



Statement of Heritage Impact

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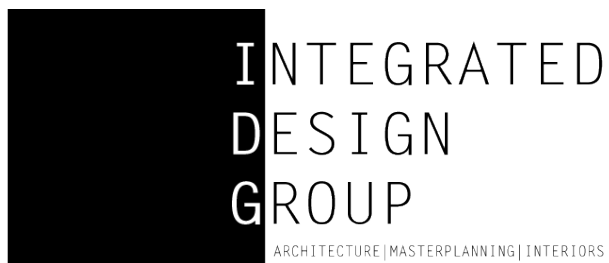
342-348 High Street

Penrith NSW 2750

SP65435 and Lot 1, DP731002

Infill Development

For



October 2021

nimbus
architecture + heritage



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Image on front cover of High Street, Penrith, showing Cram Place and 342-348 High Street on the left of the image.
Source: Nicole Manley, 10th November 2020.

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1.0 Introduction

1.1 Background

This Statement of Heritage Impact (SoHI) has been prepared to inform Integrated Design Group (IDG) representatives and site owner Colin Henry (Raine and Horne Commercial) on the current heritage status of the site known as 342-348 High Street, Penrith. This report will accompany a development application for the proposed works as set out in Section 5 of this report, as documented by IDG. The collaboration and discussion at the onset with the architects has allowed measures to be put in place to minimise adverse heritage impacts upon the surrounding heritage items.

1.2 Site Identification

The subject site is located at 342-348 High Street, Penrith, SP65435 and Lot 1, DP731002. It falls within the Local Government Area of Penrith with legislative controls formed by the *Penrith Local Environment Plan 2010* and *Penrith Development Control Plan 2014*.

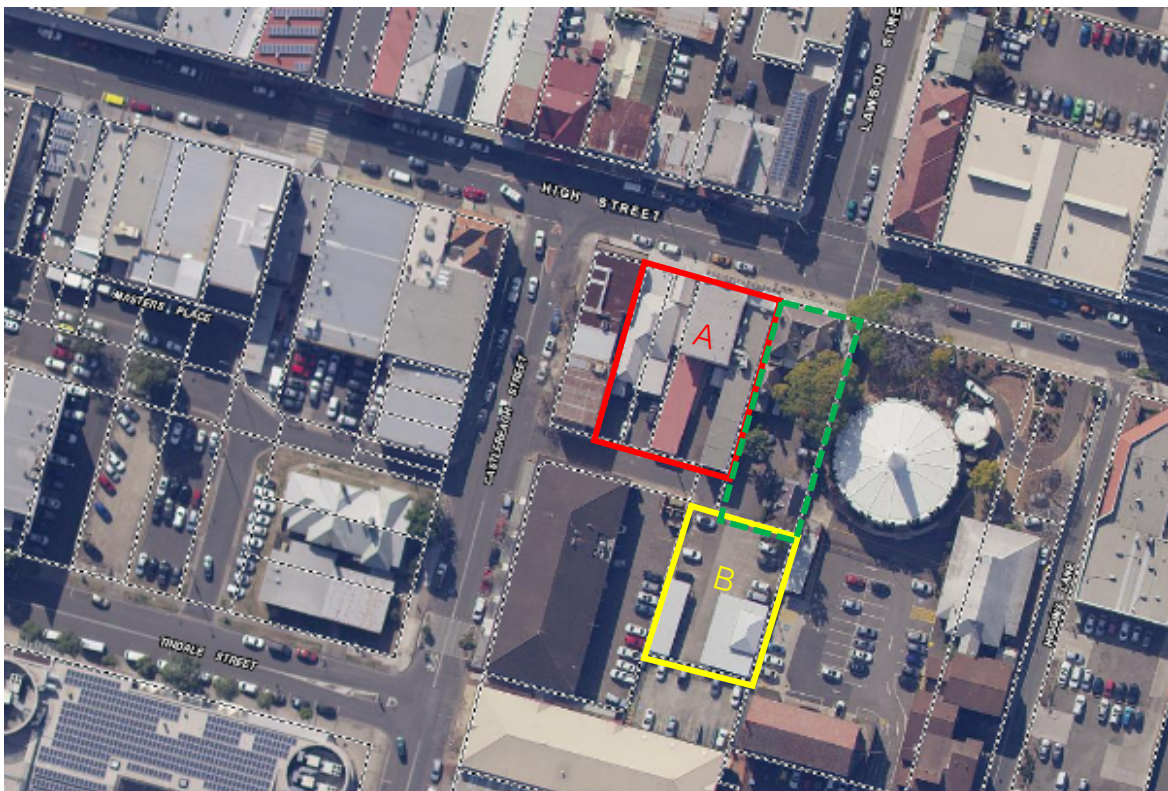


Figure 1. Aerial view of the subject site within its locality. The red box outlines the proposed location of the Building A development, and the yellow box outlines the proposed location of the Building B development. The green dashed box outlines the neighbouring heritage listed item, Cram Place (item 201). Source: NSW Spatial Services, SIXMaps, downloaded 4th November 2020, <https://maps.six.nsw.gov.au/>. Overlay by the author.

1.3 Heritage Management Framework

The subject site is not listed under Schedule 5 of the *Penrith LEP 2010* although it is in the vicinity of a number of heritage items, listed in **Table 1** below. The subject site is not located within the boundaries of a Heritage Conservation Area.

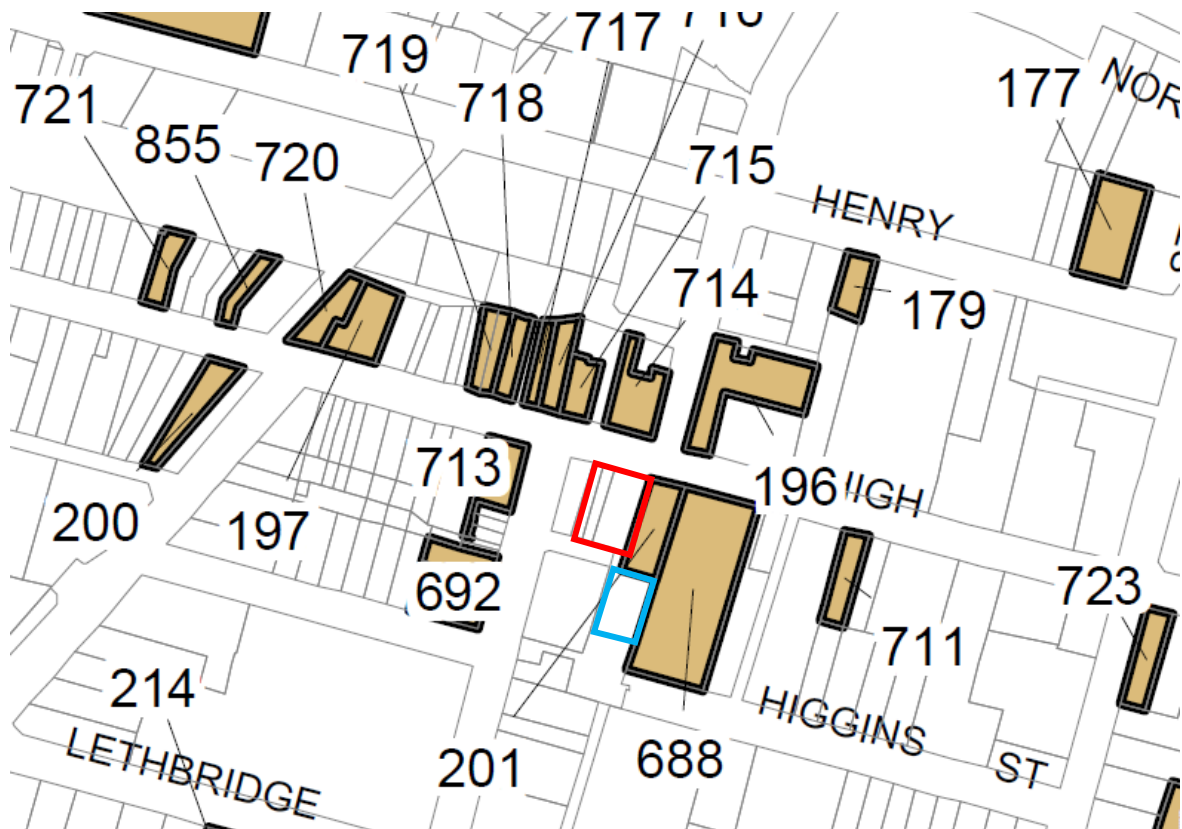


Figure 2: Heritage map showing the listed heritage items in the vicinity of the subject site. The approximate boundaries of Phases A and B are outlined in red and blue, respectively. Items 196, 201, 688, 692, 713, 714 and 715 will be considered for the views and vistas analysis. Source: *Penrith LEP 2010*, HER_013, downloaded 9th November 2020.

The following statutory heritage listings apply to properties located within the vicinity of the subject site, as identified in **Figure 2**:

Table 1: Adjacent List Properties

Item No:	Name	Address	Status
201	‘‘Cram Place’’, coach house, well pump and cast iron fence’	338-340 High Street	Local
713	‘Bank of NSW (former)’	354-360 High Street	Local

Item No:	Name	Address	Status
688	'Memorials and lamp stand, St Nicholas of Myra Catholic Church'	332-338 High Street	Local
692	'Penrith School of Arts (former)'	7 Castlereagh Street	Local
196	'Australian Arms Hotel'	359 High Street	Local
714	'High Street Shops'	361-365 High Street	Local
715	'High Street Shop'	371-375 High Street	Local
716	'High Street Shop'	377-381 High Street	Local
717	'High Street Shop'	383 High Street	Local
718	'High Street Shop'	387-389 High Street	Local
719	'High Street Shop'	391-393 High Street	Local

1.4 Non-statutory heritage register search

REGISTER OF THE NATIONAL ESTATE (RNE)

The Register of the National Estate (RNE) is kept by the Australian Government, Department of Environment and was closed out in 2007 and is no longer a statutory list. All references to the Register of the National Estate were removed from the Environment protection and Biodiversity Conservation Act 1999 (EPBC Act) on 19 February 2012. The Australian Heritage Council can no longer add to the list, or remove all or part of a place from the RNE listing.

The places listed on the Register can be produced under the EPBC Act if they are included on another Commonwealth statutory heritage list. However, if listed by the RNE, it does not constitute immediate legal protection. The Register is now known as an archive of information of about more than 13,000 places throughout Australia.¹ The Register has been searched for 342-348 High Street, Penrith resulting in:²

The subject site (nor any of the adjacent heritage items) is not listed on the RNE.

NATIONAL TRUST (NSW)

The National Trust of NSW is a non-government community based organisation, committed to promoting, protecting and conserving natural and historic heritage throughout all of

¹ Australian Government, Department of the Environment, *Register of the National Estate - archive*, accessed on 30th July 2019, <http://www.environment.gov.au/heritage/places/register-national-estate>.

² Australian Government, Department of the Environment, *Register of the National Estate*, Australian Heritage Database, accessed on 27th April 2021, <http://www.environment.gov.au/cgi-bin/ahdb/search.pl>.

Australia. The National Trust was established in 1945 by Annie Wyatt. The National Trust NSW currently owns and manages over 300 heritage places, which the majorities are held in perpetuity.

The National Trust (NSW) Register is established as an educational tool to inform the general public of the cultural significance of individual places located within NSW. The National Trust (NSW) listing covers landscape, townscapes, buildings, industrial sites, cemeteries and other places the National Trust (NSW) deems significant demonstrating cultural significance and worthy of conservation.³ The Register has been searched for 342-348 High Street, Penrith resulting in:

The subject site is not listed on the National Trust (NSW) Register. The adjacent John Cram Place is, however, listed on the Register.

1.5 Methodology

The report has been prepared in accordance with the guidelines of the *Australian ICOMOS Charter for places of Cultural Significance, 2012*, (adopted 31st October 2012) *the NSW Heritage publication, NSW Heritage Manual and the NSW Heritage Office publication Statement of Heritage Impact (SoHI)*.

1.6 Author

This Statement of Heritage Impact (SoHI) has been prepared by Nicole Manley, Heritage Consultant at Nimbus Architecture and Heritage Pty Ltd and reviewed by Christopher Roehrig, Principal: Heritage at Nimbus Architecture and Heritage Pty Ltd in accordance with Nimbus Architecture and Heritage Pty Ltd quality assurance program.

1.7 Acknowledgements

The author appreciates the contributions of the following people in the preparation of this report as follows:

- Adrienne Brown, Librarian – Research Services for Penrith City Library, for historical research assistance;
- Andrew Elia, IDG - Architect

³ National Trust (NSW), Heritage Space, Trust Register, listing emailed 8/9/16.

