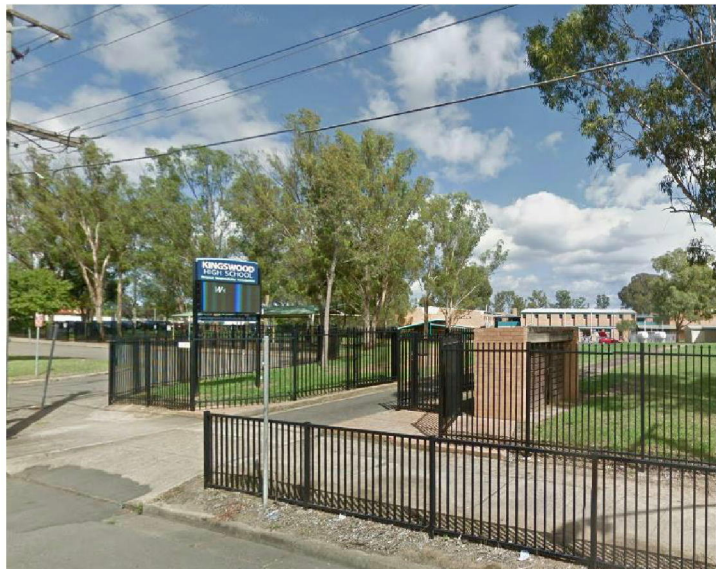


Statement of Environmental Effects

Construction of a multi-purpose hall with associated structures and works to the immediate surrounds.



Kingswood High School
Lot 1 Deposited Plan 590302
131 Bringelly Road, Kingswood NSW 2747
Contract ID: SINSW-18-1442

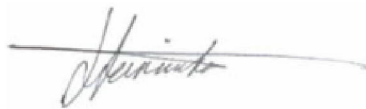
Prepared for: Gran Associates Australia
Project No: D113
Date: November 2018
Issue: C

Document Control

Creative Planning Solutions works to a stringent Quality Assurance Program.

If this document has not been signed for review and approval then it is deemed a preliminary draft.

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1.0 Introduction

This report constitutes a Statement of Environmental Effects (SEE) that has been prepared to accompany a Crown Development Application (DA) submitted to Penrith City Council (herein referred to as the Council) for new building works to Kingswood High School, located at 131 Bringelly Road, Kingswood. Details of the proposed development are as follows:

- New multi-purpose hall and associated structures.
- New landscaping scheme to the Bringelly Road frontage.

This SEE has been prepared by Creative Planning Solutions Pty Limited (CPS) for Gran Associates Australia, Architects on behalf of the Department of Education, being a public authority of the Crown. It is based on the plans and information provided by the head design consultant and other supporting documentation from project consultants as included in the development application package.

This DA includes the following:

- Architectural Plans
- Landscape Plans;
- Stormwater Plans;
- Statement of Environmental Effects
- Appendix A – 4.6 Variation Request (Building Height);
- Appendix B – Geotechnical Report;
- Appendix C – Noise Emission Assessment/Acoustic Report
- Appendix D – Arborist Report;
- Appendix E – Bushfire Report;
- Appendix F – Flood Report;
- Appendix G – Section J Compliance Report
- Appendix H – Schedule of External Materials and Colours
- Appendix I – Power Supply Advice
- Appendix J – Penrith Council Pre-Lodgement Advice
- Appendix K – Structural and Civil Report
- Appendix L – Cost Summary Report
- Appendix M – BCA Design Compliance Assessment
- Appendix N – Waste Management Plan

A detailed description of the proposed development can be found at **Section 3** of this report. The purpose of this SEE is to:

- describe the components of the proposal,
- discuss the potential environmental effects of the proposal,
- draw conclusions as to the significance of any impacts from the proposed development and how such impacts may be mitigated, and
- make a recommendation to Penrith City Council as to whether the development should be approved.

This SEE also describes the site, its environs and the proposed development, and provides an assessment of the proposal in terms of the matters for consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Within this report, references to “the site” means the land to which this DA relates.

As this application is being lodged by the Crown, Council should be aware of the following:

- a) Under Section 4.33 of the Act, a consent authority (other than the Minister) must not refuse its consent to a Crown development application, except with the approval of the Minister; or impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister. It would be appreciated if a copy of any conditions Council wishes to impose on its consent to the application could be forwarded for the applicant’s consideration at the earliest possible date
- b) There is no legal basis for any person or body to levy a bond on the Crown. However equivalent conditions to ensure compliance in matters that would otherwise be covered by bonds may be imposed.

1.1 Project Team

The following expert project team has been formed to deliver the proposal and includes:

Project Role	Company
Architect	Gran Associates Australia Pty Ltd Architects
Urban Planning	Creative Planning Solutions
Bushfire Consultant	Eco Logical Australia
Landscape Architect	iScape
Arborist	Arborsite
Stormwater Engineer	Engineering Services
Flood Engineer	Engineering Services
Acoustic Engineer	Marshall Day Acoustics
Geotechnical Engineer	JK Geotechnics
Building Regulations	BCA Vision
Electrical Engineer	Engineering Services
Mechanical Engineer	Engineering Services
Structural Engineer	Birzulis Associates

1.2 Consent Authority

The Crown Development Application (DA) has a capital investment value of \$6,780,600, and a cost of works of \$7,450,660 (including GST). Accordingly, the development is regional development and therefore the determining authority for the proposed development is Sydney Western City Planning Panel pursuant to clause 4 of Schedule 7 of *State Environmental Planning Policy (State and Regional Development) 2011*.

1.3 Pre-Lodgement Advice Meeting

Based on an assessment of concept plans for the proposal, Council provided a formalised Pre-lodgement advice letter, PL18/0085, dated 30 October 2018 and reproduced within Appendix J. The issues raised in the letter are listed below, and a response is provided indicating how these issues have been addressed:

Issue	Response
PLANNING	
<i>The site is subject to an 8.5m maximum height of building provision under the LEP 2010 (Clause 4.3). The plans do not nominate an overall building height however it appears the development may exceed the maximum building height permitted. If a Clause 4.6 variation is requested, the applicant must justify the variation on planning grounds.</i>	Appropriate plans identifying ridge heights and existing ground levels are provided within the DA package. Reference should be made to the 4.6 variation request, which is included within Appendix A.
<i>Any application should be supported by a site analysis and alternate location analysis (as presented in the meeting).</i>	A site analysis and location analysis plan is provided within the DA package.
<i>Any acoustic mitigation measures need to be appropriate for a low density residential area.</i>	Refer to submitted Acoustic Report within Appendix C.
<i>The location of waste infrastructure needs to consider the proximity to surrounding residents, and the hours for collection and frequency of collection is to be considered in the acoustic assessment.</i>	Refer to response to Waste comments provided within this table and the and Acoustic Report within Appendix C.
<i>A wayfinding strategy should support any application and include circulation in and around the site from the streets and parking areas.</i>	The location of the proposed development has been selected upon consideration of three potential locations (refer to Section 3.1 of this SEE). The proposed location was selected due to the available of direct and visible public access from public areas. A new landscape scheme and footpath arrangement will provide clear wayfinding between the proposed hall, Bringelly Road, the existing school carpark, and buildings which will adjoin the proposed hall. A simple wayfinding signage strategy can be implemented prior to occupation to support the visual design cues that are proposed as part of this application. It is anticipated that any minor signage that will be required will be exempt from obtaining development consent, and will be augmented by existing signage at the school, including the electronic sign located near the site of the proposed development.
<i>The external treatment of the building should incorporate a variety of colours, textures and materials to break up the bulk and scale of the building.</i>	The proposal will be of steel, masonry and polycarbonate construction designed to engineer's details.

