



Heritage Impact Statement



Kentucky, 146 Station Street, Penrith

November 2017

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1 Introduction

Modern Heritage Matters has been engaged by Fedlallah Hallani and Jake Farragher, the lessees of 146 Station Street, Penrith, to assess the heritage impact of proposed alterations and additions relating to its adaptation to a café style restaurant. The dwelling, known as Kentucky is listed as a Heritage Item on Schedule 5 of The Penrith Local Environment Plan ('LEP') 2010, however it is not located in a Heritage Conservation Area. The property is also located adjacent to a listed heritage item, 148 Station Street.

1.1 Author Identification

The report has been prepared by Mandie Purcell, heritage consultant at Modern Heritage Matters ('MHM'). MHM was involved earlier on in the design process and was engaged to create a design brief to assist the designer in creating a proposal that is both sympathetic to the current dwelling and respectful of its heritage significance.

1.2 Methodology

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

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

1.3 Site Identification

The subject site is located in Penrith on the south-eastern side of Station Street. 146 Station Street, Penrith is formally identified as Lot 11 DP 715161.



Figure 1: Lot boundary for 146 Station Street identified in red, Source: SIX Maps

The property at 146 Station Street contains two buildings (Figure 1). The focus of this report is a late Victorian cottage known as Kentucky, which has been designed in the Gothic Revival style. The dwelling was materially damaged by fire in November 1991 and then restored in 1994. As part of the 1994 reconstruction works the concrete shed to the rear of the property was demolished and replaced with a new structure. This new building, similar in scale and form to the original concrete shed at the rear of the property, is subject to a separate lease.

Kentucky is a listed heritage item of local significance in The Penrith LEP 2010 as Item No. I216 (Figure Two), however it is not located in a Heritage Conservation Area.

The property is also located adjacent to I217, and in the general vicinity of heritage items I815 and I847 described below:

Item Name	Address	Property Description	Significance	Item No
Victorian House	148 Station Street Penrith	Lot 80, DP 709313	Local	217
'The Willows' House	65 Mulgoa Rd Penrith	Lot 1021, DP 812335	Local	815
Federation Cottage	80 Woodriff street	Lot 18, DP 2167	Local	847

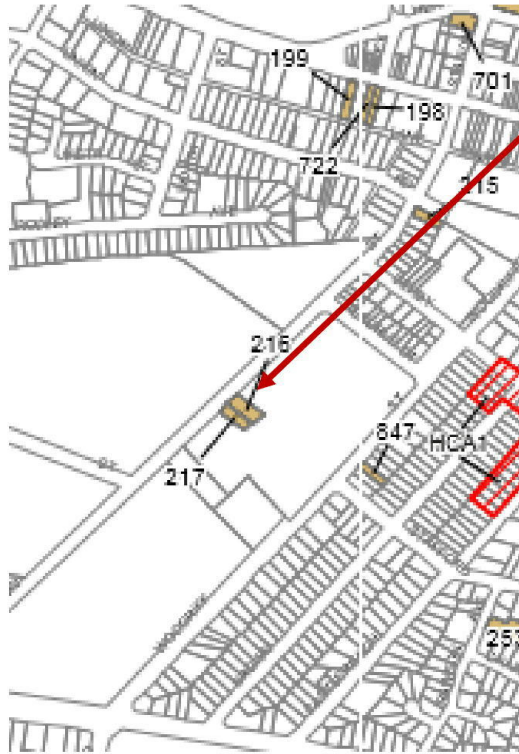


Figure 2: City of Sydney Heritage Map HER_06 with 146 Station Street indicated by the red arrow (Source: Penrith LEP 2010)

148 Station Street (Figure 3), its closest neighbour to the south-west has an important relationship with the house. The two buildings from the late Victorian period, border onto and form part of the Nepean Shopping Centre.

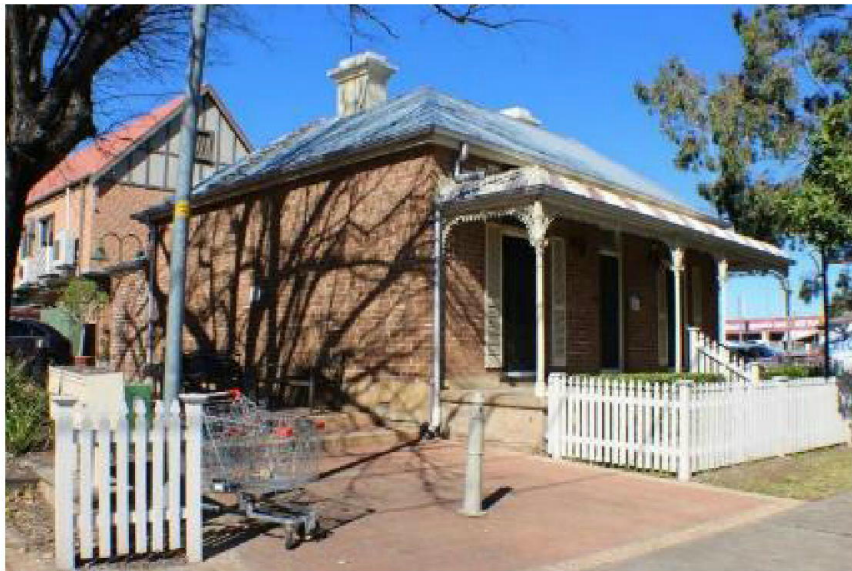


Figure 3: 148 Station Street with contemporary rear addition

1.4 Sources

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

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

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

1.5 Report Limitations

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

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

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

1.6 Copyright

Copyright of this report remains with the author, MHM.

2 Historical Background

2.1 The History of Penrith¹

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

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

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

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

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

2.2 History of Kentucky and its surrounding area.²

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

By 1839 Penrith is described as:

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

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

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

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

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

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

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

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

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

Noah Hollier a local dairy farmer purchased the residential allotment from the Woodriff Estate in 1886. He built the house now known as Kentucky from which he would travel daily to several 10-20 acre dairy properties he owned in the district. It is difficult to accurately determine the date of build, however it has obvious characteristics from the late Victorian period, c1890.

Hollier lived in the house until his death in 1913, his wife continued to live there until her death in 1928. The property was sold the year after to Percy Plunkett who lived in the house until 1965.

It is understood that, during his period of ownership, Plunkett removed and replaced the original verandah and the original fence c1940. He also undertook certain rear additions and added an additional floor in the roof space. The concrete shed, since demolished, is thought to have been built during his ownership, probably pre-WW2.



Figure 4: Early photograph taken of Kentucky showing the attic conversion with dormer windows and the 1940 fence and verandah



Figure 5: Aerial view of Kentucky site dated 1943 with shed intact, Source: SIX Maps

In 1965 the property was purchased by the Welches who continued to reside there until 1980. In 1987 the property was purchased by GRID Developments Pty Ltd with the view to commercially leasing the existing residence.

In November 1991, a fire destroyed much of the internal finishes and roof structure of Kentucky. MCS Property, the current owners of the property and the owners of the adjoining Nepean Square shopping complex restored the property, with the works completed in 1999. The intention was to lease the property for professional rooms. Until recently the building has been operating as a Thai restaurant.

3 Physical Description

3.1 Site and Context

The subject site, located on the south-eastern side of Station Street, contains two buildings. The total land size is approximately 1143 m². The second building toward the rear of the site is a recent build and is subject to a separate lease. Kentucky has a frontage to Station Street of approximately 20m and a total site area of approximately 648 sqm. The floor space is 223.6 sqm.

