



Heritage Impact Statement



148 Station Street, Penrith

April 2021

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1 Introduction

Modern Heritage Matters has been engaged by Jake Farragher, the lessee of 148 Station Street, Penrith, to assess the heritage impact of proposed alterations and additions relating to its approved use as a food and beverage premise. The site includes a Victorian era house to the front of the site and a late 1980s two storey brick building designed to mimic the Victorian style of the nearby heritage items. The house, known as 1/148 Station Street, is listed as a Heritage Item on Schedule 5 of The Penrith Local Environment Plan ('LEP') 2010, however the site is not located in a Heritage Conservation Area. The property is also located adjacent to Kentucky, a locally listed heritage item, at 146 Station Street, which is leased by the same group and currently operating as a café style restaurant. The lease encompasses the ground floor of the rear building as well as the front building.

1.1 Author Identification

The report has been prepared by Mandie Purcell, heritage consultant at Modern Heritage Matters ('MHM'). MHM was involved earlier on in the design process to assist with the process from a heritage perspective.

1.2 Methodology

The report uses the methodology outlined in the NSW Heritage Manual 2001 update, the *Australian ICOMOS Burra Charter* and James Semple Kerr's *The Conservation Plan* (7th edn), Australia ICOMOS, 2013.

The Heritage Impact Statement has been prepared in accordance with the requirements of the Penrith LEP 2010 and the Penrith Development Control Plan ('DCP') 2014.

1.3 Site Identification

The subject site is located in Penrith on the south-eastern side of Station Street. 148 Station Street Penrith is formally identified as Lot 80 DP 709313.



Figure 1: Lot boundary for 148 Station Street, with 1/148 identified in red, Source: SIX Maps

The site at 148 Station Street contains a Victorian Georgian style single story cottage building (Figure 1). It is a listed heritage item of local significance in The Penrith LEP 2010 as Item No. I217 (Figure 2). The site also includes a two storey c1980s commercial building to the rear. It is not located in a Heritage Conservation Area.

The site is also located adjacent to I216, and in the general vicinity of heritage items I815 and I847 described in the table below:

Item Name	Address	Property Description	Significance	Item No
Kentucky	146 Station Street Penrith	Lot 11, DP715161	Local	217
'The Willows' House	65 Mulgoa Rd Penrith	Lot 1021, DP 812335	Local	815
Federation Cottage	80 Woodriff street	Lot 18, DP 2167	Local	847

The subject lease encompasses the heritage building and the ground floor of the rear commercial building.

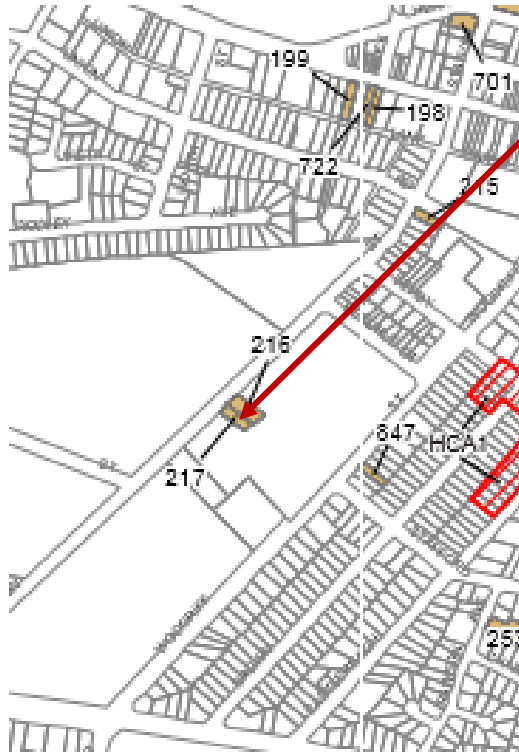


Figure 2: City of Sydney Heritage Map HER_06 with 148 Station Street indicated by the red arrow (Source: Penrith LEP 2010)

146 Station Street, known as Kentucky (Figure 3), its closest neighbour to the north-east, has an important relationship with the house. The two buildings from the late Victorian period, border onto and form part of the Nepean Shopping Centre. Although Kentucky, designed in the Gothic Revival style, was damaged by fire in November 1991 and then restored in 1994.



Figure 3:
Kentucky at
146 Station
Street

1.4 Sources

Primary research has been limited to NSW Land and Property Information land title and property records, Council rates and valuation records, and a general assessment of the physical conditions on site. In addition, MHM has drawn information concerning the property from secondary sources outlined in the Bibliography.

The documentary sources utilised in the formulation of the historical background and assessment of significance, were kindly provided by the City of Penrith Archive Librarians.

Unless otherwise noted, all photos have been taken by MHM.

1.5 Report Limitations

This report is limited to the analysis of the European significance of the site. Recommendations have been made on the basis of documentary evidence viewed and inspection of the existing fabric.

Archaeological assessment of the subject site is outside the scope of this report.

This report only addresses the relative heritage issues and does not address general planning or environmental management considerations.

1.6 Copyright

Copyright of this report remains with the author, MHM.

2 Historical Background

2.1 The History of Penrith¹

The suburb of Penrith is located 54 kilometers west of Sydney facing the Nepean River.

In 1789, a year after the first European settlement was established at Sydney Cove, Captain Watkin Tench of the Royal Marines lead a party west of Parramatta to the foothills of the Blue Mountains. They came across a river which they named The Nepean River after Evan Nepean (the Under Secretary of the Home Office in Britain who was involved in the organisation of the first fleet). Following settlement, the district became known as Evan and rapidly developed in agriculture to produce food for the Sydney Colony.

The ‘impassable’ Blue Mountains barrier was first crossed by Blaxland, Wentworth and Lawson in 1813. Public access was soon permitted across the Nepean River following the building of the road across the Blue Mountains in 1815. This new route shifted the focus of development away from the nearby suburb of Castlereagh south (the township for the Even district) along the river to Penrith. The name Penrith, first recorded in 1822, is thought to come from Penrith in Cumbria England, a town also set on a river with a backdrop of hills.

Penrith became a municipality in 1871 and was declared a city in 1959.

Penrith grew exponentially with the introduction of the railway line in 1863 and served as a major railway town until the First World War. The town experienced further expansion during the Second World War with the establishment of several military depots in the area. Penrith developed rapidly during the 1970’s with a major building boom continuing to the present day. It is now a major city and the central business district for the Hawkesbury Valley and Blue Mountains areas.

2.2 History of 148 Station Street Penrith and its surrounding area.²

In 1815, Penrith began as a military depot and court house on Crown land, surrounded by large land grants. Unlike nearby Castlereagh, Penrith was never a planned town but instead grew up around this early Court House and along the Great Western Highway.

By 1839 Penrith is described as:

“a long village, containing a few pretty, and many new, raw looking houses...and some had very nice flower gardens in front.”³

¹ Pollon, Frances, *The Book of Sydney Suburbs*, Cornstalk Publishing: Sydney, 1988

² Stacker, Lorraine, *The Woodriff Estate: Landlord and Tenant*, Penrithhistory.com, accessed August 2017.

³ Merideth, Lousie Anne, *Notes and Sketches of New South Wales; During a residence in that Colony from 1839 to 1844*, Melbourne: Cambridge University Press, 2010 edition.

