

HERITAGE IMPACT STATEMENT

NEPEAN GARDENS AND WALLACIA COUNTRY CLUB

2 DECEMBER 2019
P0014166
PREPARED FOR CATHOLIC CEMETERIES BOARD

URBIS

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EXECUTIVE SUMMARY

Urbis has been engaged by the Catholic Cemeteries Board to prepare the following Heritage Impact Statement (HIS) for the site at 13 Park Road, Wallacia (the subject site) for proposed alterations and additions in a Development Application (DA).

The subject site is not a heritage item, nor is it located within a heritage conservation area. The subject site adjoins a number of locally listed heritage items and heritage conservation areas under the Penrith Local Environmental Plan (LEP) 2010.

The DA seeks approval for the following specific uses and works for the site, with a more detailed description included at Section 5:

- Use and operation of a portion of the site for a 'cemetery' for 27,000 burial plots and associated publicly accessible parklands and recreation areas to operate Nepean Gardens.
- A new chapel building with ancillary mortuary and a new single-storey administration building.
- New 9-hole golf course.
- Alterations and additions to the existing Wallacia Country Club.
- Tree removal associated with the new golf course and Nepean Gardens and significant new planting across the site.
- Stormwater infrastructure and other site services.
- Subdivide Lot 2 in DP 1108408 into two allotment.

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

The significance assessment undertaken at Section 4 of this report has concluded that the subject site does not meet the requisite threshold for heritage listing at the local or state level. The proposed works (as detailed in Section 5) have been assessed for their potential impact on the proximate heritage items and heritage conservation areas, in the detailed impact assessment included in Section 6.

The proposed works are not considered to have any impact on the significance, curtilage or setting of the proximate heritage items, for the reasons outlined in this report.

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

The proposed works will not affect any significant existing views towards heritage items in the vicinity. The proposed works will not be visible from views towards the principal elevation of the Wallacia Hotel from Mulgoa Road, and will not disrupt the landscaped setting to the front of this building. The land to the rear of the former St Andrew's Anglican Church heritage item will be maintained as a golf course.

The proposed development will be a low-impact development and the generally rural character of the area will be maintained. Across the eastern portion of the site, the proposed works will require only minor landscape works providing for burials and all proposed built elements (administration building and chapel) will not require intervention to the heritage items. Across the western portion of the site, the proposed alterations to the non-significant clubhouse, and additions including parking and recreation facilities, will have no physical or visual impact on the heritage items in the vicinity.

The proposed new buildings will be contemporary in design and materiality. This is appropriate as these buildings are visually and physically removed from proximate heritage items due to the natural topography of the site and provide for a well-resolved design approach to the new cemetery.

The proposed works are supported from a heritage perspective and are recommended for approval.

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1. INTRODUCTION

1.1. BACKGROUND

Urbis has been engaged by the Catholic Cemeteries Board to prepare the following Heritage Impact Statement (HIS) for the site at 13 Park Road, Wallacia (the subject site) for proposed alterations and additions in a Development Application (DA).

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- Use and operation of a portion of the site for a 'cemetery' for 27,000 burial plots and associated publicly accessible parklands and recreation areas to operate Nepean Gardens.
- A new chapel building with ancillary mortuary and a new single-storey administration building.
- New 9-hole golf course.
- Alterations and additions to the existing Wallacia Country Club.
- Tree removal associated with the new golf course and Nepean Gardens and significant new planting across the site.
- Stormwater infrastructure and other site services.
- Subdivide Lot 2 in DP 1108408 into two allotment.

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

1.2. METHODOLOGY

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

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

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

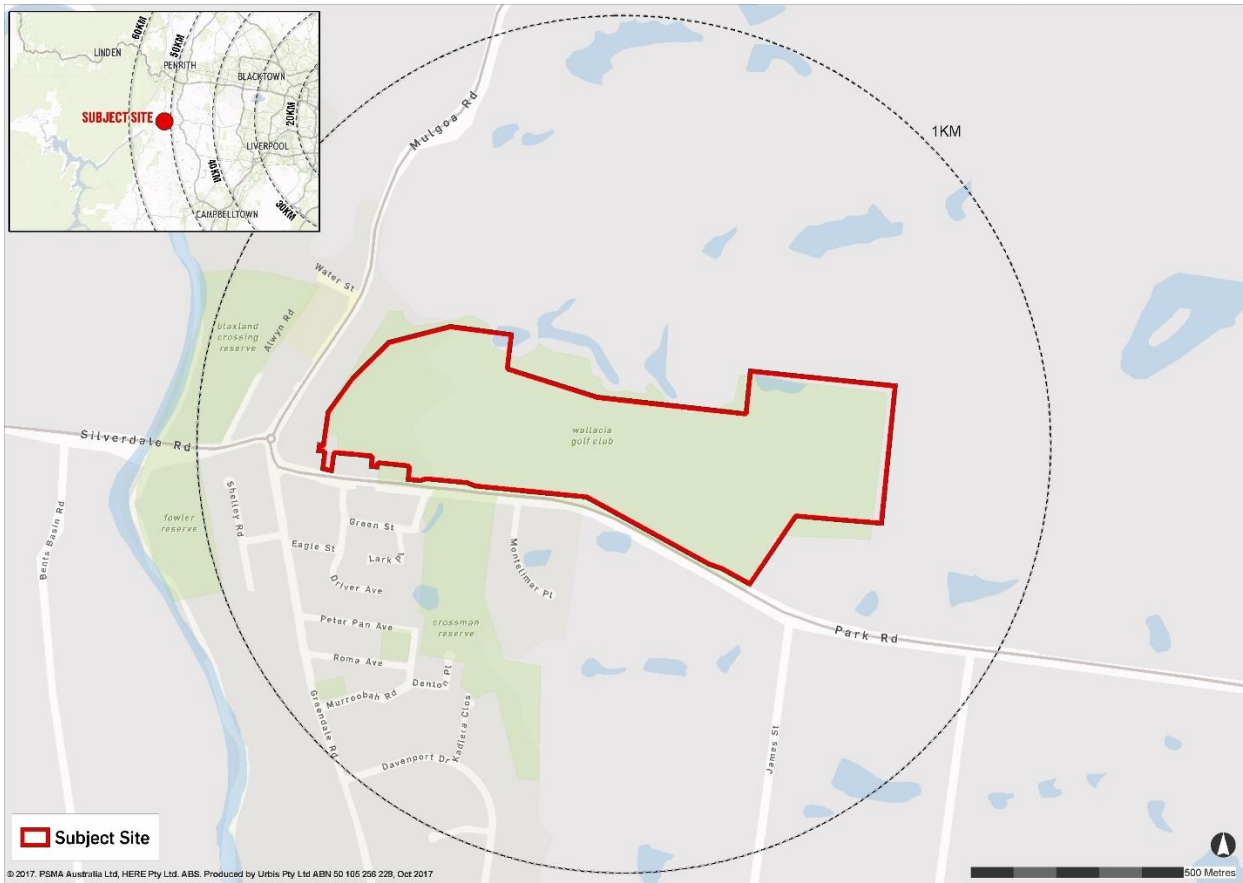
1.3. AUTHOR IDENTIFICATION

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

1.4. SITE LOCATION

The site is a consolidation of two (2) lots located at the north-eastern corner of the intersection of Mulgoa Road and Park Road, in Wallacia. The site is described as the whole of the land in Lot 2 Deposited Plan 1108408 and Lot 1 in DP 1254545.