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

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

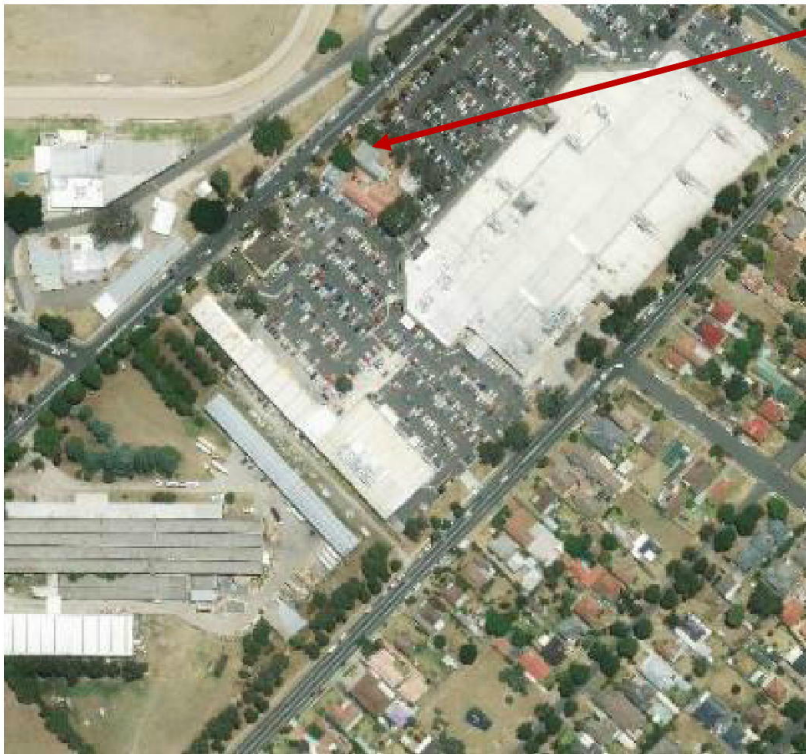


Figure 6: Aerial View of the site, Source: SIX Maps

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



Figure 7:
Streetview of the
two Victorian
properties, 146
and 148 Station
Street

3.2 Curtilage

The building is located toward the front of the site. The majority of the hard and soft landscaping dates from the 1994 renovation, although many of the trees particularly on the eastern perimeter were pre-existing. While the garden is not original it is fairly sympathetic to the style. The typical Victorian Gothic style dwelling would have had a garden that strived for prettiness, quaintness and old world charm. It may have had thickets of trees and shrubbery, and graveled walks amongst geometric flowerbeds behind picket fences.

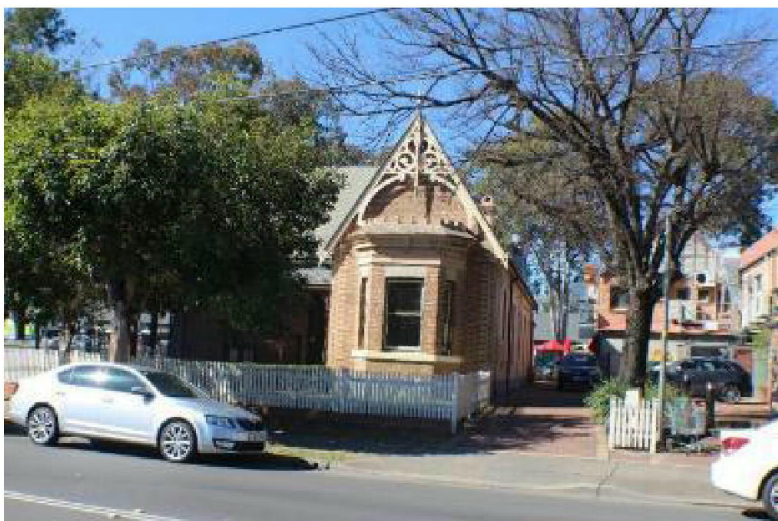


Figure 8: Angled
view of 146 Station
Street taken from
across the road
showing the
driveway along the
western side

A number of mature trees block a large part of the view of the house from across the street.



Figure 9: View of 146 Station Street taken from across the road

The front garden is grassed lawn and has been landscaped with shrubs and small tree plantings and includes some mature trees. The pathway which extends from the front gate and steps up to the front door has been paved with masonry pavers and has a perimeter hedge.

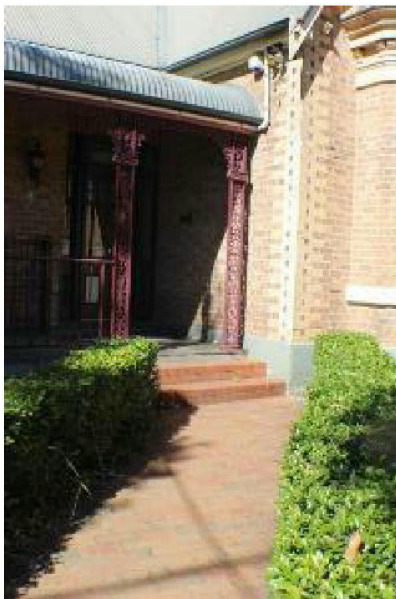


Figure 10: The front pathway landscaped in 1994

The low acorn topped painted white timber picket fence extends along the front, the rear and eastern side, and at the front of the property on the western side and replaced the non-original 1940s brick fence.



Figure 11: The front yard looking from east to west

There is a paved driveway on the western side.



Figure 12: Driveway along western side of the building between 146 and 148 Station Street

The lawn continues around the eastern side toward the rear.

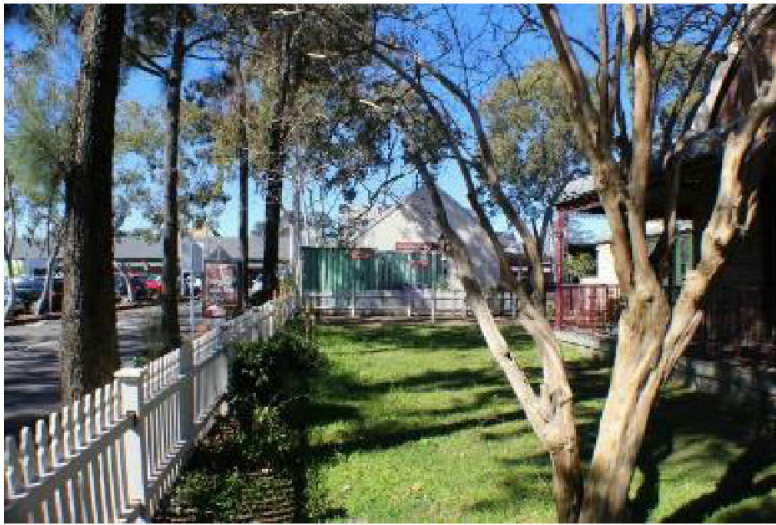


Figure 13: The side yard looking from the front garden to toward the rear of the site

The rear section has been paved and has three non-original double headed outdoor lamps. A rear entrance gate leads toward the house along a masonry paved pathway.



Figure 14: View of the rear section of the building facing the enclosed veranda section, the well is visible on the left



Figure 15: The rear fence looking towards the building currently leased by Gloria Jeans.

Near the rear entrance there is what appears to be an old well that has been filled in with earth. The structure has a black aluminum fence surrounding it. We have been unable to determine the history of this structure but can infer that at some point during the 1994 construction work they discovered the structure and were prohibited from removing it. The approved DA plan showed the whole area paved.



Figure 16: The well looking toward the rear of the property

At the rear of the building, behind a rear addition is a colourbond lapped and capped style fence.



Figure 17: The rear fence looking toward the rear addition from Gloria Jeans.

3.3 The Building

The original building, known as Kentucky, appears to have been built c1890 in the late Victorian period. While the house has contained elements of various periods, a number of later additions have been reversed and a predominant Victorian Gothic Revival style is evident. The brick residence has been built close to the street line and presents with a veranda and projecting wing with a gabled roof and bay window.



Figure 18: The front facade

Typical gothic features of Kentucky include:

- irregular massing
- use of a L-shaped floor plan with a recessed front room,
- returned veranda

- projecting wing with a bay window
- decorative barge boards
- decorative face brickwork

The most dominant feature of this Gothic style modest house is the steeply pitched gable roof clad in corrugated iron. Its traditional decorative timber barge boards were gothic in style with ogee profile. Other decorative elements include the crenellated parapet of the bay window.

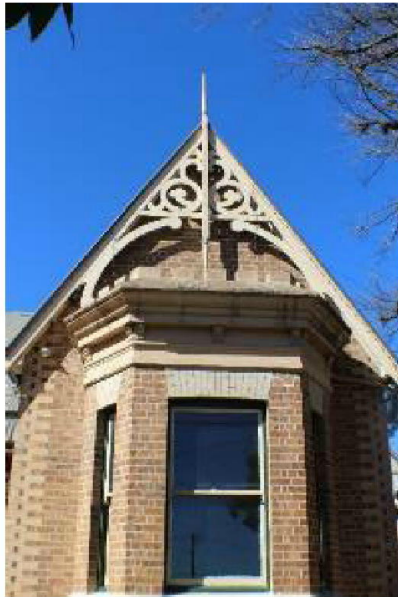


Figure 19: The decorative barge boards with projecting bay window and decorative brickwork

There is decorative use of polychrome brickwork to the front elevation of the house. The quoins and window heads create decorative accents with their cream and plum coloured bricks contrasting with the main mid brown brick colour. These bricks many have been sourced locally.

The original bull-nosed veranda with cast iron columns was altered c1940. It was removed and replaced with a skillion corrugated iron roofed brick structure which enclosed the rear sections of the veranda with a brick wall to half height with glazing infill. In the post fire 1994 renovation it was reconstructed to more closely resemble its original Victorian look.