	Refer to submitted material and finishes schedule within Appendix H.
<i>Early consultation with the local community is recommended.</i>	<p>Direct consultation with neighbouring residents, at No. 2 and No. 3 Walsh Place, and 129 Bringelly Road was undertaken by the Kingswood High School Principal, Adam Forbes.</p> <p>The feedback was generally very positive, with the residents noting that their children had attended the school and that their experience was that the current facilities were in need of improvement. One neighbour indicated it would lessen some of the noise during the day as students would have a large enough space for practical indoor activities. No negative commentary was provided on any aspects of the proposal.</p>
ENGINEERING	
General	
<i>Council's engineering requirements for subdivisions and developments, including policies and specifications listed herein, can be located on Council's website at the following link: https://www.penrithcity.nsw.gov.au/Building-and-Development/Development-Applications/Engineering-requirements-for-developments/</i>	Noted.
<i>All engineering works must be designed and constructed in accordance with Council's Design Guidelines for Engineering Works for Subdivision and Developments and Council's Engineering Construction Specification for Civil Works.</i>	All works are to will be consistent with these requirements
Stormwater	
<p><i>Stormwater drainage for the site must be in accordance with the following:</i></p> <ul style="list-style-type: none"> • Council's Development Control Plan • Stormwater Drainage Specification for Building Development policy, and • Water Sensitive Urban Design Policy and Technical Guidelines. 	<p>A stormwater engineer has been engaged by Engineering Services to consider the stormwater impacts of the proposed development.</p> <p>Refer to submitted stormwater and civil works plans.</p>
<p><i>A stormwater concept plan, accompanied by a supporting report and calculations, shall be submitted with the application.</i></p> <p><i>If On-Site Stormwater Detention (OSD) is not already onsite, then it is required. The required site storage rate (SSR) is 240cbm/Ha with a Permissible Site Discharge (PSD) of 120L/s/Ha.</i></p> <p><i>If WSUD is not already catered for onsite, then a water sensitive urban design strategy prepared by a suitably qualified person is to be provided for the site. The strategy shall address water conservation, water quality, and operation and maintenance.</i></p>	Refer to submitted stormwater and civil works plan.
Mainstream Flooding	
<i>The site is affected by mainstream flooding. As the proposed hall appears to be located in a flood storage area, it is advised that a flood level should be requested from Council in writing.</i>	A Flood Report has been prepared by Engineering Services to consider the flood-related impact of the proposed development. Minor infrastructure upgrades will be required to accommodate identified issues in the location of the proposal. Refer to Appendix F.
<i>If the proposed development is located in the flood storage area, the application must be accompanied by a Flood Report prepared by a suitably qualified person.</i>	Refer to Appendix F.

Earthworks	
No retaining walls or filling is permitted from this development which will impede, divert or concentrate stormwater runoff passing through the site.	A Geotechnical Report has been prepared by JK Geotechnics to consider the impact of earthworks in regards to the proposed development.
Earthworks and retaining walls must comply with Council's Development Control Plan.	Refer to submitted Geotechnical Report and discussion provided within section 4.3.2 of this SEE.
Proposed fill material must comply with Council's Development Control Plan.	Refer to submitted Geotechnical Report and discussion provided within section 4.3.2 of this SEE.
Traffic	
If the hall is intended for out of school hours use/community use, then a traffic statement should be submitted demonstrating existing on-site parking can satisfy a "first principles" assessment for the hall/function centre/place of worship or similar.	Refer to discussion within Section 4.3.2 of this SEE.
WASTE	
Commercial Waste Management	
<p>The commercial on-site waste infrastructure is to be built in accordance with the provisions outlined in Section 2.2.1 of the 'Residential Flat Building Guideline' document.</p> <p>To allow for the safe and efficient collection of a various waste streams within commercial developments, onsite collection is required in accordance with Section 2.2.1 and wider provisions outlined in Section 2.2 of the 'Residential Flat Building Guideline' document.</p> <p>Commercial developments are to provide on-site collection infrastructure in accordance with Section 3.5.2 Waste Collection Rooms of the 'Residential Flat Building Guideline' document. Room sizes are to be built in accordance with the generation rates outlined in the 'Commercial Waste Generation Rates Guideline' document.</p> <p>Note: It was discussed that the on-site waste infrastructure was to be removed from the building and location adjacent to the car park. This configuration is not supported in its current configuration. All on-site waste collection infrastructure is required to be provided wholly within the built form to provide a heightened amenity outcome.</p> <p>The development application is to be submitted with an accompanying 'Plan of Operations', outlining proposed:</p> <ul style="list-style-type: none"> Bin Infrastructure Sizes <ul style="list-style-type: none"> Supported by architectural plans, elevations and cross sections Collection Frequency Waste Collection Vehicle Dimensions <ul style="list-style-type: none"> Supported by swept path models Hours of Collection Access to Waste Collection Room <p>Note: Proposed waste collection vehicles are required to enter/exit the site in a forward direction.</p>	Refer to discussion within Section 4.3.2 of this SEE.
Documents to be submitted with development application	
<ul style="list-style-type: none"> Survey Drawing Site Plan Floor Plan(s) Elevation and Section Plans Statement of Environmental Effects Notification Plan 	Relevant documentation has been provided within the attached Appendices and within various sections of this SEE.

- *Stormwater Concept Plan*
- *Waste Management Plan*
- *WSUD Strategy*
- *Landscape Plan*
- *Traffic and Parking Assessment Report*
- *Contamination Assessment (in SEE)*
- *Schedule of External Materials and Finishes*
- *Access Statement*
- *BCA Compliance Statement (National Construction Code)*
- *Signage Details (if proposed)*
- *Operational Plan of Management*
- *Acoustic Report/Statement*
- *1 x hard copy and 1 x PDF digital copy (additional copies required if integrated development) of your development application.*

2.0 Site Analysis

2.1 Subject Site and Surrounding Development

The subject site is Kingswood High School, which is contained within a single allotment legally described as Lot 1 Deposited Plan 590302. The site is provided with a primary street address to 131 Bringelly Road.

The subject land has an area of 10.22 hectares (102,200m²) and an approximate perimeter of 1.412kms (Six Maps). The school is located approximately 1.7km south of Kingswood Train Station, approximately 4.2km south east of the Penrith Central Business District, and is within the Penrith Local Government Area.

