the 'Nepean River', in honour of Sir Evan Nepean, Under-Secretary of the Admiralty. It was not until May 1791, that the colonists realised that the Nepean and Hawkesbury Rivers were one and the same river.

Settlement along the Hawkesbury-Nepean began in the 1790s. The region became the major source of the Colony's grain supply. Governors King and Bligh later limited settlement along the Nepean to the eastern side of the river only. The first official grants in the Nepean region were located at Castlereagh and were made under the hand of Governor King in 1803. There is evidence, however, of European settlers along the river prior to this time.

A number of free settlers, among the first to arrive in the Colony, received large grants in the Hawkesbury-Nepean area in the early 1800s. Settlement on the banks of the river was precarious; the first settlers experienced years of both drought and flood. Three types of settlers were noted in the region by Governor King's report on the *State of the Colony* in 1806: the free immigrant, who received land and labour according to his means; discharged soldiers and seaman; and emancipists.⁵ The first settlers were predominately Anglo-Irish, a demographic that would persist throughout most of the century; as late as 1888, 42% of the population was born in the United Kingdom or Ireland.⁶

By the 1820s, most of the present-day City of Penrith had been released for freehold occupation. Grants varied in size from the 20-75 acre grants made to emancipists to substantial estates of several thousand acres granted to, or consolidated by, John Blaxland (*Luddenham*), Gregory Blaxland (*Lea Holme*), John Jamison (*Regentville*), the Coxes in the Mulgoa Valley (*Fernhill*), the Mardens at South Creek and Henry Bayly at Kemps Creek.

The subject property stands on a 1,000 acres grant, known as *Rodley Farm*, made to Captain Daniel Woodriff on 18 December, 1805. It is upon Woodriff's grant that the foundations of the township of Penrith were later established.

Daniel Woodriff (1756-1842) first arrived in New South Wales in 1792 as naval lieutenant on a convict and supply ship with orders to report on the naval defences of Port Jackson. He returned to Australia, as a captain, in 1802, accompanying Collin's expedition to found a new settlement at Bass Strait. On his return to Sydney, he helped check the convict insurrection planned to support the Castle Hill uprising and was awarded with the Penrith land grant for his services. Woodriff left the Colony the following year, leaving his affairs in the hands of John Oxley, who leased parts of his grant. His last appointment before he resigned his commission was as resident

⁵ Bronwyn Powers, *A History of Penrith, Western Sydney Project: Monographs 1*, NSW, Western Sydney Project, 1983, p.6.

⁶ Paul Davis Pty Ltd, *Penrith Heritage Study, Thematic History*. Unpublished study prepared for the City of Penrith, 2006, p.10.

commissioner at Port Royal, Jamaica. Although retaining ownership of his grant, Woodriff never returned to New South Wales.⁷

2.2.2 History of The Infants School

The Penrith Infants School began first opened in 1865 within the former “Sterling Castle” Inn at the corner of Evans and Henry Streets. The site was originally built as an inn by Donald Beatson, but was suggested as a suitable site for a school by the Commissioners of National Education. Beatson charged £40 rent and around eighty students enrolled. This school became Penrith’s first Public School, as education in Penrith prior to this was run by the Church or small home-run private schools.⁸

By 1867 the school had 131 pupils and as a result the existing school building was becoming increasingly overcrowded. Plans for a building to house one-hundred and eighty pupils, was prepared by the NSW Government Architect, George Allen Mansfield. This building later became known as the “Boys Department” which featured a schoolroom, classroom and two porches. As the school continued to expand a number of extensions. This included a teachers residence prepared by NSW Government Architect G.A Mansfield in 1875.

The first Infants Department was established in a small classroom attached to the main building in 1877. A new larger brick building with two classrooms was constructed on the site in 1878 of the former Sterling Inn. By the time the department was finished it was already obsolete as another building was required to house the expanding student population. In the interim, a tent was erected on the playground of the school.

