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NORTH PENRITH ARMY LANDS SUBDIVISION AND INFRASTRUCTURE STAGE 2B AND STAGE 2C WORKS

STATEMENT OF HERITAGE IMPACT



Prepared for
Landcom

October 2012
Issue A

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ISSUE STATUS

ISSUE	DATE	PURPOSE	WRITTEN	APPROVED
P1	27 September 2012	Draft issue for review	RL	CMJ
A	12 October 2012	Final issue	RL	

1 BACKGROUND TO THE REPORT

1.1 Background and purpose of the report

This report has been written to assess the impacts on the heritage significance of Combewood and Thornton Hall that derive from the proposed Stage 2B and Stage 2C works associated with the North Penrith Army Lands. The Stage 2B works are in the vicinity of the historic residence known as Combewood, which is listed as a heritage item by Penrith City Council. Thornton Hall is located within the North Penrith site, but is remote from the Stage 2B and Stage 2C works.

Tanner Architects previously prepared the Statement of Heritage Impact for the North Penrith Defence Site Part 3A – Concept Plan (Issue A, October 2010). The assessment of the impacts of the proposed works is based on the assessment included in this report.

The Stage 2B and Stage 2C works are consistent with the approved Concept Plan and Statement of Heritage Impact, and will have no impact on the heritage significance of Combewood, the Combewood Trees, the Museum of Fire and Thornton Hall

1.2 Author identification

This document was prepared by Dr Roy Lumby, Senior Heritage Specialist of Tanner Architects. It was reviewed by Megan Jones, Director of Tanner Architects.

1.3 Development Application documents

The following documents have been used as the basis for the preparation of this document:

Drawings prepared by J Wyndham Prince.

- 9470/DA01 Site Layout Plan
- 9470/DA02 Road Layout
- 9470/DA04 Drainage Layout
- 9470/DA05 Tree Removal Plan
- 9470/DA06 Bulk Earthworks Sheet 1
- 9470/DA07 Bulk Earthworks Sheet 2
- 9470/DA17 Stormwater Strategy
- 9470/DA19 Wetland Details
- 9470/DA21 Wetland Sections

1.4 Description of the Proposal

The Stage 2B and Stage 2C works are associated with the creation of residential lots and include earthworks, construction of roads, infrastructure and servicing.

1.5 Site location

The proposed works are located within Landcom's North Penrith site, 40 hectares of land that were formerly known as the North Penrith Army Lands. The subject land is situated on the western side of the site to the south of Coreen Avenue. The northwestern portion of land is in the vicinity of the listed heritage item known as Combewood, which is located on Coreen Avenue. Trees associated with Combewood are also heritage listed. The southwestern portion is adjacent to the heritage listed Museum of Fire. Combewood and the Combewood Trees are listed as heritage items in Penrith Local Environmental Plan while the Museum of Fire is listed as a heritage item in Penrith Local Environmental Plan 2010.

NORTH PENRITH ARMY LANDS STAGE 2B AND STAGE 2C WORKS
STATEMENT OF HERITAGE IMPACT

The location of the proposed Stage 2B and Stage 2C works is indicated on the following diagrams.