The subject site has a frontage to Bringelly Road of approximately 151m, and a secondary frontage to Smith Street of 306m. The primary car, bus, and pedestrian access to the school is available from Bringelly Road, but pedestrians can also enter the site from Smith Street. The bus bay on Bringelly Road is not situated within the school grounds, but is used exclusively in association with school facilities and is maintained by the school. The subject site includes one designated car parking area adjoining 133 Bringelly Road, directly accessible via a driveway and crossover from Bringelly Road.

Refer to **Figure 1** and **Figure 2** for an aerial photograph of the subject site.



Figure 1: Site location – Subject Site identified above

Source: maps.six.nsw.gov.au



Figure 2 – Aerial image of the Subject Site and Locality.
Source: maps.six.nsw.gov.au

The subject site shares boundaries with two roads, being Bringelly Road and Smith Street. The Bringelly Road frontage is located at the south eastern corner of the site, and is part of an irregular eastern boundary of the school, which adjoins low density residential development to the north and south of the Bringelly Road site frontage. The majority of the dwellings adjoining to the east also front Bringelly Road, with the exception of some of the properties to the north, which front Walsh Place, a small cul-de-sac, accessed from Bringelly Road. The Smith Street frontage is a regular linear frontage and encompasses the entire northern boundary of the site.

Classrooms and administration buildings are predominately located in the southern end of the site, towards the Bringelly Road frontage at the east, and to the north of the school carpark. The main school quadrangle is located within the centre of the buildings. A covered outdoor learning area (COLA) is located to the northeast of the other school buildings, within the vicinity of the rear boundaries of the dwellings that front Walsh Place.

Playing fields and open space make up the majority of the site, with large open space areas to the north and west of the school buildings. These outdoor open spaces adjoin residential dwellings to the, which front Tent Street to the west and southwest, and Piper Close to the south. A large concentration of trees is located within the northwest corner of the site, and this area generally contains managed understorey vegetation, typical of urban bushland. The areas opposite the site's frontage to the east and north are generally characterised by further low density residential dwellings.

The closest adjoining lot to the proposed works is 129 Bringelly Road, which is a single storey brick dwelling, with an attached garage and carport located adjacent to the boundary shared with the

school, and the rear boundary being approximately 6m from the COLA. The proposal is to be situated approximately 13m from this boundary.

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Facilities within the area include the Penrith Commercial Core, approximately 4.2km, to the north-west of the site, and containing the Atrium Shopping Centre, as well other commercial and retail uses, hotel accommodation and sporting fields. Kingswood train station is located approximately 1.7km to north of the site. Kingswood South Public School is located approximately 100m from the northwestern corner of the school, on the opposite site of Tent Street. Western Sydney University Kingswood Campus is located approximately 800m to the east and Nepean Hospital is located approximately 900m to the north of the subject site.

2.2 Site Considerations

The subject site is zoned R2 – Low Density Residential in accordance with the *Penrith Local Environmental Plan 2010* (PLEP 2010). A portion of the subject site is classified as bush fire prone land as confirmed by the S10.7 Certificate, Council's Bush Fire Prone Land Map and NSW Rural Fire Service Mapping.

Flooding considerations outlined within the pre-DA are discussed within the submitted flood report.

3.0 Proposed Development

This Section of the SEE provides a detailed description of the proposed new building. The proposal is to function as a new point of assembly for the school and other groups within the community. Discussion on distinct components of the proposal are provided within this section.

3.1 Location Selection

The location of the hall on the school site has been guided by the bushfire and flood assessments (refer to relevant reports) and also partly driven by the desire to open the facility to community usage. Three potential sites were considered as part of the design formulation and these are shown within the site analysis plan shown below:



Figure 3: Site Analysis Plan showing sites A, B and C

Source: Gran Associated Australia

The advantages and disadvantages of each location are tabulated below:

	Advantages	Disadvantages
Site A	<ul style="list-style-type: none"> - Direct access to oval and main sport area. - Some visibility from Smith Street. 	<ul style="list-style-type: none"> - Difficult public access through school. - Bushfire issue (buffer) - Potential over shadowing for existing buildings and blocking of views over the oval. - No parking or vehicular access. - Potential flooding issue. - Remote from canteen and COLA. - Removal of trees required.
Site B	<ul style="list-style-type: none"> - Good vehicular public visibility. - Direct public access. - Direct access to canteen rear. - Extension to COLA allowing overflow seating. - Good visibility to main oval through COLA. - Near drop off zone. - Possible new car park area. 	<ul style="list-style-type: none"> - Relocation of gas tanks required. - Relocation of water tank required. - Relocation of road access required. - Relocation of Building U (equipment storage) required. - Possible substation curtilage issue
Site C	<ul style="list-style-type: none"> - Direct access to minor oval. - Direct access from staff car park. - Possible car park extension. - Far from residential neighbours. 	<ul style="list-style-type: none"> - East facing hall. - Difficult access from main school rooms. - Difficult access to main oval. - Difficult public access. - Minimal exposure to street. - Removal of trees required. - Remote from canteen and COLA

Upon consideration of the environmental constraints of each proposed location and the capacity of each location to achieve the objectives of the development, Site B was selected as the preferred location.

Site B provides access from the existing bus layback area off Bringelly Road, which is direct and immediate without having to enter or pass through other parts of the school, thereby maintaining its out-of-hours security. Similarly access from the main car parking area does not require entering or traversing the main school buildings. The hall can therefore be used during and after hours with minimal disruption to the school and neighbouring residents.

A feature of the proposed location and design is that it facilitates direct all-weather link to the existing COLA via a series of glazed vertical folding doors. This link increases the useability and flexibility of the whole sporting/entertainment complex allowing multiple concurrent usage. The south side of the hall has multiple glazed entry doors and the necessary egress doors.

Furthermore, the proposed location allows for developing synergies with the school canteen in Block S and the school café with its covered outdoor terrace in Block D. A large pedestrian forecourt with coloured concrete paving panels and surrounded by covered walkway areas provides a suitable entry statement in this location.

3.2 Assembly Area and Playing Courts

The majority of the area of the building is the assembly and playing courts area located centrally within the structure, underneath the taller elements. The hall will be provided with floor markings for a variety of indoor sports including badminton, netball, handball, futsal, volleyball and basketball. Specifically, it will provide for the following:

The hall includes line markings for the following games courts and surrounds:

- 1 championship size basketball court with spectator viewing areas,
- 1 netball court,
- 1/no handball court,
- 1 futsal court,
- 2 volleyball courts,
- 6 badminton courts,
- 2 junior mini-basketball training courts also useable for junior futsal

The central area assembly area will also be used for seating during assemblies, meetings, performance art, etc. The ceiling height will vary throughout this area, being 7.5m at the eastern end, approximately 9.9m underneath the roof pitch, and approximately 11.5m underneath the higher point of the skillion roof feature. It should be noted that a minimum 7.5m ceiling height is required for the full size basketball court.

