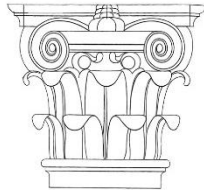


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Former Police Station & Residence, 4 Punt Road Emu Plains

S4.55(2) Modification to DA 20/0628

STATEMENT OF ENVIRONMENTAL EFFECTS

Prepared for: Penrith City Council

Issued: 12th October 2021

1. Introduction

This *Statement of Environmental Effects* (SOEE) provides an analysis of a proposal to make minor modifications to development consent DA 20/0628, originally approved by Penrith City Council on 23rd June 2021.

The proposed Section 4.55(2) application involves minimal environmental impact or changes to the approved development and will result in substantially the same development as approved.

The proposed modifications relate to the former Police Station and Residence located at No. 4 Punt Road only (Lot 7038 DP 94188). The modified works **do not** involve any change to the proposed adjacent carparking located across allotments Lot 1 DP 50164, Lot 10 DP 1216230, Lot 9 DP 228204, Lot A DP435464 at Nos. 28-30 Great Western Highway and Nos. 4-6 River Road, which also formed part of the area subject to the works described in DA 20/0628.

No. 4 Punt Road forms part of Regatta Park. The proposal forms part of a greater Master Plan for the Regatta Park Precinct developed by Penrith City Council and which is subject to a separate development application. For full details of all works proposed as part of DA 20/0628, refer to the original SEE prepared to accompany the DA and which is attached to this report.

The subject property is identified as Crown Land (Reserve 90020) reserved for Future Public Requirements notified 7th April 1972 – Additional Purpose – S2.14: Public Recreation; Community Purposes; Heritage Purposes. The reserve is under the management of the Penrith City Council, appointed by NSW Government Gazette notice 16 April 2021, as a Council Crown land manager (Council Manager) under the *Crown Land Management Act* 2016.

This report was prepared by Jessica Kroese of this office with review by Kate Denny (see attached CVs). The site has been inspected on a number of occasions in 2020 and 2021 by Sean Johnson and Kate Denny.

The former Police Station and Residence is listed in Schedule 5 of the *Penrith Local Environmental Plan* 2010 as a local heritage item (Item No. 52). No. 30 Great Western Highway is also listed in Schedule 5 of the *Penrith Local Environmental Plan* 2010 Part 3 as an archaeological item (Item No.

A053) (retains the archaeological remains of a former Police residence). The subject properties are not located within a Heritage Conservation Area.

A *Statement of Heritage Impact* has been prepared covering heritage aspects of the modified works.

1.1. Description of the Subject Property

The subject properties at No. 4 Punt Road is located in the suburb of Emu Plains, within the local government area of Penrith City Council, in the Parish of Strathdon County of Cook.

While the previous DA20/0628 refer to works contained within five separate allotments, the modified works apply only to No. 4 Punt Road. The real property definition of the subject property is Lot 7038 DP 94188.

The subject property is located on the southern side of Punt Road, east of the intersection with the Great Western Highway and River Road, in the north-eastern corner of the River Road Reserve (see Figure 1.1).

The subject property is bounded by Punt Road to the north, the Great Western Highway to the northwest, River Road to the West and undeveloped, public reserve lands to the south, east and west. Directly to the north (across Punt Road) is the historic property, Emu Hall and directly to the east is the shared pedestrian/cycle bridge over the Nepean River, the Yandhai Nepean Crossing.

No. 4 Punt Road contains a weatherboard with corrugated metal roof single storey cottage constructed in 1908 and weatherboard double privy (of a similar date), the remains of garden beds and pathways and tree plantings. The front property boundary is defined by a recent timber paling fence with metal gates for vehicle access and pedestrian access. The eastern boundary is defined by the remnants of a timber post and wire fence, while fencing to the south and west boundaries has been removed.

Vehicle access to the allotment at No. 4 Punt Road is available via the northern frontage, off Punt Road. In addition, the immediately adjacent allotment to the west (No. 28 Great Western Highway) also has vehicle access off Punt Road and is also used to gain access to the subject property. As the property at 4 Punt Road is currently vacant, the cottage and privy are enclosed with security fencing and due to recent vandalism, and the windows and doors of the cottage have been sheeted over with plywood boards to increase security.

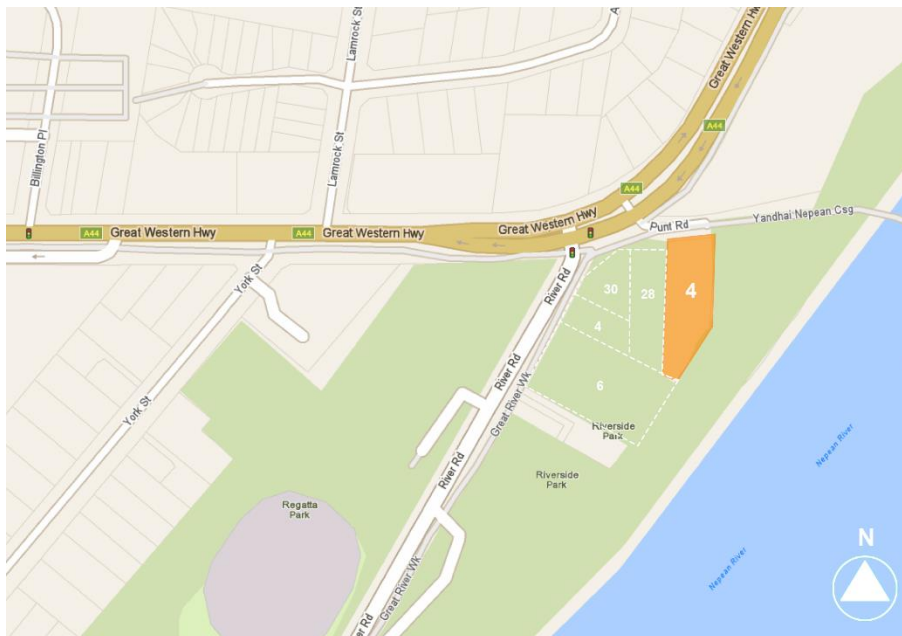


Figure 1: Map showing the location of the subject properties at No. 4 Punt Road (in orange). The boundaries of the properties subject to the original DA20/0628 are shown dashed. Source: NearMaps, 2021



Figure 2: Aerial view of the subject property (outlined in orange) showing the cadastral boundaries and immediate surrounds. Source: NSW Spatial Services, SixMaps, 2021

Recent Photographs



Figure 3: Front (north) elevation of the former Police Station and Residence.



Figure 4: Southern (rear) elevation of the former Police Station and Residence and location of proposed extension.



Figure 5: Southern (rear) elevation of the former Police Station and Residence.



Figure 6: East elevation of the former Police Station and Residence, with original main entry.



Figure 7: The original weatherboard double privy located in the rear garden of the allotment.



Figure 8: Interior view of existing kitchen looking north (room 8).



Figure 9: Interior view of existing kitchen looking south (room 8).



Figure 10: Interior view of existing living room (room 5), looking east.

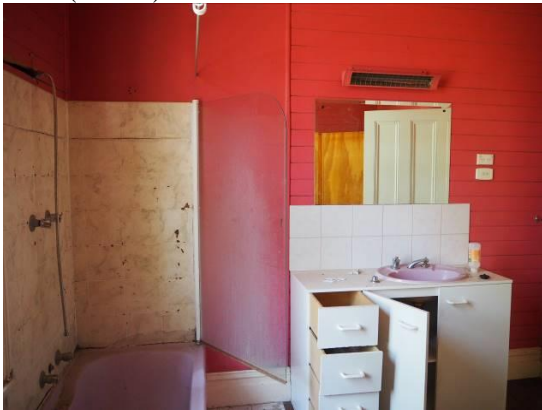


Figure 11: Interior view of existing bathroom (room 4).



Figure 12: Interior view of existing bedroom (room 1), looking southeast.

2. The Proposal

2.1. Documents Describing the Proposal

The proposed modified works are described in the following documents:

- Drawings by Lucas Stapleton Johnson and Partners:
 - 124010/00/A – Index, dated 6th October 2021;
 - 124010/14/D – Proposed Site Plan, dated 6th October 2021;
 - 124010/12/B – As Existing Plan Showing Demolitions, dated 6th October 2021;
 - 124010/16/L – Proposed Plan, dated 6th October 2021;
 - 124010/18/D – Proposed East and South Elevations, dated 6th October 2021;

- 124010/19/D – Proposed North and West Elevations, dated 6th October 2021;
- 124010/30 – As existing Privy Plan and Elevations, dated 2nd July 2021;
- 124010/31/D – Proposed Privy and Store Plan and Elevations, dated 6th October 2021;
- 124010/33/D – Proposed Waste Room Plan and Elevations, dated 12th August 2021;
- 124010/204 – Existing Landscape Plan, including Relocated Trees, dated 5th August 2021;
- 124010/205 – Landscape Plan, dated 5th August 2021.
- Statement of Heritage Impact, prepared by Lucas Stapleton Johnson and Partners, 12th October 2021;
- Waste Management Plan, prepared by Penrith City Council.

2.2. Summary of Proposal

The works that are the subject of this S4.55(2) modification to development consent apply to No. 4 Punt Road only.

In brief, the modified works involve the following:

- New addition to western side of Privy;
- Accessible WC extended to the south by 300mm to comply with DDA requirements. Accessible WC and cool room set off from existing kitchen by 270mm and roof ridge raised from 2700mm to 2900mm from internal FFL.
- Construction of separate waste room located to the south west of the existing building;
- Front and rear verandah balustrades to be reconstructed;
- Installation of ducted air conditioning to serve each room of the main building;
- Landscaping works, including:
 - Changes to path layout. Paths to be mostly brick paved with small portions decomposed granite;
 - Five trees to be relocated;
 - New plantings;
 - Whole of eastern boundary to be interpreted with new fence posts;
 - New bollards alongside all paths and external lighting to comply with crime prevention DA requirements.
- Minor internal changes, including widening of some internal openings, deletion of one proposed opening between room 6 and 7.
- Minor external changes, including:
 - Changes to size and material of eastern external awnings;
 - Modification of size and orientation of stairs to comply with BCA requirements;
 - Modification to materials to southern ramp – to be constructed in metal with brick landing;
 - Two new mechanical exhaust fans to new extension and over dishwasher room. Size of kitchen exhaust altered;
 - Appearance of external kitchen door (ND17) changed;
 - Existing sewer vent to eastern elevation to be removed.

Exclusions

The current proposal does not include the following:

- Registration of a food premises

- On-premises liquor license
- Operational details for the future use of the site as a café/restaurant (e.g. numbers of patrons, staff, hours of operation etc.)
- Signage

The above components of the proposed future use of the subject property are to be the subject of separate development applications and approvals.

3. Planning Controls and Planning Issues to be Considered

The relevant planning instruments applicable to the above proposal include:

- *Crown Land Management Act 2016*
- *Sydney Regional Environmental Plan (SREP) No. 20 – Hawkesbury-Nepean River (No 2 – 1997)*
- *Penrith Local Environmental Plan (LEP) 2010*
- *Penrith Development Control Plan (DCP) 2014*

Pursuant to Section 4.15 of the *Environmental Planning & Assessment Act (EP&A Act) 1979*, the following sections assess compliance with the planning instruments applicable to the site pursuant to the relevant matters for consideration.

3.1. Crown Land Management Act 2016 (CLM Act)

The proposed modifications to DA20/0628 will result in no change to the assessment already made in regards to the *Crown Land Management Act 2016* or the *Regatta Park Plan of Management*. Refer to the SoEE prepared as part of the original DA20/0628 and attached to this report in regards to these matters.

3.2. Sydney Regional Environmental Plan (SREP) No. 20 – Hawkesbury-Nepean River (No 2 – 1997)

The provisions of the *Sydney Regional Environmental Plan (SREP) No. 20 – Hawkesbury-Nepean River (No 2 – 1997)* apply generally to any proposed development on the subject site. The proposed modifications to DA20/0628 will result in no change to the assessment already undertaken in regards to the relevant provisions of the SREP. Refer to the SoEE prepared as part of the original DA20/0628 and attached to this report.

3.3. Penrith Local Environmental Plan (LEP) 2010

In relation to the below clauses, the modifications proposed will result in no change to the assessment already undertaken as part of the original DA20/0628. Refer to the SoEE prepared as part of the original DA20/0628 and attached to this report.

- *Clause 2.3 Zone Objectives and Land Use Table*
- *Clause 4.3 Height of Buildings*
- *Clause 4.4 Floor Space Ratio*
- *Clause 7.1 Earthworks*
- *Clause 7.2 Flood Planning*
- *Clause 7.5 Protection of scenic character and landscape values*

Clause 5.10 Heritage Conservation

A *Statement of Heritage Impact* has been prepared addressing the proposed modified works and accompanies this submission.

3.4. Penrith Development Control Plan (DCP) 2014

The following assessment addresses only those provisions relevant to the modified works. Refer to the SoEE prepared as part of the original DA20/0628 and attached to this report for an assessment against all works not subject to the proposed modified works.