Figure 1 – Locality diagram



Source: Urbis, 2017

2. SITE DESCRIPTION

The site is a consolidation of two (2) lots located at the north-eastern corner of the intersection of Mulgoa Road and Park Road, in Wallacia. The site is located approximately 52 kilometres west of the Sydney Central Business District (CBD) and approximately 13 kilometres south-west of the Penrith town centre. The site is located within close proximity to major water bodies, including the Nepean River and Warragamba Dam.

The site is described as the whole of the land in Lot 2 DP 1108408 and Lot 1 in DP 1254545, and comprises approximately 44 hectares of undulating land. The site has an extensive frontage to Park Road.

The property is a large, irregular shaped site. The site currently accommodates Wallacia Panthers Golf & Country Club comprising an 18-hole golf course, golf club, maintenance shed and car park. A telecommunications tower is located towards the eastern extent of the site.

Figure 2 – Aerial diagram



Source: Urbis 2019

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



Picture 1 – Car park and entry to Panthers Wallacia



Picture 2 – Panthers Wallacia Club House



Picture 3 – Maintenance shed



Picture 4 – Club car park



Picture 5 – View of Park Road from the golf course



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



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



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

3. HISTORICAL OVERVIEW

The following history has been directly sourced from Austral Archaeology's report 'Aboriginal Due Diligence and Historical Archaeological Assessment, dated September 2017.

3.1. BLAXLAND'S GRANT – 1813-1851

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

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



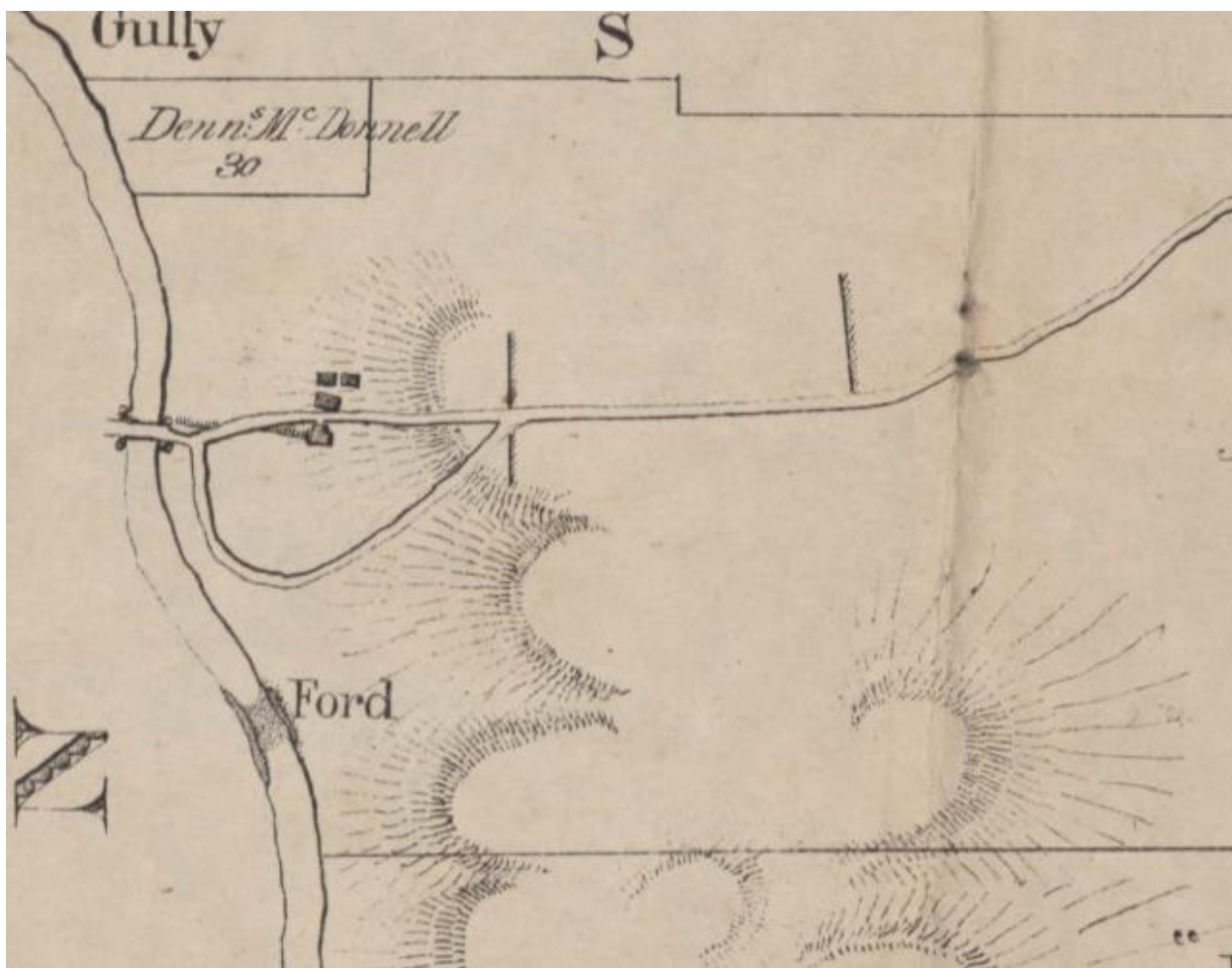
Source: NSW Land and Property Information, Map 14071101

