



***The Northern Road Upgrade between Glenmore Parkway  
and Jamison Road***

Roads and Maritime Services

***Non-Aboriginal Heritage Assessment***

Final

24 August 2016



## The Northern Road Upgrade between Glenmore Parkway and Jamison Road

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## **Abbreviations**

AHC Act	<i>Australian Heritage Council Act 2003</i>
CHL	Commonwealth Heritage List
DP&E	Department of Planning and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
ICOMOS	International Council on Monuments and Sites
Jacobs	Jacobs Group (Australia) Pty Ltd
LEP	Local Environment Plan
OEH	Office of Environment and Heritage
NHL	National Heritage List
NSW	New South Wales
PLEP	<i>Penrith Local Environmental Plan 2010</i>
REF	Review of Environmental Factors
RNE	Register of the National Estate
Roads and Maritime	Roads and Maritime Services
SHR	State Heritage Register

## Executive summary

### Introduction

NSW Roads and Maritime Services (Roads and Maritime) proposes to upgrade a four kilometre section of The Northern Road, between Glenmore Parkway, Glenmore Park and Jamison Road, Penrith (the proposal). The key features of the proposal include:

- Widening The Northern Road between Glenmore Parkway and Jamison Road to provide four lanes in each direction (three general traffic lanes and a kerbside bus lane)
- Constructing a new, wider road bridge over the M4 Motorway
- Installing new traffic lights and turning lanes at some intersections
- Installing new traffic lights at the Glenmore Parkway intersection (existing roundabout to be removed)
- Providing continuous bus lanes in each direction
- Installing a central median
- Providing a new shared path for pedestrians and cyclists on the western side of the road and a new footpath on the eastern side of the road
- Installing new street lighting and safety barriers
- Upgrading drainage.

Jacobs Group (Australia) Pty Ltd (Jacobs) was commissioned by Roads and Maritime to prepare a review of environmental factors (REF) for the proposal.

This non-Aboriginal heritage impact assessment has been prepared by Jacobs to inform the REF. The assessment has been prepared in accordance with all relevant guidelines, including the NSW Office of Environment and Heritage (OEH) *NSW Heritage Manual* (Heritage Office and department of Urban Affairs & Planning, 1996) and the Australia International Council on Monuments and Sites (ICOMOS) Charter for Places of Cultural Significance (Burra Charter). The assessment comprised:

- A desktop review of previous heritage studies and heritage registers to identify non-Aboriginal heritage items, conservation areas and archaeology within and immediately next to the study area (as shown in Figure 1-1)
- A field survey of the study area to identify any areas/items of potential heritage significance
- Assessment of the proposal's potential impact on non-Aboriginal heritage items, conservation areas and archaeology
- Development of measures to manage the proposal's potential impact on non-Aboriginal heritage items, conservation areas and archaeology through the application of the 'avoid, minimise and mitigate' hierarchy.

### Desktop assessment

Based on a search of the online heritage registers, there are no registered heritage items located within the study area. There is the potential for previously unidentified historical heritage items to be situated in the study area, based on the review of aerial imagery, and the relatively limited nature of the previous heritage assessments. The desktop assessment indicates that these are likely to include the following types of historical heritage items:

- Remnants of houses, homesteads and other buildings associated with the settlement of the region
- Past rural uses and relics related to agriculture and orcharding, including stockyards, fences, sheds and outbuildings, orchard trees, and wells.

Subsequent to the field surveys in February and April 2016, the study area was revised adding new areas for assessment within the study area. A desktop review of these new areas, including aerial imagery, photographs,

background information and consideration of field results from other areas already assessed in the vicinity, resulted in three areas being identified as having the potential for heritage items including a house, a shed/outbuilding, and a building. These three areas are assessed for significance in Section 5.

## **Field Survey**

The field survey was completed on 22-23 February 2016 and 5 April 2016 by Amanda Goldfarb (Project Archaeologist, Jacobs) and Jennifer Chandler (Project Archaeologist, Jacobs). The field survey methodology included an examination of any identified areas of archaeological potential, areas of ground surface visibility and a general walkover of the property. Larger properties with long grass were surveyed by vehicle to identify any areas of ground surface visibility or potential heritage features.

The survey resulted in one potential heritage item, a house site, being identified during the field survey in Survey Area 8. While ceramic and glass items were identified in Survey Areas 3 and 9, these items appeared to be relatively modern in age and, as such, not considered to be of heritage significance.

The consultants were limited in the survey by not gaining access to the property containing the house site in Survey Area 8 during the first field assessment in February 2016 or in the subsequent field assessment in April 2016. The potential heritage item was identified through observation from the road, aerial imagery and a conversation with the property owners who stated that an old house present when the property was bought had subsequently been demolished. A significance assessment was unable to be completed for this potential heritage item as the consultants were not granted access to the property.

## **Significance assessment**

A previous heritage study (Paul Davies Pty Ltd 2007) identified two heritage items previously nominated for listing on the LEP. These two items were identified in the inventory of the heritage study prepared in 1987, but subsequently not listed in Schedule 2 of the PLEP:

- The Northern Road (PC-03)
- The Western Freeway (PC-06).

These two roads have been upgraded and modified substantially and are not considered in this assessment to have significance. The previous assessment noted the items as not being recommended for listing on the PLEP and therefore this assessment has determined that they are not significant

The heritage study also identified two previously nominated but unlisted heritage items which may possibly be located within the study area. These are related to the rural landscape of the Orchard Hills area and The Northern Road:

- Rural landscape (area) (OH-01)
- Rural landscape (roadside) (OH-04).

Further information relating to these two landscape items was unable to be obtained for this assessment. The precise location of these two items was not included in the report and the location was either not specified or listed as 'to the western side of Orchard Hills locality'. It is therefore not known if they include the study area as the boundary of the items were not specified and the report did not include a map for either listing. Despite this, there is little rural landscape remaining in the study area as it is confined predominately to road reserve. To the west of The Northern Road the only area free of housing subdivisions is a golf course. The land located on the east of The Northern Road is comprised of larger housing subdivisions with limited areas of native vegetation. Given the nature of the surrounds of the study area, it is unlikely that the two landscape items identified in the previous study are of relevance to the current assessment. The surrounding area has been substantially modified from its former rural nature and, as such, the proposal is unlikely to substantially further impact on the heritage values of the landscape, should the heritage item be located within the study area.

None of these four potential heritage items is further considered in this current assessment.

Three potential heritage items were identified in the desktop assessment of the additional areas added to the proposal, and were assessed for significance. The assessment was based upon historical research and photographic images of the properties only. All three areas identified as having potential heritage items were assessed as not having heritage significance. These three items are not further considered in this assessment.

### **Impact assessment**

No heritage items of significance were identified within the study area; therefore, it is considered unlikely that the proposal would impact on non-Aboriginal heritage, with the exception of Survey Area 8 for which the heritage significance could not be determined due to not being granted access to the site by the property owners during the survey.

### **Mitigation measures**

Of the areas assessed and surveyed, there were no heritage items of significance identified within the study area. However, one area identified as having potential heritage significance could not be accessed as part of this assessment. Survey Area 8 is required to be subject to further field investigation and significance assessment prior to construction works commencing and any site-specific measures included in the construction contractor's Construction Environmental Management Plan (CEMP) as required. This is the only site-specific mitigation measure recommended as a result of this assessment.

General management measures should also be implemented during construction to manage any impact to unexpected finds of items of potential non-Aboriginal heritage significance. These measures include:

- Implementing Roads and Maritime's *Unexpected Heritage Items Heritage Procedure 02* (November 2015) (or any updated version of this document) during construction
- Providing all contractors and personnel with non-Aboriginal heritage awareness training prior to commencement of construction work.



## **Important note about your report**

The sole purpose of this report and the associated services performed by Jacobs is to prepare a non-Aboriginal heritage assessment in accordance with the scope of services set out in the contract between Jacobs and NSW Roads and Maritime. That scope of services, as described in this report, was developed with Roads and Maritime.

In preparing this report, Jacobs has relied upon, and presumed accurate, any information (or confirmation of the absence thereof) provided by NSW Roads and Maritime and/or from other sources. Except as otherwise stated in the report, Jacobs has not attempted to verify the accuracy or completeness of any such information. If the information is subsequently determined to be false, inaccurate or incomplete then it is possible that our observations and conclusions as expressed in this report may change.

