

152-159 Park River Close, Mulgoa

Proposed Shed

HERITAGE IMPACT STATEMENT

ADVICE | APPLICATIONS | APPEALS



Job Reference: 190156

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## Document Control

**Document:** 152-159 Park River Close, Mulgoa  
Heritage Impact Statement

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## Revision History

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2	August 2019	Final	Jacob Cross	Mitch Brown

## General Disclaimer

This report is based on one site inspection and a desktop assessment only. Details contained in this report only address issues of significance relevant to the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulations 2000 as well as the Environmental Planning Instruments applicable at the date of the assessment.

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## 1.0 INTRODUCTION

This statement forms part of the Development Application for the construction of a Shed at 152-159 Park River Close, Mulgoa.

An item of Environmental Heritage has been identified on the adjoining lot to the south.

Whilst the impact of the proposed development is considered insignificant, the following Heritage Impact Statement has been prepared.

### 1.1 Scope

The purpose of this statement is to indicate the following matters:

1. Define the site and describe the item of heritage,
2. Identify any impacts the development will have on the heritage item,
3. Discuss the measures proposed to mitigate negative impacts,

To discuss the relevant issues pertaining to the proposed development, the following matters will be discussed and addressed;

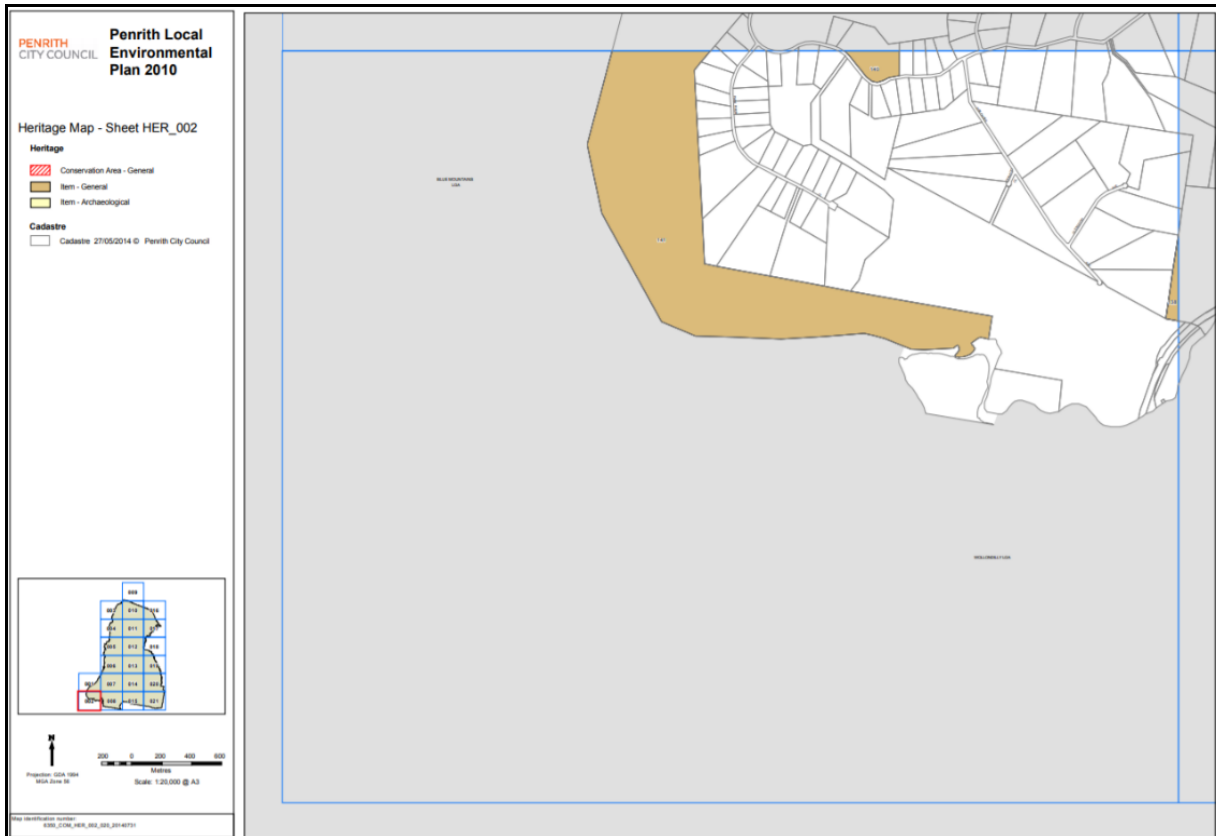
1. The subject site and the existing development on the site.
2. The surrounding development and land uses.
3. The statutory Controls such as the Environmental Planning & Assessment Act 1979 and Regulation 2000, Environmental Planning Instruments (EPI's) and or Development Control Plans (DCP's).