Figure 20: The side veranda and gable from the front north eastern corner of the garden

The timber front door is unusual in that it has six panels, the traditional Victorian four panels have two additional glazed panels above. The door has glazed sidelight and top lights. The door is believed to pre-exist the 1994 renovation. The windows are double hung sash construction. There are French doors opening onto the veranda.



Figure 21: The front door with decorative brickwork

The western side of the building has been painted.



Figure 22: The painted western side of the building facing the driveway

There is an addition at the rear of the original house.



Figure 23: The rear section

The Impact of the Fire in 1991



Figure 24: Pre fire, date unknown (Source: Heritage Impact Assessment)

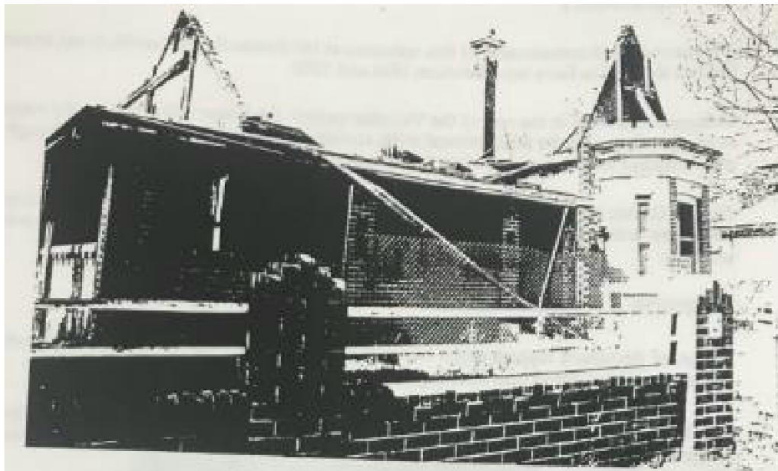
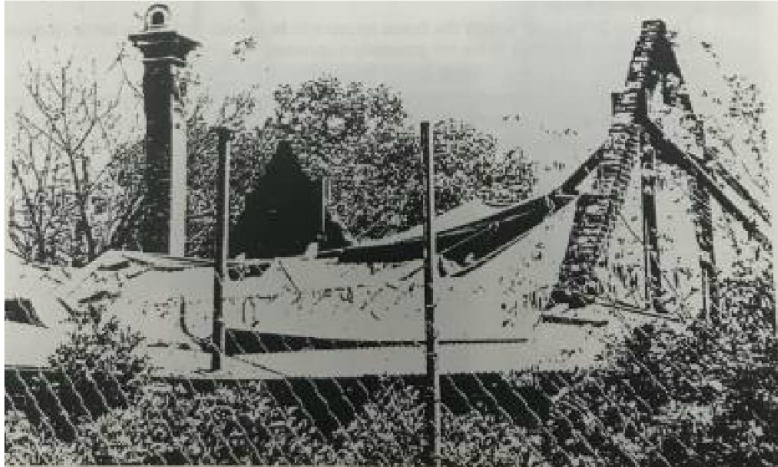


Figure 25 and 26 below: Photographs taken of Kentucky following the fire (Source: Heritage Impact Assessment)



In November 1991 a fire destroyed much of the internal finishes of Kentucky, the attic rooms and the roof structure. The fire was lit in the centre of the house within the stairwell and destroyed or badly disfigured much of the interior of the house in the immediate vicinity including the timber staircase, doors and architraves and skirting.

Severe fire and water damage to the roof and the first floor level necessitated the removal of the whole of the main multi gabled roof including the dormer windows (non original), decorative bargeboards and the first floor level that was housed in the roof. By the time of restoration there had been further damage to the building fabric as a result of water and smoke damage, dilapidation and vandalism.

The basic brick structure of the house remained sound. While extensive external finishes were damaged beyond repair, a significant amount of the original joinery and finishes remained intact sufficient to be interpreted and reconstructed.

Sadly the photo above (figure 24), appears to be the only pre-fire photograph of Kentucky. There are, however, several houses remaining in Penrith that appear to have been built at a similar time to Kentucky, in a similar late Victorian style. Research undertaken by qualified heritage Consultants following the fire, concluded that the house known as The Cottage at 39 Warwick Street may be the closest example of the Victorian Gothic style which Kentucky is thought to have resembled prior to 1940 alterations. Given the use of similar brickwork and detailing it has even been speculated that it may have been the same local builder who designed and built the two buildings.



Figure 27 & 28: 39
Warwick Street
Penrith



Interior

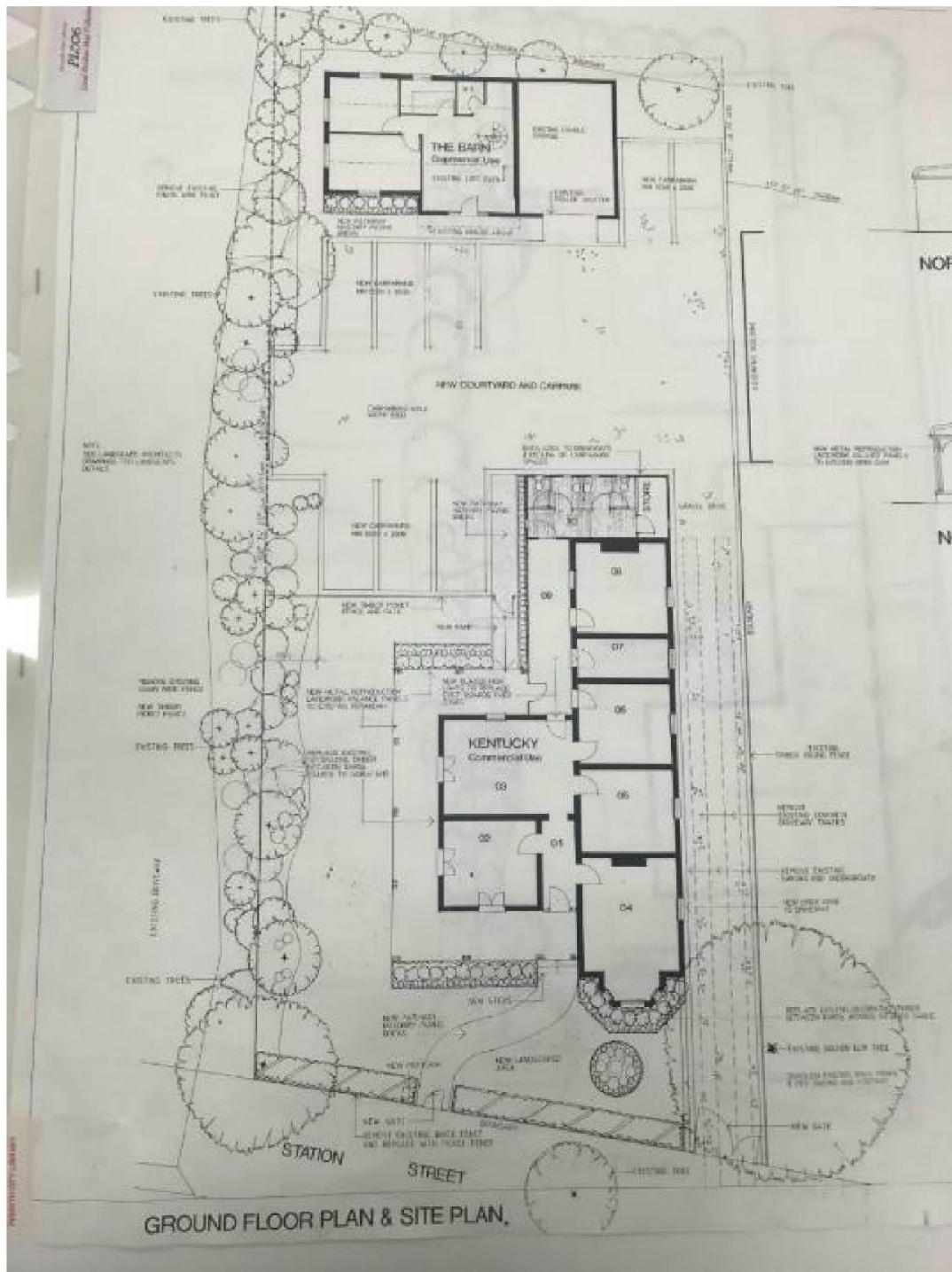


Figure 29: Plan extracted from the Heritage assesment for the 1994 renovation showing the details of work involved (Source: Heritage Impact Assesment).

The interior of the house was reconstructed following the fire.

The internal floorplan has generally remained intact and are typical of the late Victorian era. The residence would have been planned around a central passage with four rooms in the principal building and a rear wing section housing the kitchen and bathroom facilities. The rear service section has been altered and extended over time.

