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Penrith Regional Gallery, 86 River Road, Emu Plains

Repair and restoration works to Living Room Gallery

STATEMENT OF ENVIRONMENTAL EFFECTS

Prepared for: Penrith City Council Issued: 23rd September 2021

Introduction

This *Statement of Environmental Effects* (SOEE) provides an analysis of a proposal to make alterations to the Living Room Gallery of the Penrith Regional Gallery. This report has been prepared in support of a Development Application to Penrith City Council.

This report was prepared by Jessica Kroese of this office with review by Sean Johnson office (see attached CVs). The site was inspected by Sean Johnson on the 27th of August, 2021.

The Penrith Regional Gallery is included as a heritage item in Schedule 5 of the *Penrith Local Environmental Plan (LEP)* 2010 as *Lewers Bequest and Regional Art Gallery, houses and garden* (item no. 69). The place is <u>not located</u> within a heritage conservation area.

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

Description

Penrith Regional Gallery

The Penrith Regional Gallery, 86 River Road Emu Plains, is located on the western side of River Road, which runs parallel to the adjacent Nepean River, within the Local Government Area of Penrith City Council.

The Penrith Regional Gallery comprises a collection of buildings from varying periods between the early 20th century to present, set within an extensively landscaped garden. The area of the Penrith Regional Gallery that is the subject to the proposed works is the Living Room Gallery, located at the north-western side of the property and between the main gallery building to the north east, Lewers House Gallery to the south west, and carpark to the west.

The real property definition of the Penrith Regional Gallery is Lot 34, DP 1114973.



Figure 1: Map of the locality showing the location of the subject property (outlined in blue). Source: SIXMaps.



Figure 2: Aerial view of the subject property showing the legal allotment boundaries (outlined in blue). The real property definition is Lot 34, DP 1114973.

Living Room Gallery

The Living Room Gallery (also called Lounge Room Gallery) comprises the former Kitchen wing of the nearby Lewers House, and was converted to a living room in 1950. It is a single storey, single room space, with painted white brick walls and hipped roof with gablets at each end. The building was significantly altered in the 1950s, with the addition of a flat roofed verandah, pergola and extensive glazing to the western elevation. A recent stone paved concrete ramp links the Living room Gallery to the Lewers Gallery verandah, enclosing much of the subfloor on the southern and western side.

Internally, the space retains elements of both its original layout and modified 1950s layout. The floorboards are divided into three sections – the north and south are Kauri Pine of differing dimensions, while the central third is knotty pine of poorer quality, possibly constructed over sandstone paving. The ceiling comprises painted pressed metal, with later flat panels installed over portions of the ceiling.

Some elements from the 1950s alterations of the space remain. A sideboard with cupboards and shelves is located against the southern wall and which is now painted white. To the west of the

sideboard, a doorway has been infilled, however, the door leaf remains. A sliding door is located to the east of the sideboard, and which provides access to the adjoining kitchen. A chimney breast and shelf remains in the centre of the eastern wall, however the fireplace has been infilled. The hearth and shelf incorporates mosaics created by Margo Lewers and which remain insitu.

New services related to the use of the space as a gallery have recently been inserted, including air conditioning, track lighting, smoke alarms, and security cameras. The north and eastern walls are currently used to display artworks.

Recent Images of the Place



Figure 3: Living room gallery, looking south.



Figure 5: External western façade of living room gallery



Figure 7: External southern façade of living room gallery, showing the former tank stand and location of bricked-in door.



Figure 4: Living room gallery, looking north.



Figure 6: Existing ventilation grilles to northern wall of gallery.



Figure 8: Typical view of floor substructure of living room gallery.

Present and Previous Uses

The place was originally used as a private residence. The whole of the site was converted for use as an art gallery in 1981 and is presently under the ownership of Penrith City Council.

Planning Controls

The primary planning controls relating to the site are as follows;

- Penrith Local Environment Plan (LEP) 2010;
- Penrith Development Control Plan (DCP) 2014.

