

DATE OF DETERMINATION	Monday, 17 th February 2020
PANEL MEMBERS	Justin Doyle (Chair), Nicole Gurran, Louise Camenzuli, Jeni Pollard and Glenn McCarthy
APOLOGIES	Ross Fowler
DECLARATIONS OF INTEREST	None

Public meeting held at Monday, 17th February 2020 on 17 February 2020, opened at 3:00pm and closed at 3:15pm.

MATTER DETERMINED

PPSSWC-18 – Penrith Council – DA19/0553 at 21 Copeland Street, Kingswood – School Building (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

1. The proposed development will upgrade and add to school facilities servicing the needs of the expanding Sydney Western City District and the Penrith local government area.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including, SEPP (Educational Establishments and Child Care Facilities) 2017, SEPP 55-Remediation of Land, SEPP (Infrastructure) 2007. The proposal is also consistent with the provisions of the Design Guide for Schools.
3. A fragment of asbestos has been identified on the site, but a Site Contamination Assessment and appropriate Remedial Action Plan has been provided with the DA and found to be satisfactory, subject to the proposed conditions of consent, including that all remediation works are to be validated for Council approval prior to commencement of any construction works (excluding demolition).
4. The proposal adequately satisfies the applicable provisions and objectives of Penrith LEP 2010.
5. While 16 trees will be removed along Copeland Street, the proposal includes compensatory planting of 21 trees. In addition, 13 trees will be planted along Gascoigne Street, where they will not be restricted by overhead wires. The requirement for planting of the additional 13 trees means there will be 34 replacement trees.
6. Stormwater run-off is proposed to be managed through the provision of maintenance and sediment control measures.
7. The proposed development, subject to the conditions imposed will have no unacceptable adverse impacts on the natural or built environments including the operation of the local road system and the amenity of nearby existing residential premises.
8. The proposal does not increase the student population and, consequently, there are not anticipated to be any traffic consequences.
9. There were no submissions.
10. In consideration of conclusions 1- 9 above it is considered the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

Development application

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





The decision was unanimous.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report.

An additional condition is to be added:

Prior to the issuing of a construction certificate, a construction management plan is to be submitted to the principal certifying authority covering risks associated with the potential interaction between students and construction activities and vehicle movements.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Nicole Gurran
 Louise Camenzuli	 Glenn McCarthy
Jeni Pollard	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSW-18 – Penrith Council – DA19/0553
2	PROPOSED DEVELOPMENT	Demolition of 2 x demountable buildings on Copeland Street and construction of new two storey school building with car parking, landscaping, removal and replacement of trees and remediation of land (St Dominic's College)
3	STREET ADDRESS	21 Copeland Street, Kingswood
4	APPLICANT/OWNER	Applicant: St Dominic's College Owner: Edmund Rice Education Australia
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy (State and Regional Development) 2011 Sydney Regional Environmental Plan No.20 – Hawkesbury Nepean River Penrith Local Environmental Plan 2010 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Penrith DCP 2014 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 4 February 2020 Written submissions during public exhibition: 0 Verbal submissions at the public meeting: <ul style="list-style-type: none"> In support – N/A In objection – N/A Council assessment officer – Lucy Goldstein On behalf of the applicant – Michael Ronchetti, Stephanie Hope and Penny Smith
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: Monday, 18th November 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Nicole Gurran (Chair), Bruce McDonald and Glenn McCarthy <u>Council assessment staff</u>: Lucy Goldstein and Kathryn Saunders Site inspection: Monday, 17th February 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Justin Doyle (Chair), Nicole Gurran, Louise Camenzuli and Jeni Pollard <u>Council assessment staff</u>: Lucy Goldstein

		<ul style="list-style-type: none"> • Final briefing to discuss council's recommendation, Monday, 17th February 2020, 2:30pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Justin Doyle (Chair), Nicole Gurran, Louise Camenzuli, Jeni Pollard and Glenn McCarthy ○ <u>Council assessment staff</u>: Lucy Goldstein
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report