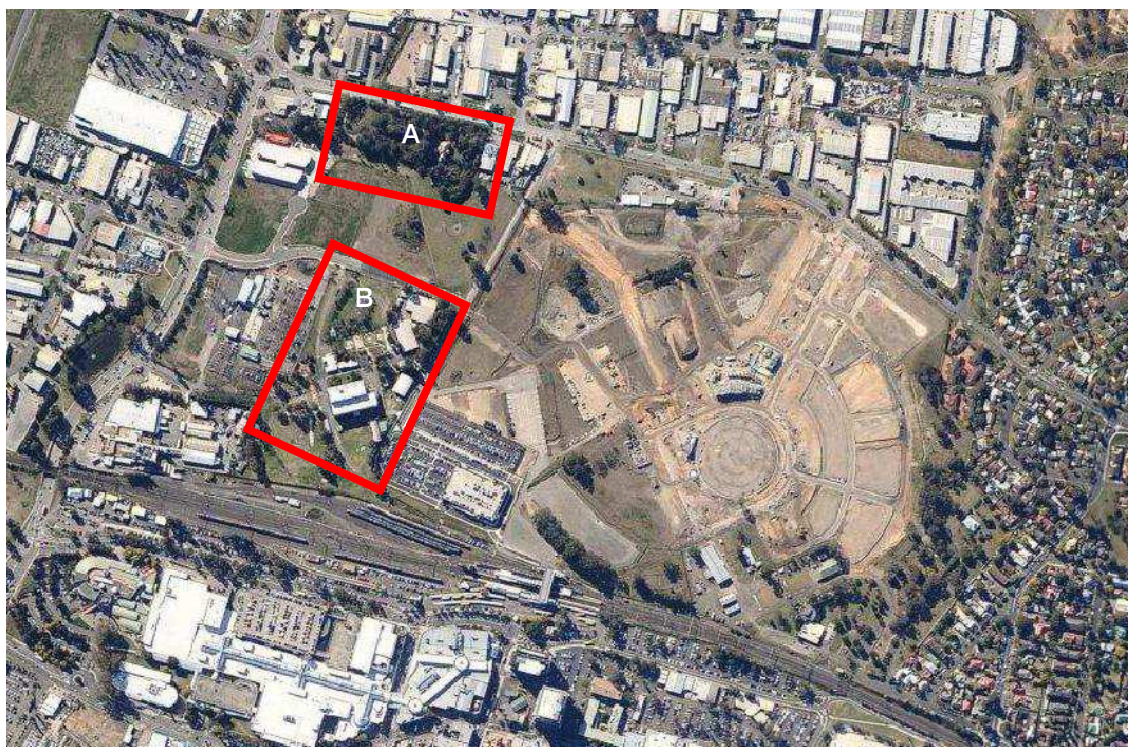


Figure 1-1 Location of the North Penrith site in its context. The location of Combewood (A) and the Museum of Fire (B) are highlighted.

Source: NearMap, August 2012, with Tanner Architects overlay; not to scale.

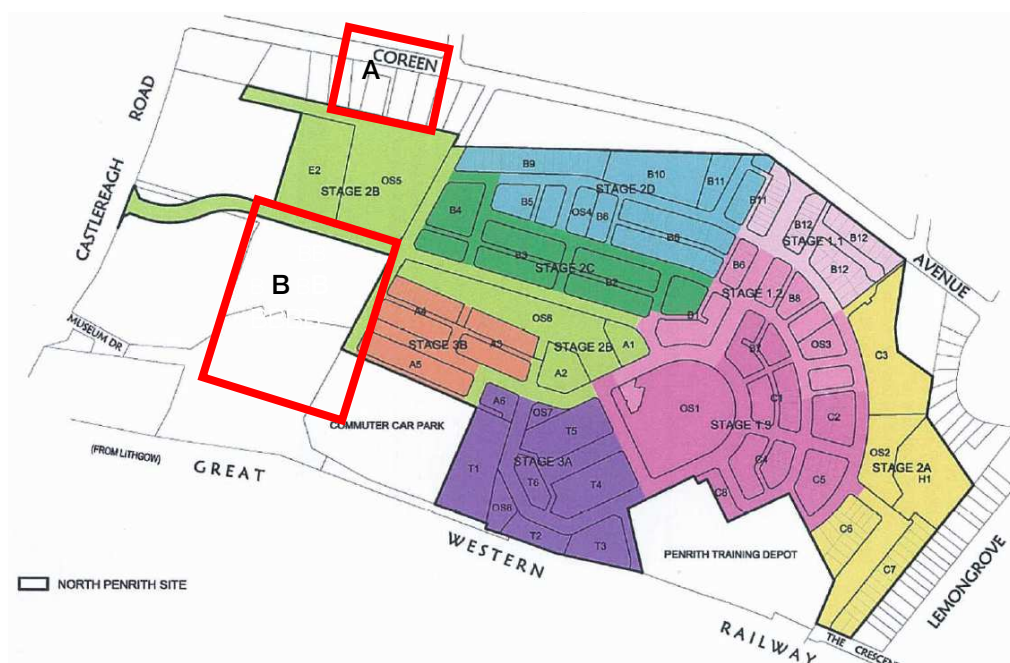


Figure 1-2 Staging of North Penrith Site works. The Stage 2B and 2C works are coloured light and dark green respectively. Combewood (A) and The Museum of Fire (B) are highlighted.

Source: Landcom /JBA Planning; not to scale.



2 PROPOSED WORKS

The proposed Stage 2B and 2C development consist of subdivision to provide residential and employment allotments for future building purposes and for open space.

The Stage 2B site includes land to the immediate south of Combewood, which is designated open space (OS5) and industrial uses (E2). The eastern section of Stage 2B also includes a large open space component (OS6) and a subdivision of land allocated for future residential flat development (A1 and A2). The space designated OS5 is intended to become a wetland park.

The works associated with the Stage 2C site include formation of roads and super lots for future residential use (B2, B3 and B4).

