

URBIS

HERITAGE IMPACT STATEMENT

Westlink, Aldington Road &
Abbotts Road, Kemps Creek
NSW (Lots 11, 12 & 13 in DP
253503)

Prepared for
ESR AUSTRALIA
13 September 2022

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EXECUTIVE SUMMARY

Urbis has been engaged by ESR Australia to prepare the following Heritage Impact Statement (HIS) to satisfy the Secretary's Environmental Assessment Requirements (SEARs) for a State Significant Development Application (SSDA) for the proposed Kemps Creek Logistics Park at Aldington Road and Abbots Road, Kemps Creek (Lots 11,12 & 13).

The subject site is not a listed heritage item and is not located in a conservation area. The site is, however, located in the vicinity of the following locally significant heritage items listed under *State Environmental Planning Policy (Western Sydney Employment Area) 2009*:

- Item 4, Brick farmhouse, 282 Aldington Road, Lot 142, DP 1033686
- Item 3, Gateposts to Colesbrook, 269–285 Mamre Road, Lot 8, DP 253503
- Item 2, "Bayley Park", house, 919–929 Mamre Road, Lot 35, DP 258414

This application is seeking approval for a concept proposal comprising four (4) lots with a net developable area of 298,609 m² for warehouse and office space, parking and hardstand areas, landscaping and services and utilities.

Stage 1 of the development includes demolition and bulk earthworks, vegetation removal, construction of internal road networks and services and utilities works. Built form comprises two warehouse buildings. The first warehouse is to be constructed on lot 1 of the estate with a total GFA of 53, 857m². The second warehouse building is to be constructed on lot 4 of the estate with a total GFA of 17, 785m². Further details of the proposed works are included in Section 5.

This HIS has been prepared to determine the potential heritage impact of the proposed works on the heritage items in the immediate vicinity of the subject site and to assist the consent authority in their determination in accordance with the SEARs request.

The impact assessment included at Section 5 of this report has had regard to the prospective future development of the whole of the subject site for industrial uses and we have considered the potential heritage impact of the future development of multiple warehouses that will be facilitated by the concept proposal.

The proposal has been assessed to have an acceptable impact on the vicinity heritage items in the area. Key aspects of the proposal assessment are listed below:

- All four existing dwellings on the subject site were constructed between 1975 and 1986. The agricultural buildings were constructed after 1978. The subject site is not a listed heritage item and does not contain any elements of potential built heritage significance. None of the structures on the subject site are required to be retained on heritage grounds. There are no detrimental heritage impacts as a result of the demolition of the existing structures on the subject site.
- The proposal is located to the south of the vicinity heritage items, in particular Item 4 being the brick farmhouse, which is the only heritage item which will have a visual interface with future development on the subject site. Principal inward facing views to the heritage listed dwelling would be from the west facing towards the east (from the location of the original drive) and from the north facing towards the south (facing what would have been the principal frontage to the house).
- The outward views from the heritage item are towards the north and west, and do not look towards the subject site to the south. Outward views from the heritage item towards the proposed subject site development will be available following construction, however this modified outlook will form part of a larger strategic planned urban redevelopment of the precinct. These modified outward views will be to the south from the rear secondary elevation of the heritage item where a number of existing structures are located between the subject site and the heritage item to the north providing a physical and visual buffer between the heritage item and the subject site. There will be no change to the principal outward views of the heritage item from the west and northern elevations of the dwelling.
- The northern elevation of warehouse 1 is to be set back approximately 30m from the heritage item to the immediate north. Proposed earthworks and landscaping involve cutting into the proposed site area, construction of a retaining wall and 8m of substantial planting along the northern boundary of the site. The new pad level for Warehouse 1 is to be set 9m below the height of the adjacent heritage item,

reducing visual impacts to the heritage item and its existing rural setting. The proposed change in levels, setback and vegetated screening will soften the interface between warehouse 1 and the heritage item by reducing the overall perceived bulk and scale of the new building.

- It is noted that the adjoining heritage item is a highly altered former farmhouse which has lost its original setting, curtilage, built form and landscape through later development and subdivisions. It has been severed from its original rive and gateposts which are now located on the western alignment of Aldington Road and face Mamre Road. While the proposed future development of the subject site will create an altered setting to the south of the heritage item and change existing inward views towards the item, the item is not considered to be of such significance nor intactness that the subject proposal will adversely impact its significance. The heritage item will retain its existing land area, curtilage, landscaping and outward views to the north and west, and be able to be understood and interpreted in its existing setting. The proposal is considered to have an acceptable heritage impact on this adjoining heritage item.
- There are no visual or physical adverse impacts as a result of the proposal on the other vicinity heritage items in the locality being Bayley Park and the former gateposts to Colesbrook. All heritage items will retain their existing listing protection and no physical works are proposed to any of the heritage items.

For the reasons stated above, the proposed works are recommended for approval from a heritage perspective.

1. INTRODUCTION

1.1. BACKGROUND

Urbis has been engaged by ESR Australia to prepare the following Heritage Impact Statement (HIS) to satisfy the Secretary's Environmental Assessment Requirements (SEARs) for a State Significant Development Application (SSDA) for the proposed Kemps Creek Logistics Park at Aldington Road and Abbots Road, Kemps Creek (Lots 11,12 & 13).

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This HIS has been prepared to determine the potential heritage impact of the proposed works on the heritage items in the immediate vicinity of the subject site and to assist the consent authority in their determination in accordance with the SEARs request.

1.2. RESPONSE TO SEARS

This HIS has been guided by the SEARs for SSD-9138102. The specific requirements of the SEARs are identified in the table below.

Table 1 – SEARs requirements and relevant report sections

Requirement No.	Requirement	Report Section
Heritage	Heritage – including: - an assessment of non-Aboriginal cultural heritage items and values of the site and surrounding area	The heritage context of the site is outlined at Section 1.6 and an assessment of the potential heritage impact o the proposal is outlined at Section 0.

1.3. METHODOLOGY

This Heritage Impact Statement has been prepared in accordance with the NSW Heritage Division guidelines ‘Assessing Heritage Significance’, and ‘Statements of Heritage Impact’. 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 *State Environmental Planning Policy (Western Sydney Employment Area) 2009 (SEPP 2009)* and the Penrith Development Control Plan (DCP) 2014.

No site inspection was undertaken for this report. This analysis is based on desktop research only.

1.4. AUTHOR IDENTIFICATION

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

1.5. SITE LOCATION

The subject site is located at 290-308 Aldington Road, Kemps Creek within the Local Government Area (LGA) of Penrith. The site is a consolidation of lots legally described as Lots 11, 12 & 13 of Deposited Plan 253503.

