

STATEMENT OF ENVIRONMENTAL EFFECTS
Penrith Valley Cultural Centre
Flag Poles

INTRODUCTION

This Statement of Environmental Effects has been prepared by Rosemarie Canales, BArch., M.Herit.Cons., Architectural Supervisor from Penrith City Council. The statement has been prepared to accompany a Development Application for the installation of 3 flag poles to be located at St Marys Corner, located on the corner of Great Western Highway and Mamre Road, St Marys.

SITE

St Marys Corner is located on the corner of Great Western Highway and Mamre Road. The site contained by four (4) buildings; Memorial Hall, Senior Citizen and Community Centre, Chambers (former Council Chambers) and St Marys Arts and Craft Centre (CWA Building) located around a central open multi function space. The multi function space, also acts as a 22 car park spaces. Don Bosco also part of St Marys' corner is located to the south of the site.

St Mary's Corner is contained by the following:

Lot1/DP261871, Lot1/DP1129978, Lot2/DP261871, Lot7/974985, Lot8/DP974985, Lot 10/DP835109, Lot5/DP38566, Lot4/DP38566, Lot2/DP38566, LotA/DP154442, LotB/DP184442, Lot9/DP38566, Lot8/DP38566, Lot7/DP38566, Lot6/DP38566, Lot11/DP603827, Lot2/DP202236, Part 11/DP202236.

The subject site where the flag poles are to be located is identified as Lot1/DP1129978.

Memorial Hall

The building contains a large hall permitted to hold 380people maximum, kitchen facilities, meeting rooms and toilet facilities.

Senior Citizens and Community Centre

The building houses the Senior Citizen and Community centre. The Senior Citizen Centre contains a meeting room permitted to hold 100 peoples maximum with kitchen and meeting room permitted to hold 20 people maximum. The Community Centre contains a large hall permitted to hold 250 people maximum, with kitchen facilities, small meeting room permitted to hold 15 people maximum, and toilet amenities.

The Chamber (Former Council Chamber)

The building houses the St Marys & District Historical Society. The building contains a number of rooms, kitchenette, and toilet.

St Marys Arts and Craft Studio (former CWA Building)

The building operates as an arts and craft studio housing pottery room, preparation room, kiln room, meeting and toilet facilities.

PROPOSAL

The proposal involves the following:

Installation of three (3) aluminium flag poles, immediately in front of the St Marys Arts and Craft Studio (former CWA Building). Each flag pole is 7.5m high, 1.5m apart set into a concrete footing illuminated.

The three flags will consist of:

1. Australian Flag
2. National Flag of culture using Centre.
3. Aboriginal Flag



FLAG PROTOCOL¹

There are a number of protocols required to fly the Australian Flag. The following has been extracted from The Australian Government, It's an Honour, Australia celebrating Australia's "Australian Flags – Part 2 The protocol for the appropriate use and flying of the flag".

The flag should be raised briskly and lowered ceremoniously.

The flag should be raised no earlier than first light and lowered no later than dusk.

When the flag is raised or lowered, or when it is carried in a parade or review, everyone present should be silent and face the flag. People in uniform should salute.

The flag should always be flown freely and as close as possible to the top of the flagpole with the rope tightly secured.

Unless all flags are raised and lowered simultaneously, the Australian National Flag should be raised first and lowered last.

When the Australian National Flag is flown with flags of other nations, all flags should be the same size and flown on flagpoles of the same height.

When flying with only one other national flag, the Australian National Flag should fly on the left of a person facing the flags.

Two flags should not be flown from the same flagpole.

The flag may be flown at night only when it is illuminated.

The flag should never be flown if it is damaged, faded or dilapidated. When the material of a flag deteriorates it should be destroyed privately and in a dignified way, i.e. it may be cut into small unrecognisable pieces then disposed of with the normal rubbish collection.

The flag should not be flown upside down, even as a signal of distress.

The flag should not fall or lie on the ground or be used as a cover (although it can be used to cover a coffin at a funeral).

After the Australian National Flag, the order of precedence of flags is: national flag of other nations, state and territory flags, other Australian flags prescribed by the Flags Act 1953, ensigns and pennants. From left to right.

¹ <http://www.itsanhonour.gov.au/symbols/flag.cfm#precedence>, accessed 19 August 2013.

Order of Precedence

The Australian National Flag takes precedence in Australia over all other flags when it is flown in company with other flags. Thereafter when flown in the community the order of precedence of flags is:

2: National Flag of other nations

3: State and Territory Flags

4: Other flags prescribed by the Flags

Act 1953 including: The Australian Aboriginal Flag and the Torres Strait Islander Flag in either order

PLANNING POLICIES AND CONTROLS

The development has been assessed in accordance with the matters for consideration under Section 79C of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following issues have been identified for further consideration

Section 79C(1)(a)(i) Any Environmental Planning Instrument

- a) Sydney Regional Environmental Plan No.20 Hawkesbury / Nepean River

The SREP provides overall direction for planning to protect the environment of the Hawkesbury/Nepean catchment within the proposed development is located.

