

HERITAGE IMPACT STATEMENT

WALLACIA GOLF CLUB

26 FEBRUARY 2021
P0014166
PREPARED FOR CATHOLIC METROPOLITAN CEMETERIES TRUST

URBIS

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EXECUTIVE SUMMARY

This Heritage Impact Statement has been prepared on behalf of St John's Park Bowling Club (**SJPBC**) (**the Applicant**) in support of a Development Application (**DA**) to Penrith City Council (**Council**) for alterations and additions to Wallacia Country Club located at Lot 1 DP1254545, 13 Park Road, Wallacia (**the site**).

Specifically, consent is sought for:

- Alterations and additions to the existing Wallacia Country Club building to include:
 - updated Golf pro-store;
 - expanded gaming facilities, kitchen and dining area including new outdoor terrace;
 - new swimming pool and gym complex.
- Alterations and expansion of existing car park;
- New synthetic bowling green;
- Removal of 48 trees/shrubs within the site boundary;
- Stormwater infrastructure and other site services;
- Landscaping around refurbished Club building including a practice putting green;
- Civil and road works to Park Road including road widening and tree removal (3 trees) in the vicinity of the existing driveway.

The significance assessment undertaken at Section 6 of this report has concluded that the subject site does not meet the requisite threshold for heritage listing at the local or state level. The proposed works (as detailed in Section 5) have been assessed for their potential impact on the proximate heritage items and heritage conservation areas, in the detailed impact assessment included in Section 7.

The subject site is not a heritage item, nor is it located within a heritage conservation area. The proposed works are considered to have nil impact or an acceptable impact on the significance, curtilage and setting of the vicinity heritage items.

The proposed development will be a low-impact development and the generally rural character of the area will be maintained. The proposed works will not physically affect the proximate heritage items or conservation areas themselves. No physical impact on these heritage items and conservation areas will result from the proposal. The proposed alterations to the non-significant clubhouse, and additions including parking and recreation facilities, will have no physical or visual impact on the heritage items in the vicinity.

There are minor alterations and additions to the Wallacia Country Club building and immediate curtilage only. There are no marked differences in the use, operation or built form of the site as currently exists. The proposal will not change the presentation of the site, with a high degree of vegetation, landscaping and undeveloped areas. The proposed works will not impact on, obstruct or detract from existing significant views to or from the heritage items.

The proposed carparking area to the west of the clubhouse is located on the boundary of the subject site adjoining the Wallacia Hotel heritage item. This car parking area will be screened with introduced vegetation to minimise views of this area. As this area is located to the rear of Wallacia Hotel, and is substantially distanced from the Hotel building, the proposed carparking area will have no detrimental impact on any existing significant views towards the Hotel, which are primarily from Mulgoa Road to the west. The proposed works will not be visible from views of the principal elevation of the Wallacia Hotel from Mulgoa Road, and will not disrupt the landscaped setting to the front of this building.

The land to the rear of the former St Andrew's Anglican Church heritage item will be maintained as a golf course and the proposed works to the Wallacia Country Club building and surrounds will not alter the existing physical or visual relationship between the site and this listed church building.

The proposed works will not markedly affect the setting or landscape elements of the proximate heritage items. The existing landscaping and vegetated setting of the heritage items and the subject property will be enhanced through the retention and protection of existing trees and the introduction of additional trees and landscaped areas.

There will be no marked difference between the existing landscaped character and that proposed, apart from the proposal providing an enhanced landscaped setting for the subject property and a more general landscaped buffer between the heritage items.

Where existing trees are required to be removed to facilitate the car park layout, additional supplementary trees will be planted to offset this removal. The removal of trees has only been proposed where impact is unavoidable.

There are two trees that are proposed to be removed on the southern alignment of the road adjoining the Park Road Heritage Conservation Area (No. 6). An arboricultural report has been prepared by Eco Logical Australia which notes these two trees to have high retention value and the impact of the proposal to be 'high'. The trees are noted as being of fair-good condition with an estimated life span of 15-40 years.

The Park Road Heritage Conservation Area is significant for its collection of three inter-war cottages. The trees that are proposed to be removed are native mature trees and while technically located outside of the conservation area boundaries, do contribute to the setting of the dwellings. We understand that the trees are required to be removed to facilitate the road widening associated with the new intersection.

It would be preferable to retain these trees however if they need to be removed, a mitigation strategy including replanting and/or replacement should be considered. Replacement of these impacted trees with a larger number of the same species of mature trees to replenish the southern alignment of Park Road, would mitigate the adverse impacts of this tree removal from a heritage perspective as the landscaped setting of the adjacent HCA would therefore be retained.

The proposal is highly sensitive to the vicinity heritage items along Mulgoa Road and Park Road. There are no adverse heritage impacts on the significance of these items. There are no negative built heritage outcomes as a result of this proposal. Potential heritage impacts to the setting of the Park Road Conservation Area can be mitigated through strategic replanting and is acceptable as a heritage outcome considering the trees are not heritage listed and not technically within the boundaries of the Conservation Area.

The proposal is acceptable on heritage grounds and is recommended for approval.

1. INTRODUCTION

1.1. OVERVIEW

This Heritage Impact Statement has been prepared on behalf of St John's Park Bowling Club (**SJPBC**) (**the Applicant**) in support of a Development Application (**DA**) to Penrith City Council (**Council**) for alterations and additions to Wallacia Country Club located at Lot 1 DP1254545, 13 Park Road, Wallacia (**the site**).

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- New synthetic bowling green;
- Removal of 48 trees/shrubs within the site boundary;
- Stormwater infrastructure and other site services;
- Landscaping around refurbished Club building including a practice putting green;
- Civil and road works to Park Road including road widening and tree removal (3 trees) in the vicinity of the existing driveway.

The site is part of a larger site subject to a separate DA (DA 17/1092) for a cemetery with chapel, administration building, services building, internal roads, car parking, landscaping, services and stormwater works.

DA17/1092 is currently the subject of a Class 1 Merit Appeal in the Land and Environment Court (**LEC**) (NSWLEC 2019/364850) and is undetermined.

As part of the court proceedings, the applicant for DA17/1092 the Catholic Metropolitan Cemeteries Trust (CMCT) was not permitted leave by the LEC to include the proposed alterations and additions to the Wallacia Golf Club in the amendments to DA17/1092. The CMCT was advised lodge a separate DA for these with Penrith Council.

The scope of this DA is solely for alterations and additions to the existing Wallacia Country Club building, the new bowling green, and putting green are wholly contained within Lot 1 DP1254545. The proposed works can be delivered independently of the determination outcome of DA17/1092 and as such should be assessed as a separate application on its own merits.

This HIS has been undertaken to determine the potential impact of the proposed works on the adjoining heritage items and conservation areas.

1.2. METHODOLOGY

This Heritage Impact Statement has been prepared in accordance with the NSW Heritage Branch guideline 'Assessing Heritage Significance' (2001). The philosophy and process adopted is that guided by the *Australia ICOMOS Burra Charter* 1999 (revised 2013).

Site constraints and opportunities have been considered with reference to relevant controls and provisions contained within the *Penrith Local Environmental Plan 2010* and the Penrith Development Control Plan 2014.

It is beyond the scope of this report to assess the archaeological potential of the subject site or assess the potential historical archaeological or Aboriginal cultural heritage impacts of the proposal.

1.3. AUTHOR IDENTIFICATION

The following report has been prepared by Ashleigh Persian (Associate Director | Heritage). Unless otherwise stated, all drawings, illustrations and photographs are the work of Urbis.

2. SITE AND SURROUNDS

2.1. SITE DESCRIPTION

The site is located within the suburb of Wallacia, which is situated approximately 18km south of the Penrith Central Business District and 5km east of the future Western Sydney Aerotropolis.

The site is commonly known as 13 Park Road, Wallacia and legally described as Lot 1 in DP 1254545. The site is an irregular shaped allotment with a total site area of approximately 15,594sqm adjoining Park Road and Mulgoa Road. The site adjoins the Wallacia Golf Course.

Figure 1 The Site – Wallacia Country Club shown outlined in yellow



Source: Urbis

Figure 2 Aerial view of site



Source: Urbis

2.2. EXISTING DEVELOPMENT

The site currently accommodates Wallacia Golf and Country Club (**the Club**), comprising an 18-hole golf course, golf club, maintenance shed and car park. A telecommunications tower is located towards the eastern extent of the broader site. SJPBC currently operates the golf course under lease agreement from CMCT.

The subject site is surrounded by low scale residential development to the south and west, and larger rural holdings to the east and north. The Wallacia Hotel immediately adjoins the subject site to the west on Mulgoa Road.



Picture 1 – Car park and entry to Panthers Wallacia



Picture 2 – Panthers Wallacia Club House



Picture 3 – Maintenance shed



Picture 4 – Club car park



Picture 5 – View of Park Road from the golf course



Picture 6 – View from north-eastern portion of the golf course, looking west towards the club house and adjacent heritage items (not visible)



Picture 7 – View from north-eastern portion of the golf course, looking north-west towards adjoining rural land



Picture 8 – View of north-eastern portion of the site (general location of proposed chapel)

2.3. SURROUNDING LOCALITY

Wallacia is a modestly sized, low density residential area. The Wallacia urban area runs north-south along Greendale Road, which is adjacent to the Nepean River. The site is located at the northern extent of the urban area and adjoins rural and semi-rural uses to the north and east.

The site is surrounded by the following:

- Immediately to the north of the site is Wallacia Golf Course which comprises an 18-hole golf course. Further to the north of the site are rural uses, including cleared land and dams fed by perennial and non-perennial creek lines.
- To the east of the Club is Wallacia Christian Church and Wallacia Rural Fire Brigade with frontage which front Park Road. Further to the east is largely cleared land, reflective of the golf course use with vegetated areas.
- To the south of the site on the opposite side of Park Road are a mix of single and two storey detached dwellings. Crossman Reserve is also located immediately to the south across Park Road. This reserve forms part of Jerrys Creek.
- To the west of the site are residential uses, the Wallacia Hotel, and commercial uses fronting Mulgoa Road. Wallacia Hotel is a locally listed heritage item and shares part of its eastern boundary with the subject site. Further to the west are low density residential uses. Less than 500m to the west of the Site lies the Nepean River, at a low-lying elevation of 20 metres Australian Height Datum (AHD).

2.4. ACCESS, PARKING AND PUBLIC TRANSPORT

Vehicle access to the Club is currently available via Park Road. Park Road is a state road and provides single lanes in east and west directions. Park Road meets Silverdale Road, and Mulgoa Road via a three-arm priority roundabout intersection, just west of the site.

The driveway provides access to an at-grade carpark with a total of 61 car spaces for use by members of the Club and golf course.

The site is located 145 metres from northbound bus services and approximately 185 metres from southbound and eastbound services, located on Mulgoa Road. Bus service 795, operated by Busways, is the only service which stops at these bus stops and provides travel between McCarthy High School, Emu Plains and Weir Road at Ninth Street, Warragamba. The 795 service offers services in each direction on weekdays, departing roughly every hour during the morning and afternoon peak.

Due to the proximity of the Western Sydney Airport, it can be reasonably anticipated that the public transport network will undergo significant change over the next 10 years coinciding with the opening of the WSA in 2026 together with significant new transport infrastructure.

3. BACKGROUND

3.1. DA 17/1092

A Crown Development Application was lodged by the CMCT on 3 November 2017 for the redevelopment of the 18-hole Wallacia Golf Course into a memorial park and associated facilities.

DA17/1092 as lodged sought consent for:

- A cemetery for 88,000 burial plots and chapel, crematorium, function centre, administration building, internal roads, car parking, landscaping, services and stormwater works.

The Independent Planning Commission (IPC) directed the refusal of the DA on 12 July 2019 by the Western City Planning Panel (WCPP)

On 20 November 2019 CMCT filed a Class 1 appeal against the refusal of DA17/1092 with the LEC (NSWLEC 2019/364850).

A statement of facts and contentions (SOFACs) was issued by Council on 28 February 2020.

On 24 December 2020 the Applicant filed a Notice of Motion seeking leave to amend DA17/1092. The amendments to DA 17/1092 seek consent for:

- Stage 1 – Refurbishment of Wallacia Country Club, new bowling green, gym and indoor swimming pool.
- Stage 2 - 27,000 Burial Plots and 9-hole Golf Course
- Stage 3 – cessation of golf course use, expansion of cemetery with approximately 40,000 burial plots up to the 1:100 flood line; and rehabilitation of Jerry's Creek.

On 28 January 2021 the Court granted leave to the Applicant to amend the development application, with the exception of the refurbishment works to the golf clubhouse.

An amended statement of facts and contentions (ASOFACs) was issued by Council on 22 February 2021. The amendments will be formally presented to the Court for consideration at a hearing set down for 17 – 22 March 2021.

The Court did not grant leave to include the refurbishment of the golf clubhouse in the amended application. In doing so, the Court **advised** that a separate DA for the refurbishment work be lodged with Council. This DA has been prepared to address this advice. Works outside the boundary of the subject lot are subject to the determination of DA 17/1092.

3.2. DA 19/0875

On 11 December 2019, a DA was lodged by the Catholic Cemeteries Board with Council for the:

Change of Use of Part of Existing Golf Course to Cemetery Including 27,000 Burial Plots, Chapel and Administration Building, Internal Roads, New Parking and Amended Access from Park Road, Reconfiguration of Golf Course to 9 Holes, New Pool, Gym, Putting & Bowling Greens, and Alterations and Additions to Wallacia Golf Club, Tree Removal and Landscaping, Fencing, Civil and Stormwater Works and new intersection works along Park Road and Subdivision.

DA19/085 was considered by the WCPP on 17 February 2021 with the Council assessment report recommending refusal of the application. The application is undetermined.

The scope of works proposed to Wallacia Golf Club under DA19/0875 are the same as proposed in this application. Relevant environmental assessments prepared in support of DA 19/0875 have therefore been referenced throughout this SEE.

3.3. PREVIOUS APPROVALS

The Wallacia Golf Course and Country Club was founded in 1932. Since that time, the country club building has taken various forms. Based on historical photographs the current club house appears to have been built sometime prior to 1988.

