



Contact: Siobhan Lavelle  
Phone: (02) 9873 8546  
Fax: (02) 9873 8599  
Email: [siobhan.lavelle@planning.nsw.gov.au](mailto:siobhan.lavelle@planning.nsw.gov.au)  
File: 09/04102  
Our Ref: B254443  
Your Ref: DA 211/93 MOD 4

Mr Kane Winwood  
Department of Planning  
GPO Box 39  
**SYDNEY NSW 2001**

Dear Mr Winwood

**PENRITH LAKES DEVELOPMENT CONSENT MODIFICATION – 75W EPA ACT – DA 4 MOD 4 & 5  
– REVIEW OF ENVIRONMENTAL ASSESSMENT**

Reference is made to a letter dated 8 December 2010 inviting comment on the Environmental Assessment for the above project.

The modification would involve reconfiguring the size and shape of the Wildlife Lake at the north of the Penrith Lakes Scheme; and associated changes to the location of the flood control weir and pipeline.

The pipeline modification has an EA report prepared by Cardno dated November 2010. The EA has concluded that the preferred location and design configuration would be for a 1 x 1350mm diameter pipe to be located at the Wildlife Lake North site (estimated construction cost of \$900,000). The EA report includes a Non-Aboriginal archaeological and cultural heritage assessment of the proposed pipe discharge site by Godden Mackay Logan (Appendix C). No identified heritage sites are located within 500m of the proposed work site location. Field survey found only one item of interest, a small timber walkway, in the bank of the Nepean River, probably related to a pump servicing local farms in the early 20th century. These features are not considered to be of heritage significance.

The GML report concludes that: *'No items of significance were identified at the sites. Should any archaeological remains be discovered within either of the worksites during construction, works should cease and an archaeologist be called in to assess the finds. In addition the local Aboriginal land council, Heritage Council of NSW and DECCW shall be notified of the find.'*

Given the early European settlement history of the area (land grants from 1804) the Heritage Branch supports this recommendation.

The weir modification has an EA report prepared by Cardno dated November 2010. The EA has concluded that the preferred weir configuration has an indicative cost of \$2.4M, and will consist of a central weir crest at 16m AHD. The design suggests that this would be a conventional concrete structure, with suitable dissipation at both the southern and northern sides of the weir; and, two earthen embankments to act as a high level spillway either side of the crest at a level of 18.5m AHD.

The EA report includes a Non-Aboriginal archaeological and cultural heritage assessment of the proposed pipe discharge site by Godden Mackay Logan (Appendix C). No identified heritage sites are located within the area of the proposed works. Two cultural heritage features of note were identified by GML in proximity to the site. There is an existing property at 43 Smith Road which is located at least 150m to the east of the proposed development on top of a hill, and will not be impacted. There are also possible remains of a building known from aerial photography to exist until at least 1965. This would have been located well away from the proposed weir, upslope and to the east of the proposed weir



location. No evidence of the building was found by fieldwork and no records to confirm the purpose or origins of this shed have been found. It is possible, however, that buried archaeological remains relating to this shed or other buildings may occur in the area.

It is considered that the proposed works at the weir will not impact upon any identified items of heritage significance. Due to the sensitive nature of the surrounding area, mitigation measures recommended are that the Smith Road site be avoided during works and in the event that archaeological remains are discovered during excavation, an archaeologist will assess the remains and the Heritage Council of NSW would be notified under Section 146 of the Heritage Act.

The Heritage Branch supports this recommendation.

The second modification lodged address proposed changes to the configuration of the Wildlife Lake at the Penrith Lakes Scheme (Wildlife Lake) from that identified in the 1998 Structure Plan contained in Sydney Regional Environmental Plan 11 (SREP 11). A supporting document for that modification prepared by the penrith lakes Development Corporation notes that: *'the design of the Wildlife Lake is generally in accordance with the Structure Plan, particularly when considering the Wildlife Lake in the context of the broader Penrith Lakes Scheme.'*

The document also notes that the proposal allows for Old Castlereagh Road alignment street trees to be retained and reinstated, adding to the cultural heritage interpretation of the old road. The modification would also keep heritage gardens within the heritage property of Landers Inn, as well as maintaining key views and view corridors which connect those heritage items which are to be retained within the Lakes Scheme Structure Plan.

The PLDC report also correctly identifies that the Corporation is currently in the consultation with the Heritage Branch about the long term conservation works and objectives for a number of key properties.

On this basis there are no heritage objections to the proposed modification of the Wildlife Lake.

If you have any questions regarding the above matter please contact Siobhan Lavelle using the details on this letter.

Yours sincerely

22/12/2010

**Vincent Sicari**  
Manager  
Conservation Team  
Heritage Branch  
Department of Planning