Like many nineteenth century dwellings the interior of these houses did not necessarily follow the same style that the facades promised. While Gothic furniture and furnishing did exist it is unlikely that they would have featured here.

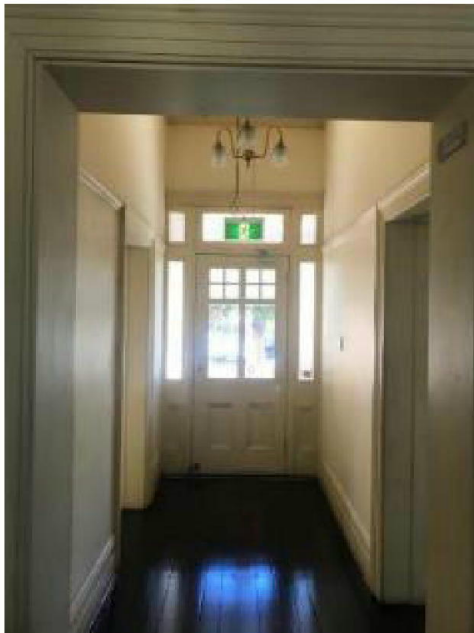


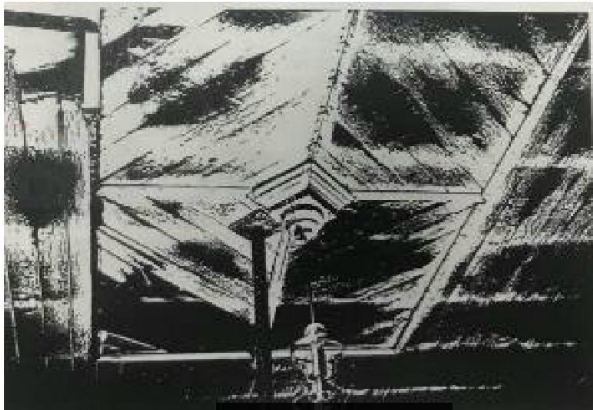
Figure 30: Current view of interiors looking down the hall toward the front door

At some stage the main dividing wall and fireplace between the two adjoining front rooms on the southern side (Rooms 04 and 05 in Figure 29) was removed to create one large room. This wall and the fireplace were reinstated as part of the 1994 restoration work.



Figure 31: Front room on the southern side immediately after the fire. Appears to be room 04 looking toward 05 prior to the internal wall being reinstated, (Source: Heritage Impact Assessment)

According to the earlier heritage assesment all the main rooms feautured V jointed tongue and groove timber ceilings. The main front room with projecting bay window had unusual diagonally panelled ceiling. Sadly these were not restored as part of the post fire renovation. The ceilings were replaced with typical late Victorian plasterwork cornices and ceiling roses.



Figures 32 and 33: Ceiling in Room 04 before and after restoration work



3.4 Restoration work post the fire

DA 503/93: Following the fire, in 1994 approval was granted for 146 Station Street to be restored and adapted for commercial re-use with the intention that the building would be leased as consulting or professional rooms. Kentucky was eventually leased as a Thai restaurant.

The scope of works included:

Kentucky

General restoration works which included among other items:

- Retention and restoration where necessary of internal joinery. New joinery made to match existing as required.
- New internal walls and plaster cornices. New ceiling roses to rooms 02-06
- New set plaster coat to internal walls
- Reinstatement of the internal wall between the front north-western rooms 04 and 05, according to the heritage assessment the fireplace was not to be reinstated but at some point this decision was reversed as there is currently a new fireplace of a traditional Victorian style.
- Reinstatement of the original room layout which involved the removal of an en-suite bathroom and the kitchen and the staircase to the first floor attic room. The attic floor was not considered to be original. The internal access stairs and associated dormer windows were believed to be a later addition made some time prior to the Second World War.
- Removal of a fibrous plaster lined wall to the passage.
- Reconstruction of the front and side verandah with a late 19th century bull-nosed verandah supported on decorative cast iron columns. The work was restored using light weight cast aluminum columns, lace brackets and balustrading rather than cast iron.
- Reconstruction of the original roof form and decorative timber barge boards.
- Rebuild of the rear addition with timber framed weatherboards to accommodate kitchen, toilet and store facilities.
- Enclosure of sections of the rear veranda with a timber-framed glazed screen of traditional style.

Site Works and Landscaping

The works included the demolition of the concrete shed at the rear which was replaced with a Victorian style building which is on a separate lease. The area around Kentucky was completely re-landscaped with the aim of enhancing the setting of the residence and precinct. Works included:

- the removal of the non-original front brick fence and replacement with a traditional acorn topped painted timber picket fence.
- Introduction of small perimeter planting along the side boundary bordering the Nepean Square car park.
- Introduction of some landscaping at the rear of the site which defined the entrance and walkway from the mall to the rear entrance. The walkway was paved.

- Construction of a driveway and paved area at the rear to allow vehicular access to open 3-5 parking area. (While the area was paved it was closed off with a timber picket fence and is not being used for carparking).

4 Heritage Significance

4.1 Assessment of Kentucky, 146 Station Street Penrith

<i>A Historical Significance: An item is important in the course, or pattern, of the cultural or natural history of NSW; or of the local area's cultural or natural history.</i>	
146 Station Street demonstrates the form of residential development that took place following the subdivision of earlier grant estates in Penrith.	
<i>Guidelines for Inclusion</i>	
✘	Shows evidence of a significant human activity
✓	Is associated with a significant activity or historical phase
✘	Maintains or shows the continuity of a historical process or activity
<i>Guidelines for Exclusion</i>	
✘	Has incidental or unsubstantiated connections with historically important activities or processes
✘	Provides evidence of activities or processes that are of dubious historical importance
✘	Has been so altered that it can no longer provide evidence of a particular association
<i>146 Station Street Penrith meets the above criterion.</i>	
<i>B Historical Association Significance: An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history; or of importance in the local area's cultural or natural history.</i>	
While the building has been owned by a number of well-to-do businessmen of Penrith over the years, there are no strong or important associations with individuals or groups who's life or work is considered important to the state or local cultural or natural history.	
<i>Guidelines for Inclusion</i>	
✘	Shows evidence of a significant human occupation
✘	Is associated with a significant event, person or group of persons
<i>Guidelines for Exclusion</i>	
✘	Has incidental or unsubstantiated connections with historically important people or events

✓	Provides evidence of people or events that are of dubious historical importance
✗	Has been so altered that it can no longer provide evidence of a particular association
146 Station Street Penrith fails to meet this criterion.	
<i>C Aesthetic Significance: An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW; or in the local area.</i>	
<p>The building is a typical example of a Victorian Gothic style cottage which, together with the neighbouring late Victorian residence, contributes to the streetscape. The adjoining shopping centre complex contrasts with the residential scale and nature of these buildings.</p> <p>While the fire of 1992 did contribute to significant loss of fabric, the building has since been restored with the style retained. Various alterations, prior to and as a direct result of the fire, while appropriate have to some extent, eroded its aesthetic significance.</p>	
<i>Guidelines for Inclusion</i>	
✗	shows or is associated with, creative or technical innovation or achievement
✓	is the inspiration for a creative or technical innovation or achievement is aesthetically distinctive
✓	has landmark qualities
✗	exemplifies a particular taste, style or technology
<i>Guidelines for Exclusion</i>	
✓	is not a major work by an important designer or artist
✗	has lost its design or technical integrity
✗	its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded
✗	has only a loose association with a creative or technical achievement
146 Station Street Penrith satisfies the above criterion at the local level.	
<i>D Social Significance: An item has strong or special associations with a particular community or cultural group in NSW; or in the local area for social, cultural or spiritual reasons.</i>	
<p>Kentucky is of recognized social significance as part of the remnant late 19th century residential middle-class development in Penrith. In the later part of the 20th century large areas of residential development have been demolished and replaced with commercial and business premises.</p>	
<i>Guidelines for Inclusion</i>	

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

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

Statement of Significance

146 Station Street, known as Kentucky, is historically significant as it represents a relatively intact example of a late Victorian residence with Gothic style features. It demonstrates the form of residential development that took place following the subdivision of earlier grant estates in Penrith. Kentucky is of recognized social significance as part of the remnant late 19th century residential middle-class development in Penrith.

The building is a typical example of a Victorian Gothic style dwelling which, together with the neighbouring late Victorian residence, contributes to the streetscape. While the fire of 1992 did contribute to significant loss of fabric, the building has since been reconstructed with the style retained. The fire and the quality of some of the reconstruction work, while generally appropriate, has to some extent, eroded its aesthetic significance.