A search conducted under the *Government Information (Public Access) Act 2009 (GIPA Act)* of the site revealed the following available approvals:

Table 1 – Previous Approvals and Consents

Approval Type	Reference No.	Approval Date	Description
Development Application	DA 379-87	3/5/1988	Extensions to the existing club house in accordance with plans number 1-5 submitted to Council on 6 th April 1988
Building Permit	17457	10/11/1988	For the erection of offices (not in class 6-9). / Club to 3 for the value of \$400,000.
Development Application	DA 970005	10/2/1997	Machinery shed in accordance with plans submitted to Council on 6 January 1997
Section 68 Approval	BLD 970014	10/2/1997	Construction of/to – farm shed-enclosed no floor for the value of \$30,000
Development Application	DA 992949	27/10/1999	Telecommunications facility
Development Application	DA03/3129	13/1/2004	Telecommunications facility
Development Application	DA03/1128	16/12/2003	Improvements to Wallacia Golf Course
Construction Certificate	DA03/1128 s96(1) Mod	4/12/2006	Improvements to Wallacia Golf Course
Development Application	DA12/1129	14/2/2013	Authorisation of fill material for golf tee and golf ball landing pad

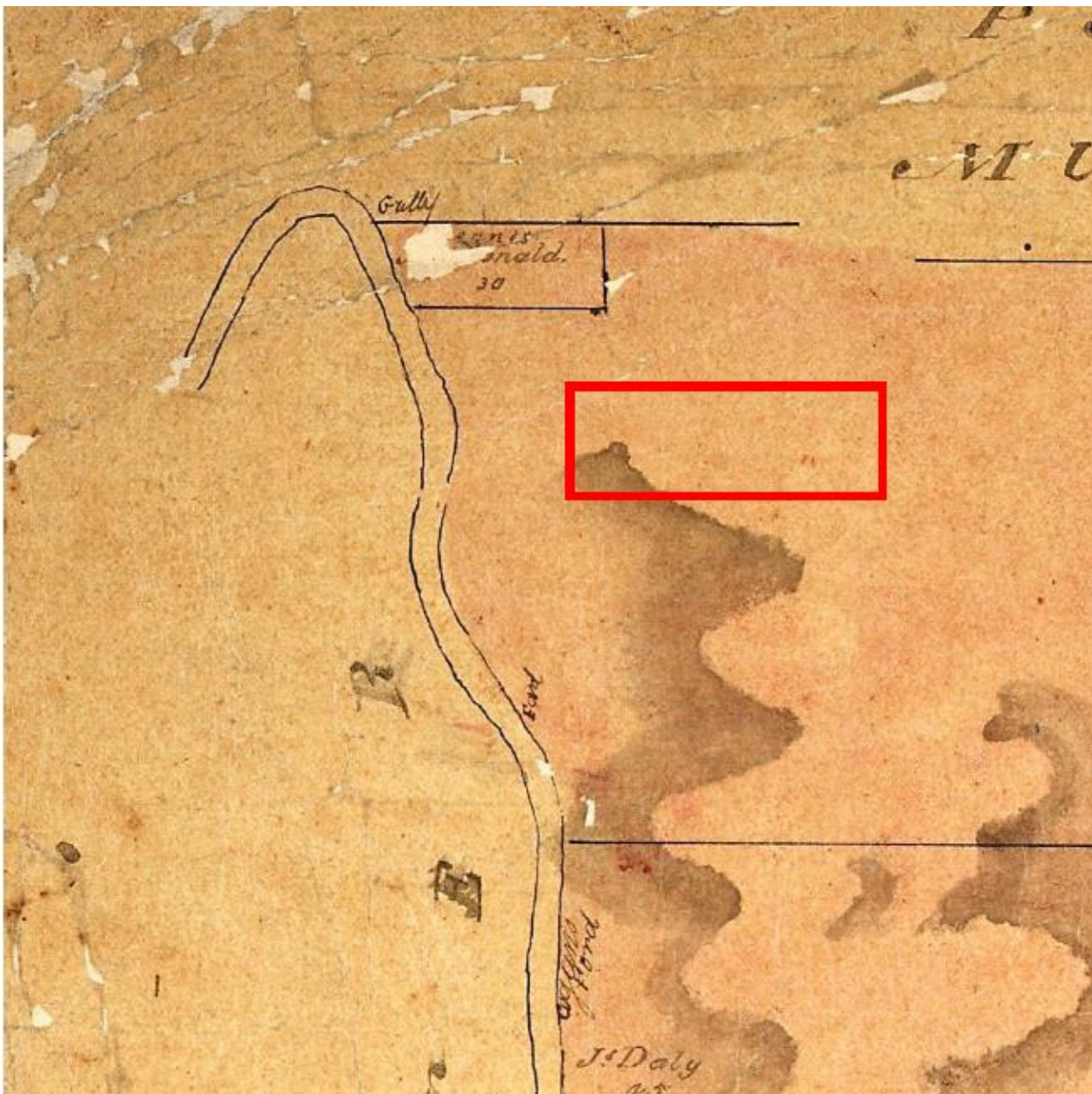
4. HISTORICAL OVERVIEW

The following history has been directly sourced from Austral Archaeology's report 'Aboriginal Due Diligence and Historical Archaeological Assessment, dated September 2017. The History is for the larger Wallacia Golf Club site within which the Wallacia Country Club sits.

4.1. BLAXLAND'S GRANT – 1813-1851

The study area was originally part of a grant of 6,710 acres given to John Blaxland on 30 November 1813 which he names 'Luddenham' after his family property in Kent, England, and which he used primarily for the grazing of livestock. To the north of Blaxland's grant was a 30-acre grant given to McDonald, while to the south near the study area, his land bordered a grant of 1,200-acres given to D'Arcy Wentworth. An early parish map of the district also shows two fording points across the Nepean River, an unnamed ford on Blaxland's property and a ford on Wentworth's which appear to be named "Cogan's Ford".

Figure 3 – Detail from an undated plan of the Parish of Bringelly which shows the location of the two fords, with the approximate location of the study area marked in red



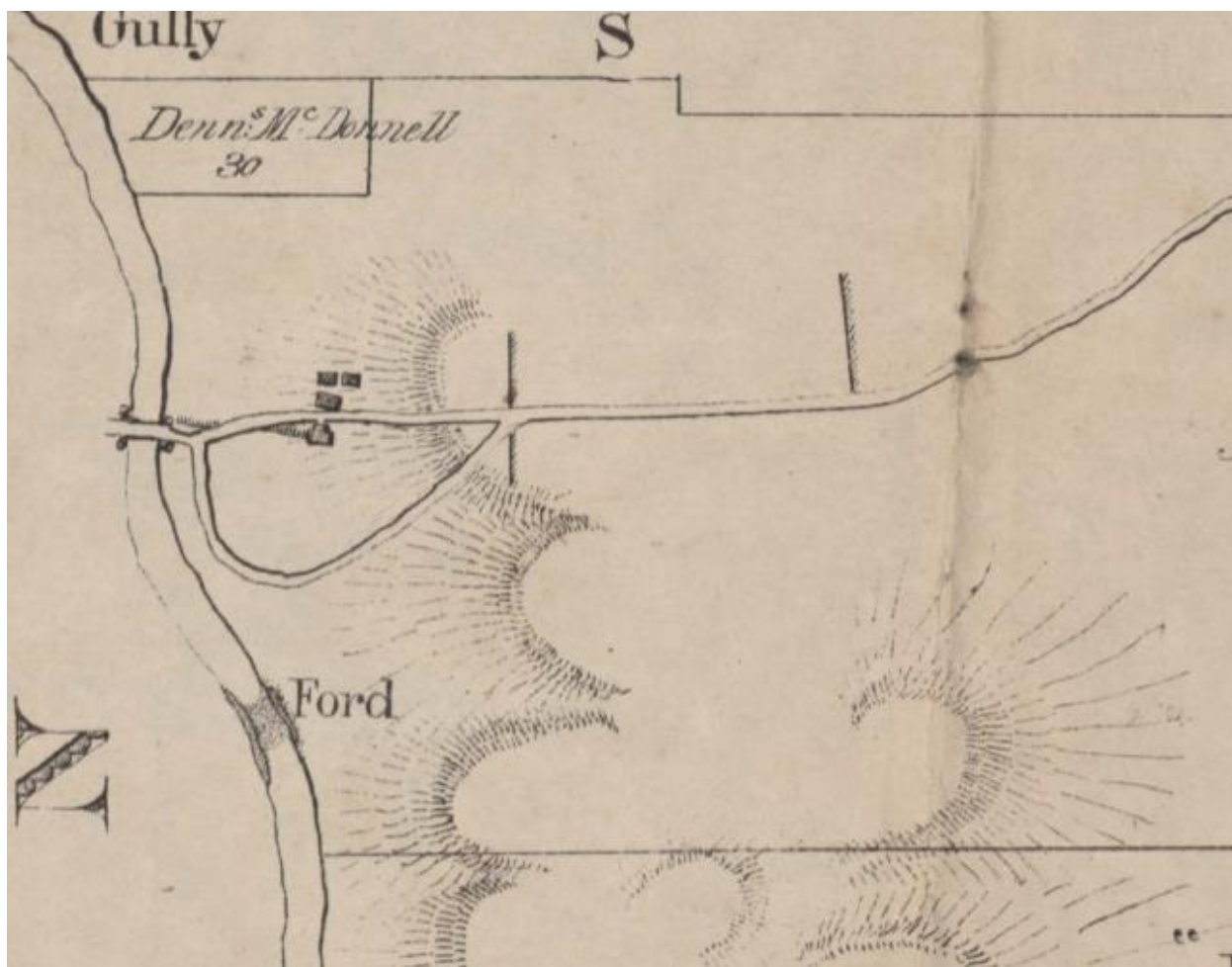
Source: NSW Land and Property Information, Map 14071101

Blaxland appears to have chosen to develop of the Luddenham estate as a working farm rather than a country retreat, as his preferred place of residence was at his Newington estate on the banks of the Parramatta River, and it is unclear exactly how much time he spent at Luddenham. However, the Luddenham estate was left unstaffed, as Blaxland's daughter is recorded as noting that Blaxland "divided the 80 men he first received from the Government between the two properties".

The main farm complex is shown on an early but undated parish map as lying at the end of a looping cart track which connected the homestead to the Northern Road, which ran between Camden and Richmond. Also shown in the first bridge of the Nepean River, which became known as Blaxland's Crossing. Early references to the farm occur in 1814, in connection with the spearing of Reardon, and in May 1816, when instructions issued by Governor Macquarie to Sergeant Robert Broadfoot in relation to a punitive raid states;

"You are to march early tomorrow morning...to the Farm of Mr John Blaxland in the District of Bringelly on the East Bank of the River Nepean...[and] on your arrival at Mr Blaxland's Farm, you will inquire from his overseer Alexr. Everitt."

Figure 4 – Detail from an undated plan of the Parish of Bringelly showing the layout of the buildings



Source: National Library of Australia, Map F 140

The undated plan shows a complex of three buildings to the north of the track with a fourth building to the south. However, as the plan pre-dates the existence of Mulgoa Road, attempts to correlate the location of the buildings in relation to the current topography are extremely difficult and to make it more difficult, the channel of the Nepean River is incorrectly plotted on the plan. Later plans and photos show the property fronting Mulgoa Road, which is in accordance with the findings of AHMS who place the complex of buildings "in, or in the vicinity of" 1 Park Road, Wallacia.

Of note is that the original alignment of the track which connected the farm to the Northern Road is on a different alignment to the present route of Park Road. Where the current route of Park Road runs eastwards along the southern edge of the study area before turning south-east and joining the Northern Road at the

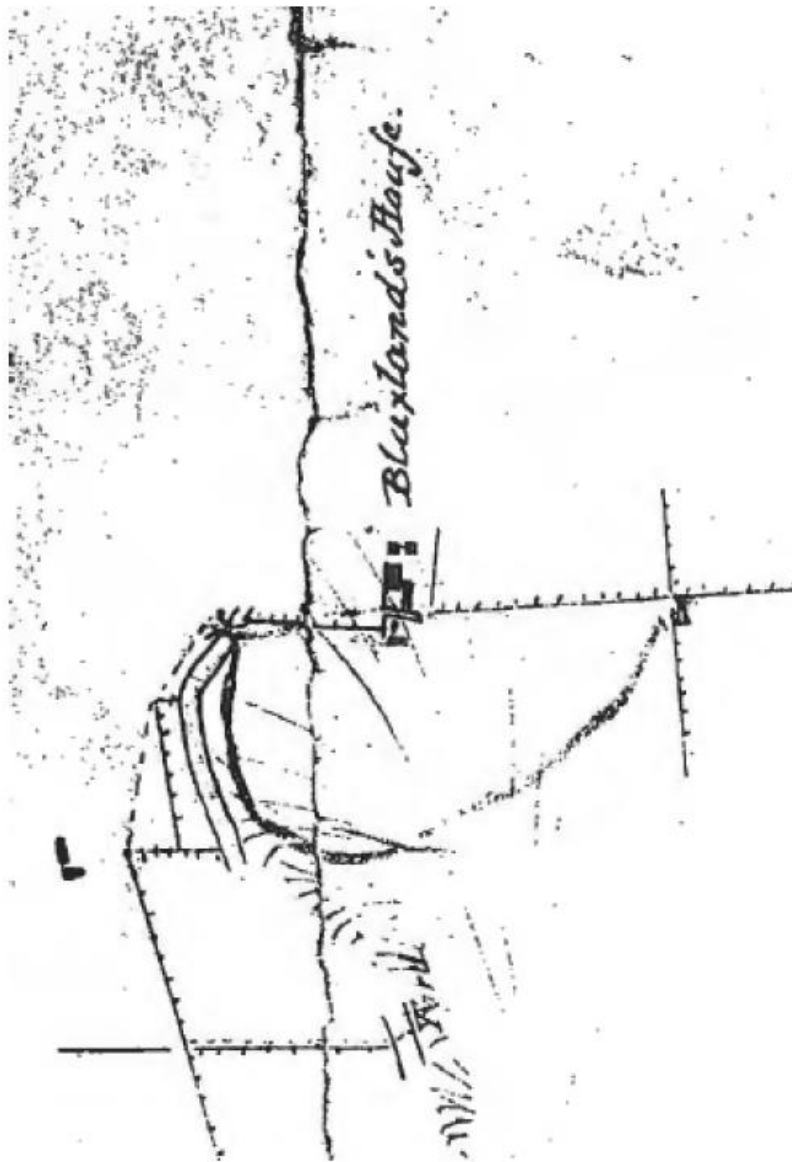
present-day town of Luddenham, the original alignment continued eastwards, crossing the study area before turning north-east and joining the Northern Road near the present-day junction with Elizabeth Drive.

By 1819, Blaxland had procured land on the opposite bank of the Nepean River where he constructed a dam near the present-day Wallacia Weir and built a mill and brewery. This suggests that Blaxland sought to use the western side of the river for operating his business interests, while retaining the eastern side for crops and farming. While the mill was relatively successful, a combination of a drought and an outbreak of rust disease meant that there was insufficient wheat available for the brewery, and it failed to attract any business.

Assistant Surveyor Felton Mathews visited the farm along with his wife, Sarah, while preparing a survey of the surrounding allotments in 1833. Sarah's journal described her initial opinion of the local environs and, following a week accompanying her husband on his surveying of the western bank of the Nepean, her rather more prosaic description of the buildings themselves:

"The approach to the cottage and farm buildings at Luddenham is rather pretty, and just before, the undulating country of Mulgoa is seen to the right, and forms pleasing variety in the picture...Luddenham as a house, is nothing, a mere settlers habitation, of wood principally and set up with all that neglect of comfort, convenience and appearance, which is so strikingly displayed in all the earlier buildings of the colony".

Figure 5 – Detail from Mathew's 1833 plan showing "Blaxland's House"



Source: AHMS 2008:28

Mathew's plan roughly matches the layout of buildings shown on the undated parish map, with three buildings to the north of the trackway, and although difficult to identify, potentially the fourth building shown on the southern side. AHMS interpret the linear structure on the eastern end of the main building as being a potential stable block, with the overall impression of the farm complex being one constructed for functionality rather than luxuriousness.

Due to financial problems suffered by Blaxland leading up to, and exasperated by the depression of the 1840s, John was forced to undertake several measures to ameliorate his losses; he undertook an indenture of mortgage on the property to Thomas Foster in 1830, an indenture of lease followed by a mortgage with Thomas Barker and others in 1841, and a last mortgage with the Australian Trust Company in 1842.