3.3 Stage and Storage Area

The majority of the eastern end of the hall is to be occupied by the stage, which sits approximately 1m above the floor level of the primary assembly area. The stage is provided with a ceiling height of approximately 6.5m, in order to appropriately accommodate the form and function of a multi-purpose hall in hosting assemblies and stage performances. The stage will be designed to be fully accessible with chair storage areas functioning as backstage change rooms during performances. Independent service access to the backstage areas will also be available from the rear service courtyard.

The outdoor store room is provided on the northern side of the stage, adjacent to the COLA, with a loading dock immediately adjoining to the south. A single storey area, provided with a curved external feature wall, adjoins further to the south of the loading dock and contains the chair storage area, large

equipment/sports store room, and first aid room. These are all accessible from within and outside the hall, with the exception of the large equipment store room, which is only accessible from inside the hall.

3.4 Amenities and Offices

The western end of the hall is to be two storeys in height. The ground floor will contain the accessible WC/showers, female and male change rooms, amenities and student water closet facilities that are accessible from within the hall and from the area from the area adjoining which sits adjacent to the canteen. Existing additional student amenities are located in the adjacent building Blocks M, S and D.

The first floor will include a staff office, control room, staff WC/shower, and cardio training room. New sheltered areas are proposed surrounding this part of the building, provide direct connections with the existing school buildings to the east. Existing additional staff amenities are located in Block S.

3.5 Design

The proposed development represents a modern, high quality design with a variety of materials and finishes and articulated design elements which provide visual interest and compatible with existing development within the locality. The structure immediately adjoins the existing COLA, and is provided with a similar orientation and roof pitch, with the ridges to align, and the buildings to directly abut one another. The building is provided with an asymmetrical roof design, with a skillion roof feature provided above the roof ridge to facilitate the provision of natural light and passive stack ventilation.

The ground floor of the building is provided with substantial portions of glass and masonry with 'corten' steel to be used on the curved feature walls at the eastern edge of the building. Lightweight polycarbonate materials are proposed on the southern gable ends, with insulated panel roofing sitting atop the roof pitch. Ventilated louvres are provided to the skillion roof feature and metal louvres are proposed on the northern and southern facades allowing for cross ventilation. The 'corten wall' theme is maintained throughout the courtyard areas in order to guide visitors whilst at the same time shielding the existing substation from direct view.

The structure will consist of a concrete floor slab on concrete piles with mild steel portal frames supporting a proprietary roofing system designed to allow the rapid construction of a weatherproof worksite. The roofing bonded sandwich panel system consists encapsulated insulation between two layers of colorbond steel – 'trimdeck' externally and 'custom orb' internally.

The upper floor and walkways will be conventional suspended concrete slabs on steel or concrete columns. The stage flooring will be timber framed T&G boarding. The main flooring will be a floating T&G sports floor with a suitable hardness for any future retractable seating system.

Internally the wall finishes will be predominantly slotted plywood with insulation for acoustic reverberation control except to for the south facade being the double layered insulated translucent polycarbonate sheet. The soffit will be the prefinished colorbond corrugated steel soffit noted above with additional colorbond perforated corrugated panels for further reverberation control as required.

The hall will remain naturally ventilated with a large roof lantern ventilation system combining with low level metal louvres to provide adequate cross ventilation. Aerial gas heaters will provide minimal winter heating.

Lighting will be energy efficient and long-life LED where possible. The existing padmount substation provides adequate overall power to the school – including its future classroom air conditioning needs.

Hydraulic services will be water saving generally with dual flush WCs and restricted flow tapware. In addition, there will be water retention for recycling and irrigation as well as the required water detention to suit the existing infrastructure.

3.6 Landscaping

Substantial new landscaping is proposed to be added to the site. Twelve (12) trees are proposed for removal, with in excess of twelve new trees proposed across the site.

Updated landscaping is to be provided to the site, which will include the following:

- New concrete paved walkways from the outdoor playing fields and area surrounding the hall.
- New turf area with boundary screen planting towards the adjoining residential properties;
- Formal garden-style planting around substation;
- New concrete paving between front boundary and existing classroom blocks;
- New tree plantings along front boundary to Bringelly Road, side boundary adjoining No. 129 Bringelly Road, and throughout the front setback play spaces.

Refer to the submitted Landscape Plan which accompanies the Development Application.

3.7 Access and Parking

Existing road infrastructure services the school and vehicular access to the school is via Bringelly Road. It is considered that the existing access and proposed works to the driveway within the site is sufficient to meet the needs and demands of the proposal. A new landscape scheme and footpath arrangement will provide clear wayfinding between the proposed hall, Bringelly Road, the existing school carpark, and buildings which will adjoin the proposed hall.

An Access Statement has not been submitted. However, the building has been designed to be accessible to AS 1428.1. Accessible amenities have been provided to EFSG requirements and a new lift is proposed to provide access to first floor areas. Given that the proposal is provided with level access between internal and external areas., any accessibility issues that remain a concern of Council can be considered through general conditions of consent requiring compliance with AS 1428.1.

3.8 Stormwater Drainage

Concept stormwater drainage plans have been submitted with the development application. The plans detail the proposed stormwater system and that is has been designed in accordance with the provisions set out in the PDGP 2010 and the requirements of Council that were outlined during the pre-lodgement meeting.

Refer to submitted civil works drawings for onsite detention and rainwater retention infrastructure.

3.9 Safety Considerations

Safety and security features will be incorporated in accordance with the principles of Crime Prevention through Environmental Design (CPTED). Features include:

- Passive surveillance to the car park and surrounding buildings;
- Clear visible entrances to the new teaching block and communal hall;
- Direct access, promoting and restricting movement throughout the site;
- Lighting throughout the site;
- Direct views of the hall from the first floor staff office, to facilitate supervision.

The proposed new building works have been designed to appropriately address the surrounding playground areas and align with the existing buildings on site. Passive surveillance opportunities are provided from within the building areas that overlook the site. Direct accessible pedestrian access to all the buildings is provided from the existing entry points in front of the development.

4.0 Assessment of Environmental Impacts

This section provides an assessment of the environmental impacts of the proposed development including explanations of any potential impacts. The assessment is based on the matters for consideration under Section 4.15(1) of the Act.

4.1 Integrated Development

4.1.1 Bushfire Safety Authority

The proposal seeks works related to an existing special fire protection purpose, as listed within Clause 100B(6), of the *Rural Fires Act 1997*.

Clause 100B(1) indicates that the Commissioner may issue a bush fire safety authority for the development of bush fire prone land, and Clause 100B(3) indicates that a person must obtain a bush fire safety authority before developing bush fire prone land for a (special fire protection purpose).

A Bushfire Report, prepared by Eco Logical Australia accompanies the proposal and indicates that the proposed location of the development is preferred over two alternative locations that were initially considered prior to the finalisation of the design. The report indicates that the site is outside of the area that would be affected by ember attack, subject to the lowest standard of construction requirements within *AS 3959-2009: Construction of Buildings in Bushfire Prone Areas* (i.e. BAL – 12.5). The architectural plans have depicted the part of the site affected by BAL – 12.5 and this is reproduced within **Figure 3** below.