The *Penrith DCP* 2014 identifies the following relevant design principles to be considered.

C1: Site Planning and Design Principles

Design Principle	Comment
1.2.3 Building Form – Height, Bulk and Scale	
<p>(a) <i>Context: An applicant must demonstrate how all proposed buildings are consistent with the height, bulk and scale of adjacent buildings and buildings of a similar type and use.</i></p>	<p>The modified works include the construction of a new addition to the western side of the existing Privy. The addition is a small, single storey framed structure with a skillion roof located below the eaves of the existing privy.</p> <p>The proposed new Waste Room is also a similar small-scale lightweight structure located away from the main building.</p> <p>These works have been designed to complement the style, form and height of the existing building.</p>
<p>(b) <i>Character: An applicant must demonstrate how any building's height, bulk and scale will avoid or minimise negative impacts on an area's landscape, scenic or rural character (where relevant) taking into account the topography of the area, the surrounding landscape and views to and from the site.</i></p>	<p>The proposed addition to the Privy and new Waste Room are consistent with the existing building's height, bulk and scale and will have minimal visual impact.</p> <p>The proposed landscaping works involve new plantings appropriate to the vegetation community of the surrounding area of the Nepean River. The proposed landscaping works will result in no impact on the area's landscape or scenic character and will not impinge on existing available views into and out of the Regatta Park Precinct and surrounding public reserve lands.</p>
<p>(e) <i>Setbacks/Separations: Buildings should be sufficiently set back from property boundaries and other buildings to:</i></p> <p><i>i) Maintain consistency with the street context and streetscape character, especially street/front setbacks;</i></p> <p><i>ii) Maximise visual and acoustic privacy, especially for sensitive land uses;</i></p> <p><i>iii) Maximise deep root planting areas that will support landscape and significant tree plantings integrated with the built form, enhancing the streetscape</i></p>	<p>The modified works involve the extension of the approved cool room and accessible WC by 300mm to the south.</p> <p>A separate Waste Room is also proposed to be located to the south west of the existing the former Police Station and Residence.</p> <p>As such, there will be a further minor reduction in setbacks to the western and southern property boundaries of 4 Punt Road than that approved in DA20/0628. However, as the former Police Station and Residence is a stand-alone building within the parklands of Regatta Park, there is no established streetscape character or setbacks and</p>

Design Principle	Comment
<p><i>character and reducing a building's visual impact and scale;</i></p> <p><i>iv) Maximise permeable surface areas for stormwater management; and</i></p> <p><i>v) Minimise overshadowing</i></p>	<p>there are no immediately adjacent residential buildings or overshadowing issues. The remainder of the allotment will be retained as landscaped area, with minimal hard paving.</p> <p>As such, the minor reduction in the setbacks will result in no impacts on the existing street context and streetscape character.</p> <p>The modified works also include landscaping and new pedestrian paths linking the former Police Station and Residence to carparking to the west, privy to the south, and Punt Road to the north. These paths will be primarily finished with brick paving and decomposed granite. The proposed new pedestrian paths will only minorly increase the overall impervious surfaces within the property, and are largely in the same location and extent to those pedestrian paths already approved.</p>

C2: Vegetation Management

The modification involves the relocation of five trees within the allotment to a new area within the same allotment.

According to the *Aboriginal Impact Assessment Report and Addendum* (Earthscape Horticultural Services, September 2020) prepared as part of the original DA20/0628, the Murraya tree (T12/Tree T386) is identified as being of Moderate retention value and the Sentry palm (T7/T374) is identified as being of High retention value. Both trees are being retained but are required to be relocated to accommodate the new deck and pathways. The other trees and shrubs identified to be relocated as part of the modification are not included within the *Aboriginal Impact Assessment Report*. Regardless, all five trees are being retained, rather than removed.

Refer also to the SoEE prepared as part of the original DA20/0628.

C3: Water Management

3.2 Catchment Management and Water Quality

The modified works involve the extension of the approved WC and Cool Room by 300mm, the construction of a new addition to the Privy, and a new Waste Room. As a result, the overall roof area will increase from 180m² to 188m². All new pathways proposed are permeable (brickwork or decomposed granite) and new structures such as the ramp and decking are also permeable, and any stormwater run-off generated as a result of these features will be allowed to soak into the ground.

As per Table C3.1 of the DCP, developments that are required to consider water Sensitive Urban Design include commercial uses in which alterations and additions result in an increase in roof area and impervious area equal to or greater than 250 metres².

As the modified roof area is less than 250 metres² the provisions of this clause do not apply.

3.3 Watercourses, Wetlands and Riparian Corridors

The proposed modifications to DA20/0628 will result in no change to the assessment already made in regards to this clause. Refer to the SoEE prepared as part of the original DA20/0628 and attached to this report.

3.5 Flood Planning

The proposed modifications to DA20/0628 will result in no change to the assessment already made in regards to this clause. Refer to the SoEE prepared as part of the original DA20/0628 and attached to this report.

3.6 Stormwater Management and Drainage

The following controls apply:

1) Natural Environment

- a) Runoff must not be discharged into bushland areas, including threatened ecological communities.*
- b) Pipe outlets shall be treated with measures to dissipate stormwater velocity, except where waters enter a formed channel or similar structure that is unlikely to be damaged by water flowing in at high velocity.*
- c) Permeable ground surfaces are to be maintained as far as possible, and where suitable conditions exist, stormwater is to be infiltrated on-site.*

2) Drainage

- b) The development of any lot should take into account the existing drainage patterns of the area, including any localised ponding, and whether the proposed development is likely to affect:
 - i) Access to the site;*
 - ii) Drainage on adjoining properties;*
 - iii) Localised nuisance flooding on adjoining properties; and*
 - iv) Natural overland flow or drainage paths.**
- f) If the site has access to Council's stormwater drainage system, all roof and surface water that is not recycled for use on the site must be discharged into Council's stormwater drainage system. No surface drainage will be permitted to discharge across Council's footways or reserves or enter adjoining land.*

The modified works involve setting off the Accessible WC and cool room from the existing kitchen by 270mm, as well as extending the WC and Cool Room by an additional 300mm to the south. As a result, the roof area of the former Police Station and Residence will marginally increase by 2m². The proposed Privy extension and Waste Room will further increase the overall roof area by 6m², for a new total roof area of 188m².

As such, there will be only a very minor increase to the overall stormwater run-off as a result of the proposed modifications.

Regardless, the remainder of the site is to be landscaped and pathways, ramps, decking and stairs are all permeable. As such, any additional stormwater run-off generated as a result of the modification will soak into the ground and should not cause any overflow on adjoining sites.

3.8 Rainwater / Storage Tanks

The proposed modifications to DA20/0628 will result in no change to the assessment already made in regards to this clause. Refer to the SoEE prepared as part of the original DA20/0628 and attached to this report.

C5: Waste Management

Waste Management Plans

The proposed modifications to DA20/0628 will result in no change to the assessment already made in regards to this clause. Refer to the SoEE prepared as part of the original DA20/0628 and attached to this report. An updated Waste Management Plan has also been prepared by Penrith City Council and which addresses the proposed new Waste Room.

Development Specific Controls

As the subject properties are proposed to be adapted for use as a commercial venue, the following controls apply:

5.2.4 Non-Residential Development Controls	Comment
<p>3) <i>Waste storage and collection areas should be:</i></p> <p><i>a) Flexible in their design so as to allow for future changes in the operation, tenancies and uses;</i></p> <p><i>b) Located away from primary street frontages, where applicable;</i></p> <p><i>c) Suitably screened from public areas so as to reduce the impacts of noise, odour and visual amenity; and Waste Management</i></p> <p><i>d) Designed and located to consider possible traffic hazards (pedestrian/vehicular) likely to be caused by the storage and collection of waste.</i></p>	<p>The modified proposal includes the construction of a separate Waste Room, located to the south west of the former Police Station and Residence, away from the primary street frontage (Punt Road) and adjacent to the proposed loading zone and turning circle within the proposed new carpark west of the former Police Station and Residence allotment (not subject to this modification). However, the Waste Room is wholly located within the subject allotment and will not obscure or obstruct traffic and pedestrian movement within the subject and adjacent properties.</p> <p>The enclosure is to be clad in galvanised corrugated metal sheeting to allow for the hosing out of the enclosure. The enclosure has been designed to accommodate two 1100L Bins and one 660L Recycling Bin.</p> <p>The galvanised metal sheeting has been selected as it is an appropriate material for the heritage values of the former Police Station and Residence and is in keeping with the character of the property.</p> <p>All other matters relating to waste management will <u>not change</u> as a result of the proposed modified works. Refer to the SoEE prepared as part of the original DA20/0628 and attached to this report.</p>

C6: Landscape Design

Development Control	Comment
6.1.2. Protection of the Environment	
<p>6) Species Selection</p> <p>a) Plant selection for all landscaping works must consider and will be assessed for its suitability to existing site conditions such as soils, aspect, drainage and micro-climate.</p> <p>b) Native species is encouraged for any landscape design.</p>	<p>The modified proposal involves the relocation of five trees within the allotment to a new area within the same allotment. They are being relocated in order to make way for the proposed approved development as per DA20/0628.</p>

Development Control	Comment
<p>c) The use of exotic or introduced species may be considered if they are part of a site's and locality's existing landscape character and there is a low chance of spreading into native bushland.</p> <p>d) If a site has remnant native bushland or is located adjacent to native bushland, the plant species that should be used in the landscape design should be those that occur in the bushland, preferably provenance stock.</p> <p>e) Species selected should not include those listed in the Noxious Weeds Act 1993 or on the list of environmental weeds (see Appendix F4 Technical Information to this DCP).</p> <p>f) Planting should consist of a variety of trees, shrubs and ground covers to contribute to biodiversity</p>	<p>New plantings and garden beds are also proposed to be located to the north, south and western sides of the building. The selected plantings comprise both native and introduced species. The introduced species have been selected as they are in keeping with the existing character of the locality and heritage values of the place. Refer to the updated the <i>Statement of Heritage Impact</i>, which has been prepared to address the modified works.</p> <p>The selected plantings will have a low chance of spreading into native bushland and are not species listed in the <i>Noxious Weeds Act 1993</i> or on the list of environmental weeds as per Appendix F4 of the <i>Penrith DCP 2014</i>.</p> <p>The proposed modified works will result in a minimal loss of landscaped area due to the construction of the Waste Room and Privy addition, however, the amount of vegetation within the property will be increased.</p> <p>Refer to the SoEE prepared as part of the original DA20/0628 for further discussion regarding Landscape Design.</p>
<p>11) Minimisation of Impervious Surfaces</p> <p>a) Where possible, all landscape designs should include permeable paving options.</p> <p>Permeable paving includes the use of permeable/porous paving units, ornamental gravel and paving on a compacted sand bed.</p>	<p>The pedestrian paths within No. 4 Punt Road will be finished with brick paving and decomposed granite, which are both permeable surfaces. The remainder of the landscaped area will remain grassed with scattered plantings.</p>
6.1.3. Neighbourhood Amenity and Character	
<p>1) Landscape Character</p> <p>a) Landscape design should reinforce the identified natural attributes of the site including, but not limited to, watercourses, landmark elements, landforms, views and vistas, significant trees, vegetation patterns and historic buildings.</p> <p>b) Remnant native vegetation should be retained, managed and incorporated into landscape designs to conserve the natural biodiversity across the landscape.</p> <p>c) Landscape design should enhance the amenity and visual quality of the site. Landscaping solutions are to be used to screen and enhance visually obtrusive land uses or building elements within their setting.</p>	<p>The modified landscape design has been developed in line with the conservation management plan for the place, includes the retention of historic landscape features and trees and is in keeping with the historic character of the site.</p> <p>The landscape design will enhance the amenity and visual qualities of the site and has been designed to ensure key views into and out of the site will be retained.</p>
<p>5) Heritage</p> <p>a) Landscape designs must comply with any relevant requirements of the 'Culture and Heritage' section of this DCP.</p>	<p>An updated the <i>Statement of Heritage Impact</i> has been prepared addressing the modified works.</p>