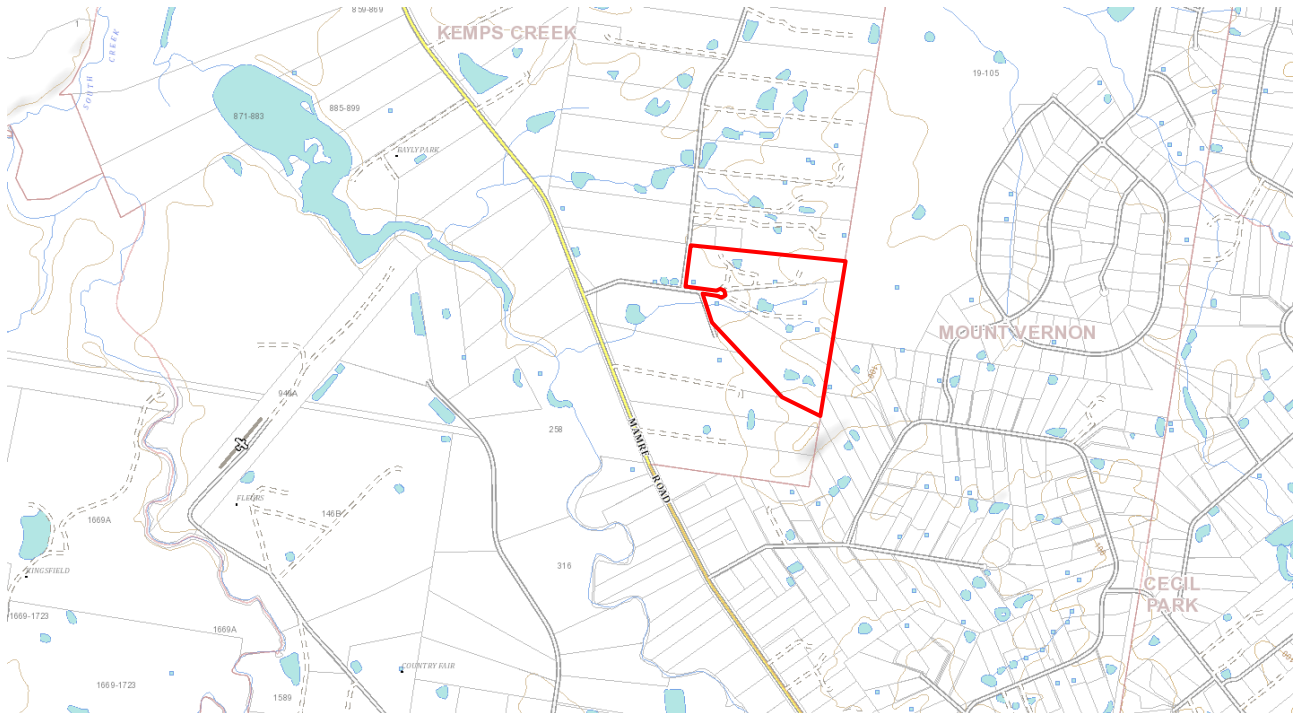


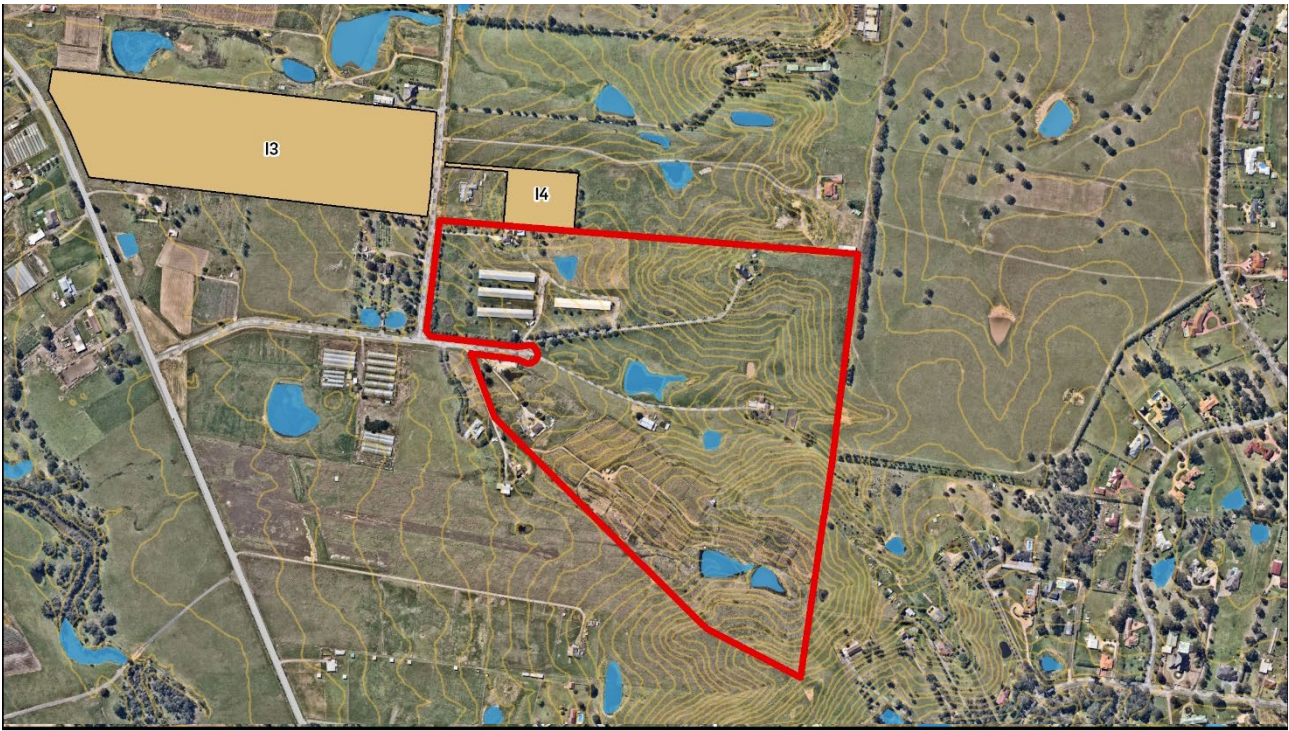
Figure 1 Locality map subject site outlined in red

Source: SIX Maps 2020

1.6. HERITAGE LISTING

The subject site is not a listed heritage item and is not located in a conservation area. However, the site adjoins and is located in the vicinity of other locally significant heritage items listed under *State Environmental Planning Policy (Western Sydney Employment Area) 2009* as outlined hereunder:

- Item 4, Brick farmhouse, 282 Aldington Road, Lot 142, DP 1033686
- Item 3, Gateposts to Colesbrook, 269–285 Mamre Road, Lot 8, DP 253503
- Item 2, “Bayley Park”, house, 919–929 Mamre Road, Lot 35, DP 258414



GDA 1994 MGA Zone 56

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Project No: P0028928
 Project Manager: Andrew Crisp

HISTORICAL HERITAGE ITEMS
 Westlink
 ESR Australia

- ▭ Subject Area
- ▭ Hydrology
- ▭ Item - General
- Contours

Figure 2 Heritage map showing the subject site outlined in red

Source: Urbis

2. SITE DESCRIPTION

The subject area is located within the City of Penrith Local Government Area (LGA), approximately 37km west of the Sydney CBD. It is approximately 32ha and is situated approximately 900m east of Kemps Creek on the west-facing slopes of the valley associated with that waterway. The subject area is currently utilised for agricultural purposes and includes the following improvements:

- Four dwellings.
- Four industrial / agricultural sheds.
- Multiple dams.
- Fencing and other farm improvements.

It is bound on all sides by other semi-rural properties, with the exception of the north-western portion, which has frontages on Aldington Road and Abbotts Road.



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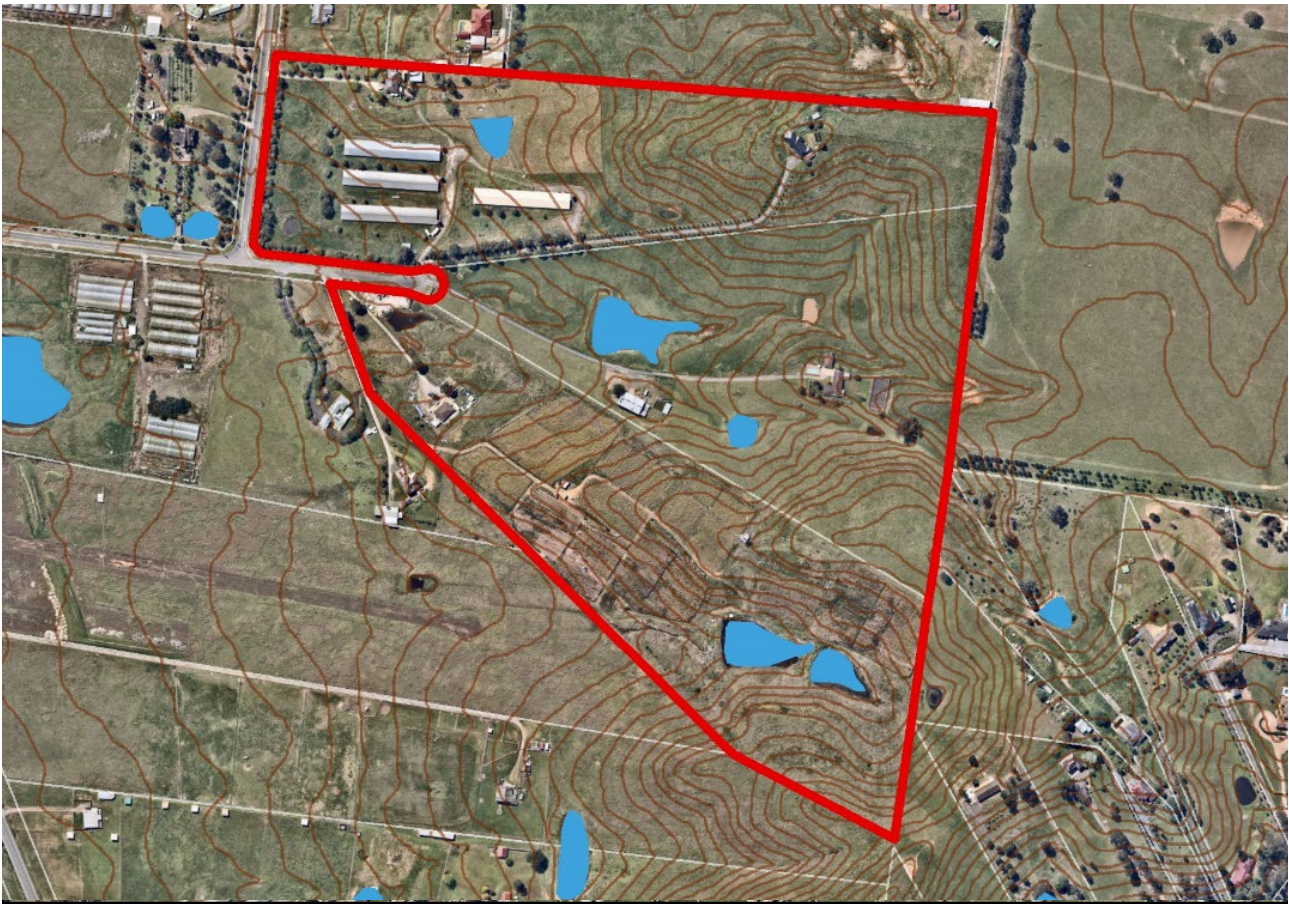
Project No: P0028928
Project Manager: Andrew Crisp

● Subject Area

REGIONAL LOCATION
Westlink
ESR Australia

Figure 3 Regional locality map subject site indicated in red

Source: SIX Maps 2020



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Project No: P0028928
Project Manager: Andrew Crisp

Subject Area **Contours** **Hydrology**

LOCATION OF THE SUBJECT AREA
 Westlink
 ESR Australia

Figure 4 Locality map and aerial view of the subject site outlined in red

Source: SIX Maps 2020

3. HISTORICAL OVERVIEW

3.1. AREA HISTORY

The following area history has been directly sourced from the Penrith City Local History website at <https://penrithhistory.com/suburb-profiles/kemps-creek/>.

