

# Revised Statement of Environmental Effects

Tract



## Hadley Park Homestead

Development Application for Stage 1 Remedial Works

Prepared for NSW Office of Strategic Lands

# Quality Assurance

Revised Statement of Environmental Effects  
Hadley Park Homestead  
Development Application for Stage 1 Remedial Works

Project Number  
222-0090-00

## Revisions

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Issue	Date	Description	Prepared By	Reviewed By	Project Principal
01	13/12/2022	Draft SEE	K.Picard	L.Slabbert	L.Slabbert
02	16/12/2022	Draft for Final Review	K.Picard	L.Slabbert	L.Slabbert
03	20/12/2022	Final for Issue	K.Picard	L.Slabbert	L.Slabbert
04	16/01/2023	RFI: Updated SEE	K.Picard	L.Slabbert	L.Slabbert
05	23/01/2023	RFI: Updated Owner Details	K.Picard	L.Slabbert	L.Slabbert

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# Executive Summary

## 1 Introduction

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### Revised Statement of Environmental Effects

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This revised Statement of Environmental Effects (SEE) by Tract has been prepared on behalf of the Planning Ministerial Corporation, trading as the Office of Strategic Lands (the Applicant). This SEE follows a request for further information (RFI) from NSW Department of Planning and Environment (DPE) dated 10 January 2023 and a further request dated 19 January 2023 to update the owner details. As part of Revision 04 and this Revision 5 of the SEE, the following updates and/or additional information is provided:

- Change of description of the Applicant from NSW Department of Planning and Environment to the Office of Strategic Lands (OSL) (throughout this SEE).
- Confirmation that the development is considered to be Crown Development (see section 3.6 of this SEE).
- Consideration of the environmental impacts of the development, including identification of the impacts and mitigation measures to be taken to protect the environment (see section 5.3 of this SEE).
- Clarification on excavation works or earthworks required as part of the proposal (section 5.1 of this SEE)
- Clarification on the further Section 65 application to Heritage NSW to allow for earthworks to be undertaken as part of the proposal (see section 3.5 and section 5.1 of this SEE).

### Purpose of this Application

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The SEE forms part of the Development Application (DA) which is seeking approval for the proposed Stage 1 remediation works to the Hadley Park Homestead, located at 14-278 Old Castlereagh Road, Castlereagh NSW 2749 (the Site). The Site consists of two lots legally registered as: Lot 1 and Lot 2/-/DP87060, which are approximately 38.68 ha in extent in total.

The proposed remediation works included as part of this development application includes:

- General repair of roof and wall cladding
- Rust treatment
- Paint removal and repainting of items
- Repair or replace damage timber
- Demolition of existing laundry, and the reinforcement of veranda roof
- Demolition of the existing guesthouse

- Disconnect and cap existing services to laundry
- Assess and redirect stormwater from house.

## SEE Scope

The preparation of this SEE is pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979). The purpose of this SEE is to assess the associated environmental impacts and ascertain approval for the proposed development. In summary, this SEE sets out to:

- Provide a description of the works related to the proposed development;
- Assess the proposed development against the relevant planning and development controls; and
- Assess the proposed development for potential environmental impacts and identify the required mitigation measures.

As per the requirements of Section 4.15 of the EP&A Act, the SEE includes an analysis of the site and its context, details pertaining to the proposed works and subsequent development, strategic and statutory planning considerations, a review of potential impacts on state listed heritage items, and an environmental planning assessment.

In addition to the above, the requirements of clause 4.32 and 4.33 of the EP&A Act (Crown Development) has been considered as part of this DA.

## Planning Overview

The following key planning controls and site details are applicable for the proposed development:

*Table 1. Summary of Planning and Development Controls*

Primary Planning and Development Controls	
Local Council	Penrith City Council
Relevant LEP	Penrith Local Environmental Plan 2010
Applicable SEPP	<i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i>
Lot Description	Lot 1 and Lot 2/-/DP87060
Address	14-278 Old Castlereagh Road, Castlereagh NSW 2749
Land Zoning	Undetermined (or Unzoned)
Floor Space Ratio (CI 4.4)	N/A
Height of Building (CI 4.3)	N/A
Heritage (CI 5.10)	State Heritage Register as <i>Hadley Park (Listing Number 02009)</i> .
Bushfire Prone Land	Vegetation Category 2.
Biodiversity Overlay	Riparian Biodiversity.
Biodiversity Values	Clearing of native vegetation will require a Biodiversity Development Assessment Report
Crown Development	Yes

## Policy Considerations

This report has considered the following policies, environmental planning instruments and guidelines:

- *Environmental Planning and Assessment Act 1979* (EP&A Act)
- *Heritage Act 1977*



- Penrith Local Environmental Plan 2010
- Penrith Lakes Development Control Plan – Stage 1 (DCP) 2021
- NSW Government State Heritage Register – Standard Exemptions
- NSW State Heritage Inventory
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *Crown Land Management Act 2016 (CLM Act)*

The proposed development, when assessed in accordance with all relevant environmental and planning consideration requirements under s4.15(1) of the EP&A Act, is found to be satisfactory and in line with the relevant state and local policies and guidelines.

#### Estimated cost of Construction

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The proposal has a construction cost of under \$5 million and is deemed Local Development.

The pre-tender estimate report confirmed that the total works is estimated to be approximately \$896,408.00.

# Site Analysis

## 2 Local Context

### 2.1 Site Location and Context

The application site is located at 14-278 Old Castlereagh Road, Castlereagh NSW 2749 (refer to Figure 1 below) and consists of a farmhouse and associated outbuildings.



Figure 1 - Site Locality Plan (Source: OneMap 2022)

Hadley Park Homestead was established in 1803 and is located in Castlereagh within the Penrith Local Government Area (LGA).

The homestead itself consists of the main dwelling, associated veranda roof, garden, weatherboard cottage, laundry and a guest house. Other outbuildings located on the site includes stables and garage, creamery, dairy and milk storage shed, feed store and cow bails shed, and hay shed.

The site comprises of two allotments as shown below in Figure 2, which are identified as:

- Lot 1 / DP 87060
- Lot 2 / DP 87060.

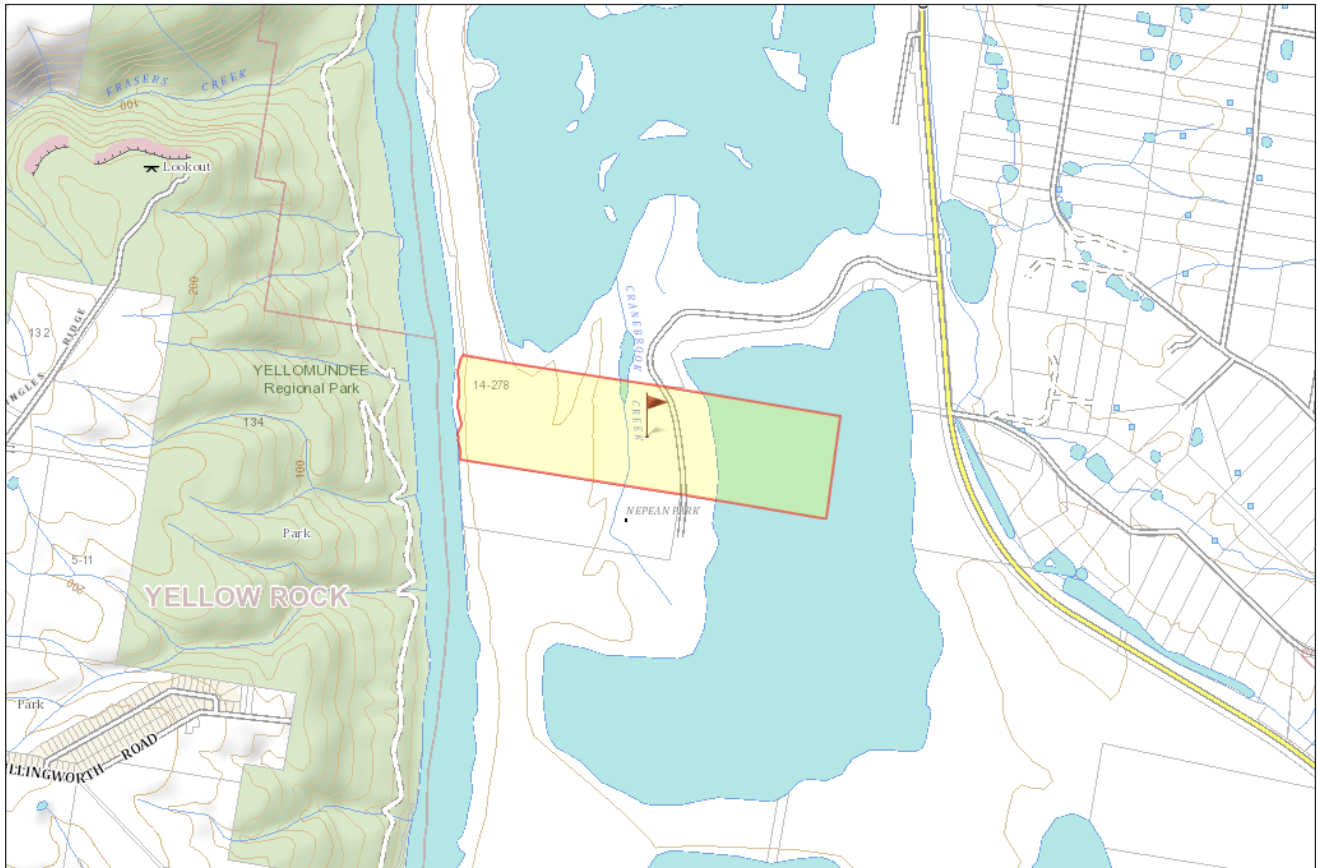


Figure 2 - Site Location (Source: Six Maps 2022)

The property is owned and managed by the NSW Government – Planning Ministerial Corporation, trading as the Office of Strategic Lands, as per the attached owners consent letter (Appendix A).

The western boundary of the site borders onto the Nepean River and Yellomundee Regional Park, while the eastern portion of the site forms part of the Penrith lakes “middle lake” or “Lake Buralow”.

The property falls within the Penrith City Local Government Area, the immediate surrounds are characterised by low lying rural and conservation lands, with the foothills of the Blue Mountains National Park to the west.

## 2.2 Site Description

The proposed Stage 1 remediation works will be primarily contained to the existing dwelling and associated outbuildings, which is spread across the two identified Lots.

Refer to the below aerial image (Figure 3) for more information on the location of the various elements and buildings on the application site.



Figure 3 - Aerial Image (Source: Nearmap 2022)

### 2.2.1 Site Dimensions and Interfaces

The overall site is rectangular in shape with an estimated total area of 38,68 ha. It has the following approximate dimensions:

- Northern Boundary – 1,190m
- Eastern Boundary – 322m
- Southern Boundary – 1,153m
- Western Boundary (Nepean River)– 329m

As mentioned earlier, the western boundary of the site borders onto the Nepean River and Yellomundee Regional Park, while the eastern portion of the site forms part of the Penrith lakes “Middle Lake” or “Lake Burralow”. To the north, the Site shares a common boundary with the Wildlife Lake, while to the south it borders onto Nepean Park and its associated dwelling and outbuildings.

The immediate surrounds are characterised by low lying rural and conservation lands, with the foothills of the Blue Mountains National Park to the west adjacent the Nepean River.



### 2.2.2 Topography

The Site is considered to be relatively flat, with only a 2.32% average slope across the site. The slope is sufficient to allow for the natural drainage of the site through the existing creek, lake and river.

Figure 4 below show the relative flat topography and also provides the site dimensions.