- Tahlia Garland, IDG - Architect

1.8 Report Limitations

The following resources were utilised as documentary evidence for this report:

- Penrith Local Environmental Plan 2010
- Penrith Development Control Plan 2014

1.9 Abbreviations

SoHI	Statement of Heritage Impact
ICOMOS	International Council on Monuments and Sites
Burra Charter	Refers to the Burra Charter prepared by The Australia ICOMOS Charter for Places of Cultural Significance 2013.

The conservation terms found throughout this report are based on the terms and definitions adopted by *The Burra Charter, The Australia ICOMOS Charter for Places of Cultural Significance* (October 2013). '*The Burra Charter*' forms the basis for cultural conservation within Australia and is acknowledged by government heritage agencies around Australia. Terms used in this plan are defined below:

Place, means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.

Cultural Significance, means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting use, associations, meanings, records, related places and related objects.

Fabric means all the physical material of the place including fixtures, contents and objects.

Conservation means all the processes of looking after a place so as to retain its cultural significance (as listed below).

Maintenance means the continuous protective care of the fabric, and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction.

Integrity (not a Burra Charter definition) means the degree to which a place or component of a place retains the form and completeness of its physical fabric, historical associations, use or social attachments that give the place its cultural significance.

Preservation means maintaining the fabric of a place in its existing state and retarding deterioration.

Restoration means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

Reconstruction means returning a place to a known earlier state and is distinguished from restoration by the introduction of new material into the fabric.

Adaptation means modifying a place to suit the existing use or a proposed use. [Article 7.2 states regarding use that: a place will have a compatible use]

Compatible use means a use, which respects the cultural significance of a place. Such a use involves no, or minimal impact on cultural significance.

Interpretation means all the ways of presenting the cultural significance of a place.

2.0 History

2.1 Historical Timeline of Penrith and 342-348 High Street

The following timeline provides a synopsis of the history of the Penrith locality and the establishment of 342-348 High Street. Note: timeline of the subject site is highlighted in grey.

Table 2: Timeline

Date	Comment
Pre-European	The Darug people of the Eora Nation are the first inhabitants of the Penrith region.
1789	Captain Watkin Tench and his crew explored west of Parramatta and through the Penrith area.
1803	First official land grants were awarded in the Castlereagh area.
1804	First official land grant in Penrith awarded to Daniel Woodriff.
1814	Land grant west of Woodriff's was awarded to John Best.
1815	Governor Macquarie ordered construction of a military depot and guardhouse on Woodriff's estate.
1828	Best's land grant purchased by John Tindale.
1830s	Tindale constructed the Hornsey Wood homestead.
1839	Construction of St Nicholas of Myra Catholic Church commenced.
1850s	Approximately 500 people occupied land in the area.
1850	Completion of the St Nicholas of Myra Catholic Church.
1860s	Increase in land sale with businesses beginning to purchase land along High Street.
1863	Tindale's estate subdivided as the Hornsey Wood Estate.
1879	Construction of Cram Place as the banking chamber and manager's residence of the Commercial Banking Co. (CBC).
ca. 1880s	Construction of 361-365 High Street shop for R Mills Dress Goods and Railway House.
1885	Hornsey Wood Estate subdivision sale continued.
ca. 1890s	Construction of 395-399 High Street as a commercial premise.
1907	Establishment of the Penrith School of Arts.
1911	Construction of the Penrith School of Arts building.
ca. 1930s	Alterations to 361-365 and 395-399 High Street shop façades. Construction of 371-375 High Street shop, used by the Commonwealth Bank.
1939	John Cram purchased the CBC building (Cram Place).
ca. 1940s	Construction of 348 High Street.
1940	Construction of the Australian Arms Hotel.
1948	Penrith School of Arts became Penrith's first free lending library.
1966	Demolition of the St Nicholas of Myra Catholic Church and construction of the new church.
ca. 1960s-1970s	Demolition and construction of new building at 342 High Street.
1980	Penrith Council acquired Cram Place.
2020	Development Application for the construction of a seven storey tower on the site of the Australian Arms Hotel.

2.2 Pre-European Settlement

The Darug people of the Eora Nation are the first inhabitants of the Penrith area. The name 'Darug' was first recorded by Robert Hamilton Mathews, anthropologist and linguist, in 1897. A number of clans were combined under the name of Darug, including the Gomerrigal (close to South Creek), the Mulgowie (living along the Nepean River and lower Blue mountains, covering the area from Penrith, Emu Plains and Mulgoa) and the Boorooberongal (inhabiting the area from Castlereagh to the Hawkesbury). These clans came together for special ceremonies and generally lived in campsites, making shelter in temporary gunyahs. The abundance of native flora and fauna in the area, particularly the resources provided by the Nepean River, allowed the Darug people to hunt and gather a variety of sustenance, such as possums, birds, ducks, wallabies, kangaroos and reptiles, wild honey, yams and berries.⁴

Captain Watkin Tench and his crew passed through the area in 1789, and, although they did not meet any Aboriginal people, they recorded evidence of their inhabitancy of the region through gunyahs, animal traps and canoes. At the time that the boundaries of the Penrith area were established, an estimated 1,000 aboriginal people were living in the region. In the years to come, the presence of settlers increased, bringing with them their aggressive methods of farming and land use, pushing some Aboriginal people further away while others were prompted to work for the settlers in exchange for food and clothing. By the 1830s and 1850s, the Aboriginal population in Penrith was still of a considerable size, although by 1888, Nellie Nah Doongh recalled 'all my folks are dead, Mudder, Fadder, everybody dead, all but myself, all this place bush long ago, dis place Penrith...' When Nellie was young, the number of European settlers was low, but by the 1880s she was often quoted in the *Nepean Times* as the 'last of her tribe.'⁵

⁴ Lorraine Stacker, *Penrith: The Makings of a City* (Halstead Press: Ultimo, 2014): 9-11.

⁵ Stacker, *Penrith: The Makings of a City*, 9-11.

2.3 Establishment of Penrith

On the 26th June 1789, Captain Watkin Tench set out to explore further west from Parramatta and into the unknown reaches of the colony, accompanied by assistant surgeon Dr Thomas Arndell, two marines and a convict. The following day, the men arrived at the Nepean River before travelling north along the riverbank. Upon their return to Rose Hill, the river was named 'Nepean' and the area 'Evan', in recognition of Evan Nepean, Under-Secretary of State in the Home Office.⁶ Later that same year, Lieutenant William Dawes, Lieutenant George Johnston and John Lowes returned to explore the Nepean River and its surrounds.⁷ Land grants along the riverbank towards Castlereagh were first awarded in 1803, largely received by recently discharged soldiers.⁸

While Governor Lachlan Macquarie's initial plans for development of the Evan district were similar to that of Windsor and Richmond, attention was soon diverted to the crossing of the Blue Mountains and the development of Emu Ford on the Nepean River.⁹

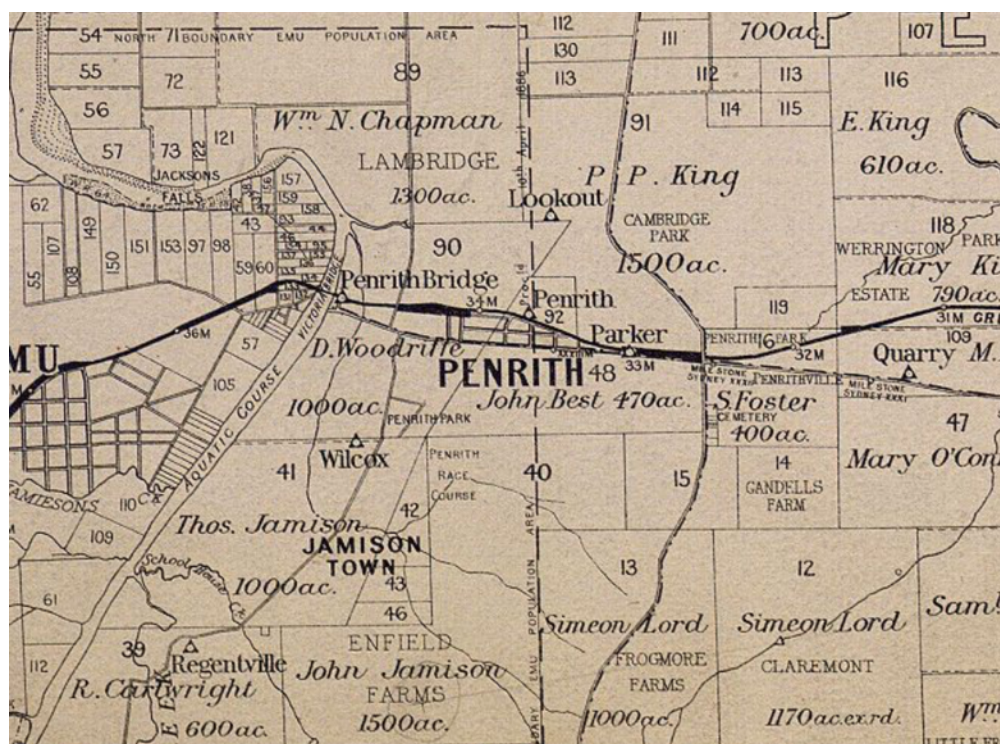


Figure 3: Historical county map showing the land grant to John Best. Source: NSW HLRV, <https://hlrv.nswlrs.com.au>, downloaded 6th November 2020.

⁶ Lorraine Stacker, *Pictorial History: Penrith and St Marys* (Kingsclear Books: Alexandria, 2004):11.

⁷ Stacker, *Pictorial History*, 13.

⁸ Stacker, *Pictorial History*, 14.

⁹ Stacker, *Pictorial History*, 32.

The first crown land grant in the Penrith area was a 1,000 acre grant awarded in 1804 to Daniel Woodriff, corresponding with the initial phase of European settlement along the Nepean River. This was followed by the land grant to John Best in 1814, located to the east of Woodriff's land grant.¹⁰ In 1815, Governor Macquarie ordered the construction of a military depot and guard house on Woodriff's land, set back from the river. Other buildings were soon constructed in its vicinity, such as the Depot Inn, offering a place for travellers to rest overnight and a courthouse to govern the township.¹¹

2.4 Early 342-348 High Street

The subject site lies within the 470 acre land grant awarded to John Best in 1814. In 1819, he mortgaged the land to Sir John Jamison, before advertising it for sale in 1827 as Hornsey Wood. It was purchased in 1828 by John Tindale, who constructed the Hornsey Wood homestead in the 1830s in the location of the current Penrith High School. Whilst holding ownership of the land, Tindale provided land to five denominations, four of which constructed churches. The Rose Inn and terraces along High Street, known as Rotten Row, were also constructed by Tindale and he aided in the establishment of a commercial centre around the courthouse.¹² Despite the small developments and occupation of the land by approximately 500 people in the 1850s, large scale sale of the land did not occur until the 1860s, when local businesses began to purchase land along the High Street.

Among the early shops on High Street, to the east of Lawson Street, were Peter Smeaton's boot and shoe shop, Laing's baker, and Carlie Byrne's blacksmith. There was also a boarding house, night school and general store close to Lawson Street.¹³

The land was gradually subdivided and was again put up for auction in 1885 as the second subdivision of the Hornsey Wood Estate, labelled as the 'Town of Penrith extension being Subdivision of the celebrated Hornsey Wood Estate'.

¹⁰ Integrated Design Associates, *Statement of Heritage Impact 344 High Street, Penrith NSW*, 2015: 12.

¹¹ Stacker, *Pictorial History*, 36.

¹² Stacker, *Pictorial History*, 34-35.

¹³ Stacker, *Pictorial History*, 43.



Figure 4: Subdivision map for the Hornsey Wood Estate in 1885. The portion outlined in orange shows Cram Place with the stables at the rear; the blue box outlines the Bank of NSW (former) and the yellow box outlines the site of the former St Nicholas of Myra Catholic Church and Presbytery, which has since been reconstructed. Source: Penrith Subdivision Plans, State Library of New South Wales, 063 – Z/SP/P10/64, <https://trove.nla.gov.au/work/35407851>.

None of the existing buildings across the subject site are the original structures that were constructed as part of the early subdivision and establishment of Penrith's High Street. The structure at 348 High Street, however, was constructed ca. 1940s and has likely undergone considerable alterations in the intervening years. Aerial imagery from 1943 shows the existing building prior to the additions to the front and rear. Prior to its construction, another dwelling was situated on this block, used as the offices of solicitor Duncan McDonald from 1911 until 1926, when his practice was sold to Mr. A. S. Lamrock.¹⁴

The other early structures across the subject site have been demolished and replaced with the existing buildings.



