

# STATEMENT OF HERITAGE IMPACT

## Proposed Development at 62 Warwick Street Penrith



Job No. 9078  
October 2021

**Heritage21**  
CULTURAL BUILT HERITAGE IN THE 21ST CENTURY

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### Acknowledgement of Country

Heritage 21 wishes to acknowledge the Traditional Owners of country throughout Australia and recognise their continuing connection to land, waters and community. We pay our respects to them and their cultures; and to elders both past and present.

**Cover page:** Subject site at 62 Warwick Street, Penrith from Warwick Street looking to front façade. (Source: Heritage 21, 02.05.2021)

The following Table forms part of the quality management control undertaken by Heritage 21 regarding the monitoring of its intellectual property as issued.

Issue	Description	Date	Written by	Reviewed by	Issued by
1	Draft report (D1) issued for comment.	08.09.2021	NOC	-	KM
2	Report Issued (RI)	01.10.2021	NOC	-	KM

## 1.0 INTRODUCTION

### 1.1 Background

This Statement of Heritage Impact ('SOHI' or 'report') has been prepared on behalf of GraphioAM Architects who have been engaged by the owner of the site to submit a development application for a new development at the site.

### 1.2 Site Identification

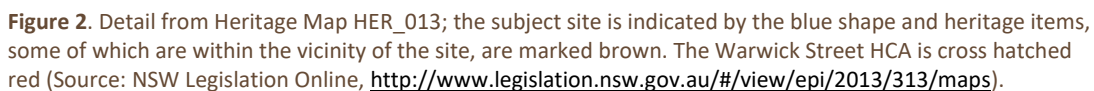
The subject site is located at 62 Warwick Street, Penrith, which falls within the boundaries of the Penrith Council Local Government Area (LGA) and comprises Lot (7) DP21745. As depicted in Figure 1 below, the site is located on the east side of Warwick Street at the corner of Warwick and Jamison Road. The subject site is occupied by a two-storey, double brick rendered building with attached garage.

The setting and topography of the site will be more fully described in Section 3.0 below.



**Figure 1.** Contemporary aerial view of the site highlighted in yellow, and surrounding urban environment (Source: NSW Land and Property Information, 'SIX Maps', n.d., <http://maps.six.nsw.gov.au/>, annotated by Heritage 21).

The subject site **is not** listed as an item of environmental heritage under Schedule 5 of the Penrith Local Environmental Plan 2010 ('PLEP').



As depicted in Figure 2 above, the site is situated within the boundaries of the Warwick Street Heritage Conservation Area HCA3 ('the HCA'), listed under Schedule 5 of the PLEP.

- **Contributory Item** – the property makes a positive contribution to the character and heritage significance of the HCA.
- **Neutral Item** – the property does not contribute nor detract from the character and heritage significance of the HCA.
- **Non-Contributory Item** – the property detracts from the character and heritage significance of the HCA.

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### 1.2.2 Heritage Items in the Vicinity

As depicted in Figure 2 above, the subject site is situated within the general vicinity of the following heritage item listed under Schedule 5 of the PLEP. The details of the listings follow:

Item/HCA Name	Address	Significance	Item Number
"Minnamurra", house	43 Warwick Street, Penrith	Local (LEP)	696

The proposed development of the site is not located within the visual catchment of heritage items 1696 listed above and neither is it considered to be sufficiently proximate to those places to warrant discussion in the Heritage Impact Assessment contained in Section 6 of this SOHI. Accordingly, the discussion in Section 6.2 of this SOHI of the potential heritage impact of the proposal on heritage items in the vicinity is limited to the Warwick Street HCA.

### 1.3 Purpose

The subject site is located within the Warwick Street Heritage Conservation Area which is listed under Schedule 5 of the PLEP. Sections 5.10(4) and 5.10(5) of the PLEP require Penrith Council to assess the potential heritage impact of non-exempt development, such as the proposed works (refer to Section 5.0), on the heritage significance of the abovementioned heritage conservation area and, also, to assess the extent (whether negative, neutral or positive) to which the proposal would impact the heritage significance of that heritage conservation area. This assessment is carried out in Section 6.0 below.

Accordingly, this SOHI provides the necessary information for Council to make an assessment of the proposal on heritage grounds.

### 1.4 Methodology

The methodology used in this SOHI is consistent with *Statements of Heritage Impact* (1996) and *Assessing Heritage Significance* (2001) published by the Heritage Division of the NSW Office of Environment and Heritage and has been prepared in accordance with the principles contained in the most recent edition of *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* 2013 ('Burra Charter').

### 1.5 Authors

This Statement of Heritage Impact ('SOHI' or 'report') has been prepared by Nicole O'Connell and overseen by Paul Rappoport, of Heritage 21, Heritage Consultants.



## 1.6 Limitations

- This SOHI is based upon an assessment of the heritage issues only and does not purport to have reviewed or in any way endorsed decisions or proposals of a planning or compliance nature. It is assumed that compliance with non-heritage aspects of Council's planning instruments, the BCA and any issues related to services, contamination, structural integrity, legal matters or any other non-heritage matter is assessed by others.
- This SOHI essentially relies on secondary sources. Primary research has not necessarily been included in this report, other than the general assessment of the physical evidence on site.
- It is beyond the scope of this report to address Indigenous associations with the subject site.
- It is beyond the scope of this report to locate or assess potential or known archaeological sub-surface deposits on the subject site or elsewhere.
- It is beyond the scope of this report to assess items of movable heritage.
- Heritage 21 has only assessed aspects of the subject site that were visually apparent and not blocked or closed or to which access was not given or was barred, obstructed or unsafe on the day of the arranged inspection.

## 1.7 Copyright

Heritage 21 holds copyright for this report. Any reference to or copying of the report or information contained in it must be referenced and acknowledged, stating the full name and date of the report as well as Heritage 21's authorship.

## 2.0 HISTORICAL CONTEXT

### 2.1 Local History

#### 2.1.1 Indigenous Occupation

There are about 29 clan groups of the Sydney metropolitan area, referred to collectively as the Eora Nation. There has been extensive debate about which group or nation these 29 clans belong to. It is generally acknowledged that the Eora are the coastal people of the Sydney area, with the Dharug (Darug) people occupying the inland area from Parramatta to the Blue Mountains. The Dharawal people's lands are mostly confined to the area south of Botany Bay, extending as far south as the Nowra area, across to the Georges River in Sydney's west. It is thought that the Guringai (Kuring-gai) people occupied the area north of Port Jackson along the coast.<sup>1</sup>

#### 2.1.2 Penrith History

The following history has been extracted from Penrith: Australian History:<sup>2</sup>

*In 1770 Captain Cook landed on the shores of Sydney's Botany Bay. Eighteen years later in 1788, Captain Phillip established the first European settlement at Sydney Cove.*

*In the following year 1789, 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 described as being "as broad as the Thames at Putney and apparently of great depth, the current running very slowly in a northerly direction".*



**Figure 3.** Penrith from the ridge. C.1914. (Source: Blue Mountains Library. HS2003. Retrieved from: [library.bmcc.nsw.gov.au/client/en AU/search/asset/1015783/0](http://library.bmcc.nsw.gov.au/client/en AU/search/asset/1015783/0))

<sup>1</sup> City of Sydney Council. 'Sydney's Aboriginal History. 2013. Retrieved from: <http://www.sydneybarani.com.au/sites/aboriginal-people-and-place/>

<sup>2</sup> Penrith Australia. History. Retrieved from: <https://www.penrithaustralia.com.au/info/history/>



*The river was 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 area across the river, today known as Emu Plains was originally restricted to the general public. It was in Emu Plains a government farm was established by Governor Macquarie. After the impassable Blue Mountains barrier was first crossed by Blaxland, Wentworth and Lawson in 1813, public access was soon permitted across the Nepean River in 1815 following the building of the road across the Blue Mountains. Emu Plains was apparently named after the sighting of Emus roaming the area, however, there are no emus to be seen today.*

*While Castlereagh was declared by Governor Macquarie in 1810 to become one of the primary areas for development, due to the new route west to the Blue Mountains, the focus shifted south along the river to Penrith.*

*Penrith became a stop over and starting point for travellers west bound. The name Penrith, first recorded in 1822, may have been named after Penrith in Cumbria England, although details are a little sketchy. This town is also set on a river with a backdrop of hills.*

*Penrith really came alive with the introduction of the railway line in 1863 serving as a major railway town until the First World War. The town experienced major expansion during the Second World War with the establishment of several military depots in the area.*

*Penrith rapidly expanded during the 1970's with a major building boom, continuing to the present day to a population of over 185,000 (Census 2011) people. Penrith is now a major city being the CBD for the Hawkesbury Valley and Blue Mountains areas.*

### **2.1.3 Warwick Street Heritage Conservation Area History**

The following history has been extracted from the NSW Heritage Register:<sup>3</sup>

*This conservation area was originally part of the Hornseywood estate subdivision of the 1880s. It was part of a grant of land made to John Best by Governor Macquarie in 1814. Best managed to retain the 470 acres Hornseywood grant until around 1828. The muster of 1822 noted 10 acres of his grant were under cultivation and 40 acres cleared, together with 36 cattle and two horses.*

*The estate was bought by another emancipist, John Tindale. Tindale was active in development of Penrith building the Rose Inn and other residences from the 1830s. It is through Tindale that the first church reserves at Penrith were established and a number of public hotels were also erected within the Hornseywood estate during Tindale's lifetime including the Kentish Arms (1830s), Fox and Hounds and Penrith Hotel (1847). Tindale died in 1857, and the estate was initially released for subdivision (DP175) in 1863 to the south of the railway station and again on several occasions in the 1880s; the first in 1885 comprised 507 acres south of the main road with one mile of frontage to High Street.*