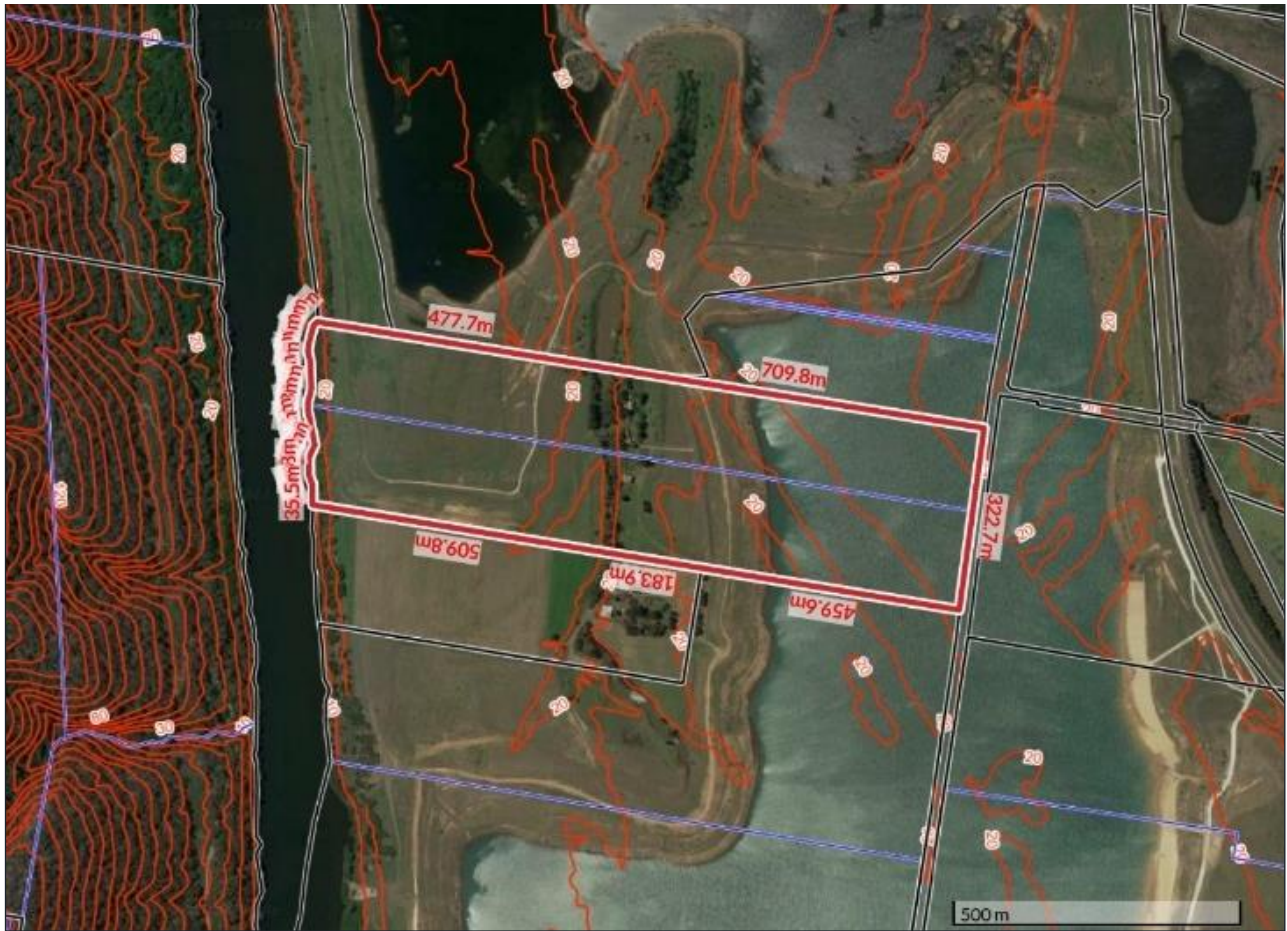


Figure 4 - Site Topography (Source: OneMap 2022)

To the west, the Blue Mountains National Park and its foothills have a steep slope of over 20%.

### 2.2.3 Vegetation

The site is mostly covered by grasslands with some trees and other mature vegetation in the vicinity of the dwelling and outbuildings, which grows along the Cranebrook Creek tributary. Trees and other mature vegetation are also found on the site to the west along the Nepean River.

Figure 5 below provides an overview of the existing vegetation and other geoscape surface cover (i.e. buildings, water, roads, etc).

The proposed works will not have any impact on native vegetation and therefore does not require a Biodiversity Development Assessment Report to be prepared. Refer to the section 5.3 of this report for more information.



Figure 5 - Vegetation Cover (Source: OneMap 2022)

#### 2.2.4 Vehicular Access and Parking

The site is accessed via an existing sealed restricted access road, directly off Castlereagh Road. The site has its own private access road, which is restricted to road users by means of a locked gate.

Refer to Figure 6 below for a recent photo taken on-site that shows the existing access gate and private entry road.



Figure 6 - Private Access Road (Source: Tract 2022)



## 2.3 Site History

The site is listed on the NSW State Heritage Register as “Hadley Park”, State Heritage Register No 02009. A recent review of the site’s history confirmed that the Hadley Park homestead was established between 1803-1812 and consists of a farmhouse, weatherboard cottage, a collection of farm buildings and a garden.

According to an online source<sup>1</sup>, the site was initially owned by a Martin Mentz in 1803. By 1806, Charles Hadley had leased the land from Mentz, who the later sold the land to Hadley. The Hadley Park house was built prior to 1810 and consists of a two-storey freestanding construction, rectangular in shape. Refer to section 2.4 below for photographs and a description of each of the building elements on-site.

In March 2019, the Minister for Planning announced that the State Government had taken ownership of the property. This ensured the property could be maintained and preserved to protect its heritage for future generations. Before opening to the public, restoration works on the house and associated farm buildings are required.

This application forms part of the Stage 1 remediation works to restore and preserve the buildings and structures.

## 2.4 Existing Structures

The homestead itself consists of the main dwelling, weatherboard cottage, guest cottage, and associated farm buildings. A recent site visit conducted in November 2022 confirmed the terrible state that most of these buildings are in and it became clear that urgent remediation works were necessary to preserve the buildings from further degradation.

Figure 7 through to Figure 22 below provides some context on the key elements of the site.



<sup>1</sup> NSW State Heritage Register - Hadley Park, from Wikipedia: [https://en.wikipedia.org/wiki/Hadley\\_Park](https://en.wikipedia.org/wiki/Hadley_Park)





Figure 8 - Hadley Farmhouse and Veranda, view from west (Source: Tract 2022)



Figure 9 - Hadley Farmhouse, view from east (Source: Tract 2022)

Farmhouse  
Interior  
(remediation  
works)



Figure 10 - Farmhouse Interior, Bedroom 1 (Source: Tract 2022)





Figure 11 - Farmhouse Interior, Dining Room (Source: Tract 2022)



Figure 12 - Farmhouse Interior, Hall with door to Bedroom 1 (Source: Tract 2022)



Figure 13 - Farmhouse Interior, Sitting Room (Source: Tract 2022)



Guest Cottage  
(demolish)



Figure 14 - Guest Cottage to be demolished (Source: Tract 2022)

Weatherboard  
Cottage  
(retain and  
repair)



Figure 15 - Weatherboard Cottage to north of Farmhouse (Source: Tract 2022)

Laundry  
(demolish)



Figure 16 - Laundry, to be demolished (Source: Tract 2022)



Stables and  
Garage  
(retain and  
repair)



Figure 17 - Stables and Garage to south of Farmhouse (Source: Tract 2022)

Feed Store  
and Cow Bails  
(retain and  
repair)



Figure 18 - Feed Store and Cow Bails (Source: Tract 2022)

Dairy and Milk  
Store



Figure 19 - Dairy and Milk Store (Source: Tract 2022)



Creamery



Figure 20 - Creamery (Source: Tract 2022)

Hay Shed



Figure 21 - Hay Shed (Source: Tract 2022)

Main Entrance  
with In-ground  
Silo



Figure 22 - Site Photos (Source: Tract 2022)



## 2.5 Certificate of Title

The table below provides an overview of the certificates of Title and relevant schedules applicable to the two lots. Both lots are registered in the name of the Planning Ministerial Corporation, trading as the Office of Strategic Lands (OSL).

Table 2 - Certificate of Title and Schedules

Lot 1 in Deposit Plan 87060
Certificate Date of Issue: 10/5/2019
Owner: Planning Ministerial Corporation
Second Schedule: <div>1. DP1202476 EASEMENT FOR UNDERGROUND CABLES 3 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1202476</div> <div>2. DP1202476 EASEMENT FOR SERVICES 3 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1202476</div> <div>3. DP1249842 EASEMENT FOR SERVICES 9 METRE(S) WIDE APPURTENANT TO THE LAND ABOVE DESCRIBED</div> <div>**** END OF CERTIFICATE ****</div>
Lot 2 in Deposit Plan 87060
Certificate Date of Issue: 10/5/2019
Owner: Planning Ministerial Corporation
Second Schedule: <div>1. DP1202476 EASEMENT FOR UNDERGROUND CABLES 3 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1202476</div> <div>2. DP1202476 EASEMENT FOR OVERHEAD POWER LINE(S) 9 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1202476</div> <div>3. DP1202476 EASEMENT FOR SERVICES 3 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1202476</div> <div>4. DP1202476 EASEMENT FOR SERVICES 9 METRE(S) WIDE AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1202476</div> <div>5. DP1249842 EASEMENT FOR SERVICES 9 METRE(S) WIDE APPURTENANT TO THE LAND ABOVE DESCRIBED</div>
Copies of the Certificates of Title are included as Appendix L.

### 3 Statutory Provisions

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The following section describes the relevant planning issues and environmental impacts from the proposed development and assesses each of the relevant matters prescribed in clause 4.15 of the *Environmental Planning & Assessment Act 1979*.

#### 3.1 Environmental Planning and Assessment Act, 1979

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The preparation of this SEE is pursuant to clause 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Clause 24 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Reg). As per the requirements of the EP&A, this SEE includes the following broad sections:

- Site analysis for locality and context;
- The proposed development details include a description of the works proposed;
- Strategic and statutory planning considerations under the relevant environmental planning instruments; and
- An environmental planning assessment of potential ecological and land use impacts.

#### 3.2 Penrith Local Environmental Plan

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A review of the relevant planning legislation notes that the site is subject to the provisions of the Penrith Local Environmental Plan 2010 (PLEP) and is identified as 'Deferred Matter' or 'Unzoned Land'. Figure 23 below shows the zoning in accordance with the Penrith LEP 2010.

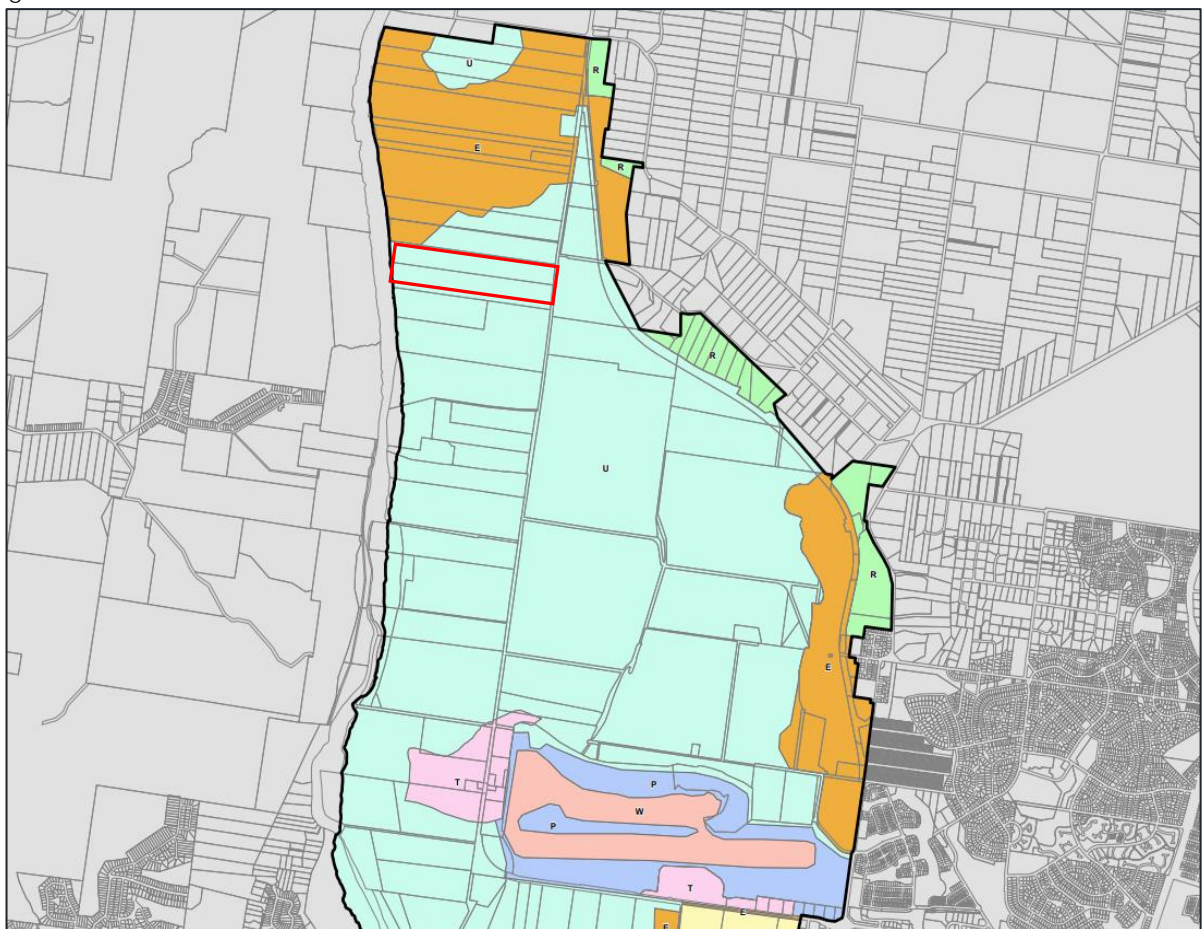
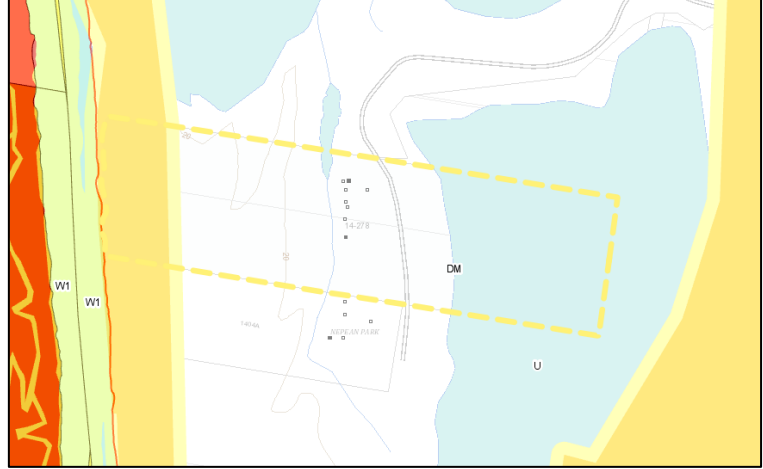
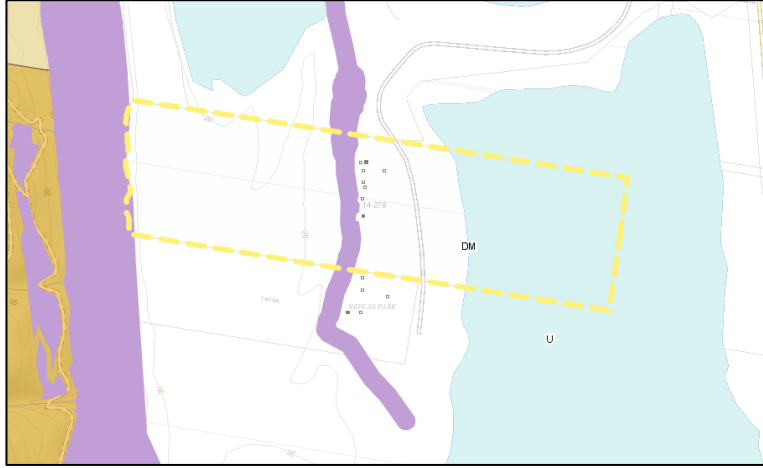
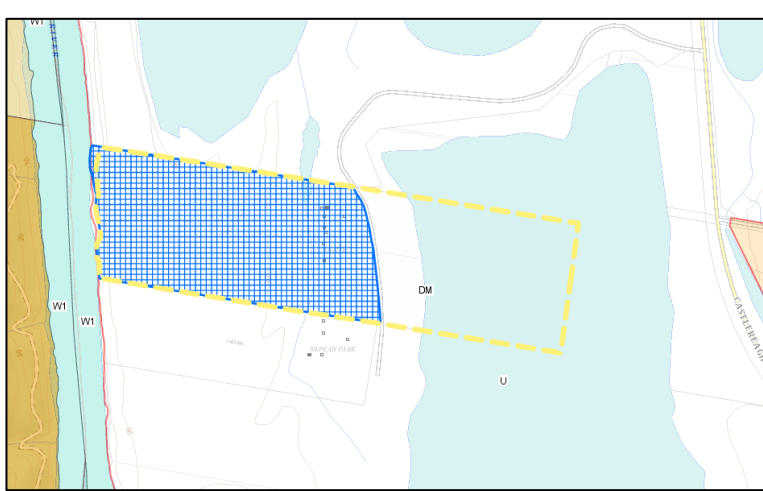