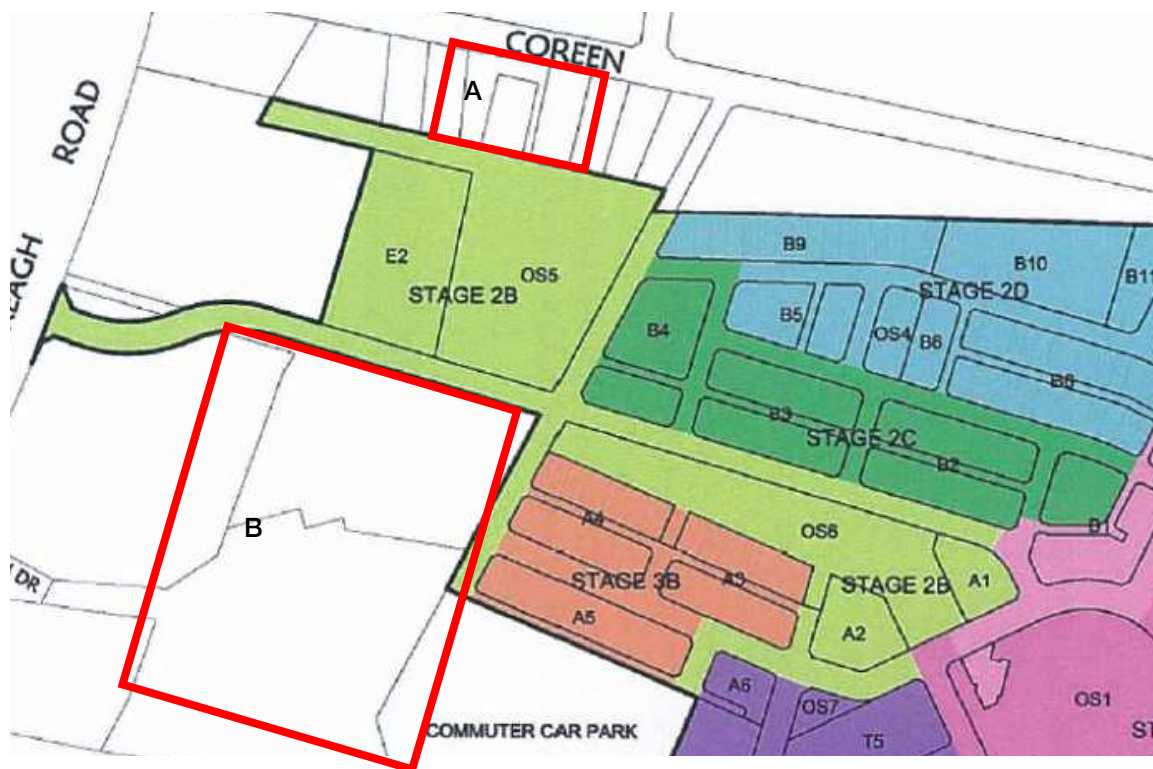


Figure 2-1 Parts of the North Penrith site associated with the Stage 2B and Stage 2C works. The site of Combewood (A) and the Museum of Fire (B) are highlighted.
Source: JBA Planning/Landcom; not to scale.



Figure 2-2 Conceptual design of open space in the immediate vicinity of Combewood (highlighted).
Source: Landcom/Place Design Group; not to scale.

3 ASSESSMENT OF HERITAGE IMPACT

The proposed Stage 2B and Stage 2C works are evaluated against the approved Statement of Heritage Impact for the North Penrith Defence Site Part 3A – Concept Plan (Issue A, October 2010). The various components of Section 6 in that report are addressed.

The North Penrith Defence Site is not heritage listed, however, the significance of components of the North Penrith Defence Lands is recognised through listing on the following heritage registers:

- Penrith Local Environmental Plan 1991 (Environmental Heritage Conservation) lists Thornton Hall (item P6(B)) and Combewood and garden (items P5 and P5(A));
- The National Trust of Australia (NSW) has classified Combewood. Thornton Hall has not been listed;
- The Commonwealth of Australia Australian Heritage Commission (Register of National Estate) lists Thornton Hall and part of the Army reserve of the 5th Field Squadron. Combewood is also listed but land associated with the house and grounds, which lies within the North Penrith Defence Lands site, is not included in the listing;
- Thornton Hall is listed in Penrith City Centre Local Environmental Plan 2008 (Table appended to Clause 54 Heritage Conservation).

Combewood is not part of the North Penrith Defence Lands site. However, some outbuildings and associated land and planting fall within the site area. The vegetation extending beyond the southern boundary of Combewood onto the North Penrith site does not form part of the Combewood Trees listing.

3.1 Heritage Significance of Combewood

The site of Combewood is part of a land grant of 1,000 acres named Rodley Farm (grant no 8), which was made to Daniel Woodriff in 1804 at the time the Hawkesbury / Nepean River system was first opened up to European settlement. Much of the Penrith CBD is built on land associated with the grant. Woodriff was a serving captain in the Royal Navy and his interests at this time necessitated the lease of the grant to William Martin in 1804. Woodriff left the colony in the same year, never to return. Under leaseholds small pockets of the grant were developed. The estate was inherited by Woodriff's grandson, Daniel James, in 1851. In 1866 local publican Thomas Smith purchased approximately 216 acres of the estate and built the Red Cow Inn, and the house known as Thornton Hall. The balance of the estate was divided between Woodriff's sons around 1880 - Francis Henry Woodriff built Combewood in 1890 in the northern portion of the land. The house is still held by descendants of the Woodriff family.¹

¹ Paul Davies Pty Ltd, Penrith Heritage Study Volume 3 (November 2007), pp.213-214.