The Proposal

Documents Describing the Proposal

The proposed works are described in the following documents:

- Drawings by Lucas Stapleton Johnson and Partners:
 - 125850/01 Site Plan, dated 23rd September 2021;
 - 125850/02 Floor Plan and Sections, dated 23rd September 2021;
 - 125850/03 Reflected Ceiling Plan, date 23rd September 2021;
- Heritage Impact Statement, by Lucas Stapleton Johnson and Partners, dated 23rd September 2021.
- Schedule of Works, dated 23rd September 2021.

Background to the Proposal

Concerns were raised by the Penrith Regional Gallery about strong musty odours within the Living Room Gallery, indicating possible health hazards, mould, and dampness. Cracking of the tongued and grooved pine flooring was also noted, possibly due to excessive sanding thinning, subsequently weakening the joints. An inspection of the sub-floor was carried out by Jessica Kroese of this office and John Wallis of Noel T Leach Builders on the 6th May 2021, and found evidence of possible fungal decay, lack of ventilation and generally sub-standard construction. The decision was taken by the Penrith City Council officers to take up and rebuild the floor as far as possible in accordance with current best practice.



Figure 9: Evidence of fungal growth to bearers of Living Room Gallery subfloor.



Figure 10: View of floor substructure of Living Room Gallery. Bearers are largely propped by bricks.

Summary of Proposal

Refer to the Schedule of Works accompanying this submission for full details.

In brief, the proposal includes:

• Replace Floor Boards:

- Take up existing floor, removing knotty pine boards in central area and salvaging Kauri pine boards elsewhere;
- Rebuild floor using salvaged Kauri Pine in same location, using recycled Kauri pine where salvaged boards cannot be used. Replace portion of floor that is presently knotty pine with Cypress Pine.

• Rebuild floor structure:

- Salvage and reuse all joists and bearers and rebuild floor structure in new configuration on new concrete pads and brick piers;
- Install new damp proofing and termite proofing;
- Install 4 no. hinged floor access panels (locations to be determined).

Ventilation:

- Install new removable sub-floor brick vent to southern external wall with mechanical exhaust ventilation attached. Install new ventilation fan in subfloor connected to SE vent;
- Install new sub-floor brick vent to northern external wall TME, equally spaced between the two existing vents;
- Install new brass slotted vent in floor to southern side of Living Room Gallery. Strip any lacquer from brass to allow to tarnish evenly.

Ceiling

- Strip paint from ceiling and removal and remove later flat panels. Heritage architect to investigate original paint colour and ceiling above flat panels;
- Repair ceiling where required with matching pressed metal panels in zinc and repaint ceiling in white:
- All existing ceiling services to be retained and reinstated.

Other

- Carefully strip paint from cupboards and shelves and restore polish to match original finish;
- Install scratch-resistant polycarbonate sheet over hearth mosaic, set into timber frame to detail;
- Allow to install 2no. LED spot lights under floor to illuminate sandstone paving below. Switch lights to turn on when local floor hatch opened.

Planning Issues to be Considered

Penrith Local Environmental Plan (LEP) 2010.

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

Clause 2.3 Zone Objectives and Land Use Table

The subject property is zoned R2 - Low Density Residential. Uses permitted with consent under the R2 Low Density Residential Zone include Community Facilities. The Penrith Regional Gallery is considered a community facility under the *Penrith LEP* 2010, being:

A building or place—

- (a) owned or controlled by a public authority or non-profit community organisation, and
- (b) used for the physical, social, cultural or intellectual development or welfare of the community,

The proposal involves no change in use from its present community use and therefore <u>complies</u> with the requirements of this clause.

Clause 4.3 Height of Buildings

The subject property is located within an *Area I* height area. The maximum height of a building on land shown as Area I on the *Height of Buildings Map* is 8.5m.

The existing building is a single storey structure of less than 8.5m. There is no change proposed to the existing height of the building. The proposal therefore complies with the provisions of this clause.

Clause 4.4 Floor Space Ratio

The subject property is not identified as being located in an area where Floor Space Ratio provisions apply. Therefore, the provisions of this clause <u>do not apply.</u>

Clause 5.10 Heritage

The Penrith Regional Gallery is included as a heritage item in Schedule 5 of the *Penrith Local Environmental Plan (LEP)* 2010 as *Lewers Bequest and Regional Art Gallery, houses and garden* (item no. 69). The place is <u>not located</u> within a heritage conservation area. A separate Heritage Impact Statement has been prepared that addresses the potential impact on heritage significance and is included in this submission.