Figure 5: Aerial imagery of the subject site from 1943. Building A is outlined in red and Building B is outlined in yellow. Cram Place is outlined within the green dashed box. Source: NSW Spatial Services, *SIXMaps*, downloaded 4th November 2020, <https://maps.six.nsw.gov.au/>. Overlay by the author.

Frew's Tailors, the awing of which is visible on the left hand side of High Street in **Figure 6** below, was located on the corner of Castlereagh and High Streets. Cram Place is visible in the foreground, to the left of High Street. The subject site is located between these two buildings.

¹⁴ Penrith City Library, 'Duncan McDonald Solicitor, 348 High Street, Penrith,' accessed online 9th November 2020, <https://penrithcity.spydus.com/cgi-bin/spydus.exe/ENQ/WPAC/ARCENQ?SETLVL=&RNI=102466>.



Figure 6: Photograph taken on High Street, ca. 1906. Cram Place is visible within the red dashed box and the awning of Frew's Tailors is visible within the yellow dashed box. Source: Charles Kerry, *High Street, Penrith*, ca. 1906, Penrith City Library, <https://penrithcity.spydus.com/cgi-bin/spydus.exe/ENQ/WPAC/ARCENQ?SETLVL=&RNI=177510>.



Figure 7: Photograph of the former buildings within the subject site at 342-348 High Street. The CBC Bank (Cram Place) is located to the left of the image, and the former Bank of NSW is visible on the western side of the intersection with Castlereagh Street. The building third from the left is the office used by solicitor Duncan McDonald. Source: Penrith City Library.

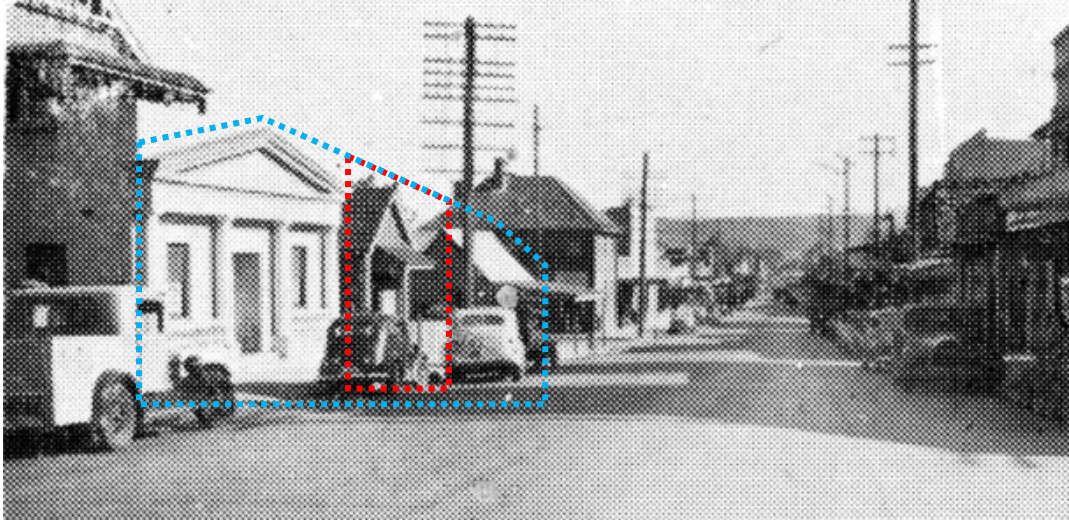


Figure 8: Photograph of High Street, with the former Bank of NSW visible. The structures within the blue dashed box have since been demolished and replaced, including the building at 348 High Street (outlined in the red dashed box). Source: Joyce Cole, 'Main Street,' postcard foldout, ca. 1940s, Penrith City Library, <https://penrithcity.spydus.com/cgi-bin/spydus.exe/ENQ/WPAC/ARCENQ?SETLVL=&RNI=330597>.



Figure 9: Photograph of John Cram Place, ca. 1960s. The previous building located at 342 High Street is visible to the right of the image. Source: Penrith City Library, 'Cram Place, High Street, Penrith,' ca. 1960s, <https://penrithcity.spydus.com/cgi-bin/spydus.exe/ENQ/WPAC/ARCENQ?SETLVL=&RNI=351334>.



Figure 10: Photograph of High Street from the intersection with Castlereagh Street, ca. 1970s. The buildings at 342-346 High Street have been demolished and replaced, while 348 High Street remains the same. Source: Arthur Street, Penrith City Library, 'High Street, corner Castlereagh Street, Penrith,' ca. 1970s, <https://penrithcity.spydus.com/cgi-bin/spydus.exe/ENQ/WPAC/ARCENQ?SETLVL=&RNI=327361>.

2.5 Cram Place

Constructed in 1879, Cram Place was designed and used as the banking chamber and manager's residence of the Commercial Banking Co. (CBC). The bank occupied the building until 1939¹⁵ when the solicitor John Cram purchased the property.

The Penrith Council purchased it in 1980, 'in preparation for its demolition as part of the planned east-west bypass ring road that would connect up with Tindale Street.' Local community groups and the Heritage Council fought for its retention, such that plans were changed in 1981 and the building was saved. It was then sold to solicitors Craig Morris and Co. in 1990.¹⁶

¹⁵ Integrated Design Associates, *Statement of Heritage Impact 344 High Street Penrith, NSW*, November 2015: 15.

¹⁶ Stacker, *Penrith: The Makings of a City*, 400-401.



Figure 11: Photograph of the rear of Cram Place in the centre of the image, the former coach house to the right and the previous structure at 342 High Street. Source: Arthur Street, 'John Cram Place,' ca 1950s, Penrith City Library, <https://penrithcity.spydus.com/cgi-bin/spydus.exe/ENQ/WPAC/ARCENQ?SETLVL=&RNI=351327>.



Figure 12: Photograph of the coach house behind Cram Place, used as an architectural practical ca. 1970s with sign reading "Robin McKay Architect". Source" Penrith City Library, 'Coach house, John Cram Place, Penrith,' ca. 1970s, <https://penrithcity.spydus.com/cgi-bin/spydus.exe/ENQ/WPAC/ARCENQ?SETLVL=&RNI=332383>.

2.6 Bank of NSW (former)

The building is shown on the 1885 subdivision map of the Hornsey Wood Estate in **Figure 4** above, although it is not labelled. It is not, however, shown on the ca. 1863 subdivision map, in **Figure 13** below. It can therefore be surmised that the building was constructed after 1863 and prior to 1885.



Figure 13: Subdivision map for the Hornsey Wood Estate in ca. 1863. The portion outlined in blue denotes the approximate location of the Bank of NSW (former), although it is not shown on this map. The yellow box outlines the site of the former St Nicholas of Myra Catholic Church and Presbytery, which has since been reconstructed. Source: Penrith Subdivision Plans, State Library of New South Wales, 003 - Z/SP/P10/3, <https://trove.nla.gov.au/work/35407851>.

Photographic evidence from the 1930s¹⁷ and 1970s (in Figure 14 below) shows the building labelled as the Bank of New South Wales.



Figure 14: Photograph of the Bank of NSW, ca. 1970s. Source: Arthur Street, 'Bank of New South Wales, Corner High and Castlereagh Streets, Penrith,' ca. 1970s, Penrith City Library, <https://penrithcity.spydus.com/cgi-bin/spydus.exe/ENQ/WPAC/ARCENQ?SETLVL=&RNI=325576>.

2.7 Memorials and lamp stand, St Nicholas of Myra Catholic Church

Construction of the first St Nicholas of Myra Catholic Church commenced in 1839, on land provided by Tindale, and was completed 11 years later. The Roman Catholic Church and Presbytery are visible on the Hornsey Wood Estate subdivision map in Figure 4 and Figure 13 above.

The site was then cleared and both structures demolished in 1966 before a new church was constructed in its place.¹⁸ Two memorials were constructed to commemorate Father Michael Brennan (died on 22nd of October 1864) and Father Patrick Joseph Mahony (died in 1892). Nearby, a lamp stand associated with the earlier church's streetscape presence shows the introduction of electricity to the town in the late nineteenth century.¹⁹

¹⁷ Penrith City Council, 'High Street, Penrith,' accessed online 3rd May 2021, <https://penrithcity.spydus.com/cgi-bin/spydus.exe/FULL/WPAC/ALLENQ/3742296/3093939,28>

¹⁸ 'St Nicholas of Myra Catholic Church and John Cram Place, High Street, Penrith,' Penrith City Council Library, accessed on 28th October 2020, <https://penrithcity.spydus.com/cgi-bin/spydus.exe/ENQ/WPAC/ARCENQ?SETLVL=&RNI=304185>.

¹⁹ NSW Office of Environment and Heritage, 'Memorials and lamp stand, St Nicholas of Myra Catholic Church,' accessed online 28th October 2020, <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageltemDetails.aspx?id=2260688>.

2.8 Penrith School of Arts (former)

The school of arts was established by 1907, with works on a purpose built school of arts building underway and constructed by 1911. It was designed by prominent architect Charles Rosenthal and has continuously provided education and community use since its construction.²⁰

Penrith School of Arts established in 1898 by founder Mr J H Smith (principal of the Penrith Superior Public School at the time). The foundation stone of the building was laid by Hon G H Reid (Sir George)²¹. In 1907, town representatives approached the Minister for Public Instruction to appeal for a special grant of £500 to go towards the construction costs of a dedicated School of Arts building, although the grant was not awarded at that time.²²



Figure 15: Photograph of the Penrith School of Arts in 1910. Source: Joyce Cole, 'School of Arts, Castlereagh Street, Penrith,' 1910, post card, Penrith City Library, <https://penrithcity.spydus.com/cgi-bin/spydus.exe/ENQ/WPAC/ARCENQ?SETLVL=&RNI=253748>.

²⁰ Heritage NSW, 'Penrith School of Arts (Former),' accessed online 28th October 2020, <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260692>.

²¹ Penrith Schools and Churches (1917, February 24). *Nepean Times (Penrith, NSW : 1882 - 1962)*, p. 6. Retrieved October 7, 2020, from <http://nla.gov.au/nla.news-article86147735>

²² PENRITH SCHOOL OF ARTS. (1907, July 11). *The Daily Telegraph (Sydney, NSW : 1883 - 1930)*, p. 4. Retrieved October 7, 2020, from <http://nla.gov.au/nla.news-article238080127>

Since its construction, the space has been used by the community for meetings such as the Railway Club²³, Nepean District Tennis Association²⁴, billiards tournaments²⁵, snooker tournaments.²⁶ In its early years, the Penrith School of Arts hosted an annual ball, 'in aid of the building fund.'²⁷ It became used as Penrith's first free lending library in 1948.²⁸

The front façade was considerably altered ca. mid-20th Century to remove the ornamented features of the Arts and Crafts architectural expression.



Figure 16: Photograph of the Penrith School of Arts in the 1970s, after extensive changes were made to the front façade. Source: Gerald O'Farrell, 'School of Arts, Castlereagh Street, Penrith,' ca. 1970s, Penrith City Library, <https://penrithcity.spydus.com/cgi-bin/spydus.exe/ENQ/WPAC/ARCENQ?SETLVL=&RNI=316054>.

2.9 Australian Arms Hotel

The current Australian Arms Hotel was constructed after architects Gordon McKinnon and Sons submitted plans to the Penrith Council for a new hotel in 1940. It was constructed on the

²³ RAILWAY CLUB. (1911, September 9). *Nepean Times (Penrith, NSW : 1882 - 1962)*, p. 3. Retrieved October 7, 2020, from <http://nla.gov.au/nla.news-article101306550>

²⁴ Nepean District Tennis Association (1952, February 14). *Nepean Times (Penrith, NSW : 1882 - 1962)*, p. 1. Retrieved October 7, 2020, from <http://nla.gov.au/nla.news-article100966399>

²⁵ Billiards (1911, October 28). *Nepean Times (Penrith, NSW : 1882 - 1962)*, p. 4. Retrieved October 7, 2020, from <http://nla.gov.au/nla.news-article101307051>

²⁶ Snooker (1911, May 27). *Nepean Times (Penrith, NSW : 1882 - 1962)*, p. 5. Retrieved October 7, 2020, from <http://nla.gov.au/nla.news-article101305552>

²⁷ School of Arts Ball (1911, August 12). *Nepean Times (Penrith, NSW : 1882 - 1962)*, p. 6. Retrieved October 7, 2020, from <http://nla.gov.au/nla.news-article101306277>

²⁸ Heritage NSW, 'Penrith School of Arts (Former).'

site of previous hotels, including one from ca. late nineteenth century, which had fallen into a state of disrepair.²⁹

A development application was submitted in 2020 for the addition of a seven storey hotel to the site, which is under assessment by Council.