Figure 23 - Zoning Map (Source: PLEP 2010)

The site does not have any development (building envelope) controls relating to height of building or floor space ratio.

Other key overlays as shown within the PLEP includes:

<p><b>Bushfire Prone Land</b></p> <p>Comment: Vegetation Category 2 (western portion of the site), but unlikely to have any impact on the proposal.</p>	 <p>Figure 24 - Bushfire Overlay (Source: NSW Planning Portal)</p>
<p><b>Biodiversity</b></p> <p>Comment: The site has Riparian Biodiversity through the centre and also to the western portion of the site. However, no native or mature vegetation will be impacted by the proposed remediation works.</p>	 <p>Figure 25 - Biodiversity Map (Source: NSW Planning Portal)</p>
<p><b>Heritage</b></p> <p>Comment: The site is of State Heritage Significance. It is listed on the State Heritage Register as <i>Hadley Park</i> (Listing Number 02009).</p>	 <p>Figure 26 - Heritage Map (Source: NSW Planning Portal)</p>

While the PLEP applies to the site, the proposed application and associated works need to be assessed in accordance with the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*.

### 3.3 Penrith Lakes Development Control Plan – Stage 1 (DCP) 2021

The DCP was adopted and came into force during November 2021. The DCP was updated during June 2022 to refer to the new *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*.

The DCP only applies to land zoned as “Employment” and “Tourism” under Chapter 5 – Penrith Lakes Scheme of the Western Parkland SEPP. The DCP is therefore not applicable to the Site and the proposed works.

### 3.4 Western Parklands SEPP

Consideration has been given to **Chapter 5 – Penrith Lakes Scheme** under the **Western Parkland SEPP**, which sets out key planning controls for the site. In preparing this Statement of Environmental Effects (SEE), the proposed development and associated remediation works was assessed and considered under the SEPP.

Key Planning Considerations		Comment
Chapter 5 Penrith Lakes Scheme		
Part 5.1 Preliminary	<p>5.1 Aims of Chapter</p> <p><i>The aims of this Chapter are as follows—</i></p> <p><i>(a) to provide a development control process that ensures that environmental and technical matters are considered in the implementation of the Penrith Lakes Scheme,</i></p> <p><i>(b) to identify and protect items of the environmental heritage,</i></p> <p><i>(c) to identify certain land that may be rezoned for employment, environmental, parkland, residential, tourism and waterway purposes and land that will be rezoned as unzoned land,</i></p> <p><i>(d) to permit interim development that will not detrimentally impact on the implementation of the Penrith Lakes Scheme,</i></p> <p><i>(e) to ensure that the implementation of the Penrith Lakes Scheme does not detrimentally impact on the ongoing operation and use of Olympic legacy infrastructure, including the Sydney International Regatta Centre and the Penrith Whitewater Stadium.</i></p>	<p>The development is identified as being of stage heritage significance.</p> <p>Works proposed are not likely to alter the existing character of the site and buildings as only remedial works are proposed.</p> <p>The proposed works would not have a detrimental impact on the implementation for the Penrith Lakes Scheme.</p>
Part 5.2 Development Control	<p>5.13 Interim development on unzoned land</p> <p><i>(1) Development may be carried out on unzoned land—</i></p> <p><i>(a) for the purpose of agriculture, without the necessity for development consent, or</i></p> <p><i>(b) for any other purpose, with development consent, if the consent authority is satisfied that the carrying out of development for that purpose will not adversely affect the implementation of the Penrith Lakes Scheme, pending the completion of the Penrith Lakes Scheme in, and the use as a public recreational lake system of, that part of the land.</i></p> <p><i>Note—</i></p> <p><i>The consent authority will also consider the aims of this Chapter in determining whether the interim development will adversely affect the implementation of the Penrith Lakes Scheme.</i></p>	<p>The site is located on land which is currently unzoned.</p> <p>The proposed works can be undertaken as development consent as it is believed that the development will not adversely affect the Penrith Lakes Scheme and would remain substantially the same as the current development.</p> <p>The proposed works are consistent with the Penrith Lakes Scheme and PLEP.</p>

*(2) Despite any other provision of this Chapter, any other environmental planning instrument that applies to unzoned land continues to have effect in relation to that land.*

*Note—*

*This Chapter prevails to the extent of any inconsistency between this Chapter and any other environmental planning instrument (see section 5.5).*

Part 5.6  
Miscellaneous  
provisions

### 5.33 Heritage Conservation

#### *(1) Objectives*

*The objectives of this section are as follows—*

- (a) to conserve the environmental heritage of Penrith,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The works are to ensure the conservation and preservation of the Hadley Park State Heritage Item.

A Statement of Heritage Impact was prepared and submitted to the Heritage Council of NSW as part of a Section 60 application under the *Heritage Act 1977*. A copy of the statement is attached as Appendix F.

A Section 60 approval was issued on 17 November 2022 by Heritage NSW. A copy of the approval is included under Appendix H.

#### *(2) Development consent is required for any of the following—*

*(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—*

- (i) a heritage item,*
- (ii) an Aboriginal object,*
- (iii) a building, work, relic or tree within a heritage conservation area,*

*(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 6 in relation to the item,*

*(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,*

*(d) disturbing or excavating an Aboriginal place of heritage significance,*

*(e) erecting a building on land—*

- (i) on which a heritage item is located or that is within a heritage conservation area, or*
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*

*(f) subdividing land—*

In accordance with Part 5.6 of the *Penrith Lakes Scheme - section 5.33 Heritage Conservation*, development consent is required for the proposed works.

The proposed works will include the demolition of outbuildings and reinforcement of structures to ensure structural integrity of the dwelling.

However, it should be noted that no changes are being proposed for the interior and exterior of the building, other than basic remediation works.

This is the same for the relevant outbuildings and farm buildings, with the exception of the guest cottage and laundry, which will be demolished.

All proposed works are indicated in the attached Architectural Drawings Set under Appendix B.



- (i) on which a heritage item is located or that is within a heritage conservation area, or*
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

*(4) Effect of proposed development on heritage significance - The consent authority must, before granting consent under this section 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 subsection applies regardless of whether a heritage management document is prepared under subsection (5), or a heritage conservation management plan is submitted under subsection (6).*

Development consent will be subject to a Section 60 approval through the *Heritage Act 1977*.

Note that approval was granted on 17 November 2022).

*(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 a heritage conservation area, or*
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), 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.*

Development consent is subject to a Section 60 approval through the *Heritage Act 1977*.

Note that approval was granted on 17 November 2022).

*(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 section.*

Development consent is subject to a Section 60 approval through the *Heritage Act 1977*.

Note that approval was granted on 17 November 2022).

*(8) Aboriginal places of heritage significance  
The consent authority must, before granting consent under this section to the carrying out of development in an Aboriginal place of heritage significance—*

- (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*
- (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.*

The site is not identified as being on land to which holds Aboriginal places of significance.

Refer to the attached Appendix K for a copy of the AHIMS Summary Report.

Note - The current Section 60 heritage approval does not permit any excavation on the site. Excavation and ground works would require a separate Section 65 application.

*(9) Demolition of nominated State heritage items  
The consent authority must, before granting consent under this section for the demolition of a nominated State heritage item—*

- (a) notify the Heritage Council about the application, and*

Section 60 approval was obtained on 17 November 2022.



*(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*

If/when approved, a copy of the DA determination notice will be submitted to the Heritage Council.

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*(10) Conservation incentives*

*The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Chapter, if the consent authority is satisfied that—*

*(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and*

*(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and*

*(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and*

*(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and*

*(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.*

Section 60 approval was obtained on 17 November 2022.

If/when approved, a copy of the DA determination notice will be submitted to the Heritage Council.

The proposed works will:

- Result in the preservation of the heritage item;
- Be undertaken in accordance with the Section 60 approval and conditions of consent;
- Not adversely affect the heritage significance of the heritage item and its setting.
- Not have any significant adverse effect on the amenity of the surrounding area.
- Allow the Planning Ministerial Corporation and Office of Strategic Lands to undertake much needed remediation works on the site.

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In accordance with section 5.7 of the Western Parklands SEPP, the consent authority for the purpose of Chapter 5 for unzoned land is the Minister.

We believe that the proposed works included under the Stage 1 remediation works complies with the provisions of the Western Parklands SEPP, and also the PLEP.

### 3.5 NSW Heritage Act 1977

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Under the Heritage Act 1977, certain activities and works are exempt from approval for items listed on the State Heritage Register or subject to an interim heritage order. The standard exemptions are for doing simple works, such as building maintenance. These activities or work must have little to no impact on the item's heritage significance and support its ongoing management.

However, it should be noted that, as per the *State Environmental Planning Policy (Precincts - Western Parkland City) 2021*, development approval is required for certain works on heritage items. These may include:

- demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—
  - a heritage item,
  - a building, work, relic or tree within a heritage conservation area,

- altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 6 in relation to the item.

Therefore, the following works cannot proceed until development consent has been granted:

- Demolition/removal of the laundry.
- Demolition/removal of the guest cottage.
- Interior and exterior works to the main house, unless specifically exempt under the Heritage Act.
- Replacement of any materials, including roof sheets, wall sheets, posts and beams (other than that which have been confirmed by the Heritage Consultant above).
- Alteration or removal of floors or floor materials.

All other works need to be done in accordance with the Materials and Methods Statement prepared by JPA&D and as assessed by the Heritage Council of NSW on 17 November 2022 under Section 60 of the Heritage Act 1977.

Pursuant to Section 63 of the Heritage Act 1977, approval was subsequently granted to proceed with the proposed works - pending Development Consent in accordance with Chapter 5, Part 5.33 of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021. Note that a further application under Section 65A will be made (and is underway) to obtain heritage approval to proceed with the required excavation works on site.

### 3.6 Crown Land Management Act 2016

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The objectives of the CLM Act are:

- *to provide for the ownership, use and management of the Crown Land of New South Wales;*
- *to provide clarity concerning the law applicable to Crown land;*
- *to require environmental, social, cultural heritage and economic considerations to be taken into account in decision-making about Crown land;*
- *to provide for the consistent, efficient, fair and transparent management of Crown land for the benefit of the people of New South Wales;*
- *to facilitate the use of Crown land by the Aboriginal people of New South Wales because of the spiritual, social, cultural and economic importance of land to Aboriginal people and, where appropriate, to enable the co-management of dedicated or reserved Crown land, and*
- *to provide for the management of Crown land having regard to the principles of Crown land management.*

The CLM Act ensures that a Ministerial Corporation can be appointed as a Crown land manager. If there is no Crown land manager, the Minister is responsible for the care, control and management of Crown land.

The principles of Crown land management are:

- Observe and ensure environmental protection principles for the land;
- Preserve its natural resources; and
- Ensure its public use and enjoyment.