Kemps Creek, New South Wales, Australia is located in the south east corner of the City of Penrith as well as the City of Liverpool. In the City of Penrith, Sydney Water's supply pipeline is Kemps Creek's northern boundary, while the suburb of Mt Vernon and the City of Fairfield run along its eastern side. Historic Elizabeth Drive divides Kemps Creek between Penrith and Liverpool Councils while South Creek forms its western boundary. Kemps Creek is an active rural and research area in Western Sydney with the University of Sydney and Western Sydney using the area for research purposes. The major creeks of South, Ropes and Kemps run through this suburb. It is a major thoroughfare between Penrith and Liverpool. The subdivision patterns of this area reflect the early land grants and it commands spectacular views of the Blue Mountains from its undulating hills.

The name of this suburb is taken from Anthony Fenn Kemp (1773-1868), who was granted two adjoining properties in this district. The largest, granted in 1820 was of 500 acres (Parish of Melville) and was named Mt Vernon, presumably after George Washington's home in Virginia in America. While the other, granted in 1810, was of 300 acres and is in both the Parish of Melville and Cabramatta, straddling Elizabeth Drive and Mamre Road). In 1816, Kemp sold his land and left New South Wales for Tasmania. Kemps Creek township, located outside of the Penrith LGA, is situated on Kemp's former estate.

3.2. SITE HISTORY

The subject site has historically been used primarily for agricultural purposes since it was settled by Europeans. It appears that the subject site once formed part of the larger Colesbrook Estate in Kemps Creek. The only evidence of this larger estate to remain include the highly modified and reconstructed brick farmhouse to the immediate north of the subject site (Heritage Item 4 at 282 Aldington Road) and the remnant sandstone gatepost fronting Mamre Road (Heritage Item 3 at 269-285 Mamre Road). The following aerials show that the Colesbrook Estate was large and contained open grazing land, numerous dams and evidence of horticulture.

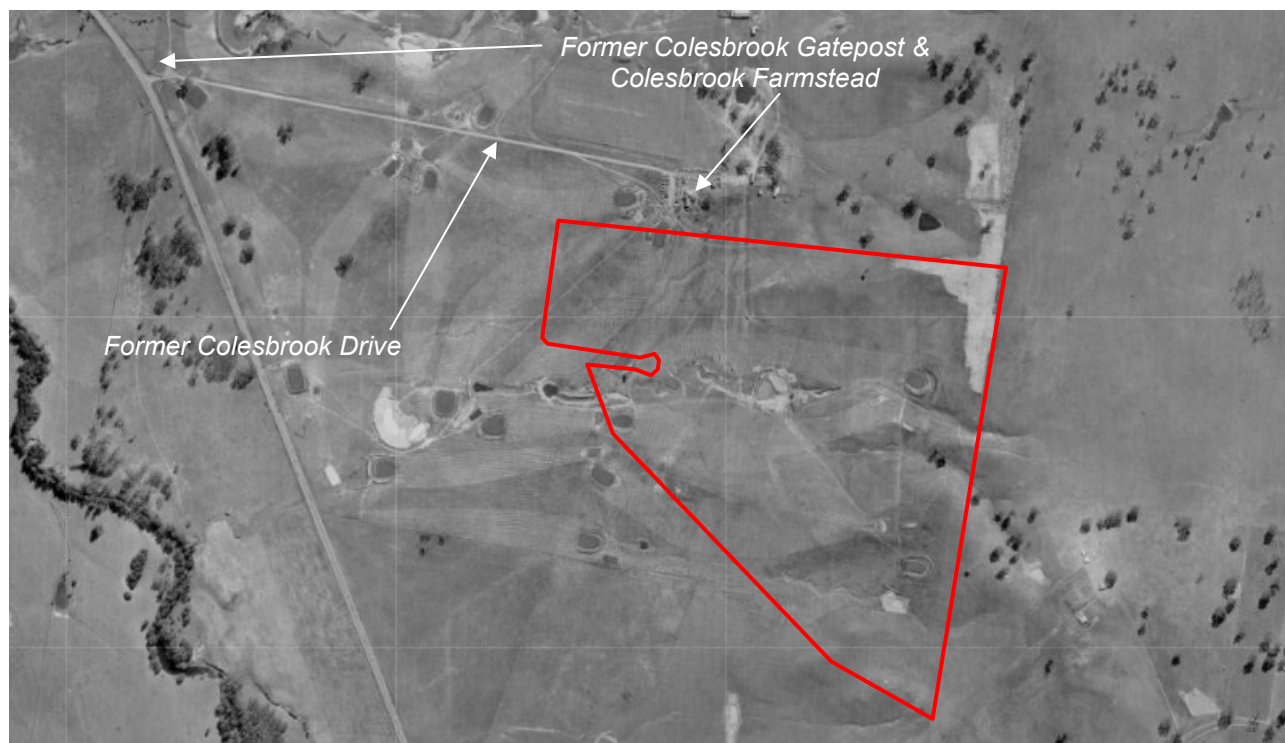


Figure 5 Extract of the 1965 historical aerial showing the subject site outlined in red
Source: NSW Historical Imagery

The following close up view of the 1965 aerial shows the former Colesbrook homestead.

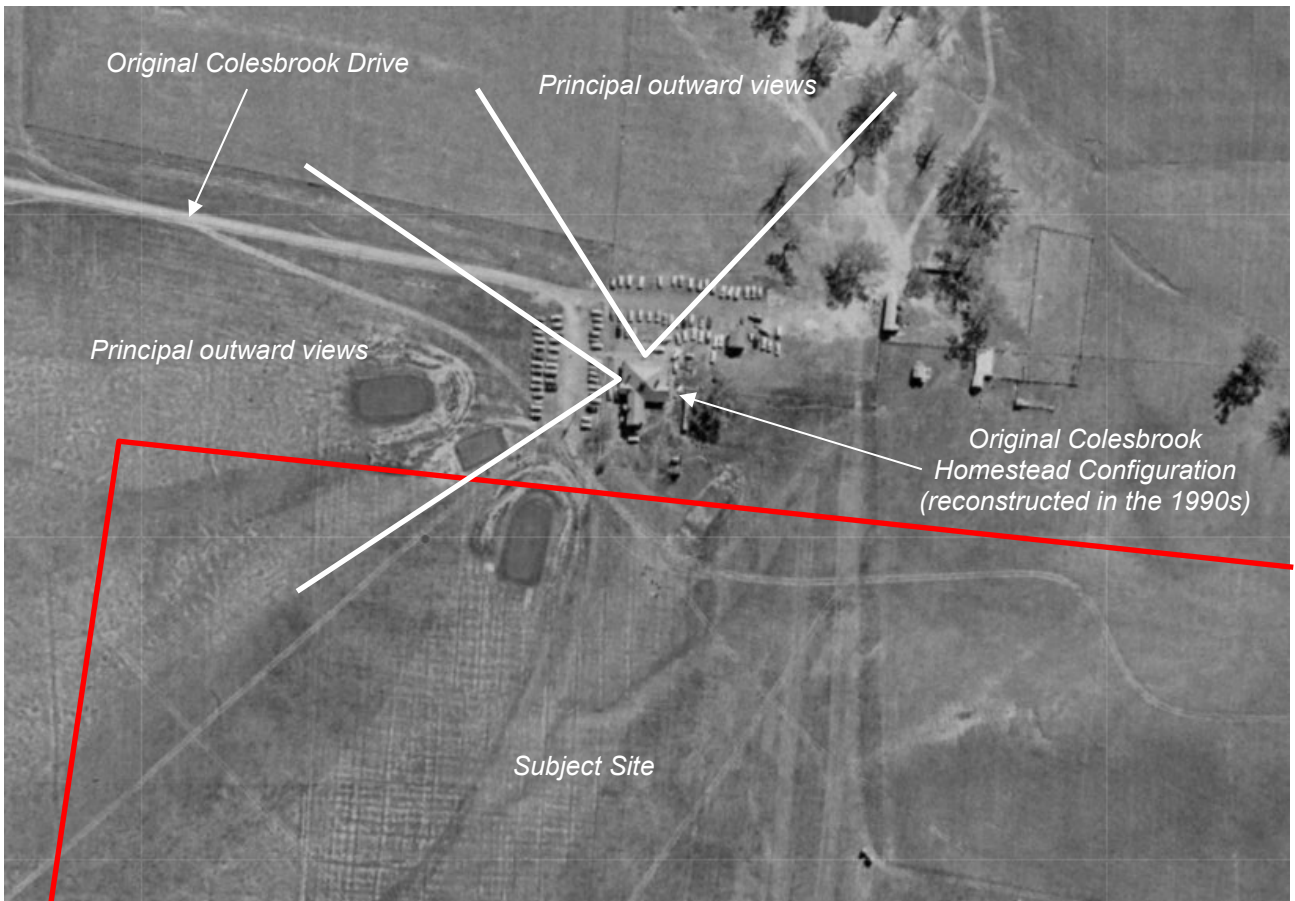


Figure 6 Extract of the 1965 historical aerial showing the subject site outlined in red
 Source: NSW Historical Imagery