2.10 High Street Shops

The row of shops along High Street present as a range of architectural styles dating from the late 19th century through to the 1930s. Alterations to the use and facades of the buildings have occurred, particularly in the 1960s and 1980s with the intension of modernisation.

361-365 High Street (item 714) was constructed ca. 1880 and was utilised as the commercial premise for R Mills Dress Goods and Railway House. Alterations to the front façade were completed in ca. 1930s, resulting in an Art Deco style.³⁰

An entry in the *Nepean Times* in 1900 stated: 'Mr. R. Mills, Railway House, who is a born draper, as is also Mrs. Mills, confine their attention solely to general drapery, millinery, and fancy goods, with a change at Christmas by way of toys.'³¹



Figure 17 and Figure 18: Photographs of 361-365 High Street Penrith, prior to and after alterations to the front façade. Source: Heritage NSW, 'High Street Shops,'

<https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260714>.

²⁹ Mark Bullen Architects, *Conservation Management Plan – Australian Arms Hotel, Penrith*, 2020: 6-9.

³⁰ Heritage NSW, 'High Street Shops,' database number 2260714, accessed online 28th October 2020, <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260714>.

³¹ Colin Stevenson, *Once Upon a Road: A History of High Street Penrith*, (Penrith: Penrith City Library, 1984): 17.

371-375 High Street (item 715) was constructed and used by the Commonwealth Bank from the 1930s. It reflects the interwar, art deco style of architecture that was typical of the Bank at this time. It was later converted to shops and offices.³²

377-381 High Street (item 716) is a two storey residence from the late 19th century, displaying as a double fronted brick building. While it was formerly used as a residence, it has been converted and is now used as a shop.³³

383 High Street (item 717) is a commercial building that reflects the inter-war, Tudor-Revival style of architecture.³⁴

387-389 High Street (item 718) is an example of the development that occurred along High Street in the 19th century. The Inter-war retail outlet reflects the Regency Revival style and was modified in ca.1980s with alterations below the awning. It has maintained its use as a shop since construction.³⁵

395-399 High Street (item 719) was constructed in ca. 1890s as a commercial premise although was considerably altered in the 1930s to incorporate an inter-war Art Deco rendered façade. It was again altered in the 1960s, primarily focusing on alterations to the windows.³⁶

³² Heritage NSW, 'High Street Shop,' item 715, accessed online 9th November 2020, <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260715>.

³³ Heritage NSW, 'High Street Shop,' item 716, accessed online 9th November 2020, <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260716>.

³⁴ Heritage NSW, 'High Street Shop,' item 717, accessed online 9th November 2020, <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260717>.

³⁵ Heritage NSW, 'High Street Shop,' item 718, accessed online 9th November 2020, <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260718>.

³⁶ Heritage NSW, 'High Street Shop,' item 719, accessed online 9th November 2020, <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260719>.

3.0 Physical Evidence

3.1 Locality

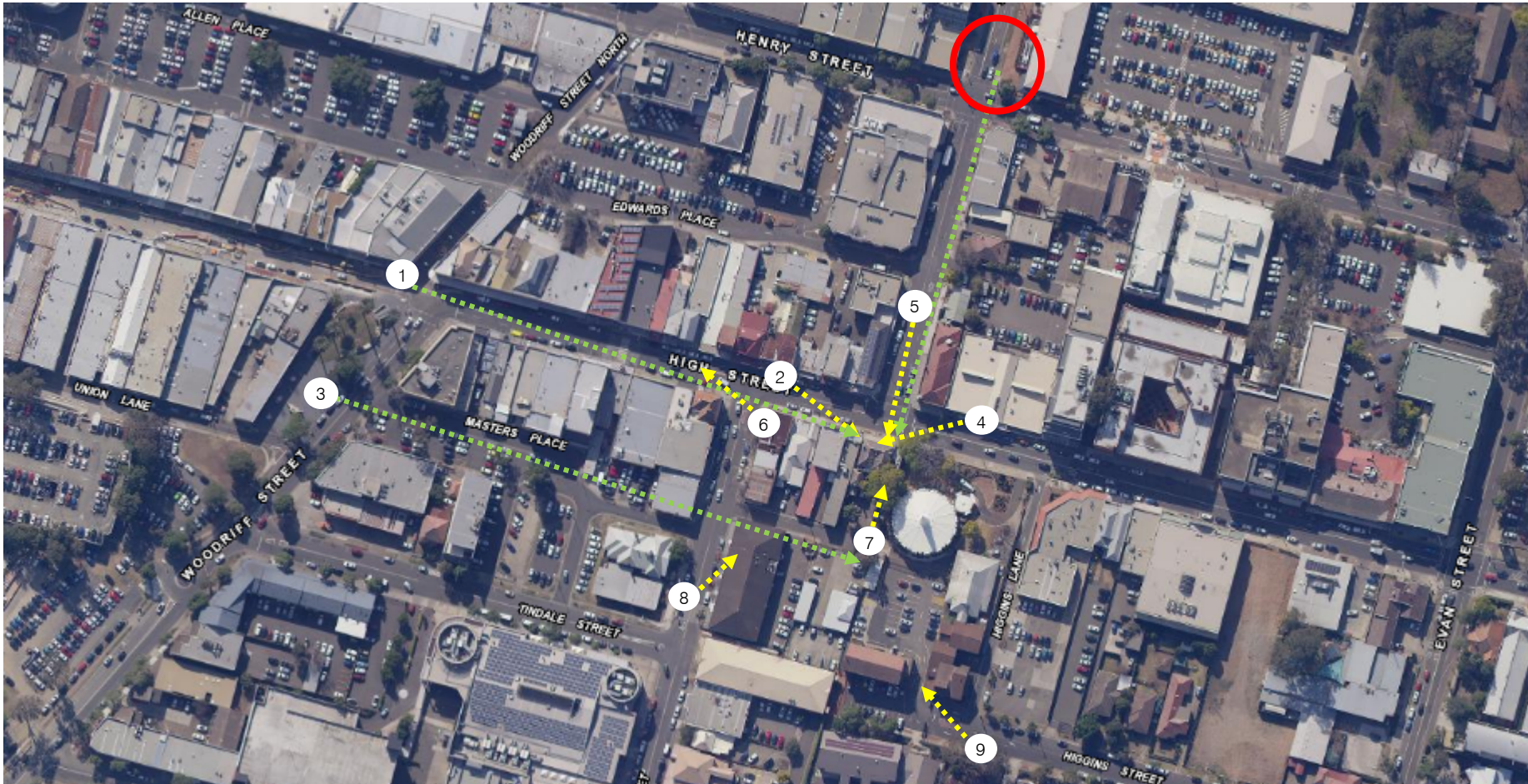


Figure 19: Aerial imagery of the High Street locality, with overlay showing the long and short views towards and from the subject site. Numbered views correlate with the images below. Source: NSW Spatial Services, *SIXMaps*, downloaded 9th November 2020, <https://maps.six.nsw.gov.au/>. Overlay by the author.



Image 1: Photograph taken on the northern side of High Street and Woodriff Street intersection, facing east along High Street. The front façade and roof of Cram Place is visible from this perspective.



Image 2: Photograph taken on the northern side of High Street, facing east along High Street. The front façade and roof of Cram Place is visible from this perspective.



Image 3: Photograph taken from Memory Park, facing east along Masters Place. The rooflines of the coach house and St Nicholas of Myra Catholic Church are visible.



Image 4: Photograph taken on the northern side of High Street, facing south west towards the subject site. The Australian Arms Hotel is located to the right of the image, and Cram Place is visible to the left.



Image 5: Photograph taken on the western side of Lawson Street, facing south towards Cram Place and the subject site (visible behind Cram Place and to the right of the image).



Image 6: Photograph taken on the south eastern side of the High Street and Castlereagh Street intersection, facing north west. The former Bank of NSW is visible to the left of the image, and the heritage listed shops are on the right.



Image 7: Photograph taken at the eastern end of John Cram Lane, facing north towards the rear of Cram Place.



Image 8: Photograph taken on the western side of Castlereagh Street, facing north east and demonstrating the view from the former School of Arts towards the subject site.



Image 9: Photograph taken on Higgins Street, facing north west. The school building within the grounds of the St Nicholas of Myra Catholic Church is visible.

Source of the above photographs: Nimbus Architecture and Heritage, 10th November 2020.



Figure 20: Aerial imagery of the High Street locality, with overlay showing the long and short views towards and from the subject site. Numbered views correlate with the images below. Source: NSW Spatial Services, *SIXMaps*, downloaded 9th November 2020, <https://maps.six.nsw.gov.au/>. Overlay by the author.



Image 10: Photograph of the existing laneway between Cram Place (left of image) and 342 High Street (right of image).



Image 11: Photograph taken on the northern side of High Street, facing south towards the St Nicholas of Myra Catholic Church and Cram Place. The proposed development may be visible behind and between the two structures.



Image 12: Photograph taken from the southern side of High Street, facing north along Lawson Street.



Image 13: Photograph taken on the eastern side of Castlereagh Street, facing south.



Image 14: Photograph taken on the western side of John Cram Lane, facing east. The building to the right of the image is within the subject site boundaries. The coach house is visible at the end of the lane.



Image 15: Photograph taken at the rear of Cram Place, facing south.



Image 16: Photograph taken on the eastern side of Castlereagh Street, facing west towards the heritage listed former Penrith School of Arts.

Source of the above photographs: Nimbus Architecture and Heritage, 10th November 2020.

3.2 Proposed curtilage and significant view corridors

From the visual assessment, significant views towards the subject site and adjacent heritage items have been established. In addition to views from the direct streetscape context, retaining long views to and from the property and adjacent heritage items will be integral in the success of the project. Cram Place is a distinct item on High Street, with views of the parapet and roofline attained from as far away as the Station Street and High Street intersection.

It is recommended that the curtilage around the heritage sites Cram Place (item 201) and St. Nicholas of Myra (item 688) respond to the existing boundaries of the sites. Any proposed development should allow a visual separation between the new and old.

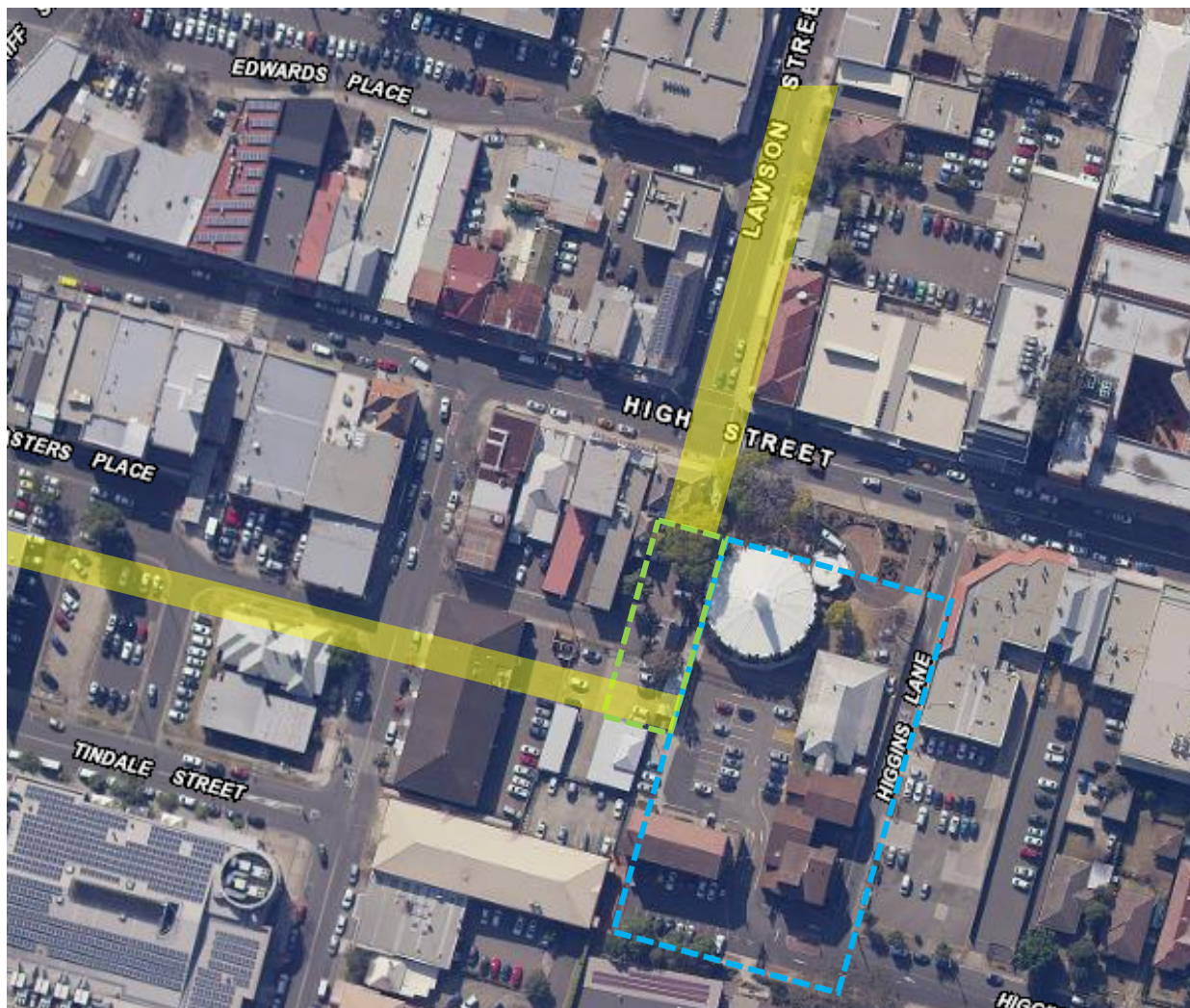


Figure 21: Aerial imagery of the High Street locality, with overlay showing the proposed curtilage boundaries (Cram Place boundary in the green dashed box and the St Nicholas of Myra boundary in the blue dashed box) and key view corridors (shown in yellow). Source: NSW Spatial Services, *SIXMaps*, downloaded 9th November 2020, <https://maps.six.nsw.gov.au/>. Overlay by the author.