A list of assets on the estate dated to March 1840 includes a water mill (valued at £1,800), brewery (£2,750), bridge (£200), barn and a threshing machine. In contrast to the value of these items, and emphasising the 'rustic' nature of the farm, the valuation includes a "building of old establishment" which is thought to be the original farmstead, which is valued at only £100. The drop in value during the subsequent depression of the 1840s is evident from a later valuation following the 1841 mortgage which records;

"10,029 acres of land where of 7,229 acres are mortgaged to the Trust Company and 2,800 acres to Messrs J Blaxland. On this estate there are a water mill and dam valued at £1,000, a brewery, and mill house with brewen, coppers, vats, steam engine, refrigerator, coppers, casks and all brewing utensils, valued at £7,000."

John Blaxland died at his beloved Newington estate on 5 August 1845, and ownership of both the Newington and Luddenham estates passed into the hands of his son, Edward Blaxland.

By the end of the 1840s, the estate continued to remain in financial difficulties. Edward was seeking new means of financing the estate and sought to strike a deal with a brewer in Sydney to use his functional but still vacant brewery. George Cox, owner of the nearby Winbourne property, for unknown reasons, disapproved of the brewery and noted in a letter to his son on 25 May 1848 that;

"Edward Blaxland passed by here with three other persons in a carriage. I fear the brewery will commence again. One of the persons is a Mr. Wright, the man whose boards used to be stuck up all over Sydney a long time since. Wright's Colonial Beer. I hope they may not come to terms. It would be a great comfort to us if it were never again established, but I fear there has been too much done to allow it to go to ruin."

While Cox may have wished ill-fortune upon the brewing enterprise, Cox was well aware of the dire financial problem the Blaxlands were experiencing and that a successful venture would ease their burden. Cox, writing to his son a few weeks later, outlines the problems facing the Blaxlands;

"The Blaxlands are still in an unsettled state. [John?] Dobie and John Blaxland have taken all the stock and stations for their money, eleven thousand pounds, and Arthur went up to deliver them over. The Trust Co. have Luddenham and Newington, and they are now offering a composition to other creditors of 5/- in the pound to be paid in twelve months out of some funded property that old Mrs Blaxland seems to have in England."

I understand most of the creditors have agreed to it. I suppose finding there is no likelihood of getting anything better, and I believe they promise that every exertion on their part will be used to pay off the rest at some future time. But they will not agree to be disturbed at Newington. Luddenham they want to let, but Arthur says he is sure it will have to be sold."

I have not yet heard that Peter [?] has succeeded in getting a situation. I think after all he will get into some brewery in Sydney. They are very much cut up as they think Edward might have done more for them before things went to the extremity they did, and I think myself he might be paying over some stock or teams or something of that kind to serve his large arrear of wages."

4.2. CHARLES NICOLSON & SUBDIVISION – 1851-1859

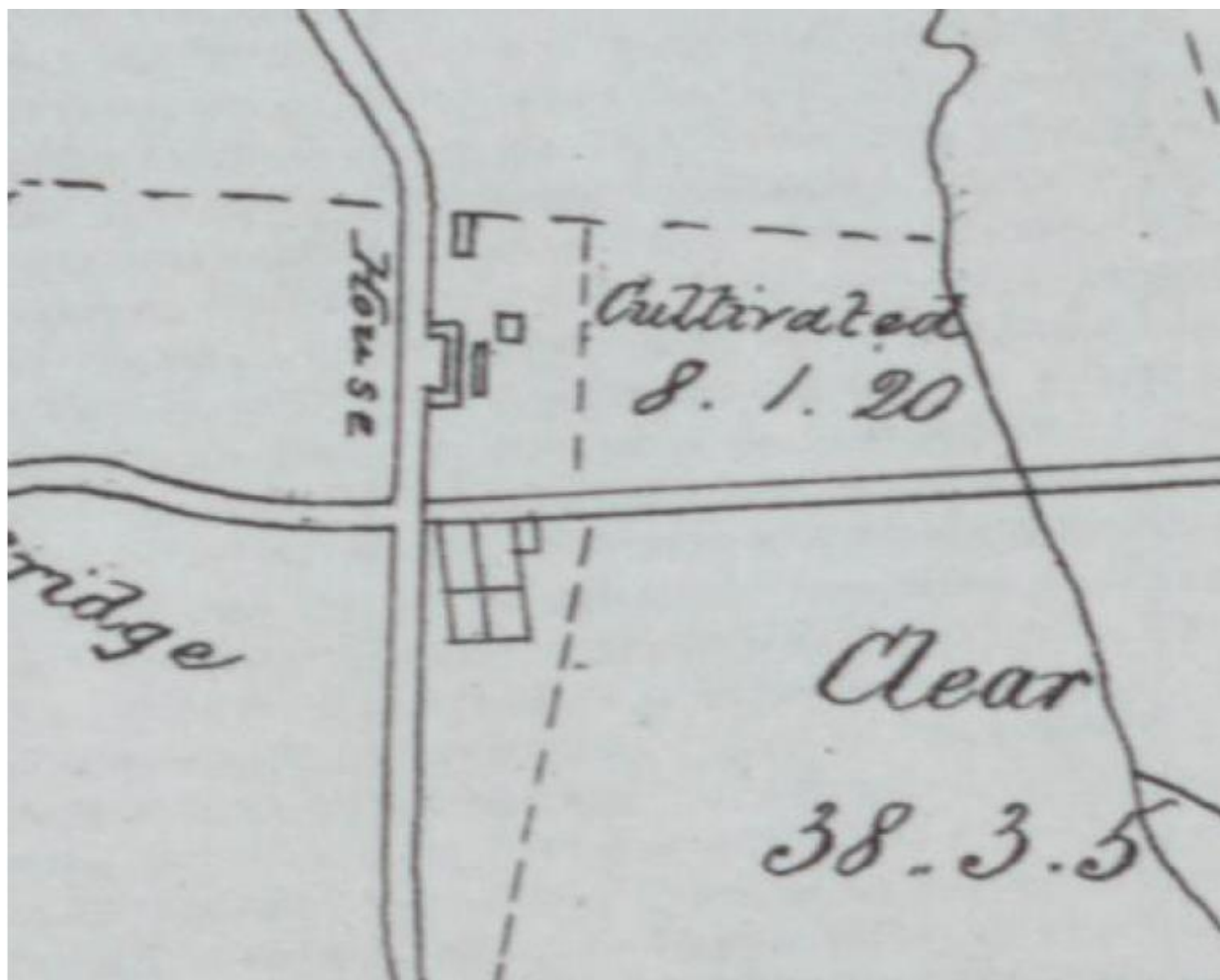
Eventually, the only recourse was to sell the Luddenham estate, with Sir Charles Nicholson reportedly purchasing the estate in 1851, although this is contradicted by AHMS who report that the estate was initially sold to J.W. Lowe in 1869 before Nicolson purchased the estate in 1883.

A subdivision of the Luddenham estate was definitely announced in 1859 which resulted in the production of plans showing the eastern, western and central divisions of the estate. The current study area formed part of the central division, which was described as containing "the original homestead of Luddenham" and as having;

"About 700 acres are cleared, divided into paddocks, and ready for the plough. There is a capital dwelling-house, of eight rooms, with stabling, stores, and outoffices, near the banks of the river, on an elevated site, commanding one of the most charming panoramic views to be found in the colony."

The western division, on the other bank of the Nepean River, contained vineyards, a garden, flour mills and the brewery, which was recorded as having been "erected at an immense cost...being built of cut-stone, containing brew-house, malt-house, stores, cellar, etc". The brewery has previously been thought to have been destroyed in 1857, although it appears that both the brewery and mill finally went out of business following a later outbreak of rust in the local wheat crops in the years following the flood. Interestingly, tunnelling works under the riverbed of the Nepean River during the creation of the Warragamba Dam found worked timbers and shingles, which were attributed to having come from the brewery, which locals described as having been swept downstream following a disastrous flood in 1867.

Figure 6 – Extract from the Luddenham estate subdivision plan, showing the house and outbuildings

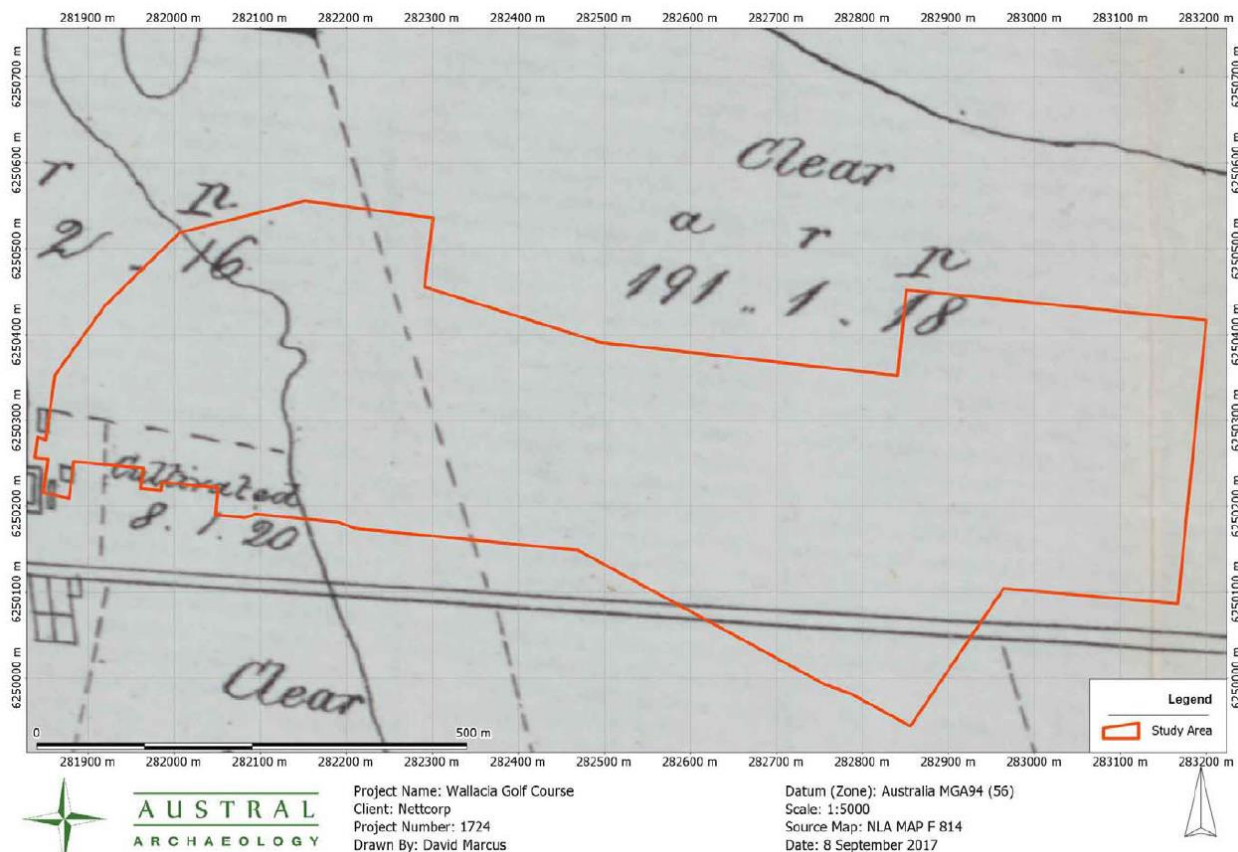


Source: National Library of Australia, MAP F 814

It has proven difficult to accurately georeference the subdivision plan. However, the key feature to note is the location of the house and outbuildings in relation to both Park Road and to the original alignment of Mulgoa Road. The house is not shown as being immediately at the intersection of the two tracks, but further north, and it directly fronts the recently established Mulgoa Road instead of Park Road, as shown on the earlier plans. Park Road itself continues on the alignment noted on the earlier parish plan, crossing the south-eastern corner of the study area, with the remainder of the study area marked as either "cultivated" or "cleared".

AHMS interpret the layout of the farm complex as being "a shallow U shape" building or "a long corridor structure with two projecting rooms at either end of the frontage". In their interpretation, the linear object to the east of the U-shape is a stable block, while two other buildings are also present along with a detached kitchen and garden on the southern side of Park Road. However, the plan is ambiguous and the U-shape may be a building or it may also be a shallow driveway leading off Mulgoa Road to the main residence.

Figure 7 – Study area overlaid on the 1859 subdivision plan. Note the potential presence of structures associated with the Luddenham estate in the extreme south-western corner of the property



Source: Austral Archaeology, 2017

The only known photograph of the farmstead was identified by AHMS and included in their 2008 assessment and is reproduced below. AHMS describe the building as:

“a long structure with projecting rooms at either end. The photo shows a shingled roof with weatherboard rooms and a verandah with part of the central range of the structure of stone rubble construction. A brick chimney indicates the position of a fireplace at the northern end of the central range. Split log post and rail fences sit hard against the road with a bark roofed slab outbuilding to the rear. The house sits, not on the crest of the slope, but some way down the Mulgoa Road which still is nothing more than a dirt track.”

Figure 8 – Half of a stereoscopic image showing Blaxland's House



Source: AHMS 2008:29

4.3. WALLACIA – 1859-1932

The association of the Wallace family with Wallacia is, as with much of the history of the property, contradicted by various sources and complicated by commonness of the name Robert Wallace.

The account which gives the earliest dated for the arrival of the Wallace family is the obituary of Henrietta Wallace written in the Nepean Times of 1895, and which records that shortly after her arrival in Australia with her husband Robert in 1840, they were employed by Blaxland and “took up residence in the cottage on exactly the same spot where Alderman Robert Wallace now resides”.

The obituary notes that Robert Wallace took charge of the local school, while also farming land at Pemberton, presumably in the vicinity of Pemberton Gully, located approximately 2.5 kilometres south of the study area. Robert Wallace then left teaching to take up farming as a full-time pursuit before moving to Charleville, on the western side of the Nepean River, where he died in 1867. Henrietta then returned to Blaxland's cottage, where Henrietta and her daughter took over the running of the post office until Henrietta passed away on 8 June 1895.

The reference to the Wallace's first residing “in the cottage on exactly the same spot where Alderman Robert Wallace now resides: is problematic. Robert George Wallace's own obituary notes that he has been born in a building opposite Mulgoa Hall where Robert and Henrietta were residing in 1841. But this is not the same location where Robert George Wallace was recorded as living in his later years. By the end of the nineteenth century, Robert George Wallace is variously recorded as living at a house named ‘Riverview’, at Luddenham, and at Wallace. Even if Robert George Wallace was living in the township of Wallacia, the suggestion that the earlier cottage stood “on the same spot”, may mean that the original house, constructed by Blaxland, had been replaced. The wording used by several other contemporary and early twentieth

century accounts also appears to suggest that the original house had been replaced, as will be discussed below.

Stacker, in her history of the Penrith region, implies that Henrietta Wallace first moved into Blaxland's cottage upon taking over a lease formerly held by Joseph Hayes in 1872, several years after the death of Robert. Stacker records that Henrietta moved her family in to Blaxland's old farmstead which had now become known as "Luddenham Cottage", but Stacker also asserts that Henrietta moved out of the property to a cottage near the church in Luddenham in 1880, this is contradicted by her obituary which states that Henrietta resided at the post office until the end of her life.

