

Our ref: HMS ID 7853

Mr. Christopher Eldred  
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Letter uploaded to the Major Projects Planning Portal

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## Advice on Modification Report – State Significant Development

**Proposal:** Penrith Lakes DA2 (DA86/2720) Modification 12

**Major Project reference:** DA86/2720-Mod-12

**Received:** 13 November 2024

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Dear Mr Eldred,

Thank you for your referral dated 13 November 2024 inviting comments from the Heritage Council of NSW on the Modification Report for the above State Significant Development (SSD) proposal.

In preparing this advice Heritage NSW has reviewed the following documents:

- *PLDC DA Modification Statement of Support for Modification to DA2*, Arup, 8 November 2024, including the following appendices:
- Appendix B: J Wyndham Price Site Drawings; and
- Appendix C: Water Technology Flood Impact Assessment.

We note that no Statement of Heritage Impact has been submitted.

Based on our review of the above documents, additional information is required for Heritage NSW to complete our assessment. The required additional information is outlined in Attachment A.

If you have any questions about this correspondence, please contact Anna Simanowsky, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)

Yours sincerely

*Nicole Davis*

Nicole Davis

Strategic Manager – Major Projects

Heritage NSW

Department of Climate Change, Energy, the Environment and Water

**As Delegate of the Heritage Council of NSW**

22 November 2024

## Attachment A - Penrith Lakes DA2 (DA86/2720) Modification 12

### Additional Information Required for Environmental Heritage

The DA2 area contains two items of heritage significance, McCarthy's Cemetery and The Poplars. We note that the proposed works would not have direct impacts on either heritage item. The proposed works would have a positive impact as they would help protect the items from severe flooding and in this sense the proposed works are supported. However, our review of the submitted documents and relevant heritage plans identifies that the proposed earthworks as designed have the potential to adversely impact the setting and views to/from the items through changes in surrounding topography, including the use of high earth embankments in close vicinity.

The rural setting of both items has been significantly diminished over time through the use of the surrounding area for quarrying. The redevelopment of the site offers the opportunity to enhance the setting of the items, even though it is acknowledged that the rural character of the place will not be reinstated. The proposed earthworks in the vicinity of the heritage items should be developed accordingly, particularly with consideration to form and proximity.

Please provide the following information to assist Heritage NSW to understand and assess the heritage impacts of the proposed works.

#### 1. McCarthy's Cemetery

- a. *McCarthy's Cemetery Conservation Management Plan* (GML, November 2014) (the CMP) recommends that a 40 metre buffer zone (or expanded curtilage) be established around the cemetery, extending out from the boundary fence on all sides. The purpose of the buffer zone would be to help the cemetery 'retain its significant setting and landscape character'. Please provide justification as to why a buffer zone of this size has not been adopted.
- b. Please provide additional information regarding the proposed change in ground level on the southern side of the cemetery, where McCarthy's Lane provides access to the cemetery's main entrance. The earthworks drawings appear to show that McCarthy's Lane will be raised in level by some 1.5 metres in the vicinity of the cemetery. A north-south section through the cemetery that includes McCarthy's Lane and shows the ground levels within the cemetery would help illustrate the proposed changes.
- c. The main entrance to the cemetery is from McCarthy's Lane, and the CMP notes that the cemetery and McCarthy's Lane are closely associated. Please advise on how proposed changes to the ground levels would impact on the physical relationship between the cemetery and lane including access between them, and how it is proposed that any impacts will be managed.

#### 2. The Poplars

- a. The proposed works extend to the allotment boundaries of The Poplars. Please justify why no buffer zone is proposed around The Poplars to help protect the property and its buildings during construction, and to enhance its setting.
- b. There are significant earth embankments proposed around all sides of The Poplars that would likely block views to and from the property and isolate it from its wider setting. Please advise what options have been considered to minimise and/or mitigate the

potential visual impacts of the proposed embankments. The CMP notes that views between the cemetery and The Poplars have historical significance and should be conserved and enhanced. Potential impacts on other significant views should also be considered, including to the Blue Mountains and Cranebrook Terrace, as identified in the *Conservation Management Plan: Penrith Lakes Scheme* (Stedinger Associates, 2006, <https://heritagensw.intersearch.com.au/heritagenswjspui/bitstream/1/4788/1/H08221%20-%20EURO.pdf>)

- c. Please advise how access to The Poplars is to be maintained on completion of the works.