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

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

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

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



Source: National Library of Australia, Map F 140

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

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

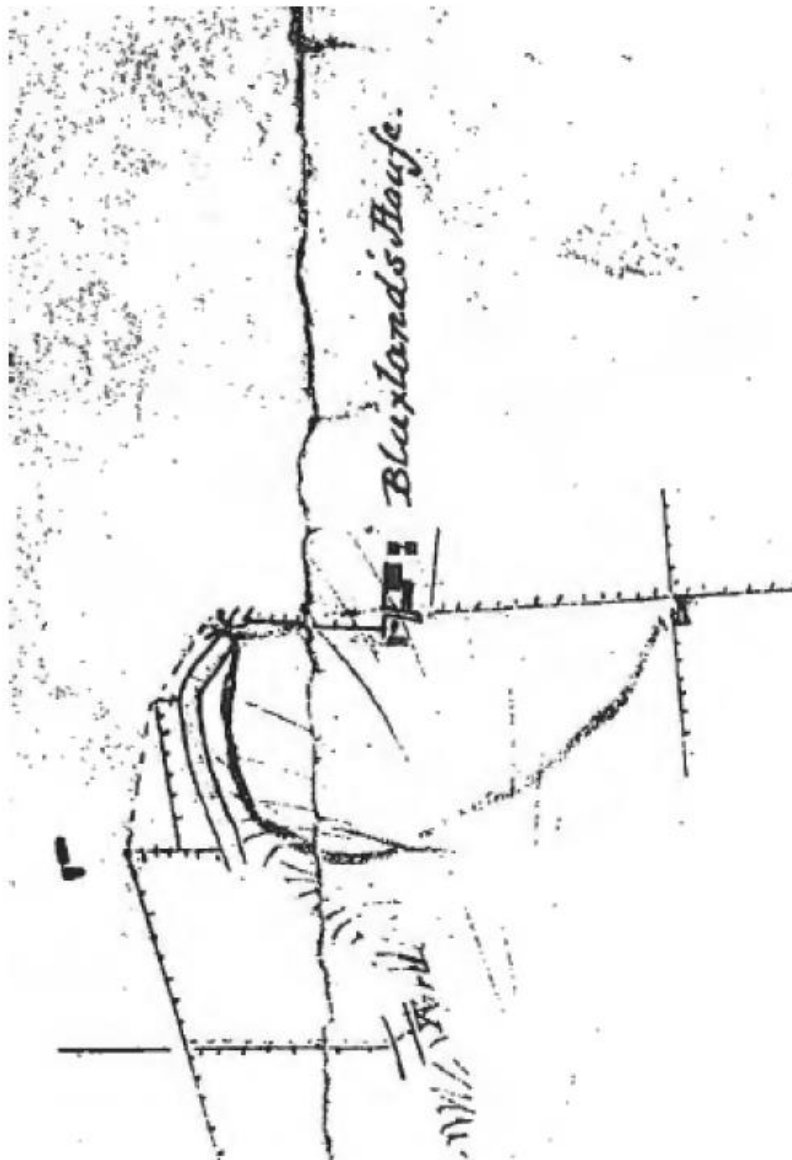
present-day town of Luddenham, the original alignment continued eastwards, crossing the study area before turning north-east and joining the Northern Road near the present-day junction with Elizabeth Drive.

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

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

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

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



Source: AHMS 2008:28

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

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

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

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

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

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

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

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

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

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

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

3.2. CHARLES NICOLSON & SUBDIVISION – 1851-1859

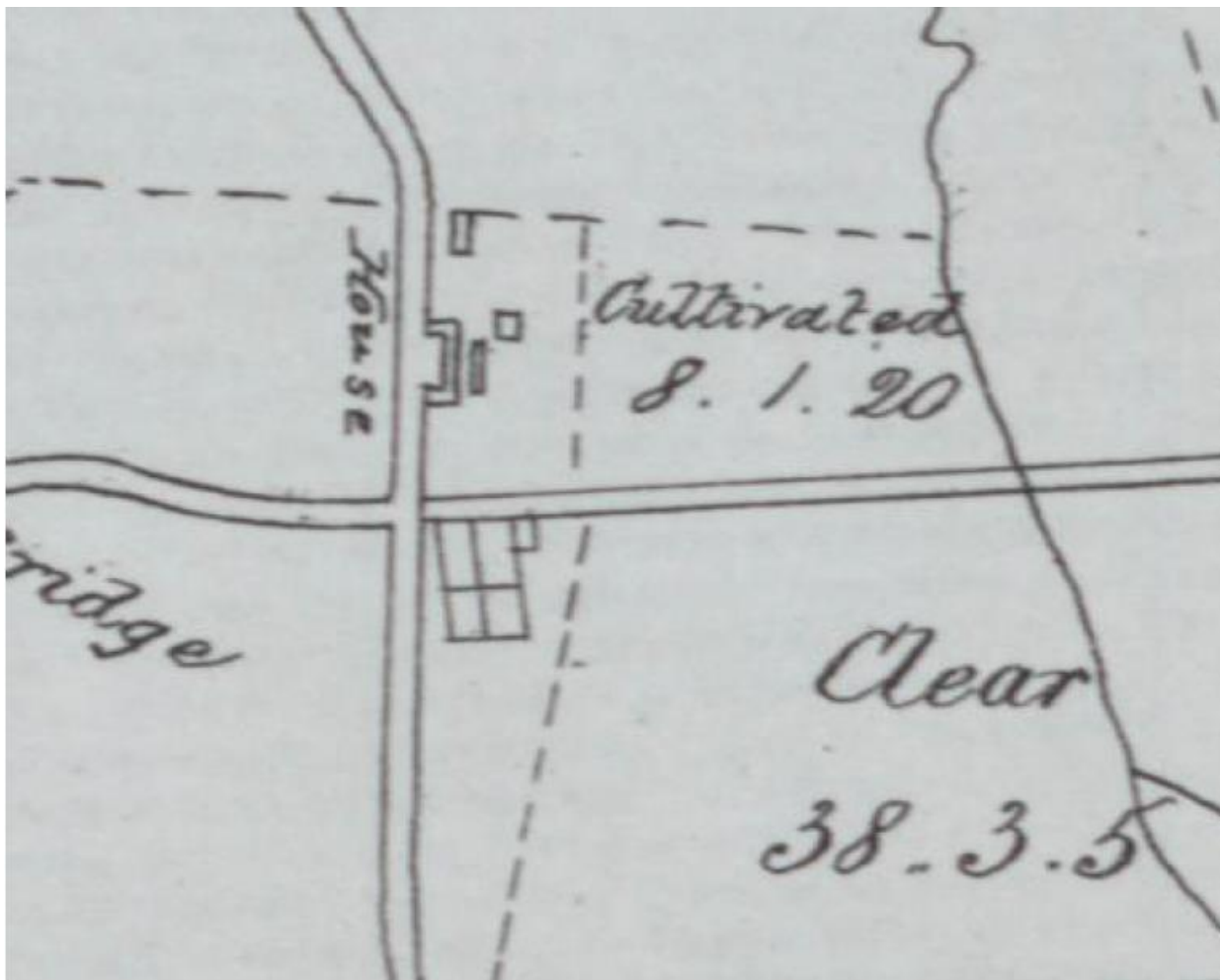
Eventually, the only recourse was to sell the Luddenham estate, with Sir Charles Nicholson reportedly purchasing the estate in 1851, although this is contradicted by AHMS who report that the estate was initially sold to J.W. Lowe in 1869 before Nicolson purchased the estate in 1883.