Clause 5.21 Flood Planning

The subject property is not identified as a Flood Planning Area, as per *Flood Planning Land Map* - *Sheet FLD_006*. As such, the provisions of this clause <u>do not apply.</u>

Clause 7.1 Earthworks

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.

Historic archaeological sites and relics are protected under the Heritage Act 1977, including relics that are located within a site is a local heritage item.

An historical archaeological 'relic' is defined as: any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement; and is of State or local significance. This means that depending on the history of a place, most occupied land could potentially contain historical archaeological relics.

The CMP for the place notes that there is moderate to high level of historical archaeological potential within the property of a number of phases of the property's development. The proposal involves only minor shallow excavation beneath the subfloor of an existing building. As such it is possible that archaeological relics from the building's periods of development may be uncovered in this area.

If when undertaking excavation work, historical archaeology is uncovered (an 'unexpected find'), then the following procedure must be followed:

- Stop work, protect the item and inform the project manager and/or an appropriate Council officer
- Engage an archaeologist to undertake a preliminary assessment and recording of the 'unexpected find' and to prepare an archaeological management plan.
- Implement archaeological management plan based on archaeologist advice (including if necessary, contacting NSW Heritage).

Clause 7.3 Development on Natural Resources Sensitive Land

The subject property is not identified as Natural Resources Sensitive Land, as per *Natural Resources Sensitivity Land Map - Sheet NRL 006.* As such, the provisions of this clause do not apply.

Clause 7.5 Protection of Scenic Character and Landscape Values

The subject property is not identified as Land with Scenic and Landscape Values as per *Scenic and Landscape Values Map - Sheet SLV-006*. As such, the provisions of this clause <u>do not apply.</u>

Penrith Development Control Plan (DCP) 2014

The proposed works involve internal works to the Living Room Gallery only. There will be no change to the existing form, siting, or external appearance of the Living Room Gallery. No works are proposed to the other buildings located at the place, or the surrounding gardens, plantings, and landscaping. As such, only the relevant provisions of the *Penrith DCP* 2014 have been addressed below:

DC	CP Provision	Comment
C4: Land Management		
4.1: Site Stability and Earthworks		
1)	Development Consent a) In accordance with the earthworks provisions of the LEP, development consent is required for any earthworks unless: i) The work is exempt development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008; or ii) The work is ancillary to other development for which development consent has been given.	The proposal involves minor excavation in order to construct new concrete pads to support the rebuilt floor of the Living Room Gallery. Refer to discussion regarding Clause 7.1: Earthworks above.

b) Consent is required when material is imported or removed from a property or is relocated on the same property.

4.3 Erosion and Sedimentation

- 1) | Erosion and Sediment Controls Plans (ESCP)
 - a) All applications for subdivision and development which involve site disturbance must be accompanied by an Erosion and Sediment Control Plan (ESCP), except in the following circumstances:
 - i) The construction of minor structures including carports, pergolas, verandahs, garden sheds and the like; and
 - ii) Dwelling additions and alterations which are deemed by Council as not likely to cause erosion and sediment loss from the site

The proposal involves minor excavation in order to construct new concrete pads to support the rebuilt floor of the Living Room Gallery. All other works are contained within the existing building.

As such, the works are not likely to cause erosion and sediment loss from the site and an Erosion and Sediment Control Plan is not required.

C5: Waste Management

5.1 Waste Management Plans

- 1) Applicants are to submit a Waste Management Plan when lodging a development application for:
 - a) Demolition or construction of buildings;
 - b) Change of use of buildings for rural, residential, commercial and industrial developments;
 - c) Subdivision of land and/or buildings; or
 - d) Alterations to 50% or more of the existing gross floor area of buildings, or additions to buildings resulting in a 50% increase (or more) to the existing gross floor area.

The proposal does not involve the demolition or construction of buildings, change of use of the building, or subdivision of the land.

The proposal involves only minor alterations that do not constitute more than 50% of the existing gross floor area and will not result in a 50% or more increase to the existing gross floor area.

As such, a Waste Management Plan is not required.