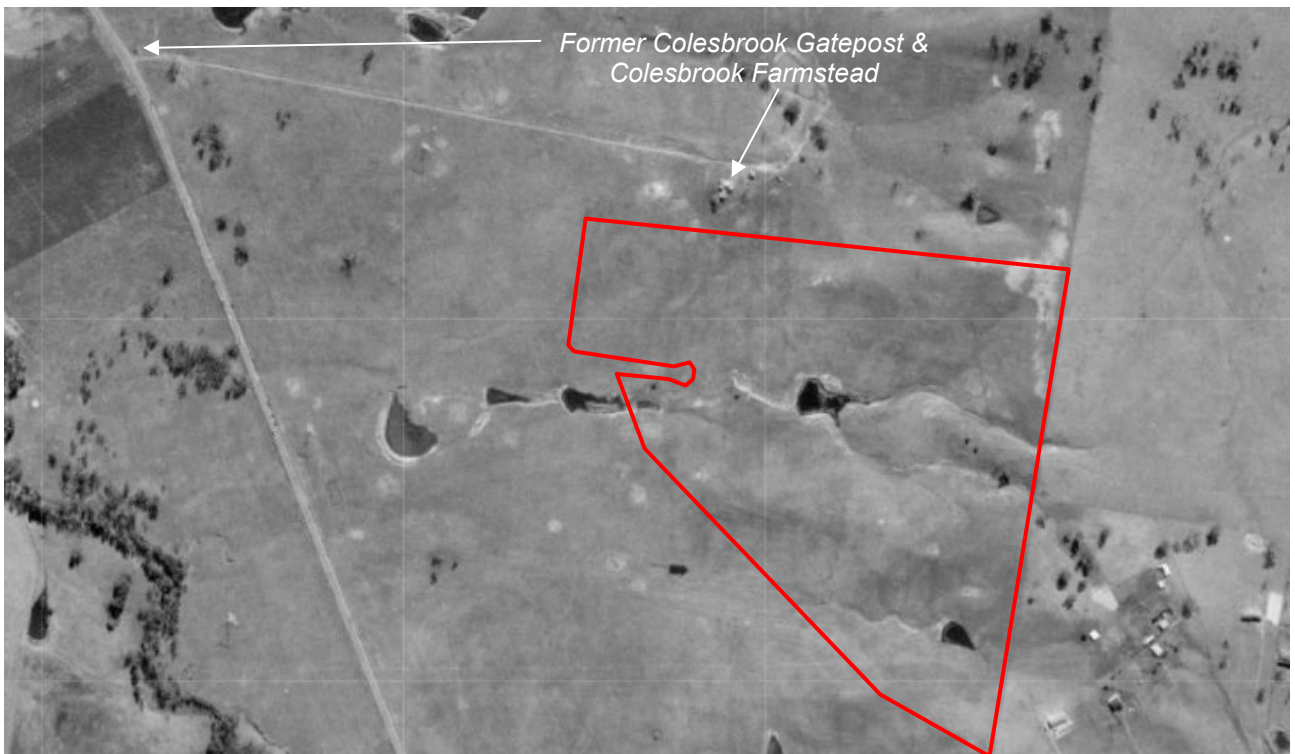


Figure 7 Extract of the 1975 historical aerial showing the subject site outlined in red
 Source: NSW Historical Imagery

Improvements begun to appear on the subject site around 1978 (see below) with the construction of an internal road following the subdivision of the Estate development of Aldington Road and Abbots Road at the same time.

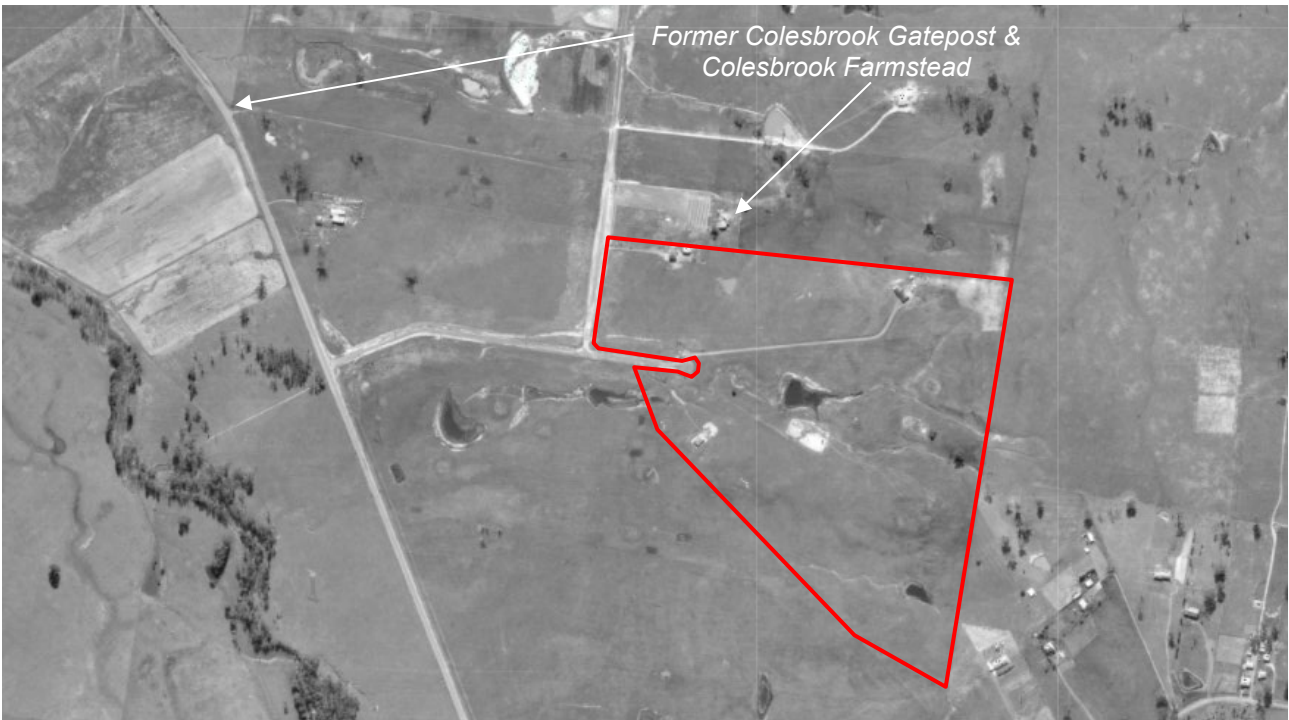


Figure 8 Extract of the 1978 historical aerial showing the subject site outlined in red
Source: NSW Historical Imagery

By 1986 (see below) agricultural buildings along with four dwellings had been constructed on the site.

