

STATEMENT OF ENVIRONMENTAL EFFECTS

For

Alterations and additions to and existing community facility

At

207-219 Great Western Highway, Emu Plains

for

Penrith City Council

prepared by
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1. INTRODUCTION

This Statement of Environmental Effects is submitted in support of a proposal for alterations and additions to the former Emu Plains Public School, currently used the Nepean Family History Society in accordance with plans submitted with the development application prepared by Justin Long Design, identified as Dwg No. A02-06 and dated 23.01.19.

Submitted with this development application are the following:

- Partial Detail, Levels & Contour Survey, prepared by Matthew Freeburn, Dwg Ref: 36505, Sheets 1-3 and dated 29.08.18
- Title Page, General Notes & Schedule of external finishes, Dwg No A00, prepared by Justin Long Design and dated 21.01.19.
- Existing ground floor plan, Dwg No. A01, prepared by Justin Long Design and dated 21.01.19
- Proposed site plan, Dwg No. A07, prepared by Justin Long Design and dated 23.01.19.
- Existing ground floor plan, Dwg No. A01, prepared by Justin Long Design and dated 21.01.19
- Landscape plan, Dwg No A08, prepared by Justin Long Design and dated 23.01.19.
- Sediment & Erosion control plan, Dwg No. A09, prepared by Justin Long Design and dated 23.01.19
- Demolition plan, Dwg No. A10, prepared by Justin Long Design and dated 23.01.19
- Waste Management Plan
- Heritage impact statement, prepared by Archnex Designs and dated 12.12.18

The Statement addresses the relevant matters for consideration under section 4.15, Evaluation, of the Environmental Planning and Assessment Act, 1979 No 203.

2. LOCALITY AND SITE

The site known as 207-219 Great Western Highway, Emu Plains, is situated on its northern side at its junction with Pyramid and Lawson Street (see Locality Plan overleaf).

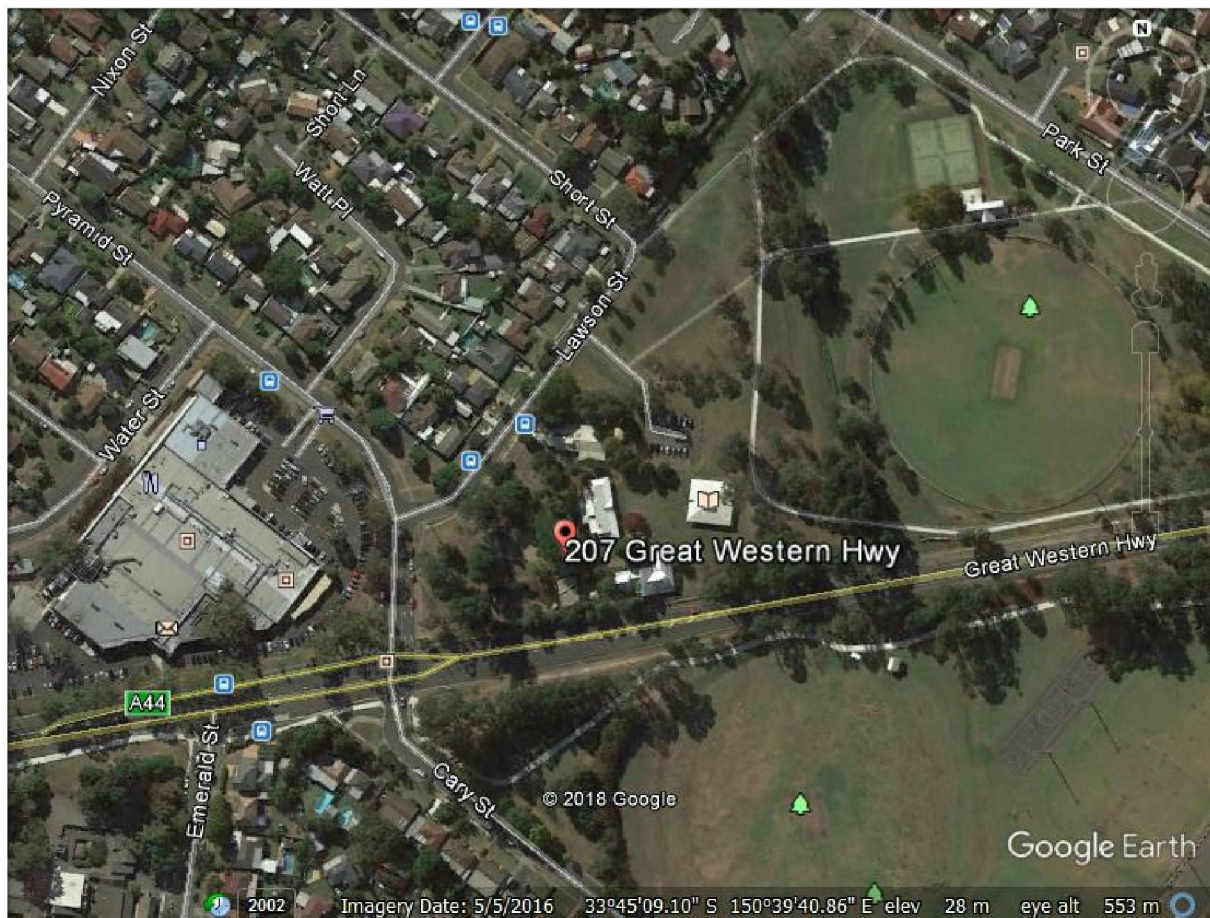
The site consists of Part Lot 1, DP 650753, is irregular in shape with frontages to Great Western Highway as well as Pyramid and Lawson Streets and Dukes Oval to the east, a site 809.4m² in size. The site is relatively flat.