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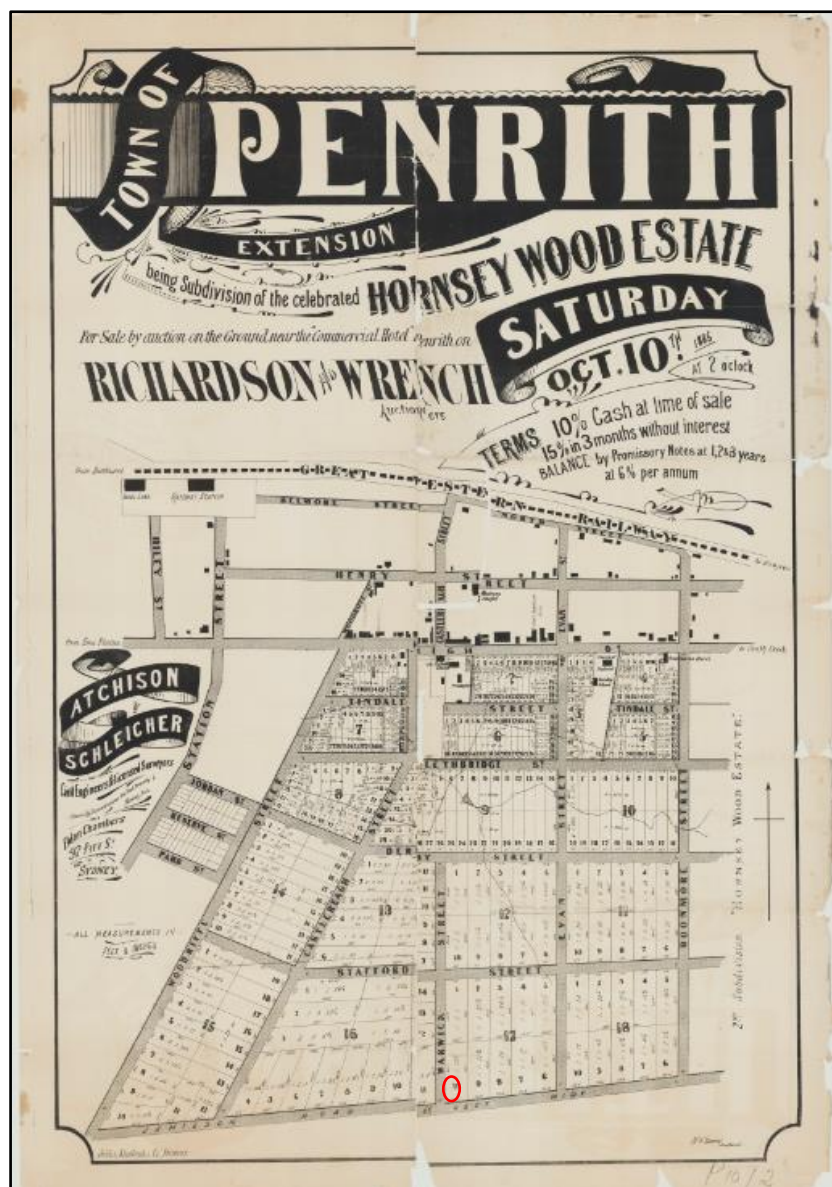
<sup>3</sup> <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260826>

*Named the Great Hornseywood Estate the subdivision provided business allotments fronting High Street, and villa and cottage sites on the gently rising slopes, and orchards and dairy farms to an area of 20 acres.*

*The subdivision pattern of this area was principally defined when it was released as a major suburban land release of the nineteenth century. The Hornseywood freehold subdivisions (DP1855) of the 1880s to the south of High Street between Woodriff Street and Parker Street are generally intact in areas where cottage blocks were offered and where development occurred in the flood free areas. The larger homestead blocks have been re-subdivided.*

## 2.2 Site Specific History

The dwelling falls within the Warwick Street Conservation Area which was originally part of the Hornsey Wood estate subdivision of the 1880s (refer Figure 4). It was part of a grant of land made to John Best by Governor Macquarie in 1814. Best managed to retain the 470 acres Hornsey Wood grant until around 1828. The muster of 1822 noted 10 acres of his grant were under cultivation and 40 acres cleared, together with 36 cattle and two horses. The estate was bought by another emancipist, John Tindale. John Lloyd Maiden later subdivided the land and in 1949 Desmond Schultz, builder, purchased the corner block (refer Figure 6 and 7).



**Figure 4.** Hornsey Wood Estate, subdivision plan, 1885. The location of the subject site is indicated by the red circle.

(Source: State Library NSW

[http://digital.sl.nsw.gov.au/delivery/DeliveryManagerServlet?dps\\_pid=IE9047102&change\\_ing=](http://digital.sl.nsw.gov.au/delivery/DeliveryManagerServlet?dps_pid=IE9047102&change_ing=))



Figure 5. 1943 aerial image of the area (Source: Six Maps)

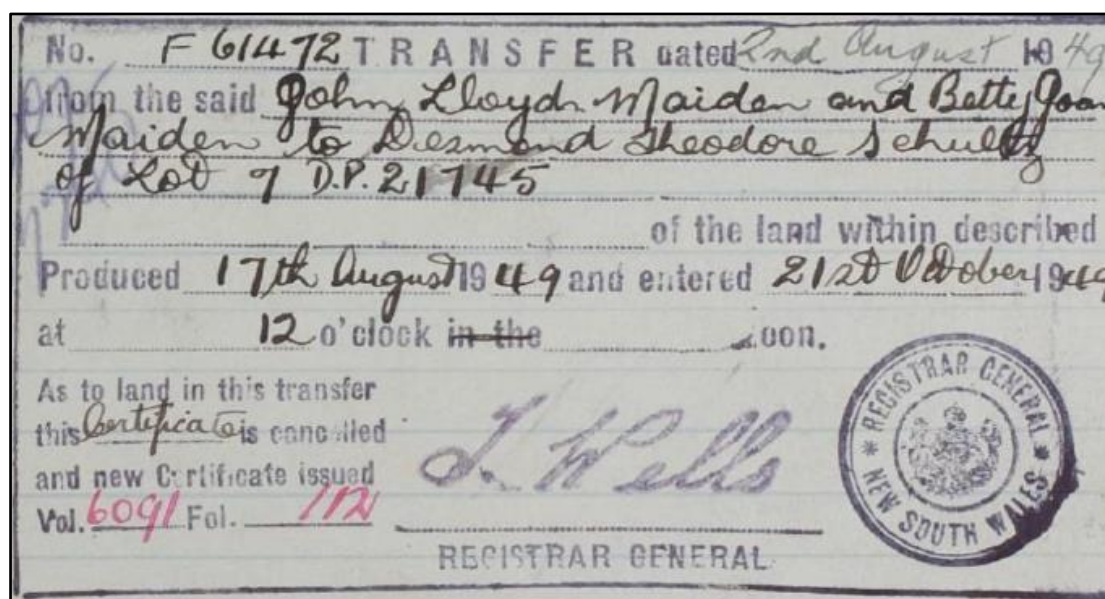


Figure 6. Vol 4511 Fol 74 (Source: hlr.v.nswlrs.com.au)

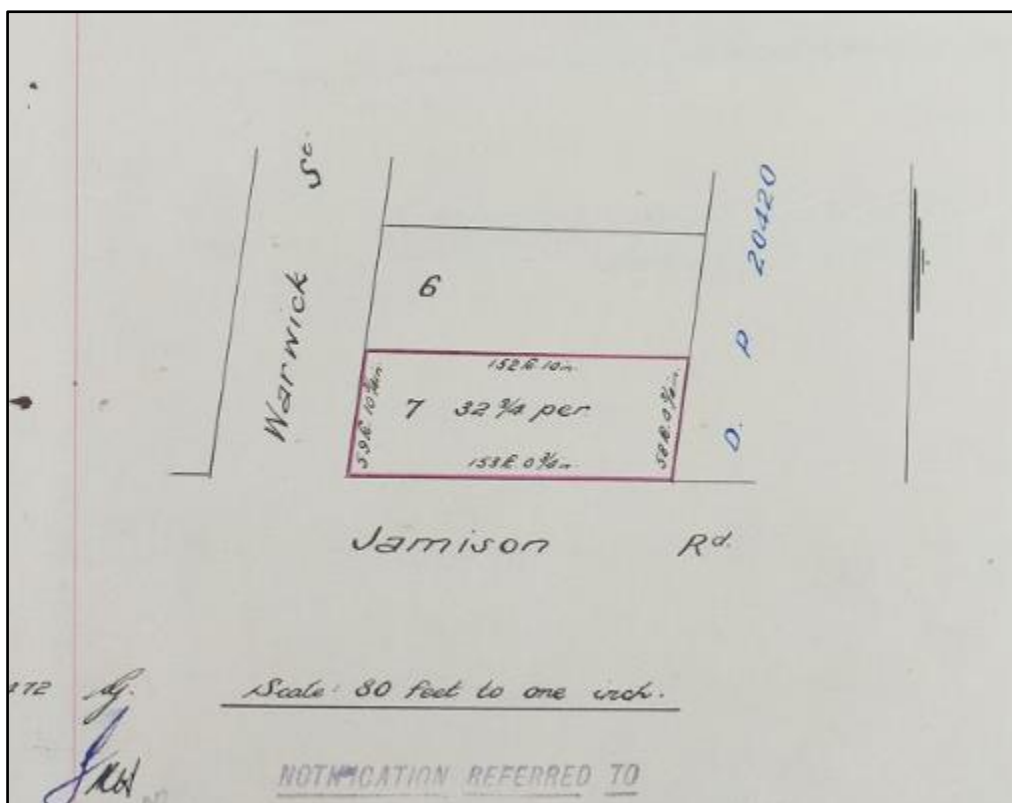


Figure 7. Vol 6091 Fol 112 (Source: hlv.nswlrs.com.au)

Desmond Schultz was a member of the Liberal Party and heavily involved with the Catholic Church (refer Figure 8). In 1959, Schultz was on the board of a committee in charge of organising the building of the Christian Brothers school in Penrith. The Committee chose a notable architect Kevin H. Curtin. However, there is no record that Curtin designed the house at 62 Warwick Street.