Jacobs derived the data in this report from information sourced from NSW Roads and Maritime (if any) and/or available in the public domain at the time or times outlined in this report. The passage of time, manifestation of latent conditions or impacts of future events may require further examination of the proposal and subsequent data analysis, and re-evaluation of the data, findings, observations and conclusions expressed in this report. Jacobs has prepared this report in accordance with the usual care and thoroughness of the consulting profession, for the sole purpose described above and by reference to applicable standards, guidelines, procedures and practices at the date of issue of this report. For the reasons outlined above, however, no other warranty or guarantee, whether expressed or implied, is made as to the data, observations and findings expressed in this report, to the extent permitted by law.

This report should be read in full and no excerpts are to be taken as representative of the findings. No responsibility is accepted by Jacobs for use of any part of this report in any other context.

The register searches for this report are current only at the date that a particular register was searched, as noted in the report. Heritage sites may be added to or removed from heritage registers at any time and users of this report should check that sites have not been added or removed from a particular register since the date the register was searched.

This report has been prepared on behalf of, and for the exclusive use of NSW Roads and Maritime and is subject to, and issued in accordance with, the provisions of the contract between Jacobs and NSW Roads and Maritime. Jacobs accepts no liability or responsibility whatsoever for, or in respect of, any use of, or reliance upon, this report by any third party.

## 1. Introduction

### 1.1 Proposal background

In April 2014 the Australian and NSW governments announced the development and delivery of \$3.6 billion investment in road infrastructure upgrades to support the economic development of the western Sydney region. The Northern Road is one of the principal transport corridors in the western Sydney region. While the existing configuration of The Northern Road provides adequate service to local and regional communities, there are a number of specific areas which pose significant costs for existing and future road users.

Roads and Maritime proposes to upgrade about four kilometres of The Northern Road between Glenmore Parkway, Glenmore Park and Jamison Road, South Penrith. The main features of the proposal are:

- An eight-lane divided road (three general traffic lanes and a kerbside bus lane in each direction) from just south of Glenmore Parkway, Glenmore Park to Jamison Road, South Penrith
- An upgrade to the M4 Motorway interchange, including:
  - Construction of a new two-span bridge over the M4 Motorway, located to the east of the existing bridge alignment
  - Replacement of the existing two sets of traffic lights at the M4 Motorway interchange, with a single set of traffic lights to control all movements at the interchange
  - Widening of ramps to accommodate future Smart Motorway requirements
  - Demolition of the existing bridge over the M4 Motorway
- New traffic lights on The Northern Road at:
  - The Glenmore Parkway and Wentworth Road intersection
  - The Frogmore Road and Tukuran Road intersection
- Altered intersection arrangements at:
  - The Northern Road and Homestead Road (left-in, left-out only)
  - The Northern Road and Castle Road (left-in, left-out only)
- Upgrade of The Northern Road and Glenmore Parkway / Wentworth Road intersection, comprising:
  - Traffic lights to replace the existing roundabout, allowing all movements
  - Separate left-turn lanes on all approach roads to the intersection
  - Additional left-turn and right-turn capacity from both approach roads onto The Northern Road
  - A new dedicated access road into the Penrith Golf and Recreation Club, meeting Glenmore Parkway at a new T-intersection about 175 metres west of The Northern Road, with all left and right turn movements allowed
  - A new single-lane roundabout on Glenmore Parkway west of the proposed new Golf Club access road, to facilitate U-turn movements for traffic entering or leaving Fairwater Court and Garswood Road
- Changes to local roads, including:
  - Extension of Cross Road to provide a new local connection between Wentworth Road and Homestead Road
  - A new roundabout on Frogmore Road, west of the existing intersection with Simeon Road providing access to Penrith Christian School
  - Removal of the existing roundabout at Maxwell Street and Aspen Street, and replacement with a new four-leg roundabout realigned to include Hilliger Road, with traffic lights on the Aspen Street leg only
- New pedestrian and cyclist facilities, including:

- A three-metre wide shared path along the western side of The Northern Road between Glenmore Parkway and Jamison Road
- A three-metre wide shared path along the eastern side of The Northern Road between Wentworth Road and Bringelly Road
- A 1.5 metre wide footpath on the eastern side of The Northern Road between Bringelly Road and Jamison Road
- New or additional pedestrian crossing signals at:
  - The Northern Road intersection with Glenmore Parkway and Wentworth Road
  - The M4 Motorway interchange
  - The Northern Road intersection with Frogmore Road and Tukuran Road
  - The Northern Road intersection with Maxwell Street and Bringelly Road
  - The intersection of The Northern Road and Jamison Road
- New retaining walls along:
  - The eastern side of The Northern Road, south of Homestead Road
  - Both sides of the M4 Motorway beneath the proposed bridge (reinforced soil walls)
  - The northern side of the eastbound M4 on-ramp, towards the eastern end of the ramp
  - The western side of The Northern Road, south of Tukuran Road
  - The eastern side of The Northern Road adjacent to the Flower Power Garden Centre, south of Castle Road
  - The eastern side of The Northern Road, south of Bringelly Road
  - The eastern and western side of The Northern Road at numerous locations between Maxwell Street / Bringelly Road and Smith Street
  - The southern side of Smith Street, west of the intersection with The Northern Road
  - The eastern and western side of The Northern Road at numerous locations between Smith Street and Jamison Road
- Upgrade of drainage infrastructure, including:
  - New or upgraded cross-drainage structures to replace existing cross-drainage where required
  - New longitudinal drainage including open concrete or grass-lined catch drains, grassed swales, pits and pipes
- New noise barriers at the following locations:
  - A noise mound along the northern side of the eastbound M4 Motorway off-ramp (the mound would be about 670 metres long and six metres high)
  - A noise wall along the eastbound M4 Motorway off-ramp from the end of the noise mound, continuing north along the western side of The Northern Road to Aspen Street (the wall would be about one kilometre long and up to 4.5 metres high)
  - A noise wall along the eastbound M4 Motorway on-ramp, between the motorway and the buildings at the Penrith Christian School (the wall would be about 325 metres long and up to 4.5 metres high)
- Two permanent variable message signs (VMS) on The Northern Road near the M4 Motorway interchange
- New street lighting
- New landscaping
- Relocation of utility services and construction/installation of new utility services
- Relocation of some bus stops and construction of new bus stops

- Changes to property accesses along The Northern Road to left-in, left-out only
- Adjustments to private properties to accommodate the proposal, including driveways, front yards, retaining walls, utility connections and fencing
- Establishment and use of temporary site compounds during construction.

It is anticipated that construction of the proposal would start during 2017 and is expected to be completed by mid-2020.

Jacobs Group (Australia) Pty Ltd (Jacobs) was commissioned by Roads and Maritime to carry out an assessment of the potential environmental impact of the proposal, and prepare a review of environmental factors (REF) in accordance with Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This document presents the results of a non-Aboriginal heritage assessment for the proposal.

## **1.2 Location of the study area**

The study area is located along The Northern Road between Glenmore Parkway, Glenmore Park and Jamison Road, Penrith. The study area is shown in Figure 1.1.

## **1.3 Aim and scope of assessment**

This non-Aboriginal heritage impact assessment identifies the non-Aboriginal heritage items within and immediately next to the study area, assesses the potential impact on the heritage items from the proposed activities, and develops measures to address the impact. The non-Aboriginal heritage impact assessment addresses archaeology, heritage items and conservation areas, in accordance with NSW OEH guidelines, and the Australia ICOMOS Charter for Places of Cultural Significance (Burra Charter).

## **1.4 Assessment methodology**

The overall approach to the non-Aboriginal heritage assessment comprised identifying heritage items<sup>1</sup> within and adjacent to the study area through a review of previous heritage studies, searches of relevant heritage registers and schedules, and by undertaking field survey. Prior to undertaking the field survey, priority areas were identified using background information including aerial images, the predictive statement for historical site types, previous studies and field surveys, and historical heritage register listings. The significance of each heritage item was assessed in accordance with the NSW guidelines *Assessing Heritage Significance* (NSW Heritage Office 2001).

