

Chris Eldred
 Senior Planning Officer
 Department of Planning and Environment
 4 Parramatta Square, 12 Darcy Street
 Parramatta NSW 2150
 via email: christopher.eldred@planning.nsw.gov.au

28 April 2023

Dear Chris

Hadley Park Homestead Works - Request for Addition Information DA – 23/907

Tract, on behalf of NSW Department of Planning and Environment (DPE), provides this summary in support of the assessment of the Hadley Park Homestead Works – DA 23/907.

In response to specific issues and matters identified within your request for additional information (RFI) letter dated 27 March 2023 and additional correspondence received from Penrith Council dated 28 March 2023 and Heritage NSW dated 06 April 2023, the project team has prepared the below supporting documentation.

We note that the response to the RFI was initially required to be submitted by 7 April 2023, however the requested flood information delayed our formal response.

The key points of the RFI is summarised below:

- RFI Point 1 – Heritage NSW Advice
 - Heritage NSW advised that 'general terms of approval' GTAs are not required for the proposed works as a s60 approval is already in place. They also advised that there is a current modification to amend the approval which requires confirmation that the works within the s60, either as approved or as proposed to be modified, covers the extent of works sought under this development application.
- RFI Point2 – Penrith City Council
 - Penrith City Council referred the submission to their Independent Heritage Advisor and Engineer. As such Penrith City council provided a number of comments seeking clarification on some aspects of the proposed works.

For further information regarding each item raised in the RFI, please refer to the below RFI RESPONSE TABLE.

Accordingly, we consider that the attached supporting documentation and information provided within the information response table adequately responds to each of the items raised within the RFI letter and supports the Hadley Park Homestead Remediation works listed within the DA.

Below a list of all attachments included with this submission:

- Detailed RFI Response Table
- Supplementary Appendix O – Conservation Management Plan 2020
- Supplementary Appendix P – Evidence of Works Required.

Yours sincerely

A handwritten signature in black ink, appearing to be 'L. Slabbert', with a large, stylized initial 'L' and a long horizontal stroke extending to the right.

Leonard Slabbert
Principal Town Planner
Tract
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RFI Response Table

Issue	RFI Issues	RFI Responsibility	Comments	Supplied Documents
Heritage	1. Heritage NSW advised that 'general terms of approval' GTAs are not required for the proposed works as a s60 approval is already in place. They also advised that there is a current modification to amend the approval. The Department requires confirmation that the works within the s60, either as approved or as proposed to be modified, covers the extent of works sought under this development application.	JPA&D	It is noted that the works declared under the Section 60 cover the extent of the works sought under the current proposed development application. The works are to align with the conditions noted in the existing s60 approval which was granted on the 17 November 2022.	
Penrith City Council	2. The Statement of Heritage Impact is referring to a 2009 Conservation Management Plan, however Council believes there is a 2014 Conservation Management Plan. This discrepancy in referencing and assessment warrants review and clarification / amendment.	JPA&D	JPD&A notes that The Statement of Heritage Impact (SOHI) references the 2020 Conservation Management Plan (CMP). We have provided Penrith City Council the above-mentioned document which demonstrates reference to the 2020 Conservation Management Plan. A copy of the CMP is attached to this response letter as Supplementary Appendix O .	Supplementary Appendix O

	<p>3. The proposal seeks to remove concrete flooring for the veranda with replacement paving. Clarification if sought as to the reasoning for the materials selected and submission of evidence relating to previous brickwork which has informed the proposed works.</p>	JPA&D	<p>JPA & D notes that the decision to repave the veranda in brick results from several pieces of physical evidence and one piece of documentary evidence. The veranda being paved in brickwork was noted in Helen Proudfoot, Exploring Sydney's West, Kangaroo Press 1987, p112.</p> <p>In addition, there is physical evidence of the brick paved veranda at the rear of the house, please see Figures 1-3 of Supplementary Appendix P. The ground floor storeroom of the main house is paved, please see Figures 4-7 of Supplementary Appendix P. The floor of the weatherboard cottage is brick paved below a concrete topping please see Figure 8 of Supplementary Appendix P.</p> <p>Further material evidence will be sought during the removal of the concrete.</p>	Supplementary Appendix P
	<p>4. The proposal indicates reconstruction of the weatherboard cottage chimney using salvaged brickwork. Clarification is sought on whether the salvaged bricks have been stored on ground due to potential risk of degradation. Details of the storage method and address of possible salinity impacts is requested.</p>	JPA&D	<p>Some of the bricks to be used for the reconstruction of the weatherboard cottage chimney are loose but in situ (refer to Figure 9 of Appendix P).</p> <p>Other bricks are stored on pallets in a shed on site (refer to Figure 10 of Appendix P). The bricks are of variable condition and will be assessed on a brick-by-brick basis before being used in the reconstruction.</p> <p>Further, a photograph of William Charles Hadley Childs has been included as Figure 11 under Appendix P. We estimate that this photograph was taken between the 1930s to 1940s and provides the base information for the reconstruction.</p>	Supplementary Appendix P