By 1848 there were 291 inhabitants in the town of Penrith and 63 houses loosely grouped about St Stephens Church (1837). A second church had been built, a slab Roman Catholic Chapel, soon to be replaced by a more permanent structure in 1850. A district council had been appointed in 1843.

It was the coming of the railway line that really gave Penrith its first impetus for growth. The line was constructed first to Kingswood at the junction of the highway and then Richmond to Bringelly Road and then onto Penrith in 1863. Its route was slightly north of the highway. Between the railway line and the road, Henry and Belmore Streets were marked out, with Station and Riley Streets leading to the railway station. The Penrith railway yard became a major depot, a refuelling station and a centre where helper locomotives were attached to the trains to assist in the ascent up the mountains. The extension of the line across the river and through Emu Plains and then up the mountain escarpment by means of viaducts and tunnels was a major engineering work, and attracted many railway workers to the town.

148 Station Street is located on land that was granted as part of a substantial land holding to Daniel Woodriff, a Captain in the Royal Navy, in 1804. The land, equivalent to 1000 acres, followed along and extended east from the bank of the Nepean River, covering most of the present day suburb of Penrith.

Captain Daniel Woodriff first visited New South Wales in 1792 on the *Kitty* to report on the settlement's military defenses. He returned in 1802 as captain of the convict escort ship, *Calcutta*, accompanied by his three young sons. While in the colony Woodriff helped establish the short-lived Port Phillip Bay settlement, before returning to Sydney to take a load of timber back to Britain. While in Sydney in 1804, Woodriff and his ship are said to have played an important role in quelling the Irish uprising at Vinegar Hill. He turned his ship's guns to the shore, thus freeing soldiers, and preventing a simultaneous revolt in Sydney.

The boundary of this grant is Woodriff Street to the east, Jamison Road to the south, the Nepean River to the west, and its northern boundary was Boundary Creek and the lagoon (which is now the sewerage treatment plant). Woodriff returned to England in 1804 to continue his naval career and it is probable that he never actually sited his grant. In 1881 the estate, including the original land grant, was subdivided and sold for residential allotments.

It is difficult to accurately determine the date of build, however it has obvious characteristics from the late Victorian period, c1890 and has been built in the Victorian Georgian style.

According to information we have received from Laura King, Council local history librarian, Noel Hollier, a local dairy farmer, originally owned the property (Valuation record from 1926 evidence of ownership). He also owned its neighbor Kentucky. As with Kentucky the property was also then purchased by Percy Plunkett (Valuation record dated 1947).



Figure 4: Aerial view of the building dated 1943, Source: SIX Maps

The two-storey commercial building at the rear was built in 1985.

2.3 Alterations and Additions

Penrith Council have advised us of the following DA applications relating to this property:

24/8/1984: Application to refurbish the existing dwelling and erection of a two storey building at the rear for commercial purposes.

6/12/2000: DA00-5043: Application to convert the house into an Italian restaurant “ Arnolds Pizza and Ribs”.

The aerial photograph, figure 4 above, dating from 1943 shows how the rear once extended on the southern side to likely house the services, has been altered over time. No further details have been provided with regards to these applications or any earlier DAs that may exist as council archives cannot currently be accessed due to current COVID conditions.

3 Physical Description

3.1 Site and Context

The subject site is located on a long rectangular lot on the south-eastern side of Station Street which includes two buildings. The total land size for the lot is approximately 687 m². 1/148 has a frontage to Station Street. The second two-storey commercial building built c1985, known as 2/148 Station Street, is situated toward the rear of the site. The first floor of the rear building host commercial offices and the ground floor is set up as a food and drink premise. The subject lease extends from the heritage building to the ground floor of the rear building. The first-floor offices are subject to a separate lease.



Figure 5: View of 146 Station Street taken from across the road

Within the town center of Penrith many original buildings dating from the late 19th century have been demolished and their sites amalgamated into single land holdings in order to accommodate large scaled commercial and industrial complexes. This trend has caused the original street patterns to be altered and often absorbed into these new developments.

The Nepean Square Shopping Centre is an example of one of these commercial developments which occurred during the 1980s. The shopping complex is a large, single story structure with a variety of retail tenancies accessed via an internal pedestrian mall. It occupies a large land holding, with street access from both Station and Woodriff Streets. Extensive open areas of car parking are provided around the complex.



Figure 6 and 7: Aerial View of the site and its surrounds, Source: SIX Maps

148 Station Street and its neighbor Kentucky at 146 Station Street border onto, and form part of, the Nepean Square shopping Centre precinct. Both remain important evidence of the development of Penrith during the late 19th Century.



Figure 8: Street view of the two Victorian properties, 146 and 148 Station Street

Kentucky is operating as a café style restaurant. The subject Victorian house at No 148 was adapted for use as a commercial space but has recently been approved for use as a food and drink premise (31/1/20). It is currently vacant.

3.2 Curtilage

There are two buildings located on the lot. The heritage listed Victorian Georgian style house, is located toward the front of the site.



Figure 9: View of 148 Station Street taken from across the road

The front garden has lawn on both sides of a centrally located brick paved pathway. The pathway extends from the front gate and steps up to the front door. The two lawned sections are surrounded by a perimeter hedge to the rear and a low white timber acorn topped picket fence at the front and sides.



Figure 10: The front garden

On the eastern side of the house is a large paved area (*Figure 11*) and a timber edged garden bed and then a paved driveway which extends between the two heritage properties toward the rear shopping centre (*Figure 12*). This space has been approved for the owners, Nepean Village, to create an open walkway alongside Kentucky and an outdoor dining space for No 148 (*as per Figure 12*). We understand works are currently underway.

To the right of the site there is carparking for Nepean Village and pedestrian access to the shopping centre behind.



Figure 11: The side paved space with timber edged garden bed



Figure 12: The paved driveway

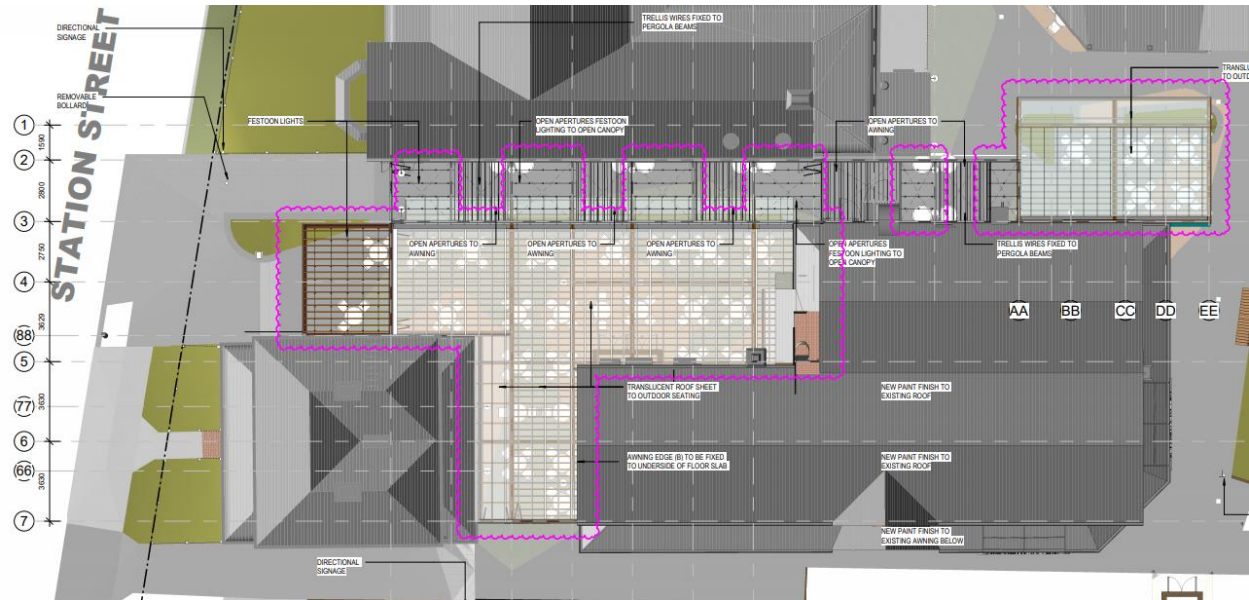


Figure 13: Plan of approved external works DA19/0273 (Source: BN Group)

At the rear there is a paved courtyard separating the two buildings on the site. The rear section has been paved and has three non-original double headed outdoor lamps. A rear entrance gate leads toward the house along a masonry paved pathway.