4.0 Heritage Status

4.1 Introduction

342-348 High Street, Penrith is not considered as a heritage site and it is not located within a Heritage Conservation Area. It is located in the vicinity of a number of sites that are recognised for their heritage value by statutory listings. The Burra Charter (October 2013) principles and guidelines have been utilised as a baseline in order to undertake this heritage impact assessment.

The cultural significance of the subject site, 342-348 High Street, Penrith has been assessed against evaluation criteria set out by the NSW Department of Planning, NSW Heritage Branch.

4.2 New South Wales Heritage Office Methodology

- Criterion a) An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area);
- Criterion b) An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area);
- Criterion c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);
- Criterion (d) An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;
- Criterion (e) An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);
- Criterion (f) An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area);
- Criterion (g) An item is important in demonstrating the principal characteristics of a class of NSW's
- cultural or natural places; or
 - cultural or natural environments.
- (or a class of the local area's cultural or natural places; or cultural or natural environments.)

4.3 Evaluation of Heritage Significance

The following assessment against the established criteria set by the Department of Planning; NSW Heritage Branch discusses how each criterion relates to the subject site.

Criterion a – Historical Evolution

An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
Shows evidence of a significant human activity	Has incidental or unsubstantiated connections with historically important activities or processes
Is associated with a significant activity or historical phase.	Provides evidence of activities or processes that are of dubious historical importance
Maintains or shows the continuity of a historical process or activity	Has been so altered that it can no longer provide evidence of a particular association

The subject site does not meet this criterion. The existing buildings have either been considerably altered or are from a more recent period of construction that does not denote historical evolution.

Criterion b – Historical Associations

An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
Shows evidence of a significant human occupation	Has incidental or unsubstantiated connections with historically important people or events
Is Associated with a significant event, person, or group of persons	Provides evidence of people or events that are of dubious historical importance
	Has been so altered that it can no longer provide evidence of a particular association

The subject site does not meet this criterion. There are insubstantial links to historical people and events in the Penrith area.

Criterion c – Aesthetic Values

An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (state significance)

Guidelines for Inclusion	Guidelines for Exclusion
Shows or is associated with, creative or technical innovation or achievement	Is not a major work by an important designer or artist.
Is the inspiration for a creative or technical innovation or achievement	Has lost its design or technical integrity
Is aesthetically distinctive	Its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded.
Has landmark qualities	Has only a loose association with a creative or technical achievement
Exemplifies a particular taste, style or technology	

The subject site does not meet this criterion. The earliest building on the site has been considerably altered so that its early design intent is no longer visible. The remaining buildings were not designed by an important designer or artist.

Criterion d – Social Value

An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons

Guidelines for Inclusion	Guidelines for Exclusion
Is important for its association with an identifiable group	Is only important to the community for amenity reasons
Is important to a community's sense of place	Is retained only in preference to a proposed alternative

The subject site does not meet this criterion. The site does not have any significant social value.

Criterion e – Technical/Research Value

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
Has the potential to yield new or further substantial scientific and/or archaeological information	The knowledge gained would be irrelevant to research on science, human history or culture
Is an important benchmark or reference site or type	Has little archaeological potential
Provides evidence of part human cultures that is unavailable elsewhere	Only contains information that is readily available from other resources or archaeological sites

The subject site does not meet this criterion. Further research into the history of the site would not be likely yield information that is not otherwise known and provided in the surrounding area.

Criterion f – Rarity

An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)

Guidelines for Inclusion	Guidelines for Exclusion
Provides evidence of a defunct custom, way of life or process	Is not rare
Demonstrates a process, custom or other human activity that is in danger of being lost	Is numerous but under threat
Show unusually accurate evidence of a significant human activity	
Is the only example of its type	
Demonstrates designs or techniques of exceptional interest	
Shows rare evidence of a significant human activity important to a community	

The subject site does not meet this criterion.

Criterion g – Representativeness

An item is important in demonstrating the principal characteristics of a class of NSW's

- *cultural or natural places; or*
- *cultural or natural environments.*

Guidelines for Inclusion	Guidelines for Exclusion
Is a fine example of its type	Is a poor example of its type
Has the principal characteristics of an important class or group of items	Does not include or has lost the range of characteristics of a type
Has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity	Does not represent well the characteristics that make up a significant variation of a type
Is a significant variation to a class of items	
Is part of a group which collectively illustrates a representative type	
Is outstanding because of its setting, condition or size	
Is outstanding because of its integrity or the esteem in which it is held	

The subject site does not meet this criterion. It does not demonstrate principal characteristics of the cultural significance of the Penrith region.

4.4 Statement of Significance

The subject site, including all structures within its boundaries, is not recognised in statutory listings as a heritage item. While it is likely that most structures have been constructed in approximately the last 40 years, the building at 348 High Street appears to have been constructed ca. 1930s with evidence of its existence in the 1943 aerial imagery on *SIXMaps*. This site has been significantly altered internally and externally, such that it has lost much of its original heritage features.

It is likely that the existing structures across the 342-348 High Street site boundaries are not the earliest, although the site has changed considerably. There is a very limited possibility that archaeological relics may be uncovered during the excavation process. It is likely that the research potential of any findings is low due to the previous disturbance of the land across the entire site from boundary to boundary. The adjacent heritage items are of local significance; the design of future works to the site is therefore required to sympathetically respond to these heritage items and the wider streetscape.

5.0 The Proposal

The following scope of works has been considered with regard to the subject site: 342-348 High Street, Penrith, which is not locally listed under the current Penrith Local Environmental Plan 2010 although is in the vicinity of multiple local heritage items. A Development Application (DA16/0254) was previously submitted and approved for developments to the site. This application seeks to improve upon the earlier approval and is further explained below in the assessment.

The assessment has considered the client's requirements for proposed development. The scope of works is as follows:

Building A

- Demolition of existing buildings at 342-348 High Street
- New seven storey tower that includes retail and commercial spaces and penthouse apartments
- Three storey street frontage to High Street with upper levels stepped back



Figure 22: Proposed elevations of the Building A development. Source: IDG, Drawing number DA-2000, 'Elevations Building A,' Issue 1.

Building B

- Demolition of existing buildings at 344 High Street
- New seven storey tower that includes 26 residential units

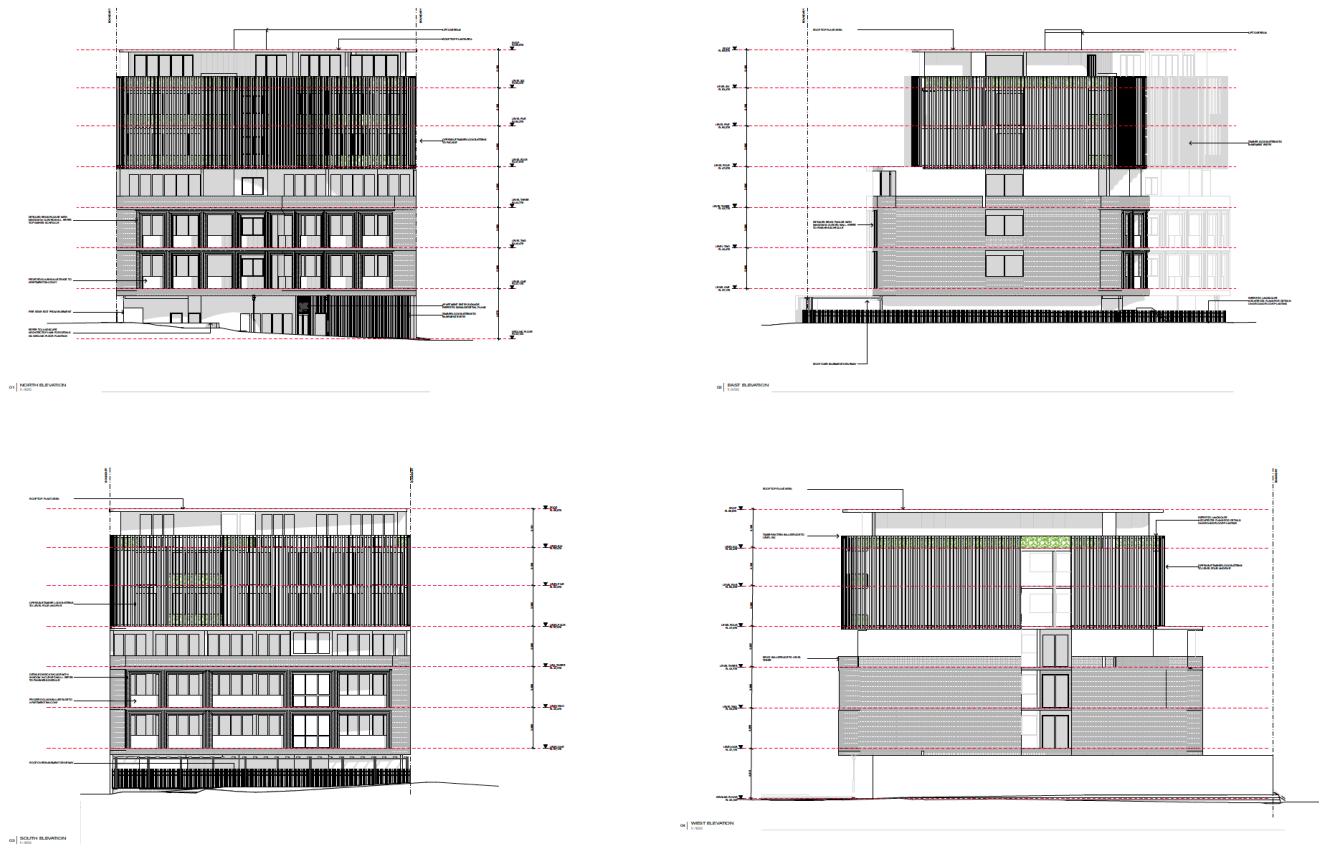


Figure 23: Proposed elevations of the Building B development. Source: IDG, Drawing number DA-2001, 'Elevations Stage A,' Issue I.