## 2.0 HERITAGE ITEM

### 2.1 The Item

Schedule 5 of the Penrith Local Environmental Plan 2010 identifies Lot A in Deposited Plan 164835 as containing an item of environmental heritage, being Item 141 “Table Rock Lookout”.

Penrith Local Environmental Plan 2010 – Heritage Map – Sheet HER\_002



## 2.2 Distinctive Characteristics of The Heritage Item

The heritage item 141 “Table Rock Lookout” is located at 716-782 Park River Close, Mulgoa.

The item consists of Natural Landscape.

The item contains a lookout and was once part of the Fairlight Estate and Nepean Gorge (HCNSW, 2005).

The significance of the site stems from its connection with Aboriginal occupation prior to European Settlement in the Mulgoa locality (HCNSW, 2005).

The lookout provides views over the Nepean River and is aesthetically significant, providing an area that encapsulates a diverse ecosystem of flora and fauna (HCNSW, 2005).

Refer to the attached aerial photograph of the heritage item “Table Rock Lookout”.

## 2.3 Impacts of the Development on the Heritage Item

*The following aspects of the proposal respect or enhance the heritage significance of the item for the following reasons:*

The proposed development is considered to be sited in an appropriate location on site being close to all other structures.

The all development on the site is located a significant distance from the heritage item and is considered to have minimal impact on the significance of the item.

The proposed development is also screened by the dense vegetation at the rear of the property which separates the shed from the heritage item.

It is noted that the proposed development is not dissimilar from the surrounding developments on adjoining lots which involves dwellings, outbuildings and the like.

The proposed shed will respect the heritage item and is considered to have minimal impact on the significance of the heritage item as discussed above.

*The following aspects of the proposal could detrimentally impact on heritage significance of the item. The reasons are explained as well as the measures taken to minimise impacts:*

The proposed development will not detrimentally impact on the heritage significance of the item.

Any potential impact on the heritage item has been reduced by the proposed location, landscaping and small size, bulk and scale of the shed.

Any potential additional impact is further reduced by the design, and colours of the shed being consistent with the surrounding landscape.

***How is the impact of the new development on the heritage significance of the item minimised?***

The impact of the development on the heritage item is insignificant as discussed above.

***How does the new development affect views to, and from Heritage item?***

The proposed development will have minimal impact on the views to the heritage item from the site and the surrounding areas given the proposed location and available sightlines to and from the heritage item.

The proposed development does not involve any development located within close proximity to the heritage item and therefore will retain the views to and from the heritage item.

There is existing vegetation on site will be retained and proposed landscaping is proposed which will screen the shed from the heritage item.

***What has been done to minimise negative effects?***

The proposed development has minimised the negative effect on the item through the proposed location being similar to the existing development on site.

As discussed above, the retention of the existing vegetation and additional landscaping will minimise any negative effects on the item, as will the small size, bulk and scale, and colours of the structure.

***Is the development sited on any known or potentially significant archaeological deposits?***

The development is not on the site of any known or potentially significant archaeological deposits.

***Is the new development sympathetic to the heritage item?***

The proposed development is sympathetic to the heritage item as the design and location were considered whilst assessing the important heritage values of the "Table Rock Lookout".

The proposed development does not dominate the views to the heritage item on the adjoining site.

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

Yes, as the current view from the development site to the heritage item will remain unchanged.