The detailed steps of the assessment approach are as follows:

- Review relevant heritage legislation
- Search all available historical heritage registers for the project area, including the State Heritage Register (SHR), State Heritage Inventory (SHI), NSW Roads and Maritime Services Section 170 Heritage and Conservation Register, relevant LEPs, National Trust of Australia (NSW) list (NTAR), Register of the National Estate (RNE), Commonwealth Heritage List (CHL), National Heritage List (NHL) and World Heritage List (WHL)
- Collate any known heritage curtilage (boundary) information as part of the heritage searches
- Undertake a literature review including previous archaeological reports, historical heritage studies, local heritage studies, conservation management plans, as well as regional and local history documents and maps where available
- Prepare summary contextual history

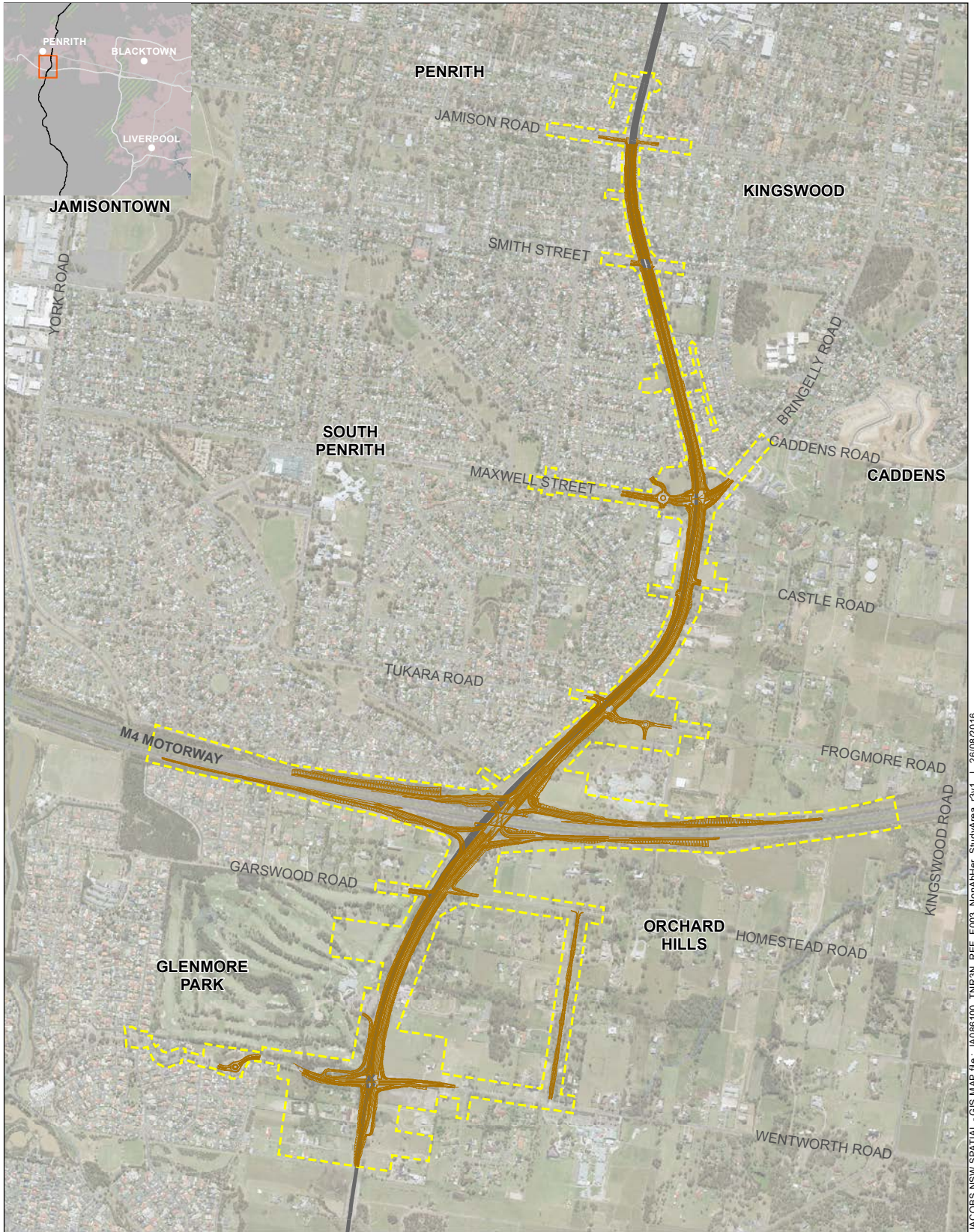
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<sup>1</sup> The term 'heritage item' is used throughout this report to indicate any non-Aboriginal historical heritage place including buildings, structures, and archaeological remains. Each heritage item is individually numbered but may include either a single component or multiple components making up a broader complex with direct historical and cultural associations.




- Develop a predictive model for occurrence of historical site types in the landscape, including the use of modern aerial imagery, and apply this to the project area to identify priority areas for field survey
- Undertake field survey of the identified priority areas to inspect known historical heritage items, identify previously unidentified historical heritage items and assess potential for historical archaeology
- Provide a list of historical heritage items and features located within or adjacent to the study area
- Undertake targeted survey to record identified historical heritage items, identify previously unidentified historical heritage items and determine heritage curtilages
- Prepare SOHI (including assessments of significance) for all historical heritage items potentially impacted by the project
- Recommend management and mitigation measures

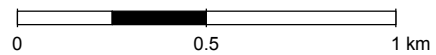
### **1.5 Authorship of report**

This report has been prepared by Jennifer Chandler (Project Archaeologist, Jacobs). Mapping was prepared by Ajay Arcot (Senior Spatial Consultant, Jacobs). A quality review was completed by Karen Murphy (Technical Leader (Historical Heritage), Jacobs).



**Legend**

-  The Northern Road Upgrade between Glenmore Parkway and Jamison Road
-  Study area
-  The Northern Road (Existing)



**Figure 1-1** | Location of study area

## 2. Legislative framework

### 2.1 State legislation

#### 2.1.1 *Environmental Planning and Assessment Act 1979*

The *Environmental Planning and Assessment Act 1979* (EP&A Act) requires that environmental impacts are considered in land-use planning, including impacts on Aboriginal and non-Aboriginal heritage. Part 5 of the EP&A Act is designed to ensure public authorities fully consider environmental issues before they undertake or approve activities that do not require development consent.

#### 2.1.2 *State Environmental Planning Policy (Infrastructure) 2007*

*State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) aims to facilitate the effective delivery of infrastructure across the State. Clause 94 of the ISEPP permits development on any land for the purpose of road or road infrastructure facilities to be carried out by or on behalf of a public authority without consent. The proposal can therefore be assessed under Part 5 of the EP&A Act by Roads and Maritime as both the proponent and the determining authority. Development consent from the Penrith City Council is not required.

There are several divisions and clauses in the ISEPP that refer to heritage matters. Clause 14 states that where a development may be carried out without consent (determined by Clause 94), and that development is likely to have an impact that is not minor or inconsequential on a local heritage item (other than a local heritage item that is also a State heritage item) or a heritage conservation area then:

- (2) *A public authority, or a person acting on behalf of a public authority, must not carry out development to which this clause applies unless the authority or the person has:*
- a) *had an assessment of the impact prepared, and*
  - b) *given written notice of the intention to carry out the development, with a copy of the assessment, to the council for the area in which the heritage item or heritage conservation area (or the relevant part of such an area) is located, and*
  - c) *taken into consideration any response to the notice that is received from the council within 21 days after the notice is given.'*

As a public authority, this clause applies to Roads and Maritime. A heritage impact assessment report would fulfil the requirement under subclause (2)(a). ISEPP requires that a notification and a copy of a heritage impact assessment be submitted to the council(s) within which any potentially impacted local heritage items are located. Any response to the notice that is received from the council within 21 days after the notice is given, must be taken into consideration.

#### 2.1.3 *Penrith Local Environmental Plan 2010*

The Penrith Local Environmental Plan 2010 (PLEP) applies to land within the Penrith local government area and includes listings of heritage items, heritage conservation areas and archaeological sites of local heritage significance protected under the provisions of the LEP.

However, as outlined above, the proposal is permitted without consent under ISEPP. Therefore, the consent requirements of the LEP do not apply and the proposal may be determined under Part 5 of the EP&A Act, having regard to Clause 14(2) of the ISEPP as outlined above.