Development Control	Comment
<p>8) Utility Areas</p> <p>a) Waste and recyclables storage facilities should be located behind the building line and not adjacent to communal outdoor seating/recreation areas.</p> <p>b) The storage area is to be suitably screened.</p>	<p>The proposed new Waste Room is located to the south west of the main building, well away from communal outdoor seating or recreation areas. The waste room is an enclosed structure clad in corrugated metal, and which screens the stored garbage bins from view.</p>
<p>6.1.4 Site Amenity</p>	
<p>2) Open Space Requirements</p> <p>a) <i>The amount of open space is crucial to the landscape design. This amount will vary depending on:</i></p> <p>i) <i>The use proposed on the site;</i></p> <p>ii) <i>The requirements of the occupants;</i></p> <p>iii) <i>Character of the neighbourhood;</i></p> <p>iv) <i>Requirements in other sections of this DCP;</i></p> <p>v) <i>Retention of mature/significant trees/vegetation; and</i></p> <p>vi) <i>Whether the space is a private or public space</i></p> <p>d) <i>The design of a development should maximise solar access to all open spaces</i></p>	<p>While the modification involves a minor increase to the built area, there will be no change to the available open space surrounding the property, as it is located within a public park.</p> <p>As such, the proposed modifications to DA20/0628 will result in <u>no change</u> to the assessment already made in regards to this clause. Refer to the SoEE prepared as part of the original DA20/0628 and attached to this report.</p>
<p>4) <u>Equal Access</u></p> <p>a) <i>In accordance with the Federal Disabilities Discrimination Act 1992 and the NSW Anti Discrimination Act 1977, and all relevant Australian Standards, the following design elements must be considered when designing any landscape projects to ensure equal access for people with disabilities:</i></p> <p>i) <i>Pedestrian routes;</i></p> <p>ii) <i>Tactile warning strips with a strong contrast to adjoining paving;</i></p> <p>iii) <i>Stairways/steps</i></p> <p>iv) <i>Landings;</i></p> <p>v) <i>Ramps;</i></p> <p>vi) <i>Handrails;</i></p> <p>vii) <i>Seating;</i></p> <p>viii) <i>Lighting;</i></p> <p>ix) <i>Signage</i></p> <p>x) <i>Luminance contrast of street and park furniture.</i></p>	<p>The proposed modified works involve the extension of the approved Accessible WC by 300mm in order to comply with DDA requirements. Three internal openings and one external opening have been marginally widened in order to provide equitable access to the building in accordance with AS 1428.1 – 2009</p> <p>The size and orientation of the external stairs has also been modified in order to comply with BCA requirements.</p> <p>Tactile Ground Surface Indicators have been specified to all stairways and ramps.</p> <p>New external lighting is proposed to the exterior of the building, all paths, and the handrails of external stairs, ramps, and the eastern deck.</p> <p>The modified proposal ensures compliance with all other relevant Australian Standards.</p>
<p>5) <u>Heritage</u></p> <p>a) <i>Landscape designs must comply with any relevant requirements of the ‘Culture and Heritage’ section of this DCP.</i></p>	<p>An updated <i>Statement of Heritage Impact</i> has been prepared which addresses heritage considerations in relation to the proposed</p>

Development Control	Comment
<p><i>b) If a site is listed as a heritage item or is within a heritage conservation area, a heritage impact statement may be required. The landscape design is to retain any natural, cultural or architectural features that are essential to the conservation of the heritage significance of the place. The landscape design should respect the importance of these heritage features, be of a sympathetic style and form, and should be influenced by any relevant heritage landscape evidence.</i></p>	<p>modifications to DA20/0628, and accompanies this application.</p>
<p>8) Utility Areas</p> <p><i>a) Waste and recyclables storage facilities should be located behind the building line and not adjacent to communal outdoor seating/recreation areas.</i></p> <p><i>b) The storage area is to be suitably screened.</i></p>	<p>The modified Waste Room is proposed to be located on the western side of the former Police Station and Residence, behind the building line and not adjacent to communal outdoor seating areas. The Waste Room is to be clad in corrugated metal cladding in keeping with character of the existing cottage and minimising visual impact.</p>

C7: Culture and Heritage

Refer to the *Statement of Heritage Impact* accompanying which addresses heritage considerations in relation to the proposed modifications to DA20/0628, and accompanies this application.

C8: Public Domain

The proposed modifications to DA20/0628 will result in no change to the assessment already made in regards to this section. Refer to the SoEE prepared as part of the original DA20/0628 and attached to this report.

C10 Transport, Access and Parking

The proposed modifications to DA20/0628 are to the allotment at No. 4 Punt Road only. No changes are proposed to the carparking approved as part of DA20/0628. As such, the proposed modifications to DA20/0628 will result in no change to the assessment already made in regards to this section. Refer to the SoEE prepared as part of the original DA20/0628 and attached to this report.

4. Environmental Effects

The proposed modifications to DA20/062 will result in no change to the environmental effects already addressed in the SoEE prepared as part of the original DA20/0628 and attached to this report.

5. Conclusion

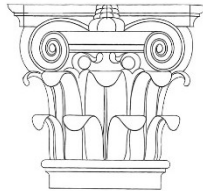
The proposed modifications to alterations and additions 4 Punt Road, Emu Plains involve minor changes to the approved works. They have been proposed to improve services and amenity for the new café use of the property and to ensure compliance with the relevant Australian Standards.

The proposed modifications involve minimal environmental impacts and the development as modified is substantially the same development as approved.

Consequently, in the view of this firm the proposal has no impact on the significance of the property or its environmental effects and development consent DA 20/0628 should be modified accordingly.

Kate Denny
Lucas Stapleton Johnson & Partners Pty Ltd
LSJ Heritage Planning & Architecture

Encl.
SOEE prepared for DA20/0628, dated 19th May 2021
CV KD JK



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Former Police Station & Residence, 4 Punt Road, Nos. 28-30 Great Western Highway and Nos. 4 and 6 River Road, Emu Plains

Alterations and additions to former Police Station & Residence and change of use as a Café, with associated carparking and landscape works.

STATEMENT OF ENVIRONMENT EFFECTS

Prepared for: Penrith City Council

Issued: 19th May 2021

1. Introduction

This *Statement of Environmental Effects* (SOEE) provides an analysis of a proposal for changes to the former Police Station and Residence at No. 4 Punt Road, Emu Plains with associated alterations and additions, and carparking and landscape works at the adjacent properties: Nos. 28 and 30 Great Western Highway and Nos. 4 and 6 River Road.

This report has been prepared in support of a Development Application through Penrith City Council. The proposal forms part of a greater Master Plan for the Regatta Park Precinct developed by Penrith City Council and which is subject to a separate development application.

The proposal involves the change of use of the former Police Station and Residence at 4 Punt Road to commercial uses, and alterations and additions (external and internal), upgrading of services and amenities, provision of equitable access and fitout for café use, and associated carparking to the properties at 28 and 30 Great Western Highway and 4 and 6 River Road. A portion of the works relating to the carpark also extend into the road reserve for River Road.

This report was prepared by Jessica Kroese of this office (see attached CV) with review by Kate Denny. The site was inspected by Sean Johnson and Eleanora Caudai in July 2020.

The Former Police Station and Residence is listed in Schedule 5 of the *Penrith Local Environmental Plan 2010* as a local heritage item (Item No. 52). No. 30 Great Western Highway is also listed in Schedule 5 of the *Penrith Local Environmental Plan 2010* Part 3 as an archaeological item (Item No. A053) (retains the archaeological remains of a former Police residence). The subject properties are not located within a Heritage Conservation Area.

A separate *Statement of Heritage Impact* has been prepared covering heritage aspects for the proposal.

1.1. Description of the Subject Properties

The subject properties at No. 4 Punt Road, Nos. 28 and 30 Great Western Highway and No. 4 and No. 6 River Road, and the River Road Reserve are located in the suburb of Emu Plains, within the local government area of Penrith City Council, in the Parish of Strathdon County of Cook.

The real property definition of the subject properties are (see Figure 1.2):

- No. 4 Punt Road is Lot 7038 DP 94188.
- No. 28 Great Western Highway Emu Plains is Lot 1 DP 50164.
- No. 30 Great Western Highway Emu Plains is Lot 10 DP 1216230.
- No. 4 River Road Emu Plains is Lot 9 DP 228204
- No. 6 River Road Emu Plains is Lot A DP435464,

The properties are located on the southern side of Punt Road, east of the intersection with the Great Western Highway and River Road, in the north-eastern corner of the River Road Reserve (see Figure 1.1).

The properties are bounded by Punt Road to the north, the Great Western Highway to the northwest, River Road to the West and undeveloped, public reserve lands to the south, east and west. Directly to the north (across Punt Road) is the historic property, Emu Hall and directly to the east is the shared pedestrian/cycle bridge over the Nepean River, the Yandhai Nepean Crossing.

4 Punt Road contains a weatherboard with corrugated metal roof single storey cottage constructed in 1908 and weatherboard double privy (of a similar date), the remains of garden beds and pathways and tree plantings. The front property boundary is defined by a recent timber paling fence with metal gates for vehicle access and pedestrian access. The eastern boundary is defined by the remnants of a timber post and wire fence, while fencing to the south and west boundaries has been removed.

Vehicle access to the allotment at 4 Punt Road is available via the northern frontage, off Punt Road. In addition, the immediately adjacent allotment to the west (No. 28 Great Western Highway) also has vehicle access off Punt Road and is also used to gain access to the subject property. As the property at 4 Punt Road is currently vacant, the cottage and privy are enclosed with security fencing and due to recent vandalism, and the windows and doors of the cottage have been sheeted over with plywood boards to increase security.

Nos. 28 and 30 Great Western Highway and 4 and 6 River Road, Emu Plains are vacant land. No. 30 Great Western Highway is an archaeological site and contains the archaeological remains of a former Police residence/station. The site also contains an interpretation sign providing a brief outline of the history of property. Refer to the *Historical Archaeological Management Plan* prepared by Unearthed, dated February 2020, as well as the Heritage Impact Statement accompanying this submission for further details.

Land Ownership

The five subject allotments form part of Regatta Park. No. 4 Punt Road is Crown Land (Reserve 90020) reserved for Future Public Requirements notified 7th April 1972 – Additional Purpose – S2.14: Public Recreation; Community Purposes; Heritage Purposes. The reserve is under the management of the Penrith City Council, appointed by NSW Government Gazette notice 16 April 2021, as a Council Crown land manager (Council Manager) under the *Crown Land Management Act* 2016.

The remaining four allotments at Nos. 28 and 30 Great Western Highway and Nos. 4 and 6 River Road are Penrith City Council owned land. The River Road Reserve is managed by Council as part of Regatta Park.

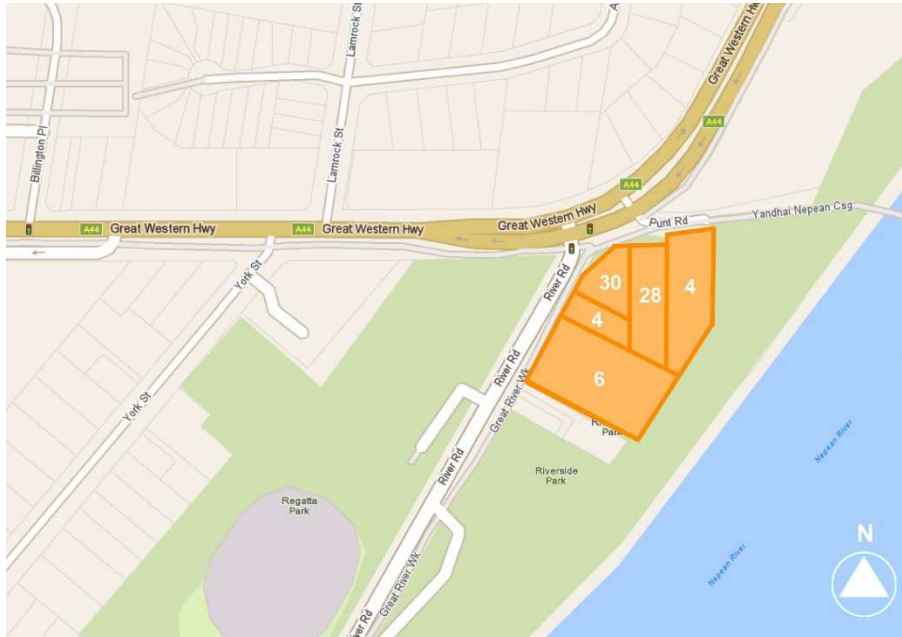


Figure 1: Map showing the location of the subject properties at No. 4 Punt Road, 28 and 30 Great Western Highway and 4 and 6 River Road, Emu Plains. Source: NearMaps, 2021



Figure 2: Aerial view of the subject properties (outlined in orange) showing the cadastral boundaries and immediate surrounds. Source: NSW Spatial Services, SixMaps, 2021

Recent Photographs



Figure 3: Punt Road, looking west towards the Great Western Highway. The front (north) fence boundary of 4 Punt Road is to the left of frame.



Figure 4: Western elevation of the former Police Station Residence, looking across the adjacent allotments of Nos. 28 and 30 Great Western Highway.



Figure 5: Front (north) elevation of former Police Station Residence.



Figure 6: Southern (rear) elevation of former Police Station Building and location of proposed extension.



Figure 7: Southern (rear) elevation of former Police Station Building.



Figure 8: East elevation of former Police Station with original main entry.



Figure 9: The original weatherboard double privy located in the rear garden of the allotment.



Figure 10: Interior view of existing kitchen looking north (room 8).



Figure 11: Interior view of existing kitchen looking south (room 8).



Figure 12: Interior view of existing living room (room 5), looking east.



Figure 13: Interior view of existing bathroom (room 4).



Figure 14: Interior view of existing bedroom (room 1), looking southeast.



Figure 15: View from River Road, looking east over No. 28 and 30 Great Western Highway towards the Police Station and Residence.



Figure 16: View towards River Road, with former Police Station and Residence to the right.



Figure 17: Undeveloped land at No. 6 River Road



Figure 18: Looking northwest No. 4 River Road to the intersection of Great Western Highway and River Road to location of proposed carpark.