Figure 14: Paved space at the rear

3.3 The Buildings

Victorian Georgian Building

The building at the front of the site is a modest single storey brick house built in the late 19th Century in the Victorian Georgian style. The Victorian Georgian style of architecture was a continuation of the Old Colonial Georgian, and is characterised by the continuation of the measured symmetrical proportions, often with better quality construction materials. Elements generally included the corrugated iron bull-nosed verandah roofs, larger windows due to new glazing techniques, door paneling moved from six to four panels and cast-iron columns.

No 148 has a symmetrical façade with a central four paneled entrance door with glazing and a fanlight flanked by shuttered timber french doors with fanlights, with later addition security screens. The veranda has painted cast iron columns and decorative trim and sandstone clad paving and facing. The main double hipped roof and the bullnose veranda roof are clad with corrugated iron sheeting. The veranda roof has been painted with cream and maroon coloured stripes. There are two original cement rendered brick chimneys.



Figure 15: The front façade of the Victorian house with the later addition 1985 rear building in view



Figure 16: The double hipped roof

The rear has been somewhat altered with the addition of two brick bathrooms with appropriate multi paned sash windows and four paneled doors, and a rear corrugated iron roofed veranda with flat tapered timber columns and concrete paved flooring. The rear timber door and double sashed windows with rendered and painted sills may be original with later addition security grilles.



Figure 17: The rear facade



Figure 18: The western side facade



Figure 19: The eastern side facade

Interior

The internal floorplan has generally remained intact with changes isolated to the rear. The residence has been planned around a central passage with four rooms in the principal building and originally had a rear wing that would have housed the kitchen and bathroom facilities, evidence by the aerial photograph dating from 1943 (Figure 4). The rear section has been altered and referring to the 1943 aerial photos, has been truncated over time.



Figure 20: Four paneled entrance door



Figure 21: Hallway ceiling



Figure 22: Hallway detailing



Figure 23: French Doors



Figure 24: Four paneled internal door



Figure 25: Rear western side room



Figure 26: late Victorian style timber fireplace surround



*Figure 27:
Timber
floorboards,
kauri pine*



*Figure 28: The
eastern rear room
with late
Victorian style
timber fireplace
surround.*



*Figure 29: The bathroom accessed via the eastern
room at the rear*



*Figure 30: The rear bathroom accessed from the
rear veranda*

Secondary Building

The commercial building at the rear of the property was built c1985. It is a two storey long gabled ended building which faces south-west toward the carpark. Abutting this is another gabled building extending to half the length of the principal creating a double gabled effect at the south east end. The building was originally face brick with a painted red corrugated iron roof but under the recently approved DA it has been painted white with the roof and detailing painted a mid grey.

A transverse gable defines the entrance on the long front façade. The gable is decorated with vertical timber battens and a circular fixed window. The entrance is placed slightly off centre, between paired aluminium slider windows, four to the left of the gable and three to the right. The south-east end of the roof finishes with a two storey overhang with a splayed entrance at ground level. The ground-floor front-façade has five double and one single sized, large, glazed shopfront style aluminium windows with rectangular fanlights. A corrugated iron verandah runs the length of the ground floor. It segues to a gable shape over the double doored, arched entrance and wraps around the splayed south east end. This end hosts the French door entrance to the restaurant.

The north-western side gables have decorative vertical and horizontal timber battenning.



Figure 31: Streetview of the secondary building at the rear.



Figure 32: View of the courtyard between the two buildings.



Figure 33: View of the north-western side façade of the secondary building opposite the Victorian house.

The inclusion of Victorian architectural motifs (such as corrugated iron roof, skillion verandah, timber battened gables, arched fanlight) suggest that the building was designed to be sympathetic to the neighbouring heritage items. The brick building has recently been painted giving it more of a Tudor Revival appearance.

4 Heritage Significance

4.1 Assessment of 148 Station Street Penrith

<i>A Historical Significance: An item is important in the course, or pattern, of the cultural or natural history of NSW; or of the local area's cultural or natural history.</i>	
148 Station Street demonstrates the form of residential development that took place following the subdivision of earlier land grant estates in Penrith.	
<i>Guidelines for Inclusion</i>	
✘	Shows evidence of a significant human activity
✓	Is associated with a significant activity or historical phase
✘	Maintains or shows the continuity of a historical process or activity
<i>Guidelines for Exclusion</i>	
✘	Has incidental or unsubstantiated connections with historically important activities or processes
✘	Provides evidence of activities or processes that are of dubious historical importance
✘	Has been so altered that it can no longer provide evidence of a particular association
<i>148 Station Street Penrith meets the above criterion.</i>	
<i>B Historical Association Significance: An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history; or of importance in the local area's cultural or natural history.</i>	
While the building has likely been owned by a number of well-to-do businessmen of Penrith over the years, there are no strong or important associations with individuals or groups who's life or work is considered important to the state or local cultural or natural history.	
<i>Guidelines for Inclusion</i>	
✘	Shows evidence of a significant human occupation
✘	Is associated with a significant event, person or group of persons
<i>Guidelines for Exclusion</i>	
✘	Has incidental or unsubstantiated connections with historically important people or events

✓	Provides evidence of people or events that are of dubious historical importance
✗	Has been so altered that it can no longer provide evidence of a particular association
148 Station Street Penrith fails to meet this criterion.	
<i>C Aesthetic Significance: An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW; or in the local area.</i>	
<p>The building is a typical example of a Victorian Georgian style cottage which, together with the neighbouring Victorian Gothic residence, contributes to the streetscape. The adjoining shopping centre complex contrasts with the residential scale and nature of these buildings.</p> <p>The rear alterations, while appropriate have to some extent eroded its aesthetic significance.</p>	
<i>Guidelines for Inclusion</i>	
✗	shows or is associated with, creative or technical innovation or achievement
✓	is the inspiration for a creative or technical innovation or achievement is aesthetically distinctive
✓	has landmark qualities
✗	exemplifies a particular taste, style or technology
<i>Guidelines for Exclusion</i>	
✓	is not a major work by an important designer or artist
✗	has lost its design or technical integrity
✗	its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded
✗	has only a loose association with a creative or technical achievement
148 Station Street Penrith satisfies the above criterion at the local level.	
<i>D Social Significance: An item has strong or special associations with a particular community or cultural group in NSW; or in the local area for social, cultural or spiritual reasons.</i>	
<p>148 has social significance as part of the remnant late 19th century residential middle-class development in Penrith. In the later part of the 20th century large areas of residential development have been demolished and replaced with commercial and business premises.</p>	
<i>Guidelines for Inclusion</i>	
✗	is important for its associations with an identifiable group
✓	is important to a community's sense of place