Figure 8. Nepean Times, 1 September 1960, p7

In 1949, the building was listed in the Valuer-General Sheet as 'incomplete'. According to Council minutes, in 1956 Schultz received approval from Council to make additions to the building (refer Figure 9).



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**10. Building Fees.**

As from the 1st. June the building fees will be calculated on the cost of the building and not on the floor area as at present. Cost shall mean the contract price, or if there is no contract the cost of the proposed building as determined by Council.

I recommend that the Building Department be authorised to estimate the cost of the building where no contract price is given. Such cost to be ruling valuation as estimated by the Valuer General's Department.

**BUILDINGS**

Approval to erect the following buildings was granted during the period:-

<u>Name</u>	<u>Type</u>	<u>Street</u>	<u>Value.</u>
<b><u>Ward 1.</u></b>			
Ausburn, A & W.	Fibro Garage	Henry Street	100
Medhurst, K & S.	W/B Dwelling	Warwick Street	3000
Fragar, J. D.	Verandah	Lethbridge St.	100
Stois, O. J.	Garage	Warwick Street	100
Bell, Dr. F.	Brick Dwelling	Mulgoa Road	7500
Hope, D. L.	Fibro Dwelling	Jamieson Rd.	2300
Karaso, H. & H.	W/B Dwelling	Seppan Ave.	2850
Scott, J.	Service Station	High St.	10300
Schultz, D.	Additions to Dwell.	Warwick St.	1200
Collie, D.	Additions to Garage	Hornseywood Ave.	100
R.S.L. Soc.	Add. to Clubhouse	Castlereagh St.	3500
Earp	Ext. of Garage	Castlereagh St.	100
Total Value Ward 1			£31150

Figure 9. Chief Health Inspectors report, 5 June 1956 (Source: Penrith Municipal Council minutes)

## 3.0 PHYSICAL EVIDENCE

### 3.1 The Setting

The site is located at 62 Warwick Street, Penrith. The suburb of Penrith is located 50 kilometres west of Sydney central business district.

### 3.2 Physical Description

The subject site is occupied by a two-storey, double brick rendered building with attached garage. The dwelling exhibits smooth rendered walls, porthole windows and a balcony. Constructed during the 1950s, the building is considered an excellent example of Post-war architecture and externally has retained a high degree of integrity.

The interior of the building has been modified however the general building layout appears to be original. The first floor has retained some heritage fabric; including, picture rails, timber framed windows, timber framed circular windows, porthole windows and glass panelled timber doors. We note that the stairs appear to be in their original position and the wrought iron handrails are original. On the ground floor, heritage fabric was noted to include a fireplace and a milk delivery box. Heritage 21 understands that cosmetic repairs are currently being undertaken to the building to repair damage caused by a leaking roof and general maintenance.

To the rear of the site are the remnants of a recently filled in swimming pool, concrete pergola and modern metal garden shed. Research undertaken as part of this report has not identified construction details for the pergola. However, with consideration to its style Heritage 21 is of the opinion that the pergola also dates from the Post-War period. The pergola was observed to be in very poor condition with extensive evidence of structural disrepair.

The site includes a number of mature trees and plantings considered to have high landscape value. The front eastern boundary along Warwick Street and extending partially along Jamison Road is defined by an original low masonry fence. It was noted during the site inspection that the fence was cracked in a number of places. The remainder of the southern side fence along Jamison Road incorporates non-sympathetic Colourbond fencing.

Warwick Street, on both sides, is characterised by predominately single-storey dwellings from a diverse range of architectural styles, including Victorian, Federation, Californian Bungalow and Post War styles. Some of the dwellings have been modified but a significant number remain intact. Other properties have incorporated new development which has been located to the rear of the existing historic buildings.

The historic and aesthetic value of the street lies in the mix of styles from different eras in the development of Penrith – with no one particular style dominating the character of the area. The scale of development along the street allows for a unified mix of styles which provides variety and interest and is recognised as being rare in Penrith.

Note: It is our understanding that since the site inspection undertaken on the 2 March 2021 that sections of the masonry fence fronting Warwick Street and path have been removed. Heritage 21 recommends the reinstatement of the fence and path, with recommendations provided in Section 7.2 of this report.

### 3.3 Views

The subject site is a readily visible item within the context of the Warwick Street HCA. As depicted in Figure 2 above, the primary view lines to the primary elevation of the site are made from the Warwick Street HCA. The proposed works would be visible from this perspective and would alter views from the site to those places.

As the subject site is located at the outer boundary of the Warwick Street HCA no secondary view lines into the rear and side elevations of the site are made from the Warwick Street HCA. These secondary view lines would not be affected by the proposal.

Accordingly, the impact of the proposal on the Warwick Street HCA is discussed in the Preliminary Heritage Impact Assessment below.

### 3.4 Images

The following photographs have been taken by Heritage 21 at the site inspection undertaken on 2 March 2021, unless stated otherwise.



**Figure 10.** View from within the rear of the subject site facing west towards the rear elevation of the dwelling.



**Figure 11.** View from within the rear of the subject site facing west towards the rear elevation of the dwelling.



**Figure 12.** View of the rear elevation of the dwelling.



**Figure 13.** View facing east of rear garden area with the subject site.



**Figure 14.** View within the rear of the subject site showing metal garden shed.



**Figure 15.** View of the concrete pergola in the rear of the site.



**Figure 16.** View of the low masonry fence along Warwick Street. The fence is considered heritage fabric.



**Figure 17.** View of original front fence.





**Figure 18.** View of original fence, including wrought iron gate.



**Figure 19.** View from Jamison Road looking north towards the subject site.



**Figure 20.** View facing east of the front façade of the existing dwelling on the subject site.



**Figure 21.** View of the primary entrance to the existing dwelling on the subject site facing east.



**Figure 22.** View from the subject site facing south-west.



**Figure 23.** View of Warwick Street streetscape.

## 4.0 HERITAGE SIGNIFICANCE

In order to assess the impact of the proposed works on the heritage significance of the Warwick Street HCA (in which the subject site is located), it is necessary to first ascertain the heritage significance of these places. Accordingly, Statements of Significance for the subject site (refer to Section 4.2) and the Warwick Street HCA (refer to Section 4.1.1) are provided below. The significance of these places, will form part of our considerations in the assessment of heritage impact, undertaken in Section 6.0 below.

### 4.1 Established Significance

#### 4.1.1 The Warwick Street heritage conservation area (Item HCA3)

The following Statement of Significance is available for the Warwick Street heritage conservation area on the State Heritage Inventory:<sup>4</sup>

*The Warwick and Derby Street streetscape has a large group of weatherboard and brick cottages in the Victorian, Federation, California Bungalow and Post War styles which provide interesting representative examples of the period and provide a sense of a historic streetscape at the elevated south end of the town. These are generally well maintained and represent the type of working class housing built within Penrith during this important period of growth and consolidation. The buildings in this area are one of a number of structures in Penrith erected over the nineteenth century and early part of the twentieth century that demonstrate the evolution of suburban settlement in this flood free area.*

### 4.2 The Subject Site

#### 4.2.1 Assessment of Significance

In order to make an assessment of whether or not the proposed development to the subject site would have either a negative, neutral or positive impact upon the significance of the subject place, it is necessary first to ascertain the significance of the subject site. The assessment is based upon criteria specified by the NSW Office of Environment and Heritage.<sup>5</sup>

Criterion	Assessment
<b>A. Historical Significance</b>  <i>An item is important in the course, or pattern, of NSW's (or the local area's) cultural or natural history.</i>	The subject site is of historical significance on account of its location within the land grant of John Best and as a Victorian Era subdivision in the Penrith area. The subdivision of Hornsey Wood Estate in the late 1800s demonstrates the evolution of suburban settlement in the flood free area of Penrith.

<sup>4</sup> <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260826>

<sup>5</sup> NSW Office of Environment and Heritage, 'Statements of Heritage Impact' (Heritage Office and Department of Urban Affairs & Planning, 1996), NSW Heritage Manual, <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf>.



Criterion	Assessment
	As such, the site meets the threshold to fulfil this criterion at a local level.
<b>B. Associative Significance</b>  <i>An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's (or the local area's) cultural or natural history.</i>	<p>Notwithstanding the connection of the allotment to the development of the Penrith area, there is no evidence of any association with a significant event, person, or group of persons since its construction.</p> <p>As such, the building does not meet the criterion for associative significance.</p>
<b>C. Aesthetic Significance</b>  <i>An item is important in demonstrating aesthetic characteristics and/or high degree of creative or technical achievement in NSW (or the local area).</i>	<p>The dwelling at 62 Warwick Street, Penrith, is important for its contribution to the Warwick Street Heritage Conservation Area. It is an excellent example of Post-War architecture and displays a high level of intactness of original detail. The dwelling exemplifies the diverse range of building styles from the 1880's to the 1960's in Warwick Street Conservation Area</p> <p>The subject site is therefore of local aesthetic significance.</p>
<b>D. Social Significance</b>  <i>An item has a strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.</i>	<p>To our knowledge, the subject site has no known association with an identifiable group in the area or was used by a particular community for social, cultural or spiritual purposes.</p> <p>Thus, the subject site does not meet the criterion for social significance.</p>
<b>E. Technical/Research Significance</b>  <i>An item has potential to yield information that will contribute to an understanding of NSW's (or the local area's) cultural or natural history.</i>	<p>There is no evidence to suggest that the building demonstrates construction techniques other than those commonly employed at the time.</p> <p>The subject site therefore does not meet the requirements of this criterion.</p>
<b>F. Rarity</b>  <i>An item possesses uncommon, rare or endangered aspects of NSW's (or the local area's) cultural or natural history.</i>	<p>No. 62 Warwick Street, Penrith does not exhibit rare or uncommon features that are of significance to the local area's cultural or natural history.</p> <p>Therefore, the item does not meet the requirements for this criterion.</p>
<b>G. Representativeness</b>  <i>An item is important in demonstrating the principal characteristics of a class of NSW's (or the local area's) cultural or</i>	<p>The existing dwelling is representative of Post-war dwellings constructed during the 1950s. Although internal modifications have been made, a high degree of integrity and original detailing remains.</p> <p>As such, the building does demonstrate representative qualities.</p>

Criterion	Assessment
<i>natural places or cultural or natural environments.</i>	

#### 4.2.2 Statement of Cultural Significance

The subject site is of historical significance on account of its location within the Hornsey Wood Estate which was subdivided in the late 1800s. The subdivision demonstrates the evolution of suburban settlement in the food free area of Penrith. The dwelling is an excellent example of Post-war architecture, displays a high level of integrity and exemplifies the diverse range of building styles from the 1880's to the 1960's in the Warwick Street heritage conservation area.