Figure 19: General view looking east from River Road across No. 4 River Road



Figure 20: Existing interpretation sign at No. 30 Great Western Highway for the former Police residence/station archaeology.

1.2. Present and Previous Uses

The building at No. 4 Punt Road was initially used as a Police Station and Residence for the Emu Plains Police until c1921, after which time it was in use as a single private residence. The property is currently vacant.

Nos. 28 and 30 Great Western Highway and Nos. 4 and 6 River Road, Emu Plains are currently vacant land. All four allotments have been vacant since the 1990s following demolition of the former buildings.

River Road is a local two lane road that presently provides vehicle access off Great Western Highway along the Western bank of the Nepean River. It was established as a road in 1854.

2. The Proposal

2.1. Documents Describing the Proposal

The proposed works are described in the following documents:

- Drawings by Lucas Stapleton Johnson and Partners:
 - 124010/10/A – Index, dated 14th September 2020;
 - 124010/11/B – Context and Site Analysis Plan, dated 14th September 2020;
 - 124010/12/A – As Existing Plan, dated 5th August 2020;
 - 124010/13 – As Existing Elevations, dated 5th September 2020;
 - 124010/14/C – Proposed Site Plan, 3rd May 2021;
 - 124010/16/A – Proposed Plan, , 6th May 2021;
 - 124010/18 – Proposed East and South Elevations, 14th September 2020;
 - 124010/19 – Proposed North and West Elevations, 14th September 2020;
 - 24010/20/B – Waste and Management Plan, 13th May 2021;
 - 24010/21/A – Crime Prevention Plan, 6th May 2021;
- Drawings by McGregor Coxall:
 - LD-CD-PC1 (I) – PC – Demolition Plan, 12th May 2021;
 - LD-CD-PC2 (I) – PC – Materials and Finishes Plan, 12th May 2021;
 - LD-CD-PC3 (I) – PC – Planting Plan, 12th May 2021;
- *Preliminary Budget Estimate* prepared by WT partnership;
- *Regatta Park Police Cottage Traffic Parking and Pedestrian Impact Study*, prepared by SCT Consulting, dated 14th May 2021;
- *Schedule of Works*, prepared by Lucas Stapleton Johnson & Partners and dated 23rd September 2020;
- *Cost Estimate*, prepared by A & DR Illes Pty. Ltd. and dated 20th February 2019.
- *Former Police Station and Residence, 4 Punt Road, Emu Plains Conservation Management Plan*, prepared by Lucas, Stapleton, Johnson & Partners, dated February 2020;
- *Regatta Park, Emu Plains: Final Historical Archaeological Testing Report*, Eco Logical Australia, March 2021;
- *Regatta Park, AHIP Application - Notice to Supply Further Information*, EcoLogical Australia, September 2020;
- *Arboricultural Impact Assessment Report Proposed Park Re-Development Regatta Park, River Road, Emu Plains*, Earthscape Horticultural Services, September 2021;

- *Regatta Park – River Road, Emu Plains: Adaptive Re-use of Former Police Station (4 Punt Road, Emu Plains Addendum [1] to Arboricultural Impact Assessment Report, Earthscape Horticultural Services, September 2021;*
- *Asbestos Clearance Inspection and Clearance Certificate, prepared by Trinitas Group, dated 16th July 2020*

2.2. Summary of Proposal

In brief, the proposal involves the change of use of the former Police Station & Residence for commercial uses, alterations and additions, fitout for café use and upgrading of services and facilities, and associated carparking. The proposal includes the following works (refer also to the Scope of Works accompanying this application for a detailed description of the works relating to the former Police Station building):

Police Station and Residence (4 Punt Road)

- Enclosure of the Rear Verandah with glazing to house the washing up area;
- Refit of Kitchen (room 8) with finishes and fittings compliant with commercial kitchen requirements;
- Alteration of former Bathroom (room 4) as a bar;
- Use of remainder of rooms in their original configuration as dining areas and service areas;
- Restore and refit existing weatherboard privy at rear for male and female toilets;
- Construction of a lean-to addition to the rear wing of cottage to accommodate a cold store and accessible WC;
- Construction of a timber and steel ramp to rear of site;
- Construction of a partially covered timber deck area on the eastern side of the house;
- Provision of a rainwater tank (unpotable water) located under the proposed deck;
- Landscaping works,;
- Temporary boundary fencing for construction zone and security;
- Pedestrian pathways linking police station and residence to car parking to the west, privy to the south and Punt Road to the north.
- Connection to existing stormwater system at the property.

Associated Carparking

- Introduction of new vehicular access into the western side of No. 4 River Road from River Road;
- Provision of carpark for 13 spaces including two accessible car spaces over the southern portion of No. 30 Great Western Highway and the eastern side of No. 28 Great Western Highway;
- Provision of carpark for 7 spaces over the northern portion of No. 4 River Road;
- One loading zone adjacent to the Police Station and Residence within No. 28 Great Western Highway;
- Pedestrian path along northern boundary of 6 River Road, linking River Road to the car park and Police Station and Residence at 4 Punt Road.
- Connection to existing stormwater system at the properties.

Landscaping Works

- Removal of 19 existing trees;
- New tree plantings and landscaping works associated with proposed pedestrian paths.

Note: although River Road is currently located on the western side of No. 30 Great Western Highway and No. 4 River Road, this roadway is proposed to be removed as part of the Regatta Park Precinct landscape master plan works. A new pedestrian walkway will be provided along the same alignment and a new, large carpark is to be constructed to the west of the walkway. It is proposed that access to the subject carpark at Nos. 28 and 30 Great Western Highway and 4 and 6 River Road servicing the Police Station at No. 4 Punt Road will be via the reconfigured River Road further to the west and through the proposed new large carpark.

Exclusions

The current proposal does not include the following:

- Registration of a food premises
- On-premises liquor license
- Operational details for the future use of the site as a café/restaurant (e.g. numbers of patrons, staff, hours of operation etc.)
- Signage
- External lighting

The above components of the proposed future use of the subject property are to be the subject of separate development applications and approvals.

3. Planning Controls and Planning Issues to be Considered

The relevant planning instruments applicable to the above proposal include:

- *Crown Land Management Act 2016*
- *Sydney Regional Environmental Plan (SREP) No. 20 – Hawkesbury-Nepean River (No 2 – 1997)*
- *Penrith Local Environmental Plan (LEP) 2010*
- *Penrith Development Control Plan (DCP) 2014*

Pursuant to Section 4.15 of the *Environmental Planning & Assessment Act (EP&A Act) 1979*, the following sections assess compliance with the planning instruments applicable to the site pursuant to the relevant matters for consideration.

3.1. Crown Land Management Act 2016 (CLM Act)

No. 4 Punt Road is owned by the State of NSW and as such is Crown Land (Reserve 90020 reserved for Future Public Requirements notified 7th April 1972, Public Recreation, Community Purposes and Heritage Purposes.) The reserve is under the management of the Penrith City Council, appointed by NSW Government Gazette notice 16 April 2021, as a Council Crown land manager (Council Manager) under the CLM Act.

The remaining four allotments at Nos. 28 and 30 Great Western Highway and Nos. 4 and 6 River Road are Penrith City Council owned land.

Owners consent to the lodgement of the Development Application is required to be provided by Penrith City Council.

Regatta Park Plan of Management

The former Police Station and Residence, No. 4 Punt Road; No. 28 and 30 Great Western Highway and Nos. 4 and 6 River Road are located within land that is known as Regatta Park.

Under Division 3.6 of the *Crown Land Management Act 2016*, Clause 3.38 allows for reserved Crown land to be used for a purpose in addition to the purposes for which the land is reserved, if the purpose is specified in a plan of management.

The *Regatta Park Plan of Management* was prepared on behalf of Penrith City Council by Clouston Associates in 2016 in accordance with the *NSW Local Government Act 1993*. A Plan of Management must define existing and future uses of the land as required under the *Local Government Act 1993* and the *Crown Land Management Act 2016* (formerly *Crown Lands Act 1989*).

Section 4.4 Master Plan Description of the *Regatta Park Plan of Management* provides for the future management and maintenance of Regatta Park, including the subject properties.

No. 4 Punt Road is identified as being located within Zone 2- Dining Precinct (North east) of the parklands and the Plan of Management provides for the following in relation to the subject property:

- *The existing Police Cottage will be retained. There is potential for this building to be used as a visitor orientation node. .*

Nos. 28 and 30 Great Western Highway and Nos. 4 and 6 River Road are also identified as being located within Zone 2 – Dining Precinct (North east) of the parklands. The Plan of Management provides for the following in relation to the subject properties:

- *The grass area near the Police Cottage could be used for overflow car parking during events, an event or function space for events associated with potential new uses associated with Emu Hall (such as weddings). The space could also be used for social and family gatherings, outdoor fitness, informal recreation, etc. This is subject to negotiations with existing land owners.*
- *Some existing vegetation within this zone will be removed.*

In addition Section 4.4 of the Plan of Management provides for the following in relation to carparking within the precinct:

- *The main vehicular entrance into Regatta Park begins where the redirected York Street intersects with the realigned River Road. This street then continues towards the Nepean River where car parking will be provided. Car parking is offered along the previously located River Road. Vehicles can access Regatta Park from the Great Western Highway, River Road or York Street.*

In order for the current proposal for the former Police Station and Residence to be implemented, the existing *Regatta Park Plan of Management 2016* needs to be revised and updated to make it compliant with the requirements of the *Crown Land Management Act 2016* and the *Local Government Act 1993*, and the *Regatta Park Plan of Management* will need to be specifically amended to provide for the nature and extent of the proposed future use of subject properties as a café/restaurant with associated parking.

It is noted that the *Regatta Park Plan of Management* is currently being reviewed by Penrith City Council.

3.2. Sydney Regional Environmental Plan (SREP) No. 20 – Hawkesbury-Nepean River (No 2 – 1997)

Sydney Regional Environmental Plan (SREP) No. 20 – Hawkesbury-Nepean River (No 2 – 1997) applies to the subject site. According to Map 26 of the SREP, the subject properties are located within the Middle Nepean & Hawkesbury River Catchment Area and are located within a Scenic Corridor of Regional Significance. The following policies and strategies of relevance apply to the current proposal:

Part 2, Clause 6: Specific Planning Policies and Recommended Strategies

SREP Policy	Relevant Strategies	Comment
<p>(2) Environmentally sensitive areas</p> <p>The environmental quality of environmentally sensitive areas must be protected and enhanced through careful control of future land use changes and through management and (where necessary) remediation of existing uses.</p>	<p>Strategy (h) New development in conservation area sub-catchments should be located in areas that are already cleared.</p>	<p>The current proposal involves alterations and additions to an existing building, located within a domestic garden within public reserve lands that have already been cleared. The associated carparking works are located on lands already cleared.</p>
<p>(3) Water quality</p> <p>Future development must not prejudice the achievement of the goals of use of the river for primary contact recreation (being recreational activities involving direct water contact, such as swimming) and aquatic ecosystem protection in the river system.</p>	<p>Strategy (f) Consider the need for an Erosion and Sediment Control Plan (to be in place at the commencement of development) where the development concerned involves the disturbance of soil.</p>	<p>As the current proposal will involve minor excavation, an <i>Erosion and Sediment Control Plan</i> is to be prepared and submitted to Council prior to the issuing of the Construction Certificate.</p>
<p>(5) Cultural heritage</p> <p>The importance of the river in contributing to the significance of items and places of cultural heritage significance should be recognised, and these items and places should be protected and sensitively managed and, if appropriate, enhanced.</p>	<p>Strategies:</p> <p>(a) Encourage development which facilitates the conservation of heritage items if it does not detract from the significance of the items.</p> <p>(b) Protect Aboriginal sites and places of significance.</p> <p>(c) Consider an Aboriginal site survey where predictive models or current knowledge indicate the potential for Aboriginal sites and the development concerned would involve significant site disturbance.</p> <p>(d) Consider the extent to which heritage items (either identified in other environmental planning instruments affecting the subject land or listed in Schedule 2) derive their heritage significance from the river</p>	<p>The property at No. 4 Punt Road is identified as a local heritage item in Schedule 5 of the <i>Penrith LEP 2020</i>. It is not identified as a heritage item under Schedule 2 of SREP No. 20. The property at 30 Great Western Highway is also listed in Schedule 5 of the <i>Penrith LEP 2010 Part 3</i> as an archaeological item (Item No. A053). It is also not identified as a heritage item under Schedule 2 of SREP No. 20.</p> <p>Refer to the Statement of Heritage Impact accompanying this application for details regarding potential heritage impacts.</p>
<p>(6) Flora and fauna</p> <p>Policy: Manage flora and fauna communities so that the diversity of species and</p>	<p>Strategy (b) Locate structures where possible in areas which are already cleared or disturbed instead of clearing or disturbing further land.</p>	<p>The current proposal involves alterations and additions to an existing building with associated parking, located within a domestic garden</p>