#### 2.1.4 *Heritage Act 1977*

The *Heritage Act 1977* (Heritage Act) provides a number of mechanisms by which items and places of heritage significance may be protected. The Heritage Act is designed to protect both listed heritage items, such as standing structures, and potential archaeological remains or relics. Different parts of the Heritage Act deal with these different situations.

## State Heritage Register

The Heritage Council of NSW maintains the SHR. Only those items which are of state-level heritage significance in NSW are listed on the SHR. Listing on the SHR controls activities such as alteration, damage, demolition and development. When a place is listed on the SHR, the approval of the Heritage Council of NSW is required for any major work, including the following:

- Demolishing the building or work
- Damaging or despoiling the place, precinct or land, or any part of the place, precinct or land
- Excavating any land for the purpose of exposing or moving a relic
- Carrying out any development in relation to the land on which the building, work or relic is situated, the land that comprises the place, or land within the precinct
- Altering the building, work, relic or moveable object.

An application under section 60 of the Heritage Act must be made to the Heritage Council to carry out such activities.

In some circumstances a section 60 permit may not be required if works are carried out in accordance with the *Standard Exemptions for Works Requiring Heritage Council Approval* (NSW Heritage Council 2009). For example, Standard Exemption 7 covers works that would have little or no adverse impact on the heritage significance of the heritage item. An Exemption Notification Form (s57(2)) is required to be submitted to the NSW Heritage Division with appropriate supporting information (such as this heritage assessment).

## Archaeological relics

Part 6 Division 9 of the Heritage Act protects archaeological 'relics' from being 'exposed, moved, damaged or destroyed' by the disturbance or excavation of land. This protection extends to the situation where a person has 'reasonable cause to suspect' that archaeological remains may be affected by the disturbance or excavation of the land. It applies to all land in NSW that is not included in the SHR. A 'relic' is defined by the Heritage Act (Section 4(1)) as:

*Any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises NSW, not being Aboriginal settlement, and (b) is of local or state significance.*

Section 139 of the Heritage Act requires any person who knows or has reasonable cause to suspect that their proposed works will expose or disturb a 'relic' to first obtain an Excavation Permit from the Heritage Council of NSW (pursuant to section 140), unless there is an applicable exception (pursuant to Section 139(4)). If there is an exception, an Excavation Permit Exception Notification Form must be submitted and endorsed by the Director of Heritage Branch for places not listed on the SHR.

In some circumstances a section 140 permit may not be required when excavating land in NSW. In accordance with the NSW Government Gazette (no 110, 5 September 2008) Schedule of Exceptions to subsection 139 (1) and (2) of the *Heritage Act* 1977, made under subsection 139 (4):

*Excavation or disturbance of land of the kind specified below does not require an excavation permit under section 139 of the Heritage Act, provided that the Director-General is satisfied that [certain criteria] have been met and the person proposing to undertake the excavation or disturbance of land has received a notice advising that the Director-General is satisfied that:*

- (c) *a statement describing the proposed excavation demonstrates that evidence relating to the history or nature of the site, such as its level of disturbance, indicates that the site has little or no archaeological research potential.*

An Excavation Permit Exception Notification Form is required to be submitted to the NSW Heritage Branch with appropriate supporting information (such as this heritage assessment). If the Director of the Heritage Branch is



satisfied of the relevant matters relating to the proposal, a copy of the form will be endorsed by the Heritage Branch and returned to the applicant.

Section 146 of the Heritage Act requires any person who is aware or believes that they have discovered or located a relic must notify the Heritage Council of NSW providing details of the location and other information required.

## **Works**

The Heritage Act identifies 'works' as a category separate to relics. 'Works' refer to past evidence of infrastructure which may even be buried, and so therefore 'archaeological' in nature and with the potential to provide information that contributes to our knowledge. Exposure of a 'work' does not trigger reporting obligations under the Heritage Act. However, good environmental practice recognises the archaeological potential of such discoveries and the need to balance these against the requirements of development. Roads and Maritime uses its *Standard Management Procedure: Unexpected Heritage Items* (Roads and Maritime Services 2015) to manage the discovery of such items. This provides guidance for the way such finds are to be managed when uncovered during construction and other activities.

## **Section 170 Heritage and Conservation Registers**

Government agencies have responsibilities under section 170 of the Heritage Act. Section 170 requires agencies to identify, conserve and manage heritage assets owned, occupied or managed by that agency. Section 170 requires government agencies to keep a Register of heritage items, which is called a Heritage and Conservation Register or more commonly, an s170 Register.

The Heritage Act obliges government agencies to maintain their assets with due diligence in accordance with State-Owned Heritage Management Principles approved by the Minister on the advice of the Heritage Council and notified by the Minister to government instrumentalities from time to time.

## **2.2 Commonwealth heritage legislation**

### **2.2.1 Environment Protection and Biodiversity Conservation Act 1999**

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) includes 'national heritage' as a matter of National Environmental Significance and protects listed places to the fullest extent under the Constitution. It also establishes the National Heritage List (NHL) and the Commonwealth Heritage List (CHL).

The following is a description of each of the heritage lists and the protection afforded places listed on them.

#### **Commonwealth Heritage List**

The CHL is established under the EPBC Act. The CHL is a list of properties owned by the Commonwealth that have been assessed as having significant heritage value. Any proposed actions on CHL places must be assessed for their impact on the heritage values of the place in accordance with *Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies (Significant Impact Guidelines 1.2)*. The guidelines require the proponent to carry out a self-assessment process to decide whether or not the action is likely to have a significant impact on the environment, including the heritage value of places. If an action is likely to have a significant impact an EPBC Act referral must be prepared and submitted to the Minister for approval.

#### **National Heritage List**

The NHL is a list of places with outstanding heritage value to Australia, including places overseas. Any proposed actions on NHL places must be assessed for their impact on the heritage values of the place in accordance with *Management of National Environmental Significance (Significant Impact Guidelines 1.1)*. The guidelines require the proponent to carry out a self-assessment process to decide whether or not the action is likely to have a significant impact on a matter of National Environmental Significance, including the national

heritage value of places. If an action is likely to have a significant impact an EPBC Act referral must be prepared and submitted to the Minister for approval.

### **Register of the National Estate**

The Register of the National Estate (RNE) was formerly compiled as a record of Australia's natural, cultural and Aboriginal heritage places worth keeping for the future. Places on the RNE that are in Commonwealth areas, or subject to actions by the Australian Government, are protected under the EPBC Act by the same provisions that protect Commonwealth Heritage places. The RNE was frozen on 19 February 2007, which means that no new places have been added or removed since that time. From February 2012 all references to the RNE were removed from the EPBC Act. The RNE is maintained on a non-statutory basis as a publicly available archive.

## 3. Background

### 3.1 Historical context

There are several towns associated with the study area: Penrith (and South Penrith) in the north of the study area, Orchard Hills in the centre and Glenmore Park in the south. An overview of the historical context of these areas is provided in the following sections.

#### 3.1.1 Penrith

The Nepean River, located to the west of the study area, was discovered by Governor Phillip in 1789 and the Penrith Ford crossed later in that year. In 1803, subdivision surveys began to the east of the river. Grants from 40 to 1,000 acres in size were taken by free settlers, military members and officials. Settlement did not occur to the west of the river until the 1820s. Penrith was founded in 1817 and from the 1820s large estates began to be established along the Nepean River. During this time a ferry and punt service across the river began. The dominant agricultural practice in the area changed from wheat growing to cattle grazing around 1815 due to government incentives (Thorp 1986:13).

Construction of railway lines began in the region around the 1850s and in 1863 the section of railway line between Blacktown and Penrith was completed. Bridges were built across the Nepean River in 1855 and 1860; but both were destroyed by floodwaters soon after construction (Thorp 1986:15). A road and rail bridge was successfully built in 1867 and was in use until it was replaced in 1907. These phases of transport construction resulted in the timber industry developing in the region. Other industries were present during this period such as tanning, wagon building, gravel quarrying, brickworks and ice works. Penrith developed from an agricultural town to one focused on railway with the largest railway yards outside of Sydney. This industrial growth resulted in the population of the town tripling between 1861 and 1881 (Thorp 1986:17). The focus in the area turned towards other agricultural pursuits such as fruit growing, dairying, the developments of vineyards and orchards.