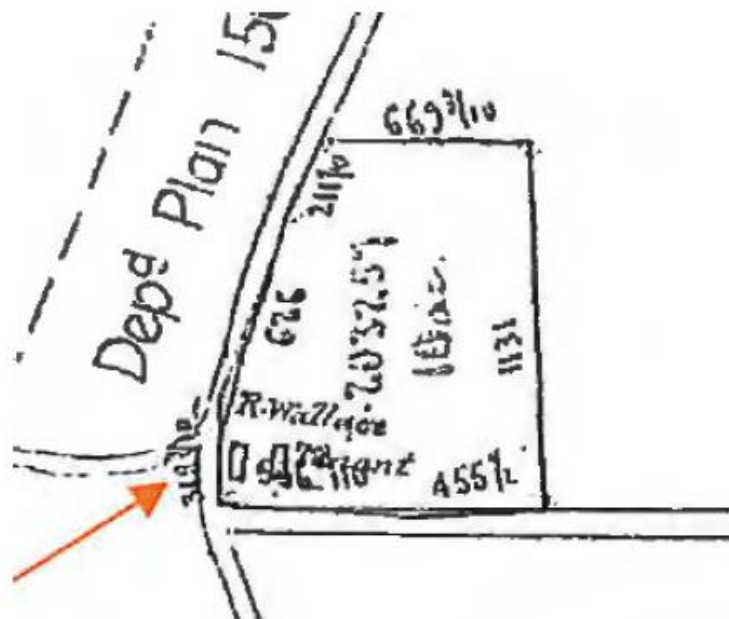
Regardless, the Wallace's house started to become an unofficial receiving depot for any mail needing collection in the district from around the mid-1880s, on account of their property being the only resident to the south of Mulgoa, and assumedly the fording point of the Nepean River meant that it was the first house reached by any settlers living on the western bank of the Nepean.

While Stacker says that it was Robert George Wallace's property of "Riverview" which served as the post office, this appears to be an alternate name for Luddenham Cottage, as notices for the birth of Robert George Wallace's children, Robert Vincent Wallace and Ruby Wallace, are both made from Luddenham Cottage, suggesting that Riverview and Luddenham Cottage are one and the same. The Nepean Times records that a "receiving office has been established at Riverview near Luddenham (Wallace's)", which in 1882 was being run by postmistress "Miss Wallace", presumably one of Henrietta's daughters, Ann Wallace or Caroline Wallace.

In 1885, Nicolson sold the Luddenham estate to land developers who proceeded to subdivide and open up for sale land at both Wallacia and Luddenham and by all accounts the sales were a success. The fledgling township began to grow around the post office, which in 1889 was listed as being under the charge of "Mr Wallace", presumably Robert George, when the building was being used for voting in the elections of the same year.

By 1895, a new subdivision was proposed, and the subdivision plan shows "R Wallace" as being the tenant in a 10-acre plot with two buildings present, one immediately fronting Mulgoa Road and a second behind it and to the east. However, the plan also shows that the alignments of both Mulgoa Road and Park Road match their present counterparts; Park Road now running eastwards before turning south-east instead of crossing the study area, and Mulgoa Road no longer runs directly north to south, but now curves in from the south-west. This means that the location of the buildings shown on the subdivision plan cannot be accurate; if the building was to directly front the new alignment of Mulgoa Road, then this building would have been beneath the original road alignment. Instead the map must therefore be taken to simply convey the impression that the buildings are close to the junction of Park Road and Mulgoa Road.

Figure 9 – Extract from an 1895 subdivision plan



Source: AHMS 2008:33

Robert George Wallace was a well-known individual in the area, serving as the Returning Officer for the first municipal election at Mulgoa, standing for the role of Alderman in the 1890 elections, and the Mayor of Mulgoa between 1896 and 1898, and again in 1903 until ill health forced his resignation. In his professional life, Stacker refers to Robert as being a teacher, although Wallace himself frequently referred to himself as being a butcher. Robert George Wallace's profession as a butcher is again noted in a statement included in a pamphlet supporting the land of land in a second subdivision of the Luddenham estate, circa 1900, which records;

"Messrs. G. Wallace, Easterbrook and Smith have been residents for some time, especially Mr. Wallace, who is the local butcher. He owns and occupies the cottage and some 10-acres of land immediately at the corner of Park and Mulgoa Roads. The cottage is the first built on the estate – upwards of 20 years ago."

The pamphlet uses curious wording by suggesting that his cottage is "upwards of 20 years" old, as Robert himself had been residing there since at least 1874. This could again be taken as evidence that the original farm buildings had been replaced shortly before Henrietta and her family moved in.

The confusion in Robert George Wallace's profession highlights the contradictions between the various sources, as Robert George Wallace was clearly a butcher by his own admission. However, the obituary of Henrietta Wallace notes that her husband ran the local school, suggesting that Robert senior, not junior was a teacher. This however, is contradicted by Robert George Wallace's obituary which, along with Stacker, states his father was a constable.

Further complicating matters, George Robert Wallace's obituary incorrectly states that his father died in 1863 and his mother died in 1893, despite the same newspaper having covered Henrietta's own death in 1895. While a Robert Wallace did die in 1863, this occurred in the Berrima district and relates to a different gentleman, and is not the death of Robert senior at Charleville, which is recorded as having occurred in the Penrith district.

By the start of the twentieth century, the Wallace family were acknowledged as being the oldest continuous residents of the districts, and the role of the Wallace's house as a post office and meeting place had meant that locals came to refer to the surrounding district as simple 'Wallace'. However, when the General Post Office in Sydney requested that a name be conferred upon the new town, Robert George Wallace initially submitted "Riverview". As this name was already taken, the Postmaster General decided to gazette the already common name of the area and proclaimed it "Wallace".

Robert George Wallace dies in April 1904, and shortly afterwards, the General Post Office realised that it had been incorrect to gazette the township as Wallace, which was too similar to that of Wallace Town, near to Wagga Wagga, which had been gazetted first. A campaign was led by Penrith postmaster John Fowler to notify the General Post Office that, if the name of the village was to be changed, it should only be to a name which honoured the ties to the Wallace family. Their request was ignored and in November 1905, the residents were informed that their town was to be known as Boondah.

The new name was approved by the Mayor of Mulgoa although the locals were vocal in their complaints, and eventually the General Post Office agreed to the gazettal of the new name Wallacia. While the memory of the Wallace family was retained, the physical link was broken when Ellen, widow to Robert George, and their children, moved out of the district in 1908. The farewell celebration was held, appropriately, in the post office.

The running of the post office passed from the Wallace family to the Fowlers, starting with John, who has led the call for creating the name Wallacia. The Fowler family retained ownership of the post office for over 100 years and through three generations, finally stepping down from the role in 2015.

By the early twentieth century, the simple cottage that served as both residence and post office was no longer fit for purpose, and in 1907 the post office was enlarged from a reported, and unbelievably small, space of 6 ½ square feet, to a 12-foot by 10-foot space. There is no suggestion in the news article that a new building had been constructed, and therefore the change in size represented a repurposing of space rather than new build. However, a history of Wallacia written shortly afterwards in 1911 states that Robert Wallace once "resided where the present Wallacia Post-office now stands". Again, this phrasing is unclear, suggesting that the author of the article may have been aware of the demolition and construction of a new cottage which has not been specifically identified in this assessment.

With regards to the post office, eventually the only recourse was to demolish the older building and to build a modern, purpose-built structure which also incorporated a small store and milk bar. The new building was placed directly on the corner of Mulgoa Road and Park Road, and while it has since been demolished, the concrete steps on the corner of the two roads still remain. The date of construction of the new building was not ascertained by AHMS beyond stating that it "is likely to have been a pre-World War II construction". As

the building is outside of the present study area, no further research has been undertaken to date this structure.

Figure 10 – Photo of the new Wallacia post office in 1950



Source: NAA C4076, HN1071

In 1938, Fowler sold the northern part of his property to Tooheys Ltd, who constructed a hotel on the land in 1938. The hotel is believed by historian Ian Jacks to have been built on the location of Blaxland's Luddenham Farm buildings.

4.4. WALLACIA GOLD COURSE – 1932-PRESENT

The Wallacia golf club was founded in 1932, with the original club house consisting of “a tin shed, open on two sides, with a table and bench made from bush timber”, while a female associates club was founded shortly afterwards in 1933. The links was constructed on grazing land owner by John Fowler, with special rules in play for hitting cattle or losing balls down rabbit holes.

Unhappy with the poor state of the club house / tin shed, the associates sought to join with their male counterparts and raise funds to build a new clubhouse but this offer was rejected. Instead, the associates took it upon themselves to purchase a second-hand timber building which was offered for sale for a sum of £30, and which was brought to the site by a timber jinker, a flat cart usually used for transporting milled wood.

A pamphlet produced by the Nepean & Illawarra District Associates Golf Association reports that the idea of a woman's golf association owning the club house caused such an outrage that the NSW Ladies' Golf Union took a complaint to the Australian Ladies Golf Union, who in turn sought advice from the Royal and Ancient Golf Club of St Andrews. The response from the Scottish association was reportedly that, while the situation should not act as a precedent, the women would be able to keep the club house.

There may be an element of a tall tale to this story, as while it may have happened, no other sources could be located which corroborate this story, nor is the incident reported in any contemporary newspapers despite many such newspapers including extensive coverage of golf news, gossip and results. The only references in newspapers relating to the acquisition of the club house are all positive, with *The Sub* reporting that the “Wallacia associates are to be congratulated on having purchased and furnished the club-house themselves”, and the *Nepean Times* reporting that;

“The club held its first open day and also had the opening of the new club house, the opening ceremony being performed by Mrs R. Payton of Campbelltown, who paid high tribute to wonderful energy of the Wallacia Club, which purchased and furnished such a delightful ‘19th’ without the assistance of the members”.

The golf club formally tendered for the construction of a new club house in 1936 which was completed in 1937. The now obsolete timber club house was sold by the associates for £30 and it was moved off-site to be used as a bank. When the building came up for sale, the associates purchased it, again for £30, and it returned to the golf course before deciding to later sell it for £30, when it was again moved off-site to become a fish shop. The building was eventually offered for sale a third time and the associates purchased it, again for £30, and it was returned to the golf course. However this time, the building was incorporated into the brick club house where it served as a golf buggy storeroom until being destroyed in the 1970s.

The golf club was disbanded during the war years as both the course and the neighbouring Wallacia Hotel were requisitioned, the hotel being used as a Radio Physics School and the golf course being used for exercises. In the 1980s, Arthur Downes recalled the 9th fairway being used for bayonet practices and that there is “*still an air-raid shelter under the 10th tee*”. Following the end of the Second World War, the course was restored to a full 18-holes, and the club reformed shortly thereafter in May 1946.

An aerial of Wallacia from 1955 shows the condition of the golf course at this time, although the fairways are difficult to distinguish on the black and white photograph. The club house constructed in 1936 is visible on the south-western corner of the study area, located in the car park to the west of the current building. Of note is that the original alignment of the track or rural version of a scrangleway linking Wallacia and Luddenham is visible crossing the south-eastern corner of the study area.

A later aerial photograph, taken in 1965, shows little changing within the overall study area, although the actual fairways of each hole are still difficult to identify on the black and white photograph. In general, the major changes which occurred between 1955 and 1965 were the planting of trees between several holes, the creation of a dam in the north-eastern corner of the study area, and the enlargement of the club house with the addition of an extension on the south-western corner.

Figure 11 – Extract of 1955 aerial, showing original alignment of Wallacia to Luddenham track



Source: NSW Land and Property Information, 227_22_5089

Figure 12 – Extract of 1955 aerial, showing the study area in relation to the club house



Source: NSW Land and Property Information, 227_22_5089

Figure 13 – Extract of 1965 aerial, showing the study area in relation to the club house (note the new extension)



Source: NSW Land and Property Information, 1404_20_0599

A new club house was constructed in 1967 which incorporated elements of the earlier building and is shown on the aerial photograph taken in 1975. As with the other photographs, individual fairways are difficult to identify, although the trees first visible in the 1965 aerial have continued to grow. The former alignment of the Wallacia to Luddenham track is barely identifiable by 1975, but no other significant changes occurred within the study area.

The current club house appears to have been constructed between 1983, the date of publication of the N&IDAGA pamphlet, and prior to 2009¹, when aerial images become easily available for research. Based solely on placement of buildings identified from the aerial photographs, the current club house appears to include a hall constructed as part of the 1967 build, but neither the original 1936 club house nor the extension construction between 1955 and 1966.

Figure 14 - Extract of 1975 aerial, showing the study area in relation to the club house



Source: NSW Land and Property Information, 2237_06_097

¹ Urbis Pty Ltd updated '2011' to '2009', as nearmap imagery clearly identifies the current club house as of 29 December 2009, accessed at: <http://maps.au.nearmap.com/>

5. PROPOSED DEVELOPMENT

5.1. OVERVIEW

This application seeks approval for the following specific uses and works for the site:

- Alterations and additions to the existing Wallacia Country Club building to include:
 - updated Golf pro-store;
 - expanded gaming facilities, kitchen and dining area including new outdoor terrace;
 - new swimming pool and gym complex.
- Alterations and expansion of existing car park;
- New synthetic bowling green;
- Removal of 48 trees/shrubs within the site boundary;
- Stormwater infrastructure and other site services;
- Landscaping around refurbished Club building including a practice putting green;
- Civil and road works to Park Road including road widening and tree removal (3 trees) in the vicinity of the existing driveway.

Vehicular access to the Club will be provided via the existing driveway. The proposal includes the localised widening of Park Road in the vicinity of the existing driveway. These works are external to the site and are necessary to provide safe access to the refurbished Club. The road widening requires the removal of several mature trees.

The Club will be operated by St Johns Park Bowling Club, who are a non-profit community organisation. The not for profit status of SJPBC is confirmed by its status as Registered Club, its constitution, and its tax - exempt status under the *Income Tax Assessment Act 1997* (ITAA).

The swimming pool and gym will be operated as a community facility that is open to all members of the public. That is, there will be no requirement for membership of Wallacia Country Club to access the pool and gym facilities.

The adjoining golf course on Lot 2 DP1254545 is subject to a separate DA17/1092.

5.2. ALTERATIONS AND ADDITIONS TO CLUB

The DA seeks alterations and additions to the existing Wallacia Country Club building which involves expansion and renovation of the existing club building and a new building containing the pool and gym. The proposed works are detailed below and in the Architectural Plans prepared by Axil Architects submitted with this application. The following building works are proposed:

- Internal and external alterations and additions to the existing Country Club building including:

Lower ground floor:

- Upgraded and reconfigured golf pro-store, kitchen and bar back of house areas, bathrooms and Junior's room;
- Additional terrace area and storerooms; and
- Removal of change rooms and stairwell.

Ground floor:

- Upgrades and reconfigured dining area, bathrooms, gaming machines area and kitchen;
- Additional deck, outdoor gaming area, kitchen and dining area;
- New ramp and planter to entrance; and

- Removal of stage and TAB area.
- New swimming pool and gym building complex with separate entrances. These are behind the Country Club building and connected to it by a covered walkway. The pool area includes:
 - Indoor swimming pool with pool hoist;
 - Pool deck;
 - Administration area;
 - Managers office;
 - Male and female bathroom;
 - Accessible bathroom; and
 - Storeroom.