<i>Guidelines for Exclusion</i>	
✘	is important to the community for amenity reasons
✘	is retained only in preference to a proposed alternative
148 Station Street Penrith satisfies this criterion at the local level.	
<i>E Scientific Significance: An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history; or of the local area's cultural or natural history.</i>	
148 Station Street is not thought to have any archaeological potential for yielding information. The building appears to be the first building constructed on the site. The building is of conventional construction and does not have the potential to contribute information that is unavailable elsewhere.	
<i>Guidelines for Inclusion</i>	
✘	has the potential to yield new or further substantial scientific and/or archaeological information
✘	is an important benchmark or reference site or type
✘	provides evidence of past human cultures that is unavailable elsewhere
<i>Guidelines for Exclusion</i>	
✘	the knowledge gained would be irrelevant to research on science, human history or culture
✓	has little archaeological or research potential
✘	only contains information that is readily available from other resources or archaeological sites
148 Station Street, Penrith fails to satisfy this criterion.	
<i>F Rarity: An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history; or of the local area's cultural or natural history.</i>	
148 Station Street is an example of a single storey Victorian Georgian style house. While the building is one of a number of Victorian residences built for the middle class of Penrith in the mid to late 19 th century, many of these residences have been demolished and it can be said that they are becoming increasingly rare. 146 and 148 Station Street together form one of a few groups of this kind left in such proximity to the city centre.	
<i>Guidelines for Inclusion</i>	
✘	provides evidence of a defunct custom, way of life or process

✘	demonstrates a process, custom or other human activity that is in danger of being lost
✘	shows unusually accurate evidence of a significant human activity
✘	is the only example of its type
✘	demonstrates designs or techniques of exceptional interest
✘	shows rare evidence of a significant human activity important to a community
<i>Guidelines for Exclusion</i>	
✓	is not rare
✓	is numerous, but under threat
148 Station Street Penrith fails to satisfy this criterion at the local level.	
<i>G Representativeness: An item is important in demonstrating the principal characteristics of a class of NSW's; or of the local area's - cultural or natural places; or - cultural or natural environments.</i>	
148 is a representative example, in form, of a late 19 th Century Victorian Georgian style cottage.	
<i>Guidelines for Inclusion</i>	
✘	is a fine example of its type
✓	has the principal characteristics of an important class or groups of items
✘	has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity
✘	is a significant variation to a class of items
✘	is part of a group which collectively illustrates a representative type
✘	is outstanding because of its setting, condition or size
✘	is outstanding because of its integrity or the esteem in which it is held
<i>Guidelines for Exclusion</i>	
✘	is a poor example of its type
✘	does not include or has lost the range of characteristics that make up a significant variation of its type
148 Station Street Penrith satisfies the above criterion at the local level.	

Statement of Significance

148 Station Street is historically significant as it represents a good and externally intact example of a late Victorian Georgian style brick suburban cottage. It demonstrates the form of residential development that took place following the subdivision of earlier land grant estates in Penrith. The building is of recognised social significance as part of the remnant late 19th century residential middle-class development in Penrith.

Together with the neighbouring Victorian Gothic style residence, the building contributes to the streetscape. Collectively these structures imbue the area with high historic and aesthetic values.

The secondary building to the rear built c1985, while built in a style that is sympathetic to the heritage item, is considered to have little heritage significance.

5 Proposed Development

5.1 Introduction

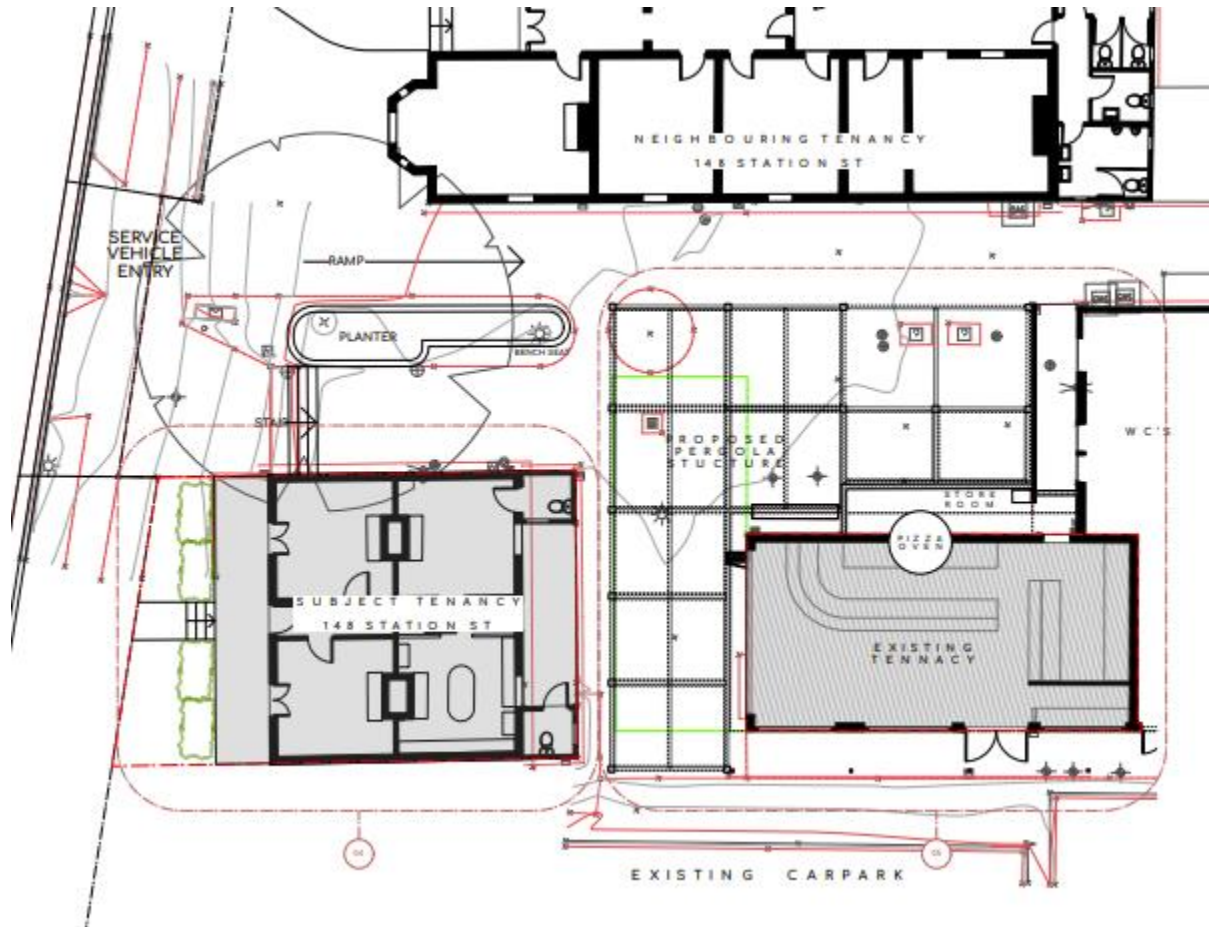
The aim of the proposed works is to adapt the leased spaces which include the heritage building and a section of the ground floor of the rear building for food and beverage use. The heritage building has until recently been operating as a commercial office space. The current lessees require more specific changes in order to improve the functionality and amenity of the space and in order to achieve their desired aesthetic.