Figure 3-1 Aerial photograph of Combewood in 1943. Planting around the house was sparse in comparison with its present level. Driveway access appears to be from Castlereagh Road.
Source: RTA

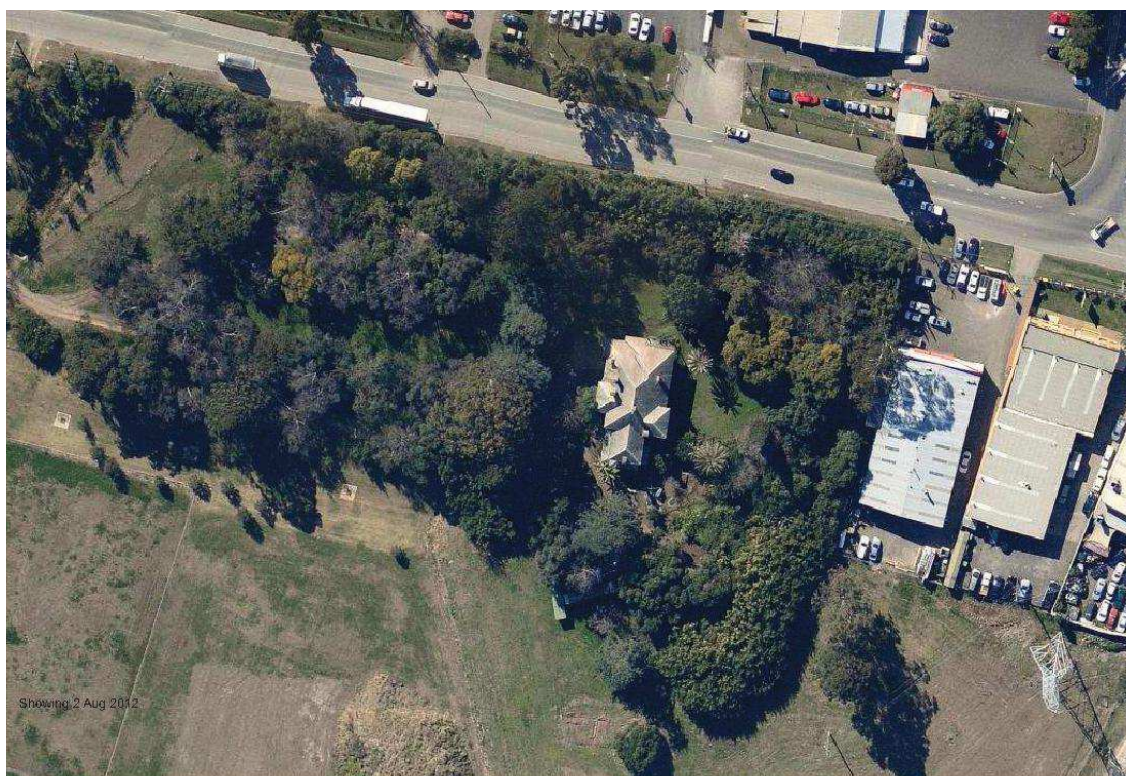


Figure 3-2 Aerial view of Combewood and the Combewood Trees.
Source: NearMap, August 2012.



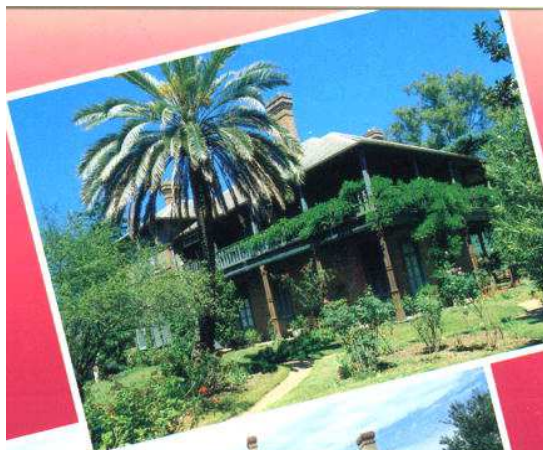


Figure 3-3 Portion of a circa 1989 postcard that includes Combewood in its depiction of several historic houses in the Penrith Region.

Source: Penrith City Library photo number JC119.

Combewood is considered to be a good example of a two storey Federation Queen Anne style villa. The expansive grounds associated with the property retain the original garden layout and planting schemes.²

Combewood is listed as a heritage item in the NSW Heritage Council's State Heritage Inventory (SHI) database. The statement of significance included in the database entry for the house, garden and original entrance is as follows:

Significant as a well preserved example of an elegant villa dating from the late 19th Century and for its association with an important family associated with the settlement of the district.

The statement of significance included in the SHI Database entry for the Combewood Trees is as follows:

As an excellent example of late 19th Century modified landscape.