The property is occupied by a single-storey brick building with a metal roof, which is commonly known as the former Emu Plains Public School. It is currently occupied

by the Nepean Family History Society. The building is identified in the Penrith Local Environmental Plan (the LEP) as a heritage item.

Off-street parking for the premises is found at the rear of the site with access via Lawson Street. Adjoining and nearby development is mixed and includes Emu Park, including Dukes Oval to the east and Darcy Smith Oval on the opposite side of the Great Western Highway, Centro Lennox on the western side of Pyramid Street. Residential development is removed to the north, south, east and west of the site.

Locality Plan



Source: Google Earth

3. PROPOSAL

The application involves carrying out alterations and additions to the existing building including replacing the existing addition on the western side of the hall with a new timber clad addition providing WCs with ante room, renovating a kitchenette, as well

as providing a unisex WC and kitchen in the northern wing of the existing building. A new timber deck is also proposed on the northern side of the building including accessible ramp. The work also involves minor improvements including a raised floor in store, new internal doors, restoration works in hall as well as a new door opening to the hall's southern elevation.

The work also involves the demolition of minor structures including ramps and playground equipment, steps, a fence and signage.

It is also proposed to remove two trees on the western side of the existing building.

4. STATUTORY CONTROLS

4.1 Environmental Planning and Assessment Regulation 2000

The following information additional to that on the development application form is provided in accordance with clause 50 and Schedule 1 of the *Environmental Planning and Assessment Regulation*:

The land the subject of the application is not critical habitat or part of critical habitat. The site is within a built-up suburban area and no threatened species, populations or ecological communities or their habitats are likely to be significantly affected by the proposed development.

The application is accompanied by this Statement of Environmental Effects and the additional documents listed under 1.

4.2 Sydney Regional Environmental Plan No. 20 Hawkesbury/Nepean River

The Sydney Regional Environmental Plan No. 20 Hawkesbury/Nepean River aims 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.

There are no specific relevant development controls applicable to the proposal, however, it is considered that the proposal will not have any unreasonable impact on the future land uses in the region.

4.3 Penrith Local Environmental Plan 2010

The Penrith Local Environmental Plan 2013, the LEP came into force on 22 September 2010.

The relevant aims, objectives of the Penrith LEP are to:

- (a) *to provide the mechanism and planning framework for the management, orderly and economic development, and conservation of land in Penrith,*
- (b) *to promote development that is consistent with the Council's vision for Penrith, namely, one of a sustainable and prosperous region with harmony of urban and rural qualities and with a strong commitment to healthy and safe communities and environmental protection and enhancement,*
- (c) *to accommodate and support Penrith's future population growth by providing a diversity of housing types, in areas well located with regard to services, facilities and transport, that meet the current and emerging needs of Penrith's communities and safeguard residential amenity,*
- (d) *to foster viable employment, transport, education, agricultural production and future investment opportunities and recreational activities that are suitable for the needs and skills of residents, the workforce and visitors, allowing Penrith to fulfil its role as a regional city in the Sydney Metropolitan Region,*
- (e) *to reinforce Penrith's urban growth limits by allowing rural living opportunities where they will promote the intrinsic rural values and functions of Penrith's rural lands and the social well-being of its rural communities,*
- (f) *to protect and enhance the environmental values and heritage of Penrith, including places of historical, aesthetic, architectural, natural, cultural, visual and Aboriginal significance,*
- (g) *to minimise the risk to the community in areas subject to environmental hazards, particularly flooding and bushfire, by managing development in sensitive areas,*
- (h) *to ensure that development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes, and that development is designed in a way that assists in reducing and adapting to the likely impacts of climate change.*