#### 3.1.2 Orchard Hills

Today the south of the study area is more rural in nature than the north. Europeans first arrived in the Orchard Hills area around 1804 when large land grants were made available. The area was considered suitable for grazing but smaller agricultural grants in areas of alluvial soil near creeks were also available. The Reverend Samuel Marsden had acquired land in the area in 1794, and in 1804 he received a grant of 1,030 acres for the development of a wool industry in the colony. His estate was named Mamre and crops of hemp and flax were also grown here. The homestead had a fruit orchard that was 20 acres in size. Large and small land grants were also made available in 1809, the largest being 2,000 acres, which went to Gregory Blaxland. These grants were made to free settlers, public servants and emancipists. The land in the northern half of Orchard Hills, except for Marsden and Blaxland's land, became part of the Regentville estate (Paul Davies Pty Ltd 2007:196-198).

In 1904 a Methodist Church was built in Orchard Hills and in 1910 a public school was opened to service the community that had grown through subdivisions in the area in 1888-1889. Residents comprised of farmers, railway employees, a dairyman and an orchardist. Today this rural area is utilised for market gardening and orchards (Paul Davies Pty Ltd 2007:199).

### 3.2 Heritage context

#### 3.2.1 Registered heritage items

A search of all available non-Aboriginal heritage registers was carried out to identify heritage places within or immediately next to the study area. The following registers were searched using a combination of online databases and where available using spatial data in Global Information System format by Jennifer Chandler (Project Archaeologist, Jacobs) on 18 January and 7 July 2016:

- NSW SHI

- NSW SHR
- Roads and Maritime section 170 Heritage and Conservation Register
- NTR
- RNE
- CHL
- NHL
- WHL
- PLEP.

No registered heritage items are located within the study area. There are two registered heritage items located within 500 metres of the study area. These items are presented in Table 3.1.

**Table 3.1 : Registered heritage items within 500 m of the study area.**

Heritage item name	Register	Number	Significance	Location
Orchard Hills Uniting Church	PLEP	156	Local	3 Frogmore Road, Orchard Hills Lot 101, DP 128254
Orchard Hills Reservoir	PLEP s.170	657	Local	197-207 Castle Road, Orchard Hills Lot 1, DP 430473

### **3.2.2 Previous heritage assessments**

There have been limited heritage assessments in the study area. Two Penrith heritage studies (Paul Davies Pty Ltd 2007; Thorp 1986) are summarised below as well as a heritage study relating to the Cumberland Plain and Camden (Morris and Britton 2000).

#### **Paul Davies Pty Ltd (2007)**

A heritage study carried out for the Penrith City Council in 2007 (Paul Davies Pty Ltd.) included the current study area. The study followed on from an earlier heritage study of Penrith undertaken in 1987. In 1994 when the PLEP was gazetted, around 200 individual heritage items and three heritage conservation areas identified in the 1987 study were given statutory protection.

The 2007 heritage study found that despite the early development and history of the area, little physical fabric from this period remains due to continuing development. The larger centre of Penrith also has little remaining in the form of early buildings (Paul Davies Pty Ltd 2007:24).

The following suburbs within the current study area were subject to the assessment: Glenmore Park, South Penrith and Orchard Hills.

#### **Glenmore Park**

No potential heritage items were identified in the Glenmore Park area (Paul Davies Pty Ltd 2007:104).

#### **South Penrith**

Two heritage items previously nominated for listing on the LEP are located in the current study area. These two items were identified in the inventory of the heritage study prepared in 1987, but subsequently not listed in Schedule 2 of the PLEP:

- The Northern Road (PC-03) – *The Northern Road is of historic interest as an early colonial road. It is not recommended for listing*
- The Western Freeway (PC-06) – *The Western Freeway demonstrates the rapid growth of suburban development in the region and in particular Penrith. It is not recommended for listing (Paul Davies Pty Ltd 2007:264).*

One potential heritage item (Jamison Park) was identified in the South Penrith area but it is not located in or near the study area (Paul Davies Pty Ltd 2007:265).

### **Orchard Hills**

Two heritage items previously nominated for listing on the LEP are located in the study area:

- The Northern Road (PC-03)
- The Western Freeway (PC-06).

Two additional heritage items previously nominated for listing on the LEP were identified. The items were identified in the inventory of the heritage study prepared in 1987, but not listed in Schedule 2 of the PLEP. The precise location of these two items was not included in the report and the location was either not specified or listed as 'to the western side of Orchard Hills locality'. It is therefore not known if they include the study area as the boundary of the items were not specified and the report did not include a map for either listing: These are:

- Rural landscape (area) (OH-01) – *A rural landscape of undulating hills with planted-out orchards and vineyards, farmhouses set on steep knolls, and gridded network of narrow roads. The majority of the extant houses post-date 1950 (Paul Davies Pty Ltd 2007:204)*
- Rural landscape (roadside), Northern Road (OH-04) – *Remnant trees and pastures of early forests and agricultural lands to western side of Orchard Hills locality (Paul Davies Pty Ltd 2007:205).*

Additionally, six known heritage items and seven potential heritage items were identified in the report within the Orchard Hills area, but none are located in the study area (Paul Davies Pty Ltd 2007:206).

### **Morris and Britton (2000)**

A heritage study of *Colonial Landscapes of the Cumberland Plain and Camden* was carried out by Morris and Britton (2000). The study included a survey of selected pre-1860 cultural landscapes in the region. Early colonial landscapes are considered to be significant and they demonstrate the interaction between early European settlers with the Australian landscape. A number of potential heritage items relating to landscape heritage such as colonial farm estates in Mulgoa and Penrith were included in the study; however, none of these are located within the current study area.

### **Thorp (1986)**

An earlier *Penrith Heritage Study* was carried out by Thorp (1986). The study outlines a historical context for the Penrith region focussing predominately on Penrith and St Marys. Five phases of development for the region are outlined comprising:

- 1789-1840: Discovery, exploration and the early settlement
- 1840-1863: Collapse and seeds of change
- 1863-1914: Expansion, subdivision and consolidation
- 1914-1939: Hiatus
- 1939-1986: New growth.

Thorp (1986:51) notes that the new growth period, in which new industry and military presence created a housing demand, resulted in large rural areas becoming developed. This has impacted on remnants of old farms and orchards, such as old tracks, roads and agricultural plantings.

### **3.2.3 Areas of archaeological potential**

Recent aerial imagery (2002-2016) was viewed to identify areas of heritage potential prior to the field survey. Several properties were identified comprising mostly parks or vacant blocks in the northern section of the study area which is more urban in nature. Areas of potential heritage significance in the southern section of the study area included properties where the nature of features or buildings were unable to be identified and may have some heritage potential. These identified areas formed the basis of the field survey. Areas that had obviously been subject to development such as housing and golf courses were not considered to have potential due to the level of ground disturbance generally associated with such development. The number of areas with potential to contain historical heritage places was limited due to development and modern aerial imagery was considered to be sufficient.

Subsequent to the field surveys in February and April 2016, the study area was revised adding new areas for assessment within the study area. A desktop review of these new areas, including aerial imagery, photographs, background information and consideration of field results from other areas already assessed in the vicinity, resulted in three areas being identified as having the potential for heritage items including a house, a shed/outbuilding, and a building. These three areas were not surveyed separately due to time restraints but are assessed for significance in Section 5.

### **3.3 Summary of results of desktop assessment**

No registered heritage items are located within the study area. A previous heritage assessment identified two previously nominated but unlisted heritage items (The Northern Road and the Western Freeway) and two previously nominated heritage items relating to rural landscape in the west of the Orchard Hills locality and along The Northern Road. There is the potential for previously unidentified historical heritage items to be situated in the study area, based on the review of modern aerial imagery (2002-2016), and the relatively limited nature of the previous heritage assessments.

Following a search of the above registers, and review of the previous literature, historical background and aerial imagery, the following types of historical heritage items may be found in the study area:

- Houses, homesteads and other buildings associated with the settlement of the region
- Past rural uses related to agriculture and orcharding, including stockyards, fences, sheds and outbuildings, orchard trees, and wells.

## 4. Field survey

### 4.1 Methodology


Prior to carrying out the field survey, priority areas were identified using background information including aerial images, the predictive statement for historical site types, previous studies and field surveys, and historical heritage register listings. This provided target areas for survey which comprised open park areas within an urban setting and other properties of a more rural nature (Table 4.1).