The boundaries of the two SHI listings are not the same, and are described in the following diagram.

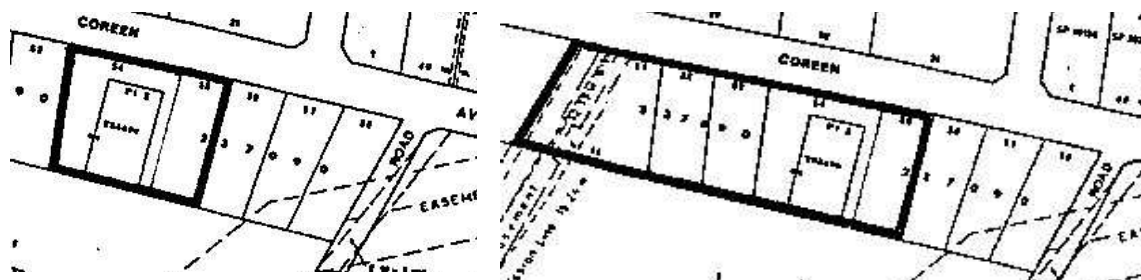


Figure 3-4 Boundary of heritage listing for Combewood, garden and original entrance (left) and Combewood Trees (right).

Source: SHI Database number 2260163 and number 2260164.

² Ibid, p.222.

3.2 Heritage Significance of the Museum of Fire

The former Penrith Power Station was constructed in 1953 by the Electricity Commission of New South Wales, which was set up in May 1950, as a short-term measure to generate electricity for industrial consumption. The station supplied Penrith, Blacktown, St. Marys, Richmond and Windsor and also supplied the state grid. It was one of four contemporary power stations. The administration block and laboratory were built in 1955. The station was originally powered by coal-fired steam generators, converted to run on oil during the 1960s. Steam-powered power stations were made redundant in 1970 after the construction of major stations at Wallerawang and Wangi. The station was converted to a switch yard in 1970 and the equipment for the Power House dismantled in 1974. The Museum of Fire began operating in 1986³



Figure 3-5 The Museum of Fire. The former Penrith Power Station is highlighted.
Source: NearMap, August 2012, with Tanner Architects overlay.



³ http://www.environment.gov.au/cgi-bin/ahdb/search.pl?mode=place_detail;place_id=17328, 21 September 2012.

The statement of significance included in the SHI Database entry for the Museum of Fire is as follows:

Significant as a former power station and a fine example of post-war international style and post war expansion

The statement of significance included in the Register of the National Estate entry for the Museum of Fire is as follows:

A former power station of technological, architectural and historical significance. It was the first power station built by the electricity commission of New South Wales to alleviate the chronic power shortages of the immediate post World War Two period and so is a reminder of the economic boom then experienced in Australia. Although lacking technological equipment, the present fabric of the building is intact and virtually as built. As a consequence, the building shows the layout of the early 1950s power stations, which used American heavy generating equipment to provide interim local generating capacity while a State wide grid, based on large regional stations, was being developed. The power station is also a fine example of post war international style architecture applied to an industrial building. Its folded profile concrete roof was innovative and incorporates an early example of an Australian designed rod truss.

3.3 NSW Heritage Branch Model Questions

The assessment of heritage impacts has been undertaken in reference to the model questions given in the NSW Heritage Office's publication '*Statements of Heritage Impacts*'.

Table 3.1 – Model Questions

Demolition of a building or structure	x
Minor partial demolition	x
Major partial demolition	x
Change of use	x
Minor additions	x
Major additions	x
New development adjacent to a heritage item	✓
Subdivision	✓
Repainting	x
Re-roofing/re-cladding	x
New services	x
Fire upgrading	x
New landscape works and features	x
Tree removal or replacement	x
New signage	x

New development adjacent to a heritage item

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

A. The Stage 2B and Stage 2C works are to be carried out in conformity with the approved Concept Plan. Any potential heritage impacts will relate to Combewood and the Museum of Fire. Impacts on Combewood and the Combewood Trees will be minimised because of this conformity – the Concept Plan allocates open space to the south of the Combewood and Combewood Trees sites and provides an adequate curtilage for the heritage items.

The proposed Stage 2B and 2C works and any future development arising from them will not impact on the Museum of Fire and Thornton Hall because of their location relative to these heritage items.

Q. Why is the new development required to be adjacent to a heritage item?

A. The Stage 2B and Stage 2C works form part of the development of the approved Concept Plan and are designed in accordance with it. Part of the subject land is located on the section of the North Penrith Army Lands site that abuts the southern boundary of the Combewood and Combewood Trees sites, and is in the vicinity of the Museum of Fire site.

Q. How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?

A. The overall site of Combewood and the Combewood Trees is densely planted, with many trees and shrubs dating from the post World War II era and later. The site is effectively a forest-like island surrounded by large cleared areas to the south and framed by industrial buildings to the east and west.