SREP Policy	Relevant Strategies	Comment
<p>genetics within the catchment is conserved and enhanced.</p>		<p>within public reserve lands and the introduction of a carpark to lots that are vacant but contain scattered planting. The current proposal provides for the retention of significant trees around the police station building, the removal of 19 trees at Nos. 28 and 30 Great Western Highway and Nos. 4 and 6 River Road, and replacement plantings of trees and shrubs. Refer to Arboricultural Report accompanying this application.</p>
<p>(7) Riverine scenic quality Policy: The scenic quality of the riverine corridor must be protected.</p>	<p>Strategy (c) Consider the siting, setback, orientation, size, bulk and scale of and the use of unobtrusive, non-reflective material on any proposed building or work, the need to retain existing vegetation, especially along river banks, slopes visible from the river and its banks and along the skyline, and the need to carry out new planting of trees, and shrubs, particularly locally indigenous plants.</p>	<p>As above. The current proposal relates to an existing building located at the top of the river bank at 4 Punt Road, with new parking located northwest at Nos. 4 and 6 River Road, and Nos. 28 and 30 Great Western Highway. No works are proposed to the river bank lands or slopes visible from the river.</p>
<p>(11) Recreation and tourism Policy: The value of the riverine corridor as a significant recreational and tourist asset must be protected.</p>	<p>Strategies:</p> <p>(a) Provide a wide range of recreational opportunities along the river which are consistent with conserving the river's natural values and character.</p> <p>(b) Plan and manage recreational and tourist developments, and associated access points, cycleways and footpaths, so as to minimise any adverse environmental impacts on the river. Locate them where river banks are stable, away from river shallows, major beds of attached aquatic plants or fish breeding areas, where the proposed activities do not conflict with surrounding recreational activities and where significant flora and fauna habitats will not be adversely affected. The upgrading of existing public</p>	<p>The current proposal forms part of the broader redevelopment of the Regatta Park Precinct, which includes upgrading facilities for to provide a wide range of recreational opportunities. These works are being prepared in accordance with the <i>Regatta Park Plan of Management</i> (Clouston Associates, 2016)</p> <p>All works are contained within the existing allotment boundaries of No. 4 Punt Road, Nos. 28 and 30 Great Western Highway, Nos. 4 and 6 River Road and the adjacent River Road Reserve and will have no impact on the river or river bank lands adjacent.</p> <p>Car parking and associated pedestrian pathways have been provided within the allotment boundaries of No. 4 Punt Road, Nos. 28 and 30 Great Western</p>

SREP Policy	Relevant Strategies	Comment
	<p>access to the river is to be preferred over the creation of new access points.</p> <p>(d) Consider the availability of, or need to provide, land for vehicle parking and for suitable access (including access for cars and buses), for boat service areas and for water, electricity and sewage disposal.</p> <p>(f) Consider the visual impact of development on the surrounding area.</p>	<p>Highway and Nos. 4 and 6 River Road to serve the police station and residence at No. 4 Punt Road and the greater Regatta Park area.</p> <p>The proposal involves only alterations and additions to an existing building, with associated parking and landscaping. The works to the existing building have been designed to be in keeping with the existing form, style and character of the former Police Station & Residence, there will be no adverse visual impacts on the surrounding area. The proposed carpark will not include any new structures and will be landscaped to minimise visual impacts.</p>

Part 3, Clause 11: Development Controls

Under Clause 11 (2) Development requiring consent, any development that may be carried out only with development consent is indicated in the item by the words *Consent required*. In this case, the current proposal involves a number of relevant development types that require development consent, as per below:

Development Type	Matters for Consideration	Comment
<p>(15) Land uses in or near the river</p> <p>All uses in the river or a tributary of the river, or within 40 metres of the high water mark of the river or a tributary of the river where it is tidal or within 40 metres of the bank where it is non-tidal. This includes clearing and the construction and use of piers, wharves, boat sheds or other structures which have direct structural connection to the bank or bed of the river or a tributary of the river.</p> <p><i>Consent required.</i></p>	<p>(a) The need to locate access points where riverbanks are stable, away from river shallows and major beds of attached aquatic plants, away from fishing grounds and fish breeding areas, where the proposed activities do not conflict with surrounding recreational activities, and where significant fauna and wetland habitats will not be adversely affected.</p>	<p>The current proposal involves works to an existing building located within a cleared landscape at the top of the slope leading down to the Nepean River and the provision of carparking to the north west of the existing building.</p> <p>No works are proposed that will impact on the natural environment of the river or river banks and the proposed use of the subject property will not conflict with surrounding recreational activities.</p> <p><i>An Erosion and Sediment Control Plan</i> is to be prepared and submitted to Council prior to the issuing of the Construction Certificate.</p>
<p>(16) Land uses in riverine scenic areas</p>	<p>(a) The need to prevent large scale, high density or visually</p>	<p>The current proposal involves works to an existing building at</p>

Development Type	Matters for Consideration	Comment
<p>The following in scenic areas of the riverine corridor shown on the map as being of significance beyond the region (which are also scenic areas of significance for the region) or so shown as being of regional significance only:</p> <p>(a) subdivision, (b) clearing, (c) erection of a structure greater than 50 sq m in area or over 1 storey in height, (d) carrying out of works for the purpose of stabilising the riverbank.</p> <p><i>Consent required.</i></p>	<p>intrusive development on waterfront land or on slopes and ridgetops which are visible from the river or the surrounding visual catchment. (This requires consideration of the proposed form and siting of buildings, of the colours and building materials used, and of landscaping.)</p> <p>(c) Whether the development will damage the banks of the river or creeks.</p> <p>(d) Whether the development is adequately set back from the river.</p>	<p>4 Punt Road and the overall floor area of the building will equate to over 50 sq. metres in area. The proposal is not large scale or high density and will not be visually intrusive as the site is visually obscured from views from the river and surrounding visual catchment by existing tree plantings.</p> <p>No works are proposed to the river bank lands of the Nepean River and the existing setback of approximately 68 metres between the eastern allotment boundary of 4 Punt Road and the Nepean River will be retained. The proposed parking located at Nos. 4 and 6 River Road and Nos. 28 and 30 Great Western Highway is located further west from Police Station and Residence and consequently further from the river bank.</p>
<p>(17) Sewerage systems or works</p> <p>Development for the purpose of any sewerage system or work which stores, treats or disposes of sewage (including domestic on-site disposal systems that are ancillary to development which requires consent) but not including a public utility undertaking.</p> <p><i>Consent required.</i></p>	<p>(a) Whether the proposed development will be capable of connection to a Sydney Water Corporation Limited or council sewerage system either now or in the future.</p>	<p>The subject property at No. 4 Punt Road is already connected to the existing public sewage system located in Punt Road. The current proposal involves the addition of new and additional toilet facilities and all works will utilise the existing system on site.</p> <p>No works are proposed to Nos. 28 and 30 Great Western Highway and Nos. 4 and 6 River Road that require connection to existing public sewage systems.</p>

3.3. Penrith Local Environmental Plan (LEP) 2010

The *Penrith LEP* 2010 identifies the following relevant objectives and development controls in relation to the proposed works.

Clause 2.3 Zone Objectives and Land Use Table

The subject properties are zoned RE1: Public Recreation. Uses permitted with consent under Zone RE1 include restaurants or cafes and car parks.

The proposal involves the adaptation of the existing former police station building for use as a café with associated carparking. The works proposed are required as part of this adaptation and are therefore permitted with consent under zone RE1.

Note: The River Road Reserve is also zoned RE1 and is managed by Council as part of Regatta Park.

Clause 4.3 Height of Buildings

No controls related to the height of buildings apply to the subject properties, as per *Height of Buildings Map Sheet HOB_005*. This clause therefore does not apply.

Clause 4.4 Floor Space Ratio

No controls related to the floor space ratio apply to the subject properties, as per *Floor Space Ratio Map Sheet FSR_005*. This clause therefore does not apply.

Clause 5.10 Heritage Conservation

The former Police Station and Residence located at No. 4 Punt Road is identified as a local heritage item on Schedule 5 of the *Penrith LEP 2010* (item No. 52). The Police Station (former) at 30 Great Western Highway is also listed in Schedule 5 of the *Penrith LEP 2010 Part 3* as an archaeological item (Item No. A053). The subject properties at Nos. 4 Punt Road, Nos. 28 and 30 Great Western Highway, and Nos. 4 and 6 River Road are not located within a Heritage Conservation Area.

Refer to the *Statement of Heritage Impact* accompanying this application for an assessment of the development under this clause.

Clause 7.1 Earthworks

The proposed works involve minor excavations for the construction of piles for the proposed deck, stormwater drains, sewer drain from privy, carparking and general landscaping works.

Before granting development consent for earthworks, the consent authority must consider the following matters:

- (a) *the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,*
- (b) *the effect of the proposed development on the likely future use or redevelopment of the land,*
- (c) *the quality of the fill or the soil to be excavated, or both,*
- (d) *the effect of the proposed development on the existing and likely amenity of adjoining properties,*
- (e) *the source of any fill material and the destination of any excavated material,*
- (f) *the likelihood of disturbing relics,*
- (g) *the proximity to and potential for adverse impacts on any waterway, drinking water catchment or environmentally sensitive area,*
- (h) *any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development,*
- (i) *the proximity to and potential for adverse impacts on any heritage item, archaeological site, or heritage conservation area.*

As the current proposal will involve minor excavation, an *Erosion and Sediment Control Plan* is to be prepared and submitted to Council prior to the issuing of the Construction Certificate.

In addition, as the subject properties are located within the broader Regatta Park Precinct, an *Aboriginal Cultural Heritage Assessment* and *Historical Heritage Assessment and Statement of*

Heritage Impact (Biosis, 2020) have been prepared. Test excavations for archaeology were undertaken by Eco Logical Australia on the 19th October 2020 (permit 2020/s140/015).

Refer to the *Final Historical Archaeological Testing Report*, dated 24th March 2021, prepared by Eco Logical Australia and the *Regatta Park, AHIP Application - Notice to Supply Further Information*, dated September 2020, prepared by Eco Logical Australia supporting this application.

Refer also the *Statement of Heritage Impact* accompanying this application.

Clause 7.2 Flood Planning

This clause applies to:

- (a) *land at or below the flood planning level,*
- (b) *land identified as “Flood planning land” on the Clause Application Map.*

The subject properties are not identified as being within a flood planning area, as per *Flood Planning Land Map – Sheet FLD_005*. However, the subject properties are identified as being flood planning land as per *Clause Application Map – Sheet CAP_001*.

As such, the following requirements of this clause apply to the subject properties:

- (5) *Development consent must not be granted for development on land identified as “Flood planning land” on the Clause Application Map, unless the consent authority is satisfied that the development will not adversely affect the safe and effective evacuation of the land and the surrounding area.*

The proposal involves alterations and additions to an existing building at 4 Punt Road located within the “Flood Planning Land” to allow for the future use of the property as a café/restaurant. The proposal will not adversely affect the safe and effective evacuation of the land or the surrounding area.

A *Flood Management Plan* is to be prepared and submitted to Council prior to the issuing of the Construction Certificate.

Clause 7.5 Protection of scenic character and landscape values

The subject properties are not identified as being land with scenic and landscape values as per *Scenic and Landscape Values Map - Sheet SLV-005*. This clause therefore does not apply.

3.4. Penrith Development Control Plan (DCP) 2014

The *Penrith DCP* 2014 identifies the following design principles to be considered.

C1: Site Planning and Design Principles

Design Principle	Comment
1.2.3 Building Form – Height, Bulk and Scale	
(a) <i>Context: An applicant must demonstrate how all proposed buildings are consistent with the height, bulk and scale of adjacent buildings and buildings of a similar type and use.</i>	The current proposal involves alterations and additions to an existing building located within the Regatta Park Precinct and associated parking. The works have been designed to complement the style, form and height of the existing building.