### 3.0 PENRITH LOCAL ENVIRONMENTAL PLAN 2010

Clause 5.10 of the Penrith LEP 2010 deals with Heritage Conservation.

The clause states the following:

Clause	Comment
<p><b>(1) Objectives</b></p> <p><i>The objectives of this clause are as follows:</i></p> <p><i>(a) to conserve the environmental heritage of Penrith,</i></p> <p><i>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</i></p> <p><i>(c) to conserve archaeological sites,</i></p> <p><i>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</i></p>	<p>The proposed development does not impact on the environmental heritage item. <span style="float: right;">Compliant.</span></p> <p>The proposed development is consistent with other similar structures in the locality and will not significantly affect the setting or views of the heritage item. <span style="float: right;">Compliant.</span></p> <p>Not applicable.</p> <p>The proposed development does not impact on the environmental heritage item. <span style="float: right;">Compliant.</span></p>
<p><b>(2) Requirement for consent</b></p> <p><i>Development consent is required for any of the following:</i></p> <p><i>(a) – (f)</i></p>	<p>The proposed development involves the construction of a shed erected on land adjoining a heritage item – refer to subclause (5)</p>
<p><b>(3) When consent not required</b></p>	<p>Consent is required for this application – refer to subclause (5)</p>
<p><b>(4) Effect of proposed development on heritage significance</b></p> <p><i>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.</i></p>	<p>This report constitutes a heritage assessment which assess the effect of the proposed development on the heritage item.</p>



<p><i>This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</i></p>	<p>The proposed development is considered to have minimal impact on the heritage item.</p>
<p><b>(5) Heritage assessment</b></p> <p><i>The consent authority may, before granting consent to any development:</i></p>	
<p><i>(a) on land on which a heritage item is located, or</i></p>	<p>Not applicable.</p>
<p><i>(b) on land that is within a heritage conservation area, or</i></p>	<p>Not applicable.</p>
<p><i>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</i></p> <p><i>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</i></p>	<p>This report constitutes a heritage assessment which assess the affect of the proposed development on the heritage item.</p> <p style="text-align: right;">Compliant.</p>
<p><b>(6) Heritage conservation management plans</b></p>	
<p><b>(7) Archaeological sites</b></p> <p><i>The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site:</i></p>	
<p><i>(a) notify the Heritage Council of its intention to grant consent, and</i></p>	<p>The site is not identified as an archaeological site.</p>
<p><i>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</i></p>	

<p><b>(8) Aboriginal places of heritage significance</b></p> <p><i>The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:</i></p> <p><i>(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and</i></p> <p><i>(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.</i></p>	<p>The development site is not identified as having aboriginal heritage significance, however the adjoining heritage item includes aboriginal heritage significance.</p> <p>An AHIMS search has been conducted and there have not been any aboriginal items or places identified within 50m of the subject development site.</p> <p>Refer to AHIMS search appendix.</p>	<p>Compliant.</p>
<p><b>(9) Demolition of nominated State heritage items</b></p> <p><i>The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:</i></p> <p><i>(a) notify the Heritage Council about the application, and</i></p> <p><i>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</i></p>	<p>No demolition of any nominated state heritage item is proposed.</p>	
<p><b>(10) Conservation incentives</b></p>	<p>Not Applicable.</p>	

#### 4.0 CONCLUSION

The application seeks approval for the construction of a shed at 152-159 Park River Close, Mulgoa.

The statement has addressed the impact of the proposed development on the heritage item, located on the adjoining site.

As previously discussed, the proposed shed will have minimal impact on the view of the heritage item from the streetscape due to the similar size, bulk, scale and location of the development to the existing development on site.

The proposed development will be screened by existing vegetation surrounding the heritage item.

The proposed colours and finishes of the shed will compliment and respect the existing character of development on the site and in the locality.

It is considered that the proposed shed will have minimal impact on the heritage item, as well as the curtilage of the item and should be considered acceptable by Council.



## 5.0 REFERENCES

- Heritage Council of New South Wales, 2005, Table rock lookout, <<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2260141>>

## 6.0 APPENDIX

### 6.1 Aboriginal Heritage Information Management System (AHIMS)