The field survey was completed on 22-23 February 2016 and 5 April 2016 by Amanda Goldfarb (Project Archaeologist, Jacobs) and Jennifer Chandler (Project Archaeologist, Jacobs). The field survey methodology included an examination of any identified areas of archaeological potential, areas of ground surface visibility and a general walkover of the property. Larger properties with long grass were surveyed by vehicle to identify any areas of ground surface visibility or potential heritage features. One of the identified areas of potential heritage significance (Survey Area No. 8) was unable to be surveyed due to access being denied.


### 4.2 Results

The results of each of the areas that were subject to survey is presented in Table 4.1 and Figure 4.12.

**Table 4.1 : Results of inspected survey areas**

Survey Area No.	Location	Date of survey	Results of survey
2 <sup>2</sup>	Lot 10 DP236368	22/02/16	<p>Cleared parkland. Vegetation native and immature. Grassed with play equipment in north-west section. Ground surface visibility is 5%. A path cuts across the middle. No potential heritage items identified during the field survey.</p>  <p><b>Figure 4.1 : Survey area 2, facing west. Photo taken by Jennifer Chandler on 22 February 2016</b></p>
3	Lot 220 DP260512	22/02/16	<p>Cleared parkland. Immature native vegetation. Thick grass cover with some areas of exposure. Ground surface visibility is 20%. Modern glass fragments on walking track and piece of porcelain noted in an area of exposure in centre of area. Small piece of terracotta and pale brown glass also noted. These items were not considered to be of significance as they are of modern appearance and no potential heritage items were identified during the field survey.</p>

<sup>2</sup> Survey area no. 1 has been removed from this table of results as the study area was revised after the field survey and the property is no longer within the study area.


Survey Area No.	Location	Date of survey	Results of survey
			 <p data-bbox="520 875 1452 936"><b>Figure 4.2 : Survey area 3, facing west. Photo taken by Jennifer Chandler on 22 February 2016</b></p>
4	Lot 11 DP236368	22/02/16	<p data-bbox="520 965 1473 1025">Large grassed parkland area with immature native vegetation. Gentle slope towards west and north. Ground surface visibility is 0-5%. No potential heritage items identified during the field survey.</p>  <p data-bbox="520 1491 1445 1552"><b>Figure 4.3 : Survey area 4, facing east. Photo taken by Jennifer Chandler on 22 February 2016</b></p>
5	Lot 26 DP247948	22/02/16	<p data-bbox="520 1583 1469 1644">Open grassed parkland with immature native vegetation. Flat land. Piles of tanbark present on edge of block. No potential heritage items identified during the field survey.</p>



Survey Area No.	Location	Date of survey	Results of survey
			 <p data-bbox="523 857 1461 913"><b>Figure 4.4 : Survey area 5, facing south. Photo taken by Jennifer Chandler on 22 February 2016</b></p>
6	Lot 13 DP831409	22/02/16	<p data-bbox="523 947 1461 1066">Private property, paddock. Viewed from Frogmore Road and assessed as not having any potential heritage significance, due to lack of features present . Area is grassed with immature native vegetation (eucalypts). Some areas of long grass are present in the paddock. No potential heritage items identified during the field survey.</p>  <p data-bbox="523 1514 1406 1570"><b>Figure 4.5 : Survey area 6, facing northwest. Photo taken by Jennifer Chandler on 22 February 2016</b></p>
7	Lot 27 DP238741	22/02/16	<p data-bbox="523 1603 1398 1659">Area has long grass with a pocket of immature eucalypts next to an old shed and piles of old equipment/rubbish/storage. No potential heritage items identified during the field survey.</p>

Survey Area No.	Location	Date of survey	Results of survey
			 <p data-bbox="520 837 1406 898"><b>Figure 4.6 : Survey area 7, facing northwest. Photo taken by Jennifer Chandler on 22 February 2016</b></p>
8	Lot 5 DP548308	22/02/16 05/04/16	<p data-bbox="520 927 1469 1144">Cleared paddock on private property with pile of wooden debris in the middle. Property owners denied access but said that there used to be a house there that was demolished when they bought the property. They stated that the debris was rubbish for fire/fuel etc that they had collected over the years. Ground surface visibility is 0%. Padlocked gate on second visit in April 2016 prevented second attempt to request access to the site from the property owners. One potential heritage item, the site of a previous house, was identified as observed from the roadside during the field survey; however, the significance of the item was unable to be confirmed.</p>  <p data-bbox="520 1588 1458 1648"><b>Figure 4.7 : Survey area 8, facing north. Photo taken by Jennifer Chandler on 22 February 2016</b></p>
9	Lot 40 DP853672	22/02/16	<p data-bbox="520 1677 1481 1827">Area has been cut and levelled and is covered in what appears to be shale and clay fill. Some glass and ceramics of modern appearance are on the surface and an old shed is present in the north-eastern corner of the site. No visible evidence of historical structures or features were present. Area has been cleared. Ground surface visibility is 50%. No potential heritage items were identified during the field survey.</p>

Survey Area No.	Location	Date of survey	Results of survey
			 <p data-bbox="520 846 1452 875"><b>Figure 4.8 : Survey area 9, facing west. Photo taken by Jennifer Chandler on 5 April 2016</b></p>
10	Lot 19 DP1028818	23/02/16	<p data-bbox="520 904 1417 992">Land is gently sloping, cleared with grass and debris pile (modern). Some exotic trees present including pomegranate trees in a cluster. No potential heritage items identified during the field survey.</p>  <p data-bbox="520 1429 1469 1487"><b>Figure 4.9 : Survey area 10, facing north. Photo taken by Jennifer Chandler on 22 February 2016</b></p>
11	Lot 11 DP831409	23/02/16	<p data-bbox="520 1520 1465 1608">Lower slope near school boundary. A drain crosses over from under Frogmore Road. The Northern Road is raised next to school boundary. Some immature native vegetation present. No potential heritage items identified during the field survey.</p>  <p data-bbox="520 2045 1385 2105"><b>Figure 4.10 : Survey area 11, facing south. Photo taken by Jennifer Chandler on 22 February 2016</b></p>

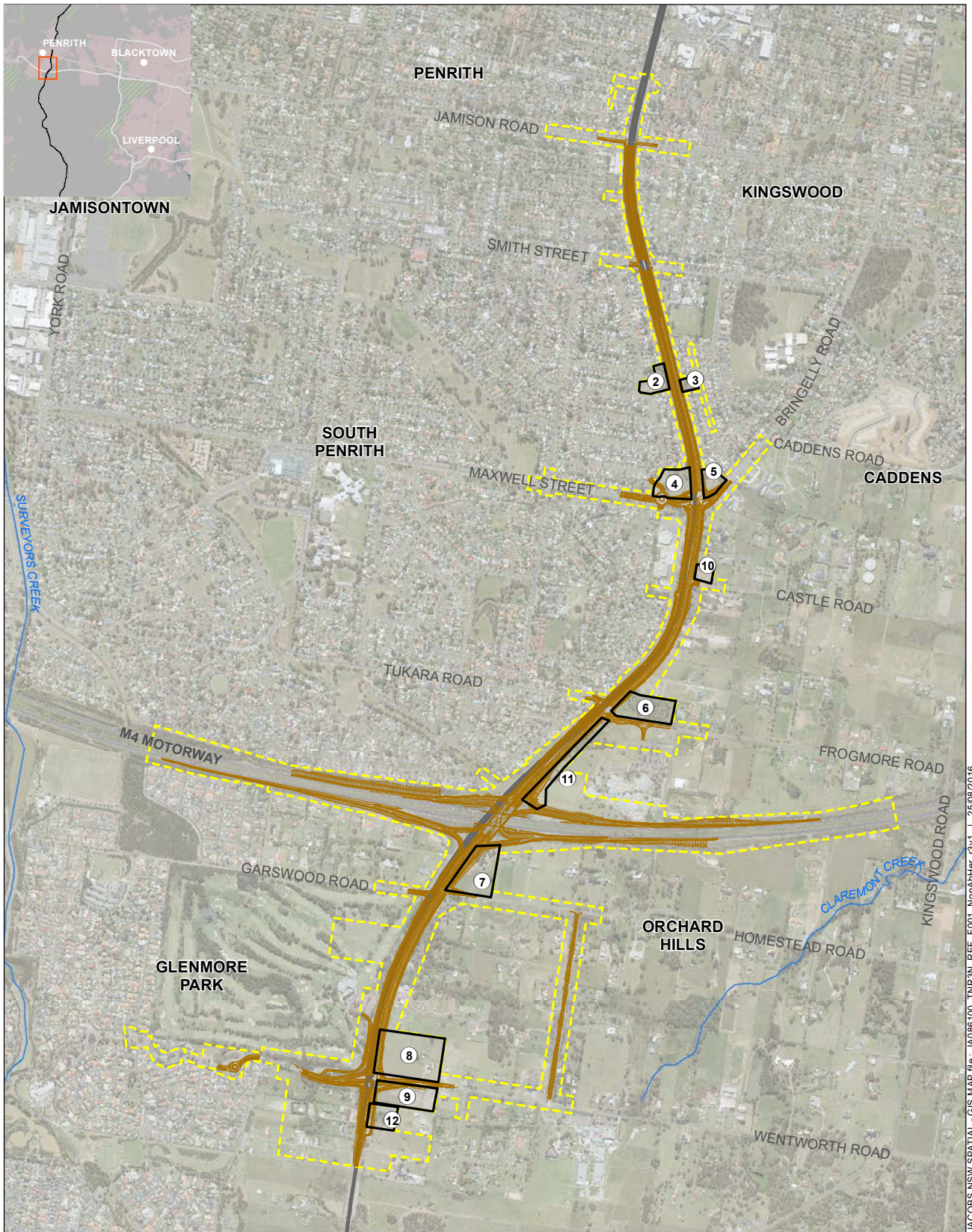
Survey Area No.	Location	Date of survey	Results of survey
12	Lot 3 DP711076	23/02/16	<p>Grassed paddock containing modern dam in middle. Flat land. Natural drainage line leading to dam that has been widened. 0-5% ground surface visibility. No potential heritage items identified during the field survey.</p>  <p>Figure 4.11 : Survey area 12, facing west. Photo taken by Jennifer Chandler on 23 February 2016</p>