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

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

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

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

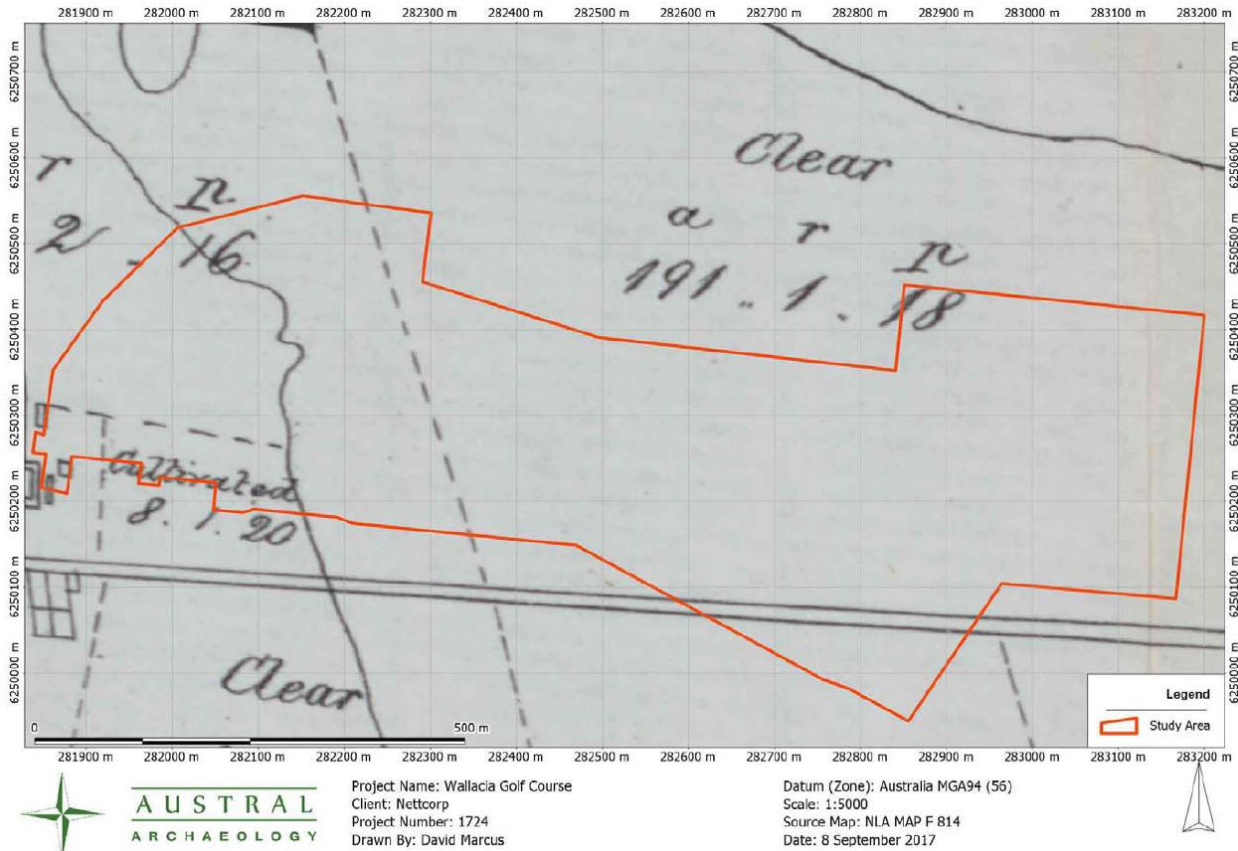


Source: National Library of Australia, MAP F 814

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

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

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



Source: Austral Archaeology, 2017

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

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

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



Source: AHMS 2008:29

3.3. WALLACIA – 1859-1932

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

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

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

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

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

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

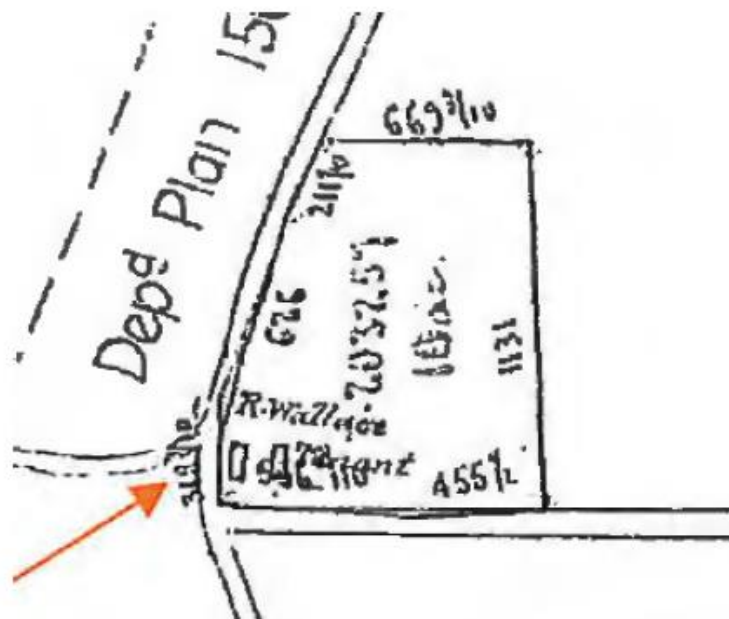
Regardless, the Wallace's house started to become an unofficial receiving depot for any mail needing collection in the district from around the mid-1880s, on account of their property being the only resident to the south of Mulgoa, and assumedly the fording point of the Nepean River meant that it was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

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

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

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

Figure 9 – Extract from an 1895 subdivision plan



Source: AHMS 2008:33

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

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

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

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

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

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

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

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

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

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

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

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

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



Source: NAA C4076, HN1071

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

3.4. WALLACIA GOLD COURSE – 1932-PRESENT

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

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

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

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

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

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

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

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

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

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



Source: NSW Land and Property Information, 227_22_5089

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



Source: NSW Land and Property Information, 227_22_5089

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



Source: NSW Land and Property Information, 1404_20_0599

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

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

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



Source: NSW Land and Property Information, 2237_06_097

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

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, why a statutory listing was made to protect these values.