The temporary tent caused much outrage amongst the community, as it was seen to have a detrimental impact on the health of the children. The poor health of the children was exacerbated by the school’s location along a creek. The hospital at the top of the hill would dump fluids into a hole that fed into the creek, leading to outbreaks of Typhoid and Scarlet Fever amongst the student population.

By 1884 a new school building was constructed on site, in a quarter acre lot to the west resumed by the Department of Education. Additional classrooms were added in 1896 until 1916 when the school was relocated to a new site on High Street.

The Infants Department continued to operate on site until 1925 when the buildings were adapted as a manual training and domestic science rooms in 1925. By 1972 the 1872 Boys Department and 1878 Infants Department were demolished leaving the 1884 Girls Department as the last of the original school buildings. The remainder of the site was redeveloped for educational purposes in the 1980s until the NSW Education overtook the site to be used as the Department of Education and Training district office.⁹

⁷ For further information see: Douglas Campbell Tilghman, 'Woodriff, Daniel (1756-1842)', *Australian Dictionary of Biography*, National Centre of Biography, Australian National University, <http://adb.anu.edu.au/biography/woodriff-daniel-2813/text4027>, accessed 8 August 2013.

⁸ Lorna Parr (2002) *History of Hotels in the Penrith District*

⁹ Judith McGregor, Carol Bagnell (2005) *Penrith PS: A History*

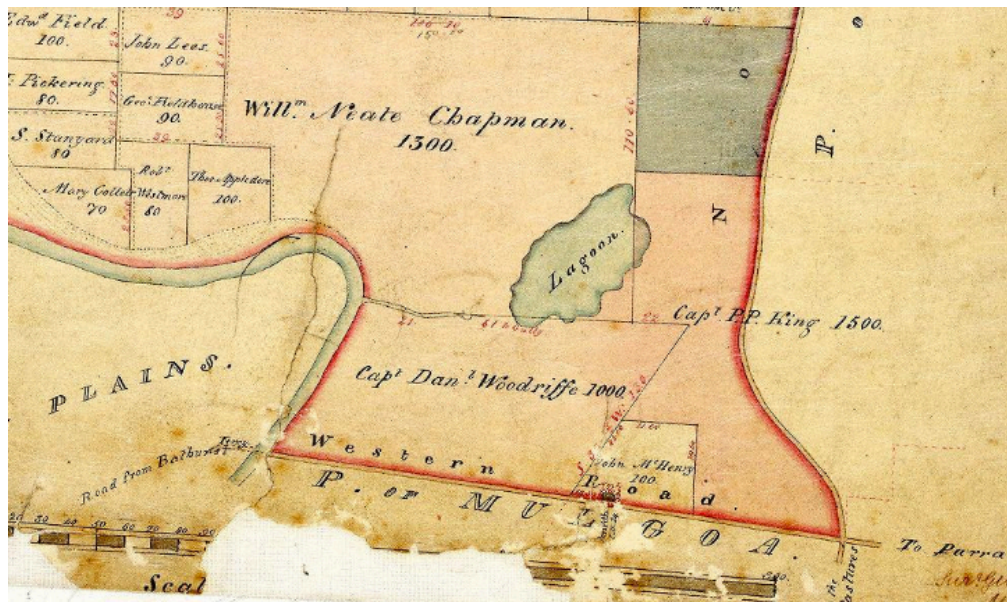


Figure 2: An early undated parish map of Capt. Daniel Woodriffe's 1000acre land grant. Land and Property Information



Figure 3: A later parish map (around 1860s) showing the Railway from Bathurst through Penrith. Land and Property Information 2016



Figure 4 A photograph from the 1930s from the Methodist Church Hall. The Penrith Public School can be seen in the far right. Penrith City Library SS0/SS0026



Figure 5: The staff & students outside the school around 1900. Penrith City Library RJ0/Rj00026