5.3 General Controls

5.3.2 Selection of Building materials

- 1) Choose materials with low embodied energy properties and/or materials that have been salvaged/recycled for the construction/fit out of the development.
- Where possible, the timber floorboards and substructure will be salvaged and reused. Where it is not possible to reuse existing materials in rebuilding the floor, recycled Kauri Pine or new Cypress Pine will be used.
- 2) Choose certified plantation or engineered timber materials, and avoid unsustainable imported timber (such as western red cedar, oregon, meranti, luan or merbau).

Refer to (1) above. Only recycled Kauri Pine or Cypress Pine, a plantation timber, will be used where salvage is not possible.

5.4 Hazardous Waste Management

The NSW Environment Protection Authority (EPA) generally regulates the management of hazardous waste. Therefore, any applications that will involve hazardous waste may require a licence or permit from the EPA in addition to approval from Council. Please contact Council or the EPA to discuss the requirements for hazardous waste.

The proposal involves the removal of paint possibly containing lead from the existing pressed metal ceiling.

This works will be carried out in accordance with AS4361.2 and will be further detailed as part of the specification for the construction works.

Environmental Effects

Effects on Historical & Archaeological Aspects

Refer to discussion regarding Clause 7.1 of the *Penrith LEP* 2010 above. See also the *Heritage Impact Statement*, which forms part of this submission.

Demolition and Construction Waste

As per the provisions of section 5.1 of the *Penrith DCP* 2014, a Waste Management Plan is not required, as discussed above. Regardless, the works involve only minor excavation and minimal introduction of new materials, as the majority of existing timber fabric will be salvaged and reused. As such, the works will result in the production of very little waste. A Waste Management plan will form part of the construction documentation for the works.

Stormwater, Drainage and Sewerage Disposal

The proposed works are contained to the interior of the existing Living Room Gallery. No change is proposed to the existing external form of the building, or the surrounding landscaped area. The proposal will result in no change to existing stormwater or drainage arrangements at the property. No change is proposed to the existing sewage disposal system at the property.

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
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CURRICULUM VITAE

SEAN JOHNSON, BA(Hons), DipArch, MSc(Arch)(Cons) RAIA

Sean Johnson is a conservation architect with many years' experience of working on historic buildings in Australia and England. He trained in England, migrated to Australia in 1978 and developed an interest in architectural conservation when working on the rehabilitation of terrace housing in Sydney in the early 1980s.

While living in England 1988-1994, Sean worked with Firmstone & Company on the conversion of Somerset House into an art gallery for the Courtauld Institute of Art. He later carried out under his own name the conversion of an 18th century Cotswold house for The Theatre Chipping Norton, Oxfordshire.

On returning to Australia he completed a Master's degree in Architectural Conservation at the University of Sydney completing a thesis on museum climate control in historic buildings. Sean then spent four years working with the Heritage Group of the Department of Public Works, before joining Clive Lucas Stapleton & Partners in 1997. He has since worked on the restoration of Swifts, Darling Point, which won the 2012 Lachlan Macquarie Award; the adaptive reuse of the Woolloomooloo Finger Wharf; and the conversion of the Mint, Macquarie Street into headquarters for the Historic Houses Trust of NSW which won the Lachlan Macquarie Award and Greenway Awards in 2005. As well as carrying out architectural work Sean has co-authored conservation plans for important places ranging from the Australian Museum to the Sydney Harbour Bridge and given specialist heritage advice to public and private clients including other architects.

Experience

1997 to present: Conservation architect, partner with Lucas Stapleton Johnson & Partners

- Roseneath, Parramatta (c1837), adaptive reuse and restoration for Our Lady of Mercy College, 2019
- Thompson Square Windsor, Conservation Management Plan, 2018
- Macquarie Arms Hotel, Windsor, Conservation Management Plan, 2017
- Exterior restoration and colour scheme for National Trust Centre, Observatory Hill, Sydney, 2017
- Hyde Park Barracks, Conservation Management Plan, 2016
- Reconstruction of NSW Parliamentary Library, the Jubilee Room, in 2016 (National Trust Heritage Awards, Highly Commended 2018)