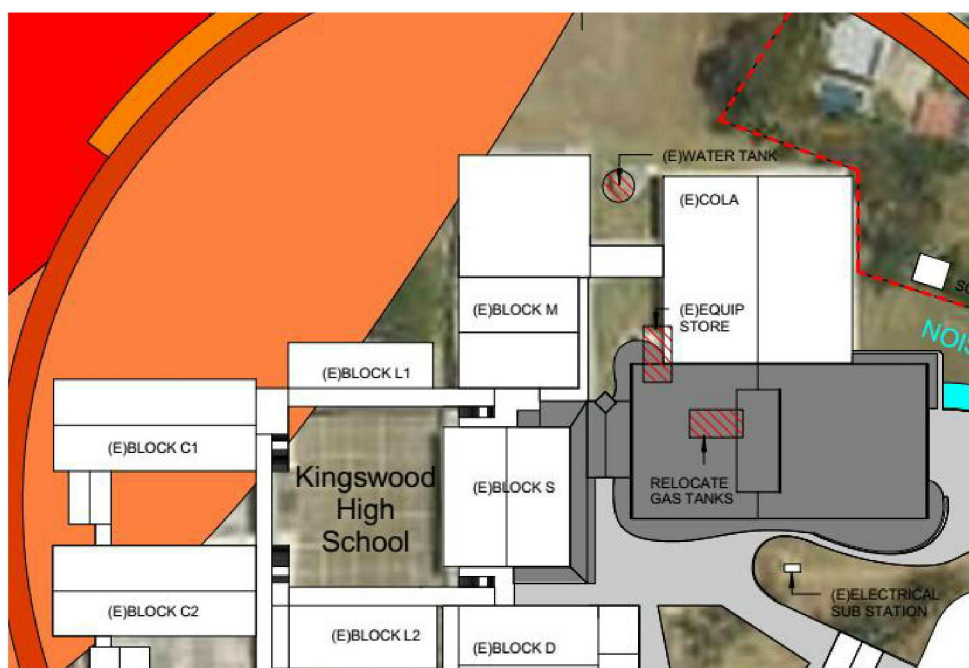


Figure 3 Extract from Site Analysis Plan showing location of proposed works in relation to the part of the site affected by BAL 12.5 construction standards.

Source: maps.six.nsw.gov.au

The report provides recommendations to manage bushfire risk associated with the proposed development and it is not expected that the bushfire risk will have any significant bearing on the viability of the development.

4.1.2 Planning for Bushfire Protection

Section 4.14 of the Act applies to development on bushfire prone land for purposes other than those prescribed by Section 100B of the *Rural Fires Act 1997*. Section 4.14(1) is reproduced below:

4.14 Consultation and development consent—certain bush fire prone land (cf previous s 79BA)

- (1) *Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land (being land for the time being recorded as bush fire prone land on a relevant map certified under section 10.3 (2)) unless the consent authority:*
- (a) is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) that are relevant to the development (the relevant specifications and requirements), or*
 - (b) has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.*

The relevant version of the Planning for Bush Fire Protection publication is listed within Clause 272 of the *Environmental Planning and Assessment Regulation 2000* ("the Regulations") as *Planning for Bush Fire Protection* with ISBN 0 9751033 2 6 and dated December 2006. It is noted that a draft 2017 edition was placed on public from 15 May 2017 to 14 July 2017, with the intention that the 2017 edition will eventually supersede the current edition. However, as of 16 November 2018, Clause 272 of the Regulations continues to refer to the 2006 edition, and the submitted bushfire report has provided an assessment of the proposal against the earlier edition.

4.2 State Planning Instruments and Legislation

The following State Planning Instruments apply to the development:

- *State Environmental Planning Policy No. 55—Remediation of Land*
- *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017*
- *Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997)*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*

4.2.1 State Environmental Planning Policy No 55 – Remediation of Land

State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55) applies to the subject development application. Clause 7 requires a consent authority to consider the contamination status of the land and to be satisfied that the land is, or will be made, suitable for the purpose for which the development is proposed to be carried out.

Given the historical use of the site for educational purposes, land contamination is not likely to affect the site. Further investigation and reporting under SEPP 55 is not considered necessary given the educational use of the site and no indication of potentially contaminated materials on the site. The Geotechnical Report prepared by JK Geotechnics confirms that the site is located on undisturbed ground is therefore not contaminated. Refer to submitted Geotechnical Report.

If any contaminated material or suspected contaminated material is unearthed during the construction process, then action consistent with the legislative requirements and guidelines document will be undertaken.

4.2.2 State Environmental Planning Policy No 55 – Remediation of Land (Vegetation in Non-Rural Areas) 2017

The Vegetation SEPP provides approval pathways for the removal of vegetation in non-rural areas and matters for consideration in the assessment of applications to remove vegetation. Two trees are proposed for removal to accommodate the hall. However, the proposal seeks to provide a new landscape scheme for the site Bringelly Road entry area, and a total of twelve (12) trees will therefore be proposed for removal; however, a greater number are proposed as part of the landscaped scheme. An Arborist Report accompanies the application, which details proposed tree removal and retention strategies and procedures during the operation of the proposed new school building. However, it should be noted that the proposal will increase the overall provision of canopy planting on the site and that each large eucalypt tree that is proposed for removal will be replaced with several more appropriate species. Refer to submitted Landscape Plan.

4.2.3 Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (No 2 – 1997)

The *Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (No 2 -1997)* has been taken into consideration and applies to land within the Penrith LGA. The aims of this plan are to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

The proposed development is consistent with the aim of this policy and all of its planning controls. There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposal. Appropriate erosion and sediment control measures are able to be installed on site prior to construction.

4.2.4 State Environmental Planning Policy (State and Regional Development) 2011

The development is to be carried out on behalf of the Crown, that is, the NSW Department of Education, a public authority. Schedule 7 of this policy lists the types of development that are required to be determined by the relevant regional panel. In relation to Crown development, clause 4 of Schedule 7 provides the following:

4 Crown development over \$5 million

Development carried out by or on behalf of the Crown (within the meaning of Division 4.6 of the Act) that has a capital investment value of more than \$5 million.

The capital investment value of the proposal is \$6,846,600, and the Sydney Western City Planning Panel is therefore the determining authority for this development.

4.2.5 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 ("the ESEPP") aims to facilitate the effective delivery of educational establishments and early education and care facilities across the state.

Clause 35 of the ESEPP states that development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone and Clause 33 indicates that a prescribed zone includes the following land use zones:

- (a) Zone RU2 Rural Landscape,
- (b) Zone RU4 Primary Production Small Lots,
- (c) Zone RU5 Village,
- (d) Zone RU6 Transition,
- (e) Zone R1 General Residential,
- (f) Zone R2 Low Density Residential,**
- (g) Zone R3 Medium Density Residential,
- (h) Zone R4 High Density Residential,
- (i) Zone R5 Large Lot Residential,
- (j) Zone B1 Neighbourhood Centre,
- (k) Zone B2 Local Centre,
- (l) Zone B3 Commercial Core,
- (m) Zone B4 Mixed Use,
- (n) Zone B5 Business Development,
- (o) Zone B6 Enterprise Corridor,
- (p) Zone B7 Business Park,

- (q) Zone B8 Metropolitan Centre,
- (r) Zone SP1 Special Activities,
- (s) Zone SP2 Infrastructure,
- (t) Zone E4 Environmental Living.