### 4.3 Summary of field survey results

One potential heritage item, the site of a previous house, was identified during the field survey in Survey Area 8, however as stated below, access to the site was unable to be obtained therefore the significance of this potential item could not be determined as part of this assessment. While ceramic and glass items were identified in Survey Areas 3 and 9, these items appeared to be relatively modern in age and, as such, not considered to be of heritage significance.





### 4.4 Limitations

The consultants were not granted access to the property containing the house site in Survey Area 8 during the first field assessment in February 2016, or in the subsequent field assessment in April 2016. The potential heritage item was identified through observation from the road, aerial imagery and a conversation with the property owners who stated that an old house present when the property was bought had subsequently been demolished. A significance assessment was unable to be completed for this potential heritage item as the consultants were not granted access to the property during the survey on 22 February 2016 and the front gate was padlocked when a second attempt to gain access from the property owners was made on 5 April 2016.



JACOBS NSW SPATIAL - GIS MAP file: I4006100\_TNR3N\_REF\_FOOT\_NonAbHer\_13v1 | 25/09/2016

**Legend**

-  The Northern Road Upgrade between Glenmore Parkway and Jamison Road
-  The Northern Road (Existing)
-  Study area
-  Survey area locations



**Figure 4-12** | Location of survey areas

## 5. Significance assessment

### 5.1 Basis for assessment

The concept of cultural heritage significance helps in estimating the value of places. Places which are likely to be significant are those which 'help an understanding of the past or enrich the present, and which will be of value to future generations' (Australia ICOMOS 2000:12). In Australia, the significance of a place is generally assessed according to the following values:

- Aesthetic value
- Historic value
- Scientific value
- Social value.

The NSW Heritage Council has adopted specific criteria for heritage assessment, which have been gazetted pursuant to the *Heritage Act 1977*. The seven criteria upon which the following assessment of significance is based are outlined below:

- Criterion (a) an item is important in the course, or pattern, of NSW cultural or natural history
- Criterion (b) an item has strong or special association with the life or works of a person, or group or persons, of importance in NSW cultural or natural history
- Criterion (c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW
- Criterion (d) an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons
- Criterion (e) an item has potential to yield information that will contribute to an understanding of NSW cultural or natural history
- Criterion (f) an item possesses uncommon, rare or endangered aspects of NSW cultural or natural history.
- Criterion (g) an item is important in demonstrating the principal characteristics of a class of NSW cultural or natural places or cultural or natural environments.

Components of the NSW Heritage Manual, published by the NSW Heritage Office and Department of Urban Affairs and Planning (NSW Heritage Office 2001) (now the Heritage Division of the Office of Environment and Heritage (OEH)), sets out a detailed process for conducting assessments of heritage significance. These guidelines have also been used in carrying out this significance assessment.

### 5.2 Summary of significance assessment

A previous heritage study (Paul Davies Pty Ltd 2007) identified two heritage items previously nominated for listing on the LEP. These two items were identified in the inventory of the heritage study prepared in 1987, but subsequently not listed in Schedule 2 of the PLEP:

- The Northern Road (PC-03)
- The Western Freeway (PC-06).

These two roads have been upgraded and modified substantially and are not considered in this assessment to have significance. The previous assessment noted the items as not being recommended for listing on the PLEP and therefore this assessment has determined that they are not significant.

The heritage study also identified two previously nominated but unlisted heritage items which may possibly be located within the study area. These are related to the rural landscape of the Orchard Hills area and The Northern Road:

- Rural landscape (area) (OH-01)
- Rural landscape (roadside) (OH-04).

Further information relating to these two landscape items was unable to be obtained for this assessment. The precise location of these two items was not included in the report and the location was either not specified or listed as 'to the western side of Orchard Hills locality'. It is therefore not known if they include the study area as the boundary of the items were not specified and the report did not include a map for either listing. Despite this, there is little rural landscape remaining in the study area as it is confined predominately to road reserve. To the west of The Northern Road the only area free of housing subdivisions is a golf course. The land located on the east of The Northern Road is comprised of larger housing subdivisions with limited areas of native vegetation. Given the nature of the surrounds of the study area, it is unlikely that the two landscape items identified in the previous study are of relevance to the current assessment. The surrounding area has been substantially modified from its former rural nature and, as such, the proposal is unlikely to substantially further impact on the heritage values of the landscape, should the heritage item be located within the study area.

None of these four potential heritage items is further considered in this current assessment.

Three potential heritage items were identified in the desktop assessment of the additional areas added to the proposal, and are assessed below. The assessment below is based upon historical research and photographic images of the properties only.

### **5.3 Item 1: House**

The house located at 251-255 Castle Road, Orchard Hills was identified as having potential heritage significance through aerial imagery and background research. The house was not subject to a survey during the fieldwork program as the study area was changed at a later date. However, the research undertaken as part of the significance assessment for this report is considered to be adequate and determined that a survey of the property is unnecessary. Any additional information from a field survey would not change the outcome of the assessment.

#### **5.3.1 Description and history**

The house is located on property Lot 18 DP1028818 which was originally part of a 1,080 acre land grant owned by Simeon Lord called Frogmore (Paul Davies Pty Ltd 2007:195). Land title searches indicate that the land was part of Portion 13 granted to Lord on 8 October 1816. The land was obtained by William York and his two sons, James and Charles, and used for grazing cattle. William York was a well-known cattle dealer and his son Charles was a butcher. The York Estates encompassed a large area with six land grants (Paul Davies Pty Ltd 2007:198). In 1872 the land that the House is on was sold to Conrad Henry Merz. The purchase was for 60 acres and 1 rood. In 1891 the land was purchased by John Cappie Shand, a doctor who lived in Penrith. In 1917 ownership of the land passed to James Bourke, who lived in Orchard Hills with his wife from the early 1900s to his death in 1925 (17 January 1925, Nepean Times). No specific information about the House was able to be found during this assessment.

The timber framed colonial style house has a hipped corrugated iron roof (Figure 5.1). The front of the house (southern side) has a brick base with three steps up to the front door which is in a small alcove. There is a window to either side of the front door. The eastern side of the house has a timber framed verandah and an extension with a window. There is a wide verandah out the back (northern side). There is Masonite sheeting on the eastern extension and at the front of the house which indicates later additions to the house, including a closed in verandah that was probably previously open. The house is built on timber stumps.

The house is located on a rise with views to the west and overlooking The Northern Road.