5 Proposed Development

5.1 Introduction

The aim of the proposed works is to adapt the building known as Kentucky for use as a café style restaurant. The building has recently been operating as a Thai restaurant, however, the current lessees require more specific changes in order to improve the flow throughout the interior and exterior of the building and in order to achieve their desired aesthetic.

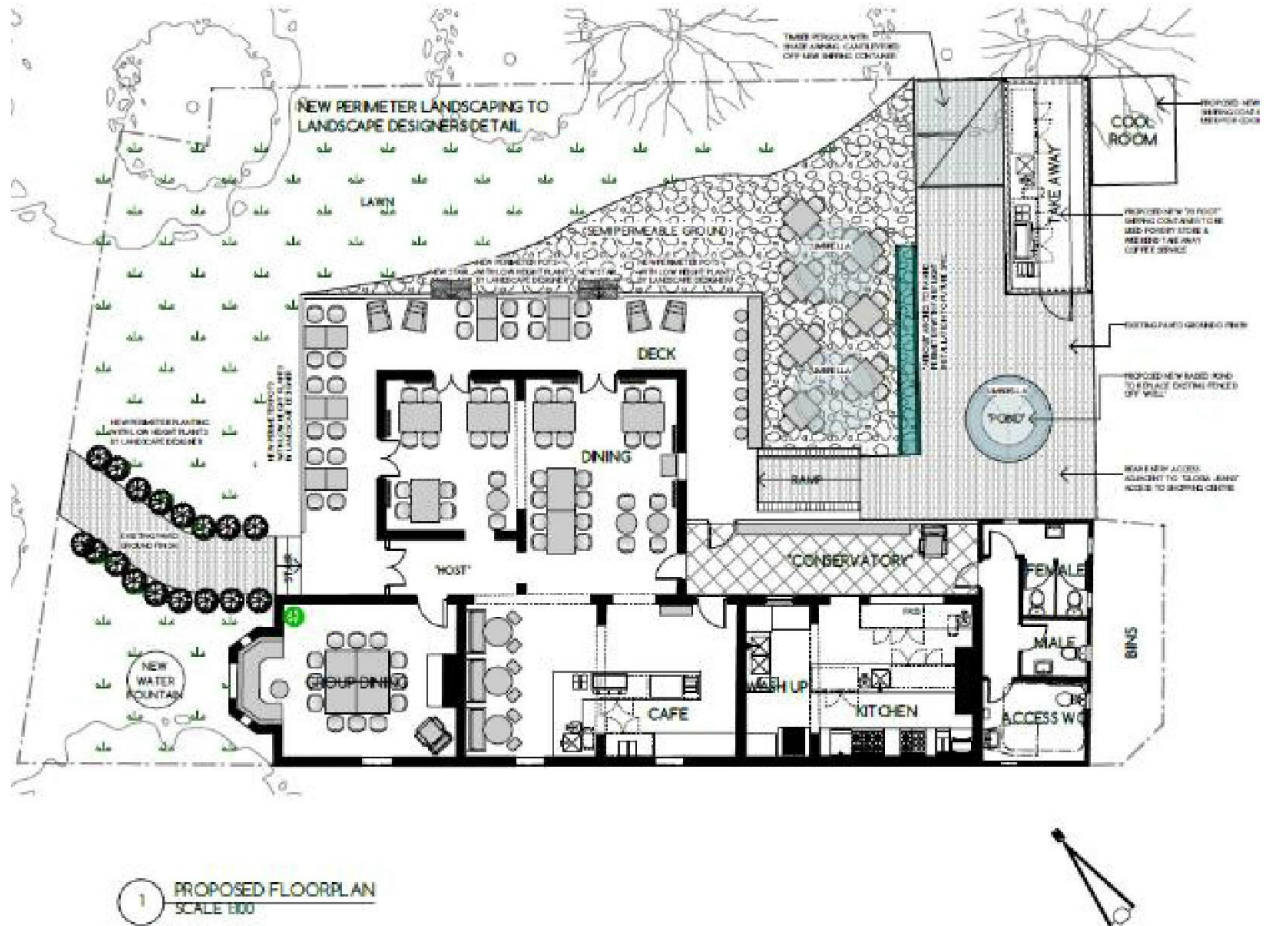
The aim of the design has been to create a restaurant that fits comfortably within this historic Victorian residence. The clients respect its heritage value and have chosen the property for its unique features. The Victorian Gothic Revival style has its roots in the ‘picturesque’, the proposed changes have been designed in such a way that they are sympathetic in style and respectful to the heritage significance. In order to be true to this picturesque aesthetic, the designer has created a seamless connection between the indoor and outdoor spaces, creating an alfresco dining experience with a relaxed Australian vibe.

According to the design, Matt Wood:

“The design intent is to at all times celebrate the original buildings heritage, and to create a series of intimate & “homely” spaces. Within the interior there are slight variations in surface finishes as to give each room it’s own character, yet overall these finishes are complementary as to create a cohesive whole. The removal of walls is an imperative decision required to add volume to the spaces, however wall nibs & lintels have been retained to indicate the original architectural footprint. The landscape design features a series of casual areas, as to create a relaxed garden environment & has the ability to cater to a wide range of inclusive dining options.”

5.2 Proposed Development

The proposed works are detailed in the accompanying drawings, 11-04, 09, 11-12, 21, 31 and 91, prepared by designer Matt Woods for the DA submission.



The scope of work proposed includes:

Interior

- The demolition of internal walls as per the plan above in order to allow for improved flow. In all cases the nib walls will remain to allow the original floor plan to be interpreted. The non-original but appropriate ceiling and plasterwork will remain.
- Removal of non-original Victorian style fireplace in dining room, to be replaced with a contemporary marble fireplace. While the fireplace is appropriately late Victorian in style it is not a good quality reproduction piece and these tessellated tiles would not have been used on the hearth.



Figure 34: The existing reproduction fireplace with timber mantle and surround and tessellated tiles.

- Removal of existing tiled flooring in the rear enclosed verandah, to be replaced with Victorian style black and white tiling and the addition of low joinery under the windows.



Figure 35: Covered verandah with tiling to be renovated with sympathetic Victorian style black and white tiles and new joinery

Exterior

- The entry area is to be located at the rear where the current gate is located. This is where the majority of clientele will enter the building from the carpark. There will be a secondary entry at the front of the house. The restaurant name is to be hand painted on the rear painted gable of the house, an area of lesser significance.



Figure 36: Rear of property showing entrance gate position to the right of the building

- The existing cast aluminum columns and balustrade on the verandah are to be removed and replaced with timber columns and cross bar which incorporates a long table.

The column and aluminum lacework was added as part of the reconstruction work following the fire. While the new veranda is appropriate in style its positive impact has been reduced by the fact that light weight quality materials have been used. Originally these would have been constructed in cast iron not lightweight aluminum. The Heritage Assessment did refer to cast iron reproduction, however it is likely these were cost prohibitive.



Figure 37: Reconstructed verandah with cast aluminum columns lacework

- New stairs leading from the deck to the ground level will be located in front of the two french doors on the north-eastern veranda side.
- In the eastern corner a 20 foot shipping container with a dome skylight is to be positioned to provide take away coffee and food items on the weekend and for dry storage. Behind the shipping container on land between the rear neighboring building and the site is to have a 10 foot container to be used as a cool-room. The kiosk

accessed from two directions, north west toward the garden and south west toward the entrance pathway, and will be an important aspect of the garden. The shipping containers are to be clad in painted corrugated iron in a sympathetic neutral colour. A timber pergola with black and white striped shade awning will cantilever off the shipping container.

- The existing rear non original brick paving is to remain.
- The existing fenced off well is to be covered over and replaced with a new raised pond with a timber table surrounding the concrete, stools and an umbrella for shading. The new design will allow create a modern interpretation of the existing well that is currently covered with an intrusive looking fence and despite its prominent position provides no practical or well understood interpretative role.



Figure 38: Fenced off remnants of old well at rear entrance area

- The area in front of the existing paving extending diagonally along the north-eastern side of the building is to have semi permeable pebble flooring with intermittent grass planting to allow for outdoor seating. The remaining area toward the front is to be lawn.
- The paved area will have timber arbor arches installed along the perimeter with fairy lighting.
- A variety of pots with planting will be scattered along the perimeter of the verandah
- At the front of the building in the western corner there will be a Victorian style water feature.
- There will be new perimeter planting around the front non- original pathway.