4.2. SIGNIFICANCE ASSESSMENT

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

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

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

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

Criteria	Significance Assessment
<p>E – Research Potential</p> <p><i>An item has potential to yield information that will contribute to an understanding of the local area’s cultural or natural history.</i></p>	<p>Section 4.5 of this report outlines the Aboriginal and historical archaeological potential for the subject property. The majority of the property was previously used for grazing, and has been assessed to have a low level of potential. It has been identified that the south-western corner of the site may have some degree of archaeological potential associated with the former Luddenham farm, outbuildings and immediate curtilage. It is further speculated that an air-raid shelter is extant beneath the 10th hole tee, however this is only conjecture.</p> <p>Accordingly, the site has the potential to yield some further information about the earlier structures and uses associated with the property and Blaxland/Wallace family farm. However, these findings are more likely to be located on the adjoining lands directly fronting Mulgoa Road, as discussed in detail in Section 3 of this report, and the findings are unlikely to be substantial or significant.</p>
<p><i>Guidelines for Inclusion</i></p> <ul style="list-style-type: none"> • <i>has the potential to yield new or further substantial scientific and/or archaeological information</i> <input type="checkbox"/> • <i>is an important benchmark or reference site or type</i> <input type="checkbox"/> • <i>provides evidence of past human cultures that is unavailable elsewhere</i> <input type="checkbox"/> 	<p><i>Guidelines for Exclusion</i></p> <ul style="list-style-type: none"> • <i>the knowledge gained would be irrelevant to research on science, human history or culture</i> <input type="checkbox"/> • <i>has little archaeological or research potential</i> <input type="checkbox"/> • <i>only contains information that is readily available from other resources or archaeological sites</i> <input type="checkbox"/>
<p>F – Rarity</p> <p><i>An item possesses uncommon, rare or endangered aspects of the local area’s cultural or natural history.</i></p>	<p>The subject site as a gold course is not rare in the immediate context or within Sydney.</p> <p>The site does not meet the threshold for heritage listing at the local or state level for this criterion.</p>
<p><i>Guidelines for Inclusion</i></p> <ul style="list-style-type: none"> • <i>provides evidence of a defunct custom, way of life or process</i> <input type="checkbox"/> • <i>demonstrates a process, custom or other human activity that is in danger of being lost</i> <input type="checkbox"/> • <i>shows unusually accurate evidence of a significant human activity</i> <input type="checkbox"/> • <i>is the only example of its type</i> <input type="checkbox"/> • <i>demonstrates designs or techniques of exceptional interest</i> <input type="checkbox"/> • <i>shows rare evidence of a significant human activity important to a community</i> <input type="checkbox"/> 	<p><i>Guidelines for Exclusion</i></p> <ul style="list-style-type: none"> • <i>is not rare</i> <input checked="" type="checkbox"/> • <i>is numerous but under threat</i> <input type="checkbox"/>

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

4.3. STATEMENT OF SIGNIFICANCE

The subject site does not meet the threshold for listing at either a local or state level.

4.4. HERITAGE LISTING

The subject site is not a heritage item, nor is it located within a heritage conservation area (as shown below).

Figure 15 – Extract of heritage map (subject site outlined in teal)



Source: Penrith Council Local Environmental Plan 2010, Heritage Map HER_008

However, the subject site adjoins a number of locally listed heritage items and heritage conservation areas under the Penrith Local Environmental Plan (LEP) 2010, listed as follows:

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

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



Picture 9 – Wallacia Hotel

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



Picture 10 – Wallacia Hotel

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

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

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

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



Picture 11 – Former St. Andrew's Anglican Church

Source: Urbis



Picture 12 – Former St. Andrew's Anglican Church

Source: Urbis

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

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

- HCA 5, Mulgoa Road Conservation Area and HCA 6, Park Road Conservation Area.

³ Ibid.

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

4.5. ARCHAEOLOGICAL POTENTIAL SUMMARY

Austral Archaeology have assessed the historical and Aboriginal archaeological potential of the subject site in their *Aboriginal Due Diligence and Historical Archaeological Assessment* report dated September 2017. The conclusions of this report in relation to historical archaeological potential are outlined as follows:⁵

- *“The presence of an extant or demolished twentieth century building is considered to have removed all archaeological potential within its footprint.*
- *There are varying degrees of moderate and low potential for archaeological remains to be present in the western part of the study area which relate to the Luddenham Farm buildings. As the exact locations of the farm buildings are unknown, this potential is considered highest beneath the current car park in the western part of the study area, and includes a buffer zone of lesser archaeological potential extending eastwards into grassed areas forming the golf course.*
- *This archaeological material may include remnants of structures and outbuildings associated with Luddenham Farm whose locations are not recorded.*
- *The potential for other deeper features, such as wells, cesspits, cellars or underground storage areas are difficult to predict as the location of any such features are not recorded historically and may have been disturbed by later construction.*
- *There is moderate to high potential for the original track linking Wallacia to Luddenham to be identified in the landscape. There is unlikely to be any archaeological material associated with the route of the track, and the track is likely to consist of a shallow depression in the ground and possibly a buried, compacted surface.*
- *There is potential for an air-raid shelter to be present under the 10th tee, although it is difficult to quantify this potential. The presence of the shelter is based on a single oral source provided by Stacker.*

While the majority of the study area contains no historical archaeological potential, the following figures show the only parts of the study area which are considered to contain archaeological potential in the western and eastern portions of the site.”

The archaeological potential of the site as assessed by Austral Archaeology is shown on the diagram overleaf.

We note that the proposed works appear to be located in the areas designated as ‘Low’ and ‘Moderate’ Archaeological potential surrounding the existing clubhouse. We understand that an Aboriginal Cultural Heritage Assessment or a Historical Archaeological Assessment have not been undertaken. It is beyond the scope of this report to assess the archaeological potential of the subject site or assess the potential historical archaeological or Aboriginal cultural heritage impacts of the proposal.

⁵ Austral Archaeology 2017, *Aboriginal Due Diligence and Historical Archaeological Assessment*, Stanmore, p.58

Figure 16 – Historical archaeological potential of the western portion of the study area associated with Luddenham Farm and the potential air-raid shelter



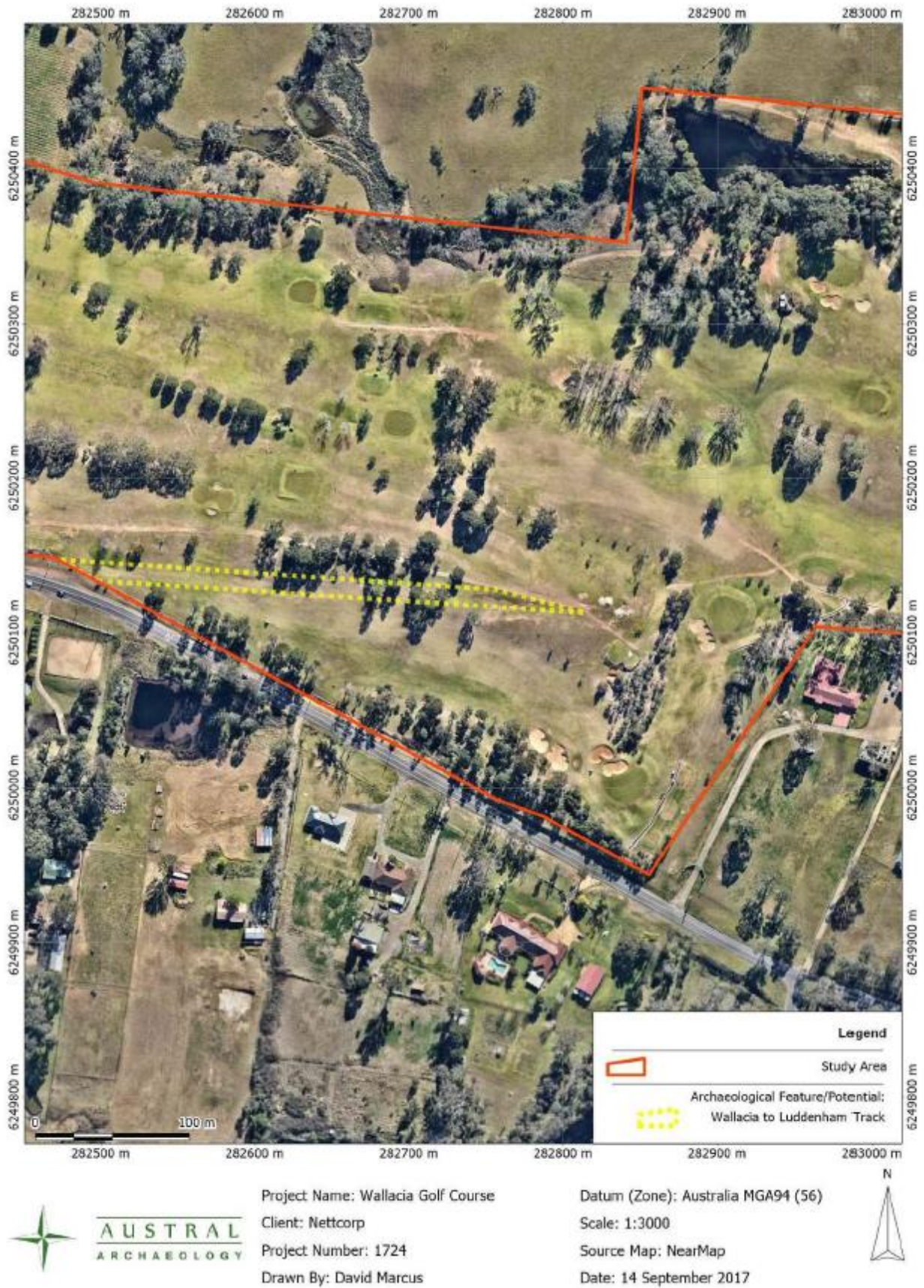
Project Name: Wallacia Golf Course
 Client: Netcorp
 Project Number: 1724
 Drawn By: David Marcus