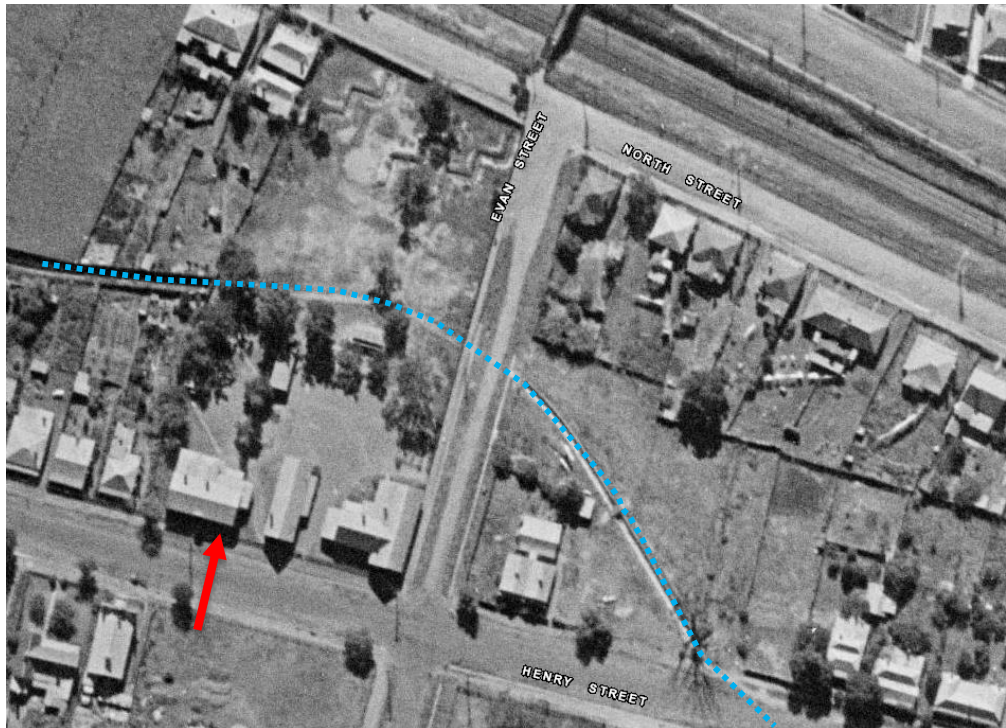


Figure 6: The Penrith Public School in 1943, prior to the demolition of the two original buildings. Zig-zag air raid trenches are northern portion of the school. The blue line indicates the location of "Typhoid Creek". Penrith City Library RJ0/RJ00026



Figure 7: The original 'boys department' on the corner of Henry and Evans Streets as seen in 1972. This building has since been demolished. Penrith City Library 005/005265



Figure 8: The Infants Department in 1986 after the other school buildings were demolished. Penrith City Library HS1986/P012

3.0 SITE ASSESSMENT

3.1 The Site

For the following, refer to Figure 6, an aerial photograph over the site, and to the survey that accompanies this application.