The curtilage that will apply to Combewood and the Combewood Trees will allow the site to retain this distinctive character and provides some control over future development to its south. Existing vegetation that is to be removed is not part of the Combewood Trees listing and will be replaced with new planting.

The existing curtilage of the former Penrith Power Station, which is situated at some distance from the development site, is sufficient to protect the building. There are a number of buildings on the Museum of Fire site that visually separate it from the proposed works.

Q. How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?

A. The Stage 2B and Stage 2C works, which are restricted to the formation of roads, provision of infrastructure items and creation of residential and employment lots, will have no impact on views to and from the site of Combewood and the Combewood Trees. The house itself is screened from view on all sides by the height and density of planting around it. This planting will also protect the house from the impacts of future development.

Views to and from the former Penrith Power Station are presently interrupted by other buildings on the Museum of Fire site.

Q. Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?

A. Potential archaeological remains of former outbuildings associated with Combewood have been investigated and are addressed in a separate report prepared by archaeologists Casey & Lowe.

There are no other archaeological constraints within the Stage 2B and Stage 2C area.

A known Aboriginal site in the northeastern portion of the North Penrith site is outside the Stage 2B and Stage 2C area.

Q. Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?

A. The proposed works are sympathetic to the heritage item because they include the establishment of a heritage curtilage to its immediate south in the form of a wetland open space.

Q. Will the additions visually dominate the heritage item? How has this been minimised?

A. The proposed works, which are related to earthworks, roads, infrastructure and landscaping, will not impact on heritage items in their vicinity.

The Stage 2B and Stage 2C works are consistent with the approved Concept Plan and the Statement of Heritage Impact prepared as part of the Concept Plan.

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

A. The proposed works will have no impact on public and user perceptions of Combewood, the Combewood Trees, the former Penrith Power Station, Thornton Hall and the buildings within it.

Subdivision

Q. How is the proposed curtilage allowed around the heritage item appropriate?

A. As stated above, the overall site of Combewood and the Combewood Trees is densely planted, with many trees and shrubs dating from the post World War II era and later. The site is effectively a forest-like island surrounded by large cleared areas to the south and framed by industrial buildings to the east and west. The density and height of trees and shrubs around Combewood effectively screens the house from public view and provides an effective barrier against the intrusions of adjacent development.

The curtilage that will apply to Combewood and the Combewood Trees will allow the site to retain this distinctive character and provides some control over future development to its south.

The existing curtilage associated with the former Penrith Power Station is sufficient to protect its heritage significance.

Q. Could future development that results from this subdivision compromise the significance of the heritage item? How has this been minimised?

A. No. The approved Concept Plan clearly identifies the type of development that will be permitted in the vicinity of Combewood, the Combewood Trees and the Museum of Fire site. This is consolidated in the North Penrith Design Guidelines. Any future development will be the subject of a separate development application. Its potential impacts would be evaluated at that time.

Q. Could future development that results from this subdivision affect views to, and from, the heritage item? How are negative impacts to be minimised?

A. The establishment of the heritage curtilage on the southern side of the Combewood and Combewood trees site will minimise any impacts that might accrue from development on the subdivision. As stated above, the existing curtilage associated with the former Penrith Power Station is sufficient to protect its heritage significance.

Impacts of future development on the heritage items on and adjacent to the North Penrith site are minimised by the controls established in the Concept Plan, which have been endorsed through the provisions contained in the North Penrith Design Guidelines. Future development will be the subject of separate applications, at which time its impacts can be assessed.

3.4 City of Penrith

The lodgement of this Development Application by Landcom follows from the approval of the North Penrith Development Concept Plan and Stage 1 Project Application in November 2011. The North Penrith site was subsequently rezoned for residential, local centre, employment generating and public recreational uses. A Modification Application for the Concept Plan, lodged in February 2012, is currently under assessment.

Under recent amendments to the EP&A Act, which replace former Part 3A provisions, certain classes of development are included in Schedules 1 and 2 of the State Environmental Planning Policy (State and Regional Development) 2011 as State Significant Development. The North Penrith site is listed in Schedule 2 of the SEPP. Schedule 2, Clause 11 establishes criteria for State Significant Development. The Stage 2B and Stage 2C Development Application satisfies criteria within Schedule 2.

The Stage 2B and Stage 2C works have been assessed against the relevant sections of City of Penrith planning instruments.

3.4.1 Penrith City Centre Local Environmental Plan 2008

Thornton Hall is listed as an item of local heritage significance (Item 17) in the table appended to Clause 54 Heritage Conservation, which is included in Part 7 of the LEP. Part 7 contains provisions relating specifically to North Penrith. Compliance with the relevant provisions of Clause 54 is outlined below.