Datum (Zone): Australia MGA94 (56)
 Scale: 1:1000
 Source Map: NearMap
 Date: 14 September 2017



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

Figure 17 – Historical archaeological potential of the eastern portion of the study area



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

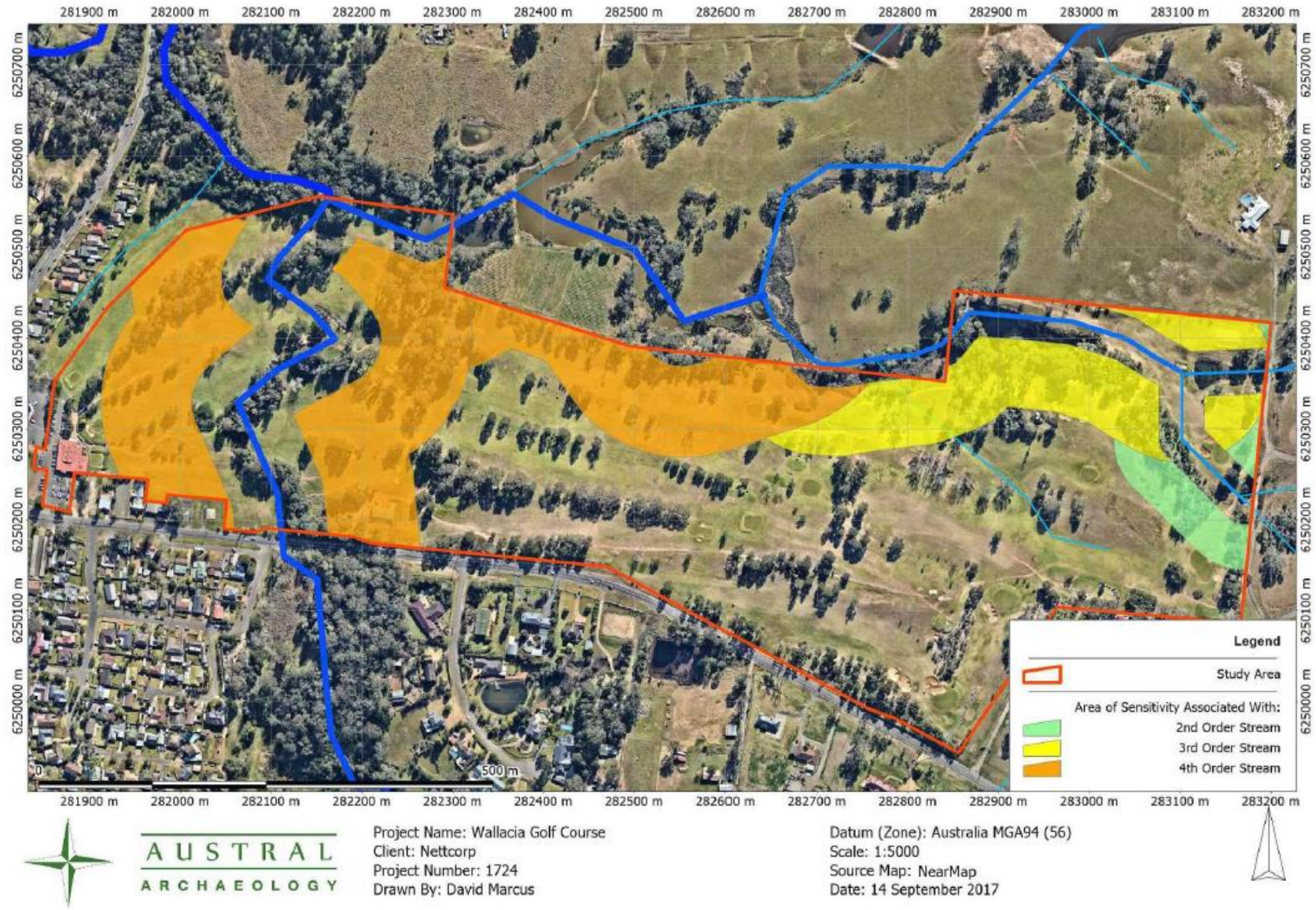
The conclusions of Austral Archaeology's report in relation to Aboriginal archaeological potential are outlined as follows:⁶

- *“Surface open camp sites or isolated finds of flaked or ground stone are likely to be present in areas associated with higher order streams and creek-lines such as Jerry’s Creek.*
- *PADs (Potential Archaeological Deposits) are likely to be present, but their identification is dependent on the correct recognition of an area with an absence of historical disturbance situated within a residual soil profile, such as the Blacktown (bt) profile present in the western portion of the study area.*
- *Scarred trees have a low probability of being present due to the widespread vegetation clearance visible in the 1955 aerial photograph, although old growth vegetation which may contain scar trees are present along the banks of Jerry’s Creek.*
- *Grinding grooves are unlikely to be present due to a lack of suitable requirements (i.e. exposed bedrock near to a water source).*
- *Burials are unlikely to be present, due to the lack of sandy locations suitable for inhumation.*
- *Ceremonial grounds are unlikely to be present due to their general rarity within New South Wales.*
- *Rock shelter sites are unlikely to be present due to the lack of suitable rocky outcrops in the study area.*
- *Shell middens are unlikely to be present due to the distance from a permanent and deep water-source.*
- *Stone arrangements are unlikely to be present due to their general rarity within New South Wales.”*

The following Aboriginal sensitivity diagram was prepared by Austral Archaeology.

