

Department of Planning and Environment



Our ref: DA23/907

Planning Ministerial Corporation
C/- Leonard Slabbert
Level 8, 80 Mount Street,
North Sydney NSW 2060

16 May 2023

Subject: Hadley Park Homestead Works (DA23/907), Request for Additional Information

Dear Mr Slabbert,

I refer to the above development application at Hadley Park Homestead (DA22/14353).

The Department has carefully considered the additional information, dated 2 May 2023, provided in response to the request for information issued by the Department on 6 April 2023. The Department has reviewed the additional information submitted and considers that it does not sufficiently address the issues raised by the Department. The Department requires that further information be provided to address the issues raised in **Attachment A**. Where information is requested from a suitably qualified person, the information should be provided in a form that identifies the person, their employer and suitable qualifications.

You are requested to review the matters raised in **Attachment A** and respond to the issues raised or notify the Department that the information will not be provided, by **Friday 26 May 2023**. If you cannot meet this deadline or do not intend to provide the additional information, please advise the department via the NSW planning portal.

At the date of this letter, 60 days have elapsed in the assessment period. Please note that the Department's assessment of the DA is on hold pending receipt of a satisfactory response to this request.

If you have any questions, please contact Chris Eldred on 02 8289 6855 or via email at christopher.eldred@planning.nsw.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "K T" followed by a stylized flourish.

Keiran Thomas

Director – Regional Assessments
Department of Planning and Environment

Attachment A

1. Aboriginal Heritage

As noted in the Department's Request for Information (RFI) letter dated 6 April 2023, Hadley Park is part of a broader Aboriginal cultural landscape and as earthworks are proposed (in conjunction with the stormwater works), the Department requested the development to be considered against the *NSW Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*.

The RFI response dated 2 May 2023 highlights that the *NSW Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* was reviewed by JPA&D, however not documentary evidence of this was provided. The Department requires a report from a suitably qualified person to be prepared that outlines the due diligence process that is undertaken.

2. Stormwater quality

The RFI response dated 2 May 2023 has not addressed the issues raised by the Department and appears to amend the method of discharge of stormwater from what was originally proposed. This change is not outlined in any supporting documentation. The Department requires a response prepared by a suitably qualified person that:

- outline any changes to the method of stormwater discharge proposed and support the amendments with revised plans and technical specifications.
- outlines how the development complies with Penrith City Council Stormwater Drainage Policy, particularly section 5.3 Rural Dwellings, Additions and Outbuildings, including the requirement of the NSW Office of Water. Where the development doesn't comply with the standards, suitable justification must be provided.

3. Structural adequacy

The Statement of Environmental Effects notes that the application seeks to undertake structural works to the various buildings on the site due to their current poor state. The application was supported by drawings prepared by a Structural Engineer detailing the structural works to be undertaken. These works and drawings would have been prepared by the Structural Engineer based on certain methodology or standards to provide increased structural stability to the buildings in support of the purpose of the application.

As previously requested in the Department's letter dated 6 April 2023, provide a statement from the Structural Engineer that outlines that the proposed works would result in the building being structurally improved.

4. Vegetation Clearing

The Department notes that the RFI response has stated that no native or mature vegetation would be removed, however the response also states, "*Before pruning or lopping Trees or significant vegetation, obtain advice from a heritage landscape consultant and arborist*". This suggests that there will be vegetation removed as part of the works. All vegetation removal and pruning on this site requires development consent or a permit to be in place prior to removal.

The Department requires confirmation from a suitably qualified person that outlines any and all vegetation removal required for the works. Where any trees are impacted, a report from a suitably qualified Arborist must be provided identifying details of the impacted tree (including its significance and retention value) and a recommendation of whether it is acceptable to remove and/or prune the tree.