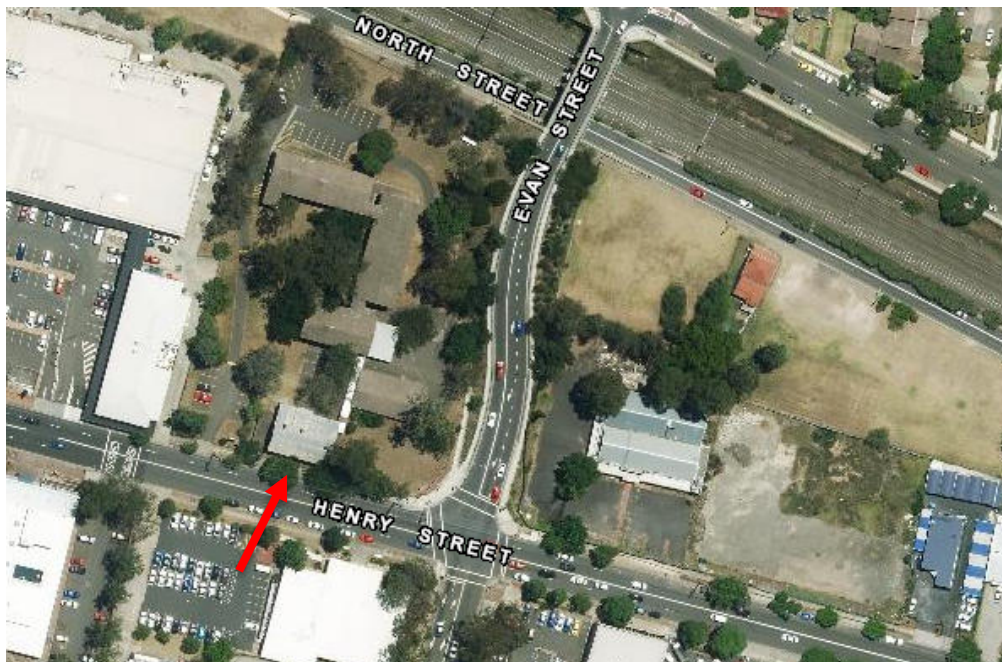


Figure 9: Site Location. NSW Lands Department, 2016.

3.2 The Former Infants Building & Surrounds

3.2.2 Exterior

The former Infants Department is a single storey face brick building with a gabled corrugated metal roof. The building is a modest utilitarian structure with some Victorian Regency details. The building is generally rectangular with a later addition attached to the north eastern corner (Figures 10 & 11). The site slopes downward to the north resulting in a deeper brick base along the northern elevation. The flying gabled ends align perpendicular to the property boundary along Henry Street, meaning three timber framed, double hung sash windows define the principal elevation. The central window is framed by miniature sandstone and brick pediment with 'Girls School' relief carved into it. An additional miniature pediment is located above the entrance, a relief depicting '1884' is positioned in the centre (Figures 12). Two sandstone string courses, at window and head height, detail the original 1884 building. Sandstone sill and frames in smaller windows also accentuate the modest utilitarian structure's features while, relieving brick arches add additional detail at the gabled ends (Figure 13). Two simple brick chimneys located on the northern side of the original building help define the roofscape.

A series of four utilitarian buildings surround the original school building were constructed in the late 1980/1990s. They are constructed from cream brick with dark tiled roofs. Full height aluminium framed window openings divide each façade evenly (Figure 14).



Figure 10: Western and northern, elevations



Figure 11: The eastern elevation showing the original school building and entry.



Figures 12: The miniature pediment on the southern elevation and again above the primary entrance showing "1884"



Figure 13: The eastern elevation of the principal building form, being the area of proposed works.



Figure 14: The late 1980/1990s educational buildings surrounding the heritage item

3.2.3 Interior

The interior of the Former Infants department is divided into one large internal space and four smaller ancillary spaces. The large hall (former classroom) features a series of dark timber beams with carved timber braces resting on a carved sandstone corbels

(Figure 15). The ceiling appears to later fibro cement sheeting which supports a sequence of large modern circular light fittings (Figure 16). Fireplace openings have been bricked in. All internal walls are painted cream (Figure 17). The ancillary spaces have had modern alterations (Figure 18). Most doors are still original.



Figure 15: Looking east inside the main hall space.



Figure 16: Looking north towards the ancillary room entrances. The former fireplace opening is outlined in red.



Figure 17: Looking towards the southern elevation inside the main hall space



Figure 18: The kitchen located in the later extension and entry door.

3.3 The Surrounding Area

The area surrounding the subject site a mixture of low density residential and commercial buildings. The streets carry traffic in both directions and with footpaths to either side with limited street plantings. Most buildings within the vicinity are late twentieth/ twenty first century construction with some earlier buildings scattered throughout (Figure 19).

To the east of the site the commercial business district of Penrith is located. The CBD is characterised by a number larger warehouse style retail premises and smaller

single tenancy shops. The area to the north of the site is bisected by the main Western Railway Line and bordered by some well-established native trees. Beyond the railway, the Lemongrove Heritage Conservation Area, which retains a considerable number of residences of demonstrating the type of early suburban development in Penrith (Figure 20).

To the south, a number of churches are interspersed with mixed use residential and commercial buildings. To the west of the site there are a number of low density commercial enterprises such as car sales yards and service stations (Figure 21).