⁶ Austral Archaeology 2017, Aboriginal Due Diligence and Historical Archaeological Assessment, Stanmore, p.57

Figure 18 – Map showing areas of potential Aboriginal artefact distribution in relation to stream order



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

5. THE PROPOSAL

The DA seeks approval for the following specific uses and works for the site:

- **Nepean Gardens:**
 - Use and operation of a portion of the site for a ‘cemetery’ for 27,000 burial plots and associated publicly accessible parklands and recreation areas to operate Nepean Gardens;
 - A new chapel building with ancillary mortuary and a new single-storey administration building;
 - Provision of a new internal road within Nepean Gardens accessible from Park Road;
 - Landscaping the entire Nepean Gardens site with associated planting strategy and provision of new ponds and wetland/ detention basin;
 - Provision of a new electrical substation;
 - Burial areas and memorialisation guides; and
 - Provision of on-site formal car parking for up to fifty (50) cars and provision of kerbside shoulder carparking throughout the internal road network.
- **Nepean Golf Course:**
 - New 9-hole golf course; and
 - Practice putting green and community putting course.
- **Wallacia Country Club:**
 - Alterations and additions to the existing Wallacia Country Club building to include:
 - Golf pro-store;
 - Expanded gaming facilities, kitchen and dining area;
 - Function rooms; and
 - Additional parking area.
 - Synthetic bowling green; and
 - New swimming pool and gym complex.
- Tree removal associated with new golf course and Nepean Gardens;
- Stormwater infrastructure and other site services; and
- Subdivide Lot 2 in DP 1108408 into two allotments.

An existing maintenance building, and telecommunications tower are located on the site and will remain unchanged as part of this proposal.

The following proposed plans have been relied on in this assessment.