The subject site has no known associational significance and does not display construction techniques other than those commonly employed at the time. The subject site is a representative example of the Post-war architectural style and exhibits the principal design characteristics of this architectural period.

## 5.0 WORKS PROPOSED

### 5.1 Proposal Description

The proposed development would include:

- Subdivision of the site;
- Construction of a single-storey detached dual occupancy; and
- Associated landscape works.

### 5.2 Drawings

Our assessment of the proposal is based on the following drawings by GraphioAM, dated 3 May 2021 and received by Heritage 21 on 3 May 2021 and landscape drawings by Greenland Design, dated 10 August 2021 and received by Heritage 21 on the 2 September 2021. These are reproduced below for reference only; the full set of drawings accompanying the development application should be referred to for any details.

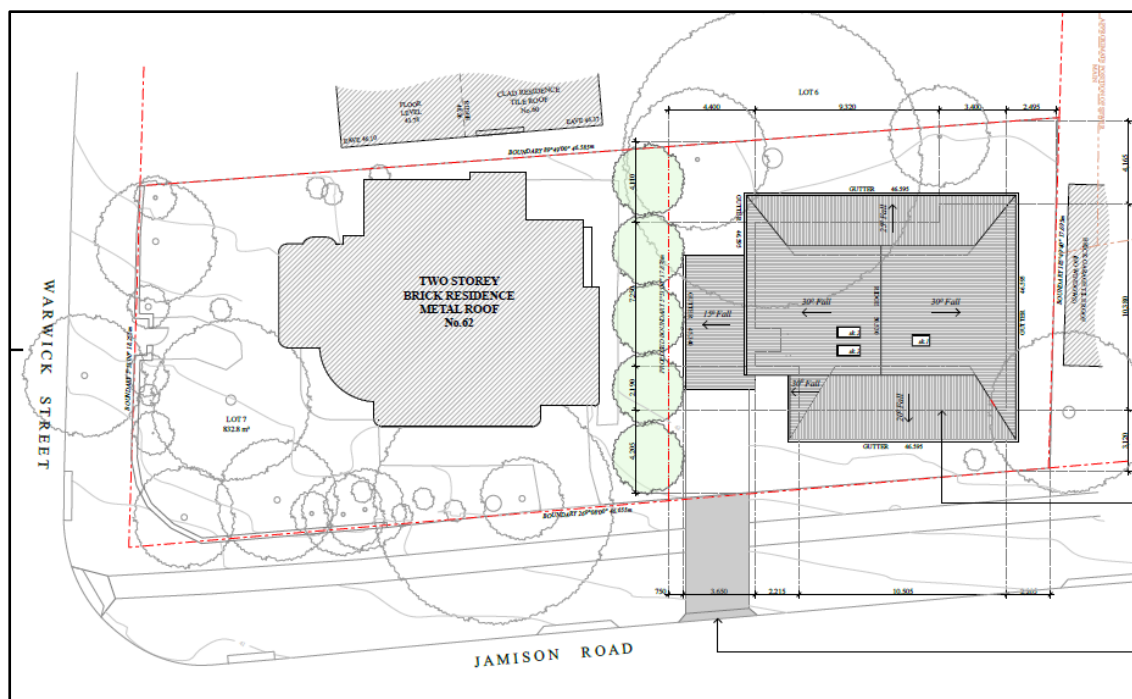


Figure 22. Site Plan

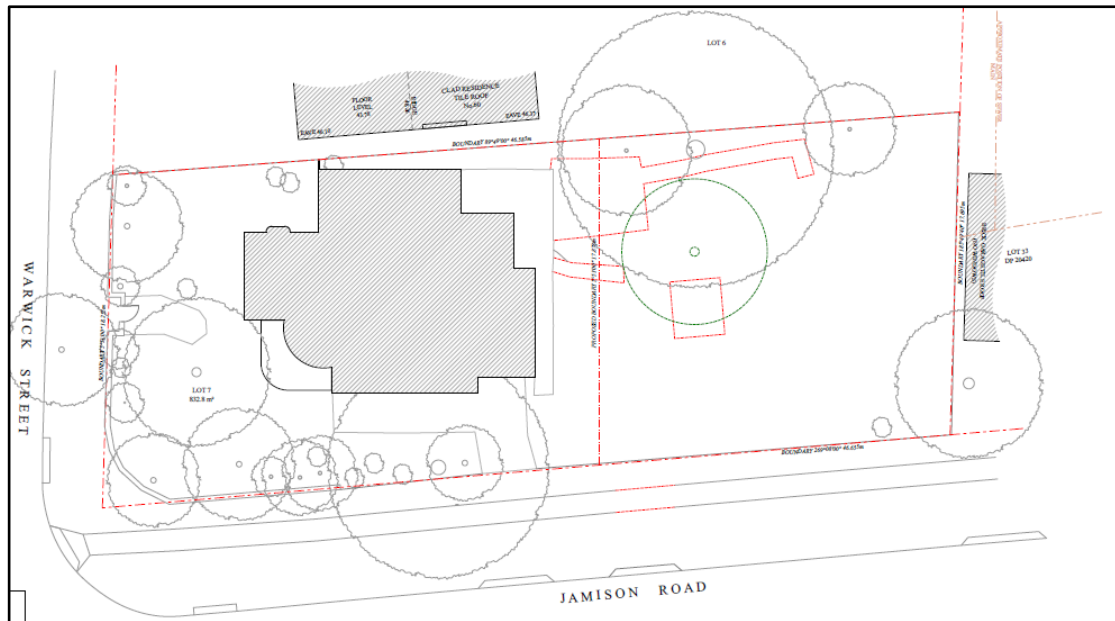


Figure 23. Demolition Plan

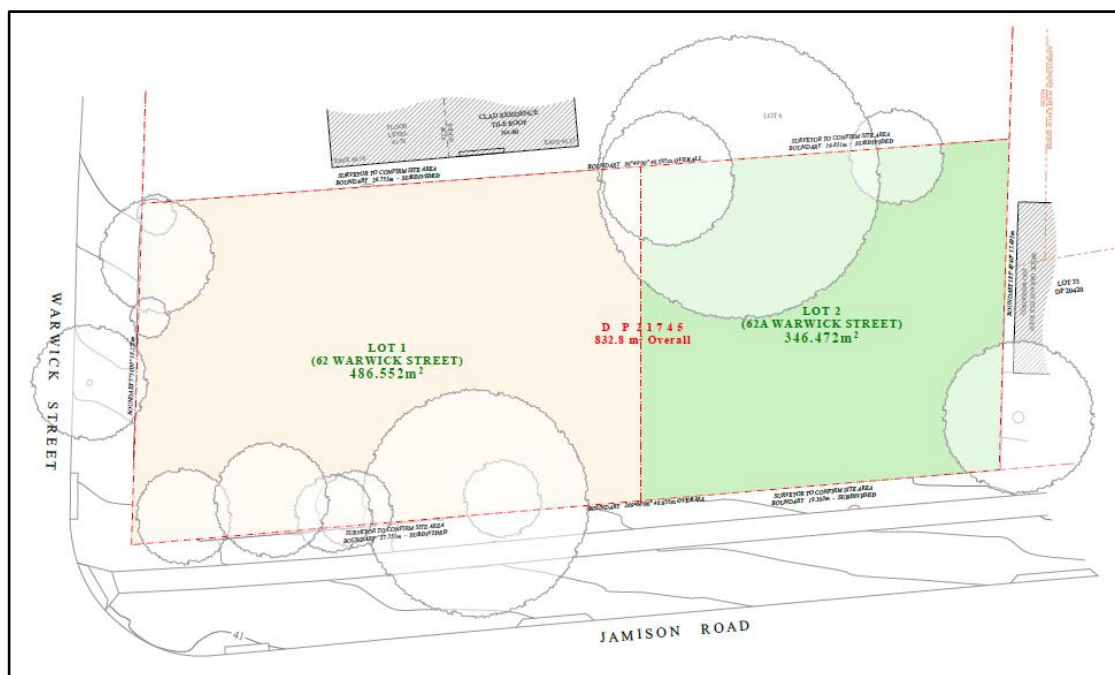


Figure 24. Strata Subdivision Plan

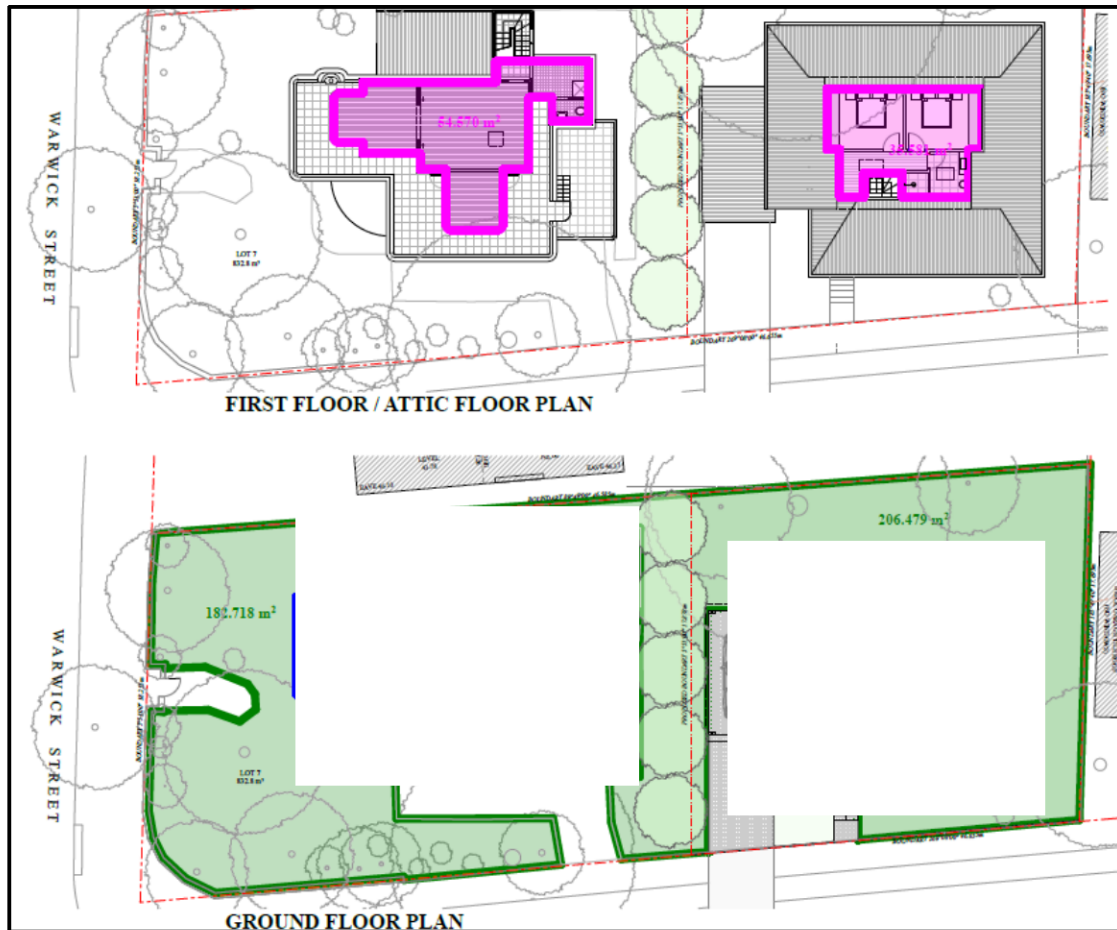


Figure 25. Ground Floor Plan, First Floor/ Attic Plan

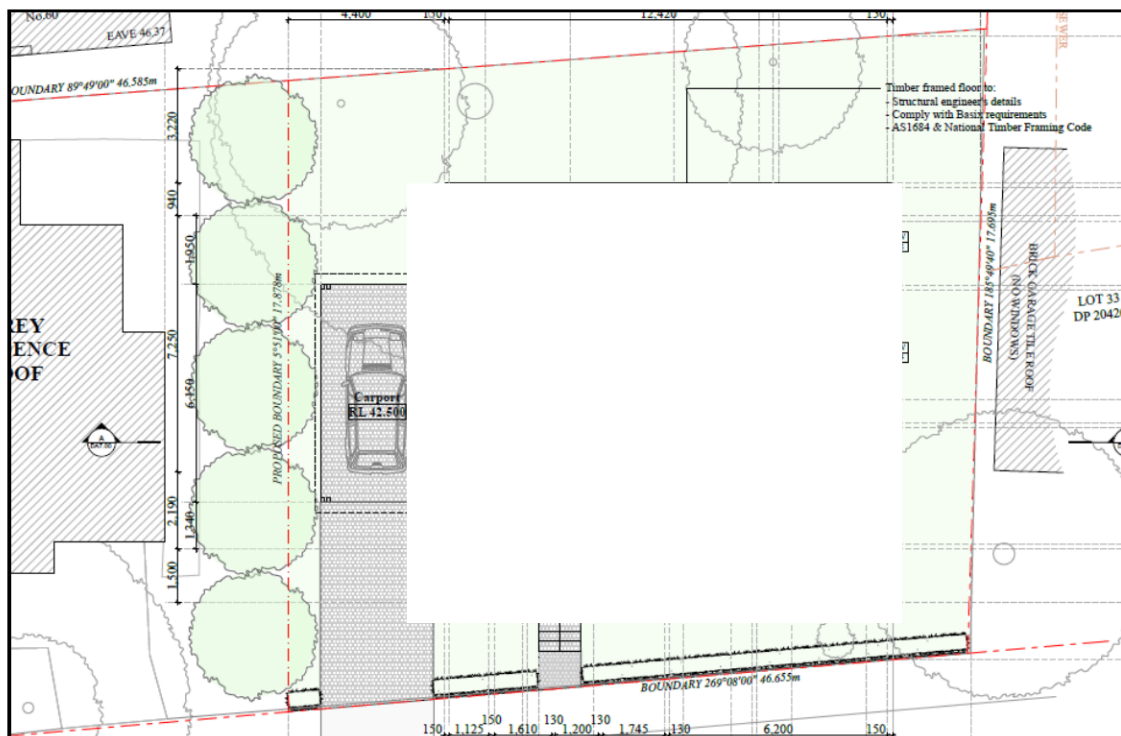


Figure 26. Ground Floor Plan, First Floor/ Attic Plan

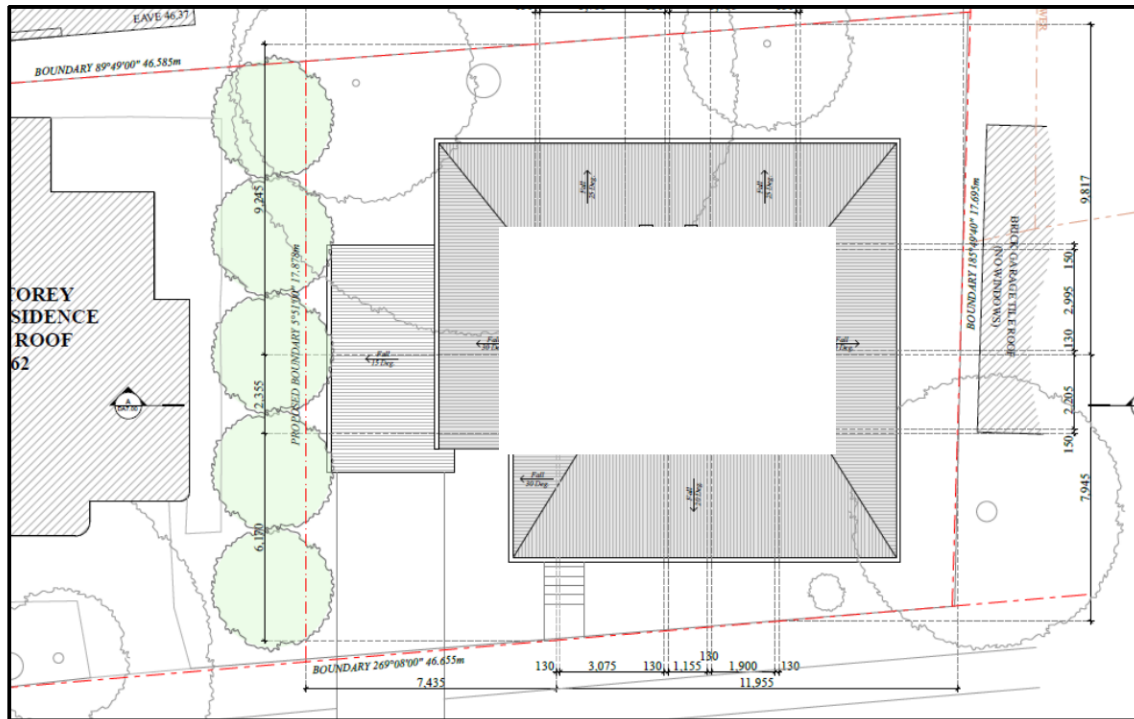


Figure 27. Attic Plan

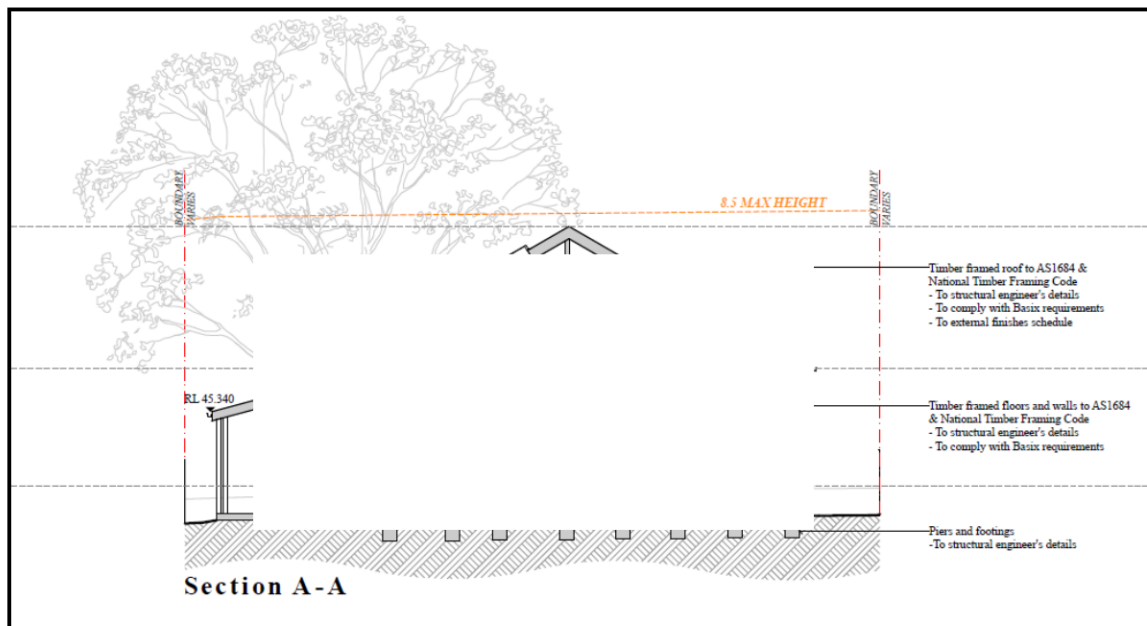
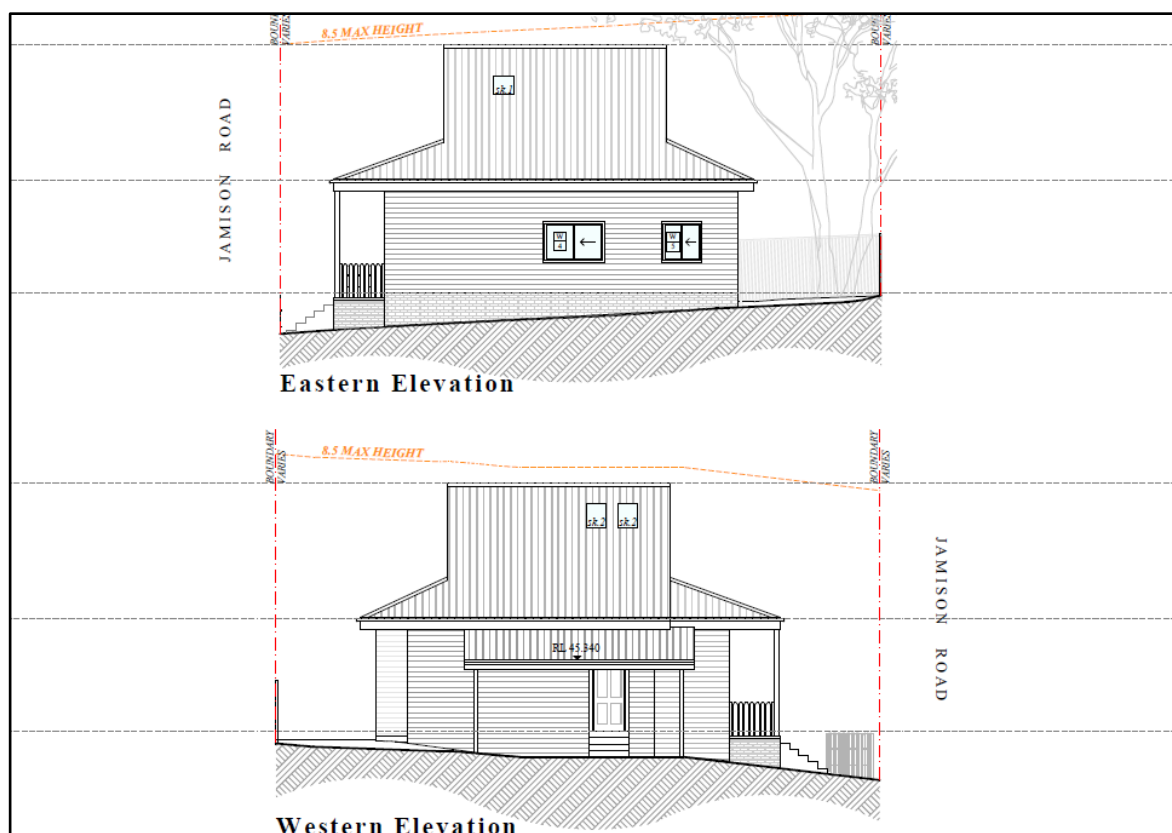
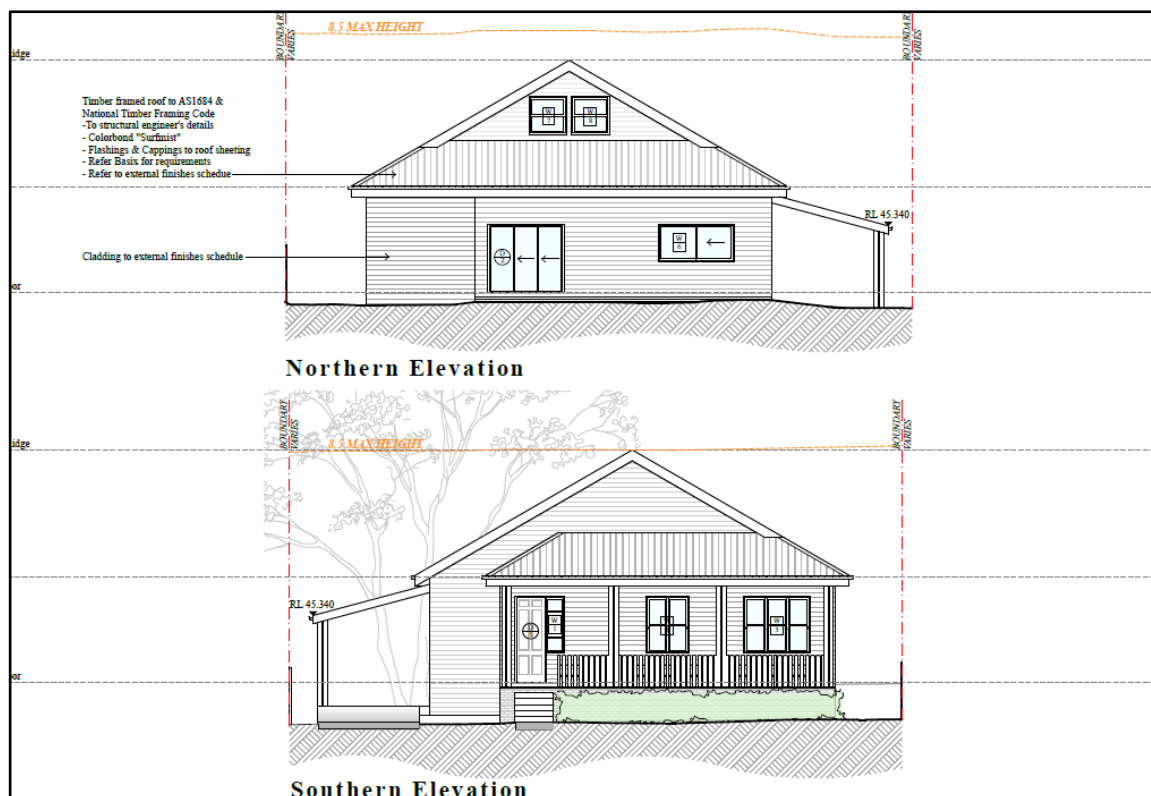


Figure 28. Section A-A







### Figure 31. Streetscape Elevation Plan/ Materials Schedule



### Figure 32. Landscape Plan

## 6.0 ASSESSMENT OF HERITAGE IMPACT

### 6.1 Heritage Management Framework

Below we outline the heritage-related statutory and non-statutory constraints applicable to the subject site including the objectives, controls and considerations which are relevant to the proposed development as described in Section 5.0 above. These constraints and requirements form the basis of this Heritage Impact Assessment.