6 Heritage Impacts

6.1 Penrith Local Environment Plan 2010

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

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

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

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

<p>heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance, (f) subdividing land: (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</p>	
<p>(3) When consent not required However, development consent under this clause is not required if: (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development: (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or (b) the development is in a cemetery or burial ground and the proposed development: (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or (d) the development is exempt development.</p>	Not applicable
<p>(4) Effect of proposed development on heritage significance The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p>	<p>This Heritage Impact Statement is provided to assist Council in its consideration of the development application. The proposed works are not considered to adversely impact the heritage item.</p>
<p>(5) Heritage assessment The consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in</p>	<p>This Heritage Impact Statement is provided to assist Council in its consideration of the development application.</p>

<p>paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<p>The proposed works are not considered to adversely impact the heritage item.</p>
<p>(6) Heritage conservation management plans The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p>	<p>Not required.</p>
<p>(7) Archaeological sites The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies): (a) notify the Heritage Council of its intention to grant consent, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p>	<p>The proposed works do not include any excavation of the land that may disturb relics.</p>
<p>(8) Aboriginal places of heritage significance The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance: (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.</p>	<p>Not applicable</p>

6.2 Heritage Impact Assessment

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

NSW Heritage Office Model Questions

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

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

Minor partial demolition:

Minor demolition involves removal of internal walls, fireplace and verandah columns, balustrading and lacework.

Q. Is the demolition essential to the heritage item to function?

A. Kentucky was originally designed as a private residence, some modifications are often required to assist in the successful adaptive re-use of these type of buildings. While the building has been recently operating as a Thai restaurant, the proposed demolition involves the removal of internal walls in order to improve the flow through the building and assist the heritage item to function better as a café style restaurant.

The decision to alter the reconstructed veranda detailing is integral to the overall design and has been made to improve the street appeal.

Q. Are important features of the item affected by the demolition (eg fireplaces in buildings)?

A. The existing plasterwork is not original but is appropriate and is to be retained in full where possible.

The wall containing the fireplace is not to be altered, however the fireplace itself is to be updated. It is not original and while it is appropriately late Victorian in style, it was a new addition in the 1994 renovation and reconstruction. It was not common for tessellated tiles to be used in the hearth of Victorian fireplaces.

The extent of demolition is considered acceptable.

Q. Is the resolution to partially demolish sympathetic to the heritage significance of the item?

A. The overall character of the existing dwelling has been maintained.

Q. If the partial demolition is a result of the condition of the fabric, is it certain that the fabric cannot be repaired?

A. The decision to partially demolish the internal walls is to improve the overall flow through the building, it is not related to the condition of the fabric. The alterations to the veranadah are to upgrade an earlier reconstruction and has been designed to improve the street appeal of the building. The existing lacework and columns and balustrading is not original but it is appropriate and was replaced following research as part of the 1994 reconstruction.

Minor Additions:

Minor additions include at the rear include two shipping containers, an outdoor dining area, Victorian style arched arbor and a raised well with seating. At the front there will be the addition of a new water feature and landscaping.

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

A. The new landscaping is appropriately sized and located and has been designed to complement the existing dwelling. The two new shipping containers are to be located at the rear of the property in the south-eastern corner. The structures are appropriately sized, non-permanent and located in an area that is not visually prominent from the street. The shipping containers, with their understated contemporary design and detail and use of traditional materials such as corrugated iron, are sympathetic to the existing building.

Q. Will the additions visually dominate the heritage item?

A. The additions will have a negligible impact on the visual bulk and scale of the dwelling.

While the proposed works have been designed to increase functional dining space, it respects the proportions of existing fabric and has been designed to be sympathetic to the existing arrangement. The rear shipping container addition is appropriately sized and located.

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

A. There are no known archaeological deposits other than the remnants of what appears to be an original well that is unrecorded.

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

The proposed works preserve the street front elevation and are of an understated contemporary design and detail that is sympathetic and complements the late Victorian style of the heritage item and its heritage listed neighbour.

New Development adjacent to a heritage Item:

The new additions are located next to the subject heritage item and next to its neighbour at 148 Station Street.

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

The proposed alterations and additions maintain the existing form of development on the site as a single Victorian gothic style dwelling. The design is in keeping with the character and size of the adjoining heritage item which is a late Victorian style residence with a contemporary rear addition. The proposed changes are well separated from the building and will have a minimal impact on their visual curtilage.

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

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

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

A. The new development which includes two shipping containers, an outdoor dining area, Victorian style timber arched arbor and a raised well are located towards the rear of the property in order to reduce the visual impact from Station Street. The setting and curtilage of the nearby heritage item will not be impacted by the proposed development. The existing views from the heritage item will be maintained. The new water feature will be at the front of the building but is to low scale and sympathetic to the original building style.

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

A. There are no known archaeological deposits.

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

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

The proposed new shipping container additions are to be viewed in the context of the altered rear of both dwellings and the altered context within a shopping centre which is dominated by contemporary forms.

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

A. The new additions are small scale structures which will not visually dominate the surrounding heritage items. The work is contained to the rear and will not affect the street façade.

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

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

Re-painting

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

A. Any new paintwork will be neutral and sympathetic to the style of building.

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

A. No the repainting will not impact the conservation of the fabric and will be isolate to areas that are not original fabric.

New landscape works and features (including carparks and fences):

Q. How has the impact of the new work on the heritage significance of the existing landscape been minimised?

A. The current landscape is appropriate to the Victorian style dwelling and while not original was reconstructed as part of the post fire renovation. The existing acorn topped picket fence and most of the front garden plan is to be retained. The new landscaping blends seamlessly with the existing introducing a Victorian style water feature and additional planting at the front. The new structures, arches, kiosk and café seating are predominantly located at the rear in areas of lesser significance that have been previously altered. The rear part of the property we know was the location for early sheds and storerooms so is the appropriate location for the shed inspired storage container kiosk.

The new well is to be located above what appears to be the remnants of an existing well. MHM has not been able to ascertain from Council or elsewhere, exactly what the significance of this item is. The approved plans for the 1994 restoration work had the whole area paved but this may have been stopped prior to construction. The proposed new design reinterprets the feature while creating a practical, attractive and sympathetic eating area. The well is located prominently at the rear entrance to the building and is currently surrounding by a light-weight aluminium fence. This new raised well, with seating, is an important element of the new design.

Q. Has evidence (archival and physical) of previous landscape work been investigated? Are previous works being reinstated?

The current landscape is appropriate to the Victorian style dwelling and while not original was reconstructed following extensive research, as part of the post fire renovation. The existing acorn topped picket fence and most of the front garden plan is to be retained.

Q. Has the advice of a consultant skilled in the conservation of heritage landscapes been sought? If so, have their recommendations been implemented?

A. The new hard landscaping has been designed by Matt Woods. Any further planting will be sympathetic to the overall Victorian inspired garden and will be made following advice from a qualified landscape gardener.

Q. Are any known or potential archaeological deposits affected by the landscape works? If so, what alternatives have been considered?

A. There are no other known or potential archaeological deposits (underground or underfloor) that will be impacted by new landscape works.

Q. How does the work impact on views to, and from, adjacent heritage items?

A. The new landscaping has been designed to have an overall positive impact on views to and from the adjacent heritage items.

The Penrith DCP 2012

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

Any proposed development at 146 Station Street Penrith must be consistent with the aims and objectives of the heritage management and conservation provisions of the DCP as it is a heritage listed item and it is located beside a heritage listed item.

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

The Penrith DCP 2014	Response
C7 Culture and Heritage	
7.1.2 Heritage Items Controls	
1) Development Application	
<p>a) Any Heritage Impact Statement for development that may impact on a heritage item must address the following (at a minimum):</p> <p>a) The heritage significance of the item as part of the environmental heritage of Penrith;</p> <p>b) The impact that the proposed development will have on the heritage significance of the item and its</p>	<p>The Assessment of Significance is covered in Section 4 of this report.</p> <p>This Heritage Impact Statement is provided to assist Council in its consideration of the development application. The proposed works are not considered to adversely impact the heritage item.</p>