The subject site is located within the R2 Low Density Residential Zone which is a prescribed zone pursuant to Part 4 of the ESEPP.

In accordance with Clause 35(6)(a), before determining a development application for development of a kind referred to in subclause (1), (3) or (5), the consent authority must take into consideration the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4, as well as whether the development enables the use of school facilities (including recreational facilities) to be shared with the community. The Design Quality Principles are discussed within Section 4.2.6 of this SEE.

With respect to the shared use of the facilities, it is documented within the table to 4.2.6, and elsewhere within this SEE, that the new facility will be available for public use, and well serve a wider community benefit.

4.2.6 Design Quality Principles

Commentary in relation to the Design Quality Principles contained within Schedule 4 of the ESEPP is provided within the table below.

Design Quality Principles	
Principle	Proposal
<p>Principle 1 – Context, built form and landscape</p> <p>Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate.</p> <p>Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.</p>	<p>The proposed hall sits comfortably within its context as an extension to the existing COLA. It completes the secondary entry precinct from the bus bay with a new forecourt area whilst leaving open the visual link with the main sports oval. New landscape work augments the amenity of the areas surrounding the new facility.</p>

Design Quality Principles

School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural environment of the area, and located and designed to minimise the development's visual impact on those qualities and that natural environment.

Principle 2 – sustainable, efficient and durable

Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.

Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.

The design minimises the consumption of energy, water and natural resources by using the COLA as sun protection to the north, using natural ventilation and gas heating, recycling rainwater and using sustainable timber flooring and wall lining products whilst maintaining durable surfaces at ground level.

Principle 3 – accessible and inclusive

School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.

Note. Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space.

Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.

The facility is located specifically to allow community use and easy direct access from the public domain without having to enter or passing through the school buildings. Simple wayfinding will be incorporated to assist visitors and guests. The intention is that the new facility will be available for use by community groups and other schools, both during and outside school hours, with attention paid to any potential impacts on neighbours.

Principle 4 – health and safety

Good school development optimises health, safety and security within its boundaries and the

Health, safety and security are optimised and the design. The siting of the building is prominent and readily accessible to visitors, and the location of the proposal ensures that visitors to the premises do not need to fully enter any part of the main school building

Design Quality Principles

surrounding public domain, and balances this with the need to create a welcoming and accessible environment.

complex. An active security presence is maintained through the staff room which also overlooks the main hall.

Principle 5 – amenity

Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood.

Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.

Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.

The proposed hall provides accessible and engaging spaces for school and community usage and builds on possible synergies with the school canteen and school café whilst being directly accessible from the main quadrangle and the bus bay and the car park.

Principle 6 – whole of life, flexible and adaptive

School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.

The material selections including and the planning will deliver high environmental performance, ease of adaptation and maximise the usage of this multipurpose facility.

Principle 7 – aesthetics

School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a

The proposed building and its landscape setting are aesthetically pleasing with feature walls, awnings and walkways utilised to reduce the bulk and scale, and provide visual interest and screening. The building is setback from the street and will have minimal impact on the residential character of the local neighbourhood whilst also positively signalling its presence and community function.

Design Quality Principles

positive impact on the quality and character of a neighbourhood.

The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.

4.3 Local Planning Controls

4.3.1 Penrith Local Environmental Plan 2010 (PLEP 2010)

The *Penrith Local Environmental Plan 2010* (PLEP 2010) establishes the requirements for the use and development of land within the Penrith City local government area.

Clause 1.2 – Aims of Plan

This Plan aims to make local environmental planning provisions for land in Penrith in accordance with the relevant standard environmental planning instrument under section 33A (now s3.20) of the Act.

Clause 1.4 Definitions

The proposed development is for a new building associated with an existing school. Schools are included within the definition for *educational establishment* listed within the PLEP 2010. The definition of an ‘*educational establishment*’ is as follows:

educational establishment means a building or place used for education (including teaching), being: a school or tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

Zoning and Permissibility

As identified in the Land Zoning Map extract from the PLEP 2010 below, the subject site is identified as being located within the R2 Low Density Residential zone (**Figure 4**).

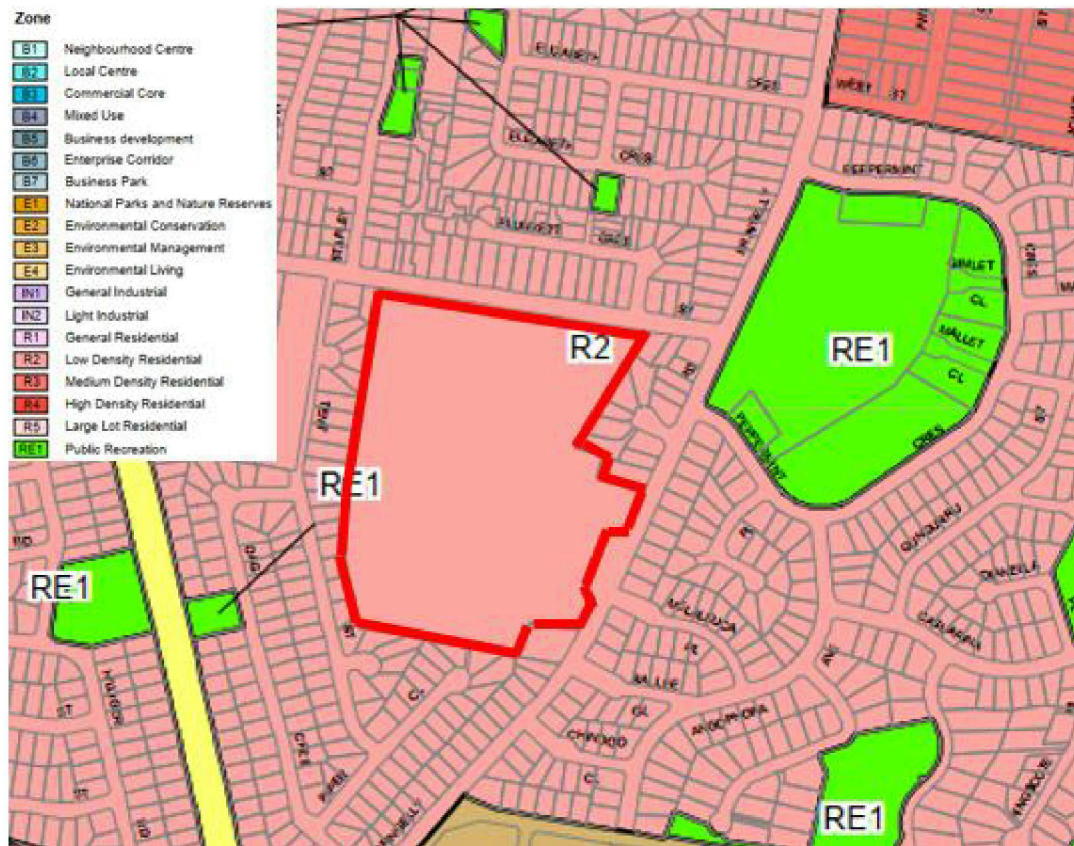


Figure 4 – Zoning Map – R2 Low Density Residential
Source: <http://legislation.nsw.gov.au>