Clause, 2.3, Zone objectives and Land Use Table provides zone objectives and a Land use table.

The property is zoned RE1 Public Recreation. The property is owned by Penrith Council and it is currently used by the Nepean Family History Society. It is defined as a community facility as follows:

community facility means a building or place:

- (a) *owned or controlled by a public authority or non-profit community organisation, and*
- (b) *used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.*

The alterations and additions to the existing community are permissible with Council consent under the zoning of the land. The objectives of the zone are:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To ensure that development is secondary and complementary to the use of land as public open space, and enhances public use, and access to, the open space.*
- *To provide land for the development of services and facilities by public authorities for the benefit of the community.*

The assessment of the proposal against the standards of the LEP and the controls in Council's Development Control Plans (DCP) as discussed later in this statement, confirms that it is consistent with the objectives of the zone.

Clause 5.10, Heritage conservation, provides matters for consideration with respect to heritage conservation and objectives. The objectives for heritage conservation are:

- (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.*

Sub-clause 2 requires Council consent for carrying out alterations to a heritage item. Under the LEP, the site is identified as a heritage item, *the Emu Plains Public School (former) and trees*.

Subclause (4), Effect of proposed development on heritage significance, requires Council in respect of a heritage item or heritage conservation area to 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).

The proposal involves minor alterations and additions to the existing building which are not only designed to improve its amenity but also in a manner that is compatible with the character, materials and finishes of the existing building as confirmed in the heritage impact statement prepared under separate cover by Mr. Greg Patch, Archnex Designs.

Subclause (5), Heritage assessment, states that Council may, before granting consent to any development:

- (a) *on land on which a heritage item is located, or*
- (b) *on land that is within a heritage conservation area, or*
- (c) *on land that is within the vicinity of land referred to in paragraph (a) or (b),*

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

The requirement for a heritage management document is not mandatory. However as previously stated a heritage impact statement prepared by Mr. Greg Patch, Archnex accompanies this application. This statement concludes as follows:

The proposed works are intended to conserve the existing fabric of the place and to render the building useful in terms of affording disabled access and general maintenance. Without a used, that portion of the building that is not currently used by the Nepean Family History Society will undoubtedly fall into disrepair and its future conservation will be compromised.

In my opinion, the proposed works will facilitate necessary repairs and maintenance of the fabric and enhance the prospect of ongoing use of the building, both of which will ensure its conservation into the future.

It is noted that the item is described as containing trees. The heritage document refers to Stone Pines which are believed to be heritage items. The proposal also includes the removal of two trees on the western side of the hall. These trees are believed not to be Stone Pines and will be removed because of the potential risks of damaging the heritage building and to improve general access around the site.

Clause 7.1, Earthworks, provides an objective for the clause and matters for consideration. The objective of the clause is:

to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, waterways and riparian land, neighbouring land uses cultural heritage items or features of the surrounding land.

Consent for *earthworks* (defined as “excavation or filling”) is not required unless the proposed earthworks are exempt development or ancillary to development for which consent has been given. The proposed alterations and additions involve minor excavation for footings.

In relation to the matters specified by clause 6.2(3) for consideration:

- (a) *the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development*

Comment: As shown in the stormwater drainage and sediment control plans (Dwg No. DA09) accompanying the application, the proposal is designed and construction will be managed to improve drainage patterns and soil stability on the site.

- (b) *the effect of the proposed development on the likely future use or redevelopment of the land*

Comment: The proposed excavation is ancillary to the proposed development in accordance with the zoning.

- (c) *the quality of the fill or the soil to be excavated, or both*

Comment: Any soils removed from the site will be disposed in accordance with industry standards.