<p>setting, including any landscape or horticultural features;</p>	<p>The heritage significance of the property vests primarily in its historic and aesthetic significance. The building retains important aesthetic and townscape value despite recent fire damage and some loss of context. Kentucky is important as part of the remnant late 19th century residential middle-class development in Penrith and helps to illustrate the range of styles used during this period.</p> <p>The 1994 re work was undertaken following extensive physical assessment of the remaining fabric of the building. There was a relative lack of historical documentation to assist in the process. While the restoration work was largely successful, it can be argued that the light-weight cast aluminum lacework and paneling used on the verandah somewhat detracts from the result. According to the relevant heritage assessment, originally the intention was to replace the verandah with cast iron columns and lacework. It is likely the aluminum was used as a result of budget restrictions. The cast aluminum is commonly used for restoration work as it is appropriate if it is a high quality and is only recognisable on close inspection. The overall design is also impacted by the fact that the original house may not have had the balustrading (as per 148 Station Street and other Victorian Gothic houses in the area) which was likely added for safety reasons.</p> <p>The lessees would like to replace the aluminum with a simple timber columns and verandah balustrading. The design is simple with a cross balustrade and a built in table to increase the dining area.</p> <p>The optimum heritage solutions include:</p> <ul style="list-style-type: none"> • Replacing the existing with cast iron columns and lacework • Painting the existing aluminum in a more sympathetic colour that allows the lacework to blend in more effectively and installing pots to for planting to grow up the columns to disguise the quality. • Removing the aluminum balustrading, painting the existing columns and lacework brackets and installing pots for planting to grow up the columns to disguise the quality. • Designing new timber columns with an appropriate timber Victorian gothic style brackets that are inspired by the gable's decorative
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<p>c) The measures proposed to conserve the heritage significance of the item and its setting;</p>	<p>timberwork. While research shows that this house probably has cast iron lacework, timber was used on some Victorian Gothic houses so is not wholly inappropriate.</p> <p>The designer and lessees feel strongly that the current design with the inbuilt table is integral to their overall aesthetic and seek to have approval for their simpler design. This simple design, while not an appropriate reconstruction for this Victorian Gothic style building, is not unsympathetic to the building and the adjoining heritage property. The budget will not allow for the cast iron option.</p> <p>Generally, modifications to a heritage item will incur some loss of integrity. The proposed changes are considered to have an acceptable impact on the significance of the heritage item that has been reconstructed following substantial fire damage. The proposed changes are considered to be acceptable design solutions while improving the amenity of the residence for the lessee. It is recognised that adapted buildings do require some intervention to function effectively and these changes have been designed to improve the overall street appeal and condition of the building.</p> <p>The proposed works have been designed with regards to the form and character of the existing house and respect the heritage value of both 146 Station Street and its Victorian style heritage listed neighbor at 148 Station Street. The majority of the works will be focused at the side and the rear of the property in areas that are not visually prominent from the street and have been previously altered. The front façade is to remain unchanged apart from the alteration of the verandah detail. The front landscaping will be retained and sympathetically added to with a Victorian inspired water feature and signage.</p> <p>The demolition of internal walls and other internal changes are required in order to improve the flow of the building has been adapted from a private residence into a café style restaurant. The nib walls and existing non-original but appropriate plasterwork will allow the original floorplan of the house to continue to be interpreted.</p>
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<p>d) Whether any archaeological site would be adversely affected by the proposed development;</p> <p>e) The extent to which the carrying out of the proposed development would affect the form of any significant subdivision pattern; and</p> <p>b) Development of a heritage item must:</p> <p>a) Be consistent with an appropriate Heritage Impact Statement or Conservation Management Plan;</p> <p>b) Be consistent with the information on the State Heritage Inventory for that heritage item;</p> <p>c) Protect the setting of the heritage item;</p> <p>d) Retain significant internal and external fabric and building elements;</p>	<p>There is no evidence and it is not considered likely that any archaeological site, other than the remnants of the well, will be affected by the proposed development.</p> <p>The proposed development complies with this control</p> <p>This Heritage Impact Statement is provided to assist Council in its consideration of the development application. The proposed works are not considered to adversely impact the heritage item.</p> <p>The item is not state listed</p> <p>The proposed works continue to protect the setting of the heritage item. The front and side setbacks have been maintained. The proposed shipping container additions are located at the rear in an area that has been previously altered. They can be said to be referential to the setbacks of a former rear concrete shed that was demolished in the earlier renovation work.</p> <p>The 1994 reconstruction and restoration work was undertaken following the preparation of a Conservation report prepared by Hoadley, Budge Olphert Architects. There was a relative lack of historical documentation available, however part of the process included a careful assessment of remaining fabric following the 1991 fire.</p> <p>The decision has been made in this proposal to alter some of the detail in the reconstructed verandah and the internal fireplace. While the majority of the restoration work was appropriate and authentic to the period, some of the new elements are of a quality that can be argued detract from the building's significance.</p> <p>There will be some removal of internal walls to improve the flow of the building, the nib walls and existing plasterwork will be retained.</p>
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<p>e) Retain significant internal and external spaces;</p> <p>f) Remove unsympathetic alterations and additions;</p> <p>g) Reinstate missing details and building elements; and</p> <p>h) Use materials, finishes and colours that are appropriate to the significant periods of development or architectural character of the item.</p> <p>c) Alterations to the room layout of heritage items are to ensure that the original room configuration remains discernible and can be interpreted.</p> <p>d) If there is any likelihood of an impact on any significant archaeological relics from a period prior to the current building, development must ensure that the impact is managed according to the assessed level of significance of those relics.</p>	<p>Proposal complies with this control</p> <p>The decision has been made in this proposal to alter some of the detail in the reconstructed verandah and the internal fireplace. While the majority of the restoration work was appropriate following Burra Charter reconstruction guidelines, and authentic to the period, some of the new elements are of a quality that can be argued detract from the building's significance.</p> <p>The building was comprehensively reconstructed in 1994 following detailed research. Some changes to the detail are proposed to improve the quality of the reconstructed elements.</p> <p>The proposal complies with this control. The palette of colours and materials are sympathetic to the character of the dwelling.</p> <p>The internal wall changes have been made to improve the flow and to allow the building to function as a cafe restaurant. While the design incorporates the demolition of a number of original/reconstructed walls, the nibs have been retained such that the original floorplan can readily be identified. The existing ceiling non-original but appropriate plasterwork is to be retained. It is recommended that no alterations are made until a structural engineer has identified and addressed the impact of the proposed changes.</p> <p>The building appears to have been the first built on the land and there are no known or potential archaeological deposits (underground or underfloor) other than the above mentioned well remnants, that will be impacted by new landscape works.</p>
<p>7.1.4. Design Guidelines</p>	
<p>1) Site Planning</p>	
<p>Any new development should be positioned to ensure that the visual prominence, context</p>	

<p>and significance of the existing heritage item and its setting are maintained.</p> <p>Front and side boundary setbacks are a major contributor to the character and significance of a heritage item or heritage conservation area. Existing patterns should be maintained in new development to continue the established rhythm of buildings and spaces.</p> <p>a) Development should conform to the predominant front setbacks in the streetscape.</p> <p>b) Development should respect side setbacks and rear alignments or setbacks of surrounding development.</p> <p>d) Front and rear setbacks should be adequate to ensure the retention of the existing landscape character of the heritage item or conservation area and important landscape features.</p> <p>d) Any significant historical pattern of subdivision and lot sizes is to be retained. Subdivision or site amalgamation involving heritage items or contributory buildings should not compromise the setting or curtilage of buildings on or adjoining the site.</p>	<p>The proposal complies with this requirement.</p> <p>The proposal complies with this requirement. The proposed shipping containers are an important part of the overall design and blend sympathetically into the Victorian inspired garden. The containers are not permanent structures and in no way can be said to dominate the building or the adjoining heritage property.</p> <p>The proposal complies with this requirement. There will be no change to the front setback. The new landscaping and outdoor café has been designed to be sympathetic to the existing arrangement.</p> <p>Proposal complies with this control.</p>
<p>2) Alterations and Additions</p>	
<p>This section includes general provisions for alterations and additions to heritage items.</p> <p>a) Single storey additions may comprise the following forms:</p> <p>i) Linked pavilions;</p> <p>ii) Attached wings;</p> <p>iii) Detached pavilions; and</p> <p>iv) Attached L-shaped wings.</p> <p>b) Additions should not extend beyond side boundary setbacks.</p>	<p>This proposal includes the addition of two shipping containers at the rear of the property which are not attached to the heritage item. These portable detached structures are to be located in the south-east corner. Their height will be well below the eaves of the original building. They have been designed to be contemporary in style using traditional materials so that they are sympathetic to the heritage item and will complement the existing and emerging character in the immediate vicinity.</p>

<p>c) Attached additions shall have wall indentations to clearly separate the old from the new and articulate wall length.</p>	
<p>3) Subdivision and Site Analysis</p>	
<p>The subdivision of land upon which a heritage building is located has the potential to isolate the building from its setting thereby reducing its cultural or historical significance.</p> <p>The setting of a heritage building is often referred to as the curtilage and may include the immediate garden, mature trees, original allotment boundaries, paddocks, fencing, outbuildings, archaeological sites, views/vistas or any other feature or space which allows a greater understanding of its historical context.</p> <p>The curtilage is therefore essential for retaining and interpreting the heritage significance of that building.</p> <p>a) Proposals for subdivision should define an appropriate setting or 'curtilage' for the heritage building as part of the Heritage Impact Statement or Conservation Management Plan.</p> <p>b) In determining the curtilage of a heritage building, consideration is to be given to the following:</p> <p>i) The original form and function of the heritage building: The type of structure that constitutes the heritage building should be reflected in the curtilage. For example, it may be appropriate that a larger curtilage be maintained around a former rural homestead than that of a suburban building;</p> <p>ii) Outbuildings: A heritage building and its associated outbuildings should be retained on the same allotment; and</p> <p>iii) Gardens, trees, fencing, gates and archaeological sites: Features that are considered valuable in interpreting the</p>	<p>Not applicable as the land is not to be further subdivided.</p> <p>Proposal complies with this control. existing fences and landscaping is to be retained and upgraded in a sympathetic manner.</p>