The gym area includes:

- Male and female locker rooms, toilets and accessible bathrooms;
- Entry foyer with reception desk; and
- Gym area.
- New synthetic bowling green; and,
- Practice putting green.

The renovated Club will provide a welcoming and protective venue with a contemporary quality. The aim is to achieve a 'sense of place' for patrons, making them feel as if they are part of a community club, with a unique atmosphere that will not readily date.

The swimming pool will primarily be a learn-to-swim centre aimed at classes for pre-school and primary school children, seniors exercise classes with general recreational swimming for all members and visitors. The gym is modest in scale and will provide a complementary sporting activity to the adjoining new bowling green and new swim centre.

5.3. WALLACIA GOLF COURSE

The adjoining Wallacia Golf Course will be reconfigured from its current 18-hole layout to a boutique 9-hole design. The reconfiguration of the golf course is the subject of a separate DA and does not form part of this application. Notwithstanding this, the proposed refurbishment of the Club will complement the golf course which has experienced a decline in membership and usage in recent years.

[illegible]

5.4. ROADWORKS

Park Road is to be widened to maintain traffic lanes in both directions and provide the CHR's designed in accordance with Austroads Guide to Road Design Part 4A.

22 PROPOSED DEVELOPMENT

5.5. EARTHWORKS

Minimal earthworks will be required to facilitate the proposed road works noting:

- ## 5.6. TREE REMOVAL AND LANDSCAPING

To offset the loss of trees, revegetation and new tree plantings are proposed on the site as specified in the relevant Detailed Landscape Plans prepared by Narelle Souter Botanica.

5.7. ACCESS AND PARKING

Vehicle access to the site will be maintained via Park Road as per existing conditions.

Parking for the Club and Golf course will be contained within the existing parking area. It is proposed to provide a total of 146 car parking spaces with two accessible spaces

The number of parking spaces required throughout the day is expected to fluctuate with peak times between 6pm and 10pm.

A new loading dock area is proposed to facilitate a vehicle up to and including an 8.8m long-medium rigid vehicle. All service vehicles will be able to enter and exit the site in a forward direction.

6. HERITAGE SIGNIFICANCE

6.1. WHAT IS HERITAGE SIGNIFICANCE?

Before making decisions to change a heritage item, an item within a heritage conservation area, or an item located in proximity to a heritage listed item, it is important to understand its values and the values of its context. This leads to decisions that will retain these values in the future. Statements of heritage significance summarise the heritage values of a place; why it is important, why a statutory listing was made to protect these values.

6.2. SIGNIFICANCE ASSESSMENT

The Heritage Council of NSW has developed a set of seven criteria for assessing heritage significance, which can be used to make decisions about the heritage value of a place or item. There are two levels of heritage significance used in NSW: state and local.

The following assessment of heritage significance has been prepared in accordance with the 'Assessing Heritage Significance' (2001) guides.

Criteria	Significance Assessment
A – Historical Significance <i>An item is important in the course or pattern of the local area's cultural or natural history.</i>	<p>The subject site originally formed part of John Blaxland's 6,710-acre grant from 30 November 1813. The property was used by Blaxland and later the Wallace family for grazing and crop production. Notwithstanding its physical association with these persons of note, there is no remaining evidence linking the subject site with these periods of occupation. The site has been subdivided and does not reflect the original grant holding.</p> <p>The site does not meet the threshold for heritage listing at the local or state level for this criterion.</p>
<i>Guidelines for Inclusion</i> <ul style="list-style-type: none">• shows evidence of a significant human activity <input type="checkbox"/>• is associated with a significant activity or historical phase <input type="checkbox"/>• maintains or shows the continuity of a historical process or activity <input type="checkbox"/>	<i>Guidelines for Exclusion</i> <ul style="list-style-type: none">• has incidental or unsubstantiated connections with historically important activities or processes <input type="checkbox"/>• provides evidence of activities or processes that are of dubious historical importance <input type="checkbox"/>• has been so altered that it can no longer provide evidence of a particular association <input checked="" type="checkbox"/>
B – Associative Significance <i>An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history.</i>	<p>The subject site has loose associations with John Blaxland and the Wallace family (after which Wallacia was named), for its former use as part of the original Blaxland land holding. However, the eventual urbanisation of the town and subdivision and redevelopment of the site has removed evidence of these associations.</p> <p>The site does not meet the threshold for heritage listing at the local or state level for this criterion.</p>

Criteria	Significance Assessment
<p><i>Guidelines for Inclusion</i></p> <ul style="list-style-type: none"> • shows evidence of a significant human occupation <input type="checkbox"/> • is associated with a significant event, person, or group of persons <input type="checkbox"/> 	<p><i>Guidelines for Exclusion</i></p> <ul style="list-style-type: none"> • has incidental or unsubstantiated connections with historically important people or events <input type="checkbox"/> • provides evidence of people or events that are of dubious historical importance <input type="checkbox"/> • has been so altered that it can no longer provide evidence of a particular association <input checked="" type="checkbox"/>
<p>C – Aesthetic Significance</p> <p><i>An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.</i></p>	<p>The subject site is a golf course. The extant improvements are basic and not of any particular aesthetic significance.</p> <p>The site does not meet the threshold for heritage listing at the local or state level for this criterion.</p>
<p><i>Guidelines for Inclusion</i></p> <ul style="list-style-type: none"> • shows or is associated with, creative or technical innovation or achievement <input type="checkbox"/> • is the inspiration for a creative or technical innovation or achievement <input type="checkbox"/> • is aesthetically distinctive <input type="checkbox"/> • has landmark qualities <input type="checkbox"/> • exemplifies a particular taste, style or technology <input type="checkbox"/> 	<p><i>Guidelines for Exclusion</i></p> <ul style="list-style-type: none"> • is not a major work by an important designer or artist <input checked="" type="checkbox"/> • has lost its design or technical integrity <input type="checkbox"/> • its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded <input type="checkbox"/> • has only a loose association with a creative or technical achievement <input type="checkbox"/>
<p>D – Social Significance</p> <p><i>An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons.</i></p>	<p>The Wallacia golf club was founded in 1932, and apart from a short period during World War II, has continually operated as a golf course since. While it is possible that current patrons of the course associate the site with a degree of significance, this significance lies in the activity and community created through golf rather than the site itself, and is arguably transferrable to a different course or club house.</p> <p>The site does not meet the threshold for heritage listing at the local or state level for this criterion.</p>
<p><i>Guidelines for Inclusion</i></p> <ul style="list-style-type: none"> • is important for its associations with an identifiable group <input type="checkbox"/> • is important to a community's sense of place <input type="checkbox"/> 	<p><i>Guidelines for Exclusion</i></p> <ul style="list-style-type: none"> • is only important to the community for amenity reasons <input checked="" type="checkbox"/> • is retained only in preference to a proposed alternative <input checked="" type="checkbox"/>

Criteria	Significance Assessment
E – Research Potential <i>An item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history.</i>	<p>Section 6.5 of this report outlines the Aboriginal and historical archaeological potential for the subject property. The majority of the property was previously used for grazing, and has been assessed to have a low level of potential. It has been identified that the south-western corner of the site may have some degree of archaeological potential associated with the former Luddenham farm, outbuildings and immediate curtilage. It is further speculated that an air-raid shelter is extant beneath the 10th hole tee, however this is only conjecture.</p> <p>Accordingly, the site has the potential to yield some further information about the earlier structures and uses associated with the property and Blaxland/Wallace family farm. However, these findings are more likely to be located on the adjoining lands directly fronting Mulgoa Road, as discussed in detail in Section 4 of this report, and the findings are unlikely to be substantial or significant.</p>
<i>Guidelines for Inclusion</i> <ul style="list-style-type: none"> • <i>has the potential to yield new or further substantial scientific and/or archaeological information</i> <input type="checkbox"/> • <i>is an important benchmark or reference site or type</i> <input type="checkbox"/> • <i>provides evidence of past human cultures that is unavailable elsewhere</i> <input type="checkbox"/> 	<i>Guidelines for Exclusion</i> <ul style="list-style-type: none"> • <i>the knowledge gained would be irrelevant to research on science, human history or culture</i> <input type="checkbox"/> • <i>has little archaeological or research potential</i> <input type="checkbox"/> • <i>only contains information that is readily available from other resources or archaeological sites</i> <input type="checkbox"/>
F – Rarity <i>An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history.</i>	<p>The subject site as a gold course is not rare in the immediate context or within Sydney.</p> <p>The site does not meet the threshold for heritage listing at the local or state level for this criterion.</p>
<i>Guidelines for Inclusion</i> <ul style="list-style-type: none"> • <i>provides evidence of a defunct custom, way of life or process</i> <input type="checkbox"/> • <i>demonstrates a process, custom or other human activity that is in danger of being lost</i> <input type="checkbox"/> • <i>shows unusually accurate evidence of a significant human activity</i> <input type="checkbox"/> • <i>is the only example of its type</i> <input type="checkbox"/> • <i>demonstrates designs or techniques of exceptional interest</i> <input type="checkbox"/> • <i>shows rare evidence of a significant human activity important to a community</i> <input type="checkbox"/> 	<i>Guidelines for Exclusion</i> <ul style="list-style-type: none"> • <i>is not rare</i> <input checked="" type="checkbox"/> • <i>is numerous but under threat</i> <input type="checkbox"/>

Criteria	Significance Assessment
G – Representative <i>An item is important in demonstrating the principal characteristics of a class of NSW's (or the local area's):</i> <ul style="list-style-type: none"> • <i>cultural or natural places; or</i> • <i>cultural or natural environments</i> 	<p>The golf course is a typical rural golf course of no particular aesthetic distinction or design.</p> <p>The site does not meet the threshold for heritage listing at the local or state level for this criterion.</p>
<i>Guidelines for Inclusion</i> <ul style="list-style-type: none"> • <i>is a fine example of its type</i> <input type="checkbox"/> • <i>has the principal characteristics of an important class or group of items</i> <input type="checkbox"/> • <i>has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity</i> <input type="checkbox"/> • <i>is a significant variation to a class of items</i> <input type="checkbox"/> • <i>is part of a group which collectively illustrates a representative type</i> <input type="checkbox"/> • <i>is outstanding because of its setting, condition or size</i> <input type="checkbox"/> • <i>is outstanding because of its integrity or the esteem in which it is held</i> <input type="checkbox"/> 	<i>Guidelines for Exclusion</i> <ul style="list-style-type: none"> • <i>is a poor example of its type</i> <input type="checkbox"/> • <i>does not include or has lost the range of characteristics of a type</i> <input type="checkbox"/> • <i>does not represent well the characteristics that make up a significant variation of a type</i> <input type="checkbox"/>

6.3. STATEMENT OF SIGNIFICANCE

The subject site does not meet the threshold for listing at either a local or state level on a built (European) heritage basis.

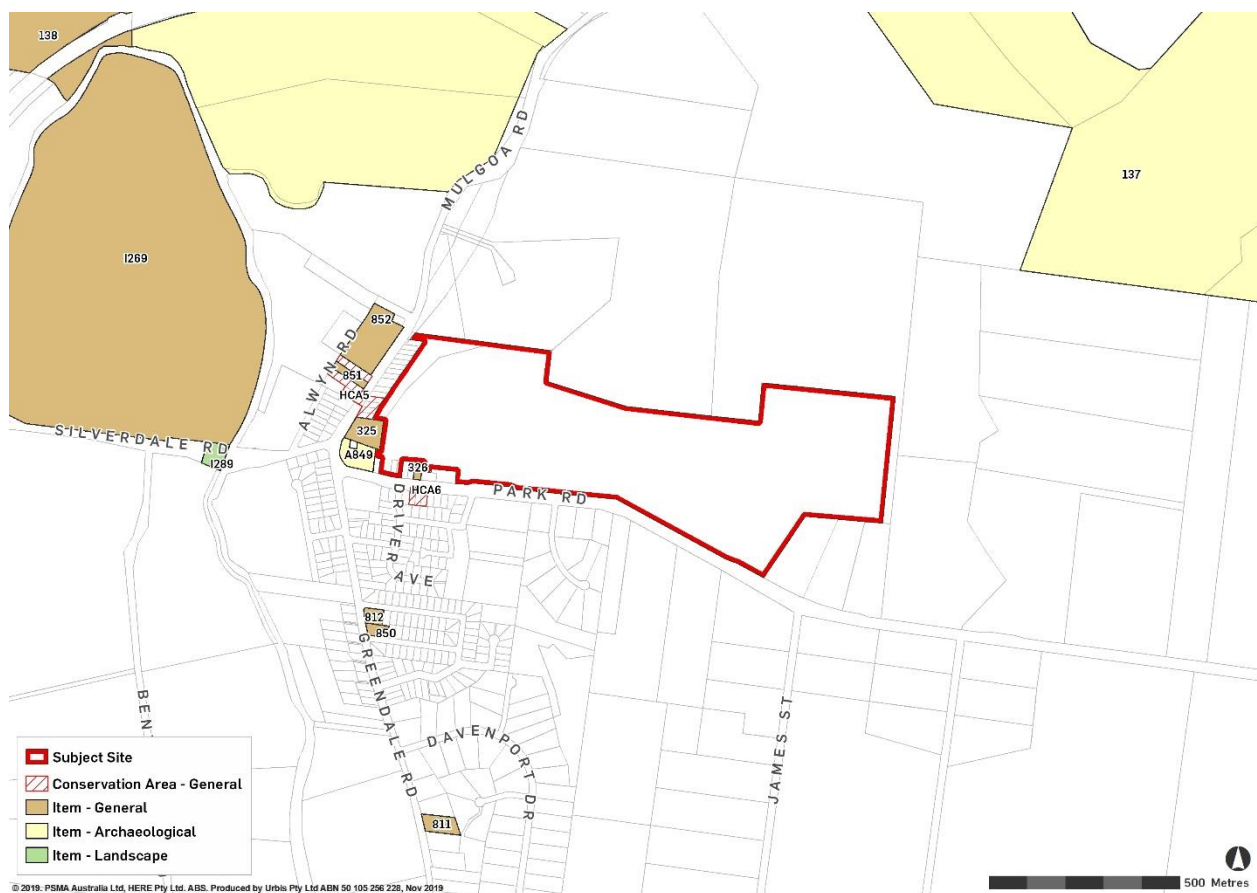
It is beyond the scope of this report to assess the archaeological potential of the subject site or assess the potential historical archaeological or Aboriginal cultural heritage impacts of the proposal.

6.4. CURRENT HERITAGE LISTING

The subject site is not located in a Heritage Conservation Area and is not a local Heritage Item. However, the site is located immediately adjacent to the following items of heritage-listed below and as illustrated in **Figure 17** below:

- Wallacia Hotel (item 325);
- Archaeological heritage on Luddenham Homestead site (item A849);
- St Andrew's Anglican Church (item 326).
- Heritage conservation area (HCA5) Mulgoa Road Conservation Area to the immediate west of the subject site.
- Heritage conservation area (HCA 6) Park Road Conservation Area on the southern side of Park Road consisting of three interwar cottages.

Figure 17 – Local Heritage Map



Source: PLEP 2010

The vicinity heritage items and conservation areas are described below.

- Item 325, 'Wallacia Hotel' at 1590-1594 Mulgoa Road, Wallacia.