#### 6.1.1 Penrith Local Environmental Plan 2010

The statutory heritage conservation requirements contained in Section 5.10 of the Penrith LEP 2010 are pertinent to any heritage impact assessment for future development on the subject site. The relevant clauses for the site and proposal are:

- (1) Objectives
- (2) Requirement for consent
- (4) Effect of proposed development on heritage significance
- (5) Heritage assessment

#### 6.1.2 Penrith Development Control Plan 2014

Our assessment of heritage impact also considers the heritage-related sections of the Penrith Development Control Plan ('PDCP') 2014 that are pertinent to the subject site and proposed development. These include:

<b>Part C</b>	<b>City-wide controls</b>
C7	Culture and Heritage

#### 6.1.3 NSW Office of Environment & Heritage guidelines

In its guidelines for the preparation of Statements of Heritage Impact, the NSW Office of Environment & Heritage provides a list of considerations in the form of questions aiming at directing and triggering heritage impact assessments.<sup>6</sup> These are divided in sections to match the different types of proposal that may occur on a heritage item, item in a heritage conservation area or in the vicinity of heritage. Below are listed the considerations which are most relevant to the proposed development as outlined in Section 5.0 of this report.

***New development adjacent to a heritage item (including additional buildings and dual occupancies)***

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

<sup>6</sup> Ibid.

- *Why is the new development required to be adjacent to a heritage item?*
- *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?*
- *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*
- *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?*
- *Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?*
- *Will the additions visually dominate the heritage item? How has this been minimised?*
- *Will the public, and users of the item, still be able to view and appreciate its significance?*