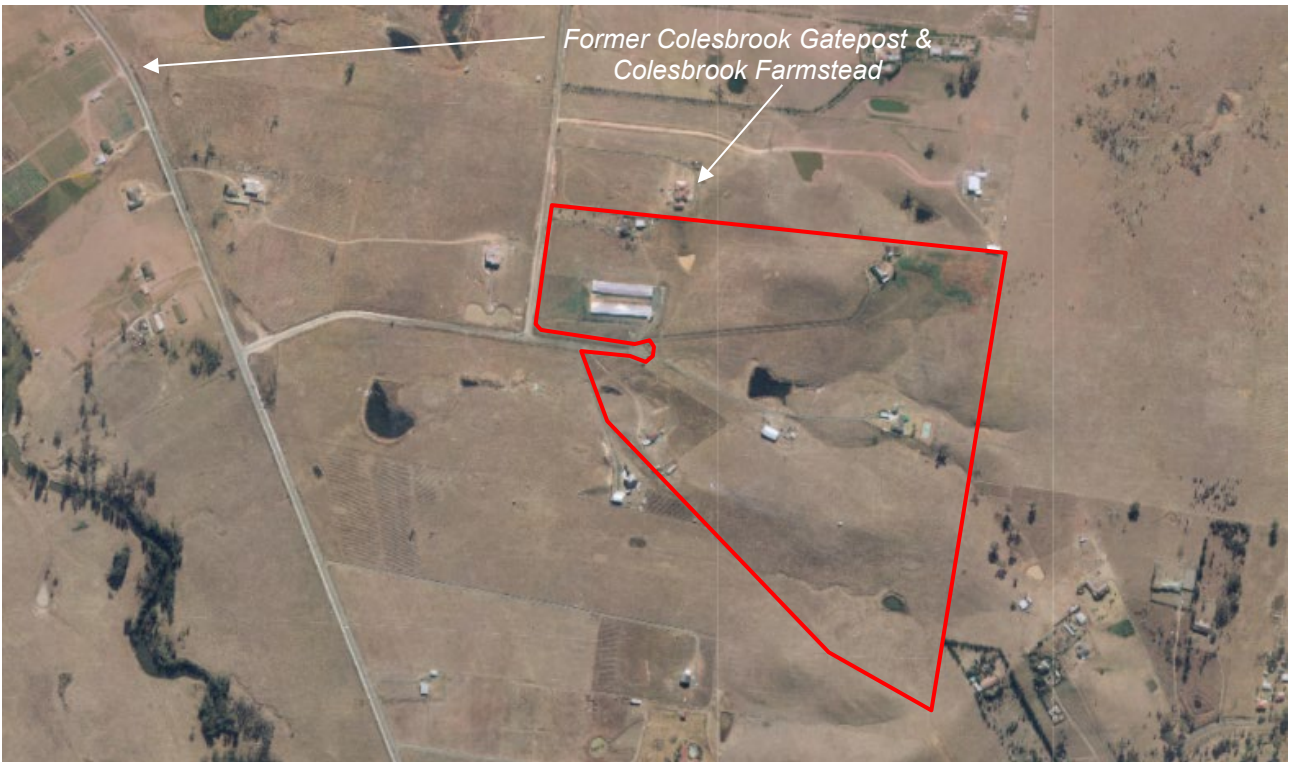


Figure 9 Extract of the 1986 historical aerial showing the subject site outlined in red
Source: NSW Historical Imagery



Figure 10 Extract of the 1991 historical aerial showing the subject site outlined in red

Source: NSW Historical Imagery



Figure 11 Extract of the 2004 historical aerial showing the subject site outlined in red

Source: NSW Historical Imagery

The site remained unchanged throughout the late twentieth century apart from the addition of further agricultural buildings to Lot 13 / DP 253503 (the northern lot within the subject site).



Figure 12 Extract of current aerial image showing the subject site outlined in red.

Source: SIX Maps 2020



Figure 13 Colesbrook Farmstead.

Source: Urbis

4. HERITAGE SIGNIFICANCE

4.1. 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 and why a statutory listing was made to protect these values.

4.2. ESTABLISHED HERITAGE SIGNIFICANCE

4.2.1. The Subject Site

The subject site is not a listed heritage item and does not contain any elements of potential built heritage significance. None of the structures on the subject site are required to be retained on heritage grounds.

4.2.2. Vicinity Heritage Items

The existing statements of significance associated with the vicinity heritage items are outlined in the table below and have been sourced directly from the NSW State Heritage Inventory records for the items.

Table 2 Established Statement of Significance

Heritage Item	Established Statement of Significance
Item 4, Brick farmhouse, 282 Aldington Road, Lot 142, DP 1033686	The farmhouse is of local significance and demonstrates the emergence of small farmsteads in the area following the subdivision of the Fleurs estate in the 1880s. Albeit altered the building remains a substantial and elaborate farmhouse of its era prominently set on a hillside overlooking the South Creek floodplain. The house and surrounding cleared hillside evoke a rural setting. The house is best of the late nineteenth century and early to mid twentieth century residences in this historically sparsely settled area. This significance is enhanced by its historic association with the Fleurs estate subdivision. ¹
Item 3, Gateposts to Colesbrook, 269–285 Mamre Road, Lot 8, DP 253503	Significant as evidence of the prosperity of the larger rural properties in the late 19th and early 20th Century, and the subsequent decline leading to the present day subdivision of the area into 10ha allotments. ²
Item 2, “Bayley Park”, house, 919–929 Mamre Road, Lot 35, DP 258414	Under construction from the 1810s for Nicholas Bayley, the property is unique in the south-eastern section of Penrith LGA for its historic associations with a settler family and colonial era rural enterprise. While the importance of the house requires investigation, the treed creekside setting with foreground of pastureland provides a historic item and demonstrates nineteenth century pastoral and agricultural estate planning. ³

¹ <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260106>

² <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260105>

³ <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=2260104>

5. THE PROPOSAL

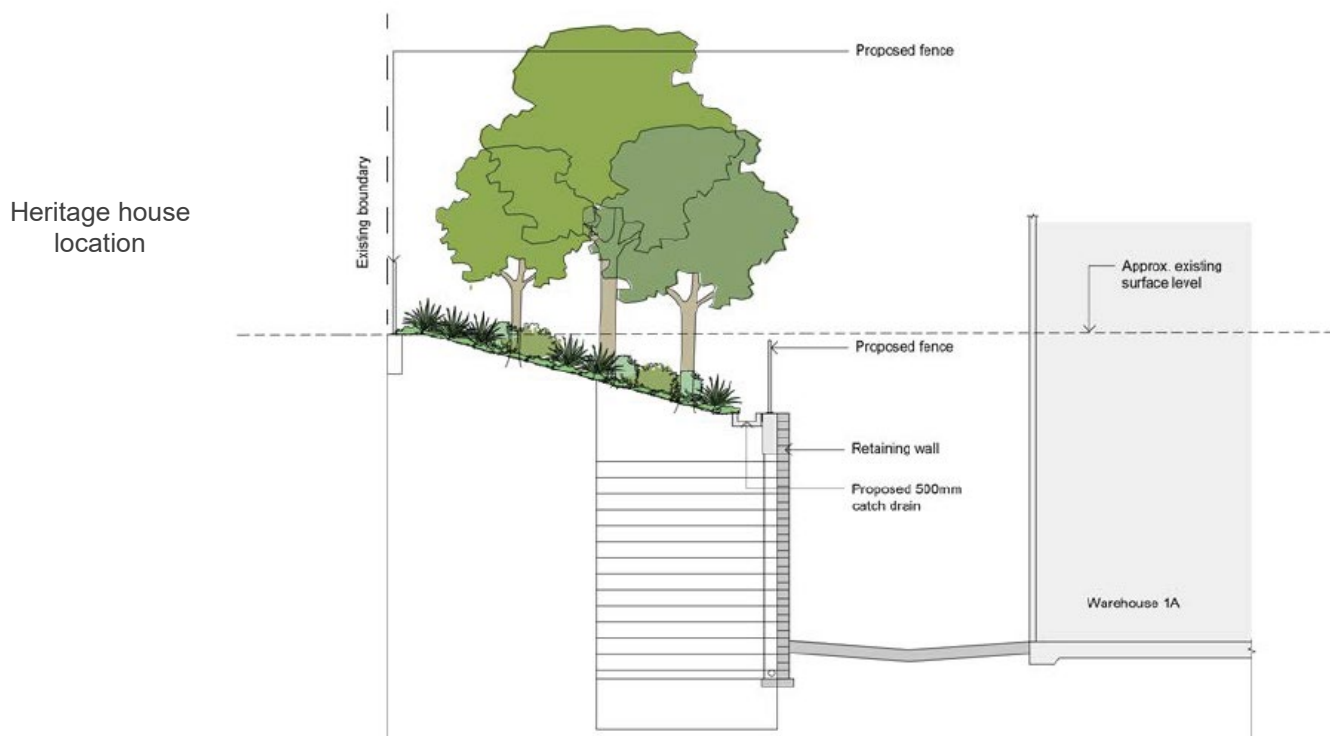
The subject proposal under SSD-9138102 comprises the following scope of works:

1. A concept proposal comprising four (4) lots with a nett developable area of 298,609 m² for warehouse and office space, parking and hardstand areas, landscaping and services and utilities.
2. Stage 1 of the proposed development including:
 - Bulk earth-works,
 - Vegetation removal,
 - Construction of internal access road,
 - Services and utilities works; and
 - Construction of two (2) warehouse buildings.

The first warehouse (total GFA 53, 857m²) is to be constructed on Lot 1 of the estate. The second warehouse (total GFA 17,785m²) is to be constructed on Lot 4 of the estate.

The proposed Masterplan for the estate is included at Figure 14 below. Proposed works for Stage 1 are indicated at Figure 15. The brick farmhouse heritage item is located to the immediate north of the subject site.

Preparation works to the site include bulk earth removal to accommodate the new pad level for Warehouse 1 which is to be set below the height of the adjacent heritage item. The northern boundary of the site is to be heavily landscaped to provide further screening from the heritage item as outlined below.



The masterplan, Stage 1 proposed works and landscape scheme are included below.