The Wallacia Hotel is an excellent example of an inter-war country resort style hotel. Historically the building amply demonstrates the theme of leisure. This is expressed in its scale, architectural style, public bar, and provision of accommodation.²

² Paul Davies Pty Ltd 2007, Penrith Heritage Study, Volume 3 – Locality Assessment, p.307



Picture 9 – Wallacia Hotel

Source: Wallacia Hotel, Heritage Inventory,
<http://www.environment.nsw.gov.au/heritageapp/HeritageImage.aspx?ID=2260325#ad-image-0>



Picture 10 – Wallacia Hotel

Source: Wallacia Hotel, Heritage Inventory,
<http://www.environment.nsw.gov.au/heritageapp/HeritageImage.aspx?ID=2260325#ad-image-0>

- Item 326, 'St Andrew's Anglican Church (former)', at 25 Park Road, Wallacia.

The former St. Andrew's Anglican Church was relocated to Wallacia from Greendale in 1926. The former church is good example of a typical modest rural weatherboard church. Its date of relocation is consistent with the main historic phase of development of the village and therefore is associated with the theme of leisure. It provides a positive contribution to the streetscape of the village.³



Picture 11 – Former St. Andrew's Anglican Church

Source: Urbis



Picture 12 – Former St. Andrew's Anglican Church

Source: Urbis

- Archaeological Site 849, 'Luddenham Homestead site' at 1-9 Park Road, Wallacia.

During the first half of the nineteenth century the homestead at Blaxland's Luddenham estate represented the centre of activity in the area (in conjunction with the mill and brewery at the Nepean River). A survey plan of the estate of the 1850s indicates the homestead was located near the intersection of present day Park Road and Mulgoa Road. The site may have archaeological potential, but also has historic associations with the themes of pastoralism and accommodation.⁴

³ Ibid.

⁴ Paul Davies Pty Ltd 2007, Penrith Heritage Study, Volume 3 – Locality Assessment, p.308

- HCA 5, Mulgoa Road Conservation Area

The Inter-War period when Wallacia was a popular tourist destination was an important period for development in the village. The houses in the Mulgoa Road Conservation Area are good examples of residential development from this period in a cohesive group that make a positive contribution to the streetscape in the centre of the village.⁵

- HCA 6, Park Road Conservation Area

The Park Road Conservation Area is an attractive group of Inter-War cottages that adapt the Inter-War California Bungalow style to a small cottage. Matching in original form, detail, scale and materials and located close to the street at the eastern approach to the village, the group makes a positive contribution to the streetscape. The Park Road Conservation Area relates to the Inter-War period when Wallacia was a popular tourist destination.⁶

⁵ <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260813>

⁶ <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260856>

6.5. ARCHAEOLOGICAL POTENTIAL SUMMARY

An Aboriginal Due Diligence Assessment, Aboriginal Archaeological Report and Historical Archaeological Assessment have been prepared by Austral Archaeology. The conclusions and recommendations of the investigations into Aboriginal archaeological potential relevant to this proposal include the following:

Aboriginal Due Diligence Assessment

A search of the Aboriginal Heritage Information Management System (AHIMS) Database returned no sites the study area. This is likely due to a lack of any development within the study area rather than due to an absence of Aboriginal cultural material.

However, several streams and creeks pass through the study area which suggests that parts of the study area may contain Aboriginal cultural material, although the level of archaeological potential is dependent on low levels of modern disturbance in the vicinity of these creeks.

These areas may warrant further investigation through the preparation of a full Aboriginal cultural heritage assessment dependant on the nature of any proposed development which is to occur in these locations.

Aboriginal Archaeological Report

A total of five artefacts were identified during the archaeological survey undertaken as part of this assessment. Two of these artefacts, a brown chert flake and a red chert flake with cortex were found on the track leading from the clubhouse eastwards to Jerrys Creek. Two additional flakes of banded chert were identified on the eastern side of Jerrys Creek, near the break of slope from the hillslope to the alluvial flat in the northern part of the site.

A single artefact, consisting of small silcrete flake, was also found on an area of raised ground overlooking a drainage gully in the northern part of the site in an area of erosion below a green.

The survey also confirmed the presence of areas of PAD within the study area relating to the hillslopes present either side of Jerrys Creek and along the northern boundary of the study area.

These results came amid important levels of disturbance of varying degrees of impact, found within the use and maintenance of the golf course, and the construction of services and associated infrastructure. It was concluded that a program of archaeological testing is recommended in order to fully determine the nature and extent of cultural heritage present within the study area.

Historical Archaeological Assessment

Historical research identified zones of varying degrees of historical archaeological potential located within the study area which may contain archaeological deposits. The archaeological remains may relate to occupation deposits or outbuildings associated with Blaxland's Luddenham Farm, and a Second World War air raid shelter. Any such archaeological deposits, should they be intact, are considered to range from local to State significance. While the original alignment of the Wallacia to Luddenham track is present within the study area, archaeological remains associated with the track are determined not to be of significance.

While previous impacts may have already removed much of the remains present within the study area, there are parts of the site where archaeological material may still remain. This is predominantly in the vicinity of the asphalt carpark surrounding the present clubhouse.

The proposed works are therefore likely to impact on areas of both moderate and high archaeological potential. Where the pedestrian survey of the study area was unable to either confirm or refute the statement that an air raid shelter is present under the green of the 10th hole, further archaeological investigations will be required to determine whether this item is present.

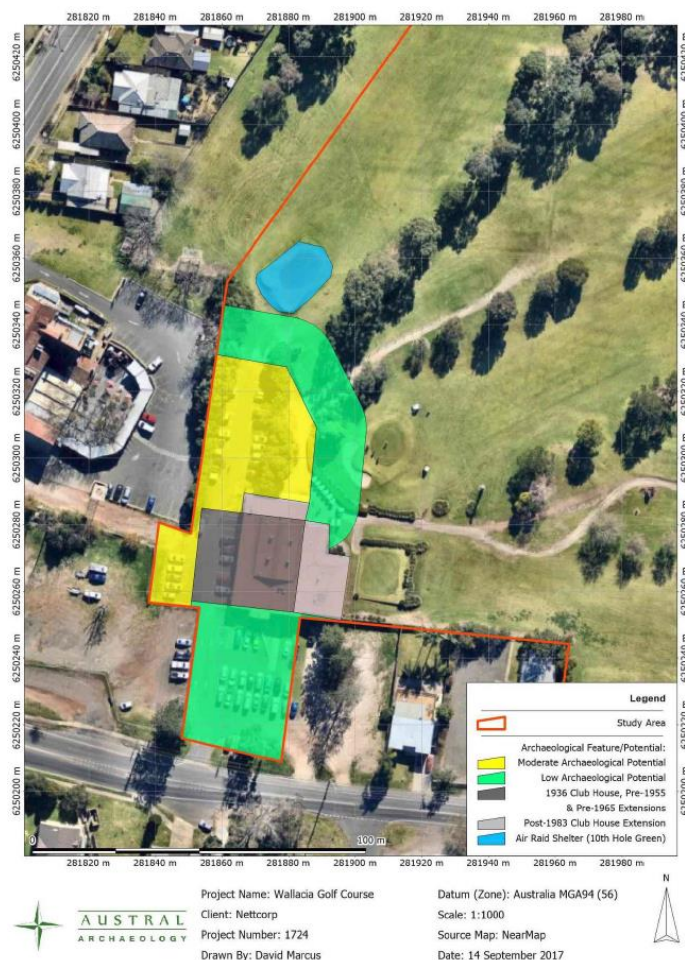
The following recommendations have been developed:

- Given that parts of the study area have been assessed as having moderate archaeological potential, an excavation permit is required under Section 140 of the NSW *Heritage Act 1977*.
- A research design detailing the proposed methodology for undertaking archaeological investigations within the study area is to be prepared and included as an addendum to this report when lodging the application for the Section 140 Excavation Permit. A suitably accredited archaeologist who is approved by Heritage NSW to oversee the excavation of sites of local significance will need to be nominated as Excavation Director

- To ensure that impacts to unknown heritage values are mitigated during construction, it is recommended that the contractor inductions include an unexpected finds protocol to ensure that archaeological relics not assessed or anticipated by this report are not impacted.
- In the event suspected relics are encountered, all works in the immediate vicinity are to cease immediately and the Heritage Division be notified in accordance with Section 146 of the *NSW Heritage Act 1977*. A qualified archaeologist is to be contacted to assess the situation and consult with Heritage NSW team of the Department of Premier and Cabinet (DPC) regarding the most appropriate course of action.
- Should the proposed development be altered significantly from designs and specifications outlined in this report then a reassessment of heritage/archaeological impacts may be required. This includes any impacts not explicitly stated in Section 8 of the Historical Archaeological Assessment.
- A copy of the Historical Archaeological Assessment should be lodged by the proponent in the local history section of the local library, and in the library maintained by the Heritage NSW.

Austral Archaeology has prepared a supplementary archaeological assessment addressing the impact of road and intersection works and associated tree removal on both built and archaeological heritage values. The assessment has found that the archaeological material is unlikely to be encountered as part of the proposed development along Park Road. The works are unlikely to harm Aboriginal cultural heritage or historical archaeological material and no further archaeological investigations are required in this regard for this location.

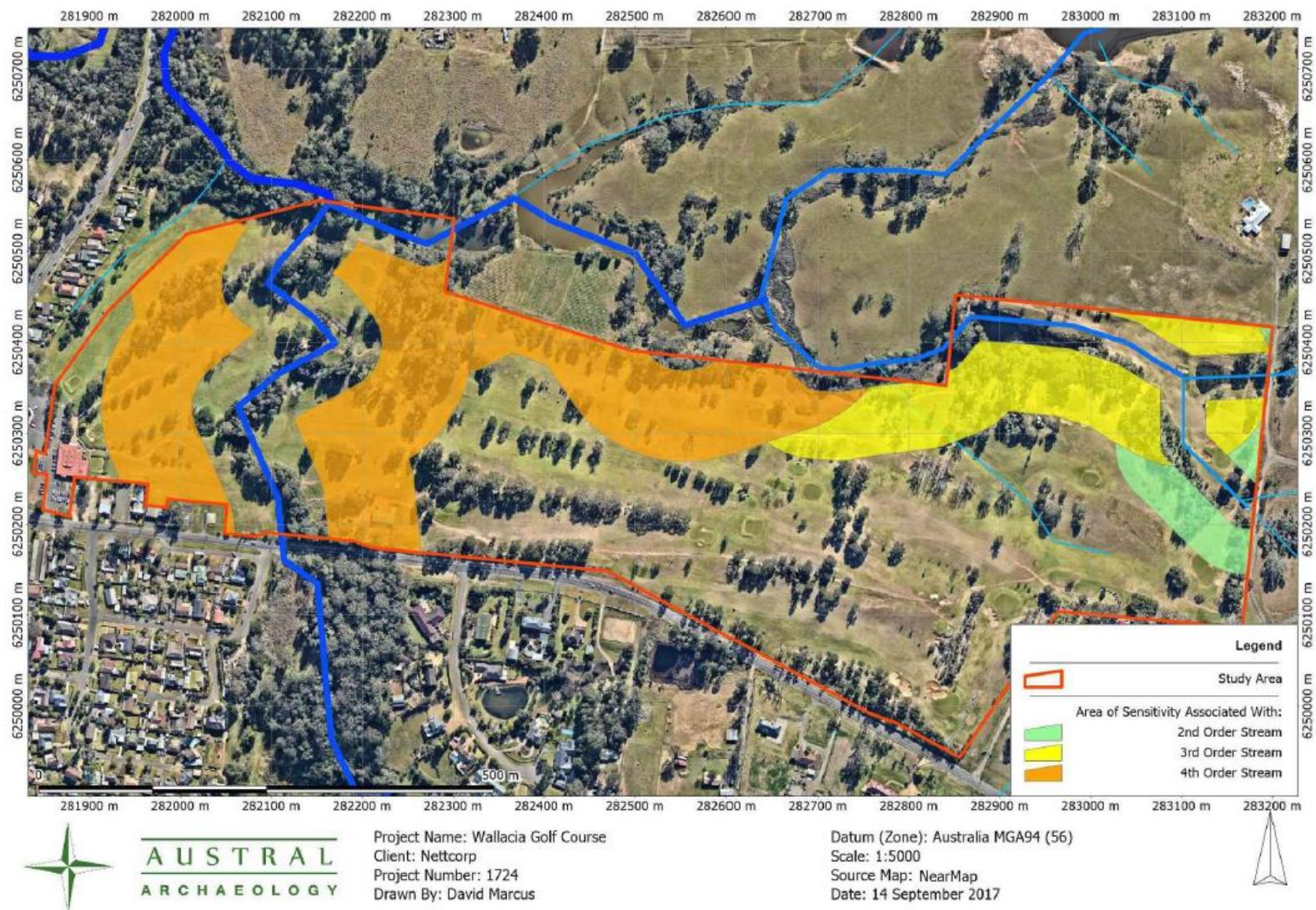
Figure 18 – Historical archaeological potential of the western portion of the study area associated with Luddenham Farm and the potential air-raid shelter



Source: Austral Archaeology 2017, *Aboriginal Due Diligence and Historical Archaeological Assessment*, Stanmore, p.59

The following Aboriginal sensitivity diagram was prepared by Austral Archaeology.

Figure 19 – Map showing areas of potential Aboriginal artefact distribution in relation to stream order



Source: Austral Archaeology 2017, *Aboriginal Due Diligence and Historical Archaeological Assessment, Stanmore*, p.56

7. IMPACT ASSESSMENT

7.1. STATUTORY CONTROLS

7.1.1. Penrith Local Environmental Plan 2010

The proposed works are addressed in the table below in relation to the relevant clauses in the LEP.

Table 2 – Penrith Local Environmental Plan 2010, relevant clause impact assessment

Clause	Discussion
<p>(2) Requirement for consent</p> <p>Development consent is required for any of the following:</p> <p>(e) erecting a building on land:</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance</p>	<p>The subject site is not a heritage item, nor is it located within a heritage conservation area. However, it is located within proximity to a number of locally listed heritage items, and accordingly consent for any works is required and a consideration of potential heritage impacts should form part of the development proposal.</p>
<p>(4) Effect of proposed development on heritage significance</p> <p>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p>	<p>The proposed works are not considered to have any detrimental heritage impact on the significance, curtilage or setting of the proximate heritage items, for the reasons outlined in this report. A detailed assessment is included in the following sections of the report.</p>
<p>(5) Heritage assessment</p> <p>The consent authority may, before granting consent to any development:</p> <p>(a) on land on which a heritage item is located, or</p> <p>(b) on land that is within a heritage conservation area, or</p> <p>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),</p> <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development</p>	<p>This heritage impact statement has been prepared to assist the consent authority with their assessment of the proposed works, and to assess the potential heritage impact of the proposal.</p>

Clause	Discussion
would affect the heritage significance of the heritage item or heritage conservation area concerned.	
<p>(6) Heritage conservation management plans</p> <p>The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p>	<p>A conservation management plan is not required for this site as the proposed works will not affect any heritage items or significant fabric.</p>

7.1.2. Penrith Development Control Plan 2014

The proposed works are addressed in the table below in relation to the relevant provisions in the DCP.