Heritage provisions	Compliance comments
<p>54(1) Objectives</p> <p>The objectives of this clause are as follows:</p> <p>(a) to conserve the environmental heritage of the North Penrith site,</p> <p>(b) to conserve the heritage significance of heritage items, including associated fabric, settings and views.</p>	<p>The Stage 2B and Stage 2C works comply with the LEP objectives. Positive benefits will be provided by the establishment of a heritage curtilage for Combewood and the Combewood Trees in the form of the wetland open space.</p> <p>There will be no impacts on the former Penrith Power Station because of the curtilage provided by the Museum of Fire site and because of its location relative to the works.</p> <p>The scope and location of the development preclude impacts on Thornton Hall and the .</p>
<p>54(2) Requirement for consent</p> <p>Development consent is required for any of the following:</p> <p>(d) subdividing land on which a heritage item is located.</p>	<p>This Heritage Impact Statement is provided to assist the Consent Authority in its consideration of the proposed Stage 2B and Stage 2C works.</p> <p>Refer also to responses to the NSW Heritage Office Model Questions above.</p>
<p>(4) Effect of proposed development on heritage significance</p> <p>The consent authority must, before granting consent</p>	<p>The proposed development will not impact negatively on Combewood, the Combewood Trees and the former Penrith Power Station. Refer to</p>

Heritage provisions	Compliance comments
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. 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).	Section 3.3 above. The works will not result in negative impacts on Thornton Hall or the .
(5) Heritage assessment The consent authority may, before granting consent to any development: (a) on land on which a heritage item is located, or (b) on land that is within the vicinity of land referred to in paragraph (a), 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 concerned.	This Statement of Heritage Impact assesses the impacts of the Stage 2B and Stage 2C works on the significance of potentially affected heritage items, being Combewood, the Combewood Trees and the Museum of Fire (the former Penrith Power Station).
(6) Heritage conservation management plans The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.	This clause is not considered to be applicable. The proposed will have no physical impact on Combewood, associated trees and the Museum of Fire site. The development will establish a protective curtilage to ensure future development does not encroach on the property.

3.4.2 Penrith Development Control Plan 2010

Section C7 of the DCP contains provisions for Culture and Heritage. Section 7.1 relates to European Heritage. The proposed works comply with the relevant provisions in the following ways.

Provisions	Compliance comments
7.1.1. Determining the Impact on Heritage Significance	
a) Where a proposed development could affect the heritage significance of a heritage item, heritage conservation area the applicant is required to lodge a Heritage Impact Statement or Conservation Management Plan (as required).	This Statement of Heritage Impact has been undertaken to evaluate impacts of the proposed works on Combewood, the Combewood Trees and the former Penrith Power Station.
b) A proposed development could affect the heritage significance of a heritage item, heritage conservation area or place of potential heritage significance if it is either in that item, place or conservation area or it is in the vicinity of that item, place or conservation area.	Refer to the comment above.
c) Impact on a heritage item, place or conservation area can include, but is not limited to: • Affecting the item, place or area itself;	The proposed works will not affect Combewood or the Combewood Trees because of their scope and because they contribute towards the establishment

Provisions	Compliance comments
<ul style="list-style-type: none"> • Affecting a significant view to or from the item; • Affecting the setting or heritage curtilage, including any landscape or horticultural features of the item; • Overshadowing of the item; • Affecting the form of any historic subdivision pattern; • Undermining or otherwise causing physical damage to the item; or • Otherwise having an adverse impact on its heritage significance. 	<p>of a heritage curtilage.</p> <p>The works will not impact on the former Penrith Power Station because of its location relative to them.</p> <p>They will not impact on Thornton Hall or the because of their distance from these items. Similar comments apply to impacts on views and settings and on physical damage to items.</p> <p>The scope and nature of the proposed works mean that there will be no overshadowing that can be attributed. The potential for overshadowing may come from future works on this part of the North Penrith site, which will be the subject of a separate application.</p> <p>Consent for the development of the North Penrith site was achieved via the Part 3A Project Application.</p>
<p>d) A Heritage Impact Statement or Conservation Management Plan must be prepared by a qualified Heritage Consultant.</p>	<p>This report has been undertaken by Tanner Architects, experienced and recognised heritage consultants.</p>
<p>7.1.3 Heritage Items</p>	
<p>C. Controls</p>	
<p>1. Development Application</p>	
<p>a) Any Heritage Impact Statement for development that may impact on a heritage item must address the following (at a minimum):</p>	<p>Refer to comments elsewhere in this report,</p>
<p>i) The heritage significance of the item as part of the environmental heritage of Penrith;</p>	
<p>ii) The impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features;</p>	
<p>iii) The measures proposed to conserve the heritage significance of the item and its setting;</p>	
<p>iv) Whether any archaeological site or potential archaeological site would be adversely affected by the proposed development;</p>	
<p>v) The extent to which the carrying out of the proposed development would affect the form of any significant subdivision pattern; and</p>	
<p>vi) The issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.</p>	
<p>b) Development of a heritage item must:</p>	<p>Refer to comments above.</p>
<p>i) Be consistent with an appropriate Heritage Impact</p>	