As recently confirmed with DPE, the property is registered in the name of the Planning Ministerial Corporation, trading as Office of Strategic Lands, and therefore the proposed developments constituted **Crown Development**. It should be noted that while the proposal is considered to be Crown Development (as per clause 4.32 of the EP&A Act), the land is not considered to be Crown Lands.

We therefore believe that the proposed works included under the Stage 1 remediation works complies with the provisions of the CLM Act and required no further consideration at this stage.

### 3.7 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

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The *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP) applies to the entire state of NSW and aims to provide a streamlined assessment process for development that complies with specified development standards listed in the Code.

The Division 2 of the Codes SEPP, section 1.16(1)(c) that to be exempt development under this policy, works must not be carried out on land that is, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977, or that is subject to an interim heritage order under that Act, and also generally don't apply to land listed as state heritage items on the State Heritage Register.

Furthermore, Division 2 of the Codes SEPP, section 1.17A(a)(d) states that complying development cannot be carried out on land that comprises an item that is listed on the State Heritage Register under the *Heritage Act 1977* or on which such an item is located.

The Codes SEPP does also not apply to unzoned land or land zoned as "Environment", "Parkland" or "Waterway" under Chapter 5 – Penrith Lakes Scheme, as per the Western Parkland SEPP, and therefore does not apply to the Site.

### 3.8 State Environmental Planning Policy (Planning Systems) 2021

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The *State Environmental Planning Policy (Planning Systems) 2021* (Planning Systems SEPP) applied to all land across NSW. The Planning Systems SEPP aims to:

- Identify development that is State significant development
- Identify development that is State significant infrastructure and critical State significant infrastructure
- Identify development that is regionally significant development
- Declare specific development carried out on land owned by Local Aboriginal Land Councils to be regionally significant development.

The proposed development and remediation works is not considered to be development for the purpose of the Planning Systems SEPP.

### 3.9 State Environmental Planning Policy (Transport and Infrastructure) 2021

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The *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) sets out planning rules and regulations for infrastructure across the State. The SEPP includes provisions relating to, infrastructure (such as essential services, hospitals, roads, water, etc), educational establishments, and major infrastructure corridors, ports or precincts. The proposed development and remediation works is not considered to be development for the purpose of the Planning Systems SEPP.

## 4 Heritage Significance

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This section should be read in conjunction with the following:

- Statement of Heritage Impact, prepared by JPA&D during December 2022 (Appendix F)
- Section 60 Heritage Approval from the NSW Heritage Council (Appendix H).

### 4.1 Heritage Item

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Table 3 below provides a summary of the key data from the State Heritage Inventory for Hadley Park.

Table 3 - Hadley Park Heritage Summary

Hadley Park		
State Heritage Register:	02009	Gazetted: 20/04/2018
National Trust of Australia Register	7849	
State Environmental Planning Policy	REP 11 Penrith Lakes Scheme	Gazetted: 21/11/1986
Address:	14-278 Old Castlereagh Road, Castlereagh NSW	Penrith LGA
Owners:	NSW State Government	Obtained: March 2019

### 4.2 History

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As mentioned earlier, the site is listed on the NSW State Heritage Register as "Hadley Park", State Heritage Register No 02009. A recent review of the site's history confirmed that the Hadley Park homestead was established between 1803-1812 and consists of a farmhouse, weatherboard cottage, a collection of farm buildings and a garden.

The site was initially owned by a Martin Mentz in 1803. By 1806, Charles Hadley had leased the land from Mentz, who the later sold the land to Hadley. The Hadley Park house was built prior to 1810 and consists of a two-storey freestanding construction, rectangular in shape. Refer to 12.4 for photographs and a description of each of the building elements on-site.

In March 2019, the Minister for Planning announced that the State Government had taken ownership of the property. This ensured the property could be maintained and preserved to protect its heritage for future generations. Before opening to the public, restoration works on the house and associated farm buildings are required.

This application forms part of the Stage 1 remediation works to restore and preserve the buildings and structures.

In accordance with Section 170 of the NSW State Agency Heritage Register, last updated in April 2021, the sites statement of significance is as follow:

*Hadley Park is of state significance for its historical, aesthetic and representative values, research potential and rarity. Hadley Park is a layered cultural landscape that documents the different historical phases of the Castlereagh area from pre-contact Aboriginal occupation on the Nepean River to early nineteenth century colonial expansion, settlement and development, and later twentieth century extractive industry. Hadley Park is an early colonial rural*

*property which dates to one of the earliest phases of European settlement in Australia and documents over 200 years of continued occupation and agricultural land use. The main house and slab cottage provide rare surviving and highly intact evidence of some of the earliest colonial construction methods in Australia. Hadley Park is an excellent and largely unaltered example of an early colonial rural property, including a main house, earlier slab cottage, farm outbuildings and cultural plantings, prominently located on the Nepean River floodplain at Castlereagh.<sup>2</sup>*

Section 4.3 below provides a description and overview of each of the buildings and the overall heritage listed item(s) on the site.

#### 4.3 Description of Site and Buildings

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The following section was taken from the NSW State Heritage Register and provides a full description of the Hadley Park heritage item. The State Heritage Inventory page could be accessed by following this link:

<https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5055301>

##### 4.3.1 Setting and Curtilage

Hadley Park comprises a farm house, a collection of farm buildings and a garden located in a part remnant colonial rural landscape, part man-made lakes scheme on the Nepean River floodplain. Visually, the floodplain is framed by the Cranebrook Escarpment to the east and the imposing Lapstone Monocline of the Blue Mountains National Park to the west. The monocline provides a dramatic backdrop to the property. The house, farm buildings and garden are located in the centre of the original 1803 lot, the easternmost portion of which has been quarried and inundated as part of the new Lake Burralow of the Penrith Lakes Scheme.

The land west of the house slopes gently down to Cranebrook Creek, which has historically been an important feature of the property and its neighbour Nepean Park, which is located on the adjoining property directly south of Hadley Park. Land between Cranebrook Creek and Nepean River was quarried but has since been reconstructed into flat, grassed parkland, meaning that the property's connection to the river has been reinstated. The areas to the north and east of the property have been transformed into man-made lakes as part of the Penrith Lakes Scheme. The property's access way from Old Castlereagh Road has been partially removed with the quarrying of this road, and consequently the historical relationship between the two has been obscured.

##### 4.3.2 Aboriginal cultural landscape

The land of Hadley Park is part of a broader Aboriginal cultural landscape that extends from the Blue Mountains to the Cranebrook Escarpment. The Penrith Lakes area was a traditional meeting place for Aboriginal people. Its river and rich soils provided abundant natural vegetation and wildlife which supported Aboriginal people for many generations. Evidence of this history has been revealed through the over 500,000 artefacts were collected during the 25 years of sand and gravel mining at Penrith Lakes.

This area of the Nepean River was also one of the many first contact places where local Aboriginal people were able to stay on their traditional lands by camping and working for the colonial settlers. It was a place of confrontation between Aboriginal people and colonial settlers before peaceful relationships were established.

##### 4.3.3 Landscape elements

The landscape is a remnant agricultural landscape with paddocks and fence lines and remnant kitchen garden and cultural plantings around the house. The land was substantially cleared by 1806.

The significant landscape elements include:

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<sup>2</sup> <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5055301>

- peppercorn trees (*Schinus molle* var. *areira*), to the west of the line of buildings from north to south. Some may date from the early nineteenth century, while some may be self-seeded descendants of early trees. Peppercorn trees are considered markers of early nineteenth century properties in western Sydney.
- Chinese windmill palms (*Trachycarpus fortunei*) to the east and west of Hadley Park house, the earliest dating to the interwar period
- prominent conifers, jacaranda (*J. mimosifolia*) and white cedar (*Melia azederach* var. *australasica*)
- old lemon tree (*Citrus limon*) near the slab cottage and Hadley Park house
- fruit trees including: orange trees (*Citrus sinensis*) east of the former stables outbuilding, plum (*Prunus X domestica*) west of the guest bedroom, loquat (*Eriobotrya japonica*) west of the guest bedroom, pecan (*Carya illinoensis*) northeast of the house on the boundary to the front paddock
- ancient eucalypts, including a cabbage gum (*Eucalyptus amplifolia*) south of the line of buildings
- brick and stone-edged garden beds near Hadley Park house
- brick paths near Hadley Park house
- native vegetation along Cranebrook Creek
- timber fencing.

#### 4.3.4 Buildings

**Hadley Park house** (built prior to 1810): Built on the elevated terrace along the eastern side of the Cranebrook Creek tributary, Hadley Park house was designed as a substantial residence, with its main elevation facing Old Castlereagh Road. The house is a freestanding symmetrical construction, rectangular in plan, part two-storey (front) and part single-storey (rear). The two-storey front section has a jerkin-head roof, a brick chimney at the northern end and a false brick chimney at the southern end (for symmetry).

The house is timber post and beam construction with sandstock brick nogging between the timber uprights. The facades have an external painted brickwork face to weatherproof the building. The roof is framed in split rafters and clad in corrugated iron, and retains battens for the earlier cladding of timber shingles. A wrap-around verandah extends along the north, east and south elevations, with a concave curved corrugated iron roof supported on timber posts with concrete bases. Verandah floors are concrete. The western end of the northern verandah finishes in a timber slab wall, clad in metal sheets on the western side. Windows to the front section are timber-framed, double-hung with a short 3-paned lower sash and a larger 6-paned upper sash.

The front section of the house contains a central hall/stair with a room to either side and the first floor contains a stairwell/hall with a bedroom on each side. The ground floor hall floor is of compacted earth, with the remaining floor surfaces of this floor being concrete over sandstock brick paving. The internal walls are plastered and the ground floor front room has timber tongue and grooved internal doors. There are also some c1920s-30s timber doors. One simple fireplace with timber mantelpiece is located in the northern ground floor front room. The stair is modern. Most internal ceilings are Masonite. The first floor rooms do not have ceilings and the walls are unlined, with the brick nogging exposed.

The single-storey rear section contains three rooms under a steeply pitched, corrugated iron skillion roof with a small verandah under a continuation of the skillion. The windows to the rear section have timber slab shutters. The ceilings in the rear section are very low.

**Slab cottage** (1806) (also called the **weatherboard cottage**): Single-storey timber slab cottage of two rooms, rectangular in plan, and with a hipped roof clad in corrugated iron in short sheets. The timber slab walls are protected with corrugated iron and flat metal sheets. The cottage has two doorways facing east, with the northern of these protected with a corrugated iron awning. Three timber-framed window openings (now covered over externally) face west and have timber slab shutters with side hinges. One door is timber, ledged and braced and clad in plywood, while the other's a timber four-panel door. The internal floor is a thin concrete layer over earlier brick paving, which is visible in places. There is no ceiling. The roof retains timber battens, evidence of the original roof cladding of timber shingles. There are remains of a brick external fireplace on the cottage's northern elevation.



**Bathroom and toilet outbuildings** (c1950s-60s and c1930s respectively): The toilet outhouse, a small weatherboard building with a corrugated iron skillion roof, is located west of Hadley Park house and next to the bathroom outbuilding. The bathroom outbuilding is a single-storey, concrete block building with a shallow-pitched, corrugated iron gable roof which extends partly over the skillion to the rear wing verandah of the house. It has one timber-framed high window facing north and another facing east, along with a timber ledged and braced door. The gable ends to the north and south are clad in corrugated iron.

**Guest bedroom** (c1930s): Single storey painted concrete block building, square in plan, with a corrugated iron clad hipped roof. Located to the west of Hadley Park house. The building has timber double-hung sash windows with a plywood door on the northern wall, and wide plywood eaves. There is a brick chimney on the building's southern side.

**Water tank** (19th century): Elevated corrugated iron water tank on a sawn plank platform supported on sawn timber beams and four circular bush posts.

**Underground well and water pump** (1806-1828): Underground circular brick well, covered over with timber slabs. Located west of the slab cottage. A timber-framed, skillion-roof shed, clad in corrugated iron sheets, has been built over the water pump and well, probably when the pump was converted to electrical power sometime in the twentieth century.

**Former wash house** (1806-1828): Timber slab building of post and beam construction with a corrugated iron skillion roof, located west of the underground well and water pump. The building abuts a peppercorn tree.

**Chicken shed**: Simple timber-framed mesh chicken shed located to the west of the bathroom and toilet outbuildings.

**Former stables outbuilding** (1806-1828 with 1950s-60s extension): Rectangular building of post and beam construction with a gable roof clad in timber slab and corrugated iron. The building's long walls face north and south, with the northern wall mostly open. The building was extended to the east c1950s-60s. This extension is also of post and beam construction with a corrugated iron gable roof and corrugated iron clad walls.

**Former cream shed** (c1900-1950): Small weatherboard shed with corrugated iron gable roof and southern wall clad in corrugated iron. Northern end with corrugated iron skillion-roof supported on timber posts contains covered stalls.

**Former dairy head stalls/store** (c1900-1950): Three connected corrugated iron sheds of post and beam construction, all with corrugated iron gable roofs. The northern and centre connected sheds are rectangular in plan with long axes running east to west. The centre shed is wider. The southernmost connected shed is L-shaped in plan. The northern shed is half open on the eastern side, the middle shed is completely open on the eastern side, and the southern shed is open on the northern side and part of the eastern and western sides. The three sheds have earth floors and contain timber stalls and timber feeding troughs. One shed has an old sulky. Also former site of 1870s barn.