Design Principle	Comment
<p>(b) <i>Character: An applicant must demonstrate how any building's height, bulk and scale will avoid or minimise negative impacts on an area's landscape, scenic or rural character (where relevant) taking into account the topography of the area, the surrounding landscape and views to and from the site.</i></p>	<p>As per above. The proposed additions to the former Police Station and Residence, No. 4 Punt Road are consistent with the existing building's height, bulk and scale. The proposed carparking to No. 4 River Road and No. 28 and 30 Great Western Highway will not include any structures other than signage, kerbing and vehicle crossing lighting, bollards and landscaping minimising visual impacts.</p> <p>The proposed works will not have negative impacts on the area's landscape or scenic character and will not impinge on existing available views into and out of the Regatta Park Precinct and surrounding public reserve lands.</p>
<p>(e) <i>Setbacks/Separations: Buildings should be sufficiently set back from property boundaries and other buildings to:</i></p> <p><i>i) Maintain consistency with the street context and streetscape character, especially street/front setbacks;</i></p> <p><i>ii) Maximise visual and acoustic privacy, especially for sensitive land uses;</i></p> <p><i>iii) Maximise deep root planting areas that will support landscape and significant tree plantings integrated with the built form, enhancing the streetscape character and reducing a building's visual impact and scale;</i></p> <p><i>iv) Maximise permeable surface areas for stormwater management; and</i></p> <p><i>v) Minimise overshadowing</i></p>	<p>The current proposal involves the addition of a covered deck to the eastern elevation and the addition of a cool room and accessible WC to the southern (rear) elevation of the existing cottage. As such, there will be a minor reduction in setbacks to the eastern and southern property boundaries of 4 Punt Road.</p> <p>However, all four subject properties are located within the northern portion of the public reserve lands of the River Road Reserve, part of the broader Regatta Park Precinct. There are no adjacent buildings, other than Emu Hall to the north, across Punt Road.</p> <p>As the Police Station and Residence at 4 Punt Road is a stand-alone building within the parklands, there is no established streetscape character or setbacks, there are no immediately adjacent residential buildings or overshadowing issues and the remainder of the allotment will be retained as landscaped area, with minimal hard paving.</p> <p>Carparking and associated pedestrian pathways are proposed to the allotments at Nos. 4 and 6 River Road and Nos. 28 and 30 Great Western Highway. The carpark and pedestrian walkways will utilise geocell and decomposed granite, which is a permeable surface through which water is able to drain.</p>

C2: Vegetation Management

Some vegetation and trees to the allotment at No. 4 Punt Road have already been removed as part of separate works by Council. This proposal does not involve the removal of any additional vegetation to the allotment at No. 4 Punt Road, however two Camellias are to be relocated within the property in order to accommodate the proposed new deck.

19 trees are proposed to be removed to the allotments at Nos. 4 and 6 River Road and Nos. 28 and 30 River Road. 12 trees are proposed to be retained and additional new trees and shrubs will be planted as part of the landscaping works at the place.

An *Aboriginal Impact Assessment* report, dated September 2020 was prepared by Earthscape Horticultural Services for Regatta Park and which assessed the retentional value of each tree located within the subject properties. An addendum prepared by Earthscape Horticultural Services, dated 8th February 2021 provided an arboricultural impact assessment of the proposed works on trees located within the allotments at No. 4 Punt Road, Nos. 4 and 6 River Road, Nos. 28 and 30 Great Western Highway.

Eight trees located within the allotments of No. 4 Punt Road, Nos. 4 and 6 River Road, Nos. 28 and 30 Great Western Highway were identified as being of high retention value. All of these trees are to be retained. A number of trees identified as being of moderate or low retention value are also proposed to be retained. All trees identified as being of very low retention value are proposed to be removed, and new tree plantings are proposed.

Refer to the *Aboriginal Impact Assessment report* and *Addendum 1* accompanying this submission for further discussion.

A Conservation Management Plan has been prepared for the property (*Former Police Station & Residence, 4 Punt Road, Emu Plains Conservation Management Plan*, Lucas Stapleton Johnson & Partners 2020), which grades all landscape features within the allotment boundaries for their levels of significance. A *Historical Archaeological Management Plan* for the Former Police Station at 30 Great Western Highway (Unearthed Archaeology and Heritage, 2020) grades the significance of all vegetation within the allotment at 30 Great Western Highway.

All trees identified as being of High significance in both plans are to be retained. Refer also to the *Statement of Heritage Impact* accompanying this application.

C3: Water Management

3.1 The Water Cycle/Water Conservation

1) Alterations/Additions to Existing Buildings

Extensions to existing residential buildings will, in most cases, need to comply with the requirements of BASIX, the sustainability tool developed by the State Government. For extensions to non-residential buildings or residential extensions that do not trigger BASIX, the following controls apply:

b) Rainwater tank(s) and gutter systems shall be installed to capture rainwater and reuse for irrigation, toilet flushing and other non-drinking purposes. Installation of rainwater tanks shall comply with the relevant standards established by Sydney Water.

A 2000L rainwater tank is proposed to be provided underneath the proposed deck and located on the eastern side of the Police Station and Residence, on top of a 100mm concrete slab and spaced away from the building by 600mm to provide access for maintenance. The collected rainwater will be used as non-potable water only.

3.2 Catchment Management and Water Quality

As per Table C3.1, developments that are required to consider water Sensitive Urban Design include commercial uses in which alterations and additions result in an increase in roof area and impervious area equal to or greater than 250 metres².

In this case the existing roof area of the cottage equates to 180 metres² and with the addition of the new rear extension, the overall roof area will equate to 190 metres². The carpark and pedestrian walkways will utilise geocell and decomposed granite, which is a permeable surface through which water is able to drain.

Therefore the provisions of this clause do not apply.

3.3 Watercourses, Wetlands and Riparian Corridors

The proposed development is located within the Vegetated Riparian Zone Width of 90m for the Nepean River, as identified by Table C3.3.

Clause 4) Protection and Enhancement of Riparian Corridors requires the following for development within the riparian zone:

c) In relation to activities within the vegetated riparian zone, such as cycleways and paths, detention basins, stormwater management devices and essential services, compliance is required with the 'riparian corridor matrix' in the NSW Office of Water's Guidelines for Riparian Corridors on Waterfront Land (July 2012).

In this case, the current proposal involves paths and stormwater management and in accordance with the Guidelines (2012):

- Paths no wider than four metres total disturbance footprint can be built in the outer 50 per cent of the Vegetated Riparian Zone (VRZ); and
- Stormwater outlets or essential services are allowed in the Riparian Corridor (RC).

3.5 Flood Planning

As the land is subject to the flood planning provisions of the *Penrith LEP 2010*, the following controls apply:

7) Industrial/Commercial - Extensions and Infill Development

(a) Where the application is for an extension to an existing building on land at or below the flood planning level or for new development that can be classed as infill development, Council may approve of the development with floor levels below the 1% AEP (100 year ARI) flood if it can be demonstrated by the applicant that all practical measures will be taken to prevent or minimise the impact of flooding. In considering such applications and determining the required floor level, Council shall take into account such matters as:

- i) The nature of the business to be carried out;*
- ii) The frequency and depth of flooding;*
- iii) The potential for personal and property loss;*
- iv) The utility of the building for its proposed use;*
- v) Whether the filling of the site or raising of the floor levels would render the development of the property unworkable or uneconomical;*
- vi) Whether the raising of the floor levels would be out of character with adjacent buildings; and*
- vii) Any risk of pollution of water from storage or use of chemicals within the building.*

b) Any portion of the proposed building extension subject to inundation shall be built from flood compatible materials.

A *Flood Management Plan* is to be prepared and submitted to Council prior to the issuing of the Construction Certificate.

3.6 Stormwater Management and Drainage

The following controls apply:

1) Natural Environment

- a) Runoff must not be discharged into bushland areas, including threatened ecological communities.*
- b) Pipe outlets shall be treated with measures to dissipate stormwater velocity, except where waters enter a formed channel or similar structure that is unlikely to be damaged by water flowing in at high velocity.*
- c) Permeable ground surfaces are to be maintained as far as possible, and where suitable conditions exist, stormwater is to be infiltrated on-site.*

2) Drainage

- b) The development of any lot should take into account the existing drainage patterns of the area, including any localised ponding, and whether the proposed development is likely to affect:
 - i) Access to the site;*
 - ii) Drainage on adjoining properties;*
 - iii) Localised nuisance flooding on adjoining properties; and*
 - iv) Natural overland flow or drainage paths.**
- f) If the site has access to Council's stormwater drainage system, all roof and surface water that is not recycled for use on the site must be discharged into Council's stormwater drainage system. No surface drainage will be permitted to discharge across Council's footways or reserves or enter adjoining land.*

The current proposal involves a minor increase to the overall roof area of the existing building and includes the addition of a timber deck and brick pathways at 4 Punt Road. The proposed carparking at No. 4 River Road and Nos. 28 and 30 Great Western Highway will be finished in a pervious material and will therefore not increase the overall impervious area of the properties. As such, there will be only a minor increase to the overall stormwater run-off as a result of the proposal.

For this proposal it is proposed to connect roof and surface water to Council's existing stormwater drainage system located to the north of the property in Punt Road. This will involve excavation within the allotment boundaries to connect to the existing system and the provision of surface grated drains.

As the timber deck and the brick paved pathway to the east of the cottage at No. 4 Punt Road are permeable, any stormwater run-off generated as a result of these new features will be allowed to soak into the ground.

An *Erosion and Sediment Control Plan* is to be prepared and submitted to Council prior to the issuing of the Construction Certificate.

3.8 Rainwater / Storage Tanks

1) General Requirements

Where development consent is necessary, the following additional requirements apply:

- a) Rainwater tanks must not exceed 3m in height above ground level (including stand).*
- b) Rainwater tanks must not collect water from a source other than gutters or down pipes on a building or a water supply service pipe.*
- c) Rainwater tanks must be structurally sound.*
- d) The rainwater tank, and any stand for the tank, must:
 - i) Be assembled and installed in accordance with the manufacturer's specifications; and*
 - ii) Not rest on a footing of any building or other structure on the property including a retaining wall.**

- e) Rainwater tanks must utilise prefabricated materials or be constructed from prefabricated elements designed and manufactured for the purpose of construction of a rainwater tank.
- f) A rainwater tank must be enclosed and inlets screened or filtered to prevent the entry of foreign matter or creatures.
- g) A rainwater tank must utilise a non-reflective finish. Materials and colours should complement those used on the dwelling house and any other buildings on the land.

The proposed 20,000L rainwater tank is to be located underneath the proposed deck of the Police Station and Residence at No. 4 Punt Road and will be 650mm high. It will be connected to the main roof downpipe. The tank will be installed on a 100mm concrete slab that is independent of the Police Station and Residence and will be installed in accordance with the manufacturer’s specifications. The tank will utilise a non-reflective finish and will be in keeping with the colour scheme of the Police Station and Residence.

C5: Waste Management

5.1 Waste Management Plans

As the proposal involves a change of use of the building for commercial development, a waste management plan is required. Refer to *Waste Management Plan* accompanying this application.

5.2 Development Specific Controls

As the subject properties are proposed to be adapted for use as a commercial venue, the following controls apply:

5.2.4 Non-Residential Development Controls	Comment
<p>3) <i>Waste storage and collection areas should be:</i></p> <ul style="list-style-type: none"> a) <i>Flexible in their design so as to allow for future changes in the operation, tenancies and uses;</i> b) <i>Located away from primary street frontages, where applicable;</i> c) <i>Suitably screened from public areas so as to reduce the impacts of noise, odour and visual amenity; and Waste Management</i> d) <i>Designed and located to consider possible traffic hazards (pedestrian/vehicular) likely to be caused by the storage and collection of waste.</i> <p>5) <i>Grease traps must be provided where there is a likelihood of liquid waste entering the drainage systems (contact Sydney Water to obtain trade waste requirements).</i></p> <p>8) <i>Should a collection vehicle be required to enter the property, the driveway and manoeuvring area must be suitable for a collection vehicle in terms of both its strength and design.</i></p>	<p>The current proposal includes the provision of a covered rubbish bin enclosure on the western elevation of the Police Station and Residence at No. 4 Punt Road, away from the primary street frontage (Punt Road) and adjacent to the proposed loading zone and turning circle within the proposed new carpark west of the Police Station allotment.</p> <p>The enclosure is to be clad in hardwood boards to and will be lined with metal to allow for the hosing out of the enclosure.</p> <p>At this stage, the proposed enclosure has been designed to accommodate two rubbish bins, the use of which will be determined by the future lessees of the property.</p> <p>The grease trap for the commercial kitchen is also to be located on the western side of the building, adjacent to rubbish bin enclosure, to allow easy access from the adjacent proposed carpark to be located at No. 4 River Road and Nos. 28 and 30 Great Western Highway, where a loading zone is located and accessible by heavy service vehicles.</p>

C6: Landscape Design

As noted above, some vegetation and trees have already been removed to the allotment at No. 4 Punt Road as part of separate works by Council. This proposal does not involve the removal of any vegetation to this allotment, however two Camellias are to be relocated within the property in order to accommodate the proposed new deck.

The proposed carpark to No. 4 River Road and Nos. 28 and 30 Great Western Highway will involve the removal of 19 trees. 12 trees will be retained, in addition to new plantings as part of the proposed landscaping works to the carpark.

Gardens and paths will be edged with galvanised steel. The pedestrian path along the southern edge of the carpark will be separated from the carpark by tree plantings, with a ground finish of sandstone mulch. The carpark will be edged with a concrete edging flush with the ground level. Existing lawn around the carpark and pedestrian path will be regraded to finish flush. Refer to drawing LD-CD-PC3 by McGregor Coxall for details regarding selected tree species.

Other landscape design works include only the provision of a brick paved pathway along the eastern boundary of the property, providing pedestrian access from Punt Road and the Yandhai Nepean Crossing bridge into the property. The proposed carpark is to be located on an allotment that is currently vacant. The new carpark will result in the loss of some landscaped area and vegetation, however, all trees identified as being of High significance are to be retained. The landscaped area around the carpark has been designed to minimise the appearance of the carpark from surrounding park area.