- (d) *the effect of the development on the existing and likely amenity of adjoining properties*

Comment: The proposal will maintain levels within 1m of existing levels at the site boundaries and will have no adverse impact on the amenity of adjoining properties.

- (e) *the source of any fill material and the destination of any excavated material*

Comment: Any excavated material will be disposed of appropriately.

- (f) *the likelihood of disturbing relics*

Comment: The applicant is not aware of any evidence that would suggest the site is likely to contain relics.

- (g) *the proximity to and potential for adverse impacts on any waterway, drinking water catchment or environmentally sensitive area*

Comment: The site is not within close proximity to any water way. It will not have any impact on a drinking water catchment or environmentally sensitive area.

- (h) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development*

Comment: Construction in accordance with the application documentation and Council's standard conditions of approval can be expected to avoid or acceptably minimise any adverse impacts while the works are in progress.

5 POLICY CONTROLS

5.1 Penrith Development Control Plan 2014

The *Penrith Development Plan 2014* supplements the provisions of the Penrith LEP 2013. The DCP came in effect on 17 April 2015. The DCP provides detailed objectives and controls for new development. The Policy contains several Parts that apply to various locations or design elements of development. The assessment of the proposal against relevant sections of the policy is discussed overleaf.

PART B DCP PRINCIPLES

It is considered that the sensitively designed alterations and additions to the existing building which is identified as a heritage item is an acceptable form of environmentally sustainable development and consistent with the DCP principles.

PART C CITY-WIDE CONTROLS

The relevant controls are addressed as follows:

C1 SITE PLANNING AND DESIGN PRINCIPLES

C1.2.5 Safety and security (Principles of Crime Prevention through Environmental Design)

The proposed development is considered to suitably respond to CPTED principles in relation to appropriate lighting, locations, site and building layout, presentation and carparking.

C1.2.6 Maximising access and adaptability

The proposal's design which incorporates an improved standard of accessibility is considered to be consistent with the objectives and controls of this part of the DCP.

C2 VEGETATION MANAGEMENT

The application also includes the removal of 2 trees on the western side of the building. The trees to be removed are not stone pines (which are believed to be those listed as heritage items). The proposed tree removal is acceptable because the more significant trees in the vicinity remain to provide an appropriate setting for the existing building whilst also generally improving general access around it. The removal of the trees will also assist to reduce places of concealment and improve pedestrian movement around the building. Therefore, the proposed removal of the trees is considered to be acceptable.

C5 WASTE MANAGEMENT

A waste management plan has been prepared in accordance with council requirements.

C7 CULTURE AND HERITAGE

As stated earlier in this statement, the site is identified as a heritage item. The application has been accompanied by a heritage impact statement prepared under separate cover and in accordance with Council requirements.

PART D LAND USE CONTROLS

D.5 OTHER LAND USES

5.5 Parent Friendly Amenities

The objectives of this section are:

- a) To ensure that all developments likely to be frequented by parents and children have suitable parenting facilities in public places that support and encourage breastfeeding;*
- b) To ensure that safe and accessible toilets are provided in developments that cater for young children and their parent(s);*
- c) To ensure that parent friendly amenities are suitable for use by both male and female carers;*
- d) To provide parent friendly toilets that are appropriately located to minimise likelihood of embarrassment to all users;*
- e) To ensure that all baby care rooms are of an adequate design and size, and are appropriately equipped.*
- f) To ensure that all baby care rooms are maintained to appropriate standards.*
- g) To ensure that approved baby care rooms continue to be used in accordance with development consent.*

This section of the DCP include a requirement for a 10m² Parenting Room and where public sanitary facilities are required or provided, the facilities should be designed to incorporate parent friendly accessible toilets.

The provision of a 10m² Parenting room inside the existing heritage listed building is a heritage item is not possible because space within it is limited. One half is used by the Nepean Family History Society and the remaining components are used for two halls, a kitchenette and a storeroom. .

The proposed facilities are nonetheless considered to incorporate parent friendly accessible toilets.

The parent friendly accessible toilets will be appropriately sign posted, with the signage to be approved by Council.

Details of the minimum standards, as described in Table D5.2, have been shown on the plans submitted with the development application.

The applicant has submitted a cleaning procedure, routine and schedule.

6. OTHER MATTERS FOR CONSIDERATION

Other relevant matters for consideration not addressed above are –

6.1 Applicable Regulations

None applicable.