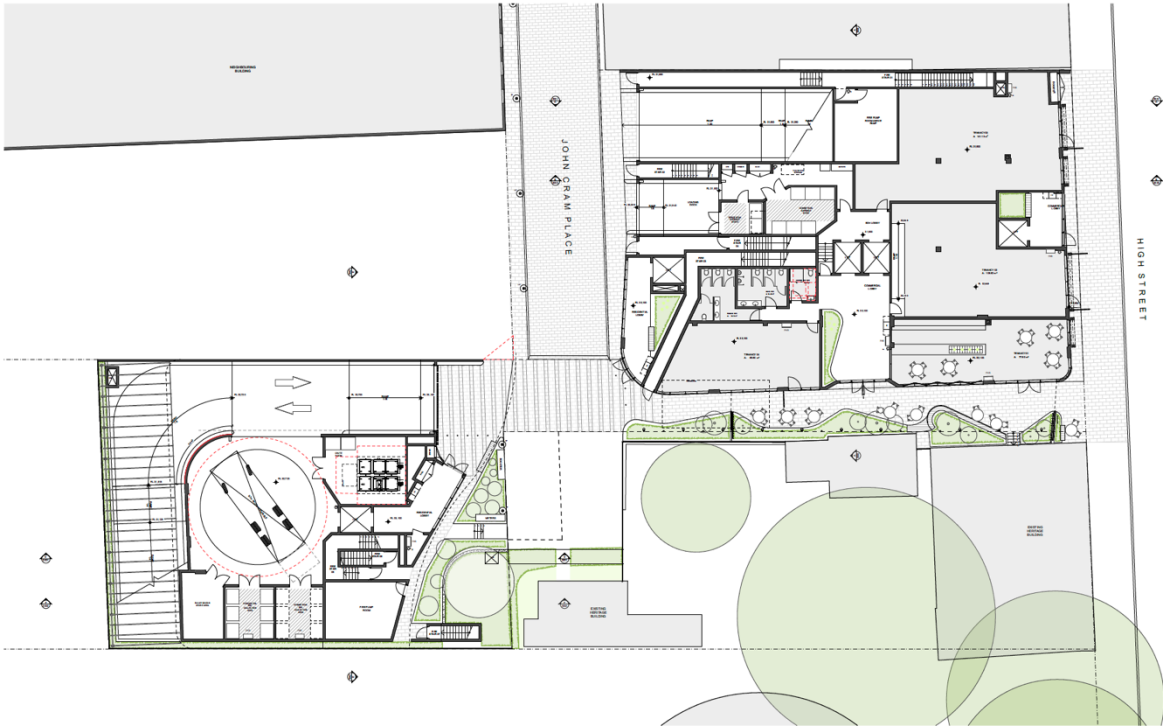


Figure 24: Proposed ground floor plan of the subject site, showing both Buildings A and B. Source: DA-1100, 'Ground Level Plan,' Issue Q.

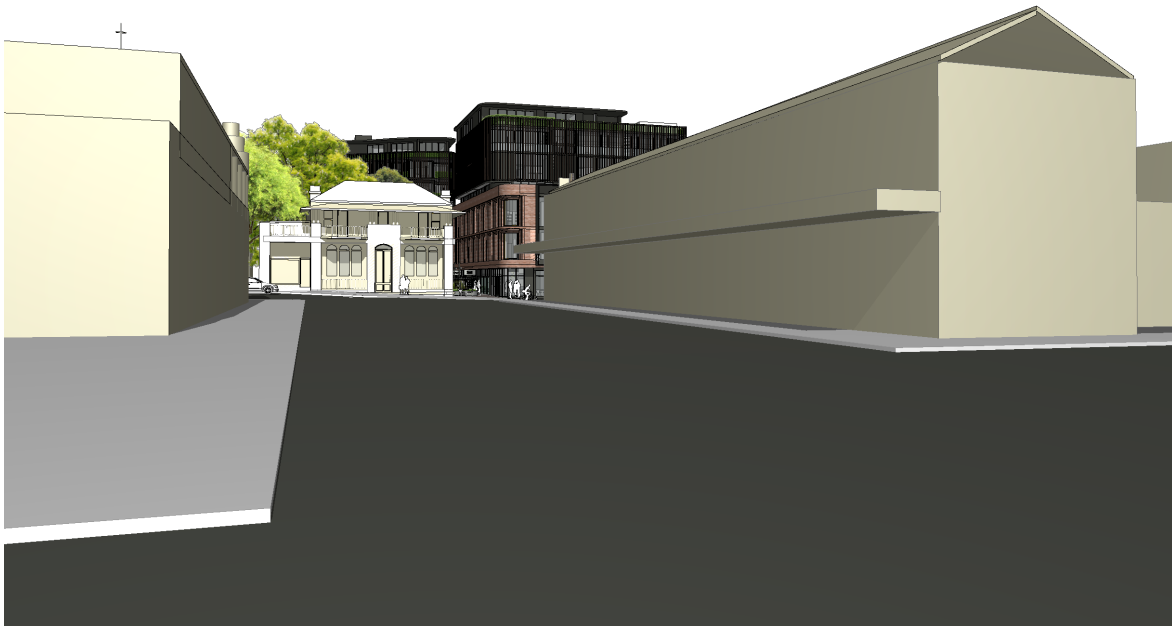


Figure 25: Model of the proposed works in relation to the heritage listed Cram Place, as viewed from Lawson Street. Source: IDG, 'HEN19065_Lawson Street_B'.

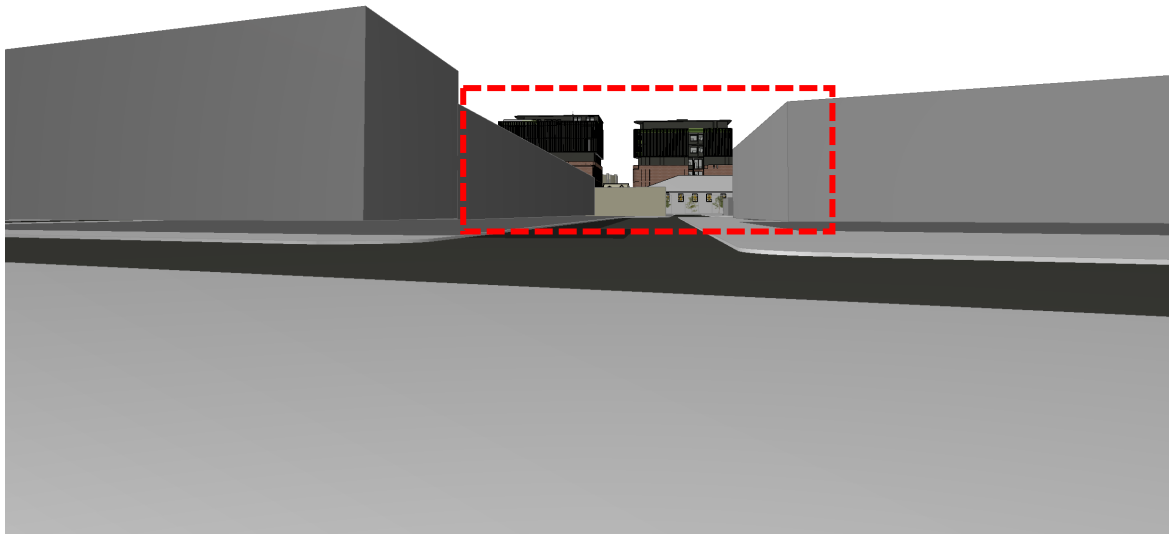


Figure 26: Model of the proposed development as viewed from Memory Park. Source: IDG, 'HEN19065_Memory Park_B'.

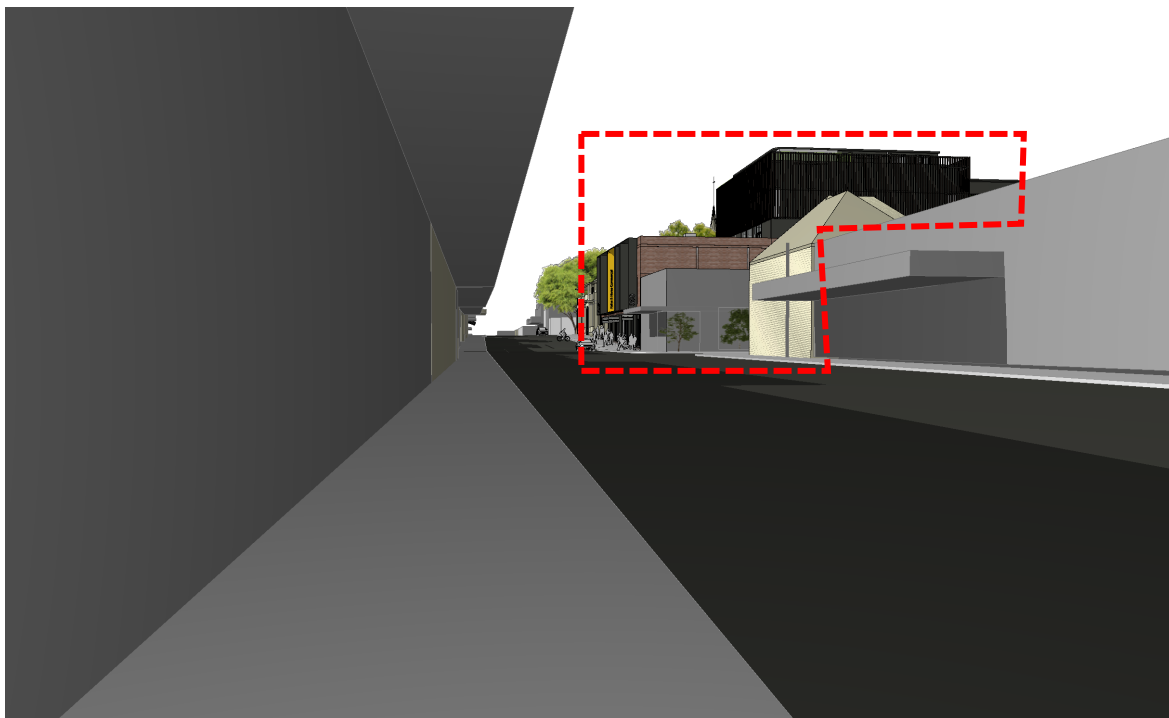


Figure 27: Model of the proposed Building A building in the High Street context. Source: IDG, 'HEN19065_West High Street_B'.



Figure 28: Model showing the view from the rear of Cram Place south towards the Building B building. Source: IDG, 'HEN19065_From Old Bank_B'.

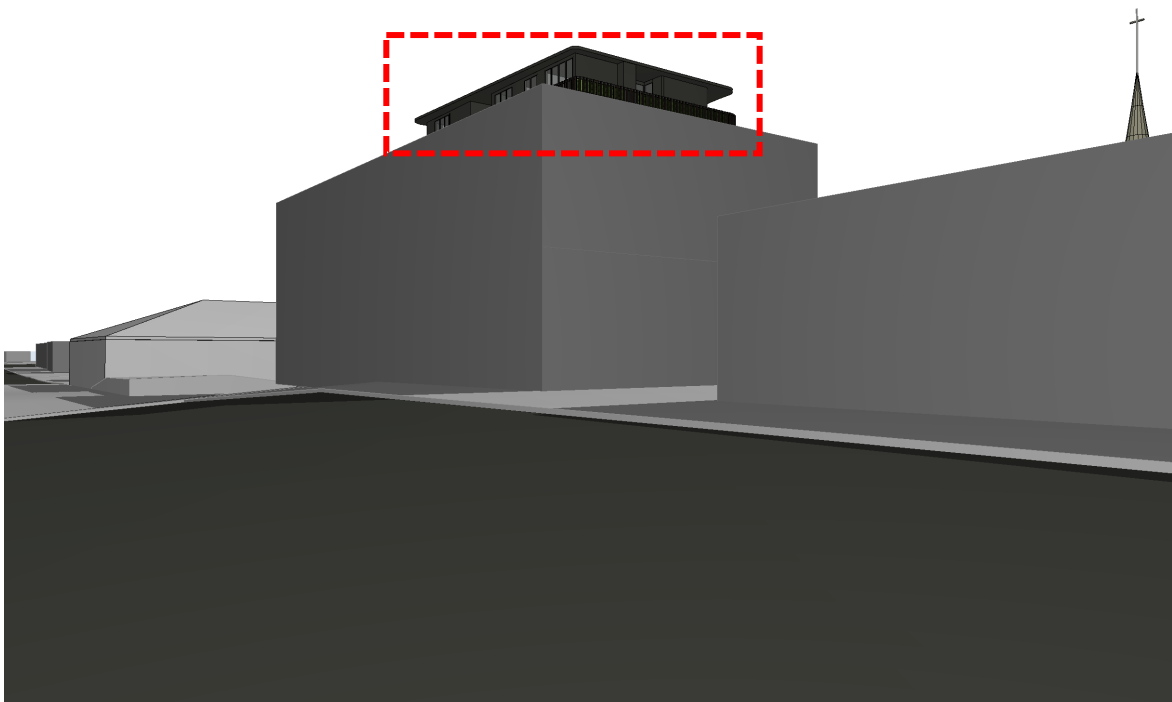


Figure 29: Model showing the view of the proposed Building B from the southern side of Higgins Street facing north east, with the St Nickolas of Myra school building in the foreground. This building falls within the boundaries of the listing for 'Memorials and lamp stand, St Nicholas of Myra Catholic Church'. Source: IDG, 'HEN19065_School Heritage Building_B'.