Figure 19: The Penrith CBD to the west of the site



Figure 20: Open space along north road Lemongrove HCA is to the left of the image



Figure 21: The former Methodist Church located to the south west of the site.

4.0 ASSESSMENT OF SIGNIFICANCE

4.1 Summary of Existing Citations and Listings for the Site

No. 51 Henry Street, Penrith

- Is listed as a heritage item by Part 1 of the *Penrith LEP 2010*. The listing reads 'Penrith Infants Department (1884 Building)' (I177). Lot 1, DP 724160. The site is ascribed local significance.

It is noted that the site is:

- Is not listed as a heritage item on the State Heritage Register under the auspices of the *NSW Heritage Act 1977*.

4.2 Statement of Significance

The State Heritage Inventory provides the following statement of significance for No. 11 King George Street:

"An excellent example of a modest government public school of 1884 inclusive of school hall. The building demonstrates late nineteenth century suburban settlement in the town as well as the reforms in public education of the 1880s placing statutory minimum attendance levels for children. The building is the only extant structure of the once large educational facility here, and one of the few extant historic buildings in Henry Street."¹⁰

These statements are adopted for the purposes of this assessment.

¹⁰ *Penrith Heritage Study Vol.3 – Locality Assessment (2007) Paul Davies Pty. Ltd. P. 223*

4.3 Integrity

With the exception of the obviously mature trees, the landscaping within the site is comparatively recent in date.

The dwelling demonstrates a moderate to high degree of integrity. It is clearly identifiable as a Victorian period dwelling. The following alterations are noted:

- An extension to the north elevation
- Some windows have been replaced. New door opening on western elevation with contemporary screen door
- New guttering and down pipes
- New blinds and shutters
- Corrugated metal roofing appears original, in poor condition in some sections
- Bricks appear to have been repointed at a later date
- Ceiling and lights appear new
- New fittings and fixtures in kitchen

4.4 Heritage Items in the Vicinity of the Site

For the following, 'in the vicinity' has been determined with reference to physical proximity, existing and potential view corridors and the nature of the proposed works.

There are no heritage items listed on the State Heritage Register, under the auspices of the *NSW Heritage Act 1977*, in the vicinity of the site.

Figure 25 shows the location of heritage items, listed by Schedule 5 Part 1 of the *Penrith LEP 2010*, listed by Schedule 5 Part 2 of the *Penrith LEP 2010*, within the vicinity of the site. Heritage items are coloured brown or green and numbered. Conservation Areas are hatched in red and numbered. The site is marked '177' (see the arrow).