<p>5. Council listed some additional conditions to be imposed should the application be approved.</p> <ul style="list-style-type: none"> <i>A suitability qualified Heritage Architect and Landscape Architect is to be employed throughout the construction phase to attend regular site inspections , issue instructions and record meeting notes especially relating to latent conditions and to ensure the approved plans and documents have been followed .</i> <i>Prior to the issue of an Occupation Certificate, the consultants are to submit a report for review and endorsement by the Development Services Manager of Penrith Council. These reports shall outline the record of site meetings, instructions and confirmation that the works have adhered to the approved plans and documents.</i> 	JPA&D	<p>We understand that Council supports the indication of Section 60 conditions however Council note a number of additional conditions to be imposed as a requirement of approval, these are as follows:</p> <ul style="list-style-type: none"> <i>"A suitability qualified Heritage Architect and Landscape Architect is to be employed throughout the construction phase to attend regular site inspections , issue instructions and record meeting notes especially relating to latent conditions and to ensure the approved plans and documents have been followed .</i> <p><u>Comment:</u> JPA&D have been engaged as the designated Heritage Architects for the proposed development and have been appointed through to the construction phase to cover the tasks noted by Council. Further we understand a Landscape Architect has been engaged for the initial stages of the development, however have not yet been engaged for the construction phase.</p> <ul style="list-style-type: none"> <i>Prior to the issue of an Occupation Certificate, the consultants are to submit a report for review and endorsement by the Development Services Manager of Penrith Council. These reports shall outline the record of site meetings, instructions and confirmation that the works have adhered to the approved plans and documents.</i> <p><u>Comment:</u> We have taken note of these requirements and also note the importance to incorporate into the submission of a report to be endorsed by the Development Services Manager of Penrith Council.</p>	
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<p>6. Flooding</p> <p>The site is identified as flood affected in the 1% AEP mainstream flood event bases on the Council's Nepean River Flood Study, 2018 and the 1% AEP overland flow flood event based on Council's Draft Cranebrook Catchment Overland Flow Study, 2023.</p> <p>The proposed development shall ensure that all electrical services are located at or above the adopted 1% AEP flood level for the site in accordance with the Penrith City Council's development Control Plan, 2014. A condition has been recommended to address this item.</p> <p>Typically, a proposed development on flood affected land would require the development to address the structural adequacy and use the flood compatible materials. Given the historical status and nature of the restoration works to the dwelling, imposing conditions to address these flood controls would not be appropriate.</p>	DPE & Tract	<p>We agree that, given the historical status and nature of the restoration works to the dwelling, imposing additional conditions to address flood controls (other than those listed below under RFI response 7 and 8) would not be appropriate.</p>	
<p>7. Recommended Condition: Stormwater Discharge – Minor Development</p> <p><i>Stormwater drainage from the site shall be discharged to the natural watercourse traversing the site.</i></p> <p><i>The stormwater drainage system shall be designed in accordance with Penrith City Council's Stormwater Drainage Specification for Building Developments and the NSW Office of Water requirements. The design shall ensure that the development has no adverse impact on adjoining properties by the diversion, damming or concentration of stormwater flows.</i></p> <p><i>The proposed method of stormwater discharge shall be detailed in the Construction Certificate issued by the Certifier.</i></p>	DPE & Tract	<p>The comments as listed in the RFI is hereby noted.</p> <p>We therefore confirm that:</p> <ul style="list-style-type: none"> Stormwater drainage from the site shall be discharged to the natural watercourse traversing the site. Works shall be designed in accordance with the Penrith City Council's Stormwater Drainage Specifications for Building Development and the NSW Office of Water requirements. The method of stormwater is to be detailed in the Construction Certificate. 	

	<p>8. Recommended Condition: Flooding – Flood proofing <i>Prior to the issue of any Construction Certificate, the Certifier shall ensure that all electrical services associated with the proposed building works are adequately flood proofed in accordance with Penrith City Council's Development Control Plan relating to flood liable land.</i> <i>Flood sensitive equipment (including electric motors and switches) shall also be located above the adopted 1% AEP flood level.</i></p>	DPE & Tract	<p>The comments as listed in the RFI is hereby noted. We therefore confirm that:</p> <ul style="list-style-type: none"> · Prior to the issues of a Construction Certificate, it shall be ensured that all electrical services associated with the proposed works are adequately flood proofed in accordance with the Penrith City Council's Development Control Plan relating to flood liable land. · The relevant contractor(s) shall ensure that flood sensitive equipment shall be located above the adopted 1% AEP flood level. 	
Heritage Council of NSW	<p>9. The Heritage Council of NSW acknowledged referral of the Integrated Development Application. A preliminary sufficiency check of the application by Heritage NSW indicates there is an existing approval under the Heritage Act 1977 for these works. Therefore, no further assessment is required unless the works are modified.</p>	DPE	<p>Comments from the Heritage Council of NSW as part of the Integrated Development Application (reference CNR-52122 and DA23/907) is hereby noted.</p>	