**Dairy and milk storage shed** (c1900-1950): Two connected sheds with corrugated iron gable roofs. The western shed is rectangular in plan with long axes running north to south. It is of timber post and beam construction with a concrete floor and footings, and is open to the north. The eastern shed is taller and square in plan, with a concrete floor and square timber posts and open on all sides. The eastern shed appears to be of a later date.

**Hay shed** (c1947-1961): Substantial shed of bush pole and beam construction, rectangular in plan and with concrete footings. The shed is open to the east and north, with a corrugated iron roof and corrugated iron clad walls to the west and south.

**Modern hay shed**: Modern shed, rectangular in plan, located to the south of the former cream shed. Timber posts with flat metal roof and open on all sides.

## 5 Proposed Development

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This section should be read in conjunction with:

- The project architectural drawings DA package prepared by JPA&D (Appendix B);
- The Materials and Methods Statement prepared by JPA&D (Appendix G);
- Approval granted by Heritage Council of NSW in accordance with Sections 60 and 63 of the Heritage Act 1977 (Appendix H);
- Approved Architectural drawings, prepared by JPA&D as part of the Section 60 application (Appendix I).
- Approved Engineering drawings, prepared by Ducros Design Pty Ltd as part of the Section 60 application (Appendix J).

### 5.1 Overview of Proposed Remediation Works

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As part of this development application, the proposed remediation works will include:

- General roof repairs and wall cladding
- Rust treatment
- Paint removal and repainting of items
- Repair or replace damage timber
- Demolition of existing laundry, and the reinforcement of veranda roof
- Demolition of the existing guesthouse
- Disconnect and cap existing services to laundry
- Assess and redirect stormwater from house.

It is considered that minor excavation or ground disturbance works will be required. As per the attached Section 60 approval, all works requiring excavation or impact to significant fabric for the provisions of services, including water and electrical supply, will be subject to a separate heritage application (Section 65A).

Note that the Section 65A application for heritage approval, to allow for excavation to be undertaken as part of the site works, will be lodged to the Heritage Council of NSW within the coming weeks.

#### 5.1.1 Site Layout & Remediation Works

Figure 27 below provides an overview of the site layout and shows the locations of the existing buildings on the Site. It also shows the existing access point via the existing private access road, and existing electrical infrastructure on the site.

All full set of the architectural drawings package is included as Appendix B.

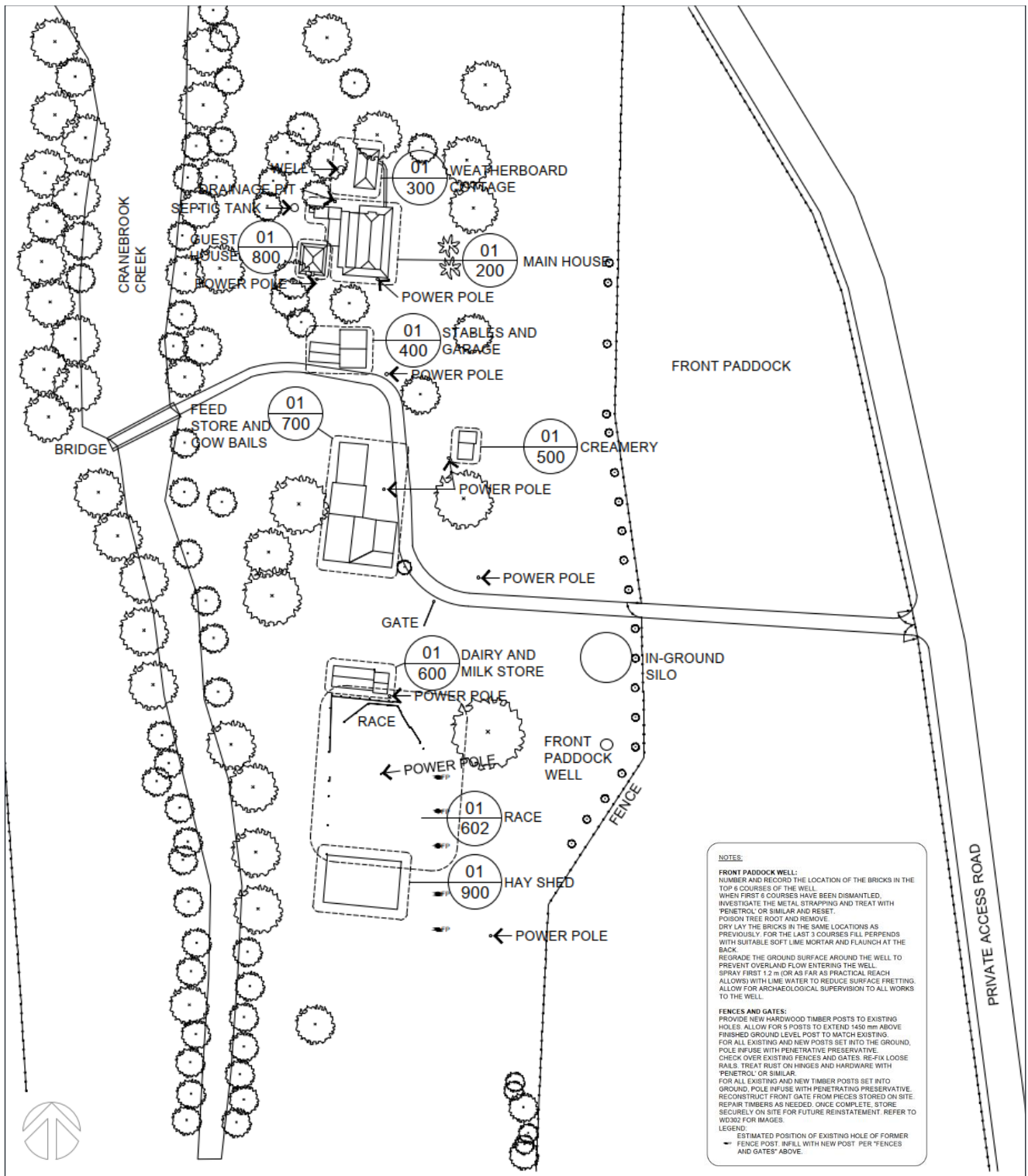


Figure 27 - Site Layout Plan (Source: JPA&D WD100 G, 2022)

Figure 28 shows the main house ground floor and first floor plans and lists the proposed remediation works required to the dwelling.

Figure 29 shows the laundry that is to be demolished. Figure 30 shows the guesthouse, also to be demolished.

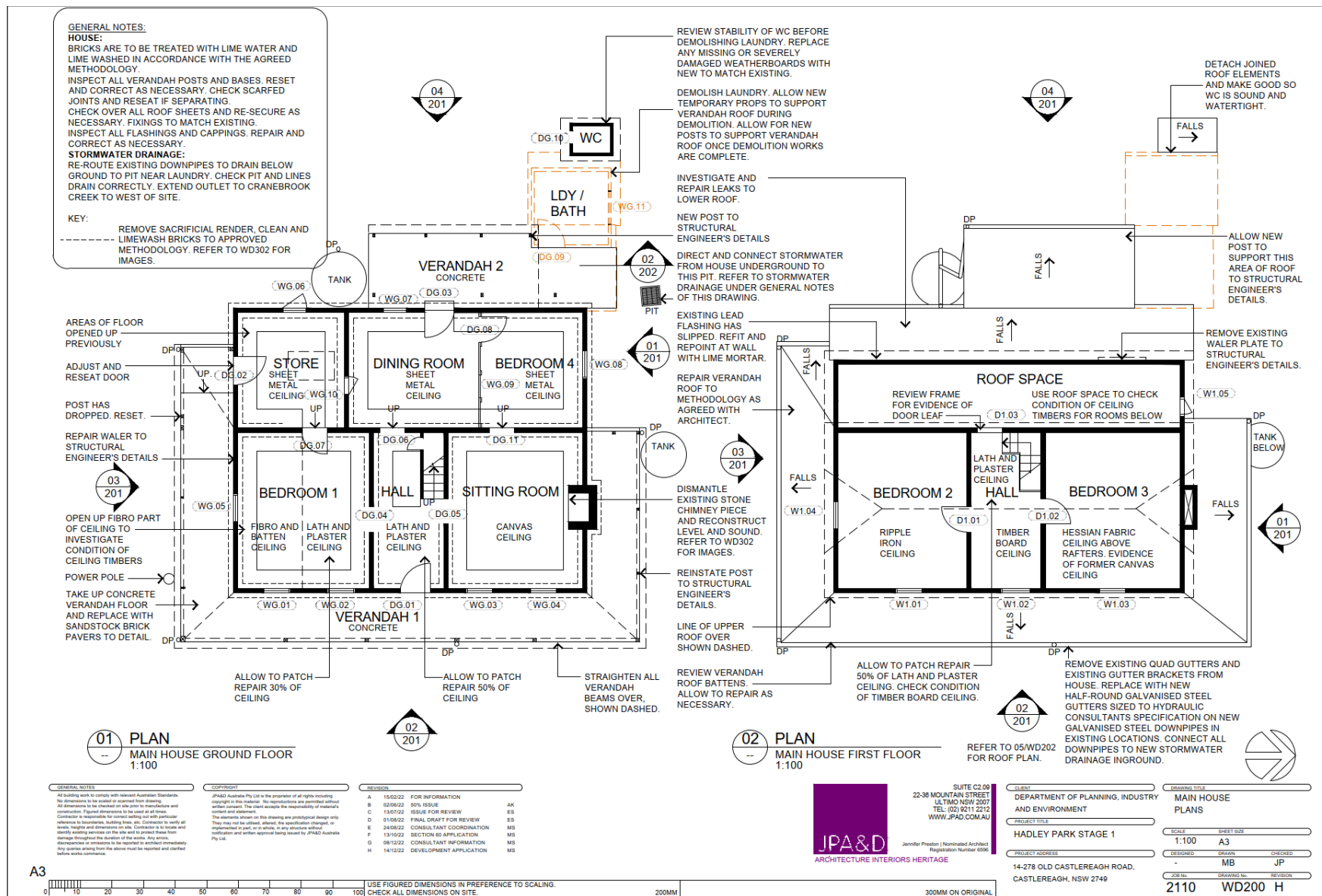


Figure 28 - Main House Floor Plans (Source: JPA&D WD200 H, 2022)

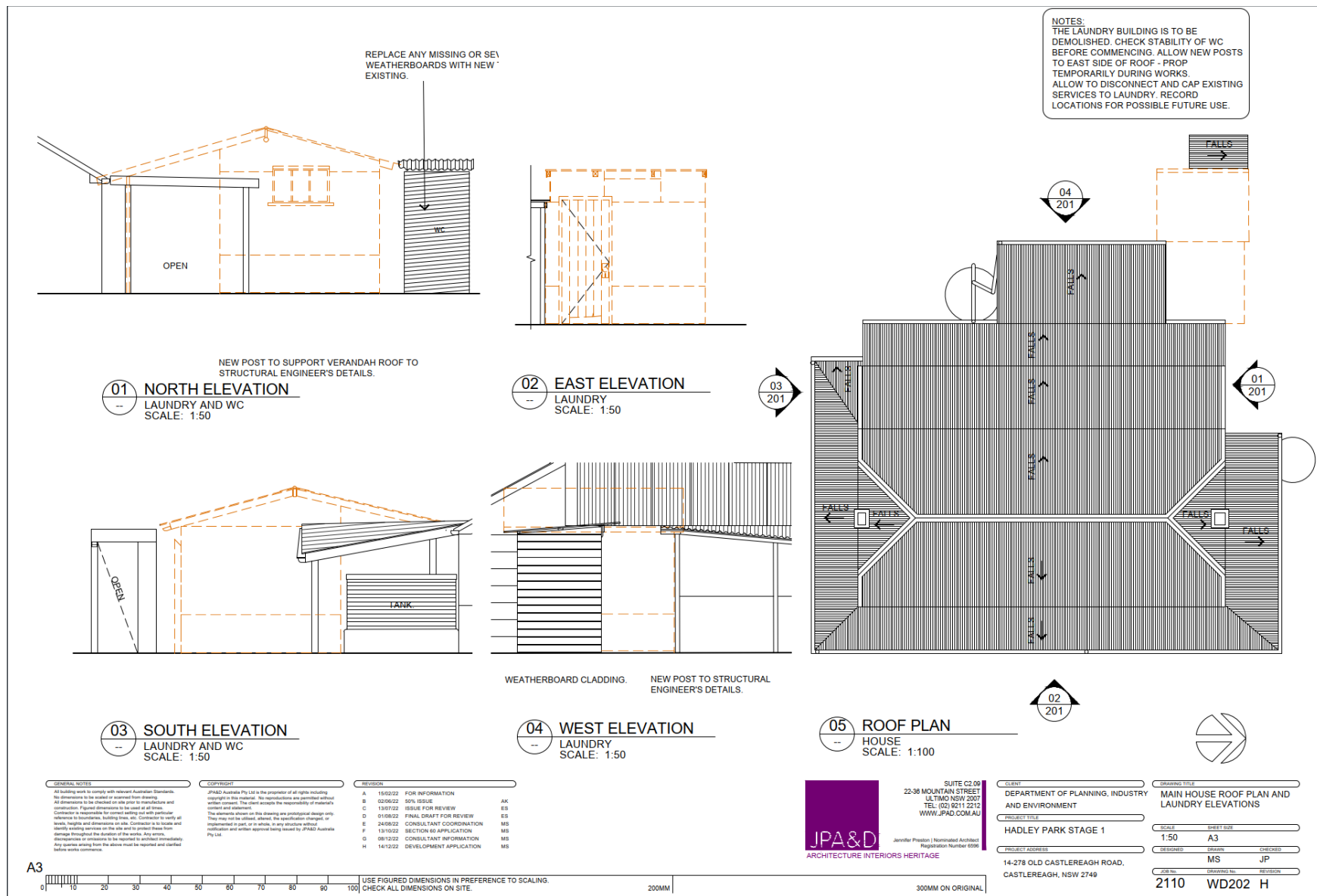


Figure 29 - Elevations showing Laundry to be demolished (Source: JPA&D WD202 H, 2022)