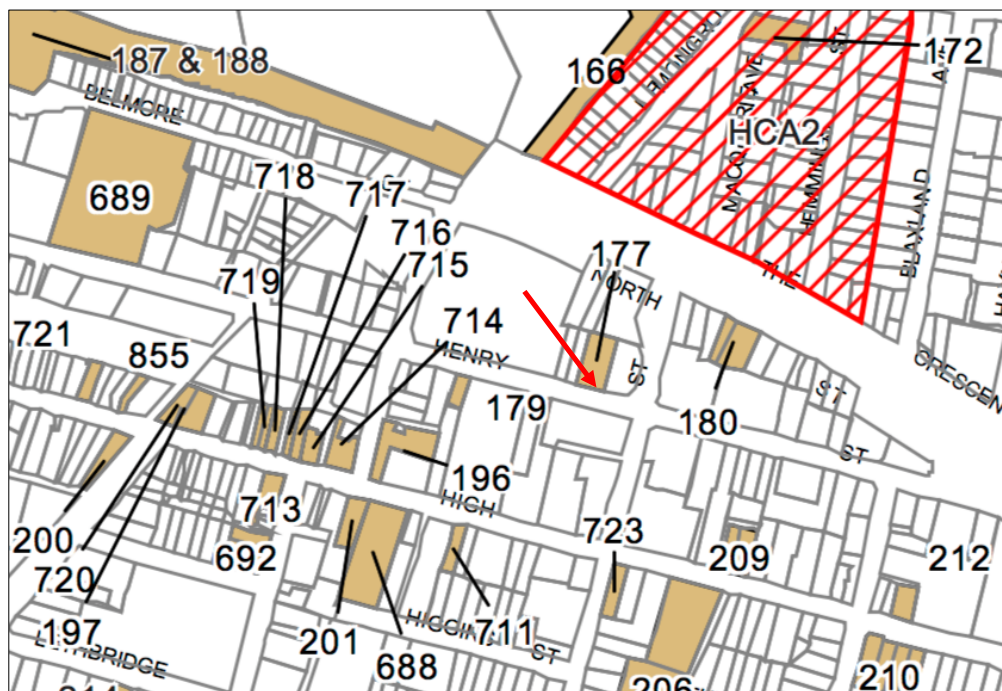


Figure 22: Heritage Plan (Detail). *Penrith LEP 2010*.

The site is within the vicinity of the following heritage item:

- ***Methodist Church (former), No. 74 Henry Street (I179)***
- ***Lemongrove Heritage Conservation Area (HCA2)***

It is noted that Item 180 “Cottage” No. 10-12 North Street, to the north east of the subject site has been demolished. This is noted in the Penrith Heritage Study Vol. 3 by Paul Davies (2007). It will therefore not form part of this assessment.

The Penrith Heritage Study provides the following statement of significance for the *Methodist Church (former)* item:

‘The brick former Uniting church demonstrates the emergence of nineteenth century suburban settlement in the town following the coming of the railway, and the development of a community of Wesleyan Methodists in the region. This Gothic style church was erected in 1861 and altered in 1886. The building is one of the earliest extant buildings in the CBD and one of the first erected after the coming of the railway.’

The principal view corridors to and from this item are to and from Henry Street.

The Penrith Heritage Study provides the following statement of significance for the *Lemongrove Heritage Conservation Area* item:

‘The 1885 Lemongrove Estate subdivision retains a considerable number of residences of mixed materials and styles which collectively demonstrate the type of early suburban development in Penrith. The suburb was the home to both the professional class and working class which is demonstrated in the diversity of building stock.’

The principal view corridor towards this site is largely obscured by the railway and established trees. However, if the site were to be developed at a larger scale there will be uninterrupted views towards the HCA.

4.5 View Corridors

The principal view corridors towards the site are obtained from Henry Street, in particular views diagonally from the former Methodist Church (Figure 23). As the building is set back from the corner of Henry and Evans Street there are minimal views to the site from the southern end of Evans Street (Figure 24). The northern end of Evans Street is elevated running up to the railway crossing bridge, there are partial views to the original building between thick foliage and infill buildings (Figure 25)

Figures 23 to 25 below illustrate view corridors towards the site, being the area of proposed works, from the public domain.



Figure 23: Looking west along Henry Street towards the site



Figure 24: Looking north along Evans Street. The site is indicated by the red arrow



Figure 25: Looking towards the site from the Evans Street Bridge. Note much of this view is obscured by foliage

5.0 SCOPE OF WORKS

The following should be read in conjunction with the plans prepared by Dickson Rothschild that accompany this application.

- Remove the existing c.1980s/1990s Education Department Buildings
- Retain the existing 1872 Infants Department and adaptively reuse as a restaurant
- Landscape public area
- Construct two mixed use residential towers with a three level basement. The towers will include:
 - One, two and three-bedroom apartments
 - Hotel
 - Restaurant and Function Centre
 - Gym
 - Childcare Centre
 - Retail spaces

6.0 EFFECT OF WORKS

6.1 Method of Assessment

The following is a merit-based assessment. It does not consider compliance or otherwise with Council's numerical controls unless non-compliance will result in an adverse heritage impact. Refer to the Statement of Environmental Effects (SEE) that accompanies this application.

The effect of work is assessed with an understanding of the relevant provisions of 5.10 of the *Penrith LEP 2010* and the *Penrith DCP 2014*.