#### **Subdivision**

- *How is the proposed curtilage allowed around the heritage item appropriate?*
- *Could future development that results from this subdivision compromise the significance of the heritage item? How has this been minimised?*
- *Could future development that results from this subdivision affect views to, and from, the heritage item? How are negative impacts to be minimised?*

#### **New landscape works and features (including carparks and fences)**

- *How has the impact of the new work on the heritage significance of the existing landscape been minimised?*
- *Has evidence (archival and physical) of previous landscape work been investigated? Are previous works being reinstated?*
- *Has the advice of a consultant skilled in the conservation of heritage landscapes been sought? If so, have their recommendations been implemented?*
- *Are any known or potential archaeological deposits affected by the landscape works? If so, what alternatives have been considered?*
- *How does the work impact on views to, and from, adjacent heritage items?*

#### **Tree removal or replacement**

- *Does the tree contribute to the heritage significance of the item or landscape?*
- *Why is the tree being removed?*
- *Has the advice of a tree surgeon or horticultural specialist been obtained?*
- *Is the tree being replaced? Why? With the same or a different species?*

## 6.2 Heritage Impact Assessment

Below we assess the impact that the proposed development would have upon the subject site and the Bourke Street heritage conservation area in which it is located. This assessment is based upon the Historical Context (refer to Section 2.0), the Physical Evidence (refer to Section 3.0), Heritage Significance (refer to Section 4.0) the Proposal (refer to Section 5.0), a review of the Heritage Management Framework (refer to Section 6.1) and the impact of the proposal on the relevant the Bourke Street heritage conservation area (refer to Sections **Error! Reference source not found.** and 3.4).