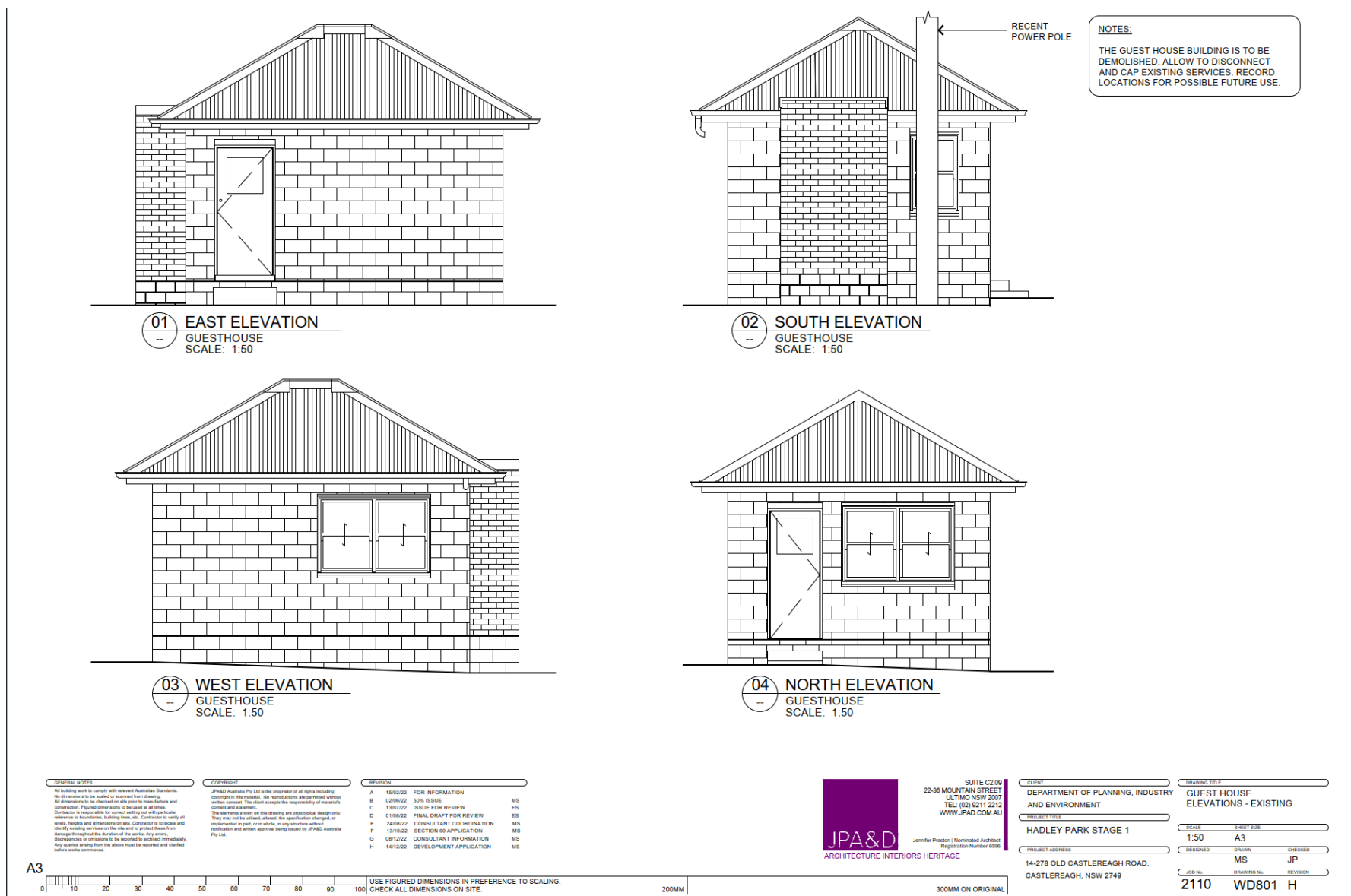


Figure 30 - Elevations showing the Guesthouse to be demolished (Source: JPA&D WD801 H, 2022)



In addition to the above illustrated works on the main house (both interior and exterior), the laundry (to be demolished) and guesthouse (to be demolished), the following is also proposed:

Table 4 - Proposed remediation works

Building	Proposed Works	Architectural Drawings
Drawing Cover Sheet and Notes	All works	As per sheet: WD001 Rev_F WD01 Rev_G
Main Dwelling	Refer to Figure 28	As per drawing: WD200 Rev_H WD201 Rev_H
Laundry	To be demolished Refer to Figure 29	As per drawing: WD202 Rev_H
Weatherboard Cottage and Well	<ul style="list-style-type: none"> <li>Remove concrete topping and provide protective floor to show original brick works</li> <li>Replace internal door</li> <li>Reconstruct and reinstall door and window joinery throughout, including shutters</li> <li>Reconstruct fireplace with existing remnant fabric</li> <li>Adjust external door</li> <li>Remove protective sheeting from external walls and repair timber slabs and weatherboards of wall cladding</li> <li>Treat roof with 'Penetrol'</li> <li>Identify damaged timber in ceiling and roof and replace if necessary to match existing</li> <li>Dismantle top six courses of brickwork on the well, investigate, address cause, re-lay and treat as per specifications.</li> <li>Provide new cover to detail as per WD100 Rev_F.</li> </ul>	As per drawing: WD300 Rev_G WD301 Rev_H
Guest House	To be demolished Refer to Figure 30	As per drawing: WD800 Rev_H WD801 Rev_H
Stables and Garage	<ul style="list-style-type: none"> <li>Salvage fallen slabs and reinstated.</li> <li>Salvage existing timber board cladding and re-use where possible.</li> <li>Replaced decayed edge beam at stables.</li> <li>Replace beam at garage</li> <li>Associated works to bush poles and structural works.</li> </ul>	As per drawing: WD400 Rev_H WD401 Rev_G

	<ul style="list-style-type: none"> <li>Reinstate timber board cladding on roof and examine roof sheets &amp; re-fix and treat existing roof sheets with 'penetrol'.</li> <li>Other associated works on building and roof as part the Architectural drawings.</li> </ul>	
Creamery	<ul style="list-style-type: none"> <li>Separate cupboard from dirt floor to minimise further damage and replace severely damaged elements to match existing</li> <li>Reconstruct open rack.</li> <li>Replace lean-to roof beams.</li> <li>Replace eastern posts.</li> <li>Re-purpose timbers form site where possible.</li> <li>Existing roof form to be retained.</li> <li>Reinstate ceiling joints.</li> </ul>	As per drawing: WD500 Rev_G WD501 Rev_G
Dairy and Milk Store	<ul style="list-style-type: none"> <li>Replace existing gutters and indicated on plan</li> <li>Reinstate cladding to gables</li> <li>Reconnect downpipes and examine all roof sheets.</li> <li>Repair roof timbers where damaged or replace to match existing</li> <li>Apply treatment of 'penetrol' to rusted areas, wall cladding and roof sheets</li> <li>Infill gable with fibre cement sheet to match existing</li> <li>Associated structural works to secure building.</li> </ul>	As per drawing: WD600 Rev_G WD601 Rev_G
Feed Store and Cow Bails	<ul style="list-style-type: none"> <li>Replace missing boards. Re-use salvaged material if possible.</li> <li>Reinstate salvaged items of dish drain</li> <li>Replace wall beams and roof beams where necessary</li> <li>Salvage fallen materials for reinstatement</li> <li>Repair or replace damaged roof sheets and rafters throughout</li> <li>Reinstate posts to former locations</li> <li>Install new post using durability class 2 hardwood</li> <li>Associated structural works to secure building.</li> </ul>	As per drawing: WD700 Rev_G WD701 Rev_G WD702 Rev_G
Hay Shed	<ul style="list-style-type: none"> <li>Roof currently not intact and to be reinstated to prevent further degradation of building</li> <li>Install new timber roof and corrugated roof sheeting to selected areas to match existing</li> <li>Review existing roof timbers and repair/replace/reinstate</li> <li>Allow new timber battens to match existing to whole roof</li> <li>Replace all battens with new to match.</li> <li>New treated pine retaining walls to structural engineers' details</li> <li>Other associated structural works to secure building.</li> </ul>	As per drawing: WD900 Rev_H WD901 Rev_H

The above summary of works is to be read in conjunction with Architectural drawings prepared by JPD&A and the relevant engineering drawings and specification.

All work to be done in accordance with the Section 60 approval granted by the NSW Heritage Council.

## 5.1.2 Engineering Services

### Electrical

The existing infrastructure will be used as far as possible. All proposed works will be done above ground and no groundworks or trenching would be required. Below a summary of the electrical scope of works.

- Existing power pole (marked as pole 89) with existing external switchboard and infrastructure to be used.
- Provide in this existing switchboard enclosure:
  - 1x 25A 1-phase RCBO Label as P2
  - 1x 20A 3-phase RCBO Label as P3.
- Provide and mount on pole 89 below existing meter panel:
  - 2x 10A 1 IP53 power outlets and connect to P1
  - 2x 15A IP53 power outlets and connect to P2
  - 1x 20A 3-phase IP 66 switched power outlet and connect to P3.

The following are also proposed:

- Likely to replace two existing power poles in poor condition
- Application to Endeavour Energy to confirm point of supply
- All electrical works will be subject to an approval for the relevant authority/agency.

### Hydraulic Services

#### **Stormwater (SW) Drainage and Downpipes**

- Hydraulic contractor to supply and install all new gutters including bracket support, downpipes and inground stormwater drainage
- Remove existing downpipes and replace with new
- Hydraulic contractor to obtain approval prior to commencing excavation on site
- All excess spoil to be removed from site to an approved location
- Provide new inground stormwater drainage pipework to pick up new downpipes
- Existing rainwater tanks to be disconnected from the existing roof gutter downpipes
- Existing rainwater tanks to be retains onsite unless noted otherwise by client
- Proposed stormwater drainage pipework to be sewer grade uPVC complying with AS1260.

#### **Sanitary Drainage Service**

- Hydraulic services to existing laundry to be made redundant.

#### **Authorities and Standards**

- Hydraulic contractor to supply and install all plumbing and drainage services accordance with the guidelines/codes.

General note: The proposed excavation works will be subject to a separate heritage application, to be undertaken in conjunction with the heritage consultant and architectural drawings. As part of the hydraulic scope of works, excavation will be required in order to install the new hydraulic services.

A separate heritage application (Section 65A) is currently being prepared and will be submitted to the NSW Heritage Council shortly.

Refer to the attached Hydraulic Services Plans from VOS Group for more information (Appendix D). All services plans are to be considered (and approved) as part of this application.

The detailed drawings are available as mentioned above under Appendix D.

Figure 31 below shows some comments from the hydraulic engineers regarding the stormwater and drainage works.

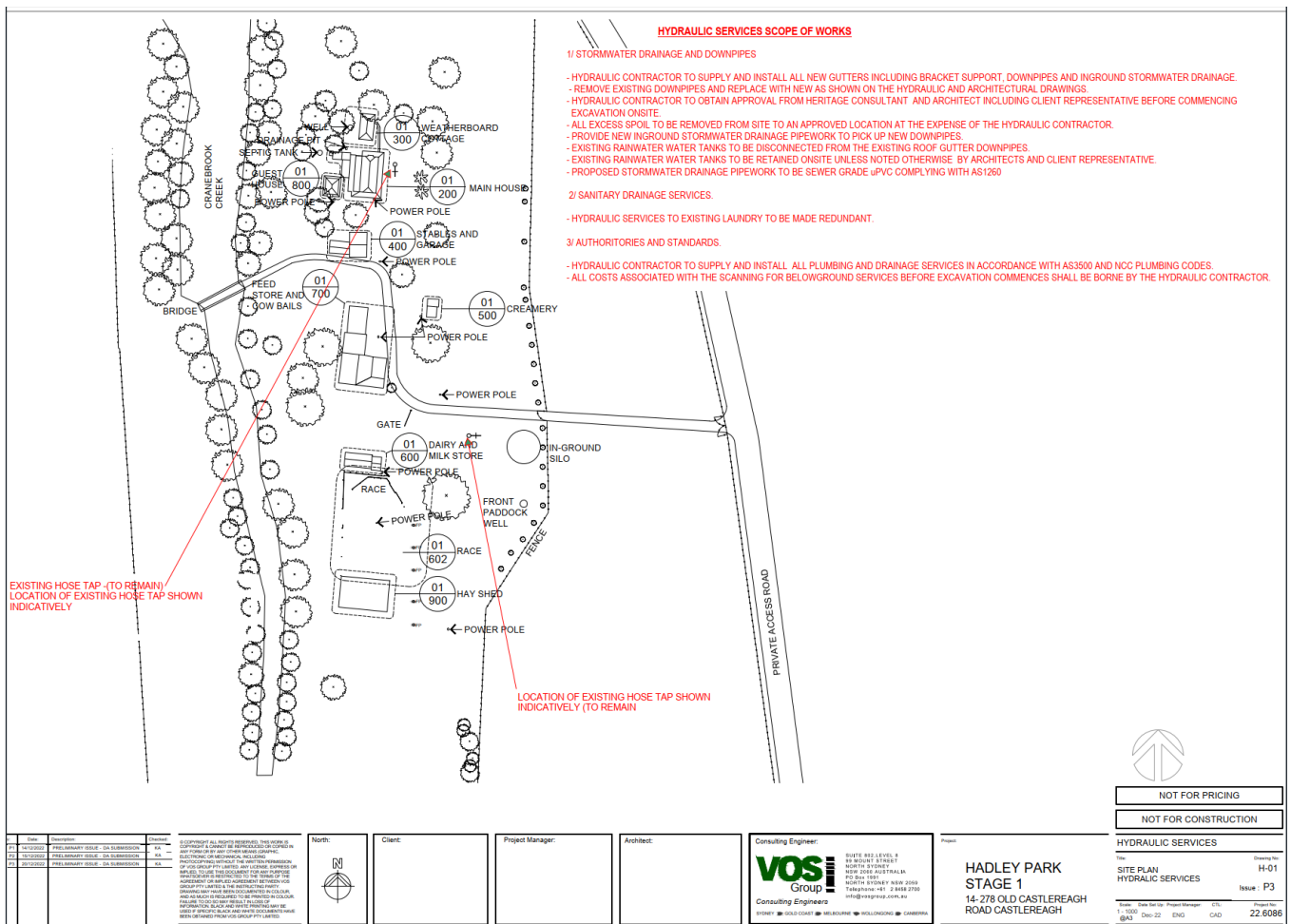


Figure 31 – Hydraulic Services Scope of Works (Source: VOS Group H-01 P3, 2022)

Figure 32 below includes the ‘Trench Drainage Plan’ from VOS Group, which is also included under Appendix D.