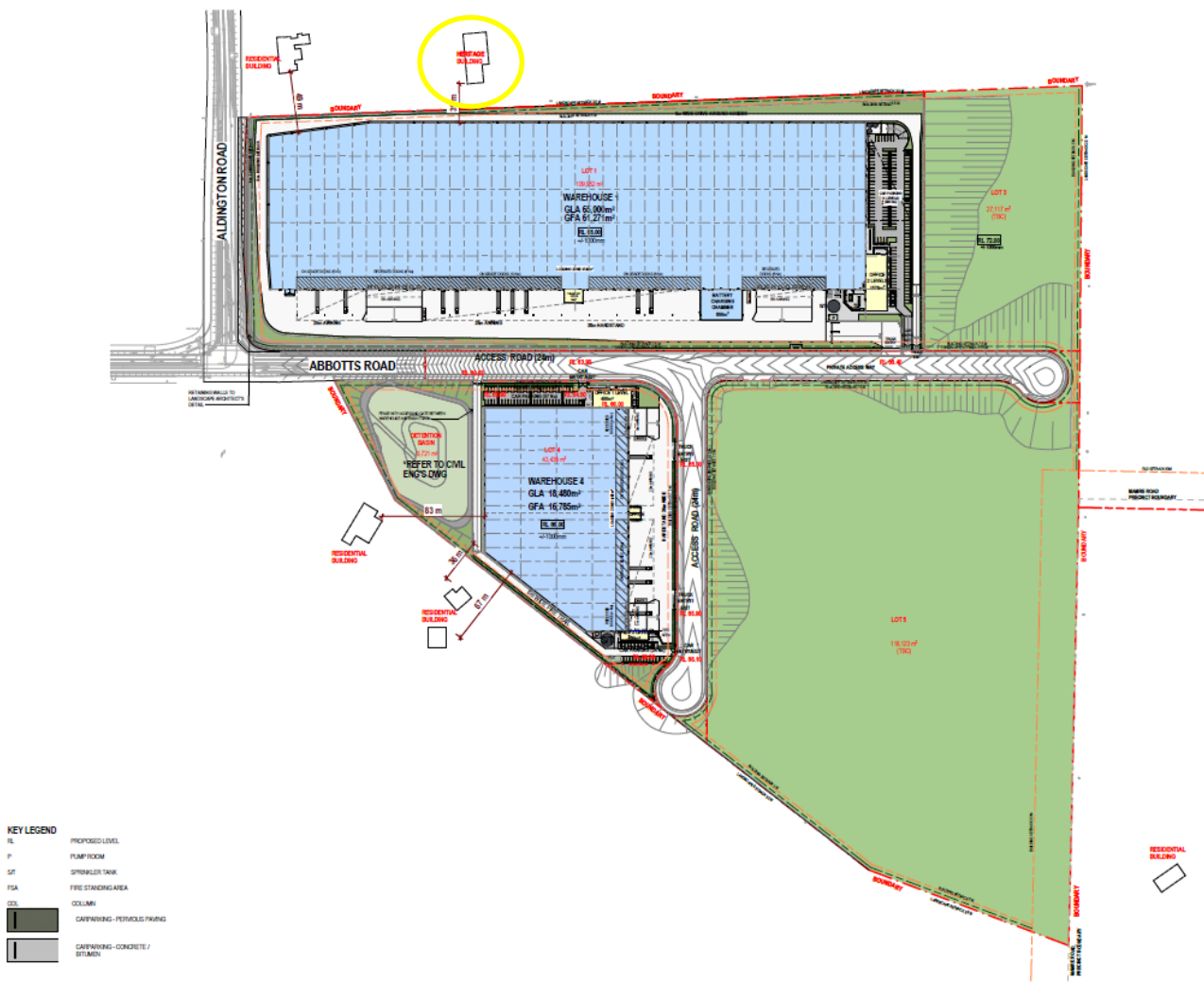


Figure 14 – Masterplan for subject area. Approximate location of heritage item indicated in yellow.

Source: ESR Australia



Figure 15 Stage 1 proposed works.

Source: ESR Australia



Figure 16 Landscape Masterplan.

Source: Site Image Landscape Architects

Northern Boundary

The northern boundary will be planted with massed grassed and groundcovers. Canopy trees in groups will line the boundary with emphasis on screening around the adjacent heritage building.



Section B

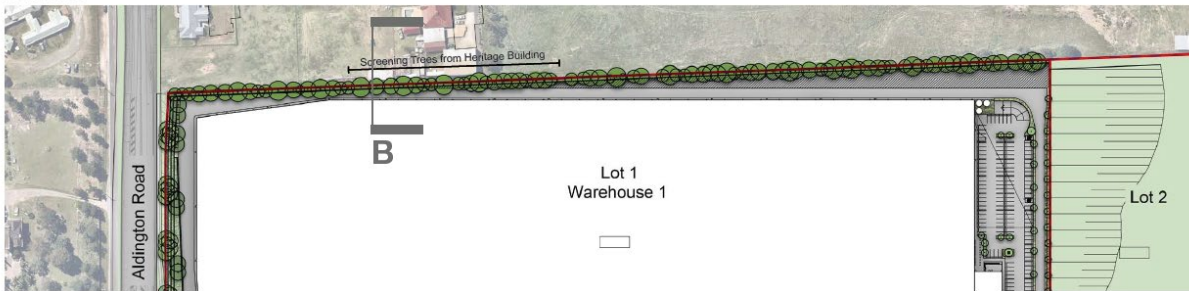


Figure 17 Extract from landscape scheme, showing treatment to northern boundary.

Source: Site Image Landscape Architects

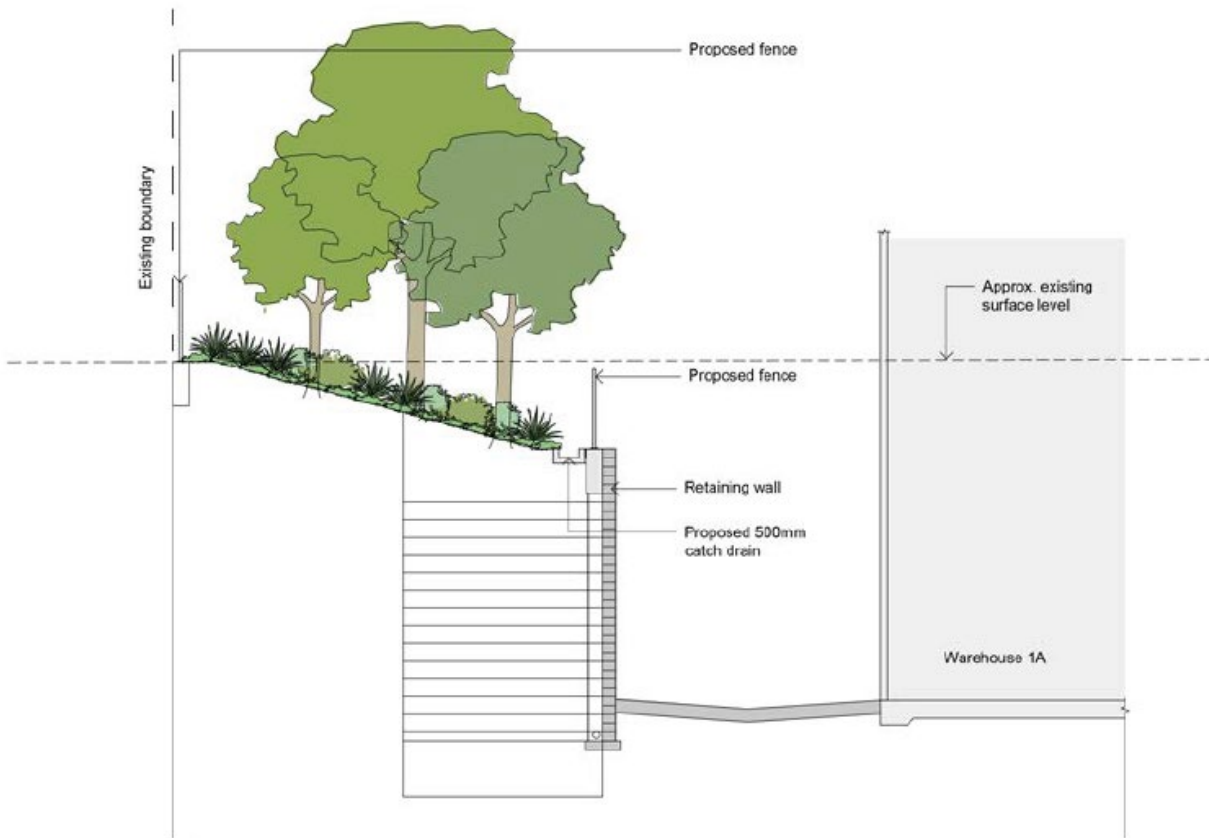


Figure 18 Extract from landscape scheme, diagram showing proposed levels, vegetation and fencing along northern boundary.

Source: Site Image Landscape Architects

6. IMPACT ASSESSMENT

The proposal provides for a masterplan for the future development of the whole of the subject site with industrial warehouse buildings. The proposal also includes a Stage 1 proposal for physical works including site preparation, bulk earthworks, and construction of the first warehouse. This impact assessment has had regard to the prospective future development of the whole of the subject site for industrial uses and we have considered the potential heritage impact of the future development of multiple warehouses that will be facilitated by the concept proposal.