Table 3 – Penrith Development Control Plan 2014, relevant clause impact assessment

Clause	Discussion
C7 CULTURE AND HERITAGE	
<p><u>7.1.1 Determining the Impact on Heritage Significance</u></p> <p>a) Where a proposed development could affect the heritage significance of a heritage item or heritage conservation area, the applicant is required to lodge a Heritage Impact Statement or Conservation Management Plan (as required).</p> <p>b) A proposed development could affect the heritage significance of a heritage item or heritage conservation area if it is either in that item, place or conservation area or it is in the vicinity of that item, place or conservation area.</p> <p>c) Impact on a heritage item, place or conservation area can include, but is not limited to:</p> <ul style="list-style-type: none"> i) Affecting the item, place or area itself; ii) Affecting a significant view to or from the item; iii) Affecting the setting or heritage curtilage, including any landscape or horticultural features of the item; 	<p>a) This heritage impact statement has been prepared to assess the proposed works and identify any potential impacts on the proximate heritage items and heritage conservation areas. A conservation management plan is not required.</p> <p>b) The subject site is not a heritage item, nor is it located within a heritage conservation area. However, it is located within proximity to a number of locally listed heritage items and conservation areas, and accordingly the proposed works must be assessed to identify any potential impacts on the proximate heritage items and heritage conservation areas.</p> <p>ci) The proposed works will not physically affect the proximate heritage items or conservation areas themselves. No physical impact on these heritage items and conservation areas will result from the proposal.</p> <p>The proposed development will be a low-impact development and the generally rural character of the area will be maintained.</p> <p>The proposed alterations to the non-significant clubhouse, and additions including parking and recreation facilities, will have no physical or visual impact on the heritage items in the vicinity.</p> <p>cii) There are minor alterations and additions to the Wallacia Country Club building and immediate curtilage only. There are no marked differences in the use, operation or built form of the site as currently exists. The proposal will not change the presentation of the site, with a high degree of vegetation, landscaping and undeveloped areas. The proposed works will not impact on, obstruct or detract from existing significant views to or from the heritage items.</p> <p>The proposed carparking area to the west of the clubhouse is located on the boundary of the subject site adjoining the Wallacia Hotel heritage item. This car parking area will be screened with introduced vegetation to minimise views of this area. As this area is located to the rear of Wallacia Hotel, and is substantially distanced from the Hotel building, the proposed carparking area will have no detrimental impact on any existing significant views towards the Hotel, which are primarily from Mulgoa Road to the west.</p> <p>ciii) The proposed works will not markedly affect the setting or landscape elements of the proximate heritage items. The proposed works will not be visible from views of the principal elevation of the Wallacia Hotel from Mulgoa Road, and will not disrupt the landscaped setting to the front of this building.</p>

Clause	Discussion
	<p>The land to the rear of the former St Andrew's Anglican Church heritage item will be maintained as a golf course and the proposed works to the Wallacia Country Club building and surrounds will not alter the existing physical or visual relationship between the site and this listed church building.</p> <p>There are a number of trees which are proposed for removal from the subject site to facilitate the proposal, however these are to be replaced with a larger number of trees to replenish the site and provide appropriate screening between the property and the adjacent heritage items.</p> <p>There are two trees that are proposed to be removed on the southern alignment of the road adjoining the Park Road Heritage Conservation Area (No. 6). An arboricultural report has been prepared by Eco Logical Australia which notes these two trees to have high retention value and the impact of the proposal to be 'high' The trees are noted as being of fair-good condition with an estimated life span of 15-40 years.</p> <p>The Park Road Heritage Conservation Area is significant for its collection of three inter-war cottages. The trees that are proposed to be removed are native mature trees and while technically located outside of the conservation area boundaries, do contribute to the setting of the dwellings. We understand that the trees are required to be removed to facilitate the road widening associated with the new intersection.</p> <p>It would be preferable to retain these trees however if they need to be removed, a mitigation strategy including replanting and/or replacement should be considered. Replacement of these impacted trees with a larger number of the same species of mature trees to replenish the southern alignment of Park Road, would mitigate the adverse impacts of this tree removal from a heritage perspective as the landscaped setting of the adjacent HCA would therefore be retained.</p>
<p>iv) Overshadowing of the item;</p> <p>v) Affecting the form of any historic subdivision pattern;</p>	<p>civ) The proposed works will have no potential overshadowing impact on the proximate heritage items or HCAs. The alterations to the existing clubhouse including the extended car parking area will not overshadow any heritage items.</p> <p>v) As discussed earlier in this report, the subject site and the majority of surrounding land (to the east of Mulgoa Road) all formed part of the original land grant to John Blaxland in 1813. The form of this land holding has been lost with the urbanisation and development of Wallacia over the previous two centuries and is no longer evidenced in the existing subdivision pattern. There are no subdivision works proposed as part of these works and there are no impacts on historical subdivision patterns.</p>

Clause	Discussion
<p>vi) Undermining or otherwise causing physical damage to the item; or</p> <p>vii) Otherwise having an adverse impact on its heritage significance.</p> <p>d) A Heritage Impact Statement or Conservation Management Plan must be prepared by a qualified Heritage Consultant.</p> <p>e) A Heritage Impact Statement must address the issues set out in this section of the DCP and the Submission Requirements for applications in Appendix F3 of this DCP.</p>	<p>vi) The proposed works will not involve any works that could potentially undermine or destabilise the proximate heritage items. The only alteration work to existing structures proposed within the site is the refurbishment of the existing, later and non-significant, club house. This refurbishment work will enhance the overall aesthetic of the building when viewed from the public domain and adjoining heritage items. This building is not identified to be of heritage value and no significant fabric will be affected.</p> <p>vii) The proposed works have no identified impacts on the heritage significance of the proximate heritage items. They will be wholly retained and the rural setting of the locality will be retained and protected.</p> <p>d) This heritage impact statement has been prepared by a qualified heritage consultant from Urbis Heritage and satisfies this requirement.</p> <p>e) Complies.</p>
<p><u>7.1.5 Development in the Vicinity of a Heritage Item or Conservation Area</u></p> <p>A. Background</p> <p>A development in the vicinity of a heritage item or a heritage conservation area must be assessed to determine whether it will have any impact on the significance and visual setting of that item or conservation area.</p>	<p>A heritage impact statement has been prepared and lodged with the DA to address this clause and assist the consent authority in their assessment of the proposal. While the proposal is located in the vicinity of heritage items, the heritage impact statement has assessed that the proposal will not have an adverse impact on the setting of the heritage items, will not undermine or cause physical damage to the heritage items and will not have an adverse impact on existing significant views to or from the heritage items. See further discussion regarding the above throughout this assessment.</p>
<p>B. Objectives</p> <p>To ensure that the development of land or a building in the vicinity of a heritage item or heritage conservation area is undertaken in a manner that complements the heritage significance of the site or area.</p>	<p>The proposal, particularly where it adjoins or is in the vicinity of heritage items, being the Wallacia Hotel and the St Andrew's Anglican Church, will continue to facilitate the operation of a local golf course and clubhouse. The built form is proposed to be altered to accommodate a larger parking area and a small number of additional facilities together with a refurbished clubhouse. The existing landscaping and vegetated setting of the heritage items and the subject property will be enhanced through the retention and protection of existing trees and the introduction of additional trees and landscaped areas.</p> <p>Where existing trees are required to be removed to facilitate the car park layout, additional supplementary trees will be planted to offset this removal. The removal of trees has only been proposed where impact is unavoidable. Overall, the proposal is consistent and complementary with the existing landscaped nature of the area and is sympathetic to the adjacent heritage items.</p>

Clause	Discussion
<p>C. Controls</p> <p>1) A Heritage Impact Statement shall be lodged with a development application for buildings or works in the vicinity of a heritage item or heritage conservation area. This clause extends to development that:</p> <p>a) May have an impact on the setting of a heritage item or conservation area, for example, by affecting a significant view to or from the item or by overshadowing; or</p> <p>b) May undermine or otherwise cause physical damage to a heritage item; or</p> <p>c) Will otherwise have any adverse impact on the heritage significance of a heritage item or any heritage conservation area within which it is situated.</p>	<p>As above, this heritage impact statement has been prepared to address this clause and assist the consent authority in their assessment of the proposal.</p>
<p>2) The following issues must be addressed in the Heritage Impact Statement:</p> <p>a) The impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item;</p> <p>b) Details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works; and</p> <p>c) Details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.</p>	<p>The proposed works are considered to have nil impact or an acceptable impact on the significance, curtilage or setting of the proximate heritage items, for the reasons outlined in this report.</p> <p>The alterations to the existing clubhouse including the extended car parking area will not have any physical impacts or visual impacts on the vicinity items. As discussed above, the minor works located in and around the existing club building will only enhance the landscape setting and aesthetic contribution of this property to the locality. The works will facilitate the ongoing use of the place as a local golf club and will provide an enhanced amenity for the community.</p> <p>There is no marked difference between the proposal and what is currently existing apart from the fact that the proposal is providing for an improved outcome for the place, the locality and the people who use and enjoy this facility.</p> <p>There are no adverse impacts on the built heritage items in the vicinity, which are all outward facing away from the subject property and will be appropriately screened with existing retained and additional supplemented vegetation. There are no adverse impacts on the setting, landscaping, curtilage, views, physical fabric or otherwise of the vicinity heritage items as a result of this proposal.</p> <p>There are two trees that are proposed to be removed on the southern alignment of the road adjoining the Park Road Heritage Conservation Area (No. 6). An arboricultural report has been prepared by Eco Logical Australia which notes these two trees to have high retention value and the impact of the proposal to be 'high' The trees are noted as being of fair-good condition with an estimated life span of 15-40 years.</p>

Clause	Discussion
	<p>The Park Road Heritage Conservation Area is significant for its collection of three inter-war cottages. The trees that are proposed to be removed are native mature trees and while technically located outside of the conservation area boundaries, do contribute to the setting of the dwellings. We understand that the trees are required to be removed to facilitate the road widening associated with the new intersection.</p> <p>It would be preferable to retain these trees however if they need to be removed, a mitigation strategy including replanting and/or replacement should be considered. Replacement of these impacted trees with a larger number of the same species of mature trees to replenish the southern alignment of Park Road, would mitigate the adverse impacts of this tree removal from a heritage perspective as the landscaped setting of the adjacent HCA would therefore be retained.</p>
<p><u>7.3 Significant Trees and Gardens</u></p> <p>If a tree, or trees, has been identified as significant, the owner or any person proposing to do any work on that defined area has the following responsibilities:</p> <ol style="list-style-type: none"> 1) The owner shall not ringbark, cut down, top, lop, or wilfully destroy any tree, except with the consent of Council. 2) Development in the vicinity of a significant tree or garden should not result in the destruction or damage of that tree or garden. 3) The owner of any property, which has a tree or garden located on the site, should take into consideration the significance of the tree or garden and design development accordingly. 	<p>None of the existing vegetation on the subject site or which has been identified for removal has been identified to be a heritage item or within a heritage conservation area. The historical assessment included herein at Section 4 concludes that the majority of the vegetation on the site is twentieth century vegetation, apart from small instances of vegetation along riparian corridors, which will not be impacted. The design of the works has responded to the existing vegetation and has undertaken to supplement this existing stock with additional native planting.</p> <p>There are a number of trees which are proposed for removal from the subject site to facilitate the proposal, however these are to be replaced with a larger number of trees to replenish the site and provide appropriate screening between the property and the adjacent heritage items.</p> <p>There are two trees that are proposed to be removed on the southern alignment of the road adjoining the Park Road Heritage Conservation Area (No. 6). An arboricultural report has been prepared by Eco Logical Australia which notes these two trees to have high retention value and the impact of the proposal to be 'high' The trees are noted as being of fair-good condition with an estimated life span of 15-40 years.</p> <p>The Park Road Heritage Conservation Area is significant for its collection of three inter-war cottages. The trees that are proposed to be removed are native mature trees and while technically located outside of the conservation area boundaries, do contribute to the setting of the dwellings. We understand that the trees are required to be removed to facilitate the road widening associated with the new intersection.</p> <p>It would be preferable to retain these trees however if they need to be removed, a mitigation strategy including replanting and/or</p>

Clause	Discussion
	<p>replacement should be considered. Replacement of these impacted trees with a larger number of the same species of mature trees to replenish the southern alignment of Park Road, would mitigate the adverse impacts of this tree removal from a heritage perspective as the landscaped setting of the adjacent HCA would therefore be retained.</p>
<p><u>E9 Mulgoa Valley</u></p> <p><i>9.1.4 Planting</i></p> <p>1) Existing stands of indigenous vegetation and key individual indigenous trees that contribute to the landscape character shall be retained.</p> <p>2) Historic plantings of introduced trees and shrubs shall be retained where they have been identified as significant, or form a positive visual feature in the landscape, or complement a place of historic or cultural significance. For example, the entrance drive of <i>Pinus pinea</i> (Stone pines) at Winbourne, the <i>Araucaria bidwillii</i> (Bunya pines) at Glenmore, the <i>Ficus rubiginosa</i> (Port Jackson Fig) at Fairlight, and <i>Cinnamomum camphora</i> (Camphor Laurel) at Glenleigh.</p> <p>3) Regrowth vegetation in the view corridors linking Cox's Cottage/St Thomas's Church/Fernhill may be selectively thinned to restore the landscape to an historic parklike character. However, the rough barked angophora species (<i>A. subvelutina</i> and <i>A. floribunda</i>) and their hybrids must be retained. For screening or to enhance this landscape character, clumps of three or four of these angophoras should be planted in appropriate locations. Naturally occurring seedlings or those specially propagated from specimens in the locality (provenance stock) for the purpose should be used.</p> <p>4) A comprehensive list of suitable species is available on Council's website or by contacting Council.</p> <p>5) Non-traditional introduced species with strongly coloured or otherwise prominent foliage is not recommended for planting in the Mulgoa Valley Precinct; e.g. golden cypress and <i>Pinus patula</i>. These species tend to detract from the landscape of traditional introduced species such</p>	<p>There are a number of trees which are proposed for removal from the subject site to facilitate the proposal, however these are to be replaced with a larger number of trees to replenish the site and provide appropriate screening between the property and the adjacent heritage items.</p> <p>There are two trees that are proposed to be removed on the southern alignment of the road adjoining the Park Road Heritage Conservation Area (No. 6). An arboricultural report has been prepared by Eco Logical Australia which notes these two trees to have high retention value and the impact of the proposal to be 'high' The trees are noted as being of fair-good condition with an estimated life span of 15-40 years.</p> <p>The Park Road Heritage Conservation Area is significant for its collection of three inter-war cottages. The trees that are proposed to be removed are native mature trees and while technically located outside of the conservation area boundaries, do contribute to the setting of the dwellings. We understand that the trees are required to be removed to facilitate the road widening associated with the new intersection.</p> <p>It would be preferable to retain these trees however if they need to be removed, a mitigation strategy including replanting and/or replacement should be considered. Replacement of these impacted trees with a larger number of the same species of mature trees to replenish the southern alignment of Park Road, would mitigate the adverse impacts of this tree removal from a heritage perspective as the landscaped setting of the adjacent HCA would therefore be retained.</p>

Clause	Discussion
as bunya pines or showy indigenous shrubs like wattles.	

7.2. HERITAGE DIVISION GUIDELINES

The proposed works are addressed in relation to relevant questions posed in the Heritage Division's 'Statement of Heritage Impact' guidelines.