It shows the context and extent of excavation works required as part of this proposal and will form the basis of the additional heritage application (Section 65A) to be submitted to NSW Heritage Council for consideration and approval.

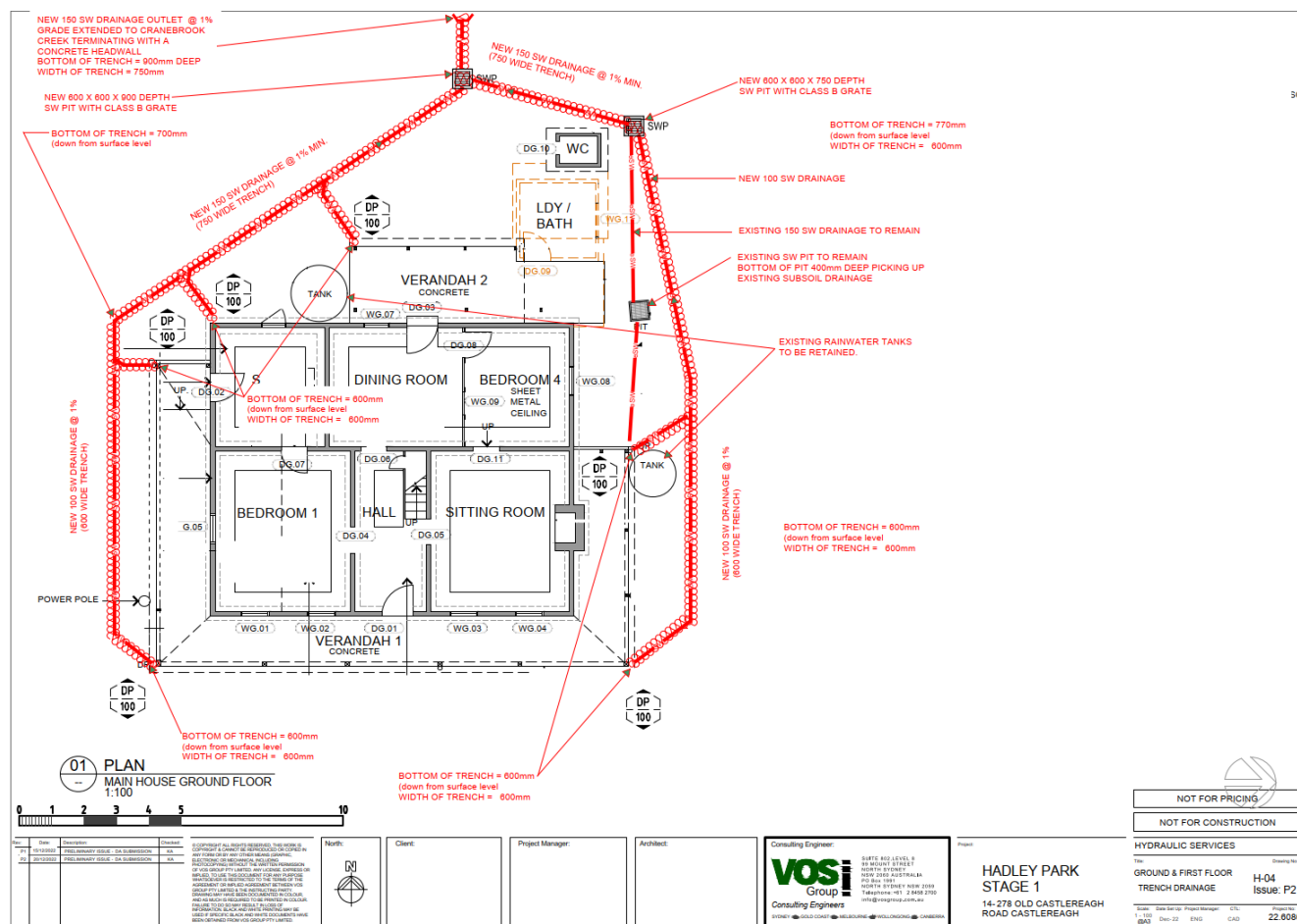


Figure 32 - Ground & First Floor Trench Drainage Plan (Source: VOS Group H-04 P2, 2022)

## Structural Remedial Works

Structural works are being proposed to the following buildings:

- Main dwelling (ground floor, first floor, lower and upper ceiling, lower roof and veranda)
- Weatherboard cottage
- Outbuildings, farm buildings and sheds.

All structural works are to be done in accordance with the structural engineering drawings prepared by Ducros Design Structural and Civil Engineers dated June 2022. A copy of the structural drawings is included as Appendix C.

Refer to Drawings No. 1842-S101 for a set of full notes on the Ducros Design drawings.

## 5.2 Materials and Method Statement

To prepare the site for the proposed remedial works, the existing laundry and guesthouse is to be demolished as part of this development application. Other works are to be undertaken as per the Materials and Methods statement, dated 14 October 2022 and prepared by JPA&D, and as highlighted below.

### 5.2.1 General

- All remaining fabric should be retained and conserved in situ. Should the condition of any remnant fabric necessitate its removal, it is to be archivally recorded while in place, including the method of fixing. The fabric should then be retained and catalogued for future restoration.



- Archival recording is to be undertaken in accordance with the NSW Heritage Office Guidelines for Archival Recording.
- The greatest extent of original fabric should be retained as possible.
- No fabric is to be removed from site or disposed of unless approved by the project heritage consultant.
- The existing patina of remnant fabric is not to be degraded if possible.
- Unpainted surfaces are to remain unpainted. Paint is only to be applied to surfaces which are currently painted. If unclear, confirm extent with the project heritage consultant.
- All new fabric is to be indelibly marked with the year of installation in an inconspicuous location.
- Removal of vegetation from within and around buildings is to be undertaken by hand to minimise disturbance to the built fabric.

## 5.2.2 Methods and Materials

### General Repair Methodology – roof and wall cladding

- Tag and record cladding fabric
- Remove cladding fabric in order and set aside. Retain fixings for reinstatement.
- Review underlying structure and repair as documented
- Reset cladding in tagged order with salvaged fixings

### Limewash

Note: Existing lime wash was a traditional tallow fat mix giving good adhesion and water repellence.

- Confirm all areas of wall to receive limewash
- Submit details to project heritage consultant of proposed mixture, including brush-out samples to show finish and colour for approval
- Once approved, clean and prepare existing surfaces to take new limewash
- Prepare a 1m by 1m sample installation of limewash for approval by project heritage consultant
- Once approved, proceed with application of limewash to agreed areas.

### Rust treatment

- Assess rust and extent of damage to object
- Using a soft bristled brush, remove any loose rust and dust from the surface
- Apply 'Penetrol' to surface and allow to dry.

### Paint removal

- Treat all paint as containing lead unless proven otherwise.
- Use appropriate PPE when working with existing paint.
- Collect all paint scrapings for offsite disposal at a registered tipping facility for lead-containing paint

### Repainting previously painted items

- Match colour of existing paint
- Lightly sand surface and clean
- Mask surrounding surfaces, objects and attachments
- Apply primer if necessary and paint in accordance with manufacturer's recommendations
- Provide "Wet Paint" notices in obvious locations. Remove when paint dry.

- For damaged timber, allow to repair prior to repainting

#### Repair or replace damaged timber

Note: This work typically applies to assemblies of components. Document existing assembly, including type and location of each item attached to the subject timber member before proceeding.

- Assess condition of existing timber member and determine whether repair is possible, or replacement is needed. Obtain opinion of structural engineer with suitable heritage experience if unsure.
- Remove any rotten or weathered timber. Cut out rotten timber back to a sound timber edge.
- For small repairs, apply a coat of a low viscosity epoxy resin to the timber and allow it to soak in. Once dry, fill the damaged area with an epoxy filler combination and sand back to the existing profile.
- For large repairs, cut out the damaged timber and scarf in a piece of recycled hardwood, fill all joints and profile back to the existing shape
- The greatest extent of original fabric should be retained as possible.
- If replacement has been approved, identify member size, species and finish.
- Remove existing element and replace with new to match.
- Reinstall all existing attachments in their former locations.

### 5.3 Environmental Considerations

As per the requirements of clause 4.15 of the EP&A Act, the SEE includes an analysis of the site and its context, details pertaining to the proposed works and subsequent development, strategic and statutory planning considerations, a review of potential impacts on state listed heritage items, and an environmental planning assessment.

#### 5.3.1 Site overview

As identified earlier on in this SEE, below a summary of all the key environmental overlays applicable to the site:

Table 5 - Environmental Overlay Summary

Overlay	Description
Bushfire Prone Land	Vegetation Category 2. Comment: Vegetation Category 2 (western portion of the site), but unlikely to have any impact on the proposal. Refer Figure 24 of this SEE
Biodiversity Overlay	Riparian Biodiversity. Comment: The site has Riparian Biodiversity through the centre and also to the western portion of the site. However, no native or mature vegetation will be impacted by the proposed remediation works. Refer Figure 25 of this SEE.
Biodiversity Values	Clearing of native vegetation will require a Biodiversity Development Assessment Report

The site is mostly covered by grasslands with some trees and other mature vegetation in the vicinity of the dwelling and outbuildings, which grows along the Cranebrook Creek tributary. Trees and other mature vegetation are also found on the site to the west along the Nepean River.

See below Figure 33 showing the existing tree and other vegetation cover (other than grasslands).



Figure 33 - Existing tree and other vegetation cover (Source: OneMap 2022)

### 5.3.2 Key considerations

A review of the online data currently available has shown that the site of the proposed works will not impact any environmental sensitive or protected lands. **Table 6** below provides a summary of the key protection overlays considered.

Table 6 - Protection overlays considered

Environmental Overlay	Impacted	Comment
Busfire Prone Land	Yes	Western portion of property listed as Vegetation Category 2 Bushfire Prone Land. Not to be impacted by the proposed works.
Marine Protected Areas	Not applicable	-
Acid Sulfate Soils	None	-
Drinking Water Catchment Area	Not applicable	-
Groundwater Vulnerability	Not applicable	-
Mineral and Resource Land	None	Located to the east of the site is land listed as Mineral & Resource Land.

Not to be impacted by the proposed works.

Biodiversity Values	Yes – Biodiversity and Riparian land	
Natural Resources – Water and Watercourses	None	-
Scenic Protected Land	No	Located to the east of the site is the foothills of the Blue Mountains. Not to be impacted by the proposed works.
Terrestrial Biodiversity	None listed	-
Natural Resources - Biodiversity	None	-
Wetlands	None	-
Environmentally sensitive land	No	-
National parks & Wildlife Service Estate	None	-
Aboriginal Cultural Significance	None	Local Aboriginal Land Council: Deerubbin

Figure 34 below shows the current biodiversity overlays applicable. The identified biodiversity and riparian land corridor run along Cranebrook Creek, to the west of the existing dwelling.



Figure 34 - NSW Biodiversity Values Map (Source: NSW Department of Customer Service 2020)

Figure 35 provides a closer view of the biodiversity overlay in relation to the existing dwelling and associated outbuildings on site.