The application is to be considered in conjunction with the recently approved DA 19/0763 and later Section 4.55 (1A) modification, affecting the Nepean Village Shopping Centre which included the above buildings. Related works involved amendments to the layout of external seating areas, installation of playground equipment and additional security measures adjacent to the building.

5.2 Proposed Development

The proposed works are detailed in the accompanying drawings 01,02,03,04,11,21, 31 revision dated 9/4/21, prepared by designer Matt Woods of Killing Matt Woods for the DA submission. The design represents a light touch with the retention of all existing heritage elements internally and externally.

The changes are isolated to the interior changes and signage and the addition of some permanent outdoor furniture. The outdoor pergola additions (yet to be constructed) have been approved as part of an earlier Development and Section 4.55 (1A) application.



The scope of work proposed includes:

Victorian building

Interior

- New joinery in southern corner room which is to operate as a wine cellar.
- Plumbing to allow for access to water in the wine cellar
- Glazed partition screen to allow this room to be closed off.
- Removal of the non-original door between the two eastern rooms, with retention of the opening with architrave.
- Addition of portable furniture items in all rooms.
- New paint finish for internal walls
- Original floorboards are to be retained and oiled.

Exterior

- Timber Pergola structure with open timber batten ceiling which extends from the courtyard space at the rear of the heritage building into the space to the north east

of the rear building The pergola will extends toward the pedestrian walkway recently built between the two heritage buildings. The pergola will have appropriate vine planting in order to provide some reversible cover to the structure.

- New signage post to be located near to existing front fence.
- Construction of low planter box combined with bench table for seating.

Rear Building



Figure 34: The proposed location of the storeroom and pizza oven addition to the rear building. Heritage building visible to the right.

Interior

- Pizza oven on the north eastern side with flue penetrating the roof of the proposed new storeroom.

Exterior

- Storeroom on north eastern side (as per Figure 30) that connects with the timber pergola with corrugated iron skillion roof with box gutter. The addition is to be painted in white with a grey painted color bond roof, similar to the existing building to allow it to visually recede. The storeroom will be accessed internally.

6 Heritage Impacts

6.1 Penrith Local Environment Plan 2010

The Penrith LEP 2010 is a statutory plan adopted by the Penrith Council. The objective of this legal instrument is to impose standards to control development in the area.

The property is subject to the heritage provisions of The Penrith LEP 2010 and The Penrith DCP 2014, under the Environmental Planning and Assessment Act 1979. The Penrith Council must take into consideration the potential impact of any proposed development on the heritage significance of a heritage item and listed heritage items in its vicinity.

The proposal has been assessed against the requirements of The Penrith LEP 2010:

The Penrith LEP 2010 Section 5.10	Response
<p>(1) Objectives The objectives of this clause are as follows:</p> <ul style="list-style-type: none"> (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. 	<p>This Heritage Impact Statement is provided to assist Council in its consideration of the development application. The proposed works are not considered to adversely impact the heritage item.</p>
<p>(2) Requirement for consent Development consent is required for any of the following:</p> <ul style="list-style-type: none"> (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance): <ul style="list-style-type: none"> (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area, (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed, (d) disturbing or excavating an Aboriginal place of heritage significance, (e) erecting a building on land: <ul style="list-style-type: none"> (i) on which a heritage item is located or that is within a 	<p>A Heritage Impact Statement is required as the proposed works includes alterations and additions to a heritage item.</p>

<p>heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance, (f) subdividing land: (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</p>	
<p>(3) When consent not required However, development consent under this clause is not required if: (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development: (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or (b) the development is in a cemetery or burial ground and the proposed development: (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or (d) the development is exempt development.</p>	Not applicable
<p>(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).</p>	<p>This Heritage Impact Statement is provided to assist Council in its consideration of the development application. The proposed works are not considered to adversely impact the heritage item.</p>
<p>(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</p>	<p>This Heritage Impact Statement is provided to assist Council in its consideration of the development application.</p>

<p>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.</p>	<p>The proposed works are not considered to adversely impact the heritage item.</p>
<p>(6) Heritage conservation management plans The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p>	<p>Not required.</p>
<p>(7) Archaeological sites The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies): (a) notify the Heritage Council of its intention to grant consent, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p>	<p>The proposed works do not include any excavation of the land that may disturb relics.</p>
<p>(8) Aboriginal places of heritage significance The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance: (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.</p>	<p>According to AHIMS web search dated 2/12/2020 there is no aboriginal site or location in or above the site with a buffer of 50m.</p>

6.2 Heritage Impact Assessment

The following assessment is based on the NSW Heritage Office guide to the preparation of Statements of Heritage Impacts to help identify issues associated with the proposed development affecting heritage conservation areas and the format follows the set out of the DCP to assist in the interpretation of heritage issues.

NSW Heritage Office Model Questions

The relevance of the model questions given in the NSW Heritage Office's publication 'Statements of Heritage Impacts' to the proposed development is assessed in the following table:

Demolition of a building or structure	x
Minor partial demolition	x
Major partial demolition	x
Change of use	✓
Minor additions	✓
Major Additions	x
New development adjacent to a heritage item	✓
Sub-division	x
Re-painting	✓
Re-roofing/re-cladding	x
New services	✓
Fire upgrading	x
New landscape work and features	✓
Tree removal or replacement	x
New signage	✓

Change of Use:

The change of use for food and premises has already been approved under DA 19/0763, this DA relates to specific works designed to improve the functionality and amenity of the space and in order to achieve their desired aesthetic.

Q. Has the advice of a heritage consultant or structural engineer been sought? Has the consultant's advice been implemented? If not, why not?

A. MHM was engaged early in the process to provide heritage advice with regards to the proposal to adapt the building for the proposed new use as food and beverage premises.

Q. Does the existing use contribute to the significance of the heritage item?

A. The former residence has been used for commercial office space, a use which does not contribute to its heritage significance.

Q. Why does the use need to be changed?

A. The building will continue to be used for commercial purposes but will no longer operate as office space. The lessee wishes to establish a new dining space, with minor changes required, following the successful establishment of a café restaurant space in the neighbouring Kentucky building. The plan is in line with plans by the owners of the Nepean shopping centre to reinvigorate the spaces in order to improve the commercial performance of the area.

Q. What changes to the fabric are required as a result of the change of use?

A. The required changes are minor in nature, are generally reversible and are predominantly located in the interior, not visible from the public domain. The new plumbing required in the proposed wine bar will be hidden behind joinery and will have a minimal impact given their proposed location on the shared wall with the rear bathroom.

Q. What changes to the site are required as a result of the change of use?

A. Elements of the changes to the site relating to new outdoor dining areas have already been approved in the earlier DA (DA 19/0763) submitted by the owners, Vicinity Centres. The new landscaping elements such as the outdoor seating and planter boxes have been designed by Matt Woods. These new elements, involving some permanent fixtures, have been designed in a holistic approach, to be sympathetic to the building and will be low rise to minimise the visual impact on both heritage buildings. The new storeroom attached to the secondary building will have minimal visual impact on the heritage item.