Below, the potential impact of the proposal is assessed against the applicable heritage-related statutory and non-statutory planning controls which relate to the site and the proposed development.

6.1. STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY EMPLOYMENT AREA) 2009

The table below provides an assessment of the proposal against the relevant provision for heritage conservation as found in the *State Environmental Planning Policy (Western Sydney Employment Area) 2009*.

Table 3 – Assessment against the State Environmental Planning Policy (Western Sydney Employment Area) 2009

Clause	Response
33J Heritage conservation	
<p>(2) Requirement for consent 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>(f) subdividing 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 proposal is located in the vicinity of heritage items. Accordingly, consent is required under this clause.</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>A detailed impact assessment has been included in the following sections of this report.</p>

Clause	Response
<p data-bbox="165 237 434 264">(5) Heritage assessment</p> <p data-bbox="165 300 746 362">The consent authority may, before granting consent to development—</p> <ul style="list-style-type: none"> <li data-bbox="165 398 702 425">(a) on land on which a heritage item is located, or <li data-bbox="165 461 778 488">(b) on land that is within a heritage conservation area, or <li data-bbox="165 524 772 586">(c) on land that is within the vicinity of land referred to in paragraph (a) or (b), <p data-bbox="165 622 782 801">require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<p data-bbox="810 237 1343 336">This HIS has been prepared to assist the consent authority in their determination and to assess the potential heritage impact of the proposal.</p>


6.2. PENRITH DEVELOPMENT CONTROL PLAN 2010

The table below assesses the proposal against the relevant objective and provisions for heritage conservation as found in the Penrith DCP 2010.

Table 4 – Assessment against the Penrith Development Control Plan 2010

Provision	Response
7.1.5. Development in the Vicinity of a Heritage Item or Conservation Area	
<p><u>C. Controls</u></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>This heritage impact has been prepared in response to the SEARs request and to satisfy this clause.</p> <p>The proposal is located to the south of the vicinity heritage items, in particular Item 4 being the brick farmhouse, which is the only heritage item which will have a visual interface with future development on the subject site. The outward views from the heritage item are towards the north and west, and do not look towards the subject site to the south.</p> <p>Principal inward facing views to the heritage item dwelling would be from the west facing towards the east (from the location of the original drive) and from the north facing towards the south (facing what would have been the principal frontage to the house). The heritage item is a dwelling located on a knoll and would benefit from widespread views of the surrounding landscape to the north and west.</p> <p>It is noted that a number of existing structures are located between the subject site and the heritage item to the north providing a physical and visual buffer between the heritage item and the subject site.</p> <p>Outward views from the heritage item towards the proposed subject site development will be available, however it is noted that the heritage item is located within an area of identified and planned urban redevelopment and the nature of this precinct will be one of evolving built form. Further the heritage item is a highly altered former farmhouse which has lost its original setting, curtilage, built form and landscape.</p> <p>While the proposed future development of the subject site will create an altered setting to the south of the heritage item in inward views to the item, the item is not considered to be of such significance nor intactness that the subject proposal will adversely impact its significance. The heritage item will retain its existing land area, curtilage, landscaping and outward views to the north and</p>

Provision	Response
	<p>west. The proposal is considered to have an acceptable heritage impact on this adjoining heritage item.</p> <p>There are no visual impacts as a result of the proposal on the other vicinity heritage items being Bayley Park and the former gateposts to Colesbrook.</p>
<p>b) May undermine or otherwise cause physical damage to a heritage item; or</p>	<p>No physical damage to the vicinity heritage items would result from the proposal. No physical works are proposed within the boundaries of any of the vicinity heritage items.</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>See above discussion.</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>The proposal is located to the south of the vicinity heritage items, in particular Item 4 being the brick farmhouse, which is the only heritage item which will have a visual interface with future development on the subject site. The outward views from the heritage item are towards the north and west, and do not look towards the subject site to the south.</p> <p>Principal inward facing views to the heritage item dwelling would be from the west facing towards the east (from the location of the original drive) and from the north facing towards the south (facing what would have been the principal frontage to the house). The heritage item is a dwelling located on a knoll and would benefit from widespread views of the surrounding landscape to the north and west.</p> <p>It is noted that a number of existing structures are located between the subject site and the heritage item to the north providing a physical and visual buffer between the heritage item and the subject site.</p> <p>Outward views from the heritage item towards the proposed subject site development will be available, however it is noted that the heritage item is located within an area of identified and planned urban redevelopment and the nature of this precinct will be one of evolving built form. Further the heritage item is a highly altered former farmhouse which has lost its original setting, curtilage, built form and landscape.</p> <p>While the proposed future development of the subject site will create an altered setting to the south of the heritage item in inward views to the item, the item is not considered to be of such significance nor intactness that</p>

Provision	Response
	<p>the subject proposal will adversely impact its significance. The heritage item will retain its existing land area, curtilage, landscaping and outward views to the north and west. The proposal is considered to have an acceptable heritage impact on this adjoining heritage item.</p> <p>There are no visual impacts as a result of the proposal on the other vicinity heritage items being Bayley Park and the former gateposts to Colesbrook.</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 northern elevation of warehouse 1 is to be set back approximately 30m from the heritage item to the immediate north. Proposed earthworks and landscaping involve cutting into the proposed site area, construction of a retaining wall and 8m of substantial planting along the northern boundary of the site. The new pad level for Warehouse 1 is to be set 9m below the height of the adjacent heritage item, reducing visual impacts to the heritage item and its existing rural setting. The proposed change in levels, setback and vegetated screening will soften the interface between warehouse 1 and the heritage item by reducing the overall perceived bulk and scale of the new building.</p> <p>Heritage house is located to the north (left) of the below section. Approximate sight line shown below in blue</p>  <p>While the development will still be visible from the adjoining heritage item, the nature of the precinct is one of strategic change and urban renewal in line with the Western Sydney employment lands SEPP. The materiality, siting, landscaping and heights of the new building have been designed to minimise impact on the adjoining heritage item as much as possible.</p>

Provision	Response
7.1.7. Potential Heritage Items	
<p>C. Controls</p> <p>1) Where it is proposed to develop or demolish a building, relic or structure not listed in Schedule 5 – Environmental Heritage of Penrith LEP 2010 that is older than fifty years, Council may require the submission of a Heritage Impact Statement that addresses those issues referred to in Clause 5.10 of Penrith LEP 2010 or in this DCP, so as to enable it to fully consider the impact of the development upon the significance of the building, relic or structure.</p>	<p>All four existing dwellings on the subject site were constructed between 1975 and 1986. The agricultural buildings were constructed after 1978. All structures on the site are less than 50 years old and date to the late twentieth century.</p>

6.3. HERITAGE NSW GUIDELINES

The proposed works are addressed in relation to relevant questions posed in Heritage NSW's (former Heritage Office/Heritage Division) 'Statement of Heritage Impact' guidelines.

Table 5 - Heritage NSW Guidelines

Clause	Discussion
<p>The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:</p>	<p>The subject site is not a listed heritage item and is not located in a conservation area. However, the site adjoins and is located in the vicinity of other locally significant heritage items listed under <i>State Environmental Planning Policy (Western Sydney Employment Area) 2009</i>.</p> <p>The proposal provides for a masterplan for the future development of the whole of the subject site with industrial warehouse buildings. The proposal also includes a Stage 1 proposal for physical works including site preparation, bulk earthworks, and construction of two warehouse buildings. This impact assessment has regard to the prospective future development of the whole of the subject site for industrial uses and we have considered the potential heritage impact of the future development of multiple warehouses that will be facilitated by the concept proposal.</p> <p>The proposal is located to the south of the vicinity heritage items, in particular Item 4 being the brick farmhouse, which is the only heritage item which will have a visual interface with future development on the subject site. The outward views from the heritage item</p>

Clause	Discussion
	<p>are towards the north and west, and do not look towards the subject site to the south.</p> <p>Principal inward facing views to the heritage item dwelling would be from the west facing towards the east (from the location of the original drive) and from the north facing towards the south (facing what would have been the principal frontage to the house). The heritage item is a dwelling located on a knoll and would benefit from widespread views of the surrounding landscape to the north and west.</p> <p>It is noted that a number of existing structures are located between the subject site and the heritage item to the north providing a physical and visual buffer between the heritage item and the subject site.</p> <p>Outward views from the heritage item towards the proposed subject site development will be available, however it is noted that the heritage item is located within an area of identified and planned urban redevelopment and the nature of this precinct will be one of evolving built form. Further the heritage item is a highly altered former farmhouse which has lost its original setting, curtilage, built form and landscape.</p> <p>While the proposed future development of the subject site will create an altered setting to the south of the heritage item in inward views to the item, the item is not considered to be of such significance nor intactness that the subject proposal will adversely impact its significance. The heritage item will retain its existing land area, curtilage, landscaping and outward views to the north and west. The proposal is considered to have an acceptable heritage impact on this adjoining heritage item.</p> <p>There are no visual impacts as a result of the proposal on the other vicinity heritage items being Bayley Park and the former gateposts to Colesbrook.</p>
<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 no aspects of the proposal which have been assessed to have an adverse heritage impact on the significance of vicinity heritage items. The adjoining heritage item is located within an area of identified and planned urban redevelopment and the nature of this precinct will be one of evolving built form. Further the heritage item is a highly altered former farmhouse which</p>