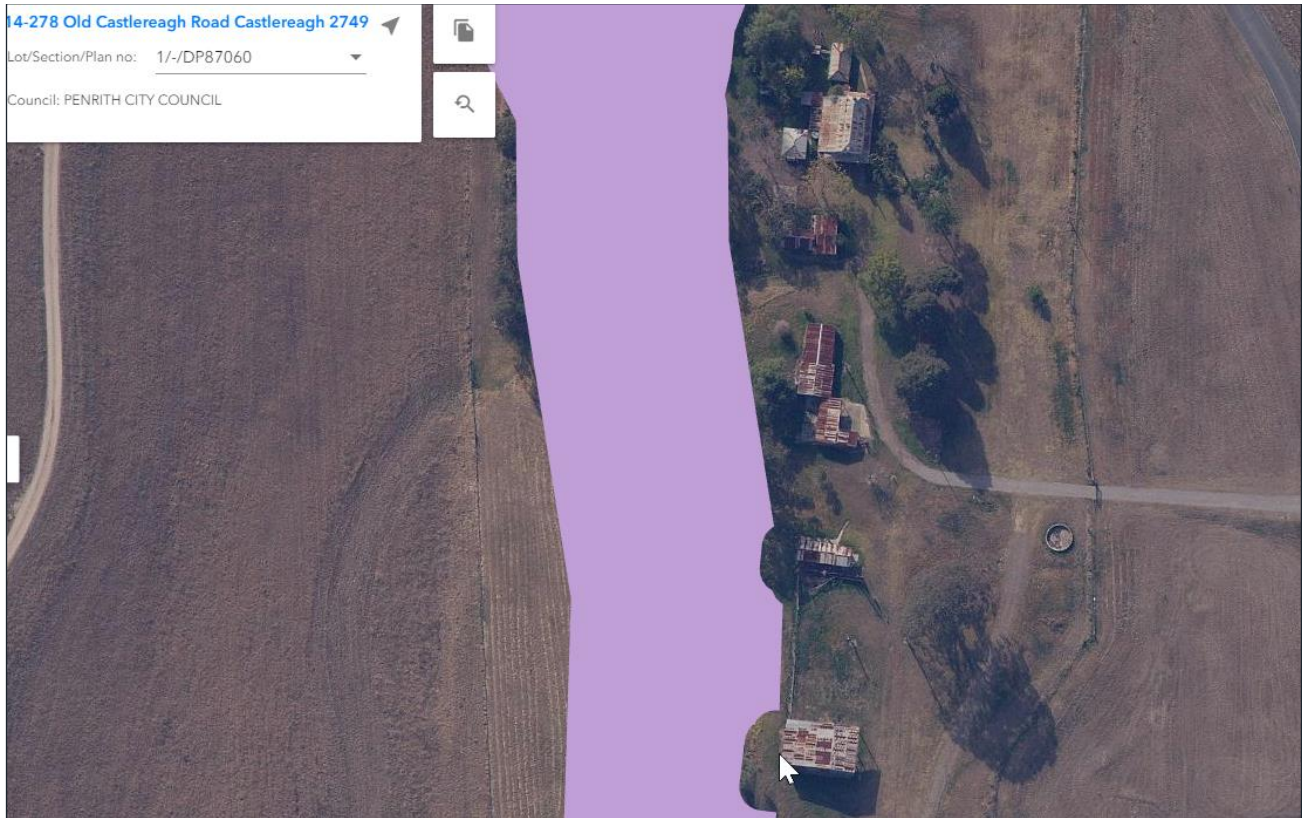


Figure 35 - Aerial view of buildings in relation to Biodiversity Zone (NSW Planning Portal 2022)

It is evident that the proposed works will not have any impact on native vegetation and/or the listed biodiversity corridor and therefore does not require a Biodiversity Development Assessment Report to be prepared.

For further information, please refer to:

- Section 4.3.1 – Site setting and curtilage
- Section 4.3.2 – Aboriginal cultural landscape
- Section 4.3.3 – Landscape elements

The proposed development, when assessed in accordance with all relevant environmental and planning consideration requirements under s4.15(1) of the EP&A Act, is found to be satisfactory and in line with the relevant state and local policies and guidelines.

A full description of all works is provided in section 5 of this SEE.

### 5.3.3 Mitigation measures

It is expected that the proposed works and related activities will not impact on any protective or native vegetation on the site. The identified biodiversity corridor along Cranebrook Creek is located outside of the areas of proposed works. In addition to this, the proposed works does not require the removal of any vegetation, other than that listed within the attached Materials and Methods Statement (Appendix G).

The following is proposed:

#### Environmental Measures

- Provide clearly defined allocation of environmental responsibilities for all staff members and contractors involved in the works on site.
- If so required and prior to any works commencing on site, a Construction Management Plan should be prepared to identify the potential impacts of the project and the measures identified to mitigate those impacts.



- If and where required, ensure temporary fencing is installed to protect and minimise impact on vegetation.
- A suitably qualified and experienced landscape heritage consultant will be appointed to provide guidance for any potential lopping, pruning or works to trees, shrubs and ground covers and ensure the works to trees are undertaken by a qualified arborist.
- Ongoing environmental monitoring and reporting of works must be undertaken during the works on site.

#### Noise

- Construction noise and noise generated from the proposed works will be kept to a minimum.
- The adjacent property owners will be kept informed about upcoming works.

#### Water

- Appropriate sediment and erosion controls will be implemented, where required.
- No excavated material or fill may be placed in flood prone areas.
- Appropriate procedures will be in place for the transport, storage and handling of any fuels, oils, or other hazardous substances.

#### Heritage

- When previously unidentified or potential historic heritage items are found during works, all works within the vicinity of the item, or with the potential to impact the item, should cease until further assessment of the item by a qualified heritage consultant has been undertaken.
- Works may only recommence when relevant approvals and an appropriate and an approved management strategy is instigated.
- To avoid the potential for harm to historic objects on unassessed adjacent landforms, all ground surface disturbing activities will be confined to the impact footprint outlined in this SEE and the relevant drawings and engineering specifications.

#### Waste Management

- Waste management locations will be kept tidy and well maintained. Staff will collect, or report, any litter generated on site, or any untidy waste storage area.
- Bins, receptacles, and storage areas will be clearly labelled to ensure wastes are appropriately source separated, stored and consolidated in their designated areas.
- Staff will be briefed on waste management procedures as part of site induction processes and will be actively encouraged to undertake source separation of wastes to support re-use or recycling of materials.
- Any unknown or suspected contaminated or hazardous materials will be quarantined and investigated. This material will be handled and disposed of in accordance with its relevant waste categorisation, and legislative requirements for that category of waste, where relevant.

#### General

- All contractors must adhere to Total Fire Ban days and regulations.
- Where required, the relevant contractor must review dust mitigation measures and ensure they are effective.
- After construction and once the proposed remediation works are complete, all materials will be removed from the site and recycled or disposed of appropriately.

A full description of all works is provided in section 5 of this SEE.

## 5.4 Anticipated Project Timing

Below a summary of the expected timing for undertaking the preliminary works, preparing and lodging the DA, and the relevant coordination and termination of the application.

Table 7 - Expected Project Timing

Phase	Task	Anticipated Date
Phase 00 – Section 60 Heritage Approval	<ul style="list-style-type: none"> <li>Obtain approval from the NSW Heritage Authority</li> </ul>	<i>17 November 2022</i> <i>- completed</i>
Phase 01 – Preliminary Planning Review	<ul style="list-style-type: none"> <li>Tract completed an initial planning review of the site, including a site visit.</li> <li>Issued preliminary planning report</li> </ul>	<i>02 December 2022</i> <i>- completed</i>
Phase 02 – Preparation and submission of the development application	<ul style="list-style-type: none"> <li>Prepare Statement of Environmental Effects</li> <li>Collate all supporting documents and plans</li> <li>Prepare online submission package, including all consultant reports</li> <li>Lodge formal DA via Planning Portal</li> <li>Response to DPE RFI and submission of updated SEE.</li> </ul>	21 December 2022 <i>- Initial lodgement completed</i>  19 January 2023
Phase 03 – Tender Documents	<ul style="list-style-type: none"> <li>Complete all tender documents, including Architectural, Structural, Electrical, Hydraulic, Contract Conditions.</li> </ul>	20 January 2023
Phase 04 – DA coordination and determination	<ul style="list-style-type: none"> <li>Respond to further RFIs</li> <li>Application exhibition</li> <li>Review Agency and stakeholder feedback</li> <li>Review draft conditions</li> <li>Obtain the additional Section 65 heritage approval to allow for excavation works on-site relating to engineering services</li> <li>Obtain copy of determination notice</li> </ul>	Expected Exhibition: Late January 2023 to early February 2023  Anticipated DA determination: March 2023
Phase 05 – Construction	<ul style="list-style-type: none"> <li>Commence site establishment and construction works</li> </ul>	April 2023

## 6 Application Requirements

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Under clause 4.2 of the EP& Act 1979, development cannot be carried out except with development consent. Application is therefore made in terms of clause 4.12 of the EP&A Act 1979, in accordance with Part 5.6 of the *State Environmental Planning Policy (Precincts – Western Parklands City) 2021*, Section 5.33 Heritage Conservation to obtain development consent from the relevant authority.

The *State Environmental Planning Policy (Precincts – Western Parklands City) 2021* aims to:

- to facilitate the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant precincts for the benefit of the State
- to facilitate service delivery outcomes for a range of public services and to provide for the development of major sites for a public purpose or redevelopment of major sites no longer appropriate or suitable for public purposes.

As discussed within section 3.3 of this report, Chapter 5 of the Western Parkland SEPP ensures that development is considered under the Penrith Lakes Scheme. Part 5.1 - Clause 5.7 confirms that the consent authority, for any unzoned land or land zoned as Waterway, is the Minister.

In order for the Department to assess the application, the following supporting documentations and plans forms part of this application submission package:

- Landowner consent letter from the Office of Strategic Lands to Tract (Appendix A)
- Architectural Drawing DA Package, prepared by JPA&D (Appendix B)
- Structural Engineering Drawings, prepared by Durcos Design (Appendix C)
- Hydraulic Services specifications and drawings, prepared by VOS group (Appendix D)
- MBM Quantity Surveying - Stage 1 pre-tender cost estimates (Appendix E)
- JPA&D Statement of Heritage Impact (Appendix F)
- JPA&D Materials and Method Statement (Appendix G)
- Section 60 Heritage Approval Letter (Approved 17 November 2022 by Heritage NSW) (Appendix H)
- Copy of the approved architectural drawings, as accepted by Heritage NSW (Appendix I)
- Copy of the approved engineering drawings, as accepted by Heritage NSW (Appendix J)
- AHIMS Search Report (Appendix K)
- Certificates of Title (Appendix L)
- Tract OneMap Site Report (Appendix M)
- NSW ePlanning Report (Appendix N).

## 7 Conclusion

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This Statement of Environmental Effects (SEE) by Tract has been prepared on behalf of the Office of Strategic Lands.

This application and proposed development seek approval for the proposed Stage 1 remediation works to the State heritage listed Hadley Park farmhouse, located at 14-278 Old Castlereagh Road, Castlereagh NSW 2749. The proposed remedial works are necessary to maintain the heritage significance of the site and to prevent the buildings and structures from falling into further disrepair. The works will further retain and reinstate the structural integrity of the buildings and therefore prolong their lifespan.

The proposed remediation works included as part of this development application includes:

- General repair of roof and wall cladding
- Rust treatment
- Paint removal and repainting of items
- Repair or replace damage timber
- Demolition of existing laundry, and the reinforcement of veranda roof
- Demolition of the existing guesthouse
- Disconnect and cap existing services to laundry
- Assess and redirect stormwater from house.

The proposal is consistent with the requirements outlines in the relevant strategic planning policies and guidelines applicable to the Site. The proposed works further constituted Crown Development, as set out under Clause 4.32 of the EP&A Act.

The proposal is permissible with consent under the *State Environmental Planning Policy (Precincts – Western Parkland City) 2021* and is consistent with the relevant development objectives and controls under the Penrith Local Environmental Plan 2010.

A detailed environmental assessment has been undertaken for all environmental impacts. It has addressed all relevant statutory and policy requirements in accordance with clause 4.15 of the *Environmental Planning and Assessment Act 1979* and also in accordance with the *Western Parkland SEPP - Chapter 5*, Penrith Lakes Scheme.

As part of this report, the assessment has found that no significant adverse environmental, social, or economic impacts would result from the proposed development proceeding. It will be ensured that all minor impacts are managed appropriately.

It can be concluded that the proposed development has sufficient planning merit and significant community benefit as it positively contributes to the following:

- Provides for much needed remediation works to restore and preserve the State listed heritage item;
- Provides economic, employment and tourism opportunities in the LGA;
- The proposed development is consistent with all relative environmental and state planning instrument objectives and standards; and
- Does not result in any significant adverse environmental impacts.

In accordance with section 5.7 of the Western Parklands SEPP, the consent authority for the purpose of Chapter 5 for unzoned land is the Minister. It is recommended that the consent authority favourably considers the proposed development.



# Appendices

Appendix A	Landowner Consent
Appendix B	Architectural Drawings DA Package
Appendix C	Structural Engineering Drawings
Appendix D	Hydraulic Services Plans
Appendix E	MBM Quantity Surveying Stage 1 Pre-Tender Cost Estimates
Appendix F	Statement of Heritage Impact
Appendix G	Materials and Methods Statement
Appendix H	Section 60 Heritage Approval
Appendix I	Approved Architectural Drawings – Heritage Council
Appendix J	Approved Engineering Drawings – Heritage Council
Appendix K	AHIMS Search Report
Appendix L	Certificates of Title
Appendix M	Tract OneMap Site Report
Appendix N	NSW ePlanning Summary Report











Appendix E      MBM Quantity Surveying Stage 1 Pre-Tender Cost  
Estimates

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