Minor Additions:

Q. Can the additional area be located within an existing structure? If no, why not?

A. With regards to the listed building, the majority of the alterations are isolated to the interior of the building and will have an overall positive impact, with a general upgrade to the quality of the furniture and fittings. There will be no alteration to the footprint of the heritage building.

The storeroom addition to the rear building is impacting an area of low significance. It will be low rise and has been designed to integrate sympathetically with the existing. The addition will not have a material impact on the heritage buildings.

The landscaping elements have been designed to create an alfresco dining area integrating with and complementing the heritage item.

Q. Will the additions visually dominate the heritage item?

A. The additions will have no material impact on the visual bulk and scale of the heritage dwelling. The signage to be located at the front of the building will be similar to the approved signage at No 148 Station Street maintaining a branding relationship between the two. It will be respectful in size and design and will be reversible. The landscaping elements to the side and rear of the building, involving some permanent fixtures will be low rise and will not compete with the heritage items. The timber open pergola has been specifically designed to have as minimal an impact as possible on the surrounding heritage items.

Q. Is the addition sited on any known, or potentially significant archaeological deposits? If so, have alternative positions for the additions been considered?

A. There are no known archaeological deposits and there will be no extensive excavation work involved.

Q. Are the additions sympathetic to the heritage item? In what way (e.g. form, proportions, design)

The proposed works to the listed Victorian house are predominantly isolated to the interior, are of an understated contemporary design and detail that is sympathetic and complements the late Victorian style of the heritage item. The signage is understated and has a branding relationship with the neighbouring signage at 146 Station Street.

New Development adjacent to a heritage Item:

The new additions are located in the vicinity of the subject heritage item and its neighbour at 146 Station Street.

Q. How is the impact of the new development on the heritage significance of the item or area to be minimised?

A. The proposed works are predominantly isolated to the interior, are of an understated contemporary design and detail that is sympathetic and complements the late Victorian style of the heritage item. The signage is understated and has a branding relationship with the neighbouring signage at 146 Station Street. The open pergola, in line with expectations, has been specifically designed to have as minimal an impact as possible on the surrounding heritage items. Other proposed landscaping elements will be low rise and designed to respect their location in the vicinity of the two heritage items. The new storeroom and pizza oven addition to the rear secondary building will have minimal visual impact. The same designer worked successfully on the café restaurant at No 148 Station Street, providing a respectful design.

Q. Why is the new development required to be adjacent to a heritage item?

A. 146 and 148 Station Street are both locally listed heritage items located on separate legal allotments. 148 Station Street is a privately held commercial property with development rights which allow the owner to make appropriately scaled alterations and additions. The development provides for an improved amenity and involves a sympathetic alterations and additions to an existing building that is to be converted into a food and beverage venue with alfresco dining options.

Q. How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?

A. The setting and curtilage of the nearby heritage item will not be materially impacted by the proposed development. The existing views from the heritage item will be maintained.

Q. Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?

A. There are no known archaeological deposits and there will be no extensive excavation work involved.

Q. Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?

A. The building will retain the same character as at present, as a Victorian era modest dwelling. The materials, detailing and colour palette have been selected to create a sympathetic relationship with surrounding heritage items.

Q. Will the additions visually dominate the heritage item? How has this been minimised?

A. The proposed changes to the heritage building itself are mostly isolated to the interior and are generally reversible. The signage is understated and has a branding relationship with the recently approved signage at 146 Station Street. The proposed landscaping elements will be low rise and designed to respect their location in the vicinity of the two heritage items. The storeroom attached to the secondary dwelling will have minimal visual impact.

Q. Will the public, and users of the item, still be able to view and appreciate its significance?

A. The alterations and additions have been designed to improve the usage of the building as a wine bar open to the general public. The proposed changes will not materially impact the visual curtilage of the heritage item or its heritage listed neighbour.

Re-painting

Q. Have previous (including original) colour schemes been investigated? Are previous schemes being reinstated?

A. Any new paintwork on the listed Victorian house will be isolated to the interior as part of an overall renovation of the spaces and will be sympathetic to the style of building.

Q. Will the repainting effect the conservation of the fabric of the heritage item?

A. No the repainting will be isolated to the interior and will not negatively impact the original wall fabric.

The Penrith DCP 2012

This plan applies to development requiring consent under the Penrith LEP 2010. Under section 79C of the EP&A Act, Council is required to take into consideration the relevant provisions of any applicable DCP when determining an application for development.

Any proposed development at 148 Station Street Penrith must be consistent with the aims and objectives of the heritage management and conservation provisions of the DCP as it is a heritage listed item and it is located beside a heritage listed item.

The consistency of the proposed development with the aims and objectives of the relevant heritage management and conservation provisions of the DCP is outlined in the following table:

The Penrith DCP 2014	Response	Complies
C7 Culture and Heritage		
7.1.2 Heritage Items Controls		
1) Development Application		

<p>a) Any Heritage Impact Statement for development that may impact on a heritage item must address the following (at a minimum):</p> <p>a) The heritage significance of the item as part of the environmental heritage of Penrith;</p> <p>b) The impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features;</p>	<p>The Assessment of Significance is covered in Section 4 of this report.</p> <p>This Heritage Impact Statement is provided to assist Council in its consideration of the development application. The proposed works are not considered to adversely impact the heritage item.</p> <p>The proposed changes are considered to be acceptable design solutions, a light touch designed to improve the amenity of the residence for the lessee. It is recognised that adapted buildings do require some intervention to function effectively and these changes have been designed to allow the building to convert to an intimate food and beverage venue. The majority of the changes are to the interior spaces, are generally reversible and/or are sympathetic to the Victorian -era building. While the proposed works have been designed to increase functional entertaining spaces, it respects the proportions of existing fabric and has been designed to be sympathetic and respond to the existing arrangement. The proposed new signage is understated and has a branding relationship with the recently approved neighbouring signage at 146 Station Street.</p> <p>The design has concentrated on having a minimal impact on original fabric with the retention of all significant items such as the floorplan, timber flooring, ceiling, windows and doors.</p> <p>The wall to the rear room (blue) on the western side is to be</p>	<p>✓</p> <p>✓</p> <p>✓</p>
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<p>c) The measures proposed to conserve the heritage significance of the item and its setting;</p>	<p>reinstated with a sliding panel which will clearly read as new but will allow the original room space to again be interpreted. One of the doors on the eastern side between the two rooms is to be closed off to allow for the addition of a small bar space. The door is to remain to allow for reversibility but will no longer be accessible.</p> <p>The minimal external works including signage, landscaping, open timber pergola and a new storeroom addition to the rear building are located to the side and at the rear of the heritage building. They are generally low rise and have been designed to have a minimal visual impact on the heritage item.</p>	
<p>d) Whether any archaeological site would be adversely affected by the proposed development;</p>	<p>The works involve no excavation, and the building is not located above any known archaeological sites.</p>	<p>✓</p>
<p>e) The extent to which the carrying out of the proposed development would affect the form of any significant subdivision pattern; and</p>	<p>The proposed development will have no impact on any significant subdivision patterns.</p>	<p>✓</p>
<p>f) The issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.</p>	<p>Not applicable</p>	
<p>b) Development of a heritage item must:</p>	<p>This Heritage Impact Statement is provided to assist Council in its consideration of the development application. The proposed works are not considered to adversely impact the heritage item.</p>	<p>✓</p>
<p>a) Be consistent with an appropriate Heritage Impact Statement or Conservation Management Plan;</p>	<p>The item is not state listed</p>	<p>✓</p>
<p>b) Be consistent with the information on the State Heritage Inventory for that heritage item;</p>	<p>The proposed works continue to protect the setting of the heritage</p>	<p>✓</p>