Clause	Discussion
<p>Demolition of a building or structure</p> <p>Have all options for retention and adaptive re-use been explored?</p> <p>Can all of the significant elements of the heritage item be kept and any new development be located elsewhere on the site?</p> <p>Is demolition essential at this time or can it be postponed in case future circumstances make its retention and conservation more feasible?</p> <p>Has the advice of a heritage consultant been sought? Have the consultant's recommendations been implemented? If not, why not?</p>	<p>has lost its original setting, curtilage, built form and landscape.</p> <p>While the proposed future development of the subject site will create an altered setting to the south of the heritage item in inward views to the item, the item is not considered to be of such significance nor intactness that the subject proposal will adversely impact its significance. The heritage item will retain its existing land area, curtilage, landscaping and outward views to the north and west. The proposal is considered to have an acceptable heritage impact on this adjoining heritage item.</p> <p>All four existing dwellings on the subject site were constructed between 1975 and 1986. The agricultural buildings were constructed after 1978. The subject site is not a listed heritage item and does not contain any elements of potential built heritage significance. None of the structures on the subject site are required to be retained on heritage grounds. There are no detrimental heritage impacts as a result of the demolition of the existing structures on the subject site.</p>
<p>Change of use</p> <p>Has the advice of a heritage consultant or structural engineer been sought?</p> <p>Has the consultant's advice been implemented? If not, why not?</p> <p>Does the existing use contribute to the significance of the heritage item?</p> <p>Why does the use need to be changed?</p> <p>What changes to the fabric are required as a result of the change of use?</p> <p>What changes to the site are required as a result of the change of use?</p>	<p>The proposal provides for a change of use from the existing rural residential use to a future industrial use providing an intensified land use. While out of character with the historical uses in the area and for the subject site, this site is located within an area of identified and planned urban redevelopment and the nature of this precinct will be one of evolving built form. The proposal is consistent with the longer term strategic vision and character for the Western Sydney Employment Lands corridor along Mamre Road and throughout Kemps Creek more broadly.</p>

Clause	Discussion
<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>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>The adjoining Heritage Item 4 being the brick farmhouse is the only heritage item which will have a visual interface with future development on the subject site.</p> <p>Principal inward facing views to the heritage item dwelling would be from the west facing towards the east (from the location of the original drive) and from the north facing towards the south (facing what would have been the principal frontage to the house). The heritage item is a dwelling located on a knoll and would benefit from widespread views of the surrounding landscape to the north and west. The outward views from this heritage item are towards the north and west, and do not look towards the subject site to the south.</p> <p>It is noted that a number of existing structures are located between the subject site and the heritage item to the north providing a physical and visual buffer between the heritage item and the subject site.</p> <p>Outward views from the heritage item towards the proposed subject site development will be available, however it is noted that the heritage item is located within an area of identified and planned urban redevelopment and the nature of this precinct will be one of evolving built form. Further the heritage item is a highly altered former farmhouse which has lost its original setting, curtilage, built form and landscape.</p> <p>While the proposed future development of the subject site will create an altered setting to the south of the heritage item in inward views to the item, the item is not considered to be of such significance nor intactness that the subject proposal will adversely impact its significance. The heritage item will retain its existing land area, curtilage, landscaping and outward views to the north and west. The proposal is considered to have an acceptable heritage impact on this adjoining heritage item.</p> <p>There are no visual impacts as a result of the proposal on the other vicinity heritage items being Bayley Park and the former gateposts to Colesbrook.</p>
<p>Subdivision</p> <p>How is the proposed curtilage allowed around the heritage item appropriate?</p>	<p>The proposed subdivision of the subject site in accordance with the concept masterplan will have no adverse heritage impact on the vicinity heritage items. The subject site is the result of a late twentieth century subdivision of a former agricultural property, and further subdivision and development of the land will not obscure</p>

Clause	Discussion
<p>Could future development that results from this subdivision compromise the significance of the heritage item? How has this been minimised?</p> <p>Could future development that results from this subdivision affect views to, and from, the heritage item?</p> <p>How are negative impacts to be minimised?</p>	<p>or adversely impact any of the identified heritage values of the vicinity heritage items.</p>

7. CONCLUSION AND RECOMMENDATIONS

The proposal provides for a masterplan for the future development of the whole of the subject site to include industrial warehouse buildings.

The proposal also includes a Stage 1 proposal for physical works including site preparation, bulk earthworks, and construction of two warehouses. The first warehouse is to be construction on lot 1 of the estate with a total GFA of 53, 857m² . The second warehouse building is to be constructed on lot 4 of the estate with a total GFA of 17, 785m².

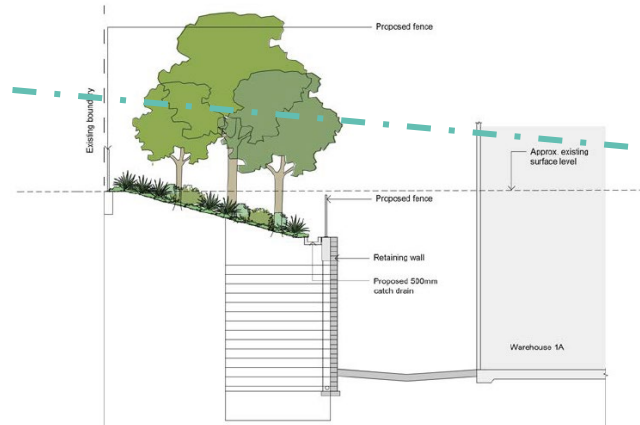
The impact assessment included at Section 5 of this report has had regard to the prospective future development of the whole of the subject site for industrial uses and we have considered the potential heritage impact of the future development of multiple warehouses that will be facilitated by the concept proposal.

The proposal has been assessed to have an acceptable impact on the vicinity heritage items in the area. Key aspects of the proposal assessment are listed below:

- All four existing dwellings on the subject site were constructed between 1975 and 1986. The agricultural buildings were constructed after 1978. The subject site is not a listed heritage item and does not contain any elements of potential built heritage significance. None of the structures on the subject site are required to be retained on heritage grounds. There are no detrimental heritage impacts as a result of the demolition of the existing structures on the subject site.
- The proposal is located to the south of the vicinity heritage items, in particular Item 4 being the brick farmhouse, which is the only heritage item which will have a visual interface with future development on the subject site. Principal inward facing views to the heritage item dwelling would be from the west facing towards the east (from the location of the original drive) and from the north facing towards the south (facing what would have been the principal frontage to the house).
- The outward views from the heritage item are towards the north and west, and do not look towards the subject site to the south. Outward views from the heritage item towards the proposed subject site development will be available following construction, however this modified outlook will form part of a larger strategic planned urban redevelopment of the precinct. These modified outward views will be to the south from the rear secondary elevation of the heritage item where a number of existing structures are located between the subject site and the heritage item to the north providing a physical and visual buffer between the heritage item and the subject site. There will be no change to the principal outward views of the heritage item from the west and northern elevations of the dwelling.

- The northern elevation of warehouse 1 is to be set back approximately 30m from the heritage item to the immediate north. Proposed earthworks and landscaping involve cutting into the proposed site area, construction of a retaining wall and 8m of substantial planting along the northern boundary of the site. The new pad level for Warehouse 1 is to be set 9m below the height of the adjacent heritage item, reducing visual impacts to the heritage item and its existing rural setting. The proposed change in levels, setback and vegetated screening will soften the interface between warehouse 1 and the heritage item by reducing the overall perceived bulk and scale of the new building.

Heritage house is located to the north (left) of the below section. Approximate sight line shown below in blue with buffer vegetation and excavated level of development shown.



- It is noted that the adjoining heritage item is a highly altered former farmhouse which has lost its original setting, curtilage, built form and landscape through later development and subdivisions. It has been severed from its original rive and gateposts which are now located on the western alignment of Aldington Road and face Mamre Road. While the proposed future development of the subject site will create an altered setting to the south of the heritage item and change existing inward views towards the item, the item is not considered to be of such significance nor intactness that the subject proposal will adversely impact its significance. The heritage item will retain its existing land area, curtilage, landscaping and outward views to the north and west, and be able to be understood and interpreted in its existing setting. The proposal is considered to have an acceptable heritage impact on this adjoining heritage item.
- There are no visual or physical adverse impacts as a result of the proposal on the other vicinity heritage items in the locality being Bayley Park and the former gateposts to Colesbrook. All heritage items will retain their existing listing protection and no physical works are proposed to any of the heritage items.

For the reasons stated above, the proposed works are recommended for approval from a heritage perspective.

8. BIBLIOGRAPHY AND REFERENCES

8.1. BIBLIOGRAPHY

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