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- Centennial Memorial, Parramatta, Conservation (National Trust Built Heritage Award 2015)
- Reconstruction of Francis Greenway's gate lodge domes, Hyde Park Barracks, Sydney in 2012 (RAIA Architecture Award 2013);
- NSW Parliament House, Sydney, Conservation Management Plan, new guard house entrance and redesign of forecourt and Speaker's Garden, restoration of 1829 Legislative Council room, ongoing advice on historic building, 2007- present;
- Alterations and additions to Keeper's Cottages at Macquarie Lighthouse, Vaucluse, 2009.
- External restoration of Wyldefel Gardens, an iconic Modernist building in Potts Point, Sydney, 2008.
- New accessible ramp and steps to the front door of the Great Hall, University of Sydney, 2008 (Commendation from NSW National Trust Heritage Award).
- Conversion of the Mint Coining Factory, Macquarie Street, Sydney Historic Houses Trust of New South Wales (winner with FJMT Architects of RAIA John Sulman, Lachlan Macquarie and Greenway Awards, 2005).
- Restoration of Swifts, large Victorian mansion in Darling Point, Sydney, 2000 (Lachlan Macquarie Award, 2012 and RAIA Heritage Architecture Award, 2012)
- Adaptive reuse of the Wharf at Woolloomooloo, 1997-1999.

Co-author of Conservation Management Plans for: NSW Parliament House, Australian Museum, St. John's College, University of Sydney, Windsor Road and Old Windsor Road, Central Depot of Royal Botanic Gardens, Sydney, amongst others.

1993-1997 Conservation architect with Heritage Group of the New South Wales Department of Public Works & Services.

Project architect for the exterior conservation of Railway Institute Building. This project won the Horbury Hunt Award for Excellence in Brickwork and a commendation at the 1996 RAIA Architecture Awards.

Produced a Conservation Management Plan for the Sydney Harbour Bridge and a Building Maintenance Plan for the Lands Department Building, Sydney. Prepared a conservation plan and oversaw refurbishment works at the former Petersham Public School, (now Petersham TAFE West) which won the Marrickville Medal Award Commendation in 1998.

1991-1993 In private practice in Oxford, England

1988-1991 Architect with Firmstone & Company, Oxford, England Conversion of Strand Block of Somerset House, London into Galleries for the Courtauld Institute of Art, University of London.

1986-1987 Architect with Otto Cserhalmi & Partners, Sydney,

1986 Enrolled as a chartered architect in New South Wales

1983-1986 Housing Commission Inner City Project Team, Waterloo, Sydney. Design of infill housing and rehabilitation of terrace houses.

Committees

National Trust Built Heritage Conservation Committee

Published work, Conference Papers & Studies

- A Tale of Two Front Doors, NSW National Trust Magazine, April–June 2019
- *Hadley Park, Castlereagh A survivor in search of a future,* NSW National Trust Magazine, April-June 2017.
- The Jack Arch: its origin and use in NSW, Architecture Bulletin, Autumn 2015
- The Puzzle of Gannon House, Australiana, August 2013
- Australian Encyclopedia of Architecture, Article on Sydney Harbour Bridge, 2011
- Paper given at ICOMOS 'Corrugations' conference, November 2005 'Scarcely Entitled to that Name: Parramatta to the Hawkesbury along the Windsor Road' (joint author)
- Paper presented at National Trust's *Creative Conservation* Conference May 2005 entitled *Creative Conservation at the Mint*
- Wyatt Conservation Series Lecture at National Trust of Australia (NSW), October 2002, *The Geographical Fallacy in Heritage Assessment*.
- Paper on cleaning brickwork, National Trust Conference Keeping Up Appearances,
 2002
- "Museum Climate Control in Historic Buildings Alternatives to Air-Conditioning", MSc thesis, University of Sydney, 1995.
- Published Conservation Plans:
- Sydney Harbour Bridge Conservation Management Plan, 1998.
- Long Bay Correctional Centres Conservation Management Plan, 1997.
- Broken Hill Gaol Conservation Plan, 1996.

August 2019

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Associate:



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CURRICULUM VITAE

Kate Denny, B.A., M.Herit. Cons.

JESSICA KROESE BArch. Des (Hons), MHerit. Cons (Hons)

Education: University of Sydney, Masters of Heritage Conservation (Hons.), 2021

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
- Regatta Park, Emu Plains
- Parliament House, NSW (update)

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

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