Provisions	Compliance comments
<p>Statement or Conservation Management Plan;</p> <p>iii) Protect the setting of the heritage item;</p> <p>d) If there is any likelihood of an impact on any significant archaeological relics from a period prior to the current building, development must ensure that the impact is managed according to the assessed level of significance of those relics.</p> <p>7.1.5 Design Guidelines: Part C. Controls</p> <p>3. Subdivision and Site Analysis</p> <p>a) Proposals for subdivision should define an appropriate setting or 'curtilage' for the heritage building as part of the heritage impact statement or conservation management plan.</p> <p>c) New development shall be of a scale and form that does not detract from the historical significance, appearance and setting of the heritage item. In this way, the following elements require specific consideration:</p> <p>ii) Views and vistas to the heritage item from roads and other prominent areas are key elements in the landscape and shall be retained;</p> <p>iv) Curtilages shall be retained around all listed items sufficient to ensure that views to them and their relationship with adjacent settings are maintained.</p>	<p>a) The proposed subdivision is similar to that included in the Part 3A Concept Plan. The subdivision complies with the curtilage established for Combewood and the Combewood Trees. The existing curtilage for the Museum of Fire is retained.</p> <p>c) New development consists of earthworks, infrastructure and road works that comply with the Concept Plan. The nature of the development means that existing views to the adjacent heritage items will be retained. The impacts of future development arising from the works will be the subject of separate evaluation.</p> <p>The curtilage that has been established for Combewood and the Combewood Trees through the wetland open space in the Part 3A Concept Plan and incorporated into the North Penrith Design Guidelines is to be implemented.</p> <p>The existing curtilage of the Museum of Fire site is not affected by the proposed works.</p> <p>The curtilage of Thornton Hall is not affected by the development.</p>
<p>7.1.7. Development in the Vicinity of a Heritage Item or Conservation Area</p> <p>C. Controls</p> <p>a) 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:</p> <p>i) 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</p> <p>ii) May undermine or otherwise cause physical damage to a heritage item; or</p> <p>iii) Will otherwise have any adverse impact on the heritage significance of a heritage item or any heritage conservation area within which it is situated.</p>	<p>a) This Statement of Heritage Impact addresses the impacts of the proposed works on heritage items in the vicinity of the Stage 2B and Stage 2C works.</p> <p>i) Views to the sites of Combewood, the Combewood Trees and the Museum of Fire will not be affected by the project, which provides roads and the basis of subdivision for subsequent development. Future development will be the subject of separate heritage assessments.</p> <p>ii) The works are well away from heritage items across and adjacent to the site and will not undermine or harm the items;</p> <p>iii) There are no identified further impacts arising from the proposed works.</p>

Provisions	Compliance comments
b) The following issues must be addressed in the heritage impact statement:	b) Refer to compliance comments above.
i) The impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.	

3.5 North Penrith Design Guidelines 2012

The North Penrith Design Guidelines 2012 has a limited number of provisions controlling development in the vicinity of Combewood:

- Clause 2.2 Outcomes, which relates to the Concept Plan, requires that the curtilage of Combewood is respected; and
- Section 6.0, which contains controls for industrial development. The main control for Combewood is a 30 metre minimum setback from the property's southern boundary.

The Stage 2B and Stage 2C works achieve compliance with these provisions. The subdivision of land in the vicinity of Combewood is intended for public open space, while conformity with the 30 metre setback required by Section 6.0 of the Design Guidelines, which is also to be used as public open space, will provide an adequate curtilage for the southern side of the heritage item.

There are no provisions relating to the Museum of Fire.

3.6 Recommendations in the Part 3A Concept Plan Statement of Heritage Impact

The proposed works comply with the following recommendations included in Section 8.2 of the Statement of Heritage Impact for the North Penrith Defence Site Part 3A – Concept Plan (Issue A, October 2010).

Recommendation	Compliance comments
Maintain appropriate curtilages for Thornton Hall and Combewood.	<p>The Concept Plan made provision for an area of public open space to the immediate south of Combewood and an open buffer zone extending to the west along the northern boundary of the site. This recommendation has been incorporated into the draft North Penrith Design Guidelines.</p> <p>The proposed works are to be carried out in compliance with the recommendations of the Concept Plan and the provisions of the DCP, thus maintaining an appropriate curtilage for Combewood.</p> <p>The Stage 2B and Stage 2C works will not impact on Thornton Hall because of their location, which is at some distance from this particular heritage item.</p> <p>.</p>

4 CONCLUSION

The Stage 2B and Stage 2C works will have no impact on the heritage significance of Combewood, the Combewood Trees, the Museum of Fire (the former Penrith Power Station) or Thornton Hall. They are to be undertaken in accordance with the recommendations provided by the Part 3A Concept Plan, which by its allocation of open space and provision of a setback along the southern boundary of the sites containing the heritage items, provides a protective curtilage for Combewood and the Combewood Trees.