### 6.2.1 Impact Assessment against the Penrith LEP 2010

The statutory heritage conservation requirements contained in Section 5.10 of the Penrith LEP 2010 are pertinent to any heritage impact assessment for future development on the subject site.<sup>7</sup> We assess the proposal against the relevant clauses below.

CLAUSE	ASSESSMENT
<b>(1) Objectives</b>	The proposal does not entail any work to sites and places listed as heritage items under Schedule 5 of the Penrith LEP 2010. It is our general assessment that the proposed subdivision of the site and construction of a single storey detached dwelling including its height, scale, massing and materials (as detailed in Section 5.0 above) would not engender a negative impact on the heritage significance of the Warwick Street heritage conservation area.
<b>(2) Requirement for consent</b>	This Development Application is lodged to Council to gain consent for the works proposed in the vicinity of heritage items listed under Schedule 5 of the Penrith LEP 2010.
<b>(4) Effect of proposed development on heritage significance</b>	This Statement of Heritage Impact accompanies the Development Application in order to enable the Penrith Council, as the consent authority, to ascertain the extent to which the proposal would affect the heritage significance of the Warwick Street heritage conservation area.
<b>(5) Heritage assessment</b>	

<sup>7</sup> Woollahra Municipal Council, 'Woollahra Local Environment Plan', 2014, <http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+20+2015+cd+0+N>.

## 6.2.2 Impact Assessment Against the Penrith DCP 2014

C7 Culture and Heritage	
7.1 European Heritage	
7.1.4 Design Guidelines	
Controls	Assessment
<p>1) Site Planning</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>c) 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>1)</p> <p>a) Heritage 21 notes from the plans depicted in Section 5.2 that the proposal would not alter the established setback from Warwick Street. The primary view from Warwick Street of the significant façade of the contributory item would be visibly unaffected.</p> <p>b) Side setbacks from Jamison Road are noted to align with and be respectful of surrounding development within the Warwick Street HCA.</p> <p>c) Heritage 21 notes from the Landscape Plan (prepared by Greenland Design, dated 10 August 2021) that the proposal would retain the landscape setting of the site as it presents to Warwick Street. Furthermore, supplementary planting would be incorporated along the Jamison Road frontage. It is the opinion of Heritage 21 that these measures would ensure the retention and enhancement of the landscape character of the heritage conservation area.</p> <p>d) It is the opinion of Heritage 21 that the proposed subdivision would not adversely affect the heritage significance and setting of the existing dwelling as an appropriate separation distance has been considered between the new development and the existing contributory item. Furthermore, significant trees and the general landscape would be retained, respecting the curtilage and setting of the contributory item.</p> <p>In addition, it is our opinion that the retention of the primary presentation of the site facing Warwick Street would ensure that the established composite heritage curtilage for the Warwick Street heritage conservation area would not be compromised.</p>
<p>3) Subdivision and Site Analysis</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</p>	<p>3)</p> <p>a) Heritage 21 notes that the proposed strata subdivision of the site would retain the existing dwelling facing Warwick Street within a substantial landscape setting. The public appreciation of the dwelling as a representative example of Post-war housing would not be impacted.</p> <p>b) ii) The proposal includes the removal of existing outbuildings located in the rear of the site, including a metal shed and a concrete pergola. The metal shed</p>



<p>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 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).</p>	<p>is a small modern structure and not considered by Heritage 21 to constitute heritage fabric.</p> <p>As discussed in Section 3.2, research undertaken as part of this report has not identified construction details for the pergola. As documented in Section 3.4 the pergola, was observed to be in very poor condition with high evidence of structural disrepair. The proposed removal of the pergola is partially dictated by its poor condition. It is noted that the pergola is not visible from Warwick Street or Jamison Road, and in Heritage 21's opinion its removal would not detract from the significance of the Warwick Street heritage conservation area. Notwithstanding the above, Heritage 21 has included mitigation measures to lesson potentially negative heritage impacts in Section 7.3 of this report.</p> <p>iii) It is noted that the proposed subdivision would retain within the proposed curtilage the established garden setting facing Warwick Street, including the two mature <i>Juniperus chinensis</i> (Spartan Confer) adjacent to the formal entrance.</p> <p>c) i) The proposal would allow for the original scale and primary façade facing Warwick Street to remain intact. The proposal would not, in the opinion of Heritage 21, have any negative heritage impacts on the principal façade of the contributory item.</p> <p>The proposed dwelling on Lot 2 is noted to be a modest, single-storey dwelling. The height, scale and bulk of the proposal, in our assessment, is commensurate with the overall scale of built forms along Warwick Street. As detailed in Section 3.2, both sides of Warwick Street are characterised by predominately single-storey dwellings, from a diverse range of architectural styles and periods. Heritage 21 is satisfied that similar to these existing dwellings, the proposal is of an appropriate scale and would not compete with or undermine the visual primacy of the listed items and HCA. Further, we note that the proposal would not exceed the existing tree canopy along Warwick Street and Jamison Road, which would assist in the conservation of the streetscape's verdancy and pedestrian scale.</p> <p>ii) Significant view lines along Warwick Street would remain legible and would be generally visibly unaffected.</p> <p>iii) As discussed in Section 1.2.2, the proposed development would not be visible from Warwick Street, or listed heritage items along Warwick Street.</p>
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<p>4) Gardens, Landscaping and Fencing</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 height.</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>4)</p> <p>a) b) It is the opinion of Heritage 21 that the bulk and scale of the new dwelling has been designed to be commensurate with the overall scale of the existing contributory building and built forms along Warwick Street. The proposed dwelling on Lot 2 is noted to be a modest, single-storey dwelling, with pitched roof. As detailed in Section 3.2, both sides of Warwick Street are characterised by predominately single-storey dwellings, from a diverse range of architectural styles. The proposed dwelling would sit respectfully alongside the contributory item and within the broader, diverse architectural profile of the Warwick Street HCA.</p> <p>c) It is the opinion of Heritage 21 that the proposed colour scheme and materials, including a selection of traditional and contemporary materials – Blackbutt cladding, horizontal axon cladding and custom orb Colorbond metal roof, sympathetically reflects the range of diverse materials and colours of the heritage items in the vicinity and the surrounding streetscape. It is our opinion that that this would comply with <i>Article 22. New Works of the Burra Charter</i> which states that <i>New work should be readily identifiable as such, but must respect and have minimal impact on the cultural significance of the place</i>. Additionally, we note that the proposed material palette would be considered sympathetic to the surrounding built form and would be effective in creating a design that would not be visually dominant.</p> <p>d) As discussed in Section 3.2, at the time of the site inspection the front boundary fence facing Warwick Street was defined by a low masonry fence. The fence was assessed by Heritage 21 as heritage fabric. It is our understanding that since the site inspection sections of the fence and front path have been removed. Heritage 21 recommends the reinstatement of these elements. Further to this, recommendations are provided in Section 7.2 of this report.</p> <p>e) Heritage 21 recommends that the design, materials, colour and height of the fence match the original fence. Additional details are provided in Section 7.2 of this report.</p> <p>f) The new dwelling would not be sited in front of the front building line of the existing dwelling. Furthermore, it is noted that the new dwelling would generally align with the prevailing side setbacks from Jamison Road.</p> <p>g) The proposed dwelling on Lot 2 is noted to be a modest, single-storey dwelling. It is our opinion, that</p>
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	<p>the height, scale and bulk of the dwelling is commensurate with the overall scale of built forms along Warwick Street. As detailed in Section 3.2, both sides of Warwick Street are characterised by predominately single-storey dwellings, from a diverse range of architectural styles. Whilst the existing dwelling on the subject site is two-storey, the perceived bulk of the dwelling is reduced due to the low-pitched roof profile.</p> <p>h) The bulk and scale of the new dwelling has been designed as to not impede on the existing significant landscaping elements, including the mature <i>Corymbia citriodora</i> (Lemon Scented Gum) located along the rear northern boundary.</p>
<p>5) Garages and Carports</p> <p>a) Garages and carports may comprise the following forms:</p> <p>i) Double garage or carport at the rear of the lot; and</p> <p>ii) Carport set behind the building line at the side of a dwelling.</p> <p>b) Garage and carport roof forms will depend on the setting and context of the property.</p> <p>c) Carports are appropriate beside a dwelling. They are to be flat roofed with fringing pergola elements which suggest a garden structure form.</p>	<p>5)</p> <p>a) b) c) The proposed new dwelling incorporates an attached carport, with vehicular access from Jamison Road. The carport is noted to be of low-profile design, with a lightweight appearance. It is noted that the carport would be accessed via Jamison Road and would not be visible from the primary Warwick Street frontage.</p>

### 6.2.3 Impact Assessment Against the NSW Office of Environment & Heritage guidelines

As acknowledged in Section 6.1.3, the NSW Office of Environment & Heritage has identified a list of considerations in the form of questions aiming at directing and triggering heritage impact assessment. Below, we assess the proposal against the most pertinent of these questions.