In this case, a Conservation Management Plan has been prepared for the property (*Former Police Station & Residence, 4 Punt Road, Emu Plains Conservation Management Plan*, Lucas Stapleton Johnson & Partners 2020), which grades all landscape features within the allotment boundaries for their levels of significance. The *Historical Archaeological Management Plan* for the Former Police Station at 30 Great Western Highway (Unearthed Archaeology and Heritage, 2020) grades the significance of all vegetation within the allotment at 30 Great Western Highway.

All trees identified as being of High significance are to be retained. Refer also to the *Statement of Heritage Impact* accompanying this application.

New temporary boundary fencing is being proposed to 4 Punt Road as part of this application for increased security to the property and to provide for a construction zone, once construction works are underway. As the subject property is located within the public reserve lands of the River Road Reserve, and the property is not currently fenced, it will be necessary to fence off the site during construction.

Therefore 1.8 metres steel post and wire mesh fencing will be installed on a temporary basis to the east, west and south boundaries and the existing timber paling fence along the north boundary will be extended to a height of 1.8 metres. This fencing will only be in place in the interim during construction. Following construction, the fencing will be removed.

6.1.4 Site Amenity

Development Control	Comment
2) Open Space Requirements a) <i>The amount of open space is crucial to the landscape design. This amount will vary depending on:</i> i) <i>The use proposed on the site;</i>	The current proposal involves alterations and additions to an existing building that will increase the overall footprint by a very small amount. The proposal also includes the provision of a new carpark to the north of the Police Station

Development Control	Comment
<p>ii) <i>The requirements of the occupants;</i> iii) <i>Character of the neighbourhood;</i> iv) <i>Requirements in other sections of this DCP;</i> v) <i>Retention of mature/significant trees/vegetation; and</i> vi) <i>Whether the space is a private or public space</i> d) <i>The design of a development should maximise solar access to all open spaces</i></p>	<p>and Residence. These allotments at No. 4 River Road and Nos. 28 and 30 Great Western Highway currently comprises vacant open space, and the open space of the allotments will be retained as an open carpark. No substantial standing structures or buildings are proposed. Tree and shrub planting does form part of this proposal.</p> <p>As the proposal involves the change of use to a commercial premises, there is little need for open recreational space within the boundaries of the allotments. In addition, carparking is required as part of the change of use of the place to a commercial premises.</p> <p>As noted above, the current proposal includes the retention of all mature and significant trees and vegetation located on the properties.</p> <p>The existing building is orientated north-south and existing tree plantings are to be retained. As such, solar access to the open spaces within the allotment boundaries will be retained as is.</p>
<p><u>4) Equal Access</u></p> <p>a) <i>In accordance with the Federal Disabilities Discrimination Act 1992 and the NSW Anti Discrimination Act 1977, and all relevant Australian Standards, the following design elements must be considered when designing any landscape projects to ensure equal access for people with disabilities:</i></p> <p>i) <i>Pedestrian routes;</i> ii) <i>Tactile warning strips with a strong contrast to adjoining paving;</i> iii) <i>Stairways/steps</i> iv) <i>Landings;</i> v) <i>Ramps;</i> vi) <i>Handrails;</i> vii) <i>Seating;</i> viii) <i>Lighting;</i> ix) <i>Signage</i> x) <i>Luminance contrast of street and park furniture.</i></p>	<p>The current proposal includes the provision of equitable access facilities in accordance with AS 1428.1 – 2009 and includes the following:</p> <p>Two accessible parking spaces are provided directly adjacent to the former Police Station residence at No. 4 Punt Road, as part of the proposed carparking to No. 4 River Road, and Nos. 28 and 30 Great Western Highway. Access is provided to the Police Station residence itself via an accessible pedestrian wrapping around the back wing and passing by the accessible w.c. to the new deck. Patrons can then enter via the ‘front’ door which is of the required clearance width and will be provided with push-button operation for ease of opening from outside or in.</p> <p>A new opening in the south wall of room 1 to allow 1500mm turning circle for a wheelchair and a widened opening to room 5 has been provided, thus providing wheelchair access in accordance with AS1428 to the outdoor deck, rooms 1 and 5 only.</p> <p>Rooms 2, 3 & 4 will not be accessible in a wheelchair but that is considered a good balance given the negative heritage impacts of widening doors and altering original fabric.</p>
<p><u>5) Heritage</u></p> <p>a) <i>Landscape designs must comply with any relevant requirements of the ‘Culture and Heritage’ section of this DCP.</i></p> <p>b) <i>If a site is listed as a heritage item or is within a heritage conservation area, a</i></p>	<p>As stated above, a Conservation Management Plan has been prepared for the property (<i>Former Police Station & Residence, 4 Punt Road, Emu Plains Conservation Management Plan, Lucas Stapleton Johnson & Partners 2020</i>), which grades all landscape features within the allotment boundaries for their levels of</p>

Development Control	Comment
<p><i>heritage impact statement may be required. The landscape design is to retain any natural, cultural or architectural features that are essential to the conservation of the heritage significance of the place. The landscape design should respect the importance of these heritage features, be of a sympathetic style and form, and should be influenced by any relevant heritage landscape evidence.</i></p>	<p>significance. All trees identified as being of High heritage significance are to be retained.</p> <p>Refer to the <i>Statement of Heritage Impact</i> accompanying this application.</p>
<p>7) Location of Utility Services</p> <p><i>The location of utility services, such as gas and electricity, can significantly impact upon existing vegetation and locations for proposed vegetation. As such, the following requirements are applicable:</i></p> <p>a) <i>Common trenching for compatible underground services should be maximised to reduce repeated disturbance to established plantings.</i></p> <p>c) <i>Selected plant species should not obstruct or interfere with infrastructure facilities having regard to:</i></p> <p>i) <i>The mature height of trees and shrubs beneath overhead services; and</i></p> <p>ii) <i>The root growth of trees and shrubs and underground services.</i></p> <p>d) <i>Services should be located away from existing and proposed vegetation and their root zones</i></p>	<p>Refer to Dwg. Nos. 124010/14/C and 124010/16/A showing the location of the existing sewer lines and proposed stormwater drainage system for the property. These utility services are located below ground and trenching will be required to connect these services. As shown on the plans, these works will have no impact on the existing trees.</p>
<p>8) Utility Areas</p> <p>a) <i>Waste and recyclables storage facilities should be located behind the building line and not adjacent to communal outdoor seating/recreation areas.</i></p> <p>b) <i>The storage area is to be suitably screened.</i></p>	<p>As discussed above, the rubbish bin enclosure and grease trap are both to be located on the western side of the Police Station and Residence, behind the building line and not adjacent to communal outdoor seating areas.</p> <p>The rubbish bin enclosure is to be clad in hardwood boards in keeping with the materials of the existing cottage and minimising visual impacts.</p>

C7: Culture and Heritage

Refer to *Statement of Heritage Impact* accompanying this submission.

C8: Public Domain

The subject properties form part of the public reserve lands of River Road Reserve and is public land. The proposal involves alterations and additions to the police station residence located at 4 Punt Road, and associated parking and landscape to the adjoining allotments at Nos. 4 and 6 River Road and Nos. 28 and 30 Great Western Highway. The proposed carparking does not involve the construction of any structures. As such, the following provisions regarding public access apply to the property at No. 4 Punt Road only:

Design Principles	Comment
<p>1) <i>The location of building entrances and glazing should provide natural surveillance to the public domain without compromising passive solar design principles</i></p>	<p>The proposal involves works to an existing cottage that is listed as a local heritage item. The building entrance for the purposes of the proposed new use of the building as a café/restaurant will be the front verandah French doors located on the northern side of the building. Surveillance to the surrounding public domain lands will be retained via the existing configuration of doors and windows of the cottage.</p>
<p>2) <i>The built form should provide, where it is appropriate, a visual transition to the public space by avoiding continuous lengths of blank walls and high fences at the interface between the public and private space;</i></p>	<p>The proposal involves works to an existing 1908, weatherboard cottage that is listed as a local heritage item. No blank walls are proposed as part of the works.</p> <p>A temporary 1.8m high security fence is to be provided around the cottage as part of the construction management zone. This fencing will be removed following the completion of the construction works.</p>
<p>3) <i>Views into and from the public domain are to be protected as they increase opportunities for natural surveillance. Where appropriate, ground floor areas abutting public space should be occupied by uses that create active building fronts with pedestrian flow, and contribute to the life of the streets and other public spaces;</i></p>	<p>The current proposal will not impact on existing views into and out of the subject property to the surrounding public reserve lands.</p>
<p>4) <i>Accessibility should be provided for all members of the community, particularly those with a disability, and should occur across all areas of the public domain. This includes designing for durability, adaptability, maintenance and replacement.</i></p>	<p>As discussed above, equitable access is to be provided in accordance with AS 1428.1 – 2009.</p>

C10 Transport, Access and Parking

Car parking and vehicular access form part of the current proposal. The sites are located within the northern portion of the public reserve lands of the River Road Reserve and forms part of the broader Regatta Park Precinct. Currently, Penrith City Council is preparing a landscape master plan for the upgrading of the whole of the Regatta Park Precinct, including the provision of car parking. The carparking works for the Police Station and Residence will be completed as part of the Regatta Park Precinct works.

As such, the following relevant controls apply.

10.2 Traffic Management and Safety

Development Control	Comment
<p><u>1) Traffic Studies</u></p> <p><i>Traffic studies may be required for some developments. Check with Council about whether a traffic report is required to support your proposal.</i></p>	<p><i>A Traffic, Parking and Pedestrian Impact Study</i> has been prepared by SCT Consulting and dated 14th May, 2021 and which has been included as part of this submission.</p>

Development Control	Comment
<p>2) Road Safety</p> <p>a) Each development should demonstrate how it will:</p> <ul style="list-style-type: none"> i) Provide safe entry and exit for vehicles and pedestrians which reflect the proposed land use, and the operating speed and character of the road; ii) Minimise the potential for vehicular/pedestrian conflicts, providing protection for pedestrians where necessary; iii) Not restrict traffic flow or create a hazard to traffic on roads in the vicinity of the development; iv) Provide suitable off-street parking facilities to accommodate vehicles generated by the development; <p>d) Provision must be made for all vehicles to enter and leave properties in a forward direction other than for single dwellings.</p>	<p>Refer to the <i>Traffic, Parking and Pedestrian Impact Study</i> accompanying this submission, which addresses the requirements of this provision.</p> <p>A turning circle has been integrated into the carpark design to enable vehicles to leave the property in a forward direction.</p>
<p>3) Traffic Generating Development</p> <p>a) New access points off arterial, sub arterial or other major roads is to be avoided where alternate access opportunities exist.</p> <p>b) Any development identified in Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007 is either referred to RMS (Column 2 developments) or Council's Local Traffic Development Committee (Column 3 developments) for assessment and conditions as required.</p>	<p>The traffic generated by the restaurant is unlikely to have any significant impact on traffic performance on the surrounding road network during the peak hours. Refer to section 3.2 of <i>Traffic, Parking and Pedestrian Impact Study</i> for further details.</p>

10.5 Parking Access and Driveways

Development Control	Comment
10.5.1 Parking	
<p>1) Provision of Parking Spaces</p> <p>a) Parking provided on site is to meet AS 2890 and where appropriate, AS 1428.</p> <p>b) For any proposed development, Council will require the provision of on-site car parking to a standard appropriate to the intensity of the proposed development as set out in Table C10.2 below.</p> <p>g) Where relevant, development shall provide on-site loading facilities to accommodate the anticipated heavy vehicle demand for the site.</p>	<p>The parking provided on site meets the requirements of AS2890. Refer to section 3.7 and appendix 2 of the <i>Traffic, Parking and Pedestrian Impact Study</i> accompanying this submission.</p> <p>As per table C10.2, restaurants require 1 space per 6m² of seating area, plus 1 space per employee.</p> <p>Therefore, the required number of parking spaces is as follows:</p> <p>Total indoor seating area: 55.5m² (9 spaces)</p> <p>Total outdoor seating area: 28m² (5 spaces)</p>