c) Protect the setting of the heritage item;	<p>item. The signage is to be understated and will have a branding relationship with the signage recently approved at 148 Station Street. Other external works are located at the side and the rear of the heritage building. The proposed landscaping elements will be low rise and designed to respect their location in the vicinity of the two heritage items. The pergola which does not attach to the heritage building has been designed to be open with timber battens and creeper vines so as to reduce its overall impact. The storeroom attached to the secondary dwelling will have minimal visual impact.</p>	
d) Retain significant internal and external fabric and building elements;	<p>The proposal complies with this control. The changes to the heritage building are minor works, isolated to the interior spaces, are generally reversible and/or are sympathetic to the Victorian -era building.</p>	✓
e) Retain significant internal and external spaces;	<p>The proposal complies with this control. The proposed works are isolated to the interior, are generally reversible. The new lightweight internal wall will allow for the original rear rooms spaces to be interpreted.</p> <p>The new external works are respectful in form and detailing of the listed Victorian buildings and are located at the side and the rear in areas of lesser significance.</p> <p>Not applicable.</p>	✓
f) Remove unsympathetic alterations and additions;	<p>Proposal complies with this control. A new wall has been added where it once would have been to again define the rear room</p>	✓
g) Reinststate missing details and building elements; and	<p>on the western side of the hallway. The wall has been</p>	

<p>h) Use materials, finishes and colours that are appropriate to the significant periods of development or architectural character of the item.</p> <p>c) Alterations to the room layout of heritage items are to ensure that the original room configuration remains discernible and can be interpreted.</p> <p>d) If there is any likelihood of an impact on any significant archaeological relics from a period prior to the current building, development must ensure that the impact is managed according to the assessed level of significance of those relics.</p>	<p>removed at some stage as a result of its adaptation to commercial space. The new wall is lightweight and will read as new. The new lightweight wall will allow for the original rear rooms spaces to be interpreted.</p> <p>The proposal complies with this control. The palette of colours and materials have been selected to be sympathetic to the character of the dwelling. The lessee has engaged Matt Woods the designer who successfully and respectfully adapted its neighbour at 146 Station Street.</p> <p>The internal wall changes have been made to improve the flow and to allow the building to function as an intimate wine bar. A new wall has been added where it once would have been to again define the rear room on the western side of the hallway. The wall has been removed at some stage as a result of its adaptation to commercial space. The new wall is lightweight and will read as new.</p> <p>The building appears to have been the first built on the land and there are no known or potential archaeological deposits (underground or underfloor).</p>	<p>✓</p> <p>✓</p> <p>✓</p>
7.1.4. Design Guidelines		
1) Site Planning		
<p>Any new development should be positioned to ensure that the visual prominence, context and significance of the existing heritage item and its setting are maintained.</p> <p>Front and side boundary setbacks are a major contributor to the character and significance of a heritage item or heritage conservation area. Existing patterns should be maintained in new</p>		

<p>development to continue the established rhythm of buildings and spaces.</p> <p>a) Development should conform to the predominant front setbacks in the streetscape.</p> <p>b) Development should respect side setbacks and rear alignments or setbacks of surrounding development.</p> <p>c) Front and rear setbacks should be adequate to ensure the retention of the existing landscape character of the heritage item or conservation area and important landscape features.</p> <p>d) Any significant historical pattern of subdivision and lot sizes is to be retained. Subdivision or site amalgamation involving heritage items or contributory buildings should not compromise the setting or curtilage of buildings on or adjoining the site.</p>	<p>There will be no change to the front setback.</p> <p>Proposal complies with this control. There will be a small addition to the side of the rear building which will have minimal impact on the heritage building.</p> <p>The front and rear setbacks of the heritage building will not be altered.</p> <p>There will be no change to the pattern of subdivision or the lot size.</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
2) Alterations and Additions		
<p>This section includes general provisions for alterations and additions to heritage items.</p> <p>a) Single storey additions may comprise the following forms:</p> <p>i) Linked pavilions;</p> <p>ii) Attached wings;</p> <p>iii) Detached pavilions; and</p> <p>iv) Attached L-shaped wings.</p> <p>b) Additions should not extend beyond side boundary setbacks.</p> <p>c) Attached additions shall have wall indentations to clearly separate the old from the new and articulate wall length.</p>	<p>Proposal complies. There will be no addition to the heritage listed building. The new storeroom is to be located beside the rear building which has little heritage significance and will have minimal visual impact on the nearby heritage buildings.</p> <p>The storeroom will impact the side setback of the rear building (which has little heritage significance) only.</p> <p>The storeroom will impact the side setback of the rear building (which has little heritage significance) only. It is low rise and has been designed to blend in with the c1985 building.</p>	<p>✓</p> <p>✓</p> <p>✓</p>

3) Subdivision and Site Analysis		
<p>The subdivision of land upon which a heritage building is located has the potential to isolate the building from its setting thereby reducing its cultural or historical significance.</p> <p>The setting of a heritage building is often referred to as the curtilage and may include the immediate garden, mature trees, original allotment boundaries, paddocks, fencing, outbuildings, archaeological sites, views/vistas or any other feature or space which allows a greater understanding of its historical context.</p> <p>The curtilage is therefore essential for retaining and interpreting the heritage significance of that building.</p> <p>a) Proposals for subdivision should define an appropriate setting or 'curtilage' for the heritage building as part of the Heritage Impact Statement or Conservation Management Plan.</p> <p>b) In determining the curtilage of a heritage building, consideration is to be given to the following:</p> <p>i) The original form and function of the heritage building: The type of structure that constitutes the heritage building should be reflected in the curtilage. For example, it may be appropriate that a larger curtilage be maintained around a former rural homestead than that of a suburban building;</p> <p>ii) Outbuildings: A heritage building and its associated outbuildings should be retained on the same allotment; and</p> <p>iii) Gardens, trees, fencing, gates and archaeological sites: Features that are considered valuable in interpreting the history and in maintaining the setting of a building should be identified and, where possible, retained within the curtilage.</p> <p>c) New development shall be of a scale and form that does not detract from the historical significance, appearance and setting of the heritage item. In this way, the following elements require specific consideration:</p>	<p>Not applicable as the land is not to be further subdivided.</p> <p>There will be no negative impact on the curtilage of the heritage building. Landscaping works have been designed to respect the Victorian building and apart from new signage are located to the side and the rear of the building.</p> <p>Proposal complies with his control. The proposed new storeroom attached to the rear building and the landscape work, including some permanent features such as planter boxes is low rise and has been sympathetically integrated into the overall design. The timber pergola has been designed to have</p>	<p>✓</p> <p>✓</p> <p>✓</p>