Figure 30: Perspective showing the proposed widened pedestrian laneway between Cram Place (to the left) and Building A of the development. Source: IDG, DA-8000, 'Façade and Signage Detail 1,' Issue B.

6.0 Heritage Impact Assessment

6.1 Introduction

The following assessment takes into consideration the documentary evidence described in the previous sections of this report. This assessment measures the potential impacts both physical and visual that may occur as a result of the proposed works. The application is based on the guidelines set out the NSW Heritage Office (now Heritage Branch of the Department of Environment and Heritage) publication '*Statement of Heritage Impact*' 2002.

The following assessment has been formatted to suit the situation of this proposal and has been assessed against the following impact assessment criteria:

- Penrith Local Environmental Plan 2010 (LEP)
- Penrith Development Control Plan 2014 (DCP)
- *The New South Wales Heritage Council Guidelines, Altering Heritage Assets and Statement of Heritage Impact.*

The accepted practice in assessing the levels of impact on items, places or fabric of heritage significance is to adopt the following grading³⁷:

Impact Grading	Built Heritage or Historic Urban Landscape attributes
<i>No Change</i>	<i>No change to Fabric or setting.</i>
<i>Negligible</i>	<i>Slight changes to historic building elements or setting that hardly affect it and have no impact upon significance.</i>
<i>Minor</i>	<i>Change to key historic building elements, such that the asset is slightly altered.</i>
<i>Moderate</i>	<i>Changes to many key historic building elements, such that the resource is moderately altered.</i>
<i>Major</i>	<i>Change to key historic building elements that contribute to the listing such that the resource is totally altered. Comprehensive changes to setting.</i>

³⁷ ICOMOS – Guidance on Heritage Impact Assessment for Cultural World Heritage Properties, A publication of the International Council on Monuments and Sites, January 2011, downloaded 23/2/2015.

6.2 Penrith LEP 2010 – Heritage Provisions Evaluation

The following relevant Heritage Provisions outlined in Part 5 Heritage Provisions that are assessed against the proposed scope of works as follows:

Penrith LEP 2010	Comment
Section 5 Miscellaneous provisions	
5.10 Heritage Conservation	
<i>(1) Objectives</i>	The subject site, 342-348 High Street, Penrith, does not have any heritage listed items within its boundaries, as per Schedule 5 of the Penrith LEP 2010. It is not located within a heritage conservation area. It is, however, in the vicinity of multiple local heritage items, including item numbers 196, 201, 688, 692, and 713-719. The eastern boundary of the subject site is shared with item 201, known as 'Cram Place.'
<i>(a) to conserve the environmental heritage of Penrith</i>	
<i>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and view,</i>	<p>The proposed works have been designed to respond to the existing heritage context whilst revitalising the subject site. A Development Application (DA16/0254) was previously submitted and approved for development to the site; this scope improves upon the earlier design and responds to its heritage context.</p> <p>Overall, the works will contribute to the activation of the eastern end of High Street, in line with the recent works focused on the western end of High Street. The works will increase the amenity of the area and will positively contribute to the heritage setting through the activation and upgrading of the existing site. The development will introduce high quality commercial development to the eastern end of High Street, which is currently lacking in this vicinity.</p> <p><i>Building A</i></p> <p>The proposed works will have no physical impact upon heritage listed items. The existing buildings within the site boundary do not hold heritage significance. The oldest building on the site (348 High Street) has been considerably altered and has insubstantial historical connections. It has little to no integrity through the loss of original fabric.</p>

The proposed works will have a minor visual impact upon the adjacent heritage items. When viewed from Lawson Street towards Cram Place, the street frontage presents as a three storey mass at the same height as the neighbouring Cram Place before stepping back to its full height. This upper mass is situated to approximately align with the southern elevation of Cram Place. This reduces the visual impact of the development as it reduces the visual dominance of the new works without towering over the heritage building. This design is similar to the previously approved design, and does not increase the visual impact. The proposed development draws upon the larger scale commercial buildings in the area and incorporates street level engagement with no blank walls.

The height of the three storey mass at the front of the proposed development will restrict existing views of the Cram Place roofline from further west along High Street, interrupting the boulevard interpretation of High Street streetscape. The High Street elevation of the heritage item will still be visible, however, as the proposed development will not be constructed further forward (north) than Cram Place, reducing the visual impact associated with the reduced roofline views. A visual connection will be maintained, however, between Cram Place and heritage items 714-719 and 196.

The proposed works will increase the curtilage to the west of Cram Place as the existing laneway will be increased in width and the space will be activated through landscaping features. This will positively impact upon the heritage item.

The view corridor along John Cram Place towards the coach house of Cram Place and the St Nicholas of Myra Catholic Church beyond is retained in the proposed works. The southern elevation of Building A will be constructed further north than the existing building, which will increase the width of the laneway and visibility of the heritage items.

The existing distant view of the coach house and Church from Memory Park are retained. The view from the former Penrith School of Arts on Castlereagh Street will not be significantly impacted by this phase of development, as it is set back from Castlereagh Street and the existing 352 High Street will remain in place as a two-storey buffer.

Building B

The proposed development will have no physical impacts upon heritage listed items. There will be a minor visual impact as a result of the works, although mitigative measures have been implemented in the design.

The visual impact of the development is reduced by curving the mass away from the coach house. This allows space for a landscaped interface between the new and old elements. The curved form also echoes the curve of the adjacent St Nicholas of Myra Catholic Church. The void to the ground floor and third floor, combined with the use of masonry to the first and second floors, reduces the dominance of the mass when viewed from the rear of Cram Place and in comparison to the coach house.

The proposed development will be visible from High Street, behind Cram Place. It forms a backdrop behind the heritage item, with materiality and colour palette distinguishing it as a new item. The retention of vegetation and integration of landscaping between the new and old elements acts to screen and soften the proposed development. It contributes to the visual connection and the open setting between the proposed seven storey development and the adjacent heritage buildings of Cram Place.

The proposed development will be visible from Higgins Street, above the school building within the grounds of the St Nicholas of Myra heritage item. The height of the existing school building and the location of the proposed development will reduce the visibility and scale of the new works and act as a buffer. This will result in a negligible visual impact. The church spire and other elements associated with the listing remain visible.

6.3 Penrith DCP 2014 – Heritage Provisions Evaluation

The following relevant Heritage Provisions outlined in Section C and E that are assessed against the proposed scope of works as follows:

Penrith DCP 2014	Comment
<i>Section C City-wide Controls</i>	
<i>C7 Culture and Heritage</i>	
<i>7.1 European Heritage</i>	
7.1.5 Development in the Vicinity of a Heritage Item or Conservation Area	
1) <i>A Heritage Impact Statement shall be lodged with a development application for buildings or works in the vicinity of a heritage item or heritage conservation area. This clause extends to development that:</i>	This Statement of Heritage Impact has been prepared to assess the impact of the proposed Building A and Building B works to 342-348 High Street, Penrith, upon the adjacent heritage items 196, 201, 688, 692, and 713-719, as outlined in Section 1.3 of this report, above. The site is not located within a heritage conservation area.
<i>a) May have an impact on the setting of a heritage item or conservation area, for example, by affecting a significant view to or from the item or by overshadowing; or</i>	a) The proposed works will have a minor visual impact upon the heritage items in the vicinity, in particular Cram Place (item 201), which shares the boundary to the east of the subject site. Mitigative measures have been implemented to reduce this impact, such as stepping back the front façade from Level 3 onwards so that the building presents to High Street and the Australian Arms Hotel (item 196) as a three storey mass.
<i>b) May undermine or otherwise cause physical damage to a heritage item; or</i>	The proposed works also integrate a larger pedestrian link between Cram Place and the Building A development than the existing laneway. This will create a greater visual distinction between the two and increases the curtilage to the west of Cram Place. It will create a pedestrian thoroughfare through to the Building B development and will act as revitalisation to the heritage item, streetscape context and local context. The landscaping of this area will also contribute to its increased pedestrian engagement and will soften the boundary between the development and Cram Place. The entire precinct will be paved, including the pedestrian footpath to High Street and the
<i>c) Will otherwise have any adverse impact on the heritage significance of a heritage item or any heritage conservation area within which it is situated.</i>	

length and width of John Cram Place, which will increase the cohesive nature of the development.

b) The proposed works will not undermine or cause physical damage to any heritage listed items. There are no statutory heritage listings across the subject site and the proposed works will be located within the site boundaries, therefore there will be no physical impacts upon the adjacent heritage items. No heritage listed items will be demolished to enable the construction works as proposed.

c) The proposed works will not adversely impact upon the heritage significance of the general area and the heritage items within the vicinity. The works will activate the space in a similar way to the western end of High Street and improve upon the urban context for the heritage items and vicinity. There will be no physical impact upon heritage listed items.

2) The following issues must be addressed in the Heritage Impact Statement:

a) The impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item;

b) Details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works; and

c) Details of any modification that would reduce the impact of the proposed development on

Building A

a) The Building A development shares its eastern boundary with Cram Place (local heritage item 201). It is within the visual catchment of multiple other heritage items, although these are slightly further away than Cram Place.

The heritage significance of item 201 and others in the vicinity will not be considerably altered as there will be no physical impact upon these items. The eastern elevation of Building A is set further west than the existing building. This will increase the width of the laneway, therefore increasing the curtilage to the west of Cram Place and activating the space alongside it.

b) The bulk and scale of the proposed development when viewed next to Cram Place will be reduced by stepping the front (northern) façade back to create a three storey mass that presents to High Street. The height of the front portion of the building will then align closely with the ridge height of Cram Place before it steps back for the remainder of the levels.

the heritage significance of the heritage item.

The variation of materiality across the facades, for example the use of masonry to the first and second floors, creates a visual separation between the different building elements and highlights the differences between the new and old buildings in the area. It will also aid in articulating the mass and reducing the perceived bulk of the building. The large format windows fronting High Street increase the street engagement and are reflective of the form of earlier retail shop frontages. These forms historically incorporated large, glazed bays and is evident in the heritage listed items 713-719 on High Street.

c) The proposed development has considered the heritage context and already implements actions to reduce the visual impact on the adjacent heritage items. It is recommended that materials and colour schemes be non-reflective and recessive.

Building B

a) The Building B development shares its northern boundary with Cram Place (local heritage item 201) and its eastern boundary with the St Nicholas of Myra Catholic Church (local heritage item 688).

Building B is located towards the centre of the overall development site. When seen in a wider context, at a greater visual distance, the ground floor to level three will be screened by the adjacent proposed and existing buildings along High Street and Castlereagh Street. Therefore, the visual impact concerning the development is from level four to the rooftop.

There will be a minor visual impact upon item 201 as a result of the visibility of Level Four to the rooftop of the seven storey tower. The visual impacts have been reduced through curving the form of the northern façade to maintain a curtilage to the coach house. This reduces the mass in the immediate vicinity of the heritage item and creates a visual separation between the new and old. This curved form also echoes the curved form of the St Nicholas of Myra Catholic Church. Additionally, the under

croft of the ground floor increases the open space at ground level.

There will also be a minor visual impact upon item 688, as Building B will be visible above the roofline of the historic school within the boundaries of the heritage item, when viewed from Higgins Street. The height and scale of the existing school building, however, will obscure views of the lower levels of the development. The southern elevation of the proposed will be staggered and stepped in from the fifth floor and up, which will reduce the visual scale of the building when viewed from Higgins Street.

Due to its setting, it is unlikely that it will have a visual impact upon any of the other heritage items in the vicinity.

b) The proposed development is a seven-storey building with a curved northern façade, which creates a greater curtilage to the former stables at the rear of Cram Place.

The materiality changes across northern elevation to reduce perceived bulk and articulate the façade, with masonry used to the first and second levels.

The rear (south elevation) is staggered, with the upper three storeys stepped in from the lower levels. This will reduce the bulk and scale of the rear, and therefore reduces the visual impact upon the buildings within the boundaries of the St Nicholas of Myra Catholic Church heritage item.

c) The proposed development has considered the heritage context and already implements actions to reduce the visual impact on the adjacent heritage items. It is recommended that materials and colour schemes be non-reflective and recessive.