6.2 Effect of Work on the Site

Prior to assessing the impact of the proposed development on the adjoining heritage item and other nearby items it is first important to establish why a development of considerably greater massing and scale than the nearby heritage item is being proposed on this site. This answers one of the key questions posed by the NSW Heritage Branch (now Division) publication *Statements of Heritage Impact* when development is proposed to a heritage item. The proposed development is permitted under the zoning of the site and responds to Council's desired future character for the area as it is expressed in the *Penrith LEP 2010*, *Penrith DCP 2014* and the NSW Department of Planning and Environment. The development proposed on the subject site will assist in achieving the objectives for land under this zoning.

A building of substantially greater massing and scale will have an inherent impact upon a smaller adjacent heritage item. In providing controls that encourage high density development, it is implied that Council have accepted that there will be a level of impact on heritage items in the area.

- The principal view corridors towards the heritage item are primarily from Henry Street and partially from Evans Street. The proposed design will be set back from Henry Street allowing the existing building to continue to be interpreted as former school building and gaining prominence on the streetscape.
- The proposed design has established a landscaped curtilage surrounding the heritage item. This allows the former school to be interpreted in full, and measure of separation by the surrounding development. Moreover, this curtilage draws attention to the heritage item further highlighting its heritage attributes.
- The proposed reuse of the Former Infants Department as a restaurant. The proposal will utilise the existing small ancillary spaces for food preparation and storage, while the main classroom hall will be used as the dining area. This adaptive reuse is considered a compatible, in that it will have an acceptable impact on the building and maintain an understanding of its principal rooms. Reinstating the site as a childcare facility is not considered viable as the building is too small to support the viable numbers.
- Two large mixed use towers are of a completely different building typology to a Victorian era former school building. Their impact is mitigated by the setting of the towers on the stepped podium maintaining a street scale that is compatible with the school building.
- The detailing of the new proposal will be relatively simple. At ground level, the proposal uses heavier massing materials, while in the upper levels steel and glass is utilised. While not using materials that reflect the nearby heritage item, finer grain details at eye level help to ease the visual impact of the surrounding development.

6.3 Effect of Work on Heritage Items in the Vicinity and Conservation Area

The proposed works will have a visual impact on the nearby heritage item and the Lemongrove HCA as it substantially increases the height, bulk and scale in comparison to any other building in the vicinity. As noted above, the proposal is in line with the desired future character of Penrith as part of the "New West". As such, many other developments of a similar nature are proposed to occur within the vicinity. Increased in density will always have an impact on existing heritage items, however, this development will form part of the evolving history of Penrith as areas on the outer fringe of Sydney continue to expand.

The impact is acceptable for the following reasons:

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- The degree of separation is sufficient to have no direct impact on the lot boundary curtilage of these items.
 - No significant view corridors to/from the items will be blocked.
 - The architectural, historic and/or social significance of the items will not be impacted upon.
 - The proposed works are consistent with the plans to development of the area. Council has accepted that the wider setting of these items will change over time.

7.0 CONCLUSIONS

The proposed redevelopment of the site surrounding the Former Infants Department will have a substantial impact on the heritage significance of the building when read as a low scale former school building. As noted above, this development is in line with the desired future character of the central part of Penrith in fulfilling its role as a regional city centre in the overall plan to managing a growing Sydney.

While the setting of the Former Infants Department's will substantially increasing in bulk and scale, the proposal is mindful of the Infants Department as a heritage listed building by the use of two to three storey podiums to either side of the building. This gives an appropriate setting to the building in terms of its scale.

The proposal is for an appropriate adaptive reuse the heritage item as a restaurant, utilising existing ancillary spaces for services while the larger schoolroom space would become the dining room. This will allow the most important spaces in the building to be read in an uninterrupted manner. This provides a repurposing that does not divide or interfere with the perception of the original space.

The setback of the proposed new buildings on the site will maintain the prominence of the original building when viewed in both directions along Henry Street.

This proposal neatly allows an existing modest school building to maintain its streetscape presence and integrity as a free-standing building whilst allowing major development to take place in close proximity.

The solution found is to be commended.