The proposal is not located within the scenic corridor of the river, therefore considered to have no impact.

- b) Penrith Planning Scheme Ordinance

The subject site is part zoned 2(a) Residential, 3(a) General Business, Public Buildings and Parking. Public Building and parking are not prohibited in these zones and is therefore permissible.

- c) Penrith Local Environment Plan 1991 (Environment Heritage Conservation)

The Chambers (former Council Chamber) built in c1940's is listed as an item of heritage significance, within schedule 2, Part 1 – SM16 – Former Council Chamber.

The proposal will be located immediately in front of St Marys Arts and Craft Studio (former CWA Building). The installation will not physically impact the heritage building nor the setting.

There are a number of heritage items listed in the LEP, schedule 2, part 1, that are within the vicinity, they are as follows:

Former Tannery Site (SM8)	cn Mamre and Great Western Highway.
Mourilyn (original section of house)	333 Great Western Highway.
Cottage (SM25)	Lot 2a DP134, 57 Saddington Street.

The Former Tannery site is located approximately 50m west of the subject site. The proposed development will not physical impact the heritage item nor its setting.

The Mourilyn is located approximately 75m north of the subject site. The proposed development will not physical impact the heritage item nor its setting.

The cottage is located on Saddington Street, approximately 150m south west of the subject site. The proposed development will not physically impact the heritage item nor its setting.

Section 79C(1)(a)(ii) Draft Environmental Planning Instruments.

There are no draft environmental planning instruments applying to the subject site.

Section 79C(1)(a)(iii) Any Development Control Plans

- a) Penrith Development Control Plan

2.2 Crime Prevention through Environmental Design.

The proposed development "Flag Poles" will be located in front of the north elevation of the St Marys Art and Craft Studio, facing Great Western Highway. This location is prominent providing a high degree of passive surveillance as a result of the constant vehicular traffic flow along Great Western Highway.

The flag poles will also be facilitated with lighting, to emphasise the flag poles and further assist with passive surveillance after dark.

The proposal will not obstruct the light quality provided, and will not obstruct view into or through the site.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Part 2, Division 1, Subdivision 20.

2.39 Specified development

The construction or installation of a free-standing flagpole is development specified for this code.

2.40 Development standards

(1) The standards specified for that development are that the development must:

- (a) be not higher than 6m above ground level (existing), and
- (b) not have a diameter of more than 90mm, and
- (c) be located at least 3m from each side and rear boundary.

(2) There must not be more than 1 development per lot.

(3) Any flag flown from the development must not have an area of more than 2.5m² and must not be used for advertising.

The proposed development is not considered an exempt nor complying development as the applicant requests the installation of three flag poles, 7.5m in height.

Commonwealth Legislation

Flags Act 1953,

The Flags Act 1953 is an Act to declare a certain Flag to be the Australian National Flag and to make other provision with respect to Flags.

Emblem Book of the State of New South Wales - Showing the Flag (2002) **NSW Premier's Department publication**

When "On, Or in front of, a building with three flag poles of equal height".

The Australian national flag is flown on the flag pole on the left of the observer facing the building. Other national flags are flown on the centre flag pole. The flag of the State of New South Wales is flown on the flag pole to the observer's right. If the centre flag pole is taller than the others, the Australian national flag should be flown from the centre pole, with the other nation's flag on the left and the NSW flag on the right.

The proposed flag pole is proposed to be configured from left to right (when observing building) The Australian National flag, National flag of selected country, Aboriginal flag.

Views and Vistas

The site, St Marys Corner, located on the corner of Mamre and Great Western Highway has a prominent location and can be seen from all angles of the intersection. The CWA building can also be seen from the intersection, in particular the north wall.

The proposed location of the flag poles immediately in front of the north wall of the CWA building will have prominent view from Great Western Highway and Mamre Road, intersection. The views and vistas to the flag poles will be further enhanced due to the 6.5m vertical height of the flag pole shaft and its relationship to the 4m high parapet wall to the CWA building. The illumination of the flag poles will permit the flags to be flown at night viewed from all directions.

The flag pole installation will provide a positive impact to the site and surrounds permitting the flags to be viewed in all directions and at all times.

Utility services

The site is currently serviced with electricity, upgraded as part of the works associated with DA06/1979.

The flag pole installation will require electricity to facilitate lighting requirements. The electrical requirements are minor. The proposed development will utilise the existing electrically services within the CWA building. The proposal will have a negligible impact on the existing services.

CONCLUSION

The environmental effects of the proposed development have been assessed against Section 79C of the Environmental Planning and Assessment Act 1979 and it is considered that the works comply with Council and other Statutory requirements.

The Environmental Impact of the proposed development "three (3) flag installation" is minor and has negligible effect on the built environment and surrounds.

Will have a negligible impact on the views and vistas to the site.

Will have negligible impact on existing utilitarian services

It is therefore recommended that the proposed Development Application be approved by Council.

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