<b><i>New development adjacent to a heritage item (including additional buildings and dual occupancies)</i></b>	
<ul style="list-style-type: none"> <li><i>How is the impact of the new development on the heritage significance of the item or area to be minimised?</i></li> <li><i>Why is the new development required to be adjacent to a heritage item?</i></li> <li><i>How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?</i></li> <li><i>How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?</i></li> <li><i>Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?</i></li> <li><i>Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?</i></li> <li><i>Will the additions visually dominate the heritage item? How has this been minimised?</i></li> <li><i>Will the public, and users of the item, still be able to view and appreciate its significance?</i></li> </ul>	<p>For the wider context of this proposal, it is important to recognise that the Warwick Street HCA is characterised by an eclectic collection of weatherboard and brick dwellings in the Victorian, Federation, California Bungalow and Post War style.</p> <p>While the proposed design does not overly replicate the style of Federation, Inter-war and/or Post-war dwellings in the HCA, it does pay homage to common visual cues through the inclusion of a characteristic gabled roof and reproduction of simple geometric shapes found throughout the streetscape.</p> <p>We would also like to point out that the proposal would take place on the very edge of the HCA's southern boundary. This location, separated from the concentration of heritage items further along Warwick Street and the geographic centre of the HCA, would significantly lessen the possibility of the proposal causing a detrimental impact on the heritage values of the wider precinct.</p> <p>The proposed development would see the introduction of contemporary yet complementary colours and materials to the built form. It is the opinion of Heritage 21 that the proposed colour scheme and materials noted in Section 5.2 of this report sympathetically reflects the range of diverse materials and colours of the heritage items in the vicinity and the surrounding streetscape.</p> <p>It is beyond the scope of this report to assess known or potential archaeological deposits on site.</p> <p>Heritage 21 notes that the proposed strata subdivision of the site would retain the existing dwelling facing Warwick Street within a substantial</p>

	landscape setting. The public appreciation of the dwelling as a representative example of Post-War housing would not be impacted.
<b>New landscape works and features (including carparks and fences)</b>	
<ul style="list-style-type: none"> <li>• <i>How has the impact of the new work on the heritage significance of the existing landscape been minimised?</i></li> <li>• <i>Has evidence (archival and physical) of previous landscape work been investigated? Are previous works being reinstated?</i></li> <li>• <i>Has the advice of a consultant skilled in the conservation of heritage landscapes been sought? If so, have their recommendations been implemented?</i></li> <li>• <i>Are any known or potential archaeological deposits affected by the landscape works? If so, what alternatives have been considered?</i></li> <li>• <i>How does the work impact on views to, and from, adjacent heritage items?</i></li> </ul>	<p>The design team have carefully considered the significant landscape features of the subject site and ensured that they are respected in the proposed design. Heritage 21 notes the proposal includes the retention of all trees which have been assessed by the Project Arborist with a moderate to high landscape/ visual significance.</p> <p>The application has been informed by several reports including an assessment by an arborist to ensure minimal impact upon significant landscape features on the site.</p> <p>It is beyond the scope of this report to assess known or potential archaeological deposits on site.</p> <p>Significant view lines along Warwick Street would remain legible and would be generally visibly unaffected by the proposal.</p>
<b>Subdivision</b>	
<ul style="list-style-type: none"> <li>• <i>How is the proposed curtilage allowed around the heritage item appropriate?</i></li> <li>• <i>Could future development that results from this subdivision compromise the significance of the heritage item? How has this been minimised?</i></li> <li>• <i>Could future development that results from this subdivision affect views to, and from, the heritage item? How are negative impacts to be minimised?</i></li> </ul>	<p>The location of the proposed lot boundaries would include all contributory elements at the subject site within one title. Significant effort has been applied to ensure that the most efficient subdivision arrangement to the lot would be undertaken. The proposed subdivision would respect the surrounding streetscape and lot subdivision patterns and would relate to the rhythm and spacing of the buildings along the streetscape. Additionally, the visual setting and interrelationship of the building and the heritage conservation area would be respected. The proposed would retain as much as possible of the surrounding landscaping.</p> <p>The proposal includes a modest, single storey dwelling on Lot 2. The height, scale and bulk of the proposal, in our assessment, is commensurate with</p>



	<p>the overall scale of built forms along Warwick Street.</p> <p>Significant view lines along Warwick Street would remain legible and would be generally visibly unaffected. Furthermore, the proposed development would not be visible from Warwick Street or listed heritage items along Warwick Street.</p>
<b>Tree removal and replacement</b>	
<ul style="list-style-type: none"> <li>• <i>Does the tree contribute to the heritage significance of the item or landscape?</i></li> <li>• <i>Why is the tree being removed?</i></li> <li>• <i>Has the advice of a tree surgeon or horticultural specialist been obtained?</i></li> <li>• <i>Is the tree being replaced? Why? With the same or a different species?</i></li> </ul>	<p>Heritage 21 notes that three trees would be removed as part of the proposal; one <i>Acer negundo</i> (Box Elder), one <i>Leptospermum laevigatum</i> (Coastal Tea Tree) and one <i>Ligustrum lucidum</i> (Large Leaf Privet). The trees are noted to all be located to the east of the subject site and not visible from the significant Warwick Street vantage point.</p> <p>The Box Elder and Coastal Tea Tree are proposed for removal due to being located within or close to the building footprint. The Box Elder has also been assessed by the Project Arborist as dead or with declining health. Large Leaf Privet is an exempt species and not covered by the provision of Council's tree management controls.</p> <p>Heritage 21 notes that the design team have been informed by an Arboricultural Impact Assessment and Tree Management Plan (prepared by Horticultural Management Services, dated 1 September 2021).</p> <p>We note that a Landscape Plan (Greenland Design, dated 10 August 2021) provides details of a landscape design proposal for the site, including supplementary tree planting.</p>

## 7.0 CONCLUSION & RECOMMENDATIONS

### 7.1 Impact Summary

The NSW Office of Environment & Heritage's guidelines require the following aspects of the proposal to be summarised.<sup>8</sup>

#### 7.1.1 Aspects of the proposal which respect or enhance heritage significance

In our view, the following aspects of the proposal would respect the heritage significance of the subject site and the Warwick Street heritage conservation area:

- The proposal does not include any works to the Post-war building;
- The proposal would not alter the historic setbacks from Warwick Street;
- The proposed subdivision would respect the surrounding streetscape and lot subdivision patterns and would relate to the rhythm and spacing of the buildings along the streetscape;
- Significant view lines along Warwick Street would remain legible and would be generally visibly unaffected. Furthermore, the proposed development would not be visible from Warwick Street or listed heritage items along Warwick Street. The proposal is sympathetic to the colour scheme of the Post-war building; and
- The proposed new building would not visually dominate the Post-war building due to its sympathetic scale.

#### 7.1.2 Sympathetic alternative solutions which have been considered and discounted

In our view, there are no aspects of the proposal which could be detrimental to the significance of the subject site and the Warwick Street heritage conservation area. The neutral/positive impacts of the proposal have been addressed above in Section 7.1.1. Recommendations are provided in Section 7.2 below as further mitigation measures.

#### 7.1.3 Sympathetic alternative solutions which have been considered and discounted

No solutions of greater sympathy with the significance of the subject site and Warwick Street heritage conservation area have been discounted to our knowledge.

Mitigation measures are provided for consideration in Section 7.2 of this report which are based on our initial recommendations.

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<sup>8</sup> NSW Office of Environment and Heritage, 'Statements of Heritage Impact' (Heritage Office and Department of Urban Affairs & Planning, 1996), <http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf>.

## 7.2 Mitigation Measures/Recommendations

To ensure maximum conservation of significance of the subject site and Warwick Street heritage conservation area, Heritage 21 also recommends the following:

- The low masonry boundary fence and wrought iron gate along Warwick Street should be reinstated (refer Figure 16, 17 and 18). The design, materials, colour and height of the fence should match the original fence.
- The Colorbond boundary fencing along Jamison Road adjacent to Lot 1 should be replaced with a traditional timber paling style. Colorbond metal fences are generally not appropriate.
- A Photographic Archival Recording (PAR) should be prepared by a suitably qualified Heritage Consultant prior to any demolition of the pergola being carried out on the site.

The recording should be undertaken in accordance with the guidelines for Photographic Recording of Heritage Items Using Film or Digital Capture (2006)" prepared by the NSW Office of Environment & Heritage and copies should be retained in Council's Archives and Local Studies.

## 7.3 General Conclusion

Heritage 21 is therefore confident that the proposed development complies with pertinent heritage controls and would not engender a negative impact on the heritage significance of the Warwick Street heritage conservation area. We therefore recommend that Penrith Council view the application favourably on heritage grounds.

## 8.0 SOURCES

Australia ICOMOS. 'The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance'. Australia ICOMOS, 2013. <http://australia.icomos.org/publications/charters/>.

NSW Land and Property Information. 'SIX Maps', n.d. <http://maps.six.nsw.gov.au/>.

NSW Office of Environment and Heritage. 'Assessing Heritage Significance'. NSW Heritage Office, 2001. NSW Heritage Manual.  
<http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/listings/assessingheritage/significance.pdf>.

NSW Office of Environment and Heritage. 'State Heritage Inventory'. Search for NSW Heritage, n.d. <http://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx>.

NSW Office of Environment and Heritage. 'Statements of Heritage Impact'. Heritage Office and Department of Urban Affairs & Planning, 1996. NSW Heritage Manual.  
<http://www.environment.nsw.gov.au/resources/heritagebranch/heritage/hmstatementsofhi.pdf>.

Penrith Council. 'Penrith Development Control Plan', 2014.  
<https://www.penrithcity.nsw.gov.au/Building-and-Development/Planning-and-Zoning/Planning-Controls/Development-Control-Plans/>

Penrith Council. 'Penrith Local Environment Plan', 2010.  
<https://www.legislation.nsw.gov.au/#/view/EPI/2010/540/part7/cl7.2>