<p>i) The height of new development near heritage items shall be less than the subject item. Increases in height shall be proportional to increased distance from the items and will be considered on merit;</p> <p>ii) Views and vistas to the heritage item from roads and other prominent areas are key elements in the landscape and shall be retained;</p> <p>iii) If the development site can be viewed from a heritage item(s), any new development will need to be designed and sited so that it is not obtrusive when it is viewed from the heritage item(s); and</p> <p>iv) Curtilages shall be retained around all listed items sufficient to ensure that views to them and their relationship with adjacent settings are maintained.</p>	<p>minimal impact with open timber battening and creeper planting.</p> <p>Proposal complies with this control.</p> <p>Proposal complies with this control. The proposal includes new landscaping that is sympathetic to the style of the building. It can be argued that the view and vistas from the roads and the carpark will be improved as a result of the new works.</p> <p>The new landscaping between the two buildings including outdoor dining furniture and planter boxes has been designed to be sympathetic to the original dwelling. The additions are small scale structures located at the side and rear of the building, they are contemporary in style and distinct from the original dwelling but have been designed to blend with the existing setting. The previously approved pergola will be designed with open timber battens and creeper planting in order to have minimal visual impact on the nearby heritage items.</p> <p>Proposal complies with this control</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>
<p>4) Gardens, Landscaping and Fencing</p>		
<p>In many circumstances it is important to protect, not only the heritage item or conservation area itself, but also the land around it which contributes to its setting, therefore enhancing its heritage significance.</p> <p>Curtilages shall be established by evaluating the components of a site relative to the building. Key aspects of a property's curtilage include any gardens, entrances, fencing and outbuildings.</p>		

<p>The curtilage shall maintain the relationship between these elements so as to allow the heritage item and its site to be understood. As a result, these elements shall be used in determining a suitable curtilage and shall be retained where suitable.</p> <p>a) In order to preserve and maintain an appropriate scale and the visual prominence of a heritage item, the building height of new development shall generally not exceed that of the original heritage item. New development or large additions or alterations must provide a transition in height from the heritage item.</p> <p>b) Development proposals, which involve large scale redevelopment and alteration to the original character of the heritage item and will negatively impact on the heritage significance of the curtilage, will not be permitted.</p> <p>c) The colours and materials used in a new development (whether an extension or addition) should complement the colours and materials of the heritage item. New development within the curtilage must not adversely impact upon the significant fabric of a heritage item.</p> <p>d) Where possible, existing fences that have been identified as significant or that contribute to the overall setting or character of a heritage item are to be retained or repaired, rather than replaced.</p> <p>e) New fences should either match as closely as possible the original fencing, or if the original fence type is not known, specifically relate to the architectural character and period of the existing heritage item with respect to design, materials, colour and height. Old photographs or careful inspection of remaining fabric can often reveal the original fence type.</p> <p>f) New development shall not be sited in front of the front building line of the existing heritage item nor shall it extend beyond the established side building lines of the heritage item.</p> <p>g) New development within the same curtilage as a heritage item shall generally not be larger in scale than the heritage item. Reference shall be</p>	<p>The additions are predominantly small scale structures located at the side and rear of the building which are integrated into the overall venue design.</p> <p>Proposal complies with this control</p> <p>Proposal complies with this control. The minor landscaping additions are generally moveable fixtures, and while contemporary in style are integrated into the sympathetic design.</p> <p>Proposal complies with this control</p> <p>Not applicable</p> <p>The front garden provides a setting for the house and also contributes to the streetscape and will be retained. There will be new landscaping to the side which will include moveable items and some low permanent fixtures such as planter-boxes that are part of the overall sympathetic design.</p> <p>Proposal complies with this control</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p></p> <p>✓</p> <p>✓</p>
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<p>made to the building height of the heritage item as the maximum permissible building height of alterations or additions.</p> <p>h) Vegetation around a heritage item shall be assessed for its value to the item and retained where required.</p>	<p>There will be minimal planting in the form of planter box planting and creepers.</p>	<p>✓</p>
<p>7.1.5. Development in the Vicinity of a Heritage Item or Conservation Area</p>		
<p>1) A Heritage Impact Statement shall be lodged with a development application for buildings or works in the vicinity of a heritage item or heritage conservation area. This clause extends to development that:</p> <p>a) May have an impact on the setting of a heritage item or conservation area, for example, by affecting a significant view to or from the item or by overshadowing; or</p>	<p>This Heritage Impact Statement is provided to assist Council in its consideration of the development application. The proposed works are not considered to adversely impact the adjoining heritage item at 146 Station Street.</p> <p>The works related to the Victorian house are mainly focused in the interior of the building. The proposed new sign will be designed to be sympathetic to the Victorian era buildings and will have a branding relationship with the new recently approved signage at 146 Station Street.</p> <p>The new landscaping between the two buildings including outdoor dining furniture and planter boxes has been designed to be sympathetic to the original dwelling. The additions are small scale structures located at the side and rear of the building, they are contemporary in style and distinct from the original dwelling but have been designed to blend with the existing setting. The previously approved pergola will be designed with open timber battens and creeper planting in order to have minimal visual impact on the nearby heritage items.</p> <p>The storeroom will impact the side setback of the rear building (which has little heritage significance) only.</p>	<p>✓</p> <p>✓</p>

<p>b) May undermine or otherwise cause physical damage to a heritage item; or</p> <p>c) Will otherwise have any adverse impact on the heritage significance of a heritage item or any heritage conservation area within which it is situated.</p>	<p>Proposal complies with this control. Works are minor isolated to the interior. Landscaping elements are separate from the heritage item.</p> <p>Proposal complies with this control. as discussed above.</p>	<p>✓</p> <p>✓</p>
<p>2) The following issues must be addressed in the Heritage Impact Statement:</p> <p>a) The impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item;</p> <p>b) Details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works; and</p> <p>c) Details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.</p>	<p>The proposed new works have been designed to be sympathetic to the Victorian style buildings and are not expected to have any negative impact on the adjoining heritage item.</p> <p>The proposed works will be of a form, height and character that will complement its setting in this locality and will not be out of character or scale with the adjoining heritage property.</p> <p>The new works will not negatively impact the heritage items.</p>	<p>✓</p> <p>✓</p> <p>✓</p>

7 Conclusion

This report concludes that the proposed works to 148 Station Street Penrith are relatively minor in nature and provide a positive response to the need to further adapt and update the dwelling, enabling it to operate effectively with its newly approved use as a food and beverage venue. The proposed works will update the building and create new spaces for entertaining while respecting the building's heritage significance. The works will have negligible impact on its heritage listed neighbor at 146 Station Street.

The Victorian house at 148 Station Street is a listed heritage item on the Penrith LEP 2010. The assessment of significance attributes historic, social and aesthetic values to the property. The building is a typical example of a Victorian Georgian style dwelling which, together with the neighbouring late Victorian Gothic residence, contributes to the streetscape and can be said to have some landmark qualities. The site also has a 1985 two storey building at the rear which while built to be sympathetic in style with some Victorian inspired motifs, is of little heritage significance.

MHM was consulted early in the design phase to provide comment and guidance from a heritage position. The Penrith DCP 2014 controls have guided many of the design decisions. The proposed design is a contemporary upgrade but sits respectfully within its Victorian house setting. The design retains the essential elements that contribute to the house's heritage significance, such as its setbacks, setting, detailing and overall massing.

The internal alterations are minor in nature and are designed to renovate the interiors to create the appropriate aesthetic; allow for multi-purpose areas and to improve its overall flow.

The External works include new signage, timber pergola and other permanent landscape elements and a new storeroom addition to the rear building, will be of a high-quality design and will arguably have a positive impact on the heritage significance of the site.

7.1 Recommendation

Having assessed the significance of the place and the heritage impact of the proposed development the following are recommended:

- That Council should consent to the proposed development in recognition of its lack of adverse heritage conservation impacts.

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