The existing land use is an innominate prohibited use pursuant to the Land Use Table to the R2 Low Density Residential zone. However, as indicated earlier and pursuant to Clause 33 and Clause 35 of the ESEPP, schools may be carried out within the R2 Low Density Residential Zone, and in the event of inconsistencies between the two instruments, the provisions of the ESEPP will prevail. Therefore, the use remains permitted on the subject land.

The relevant objectives of the zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To promote the desired future character by ensuring that development reflects features or qualities of traditional detached dwelling houses that are surrounded by private gardens.
- To enhance the essential character and identity of established residential areas.
- To ensure a high level of residential amenity is achieved and maintained.

The existing school is consistent with the second objective of the R2 Low Density Residential zone, notwithstanding that it is not permitted by the zoning provisions.

The following table outlines how the proposal meets the relevant requirements of the PLEP 2010:

Penrith Local Environmental Plan 2010

Clause	Requirement	Complies?
4.3 Height of Building	<p>(1) The objectives of the clause are as follows:</p> <p>(a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,</p> <p>(b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development and to public areas, including parks, streets and lanes,</p> <p>(c) to minimise the adverse impact of development on heritage items, heritage conservation areas and areas of scenic or visual importance,</p> <p>(d) to nominate heights that will provide a high quality urban form for all buildings and a transition in built form and land use intensity.</p> <p>(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.</p>	No. See below for comments.



Figure 5: Height Map extract
Source: www.legislation.nsw.gov.au

CPS Comment:

The proposed development includes the construction of a two storey multi-purpose hall with associated structures and works to the immediate surrounds. Accordingly, compliance has not been achieved with Clause 4.3(2) of PLEP 2010 as the subject site has a maximum height of 12.5m above existing ground

Penrith Local Environmental Plan 2010

level. Refer to **Figure 5** above. Accordingly, a Clause 4.6 is submitted as part of this application. Refer to **Appendix A**.

5.10 Heritage Conservation

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Penrith,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

N/A. See Comments below

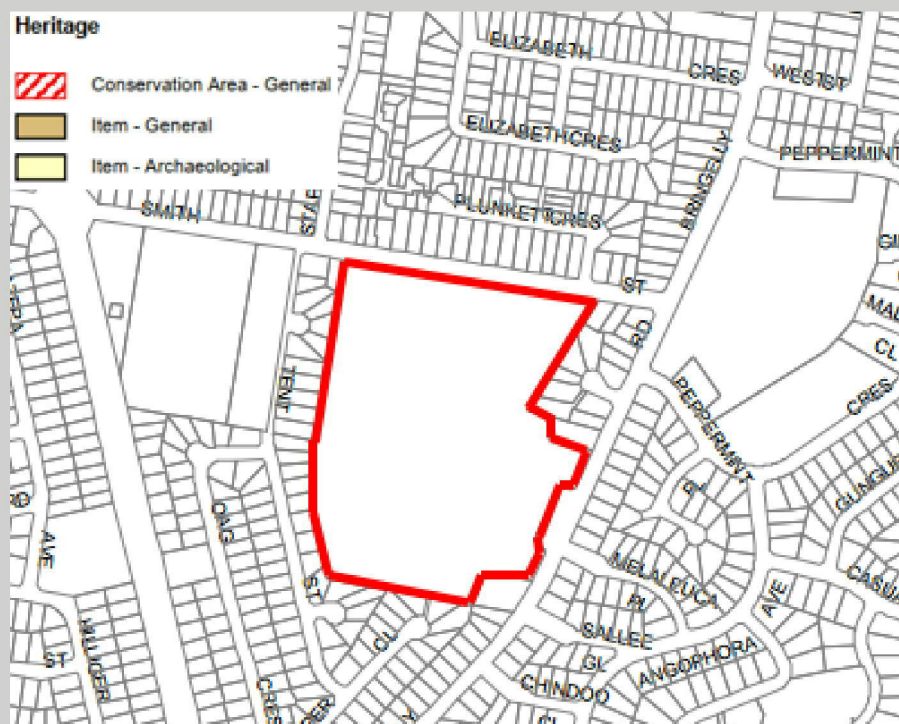


Figure 6: Heritage Map extract
Source: www.legislation.nsw.gov.au

CPS Comment:

The subject site is not listed as a heritage item nor is it located within the immediate surrounds of adjoining heritage items. The site is also not identified as being land within a heritage conservation area. Refer to **Figure 6** above.

4.3.2 Penrith Development Control Plan 2014

Subclause 35(9) of the ESEPP indicates that:

A provision of a development control plan that specifies a requirement, standard or control in relation to development of a kind referred to in subclause (1), (2), (3) or (5) is of no effect, regardless of when the development control plan was made.

Subclauses (1), (2), (3) and (5) generally relate to development for the purposes of a school and therefore PDCP 2014 does not strictly apply to the development. However, to assist with the assessment of the proposal, the following table outlines how the proposal demonstrates compliance with the limited relevant provisions within PDCP 2014:

Penrith Development Control Plan 2014	
Section	Comment
Part C: City-wide Controls	
C1 Site Planning and Design Principles	The development application is accompanied by a site analysis that is in accordance with Council's DA Lodgement Checklist. The building is designed with regard to existing development on the site,
C2 Vegetation Management	Refer to commentary within Section 4.1 of this Report for commentary in relation to Integrated Development for bushfire purposes. Refer to commentary within Section 4.2.2 of this Report for commentary in relation to tree removal and planting.
C3 Water Management	A Stormwater Management Plan and Flood Report accompanies the application, which details proposed water management during the operation of the proposed new school building and clarifies that the development is not constrained by flooding.
C4 Land Management	Earthworks will be required to accommodate and it is not expected that this will result in any undue impacts on the natural environment, and the earthworks will assist in minimising any amenity or streetscape impacts. A Geotechnical Report has been prepared by JK Geotechnics which provides further discussion on this matter. Civil works are shown in the architectural drawings and there are no proposed changes to boundary levels.
C5 Waste Management	A Waste Management Plan accompanies the application and is provided at Appendix N. Council's pre-lodgement advice had indicated that waste infrastructure was to be provided wholly within the built form. On