#### **5.3.2 Curtilage information**

The curtilage for the House is shown on Figure 5.2.

### 5.3.3 Significance assessment

<b>NSW Criterion</b>	<b>Assessment</b>
A – Important in the pattern of NSW’s history	Does not meet this criterion.
B – Strong or special associations	Does not meet this criterion.
C – Demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement	Does not meet this criterion.
D – Strong or special associations with a particular community or cultural group	Does not meet this criterion.
E – Potential to yield information	Does not meet this criterion.
F – Uncommon or rare	Does not meet this criterion.
G – Principal characteristics of a class	Does not meet this criterion.

### 5.3.4 Statement of significance

The property on which the House stands has been associated with a range of owners through its history. Although the House demonstrates some aspects of colonial architecture it has been modified and is in poor condition. The item is considered to have insufficient significance to fulfil the criteria for State or local listing.



Figure 5.1 : The House, facing north (Source: GoogleMap street view, October 2015)

## 5.4 Item 2: Shed/outbuilding

There is a shed/outbuilding located behind a modern house at 2013-2017 The Northern Road, Glenmore Park that was identified as having potential heritage significance. The property was not subject to a survey during the fieldwork program as the study area was changed at a later date. However, the research undertaken as part of the significance assessment for this report is considered to be adequate and determined that a survey of the property is unnecessary. Any additional information from a field survey would not change the outcome of the assessment.



#### 5.4.1 Description and history

The property is located on land that was originally granted to William Bradley in 1819. Title searches indicate that this area was subdivided into the current sized lots after 1947.

The property has a large Shed/outbuilding located to the rear of the main house. The building has a corrugated iron roof. There are several items such as building materials in the vicinity of the Shed/outbuilding.

#### 5.4.2 Curtilage information

The curtilage for the Shed/outbuilding is shown on Figure 5.2.

#### 5.4.3 Significance assessment

<b>NSW Criterion</b>	<b>Assessment</b>
A – Important in the pattern of NSW’s history	Does not meet this criterion.
B – Strong or special associations	Does not meet this criterion.
C – Demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement	Does not meet this criterion.
D – Strong or special associations with a particular community or cultural group	Does not meet this criterion.
E – Potential to yield information	Does not meet this criterion.
F – Uncommon or rare	Does not meet this criterion.
G – Principal characteristics of a class	Does not meet this criterion.

#### 5.4.4 Statement of significance

Field survey results for other semi-rural areas to the south of this property (Chandler 2016), indicated that sheds/outbuildings on other semi-rural properties that are located behind the house and have similar characteristics such as this, ie. non-steeply pitched corrugated iron roof, tend to be modern and not of heritage significance. The Shed/outbuilding is located to the rear of a modern house and in a central area about 110 m from The Northern Road in the late 20<sup>th</sup> century block, indicating it is likely to be a recent structure. The item is considered to have insufficient significance to fulfil the criteria for State or local listing.

### 5.5 Item 3: Building

There is a building located to the rear of a property at 341-347 Wentworth Road, Orchard Hills that was identified as having potential heritage significance. The property was not subject to a survey during the fieldwork program as the study area was changed at a later date. However, the research undertaken as part of the significance assessment for this report is considered to be adequate and determined that a survey of the property is unnecessary. Any additional information from a field survey would not change the outcome of the assessment.

#### 5.5.1 Description and history

The property is located on land that was originally granted to Simeon Lord in 1816. Title searches indicate that a block of land that the Building is located on was purchased by William Shipp from the Metropolitan Mutual Permanent Building and Investment Association Limited in 1909. This association purchased all of the York’s Estates area in 1888, which included Simeon Lord’s grant, for the purpose of subdividing into smaller farms (Paul Davies Pty Ltd 2007:198). The block of land was further subdivided in the 1950s into the current lots.

The Building appears to be a large shed/outbuilding located to the rear of the main house and next to the Cross Road road reserve. The Building has a corrugated iron roof, some sections of which look newer than others.

### 5.5.2 Curtilage information

The curtilage for the Building is shown on Figure 5.2.

### 5.5.3 Significance assessment

<b>NSW Criterion</b>	<b>Assessment</b>
A – Important in the pattern of NSW’s history	Does not meet this criterion.
B – Strong or special associations	Does not meet this criterion.
C – Demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement	Does not meet this criterion.
D – Strong or special associations with a particular community or cultural group	Does not meet this criterion.
E – Potential to yield information	Does not meet this criterion.
F – Uncommon or rare	Does not meet this criterion.
G – Principal characteristics of a class	Does not meet this criterion.

### 5.5.4 Statement of significance

Field survey results for other semi-rural areas to the south of this property (Chandler 2016), indicated that sheds/outbuildings on other semi-rural properties that are located behind the house and have similar characteristics such as this, ie. non-steeply pitched corrugated iron roof, tend to be modern and not of heritage significance. The Building is located to the rear of a modern house and on the western side of the late 20<sup>th</sup> century block indicating it is likely to be a recent structure. The item is considered to have insufficient significance to fulfil the criteria for State or local listing.





## 5.6 Summary

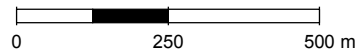
All three areas identified as having potential heritage items were assessed as not having heritage significance. These three items are not further considered in this assessment.



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**Legend**

-  The Northern Road Upgrade between Glenmore Parkway and Jamison Road
-  Potential heritage items
-  The Northern Road (Existing)
-  Study area



**Figure 5-2** | Location of potential heritage items which were assessed

## **6. Impact assessment**

No heritage items of significance were identified for the study area; therefore, it is considered unlikely that the proposal would impact on non-Aboriginal heritage, with the exception of Survey Area 8 for which the heritage significance could not be determined due to not being granted access to the site by the property owners during the survey.

## 7. Conclusion

### 7.1 Site-specific mitigation measures

Of the areas assessed and surveyed, there were no heritage items of significance identified within the study area. However, one area identified as having potential heritage significance could not be accessed as part of this assessment. Survey Area 8 is required to be subject to further field investigation and significance assessment prior to construction works commencing and any site specific measures included in the construction contractor's Construction Environmental Management Plan (CEMP) as required.

### 7.2 General management measures

The following general management measures should be implemented across the proposal to minimise and manage any impacts to non-Aboriginal heritage.

#### 7.2.1 Discovery of non-Aboriginal heritage materials, features or deposits

If at any time during construction of the proposal, non-Aboriginal heritage materials, features and/or deposits are found, which are not covered by an issued approval (generally s139 excavation permit, exception or s60 approval or exemption) then the Roads and Maritime *Standard Management Procedure: Unexpected Heritage Items* (Roads and Maritime Services 2015) must be followed, summarised as:

1. Stop work, protect item and inform Roads and Maritime environment staff
2. Contact and engage an archaeologist or heritage consultant
3. Carry out preliminary assessment and recording of the find
4. Prepare an archaeological or heritage management plan
5. Notify the Heritage Division of Office of Environment and Heritage (OEH), if required in the management plan
6. Implement the archaeological or heritage management plan
7. Review and update the proposal's Construction Environment Management Plan (CEMP) and any approval conditions resulting from the management plan
8. Resume work.

#### 7.2.2 Discovery of human remains

In the event that construction of the proposal reveals possible human skeletal material (remains) the procedure outlined in Section 3.3 of Roads and Maritime *Standard Management Procedure: Unexpected Heritage Items* (Roads and Maritime Services 2015) must be followed.

#### 7.2.3 Heritage induction training

Non-Aboriginal heritage awareness training must be provided for all contractors and personnel prior to commencement of construction work to ensure understanding of the procedure required to be carried out in the event of discovery of non-Aboriginal heritage materials, features or deposits, or the discovery of human remains.

## 8. References

Australia ICOMOS 2000 *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* 1999. Burwood, Victoria: Australia ICOMOS Incorporated.

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Paul Davies Pty Ltd 2007 *Penrith Heritage Study. Volume 1. Study Report*. Report prepared for Penrith City Council, Paul Davies Pty Ltd. Architects Heritage Consultants, Balmain NSW.

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Thorp, W. 1986 *The Penrith Heritage Study. The Historical Archaeology Component*. A report to Penrith City Council, Wendy Thorp Consultant Archaeologist, Camperdown NSW.

### **Newspapers**

*Nepean Times*, 17 January 1925, "The Late Mr. James Bourke" (anon.)