Development Control	Comment
	<p>(Total floor Area = 83.5 sqm)</p> <p>Total employees: 5 (5 spaces)</p> <p>= 19 parking spaces in total.</p> <p>The proposal includes 20 parking spaces, including two accessible parking spaces. The proposal therefore <u>complies</u> with the requirements of this clause.</p> <p>Note that the <i>Traffic, Parking and Pedestrian Impact Study</i> overestimates the total indoor and outdoor seating areas provided by the proposal. As a result, the calculated number of parking spaces according to section 3.5 of the <i>Traffic, Parking and Pedestrian Impact Study</i> (29 spaces) greatly exceeds the actual required number of parking spaces, as calculated above (19 spaces).</p> <p>The current proposal includes a servicing / loading area located at the eastern end of the car park, immediately outside Police Station and Residence at 4 Punt Road.</p>
<p><u>5) Design of Parking and Manoeuvring Areas</u></p> <p><i>a) Car space dimensions must comply with the relevant Australian Standards.</i></p> <p><i>b) The movement of pedestrians throughout the car park should be clearly delineated and be visible for all users of the car park to minimise conflict with vehicles. The car parking and manoeuvring layout should be in accordance with the provisions of AS 2890.1 - 2004.</i></p> <p><i>c) Provision of parking spaces for disabled persons should be in accordance with the Access to Premises Standards, the Building Code of Australia and AS2890.</i></p> <p><i>d) Council will require all car parking areas to be constructed of hard standing, all weather material, with parking bays and circulation aisles clearly delineated.</i></p> <p><i>e) Vehicle access is to be integrated into the building design as to be visually recessive.</i></p> <p><i>f) It will be necessary for the method of treating and minimising runoff from parking and access areas to be addressed as part of any development application (See the section entitled 'Stormwater and Drainage' in the Water Management Section).</i></p> <p><i>h) Large car parking areas (more than 5 vehicles) should be visually separated from access roads and from the buildings they serve by planting and other landscaping and should</i></p>	<p>The current proposal involves the provision of carparking to the west of the Police Station and Residence.</p> <p>This carparking meets the requirements of AS 2890 and provides adequate space for circulation, manoeuvring, and parking.</p> <p>A pedestrian footpath is proposed along the southern edge of the carpark to meet with the pedestrian path running north-south along the eastern side of the Police Station and Residence. Additional paths provide access from eastern side of the proposed carpark to the Police Station and Residence at 4 Punt Road.</p> <p>These footpaths are separated from the carpark via landscaping.</p> <p>A service/loading area has been provided accordance with the requirements of AS 2890.2 – 2004. The service/loading area is located on site at the eastern end of the car park, immediately outside the restaurant and separate to general carparking. A 9.7m rear load waste collection truck is able to access the service area while entering and exiting the property in a forward direction.</p> <p>Two accessible parking spaces have been provided and comply with the requirements of <i>Access to Premises Standards, the Building Code of Australia and AS2890</i>.</p> <p>The proposed carpark is visually separated from the future walkway along the River Road alignment to the west, the former Police Station</p>

Development Control	Comment
<p><i>not be visually prominent from public roads, either through separation or screening.</i></p> <p><i>i) All vehicles must be able to enter and leave the site in a forward direction without the need to make more than a three point turn.</i></p> <p><i>p) The design of car parks should ensure adequate separation of staff/visitor parking and loading dock circulation areas for heavy vehicles.</i></p> <p><i>s) Loading docks associated with the development shall be provided on-site, with all loading and unloading activities occurring on-site.</i></p> <p><i>t) All loading and unloading areas are to be: i) integrated into the design of developments, ii) separated from car parking and waste storage and collection areas, iii) located away from the circulation path of other vehicles, iv) provided separately for commercial/retail and residential uses, where part of a mixed use development, and v) designed for commercial vehicle circulation and access complying with AS 2890.2.</i></p> <p><i>x) All surfaces in the car park should be painted in light coloured paint or finished in light grey concrete to reflect as much light as possible.</i></p> <p><i>z) Access, parking, manoeuvring and loading facilities for commercial and industrial development shall be in accordance with AS 2890.2 - 2004 and accommodate vehicle types as outlined in Table C10.3.</i></p>	<p>cottage to the east, and Punt Road to the north via extensive plantings to all sides of the carpark.</p> <p>The carpark and will utilise geocell and decomposed granite, which is a permeable surface through which water is able to drain.</p> <p>An <i>Erosion and Sediment Control Plan</i> is to be prepared and submitted to Council prior to the issuing of the Construction Certificate.</p>
10.5.2 Access and Driveways	
<p>1) General Requirements</p> <p><i>a) The road access to the site should provide for safe entry to and exit from the site. All vehicles must enter/exit the site in a forward direction. (This does not apply to single dwellings).</i></p> <p><i>b) The entry and exit from the site should provide for appropriate traffic sight distance in both directions, in accordance with the provisions of AS2890.1 and 2 - 2004 for car parking and commercial vehicles respectively.</i></p> <p><i>c) The design of the development driveway should take into consideration the traffic volumes of the surrounding road network..</i></p> <p><i>f) Driveway widths must comply with the relevant Australian Standards.</i></p>	<p>The proposed carpark forms part of an extended carpark being proposed as part of the Regatta Park masterplan. The proposed Police Station cottage car park will link to a new car park with a circulation roadway / turning circle for pick up / drop off and servicing vehicles to the west across River Road. River Road is to be diverted further to the west providing access to the new, large carpark. This work forms part of the Regatta Park Precinct landscape masterplan.</p> <p>As such, the carpark is not accessed directly from a road but a shared path that forms part of a separate proposal. Therefore, the requirements of this provision do not apply.</p>

Environmental Effects

The following includes matters not addressed above:

Asbestos and Contamination

Penrith City Council has already undertaken works associated with the removal of asbestos at the subject property. Refer to *Asbestos Clearance Inspection and Clearance Certificate*, prepared by Trinitas Group, dated 16th July 2020 accompanying this application.

Environmental Health

As the current proposal involves the change of use to a food premises (café/restaurant) with the ability to serve liquor, additional approvals will be required. It is envisaged that the future lessee of the property will be responsible for these additional approvals. Further information to be provided to Penrith City Council in support of any new use at the subject properties is as follows:

- On-premises liquor license (if required)
- Food Premises Registration Form
- types of activities and hours of operation
- number of patrons
- food processing to be carried out on the premises
- the types of food involved and the steps involved in food handling from food delivery to delivery of end-product to customers.
- site plan - to a suitable scale (eg 1:100) including car parking, waste storage area, adjacent land uses, grease trap, wash down areas and toilet facilities.
- floor plan - to a suitable scale (eg 1:50).
- sectional elevation drawings - to a suitable scale (eg 1:50) showing all fittings and equipment and finishes to floors, walls and ceilings.
- hydraulic plans (plumbing details) - to a suitable scale (eg 1:50) showing trade waste facilities such as sink screens, basket arrestors, grease traps and wash down areas that discharge to sewerage.
- mechanical exhaust ventilation drawings (ie plans, elevation and schematic diagrams, where applicable) - to a suitable scale (eg 1:50) or be able to demonstrate that the system will be designed in accordance with relevant standards.
- a waste and recycling management plan

Archaeology

Test excavations for archaeology to No. 4 Punt Road, Nos. 28 and 30 Great Western Highway, No. 4 River Road, and a portion of the River Road Reserve were undertaken by Eco Logical Australia on the 19th October 2020 (permit 2020/s140/015). Refer to the *Final Historical Archaeological Testing Report*, dated 24th March 2021 and prepared by Eco Logical Australia.

Conclusion

Considering the above, the proposal will have, in our view, negligible adverse environmental effects on the building and its vicinity and **should be approved** by the consent authority having jurisdiction over it.

Jessica Kroese
Lucas Stapleton Johnson & Partners Pty Ltd
LSJ Heritage Planning & Architecture
Encls. CV KD

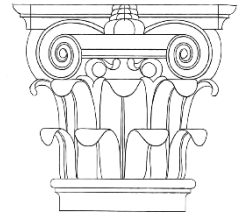
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University of Sydney, Bachelor of Arts (Anthropology, Art History), 1994

Employment: Lucas Stapleton Johnson & Partners as Heritage Planner since April 2010
Taylor Brammer Landscape Architects as Heritage Assistant 2007 -2010
Conybeare Morrison as Heritage Specialist, 2006
Leichhardt Council as Development Assessment Assistant, 1999-2005

Recent work includes:

Conservation Management Plans

- Thompson Square Conservation Area, Windsor
- Macquarie Lightstation, Vacluse
- Hyde Park Barracks, Sydney
- Sydney General Post Office, Sydney
- Brisbane General Post Office, Sydney
- Roseneath Cottage, Parramatta
- Juniper Hall, Paddington
- No. 1 Fire Station, Castlereagh Street, Sydney
- Woolloomooloo Finger Wharf, Woolloomooloo
- Goods Island Lighthouse, Torres Straits
- Booby Island Lighthouse, Torres Straits
- Double Island Point Lighthouse, Queensland
- Milton Terrace, 1-19 Lower Fort Street, Millers Point
- Major House, 35 Lower Fort Street, Millers Point
- Vernon's Flats, 30-42 Lower Fort Street & 2-4 Trinity Avenue, Millers Point
- Steven's Building, 73 Windmill Street, Millers Point
- (former) Shipwright's Arms Hotel, 75 Windmill Street, Millers Point
- (former) Baby Health Centre, 87 Lower Fort Street, Millers Point
- (former) Hit or Miss Hotel, 69 Windmill Street, Millers Point
- Bronte House, Bronte
- Experiment Farm Cottage, Harris Park
- University of Sydney Grounds (Camperdown and Darlington campuses)
- Mallet Street Campus, University of Sydney
- Blackburn Building, University of Sydney
- Exeter Park and School of Arts Building, Exeter, NSW
- Mining Museum, George Street, The Rocks
- Braemar, Springwood
- Penshurst Street Baby Health Clinic (former), Penshurst
- Cabarita Federation Pavilion, Cabarita Park

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- Penhurst Street Baby Health Centre, Penhurst
- Trinity Avenue and Kent Street (various), Millers Point

Heritage Studies and Assessments

- (former) HMAS Platypus, North Sydney
- Penrith Regional Gallery & the Lewers Bequest, Emu Plains
- Hunter Region Rural Homestead Complexes comparative study for the NSW Heritage Office
- Leura Post Office, Leura
- Wayzgoose Café, Leura Mall, Leura
- Our Lady of Mercy College, Parramatta
- Regent Theatre, Mudgee
- (former) Metropolitan Remand Centre, Glebe
- Gap Bluff, Sydney Harbour National Park, Watsons Bay
- Millers Point heritage strategy, Department of Family and Community Services
- Ku-ring-gai Council Review of Potential Heritage Items
- Kirribilli Village and Milson Point Railway Station, Ennis Road, Kirribilli
- Catherine Hill Bay Conservation Area Heritage DCP
- NSW Parliament House, Macquarie Street, Sydney
- Pier One, Walsh Bay
- Willoughby Council Heritage Review
- St Paul's College, University of Sydney
- St Andrew's Anglican Church, Summer Hill
- St Andrew's College, University of Sydney

Interpretation Plans and Strategies

- Queen Mary Building, University of Sydney
- New Law Building, University of Sydney

Heritage Development Work (applications to consent authorities)

- Glenfield, Casula
- Roseneath Cottage, Parramatta
- Telford Lodge (Place), 159 Brougham Street, Kings Cross
- Ennis Road shops and North Sydney Train Station Entry, Kirribilli
- Greenwich Baths, Lane Cove
- Craignairn, Burns Road, Wahroonga
- Craigmyle, Burns Road, Wahroonga
- Queen Mary Building, University of Sydney
- Sydney GPO, Martin Place, Sydney
- Former Police Station, 103 George Street, The Rocks
- St Keirans, Fairfax Road, Bellevue Hill
- Tresco, Elizabeth Bay
- Woolloomooloo Finger Wharf (residential component), Woolloomooloo
- Our Lady of Mercy College, Parramatta
- Blackburn Precinct and Vet Science Precinct, University of Sydney
- Donald Bradman's boyhood home, 52 Shepherd Street, Bowral
- Old AMP Building, Circular Quay
- Adelaide Villa, 48 Botany Street, Bondi Junction
- Lyndoch Place, 2 Barker Road, Strathfield
- Hazelmere, 49 Queen Street, Woollahra
- Lipson, 70 Jersey Road, Woollahra
- 198 Queen Street, Woollahra (former Woollahra Grammar School)
- Lane Cove Council (Heritage Assessment Officer services- ongoing)

Assistance in preparing statements of evidence for NSW Land Environment Court:

- Bidura and (former) Metropolitan Remand Centre, Glebe
- 139 Goods Street, Parramatta
- Lansdowne, 3 Anderson Street, Neutral Bay
- Hazelmere, 49 Queen Street, Woollahra

- Clovelly Hotel, Clovelly
- Banksia, 3 Beach Street, Double Bay

January 2019

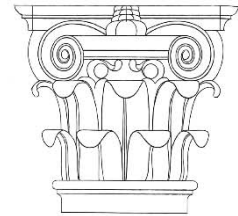
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University of New South Wales, Architectural Studies (Hons.), 2018
University of Queensland, Bachelor of Architecture and Design, 2016

Employed by the firm as a Graduate Heritage Planner since 2019.

Recent work includes:

Conservation Management Plans and Updates

- Roxy Theatre, Leeton
- The Entrance Surf Club, The Entrance
- Regatta Park, Emu Plains
- Parliament House, NSW (update)
- Former Police Station, Punt Road, Emu Plains

Heritage Development Work (applications to consent authorities)

- ACA Building, Sydney
- Supreme Court of NSW, Hospital Road Sydney
- Casula Powerhouse, Casula
- Clarence House, Sydney
- Drummoyne Reservoir, Drummoyne
- Oberton, Mater Hospital, Crows Nest
- Roseneath, Our Lady of Mercy College, Parramatta
- Parliament House, NSW
- Tebbutt's Barn, Tebbutts Observatory, Windsor
- Figtree House, Hunters Hill
- Wyoming, Birchgrove
- Carisbrook, Lane Cove

Heritage Reviews and Studies

- Collingwood House, Liverpool
- Liverpool Courthouse, Liverpool

February 2021

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