<p>history and in maintaining the setting of a building should be identified and, where possible, retained within the curtilage.</p> <p>c) New development shall be of a scale and form that does not detract from the historical significance, appearance and setting of the heritage item. In this way, the following elements require specific consideration:</p> <p>i) The height of new development near heritage items shall be less than the subject item. Increases in height shall be proportional to increased distance from the items and will be considered on merit;</p> <p>ii) Views and vistas to the heritage item from roads and other prominent areas are key elements in the landscape and shall be retained;</p> <p>iii) If the development site can be viewed from a heritage item(s), any new development will need to be designed and sited so that it is not obtrusive when it is viewed from the heritage item(s); and</p> <p>iv) Curtilages shall be retained around all listed items sufficient to ensure that views to them and their relationship with adjacent settings are maintained.</p>	<p>The shipping containers, timber arches and raised well are small scale structures located at the rear of the building and are sympathetically integrated into the overall café design.</p> <p>Proposal complies with this control</p> <p>The proposal includes new landscaping that is sympathetic to the style of the building. It can be argued that the view and vistas from the roads and the carpark will be improved as a result of the new works.</p> <p>The new landscaping has been designed to be sympathetic to the original dwelling and have been inspired by original Victorian garden. The seating around the well is a clever re-interpretation of the original well that is currently retained with little purpose, no interpretation and intrusive fencing. The shipping containers are small scale structures located at the rear of the building, they are contemporary in style and distinct from the original dwelling but have been designed to blend with the existing setting. Associated shade awning is a contemporary play on the original Victorian black and white awnings and is not considered to be obtrusive.</p> <p>Proposal complies with this control</p>
<p>4) Gardens, Landscaping and Fencing</p>	
<p>In many circumstances it is important to protect, not only the heritage item or conservation area itself, but also the land around it which contributes to its setting, therefore enhancing its heritage significance.</p> <p>Curtilages shall be established by evaluating the components of a site relative to the building. Key aspects of a property's curtilage</p>	

<p>include any gardens, entrances, fencing and outbuildings.</p> <p>The curtilage shall maintain the relationship between these elements so as to allow the heritage item and its site to be understood. As a result, these elements shall be used in determining a suitable curtilage and shall be retained where suitable.</p> <p>a) In order to preserve and maintain an appropriate scale and the visual prominence of a heritage item, the building height of new development shall generally not exceed that of the original heritage item. New development or large additions or alterations must provide a transition in height from the heritage item.</p> <p>b) Development proposals, which involve large scale redevelopment and alteration to the original character of the heritage item and will negatively impact on the heritage significance of the curtilage, will not be permitted.</p> <p>c) The colours and materials used in a new development (whether an extension or addition) should complement the colours and materials of the heritage item. New development within the curtilage must not adversely impact upon the significant fabric of a heritage item.</p> <p>d) Where possible, existing fences that have been identified as significant or that contribute to the overall setting or character of a heritage item are to be retained or repaired, rather than replaced.</p> <p>e) New fences should either match as closely as possible the original fencing, or if the original fence type is not known, specifically relate to the architectural character and period of the existing heritage item with respect to design, materials, colour and</p>	<p>The shipping containers, arches and raised well are small scale structures located at the rear of the building which are integrated into the overall café design.</p> <p>Proposed alterations and additions are focused in areas that have already been altered. The landscaping including the shipping container additions and the raised well with seating, is a contemporary take on the Victorian garden styling and has been designed to blend sympathetically with the existing. There is recognition that an earlier renovation included a number of sympathetic landscaping changes following historical research, such as the timber picket fence and , in attempt to reverse earlier unsympathetic alterations. This work has not been altered or reversed.</p> <p>The designer has selected traditional materials such as timber and corrugated iron and used them in a contemporary way. The proposed colour palette is neutral and sympathetic to the surrounding natural and built environment and is sympathetic to the heritage item.</p> <p>The existing acorn headed timber picket fence, which was added as part of the post fire restoration work, is appropriate to the style of house and is to be retained.</p> <p>Not applicable as the fence is to be retained.</p>
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<p>height. Old photographs or careful inspection of remaining fabric can often reveal the original fence type.</p> <p>f) New development shall not be sited in front of the front building line of the existing heritage item nor shall it extend beyond the established side building lines of the heritage item.</p> <p>g) New development within the same curtilage as a heritage item shall generally not be larger in scale than the heritage item. Reference shall be made to the building height of the heritage item as the maximum permissible building height of alterations or additions.</p> <p>h) Vegetation around a heritage item shall be assessed for its value to the item and retained where required.</p>	<p>The front garden provides a setting for the house and also contributes to the streetscape. While not original it is appropriate in form and will be retained and sympathetically updated.</p> <p>The new addition involves two new portable shipping containers which are located separate to and at the rear of the building.</p> <p>Proposal complies with this control</p> <p>All new planting is to be selected as appropriate to a Victorian style garden.</p>
<p>7.1.5. Development in the Vicinity of a Heritage Item or Conservation Area</p>	
<p>1) A Heritage Impact Statement shall be lodged with a development application for buildings or works in the vicinity of a heritage item or heritage conservation area. This clause extends to development that:</p> <p>a) May have an impact on the setting of a heritage item or conservation area, for example, by affecting a significant view to or from the item or by overshadowing; or</p> <p>b) May undermine or otherwise cause physical damage to a heritage item; or</p> <p>c) Will otherwise have any adverse impact on the heritage significance of a heritage item or any heritage conservation area within which it is situated.</p>	<p>This Heritage Impact Statement is provided to assist Council in its consideration of the development application. The proposed works are not considered to adversely impact the adjoining heritage item.</p>
<p>2) The following issues must be addressed in the Heritage Impact Statement:</p>	

a) The impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item;	The proposed new works have been designed to be sympathetic to the Victorian style buildings and are not expected to have any negative impact on the adjoining heritage item. The new works are focused at the rear and on the eastern side of the property.
b) Details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works; and	The proposed works will be of a form, height and character that will complement its setting in this locality and will not be out of character or scale with the adjoining heritage property.
c) Details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.	The new works are focused at the rear and on the eastern side of the property and will not impact the adjoining heritage item.

6.3 Conclusion

This report concludes that the proposed works to 146 Station Street Penrith provide a positive response to the need to further adapt and update the dwelling to enable it to operate effectively as a café style restaurant. The proposed works will improve the flow through the building and create new dining spaces for indoor and outdoor dining while respecting the building's heritage significance and that of its heritage listed neighbor at 148 Station Street.

146 Station Street is a listed heritage item on the Penrith LEP 2010. The assessment of significance attributes historic, social and aesthetic values to the property. The building is a typical example of a Victorian Gothic style dwelling which, together with the neighbouring late Victorian residence, contributes to the streetscape and can be said to have some landmark qualities. While the fire of 1991 did contribute to significant loss of fabric, the building has since been reconstructed with the style retained and some later additions reversed. The fire and the quality of some of the reconstruction work has, to some extent, eroded its aesthetic significance.

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

The internal alterations are designed to renovate the interiors to create the appropriate aesthetic; allow for multi-purpose areas and to improve its overall flow. New openings in internal walls will be approved by a structural engineer to ensure that the integrity of the building has been retained. The original floorplan will continue to be interpreted as the existing ceilings, cornices and nib walls will remain to define the original wall positions. The kitchen and bathroom facilities, to be upgraded, are located at the rear in areas that have been previously altered and have little or no remaining significant fabric.

The existing landscaping is not original but was rebuilt, following research, as part of the post fire 1994 renovation. The existing fencing is to be retained. The front garden will remain largely unaltered except for the addition of a sympathetic Victorian style water feature and timber signage. The new structures are focused at the rear of the property. While they are visible from the public domain they have been designed to sit comfortably in their Victorian setting. The design uses traditional materials in a contemporary way. The new raised well with seating cleverly reinterprets a heritage feature that has previously been unsympathetically highlighted.

The decision to alter the veranda detail and fireplace, which will involve some degree of penetration and demolition of significant fabric is considered to be integral to the overall design. The proposed alterations should be viewed in the context of the already altered and partly reconstructed dwelling.

6.4 Recommendation

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

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

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