Penrith Development Control Plan 2014

	<p>site enclosed waste spaces are generally preferred in instances where the waste is likely to impact on the amenity to neighbouring properties or to the public domain (through collection on footpaths, etc). The school provides ample space for waste collection and the manoeuvring of waste vehicles, and the additional expense in providing enclosed waste spaces is entirely unnecessary for this development, particularly given the majority of on-site waste arrangements will be unchanged.</p> <p>Waste collection vehicles will continue to enter and exit the site in a forward direction. This is achieved on a bi-weekly basis where pick-ups are completed during school hours.</p>
C6 Landscape Design	<p>A site analysis and landscape concept plan accompany the application, and the proposed landscaping scheme is consistent with the requirements of this part. The includes boundary screen planting around the entry for privacy and screening purposes. Tree plantings are proposed throughout the site frontage to initiate a significant improvement to the landscape presentation to Bringelly Road.</p>
C8 Public Domain	<p>Appropriate landscaping is proposed within the immediate surrounds of the hall to soften the scale of the development. The landscaping towards the Bringelly Road boundary will improve the canopy cover of the public domain.</p>
C10 Transport, Access and Parking	<p>The proposal does not seek to increase the capacity of the school and it would not be expected that the design would create any traffic or parking impacts associated with its use by the school.</p> <p>The new facility will be made available for other local schools and local community groups. However, students and staff at other local schools will be transported to the facility via bus only and the impacts would be limited to those associated with occasional increases in bus traffic. Buses will be able to be parked within the bus bay while the facility is in use.</p> <p>Community groups will only be able to use the facility outside of normal school operating hours with the existing carpark made fully available to these users. It is not expected that the use by community groups would generate any additional parking and traffic impacts not already associated with the school, which accommodates 833 students and 62.8 staff members with an expected 1,200 students and 100 staff by 2028.</p> <p>Changes are proposed to the driveway arrangement within the school grounds, in order to connect directly to the rear of the proposed multi-purpose hall. Service and delivery trucks will be able</p>

Penrith Development Control Plan 2014

	to enter and exit the site in a forward direction. Deliveries can be made to the hall, loading docks and the associated covered trolley access from the service courtyard to the canteen.
C12 Noise and Vibration	<p>The proposed new building is enclosed and setback an appropriate distance from neighbouring residents, mitigating any potential noise affectation to the surrounding locality.</p> <p>An Acoustic Report is submitted with the application, which details proposed mitigation measures for any noise impacts during the operation of the new school building.</p>
C13 Infrastructure and Services	The proposal will undertake appropriate action to ensure that it is connected to all essential utilities and services.
Part D –Land Use Controls	
D5 Other Land Uses <i>D5.4 Educational Establishments</i>	The proposed does not include the development of a new education establishment. However, the proposed new building and associated works is wholly within the existing school and satisfies all design guidelines.

5.0 Section 4.15(1)(b) – Likely impacts of the development

5.1 Impact on the Natural Environment

It is anticipated that any impacts to the natural environment that may result from the development that have not already been addressed in this report, would be the result of the construction process. Likely impacts such as dust, noise, vibration and soil run-off can be satisfactorily mitigated against with appropriate conditions of consent and the implementation of an Erosion and Sediment Control Plan and Waste Management Plan which will be prepared prior to the commencement of works on site. Accordingly, the proposal is considered acceptable with regards to impacts on the natural environment

5.2 Impacts on the Built Environment

The proposed building is contained within the site and has been designed to provide a complementary architectural expression with references to the existing buildings on site, in terms of bulk, scale and form. The proposed new building works and alterations and additions provide a visually engaging architectural language with a selection of appropriate materials and finishes that complement the existing heritage buildings.

The proposed built form and composition of the new buildings respond to the existing character of the school and therefore provides a positive contribution to the visual quality of the overall site.

Accordingly, the proposal is unlikely to have any significant impact on the built environment.

5.3 Economic Impacts

The proposed development is likely to contribute to a range of economic benefits in the Penrith local government area and surrounding areas through:

- Ongoing employment opportunities close to a growing residential population;
- More efficient use of land infrastructure;
- Employment of tradespeople and other construction-related professionals;
- Improvements to an essential local service, which is conveniently located.

5.4 Social Impacts

The proposed new multi-purpose hall, with associated structures and works to the immediate surrounds is anticipated to have a positive impact on the School by providing high quality learning services for students and staff.

This in turn is expected to have a number of positive social effects, including:

- Increase in the capacity and develop a stronger sense of community
- Development of social capital
- Facilitation of social and economic welling of the community, students and staff

Accordingly, it is considered the proposed development will not contribute to any negative community/social impacts, but rather a positive community/social impact on the local area.

5.5 Section 4.15C(1)(C) – Suitability of the Site

Based on the above discussion, the site is considered suitable for the development. It is considered that the proposal positively contributes to the public interest. The proposal will continue to provide the Penrith local government area and surrounding area with educational infrastructure on a site suitable for such use as demonstrated by this SEE. The proposed development is a permitted form of development on the subject site in accordance with Clause 33 of the *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*. It is not considered that any constraints on the subject site would affect the proposed development. Accordingly, it is considered that the subject site is suitable for the proposed development.

5.6 Section 4.15(1)(d) – Submissions

Any public submissions received in response to the development application are required to be considered in the assessment of the application.

5.7 Section 4.15(1)(e) – Public Interest

The proposed development has carefully been designed to be compatible with the existing pattern and character of the development within the site at Kingswood High School. The proposed development will be consistent with the public interest primarily given the following:

- The development is permissible and satisfies the relevant objectives of the zone.
- The proposal achieves full compliance with the relevant statutory requirements and related policy.
- There would be no significant effect on the health and safety of the public.
- Providing high quality educational facilities.
- Positive economic and social impact will result from the development, in particular job opportunities will be created during the construction stage, as well as improved public school facilities.

Direct consultation with neighbouring residents, at No. 2 and No. 3 Walsh Place, and 129 Bringelly Road was undertaken by the Kingswood High School Principal, Adam Forbes.

The feedback was generally very positive, with the residents noting that their children had attended the school and that their experience was that the current facilities were in need of improvement. One neighbour indicated it would lessen some of the noise during the day as students would have a large

enough space for practical indoor activities. No negative commentary was provided on any aspects of the proposal.

Accordingly, it is considered the proposed development will result in a positive outcome for the Penrith Local Government Area and is therefore considered to be within the public interest.

6.0 Conclusion

The proposed development has been assessed against the provisions of Section 4.15 of the *Environmental Planning and Assessment Act, 1979*. On balance, it is considered the development is satisfactory and warrants development consent, having regard to the following matters:

- The proposed development will provide positive economic, social and community impacts;
- The proposal is compatible with the surrounding existing school buildings;
- The proposed development is permitted with consent in the R2 Low Density Residential Zone in accordance with Clause 33 of *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*.
- Although not strictly applicable, the proposed development is considered to be consistent with the controls contained within Penrith Development Control Plan 2014.
- No unreasonable external impacts will result from the development;
- It is considered the proposal is in the public interest as it is generally consistent with the planning controls for the site.

Given the above, it is recommended that Penrith City Council grant consent to the development application.