6.2 Likely Impacts

6.2.1 CONTEXT & SETTING

The context is described in part 2 and potential impacts on adjacent properties and the locality are addressed elsewhere in this statement.

6.2.2 ACCESS, TRANSPORT & TRAFFIC

Not applicable.

6.2.3 PUBLIC DOMAIN

The proposed development will have no impact on public recreational opportunities, on the amount, location, design, use or management of public spaces, or on pedestrian linkages.

6.2.4 UTILITIES

The proposed development will have no significant impact on the capacity of water, sewer, electricity or gas services.

6.2.5 HERITAGE

Heritage issues have been addressed earlier in statement.

6.2.6 LAND RESOURCES

No productive or valuable land resources will be affected.

6.2.7 WATER

Discussed elsewhere in this statement.

6.2.8 SOILS

The proposal will not have any unreasonable impact on the soil of the site, the majority of which will be retained on site.

6.2.9 AIR & MICROCLIMATE

The proposal will have no appreciable impact on air quality or microclimatic conditions.

6.2.10 FLORA & FAUNA

The proposal will have no impact on the maintenance of biodiversity or on remnant native plants or animals.

6.2.11 WASTE

Discussed elsewhere in this statement.

6.2.12 ENERGY

Discussed elsewhere in this statement.

6.2.13 NOISE & VIBRATION

The site is not subject to any unreasonable noise and vibration impacts.

6.2.14 NATURAL HAZARDS

The site is not subject to risk from geotechnical instability, flooding or bushfire.

6.2.15 TECHNOLOGICAL HAZARDS

Not relevant.

6.2.16 SAFETY, SECURITY & CRIME PREVENTION

Discussed elsewhere in this statement.

6.2.17 SOCIAL IMPACT

By providing additional improved amenities for the existing building in an attractive location with good access to facilities and services, the proposal will have a positive social impact.

6.2.18 ECONOMIC IMPACT

The proposal will have a small and positive economic impact as a result of the construction activity on the site.

6.2.19 SITE DESIGN & INTERNAL DESIGN

Discussed earlier in this statement.

6.2.20 CONSTRUCTION

The additions to the building will be constructed in accordance with industry standards.

6.2.21 CUMULATIVE IMPACTS

Hydrological impacts are addressed elsewhere in this Statement and the proposal will not generate any other cumulative impacts.

6.2.22 DEMOLITION

The demolition work at the rear of the building required to implement the proposal will be carried out in accordance with the provisions of *Australian Standard AS 2601 – 1991: The Demolition of Structures*.

6.2.23 BUILDING UPGRADING

The proposal will comply with the deemed-to-satisfy provisions of the *Building Code of Australia* (BCA).

6.2 Access, Transport and Traffic

The proposal will not have any unreasonable impact on daily and peak traffic volumes on Great Western Highway and will maintain local amenity.

6.3 Utilities

Electricity, gas, water, sewerage, drainage and telephone services are available to the site.

6.3 Likely Impacts

All potential impacts are identified elsewhere in this Statement.

6.4 Suitability of the Site

As demonstrated in the relevant parts of this Statement, the site is suitable in physical, locational, transport and service utility terms for the proposed development.

7. CONCLUSION

The proposed alterations and additions to the existing community facility are permitted under the RE1 Public Recreation zoning of the land pursuant to the Penrith Local Environmental Plan 2010.

The site is identified as a heritage item in the LEP. A heritage impact statement accompanies the development application and concludes:

The proposed works are intended to conserve the existing fabric of the place and to render the building useful in terms of affording disabled access and general maintenance. Without a used, that portion of the building that is not currently used by the Nepean Family History Society will undoubtedly fall into disrepair and its future conservation will be compromised.

In my opinion, the proposed works will facilitate necessary repairs and maintenance of the fabric and enhance the prospect of ongoing use of the building, both of which will ensure its conservation into the future.

The proposal is generally consistent with the qualitative guidelines and the quantitative controls and performs well when assessed against Council's Development Control Plan.

In summary, the proposed development is consistent with the relevant objectives of the RE1 Public Recreation zone including the following:

- *To enable land to be used for public open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To ensure that development is secondary and complementary to the use of land as public open space, and enhances public use, and access to, the open space.*
- *To provide land for the development of services and facilities by public authorities for the benefit of the community.*

The proposal is therefore suitable for approval.

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Town Planner

12 February 2019