Penrith DCP 2014	Comment
<i>Section E Key Precincts</i>	
<i>E11 Penrith</i>	
<i>E11A Penrith City Centre</i>	
<i>11.3 Pedestrian Amenity</i>	
11.3.6 Building Exteriors	
1) <i>Adjoining buildings (particularly heritage buildings) are to be considered when designing new buildings and extensions to existing buildings in terms of:</i>	<i>Building A</i>
<i>a) appropriate alignment and street frontage heights;</i>	a) The height of the proposed street frontage aligns approximately with the ridge height of the neighbouring heritage item. It is sited further back than Cram Place, which allows the heritage façade to remain visible from further west along High Street.
<i>b) setbacks above street frontage heights;</i>	b) The upper portion of the proposed development is set back to align with the southern elevation of Cram Place. This reduces the bulk and scale of the building when viewed from the heritage items along High Street and Lawson Street, and reduces the dominance of the development in comparison with Cram Place.
<i>c) appropriate materials and finishes selection;</i>	c) The proposed design incorporates different materials and finishes to different levels across the facades, which articulates the elevation and reduces the perceived scale. Paving the footpath throughout the complex, including along High Street and for the width and length of John Cram Place, will contribute to the visually cohesive design.
<i>d) facade proportions including horizontal or vertical emphasis; and</i>	d) The front (northern) façade incorporates vertical and horizontal elements into the design to create articulation. The vertical lines aid in reducing the bulk of the façade through creating separation between the window bays. The use of masonry to Levels 1 and 2 also horizontally separates the façade.
<i>e) the provision of enclosed corners at street intersections.</i>	e) The proposed development does not have any corners on a street intersection.

Building B

- a) The proposed development is aligned with the eastern, western and southern boundaries. The northern façade is aligned to curve around the coach house of Cram Place and echoes the curved form of the St Nicholas of Myra Catholic Church.
- b) Building B does not have a street frontage to any of the main streets in the area. It is accessed from John Cram Lane but is not a main streetscape element on the lane.
- c) The proposed design incorporates different materials and finishes to different levels across the facades, which articulates the elevation and reduces the perceived scale. Paving the footpath throughout the complex, including along High Street and for the width and length of John Cram Place, will contribute to the visually cohesive design.
- d) The façade incorporates horizontal elements through materiality and the use of masonry to Levels 1 and 2. This creates a link to the masonry finish of the same levels on the Building A development.
- e) The proposed development does not have any corners on a street intersection.
-

6.4 Response to Heritage Advisor's Comments

The following section has been written in response to the comments made by the Penrith City Council Heritage Advisor in an email from Council's Development Assessment Coordinator, Gavin Cherry, dated 10th of August 2021.

Heritage Advisor's Comments	Response
<p><i>The current proposal has a street "base" massing that is reasonably complementary to that of the existing adjacent heritage items in particular the former John Cram Place and the Australian Arms Hotel.</i></p>	<p>As stated in earlier sections of this assessment and in the Heritage Advisor's comments, the streetscape frontage of the lower three levels is complementary to the heritage items in the vicinity, including John Cram Place and the Australian Arms Hotel. The masonry base and the curved form create a visual connection to the Hotel without directly mimicking the earlier form. The "base massing" is of a similar scale to the height and mass of the John Cram Place streetscape frontage and allows the heritage items to remain visible as prominent buildings on the street.</p>
<p><i>However, the current base massing could be further refined by ensuring that the masonry aspect of the lower mass predominates. If the current proposals brick side treatment is carried across the top of the lower 3 storey -mass, and if the glazing is re-designed so that it becomes somewhat a secondary architectural element, then the base will be able to complement the general High Street's 2 to 3 storey "podium" architecture. Hence, this site will be augmenting the existing 2/3 storey historic layer that has a sense of solidity, that maintains historic values and yet be symbiotically new and contemporary.</i></p>	<p>Altering the design to ensure that the "masonry aspect predominates" would result in a more solid mass to the lower three levels. The design would then begin to mimic the surrounding heritage buildings, rather than sympathetically echo and present as a contemporary form with aspects that reinterpret the heritage buildings.</p> <p>The proposed design incorporates the glazing and large format windows and frames. This differentiates the form from the surrounding heritage building stock and makes evident that the building is a new element in the historic streetscape. To increase the masonry and reduce the dominance of the glazing would result in a form that has a greater perceived bulk. By incorporating large format glazing, the design is a visibly new component within the heritage context. The larger format windows also create a visual and historical connection to the historical form of the retail</p>

Heritage Advisor's Comments**Response**

shopfront, which has historically incorporated large, glazed bays. This is evident within the visual catchment of the subject site, including the heritage listed shops along High Street.

The building incorporates other visual techniques that draw connections to the historical context, such as the curved wall to Building A (echoing the curved form of the Australian Arms Hotel) and the height of the front mass, which aligns with the height of John Cram Place. The protruding window frames act to form an awning or undercover element, similar to the awnings along the northern side of High Street, adjacent to the subject site.

Hence, the current proposal lower section massing is supportable subject to the design being fine tuned to create a more masonry and masonry cohesiveness front façade.

Increasing the amount of masonry across the front mass and reducing the glazing will increase the perceived bulk of the form, as the glazing introduces a transparent element to the façade.

Through consultation and a lengthy design process, the design has progressed from earlier iterations which were not as sympathetic to the surrounding heritage context. The design has therefore already been fine-tuned to create a two phase development, that is sensitive to the historical context and presents as new without mimicking the earlier developments.

The boulevard interpretation of High Street is retained, and significant views of the surrounding heritage items are also largely retained.

7.0 Conclusion and Recommendations

7.1 Conclusions

- The subject site, 342-348 High Street, Penrith, is not listed as a local heritage item under Schedule 5 of the Penrith Local Environmental Plan 2010, nor is it located within a Heritage Conservation Area. It is, however, adjacent to multiple local heritage items, including item numbers 196, 201, 688, 692, and 713-719.
- As there are no listed local heritage items within the boundary of the subject site, there will be no physical impacts upon the local heritage items. The buildings to be demolished within the proposed scope are not listed as heritage items. While the structure at 348 High Street was constructed prior to the 1943 aerial image, it has been altered considerably and does not hold a high degree of heritage significance to be considered for a local listing.
- As stated above, there are multiple heritage listed items are in the vicinity of the subject site. There will be a minor visual impact upon these items, in particular Cram Place, at 340 High Street, item number 201.
- A minor visual impact will result upon the remaining heritage items, although the demolition of the existing items on the site and the proposed development will enrich the social context of the eastern end of High Street and positively contribute to the streetscape setting.
- The proposed development and pedestrian activation of the site creates a link to the recent revitalisation works to the western end of High Street. The works will increase the amenity of the area and improve upon the heritage context through the activation and upgrading of the existing site. It will introduce high quality commercial development to the area, which is lacking in its immediate context.

Building A

- A previous Development Application (DA16/0254) was submitted and approved for the site. The current proposed scope, assessed in this Statement of Heritage Impact, modifies the design of the initial proposal and improves upon the materiality and form within its heritage context.
- The proposed Building A building will have a minor visual impact upon the heritage items within its vicinity. It shares its eastern boundary with item 201, Cram Place.
- Visual impacts upon Cram Place have been reduced by:

- Stepping the front façade back to create a three-storey mass on High Street. This reduces the perceived bulk and mass that presents to High Street with the ridgeline aligning closely with that of Cram Place.
 - The three storey mass at the front (north) of the building reduces the visual dominance of the development in comparison to the adjacent heritage items, including Cram Place and items 196 and 715-719.
 - This also allows Cram Place to remain visible from further west along High Street, retaining the boulevard view and visual significance of the site.
- The use of masonry to the first and second floors, which creates a visual separation and articulates the mass, reducing the perceived bulk of the development.
- Increasing the width of existing curtilage to the west of Cram Place and creating a pedestrian link with landscaping. By siting the proposed development further west and increasing the width between the buildings, the curtilage around Cram Place is increased and a new reading of the western façade is formed. The landscaped features soften the boundary.
- The visual connection between Cram Place and items 196 and 715-719 will be retained.
- The design is overall successful in responding to place and the heritage context.

Building B

- The proposed Building B building will have a minor visual impact upon the heritage items within its vicinity.
- Visual impacts upon Cram Place have been reduced by:
 - Curving the form away from the coach house, with the retention of the trees forming a visual buffer. This will reduce the mass surrounding the heritage item and create separation between the new and old.
 - The use of masonry to the first and second levels, which will articulate the built form in a manner that will reduce the scale.
 - Increasing the width of the John Cram Place pedestrian footpath from the existing. This will increase the visibility of the Cram Place coach house and the St Nicholas of Myra Catholic Church behind, framing a view of the heritage items at the end of the lane.
- When viewed from Higgins Street, the development will be visible above the roofline of the historic school within the boundaries of the 'Memorials and lamp stand, St Nicholas of Myra Catholic Church' listing. The height of the existing building and the siting of the proposed development reduces the perceived bulk of the new building,

resulting in a negligible visual impact. The church spire and other elements associated with the site remain visible as the dominant forms.

Response to Penrith City Council's Heritage Advisor's Comments

- The proposed design has been reviewed independently by the Penrith City Council's Heritage Advisor, with comments regarding materiality passed on by the Development Assessment Coordinator.
- As recommended by Council's Heritage Advisor, altering the design to incorporate more masonry and reduce the dominance of the windows may increase the visually perceived bulk and mass of the building. The large format windows of the current design introduce a light, transparent element to the façade. The large format is typical for retail use and is found within the visual catchment of the site, including the heritage listed shops along High Street.
 - Altering the design in such a way will also begin to mimic the surrounding heritage building stock, rather than echo the existing in a subtle yet complimentary manner. The lower levels of the proposed Building A present as a contemporary reinterpretation of the existing heritage buildings, that does not directly mimic the earlier forms.
 - This is achieved through the use of masonry and the curved form of the lower levels of Building A, which compliments and draws upon the design of adjacent heritage items, including the Australian Arms Hotel. The use of masonry across the façade and curved corner of Building A create a visual connection to the Hotel without directly mimicking the heritage building.
 - The mass of the lower levels of Building A also aligns with the height of John Cram Place, rather than dominating in height along the street frontage.
- As stated by the Heritage Advisor, the streetscape frontage of the lower three levels is complimentary to the heritage items surrounding the site, including John Cram Place and the Australian Arms Hotel.

7.2 Archaeology

- During the excavations for the construction of the Building A and Building B developments, it is unlikely that archaeological remains will be uncovered due to the

extensive previous disturbances to the land in these areas. There is evidence, however, of previous development of the site, as visible in the 1943 aerial imagery in **Figure 5** and photographic evidence shown in **Figure 7** and **Figure 8**.

- Should archaeological artefacts be encountered, Division 9, Protection of certain relics, of the *NSW Heritage Act 1977* may apply.

7.3 Recommendations

- It is recommended that a full materials schedule be provided prior to DA submission, and all materials should be recessive and non-reflective.
- It is recommended that the proposed scope of works be approved on heritage grounds.

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9.0 Appendices

Architectural drawings prepared by Integrated Design Group:

- Drawing DA-0001, 'Cover Page,' Issue A.
- Drawing DA-0002, 'General Notes,' Issue A.
- Drawing DA-0100, 'Site Plan,' Issue I.
- Drawing DA-0200, 'Demolition Plan,' Issue A.
- Drawing DA-0300, 'NCC Compliance Plans,' Issue A.
- Drawing DA-0500, 'SEPP 65 Analysis,' Issue A.
- Drawing DA-0600, 'Waste Management Details,' Issue A.
- Drawing DA-1000, 'Basement 01 Plan,' Issue Q.
- Drawing DA-1001, 'Basement Plan 02,' Issue Q.
- Drawing DA-1100, 'Ground Level Plan,' Issue Q.
- Drawing DA-1101, 'Level 1 Plan,' Issue P.
- Drawing DA-1102, 'Level 2 Plan,' Issue R.
- Drawing DA-1103, 'Level 3 Plan,' Issue R.
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- Drawing DA-1105, 'Level 5 Plan,' Issue P.
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- Drawing DA-3000, 'Sections 1,' Issue G.
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- Drawing DA-3003, 'Driveway Sections 1,' Issue B.
- Drawing DA-8000, 'Façade and Signage Detail 1,' Issue B.
- Drawing DA-8001, 'Façade and Signage Detail 2,' Issue B.
- Drawing DA-9100, 'Shadow Diagrams,' Issue A.
- Drawing DA-9300, 'Adaptable Unit Plans,' Issue A.
- Drawing DA-9600, 'External Finishes Schedule,' Issue A.
- 'HEN19065_From Old Bank_B.'
- 'HEN19065_Lawson Street_B.'
- 'HEN19065_Memory Park_B.'
- 'HEN19065_School Heritage Building_B.'
- 'HEN19065_West High Street_B.'