Table 4 – Heritage Division Guidelines, relevant guideline impact assessment

Guideline	Discussion
The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:	<p>The subject site is not a heritage item, nor is it located within a heritage conservation area. The proposed works are considered to have nil impact or an acceptable impact on the significance, curtilage and setting of the vicinity heritage items.</p> <p>The proposed works will not physically affect the proximate heritage items or conservation areas themselves. No physical impact on these heritage items and conservation areas will result from the proposal.</p> <p>The proposed development will be a low-impact development and the generally rural character of the area will be maintained. The proposed alterations to the non-significant clubhouse, and additions including parking and recreation facilities, will have no physical or visual impact on the heritage items in the vicinity.</p> <p>There are minor alterations and additions to the Wallacia Country Club building and immediate curtilage only. There are no marked differences in the use, operation or built form of the site as currently exists. The proposal will not change the presentation of the site, with a high degree of vegetation, landscaping and undeveloped areas. The proposed works will not impact on, obstruct or detract from existing significant views to or from the heritage items.</p> <p>The proposed carparking area to the west of the clubhouse is located on the boundary of the subject site adjoining the Wallacia Hotel heritage item. This car parking area will be screened with introduced vegetation to minimise views of this area. As this area is located to the rear of Wallacia Hotel, and is substantially distanced from the Hotel building, the proposed carparking area will have no detrimental impact on any existing significant views towards the Hotel, which are primarily from Mulgoa Road to the west.</p> <p>The proposed works will not markedly affect the setting or landscape elements of the proximate heritage items. The proposed works will not be visible from views of the principal elevation of the Wallacia Hotel from Mulgoa Road, and will not disrupt the landscaped setting to the front of this building.</p> <p>The land to the rear of the former St Andrew's Anglican Church heritage item will be maintained as a golf course and the proposed works to the Wallacia Country Club building and surrounds will not alter the existing physical or visual relationship between the site and this listed church building.</p>

Guideline	Discussion
<p>The following aspects of the proposal could detrimentally impact on heritage significance.</p> <p>The reasons are explained as well as the measures to be taken to minimise impacts:</p>	<p>There are a number of trees which are proposed for removal from the subject site to facilitate the proposal, however these are to be replaced with a larger number of trees to replenish the site and provide appropriate screening between the property and the adjacent heritage items.</p> <p>There are two trees that are proposed to be removed on the southern alignment of the road adjoining the Park Road Heritage Conservation Area (No. 6). An arboricultural report has been prepared by Eco Logical Australia which notes these two trees to have high retention value and the impact of the proposal to be 'high' The trees are noted as being of fair-good condition with an estimated life span of 15-40 years.</p> <p>The Park Road Heritage Conservation Area is significant for its collection of three inter-war cottages. The trees that are proposed to be removed are native mature trees and while technically located outside of the conservation area boundaries, do contribute to the setting of the dwellings. We understand that the trees are required to be removed to facilitate the road widening associated with the new intersection.</p> <p>It would be preferable to retain these trees however if they need to be removed, a mitigation strategy including replanting and/or replacement should be considered. Replacement of these impacted trees with a larger number of the same species of mature trees to replenish the southern alignment of Park Road, would mitigate the adverse impacts of this tree removal from a heritage perspective as the landscaped setting of the adjacent HCA would therefore be retained.</p>
<p>New development adjacent to a heritage item</p> <p>How does the new development affect views to, and from, the heritage item?</p> <p>What has been done to minimise negative effects?</p> <p>How is the impact of the new development on the heritage significance of the item or area to be minimised?</p> <p>Why is the new development required to be adjacent to a heritage item?</p> <p>How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?</p>	<p>The proposed works are not considered to have any impact on the significance, curtilage or setting of the proximate heritage items, for the reasons outlined in this report. These have been discussed in detail above.</p> <p>The proposed works are not considered to have any detrimental heritage impact on the significance, curtilage or setting of the vicinity heritage items.</p> <p>The proposed works will not affect any significant existing views towards heritage items in the vicinity. The proposed works will not be visible from views towards the principal elevation of the Wallacia Hotel from Mulgoa Road, and will not disrupt the landscaped setting to the front of this building. The land to the rear of the former St Andrew's Anglican Church heritage item will be maintained as a golf course.</p> <p>It is beyond the scope of this report to assess the archaeological potential of the subject site or assess the potential historical archaeological or Aboriginal cultural heritage impacts of the proposal.</p>

Guideline	Discussion
<p>Is the development sited on any known, or potentially significant archaeological deposits?</p> <p>If so, have alternative sites been considered? Why were they rejected?</p> <p>Is the new development sympathetic to the heritage item?</p> <p>In what way (e.g. form, siting, proportions, design)?</p> <p>Will the additions visually dominate the heritage item?</p> <p>How has this been minimised?</p> <p>Will the public, and users of the item, still be able to view and appreciate its significance?</p>	
<p>Tree removal or replacement</p> <p>Does the tree contribute to the heritage significance of the item or landscape?</p> <p>Why is the tree being removed?</p> <p>Has the advice of a tree surgeon or horticultural specialist been obtained?</p> <p>Is the tree being replaced? Why? With the same or a different species?</p>	<p>There are a number of trees which are proposed for removal from the subject site to facilitate the proposal, however these are to be replaced with a larger number of trees to replenish the site and provide appropriate screening between the property and the adjacent heritage items.</p> <p>There are two trees that are proposed to be removed on the southern alignment of the road adjoining the Park Road Heritage Conservation Area (No. 6). An arboricultural report has been prepared by Eco Logical Australia which notes these two trees to have high retention value and the impact of the proposal to be 'high' The trees are noted as being of fair-good condition with an estimated life span of 15-40 years.</p> <p>The Park Road Heritage Conservation Area is significant for its collection of three inter-war cottages. The trees that are proposed to be removed are native mature trees and while technically located outside of the conservation area boundaries, do contribute to the setting of the dwellings. We understand that the trees are required to be removed to facilitate the road widening associated with the new intersection.</p> <p>It would be preferable to retain these trees however if they need to be removed, a mitigation strategy including replanting and/or replacement should be considered. Replacement of these impacted trees with a larger number of the same species of mature trees to replenish the southern alignment of Park Road, would mitigate the adverse impacts of this tree removal from a heritage perspective as the landscaped setting of the adjacent HCA would therefore be retained.</p>

7.3. RESPONSES TO COUNCIL FEEDBACK

The below responses have been prepared in response to the Request for Further Information (RFI) received from Penrith City Council dated 23 October 2020 regarding DA19/0875 for a new cemetery and reconfigured golf course at Park Road, Wallacia, known as Nepean Gardens. We have also included responses to heritage issues raised as part of Council's assessment report.

Table 5 – Responses to submissions / request for further information assessment

Guideline	Discussion
<p>11. Heritage</p> <p><i>(a) It is noted in the Response to Submissions document that a response will be provided to Council's RFI dated 20 May 2020 in relation to heritage, although is yet to be submitted.</i></p>	<p>This comment relates to the provision of archaeological reporting as outlined in the RFI 1 dated 20 May 2020 including:</p> <ul style="list-style-type: none"> - A Historical Archaeological Assessment including a full Statement of Heritage Impact and Research Design; and - An Aboriginal Cultural Heritage Assessment Report and associated Aboriginal Heritage Impact Permit (AHIP) as required. <p>These reports are being prepared by Austral Archaeology and is separate to the built heritage assessment undertaken by Urbis. Please refer to the archaeological response prepared by Austral Archaeology dated 6 November 2020 included in this RFI response package.</p>
<p><i>(b) The design of the clubhouse alterations and additions including the proposed tree removal, landscape and works to Park Road which will result in the removal of mature and contributory trees, cannot be supported in particular as these works cumulatively and individually negatively impact on the heritage significance of nearby locally listed heritage items, their curtilage and setting, including the relationship between these items and their surroundings.</i></p>	<p>The existing landscaping and vegetated setting of the heritage items and the subject property will be enhanced through the retention and protection of existing trees and the introduction of additional trees and landscaped areas.</p> <p>There will be no marked difference between the existing landscaped character and that proposed, apart from the proposal providing an enhanced landscaped setting for the subject property and a more general landscaped buffer between the heritage items.</p> <p>Where existing trees are required to be removed to facilitate the car park layout, additional supplementary trees will be planted to offset this removal. The removal of trees has only been proposed where impact is unavoidable.</p> <p>There are two trees that are proposed to be removed on the southern alignment of the road adjoining the Park Road Heritage Conservation Area (No. 6). An arboricultural report has been prepared by Eco Logical Australia which notes these two trees to have high retention value and the impact of the proposal to be 'high'. The trees are noted as being of fair-good condition with an estimated life span of 15-40 years.</p> <p>The Park Road Heritage Conservation Area is significant for its collection of three inter-war cottages. The trees that are proposed to be removed are native mature trees and while technically located outside of the conservation area boundaries, do contribute to the setting of the dwellings. We understand that the trees are required to</p>

Guideline	Discussion
	<p>be removed to facilitate the road widening associated with the new intersection.</p> <p>It would be preferable to retain these trees however if they need to be removed, a mitigation strategy including replanting and/or replacement should be considered. Replacement of these impacted trees with a larger number of the same species of mature trees to replenish the southern alignment of Park Road, would mitigate the adverse impacts of this tree removal from a heritage perspective as the landscaped setting of the adjacent HCA would therefore be retained.</p>
<p><i>Chapter C7 Culture and Heritage, in particular the objectives at Clause 7.1.5A and the controls at Clause 7.1.5B are to be addressed in any amended proposal.</i></p>	<p>See above assessment included in the previous section of this report.</p>
<p><i>Do not support zero boundary setback to a portion of the north-western car parking area due to impacts on heritage and local character.</i></p> <p><i>Insufficient landscape setback to the shared boundary with Wallacia Hotel in the most western extent of the northern car parking area. Car parking is provided hard to the boundary.</i></p>	<p>The proposed carparking area to the west of the clubhouse is located on the boundary of the subject site adjoining the Wallacia Hotel heritage item. This car parking area will be screened with introduced vegetation to minimise views of this area. As this area is located to the rear of Wallacia Hotel, and is substantially distanced from the Hotel building, the proposed carparking area will have no detrimental impact on any existing significant views towards the Hotel, which are primarily from Mulgoa Road to the west.</p>
<p><i>Concerned regarding impacts on Wallacia Hotel and Mulgoa Road Conservation Area.</i></p>	<p>The proposed works will not markedly affect the setting or landscape elements of the proximate heritage items. The proposed works will not be visible from views of the principal elevation of the Wallacia Hotel from Mulgoa Road or significant views within the Mulgoa Road Conservation Area, and will not disrupt the landscaped setting to the front of this building and conservation area.</p> <p>There are no adverse heritage impacts whatsoever on the Wallacia Hotel and Mulgoa Road Conservation Area as a result of the proposal.</p>
<p><i>The proposed materials for the pool and gym and the arrangement of windows and hardstand areas requires further resolution and have not had regard to Chapter E9 Mulgoa Valley of the DCP.</i></p>	<p>See above response to the relevant heritage provisions of Chapter E9 Mulgoa Valley of the DCP. There are no adverse heritage impacts on the significance of the vicinity heritage items or conservation areas as a result of the proposed materiality and fenestration of the Wallacia Country Club building or the proposed hardstand areas.</p>

8. CONCLUSION AND RECOMMENDATIONS

The significance assessment undertaken at Section 6 of this report has concluded that the subject site does not meet the requisite threshold for heritage listing at the local or state level. The proposed works (as detailed in Section 5) have been assessed for their potential impact on the proximate heritage items and heritage conservation areas, in the detailed impact assessment included in Section 7.

The subject site is not a heritage item, nor is it located within a heritage conservation area. The proposed works are considered to have nil impact or an acceptable impact on the significance, curtilage and setting of the vicinity heritage items.

The proposed development will be a low-impact development and the generally rural character of the area will be maintained. The proposed works will not physically affect the proximate heritage items or conservation areas themselves. No physical impact on these heritage items and conservation areas will result from the proposal. The proposed alterations to the non-significant clubhouse, and additions including parking and recreation facilities, will have no physical or visual impact on the heritage items in the vicinity.

There are minor alterations and additions to the Wallacia Country Club building and immediate curtilage only. There are no marked differences in the use, operation or built form of the site as currently exists. The proposal will not change the presentation of the site, with a high degree of vegetation, landscaping and undeveloped areas. The proposed works will not impact on, obstruct or detract from existing significant views to or from the heritage items.

The proposed carparking area to the west of the clubhouse is located on the boundary of the subject site adjoining the Wallacia Hotel heritage item. This car parking area will be screened with introduced vegetation to minimise views of this area. As this area is located to the rear of Wallacia Hotel, and is substantially distanced from the Hotel building, the proposed carparking area will have no detrimental impact on any existing significant views towards the Hotel, which are primarily from Mulgoa Road to the west. The proposed works will not be visible from views of the principal elevation of the Wallacia Hotel from Mulgoa Road, and will not disrupt the landscaped setting to the front of this building.

The land to the rear of the former St Andrew's Anglican Church heritage item will be maintained as a golf course and the proposed works to the Wallacia Country Club building and surrounds will not alter the existing physical or visual relationship between the site and this listed church building.

The proposed works will not markedly affect the setting or landscape elements of the proximate heritage items. The existing landscaping and vegetated setting of the heritage items and the subject property will be enhanced through the retention and protection of existing trees and the introduction of additional trees and landscaped areas.

There will be no marked difference between the existing landscaped character and that proposed, apart from the proposal providing an enhanced landscaped setting for the subject property and a more general landscaped buffer between the heritage items.

Where existing trees are required to be removed to facilitate the car park layout, additional supplementary trees will be planted to offset this removal. The removal of trees has only been proposed where impact is unavoidable.

There are two trees that are proposed to be removed on the southern alignment of the road adjoining the Park Road Heritage Conservation Area (No. 6). An arboricultural report has been prepared by Eco Logical Australia which notes these two trees to have high retention value and the impact of the proposal to be 'high'. The trees are noted as being of fair-good condition with an estimated life span of 15-40 years.

The Park Road Heritage Conservation Area is significant for its collection of three inter-war cottages. The trees that are proposed to be removed are native mature trees and while technically located outside of the conservation area boundaries, do contribute to the setting of the dwellings. We understand that the trees are required to be removed to facilitate the road widening associated with the new intersection.

It would be preferable to retain these trees however if they need to be removed, a mitigation strategy including replanting and/or replacement should be considered. Replacement of these impacted trees with a larger number of the same species of mature trees to replenish the southern alignment of Park Road, would mitigate the adverse impacts of this tree removal from a heritage perspective as the landscaped setting of the adjacent HCA would therefore be retained.

The proposal is highly sensitive to the vicinity heritage items along Mulgoa Road and Park Road. There are no adverse heritage impacts on the significance of these items. There are no negative built heritage outcomes as a result of this proposal. Potential heritage impacts to the setting of the Park Road Conservation Area can be mitigated through strategic replanting and is acceptable as a heritage outcome considering the trees are not heritage listed and not technically within the boundaries of the Conservation Area.

The proposal is acceptable on heritage grounds and is recommended for approval.

9. BIBLIOGRAPHY AND REFERENCES

9.1. BIBLIOGRAPHY

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[Note: Some government departments have changed their names over time and the above publications state the name at the time of publication.]

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