Figure 19 – Site plan

Source: Florence Jaquet Landscape Architect



Figure 20 – Proposed masterplan

Source: Florence Jaquet Landscape Architect

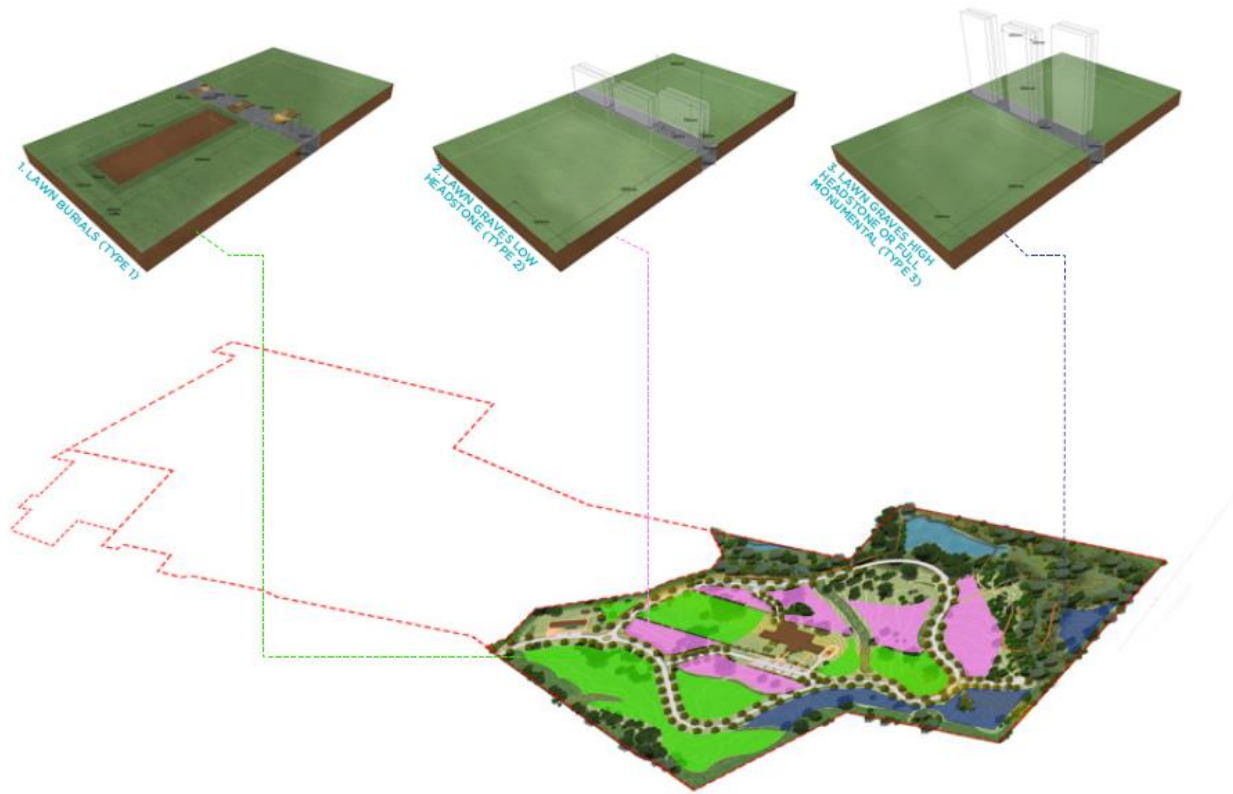


Figure 21 – Burial types

Source: Florence Jaquet Landscape Architect

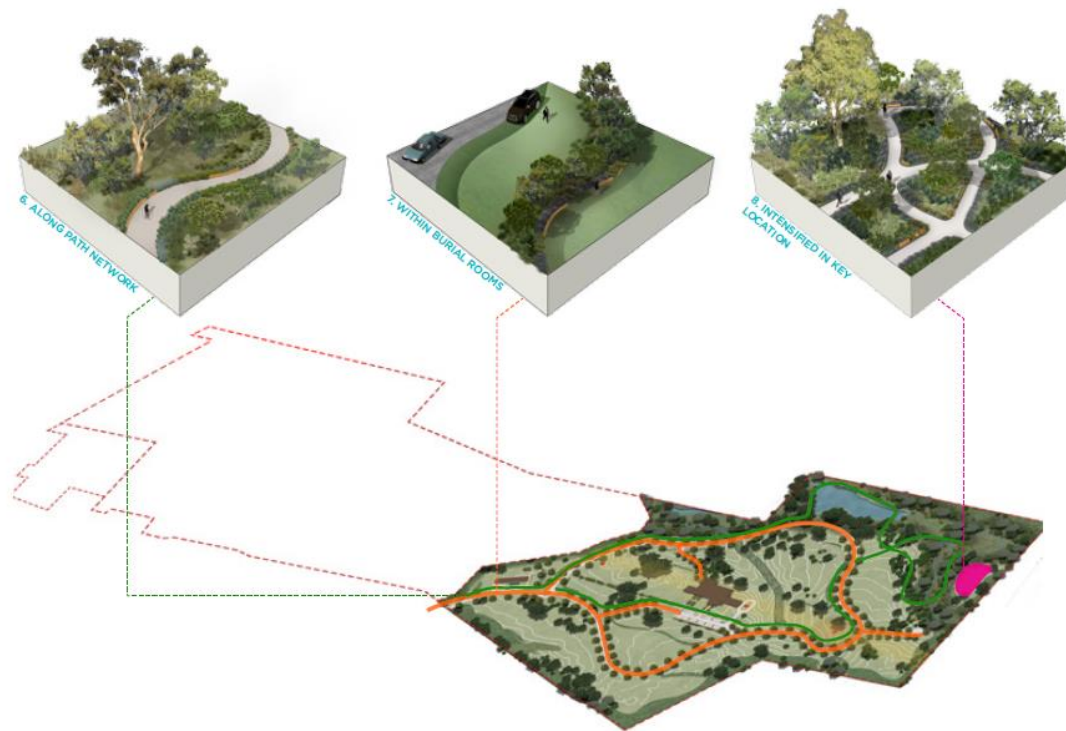


Figure 22 – Planting philosophy

Source: Florence Jaquet Landscape Architect

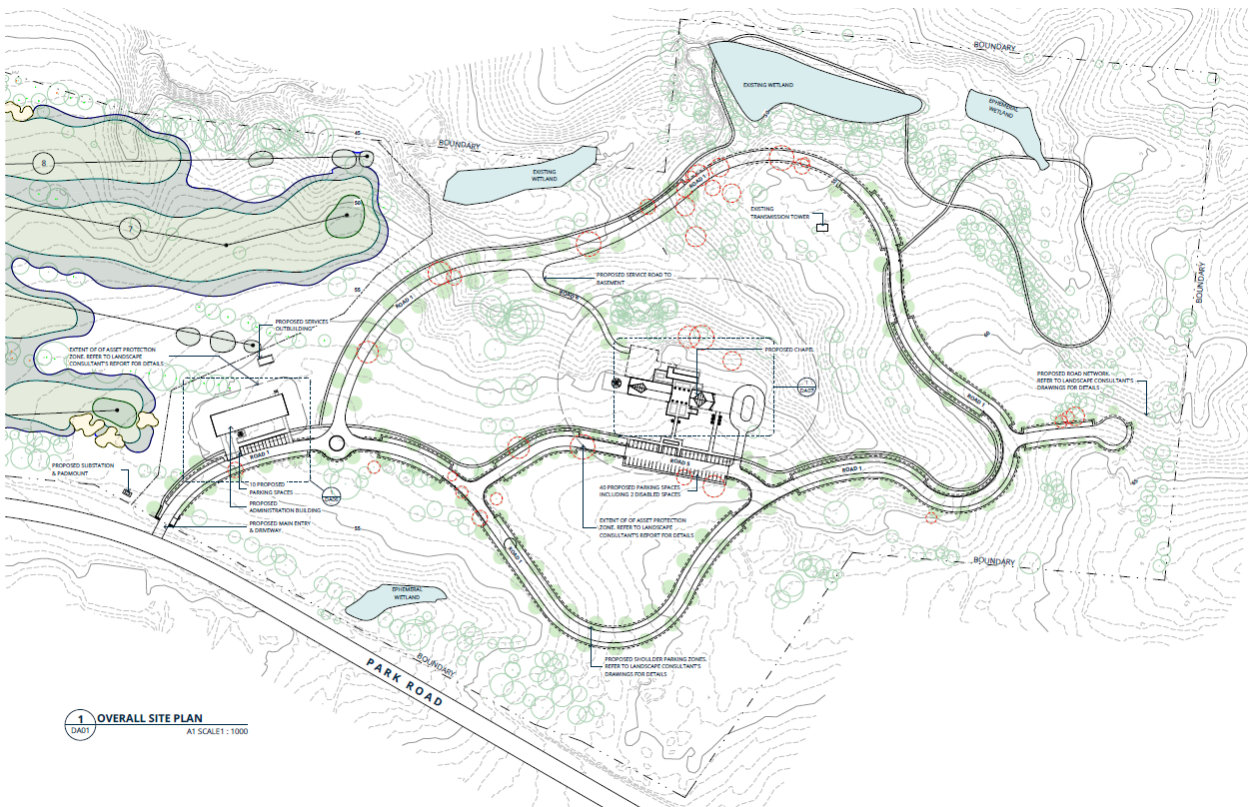


Figure 23 – Proposed buildings: administration and chapel
 Source: Ignite Architects



Figure 24 – Proposed buildings: Administration
 Source: Ignite Architects

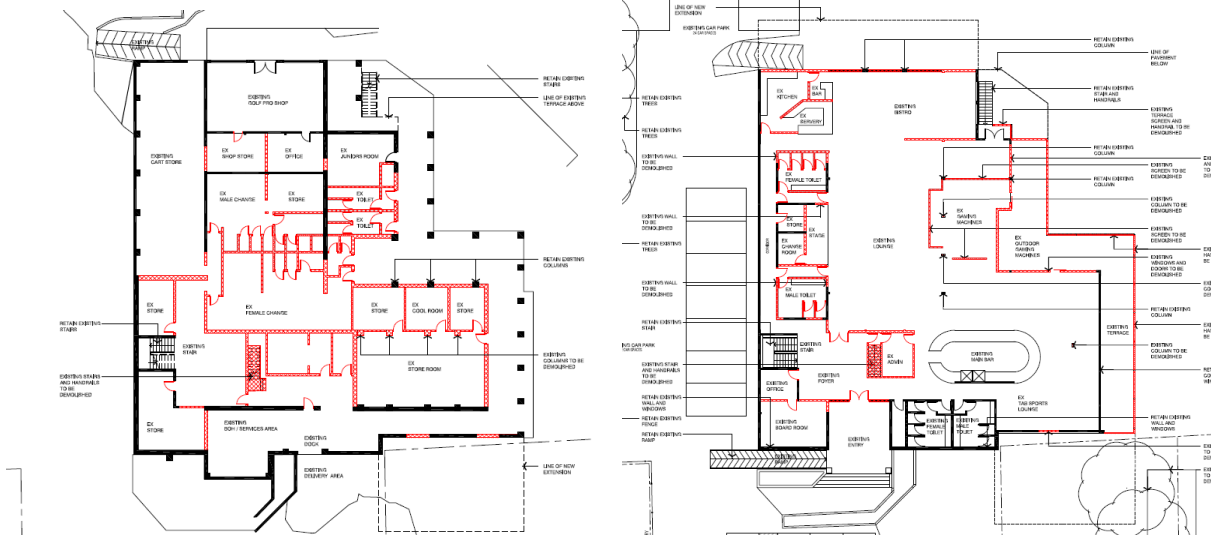


Figure 27 – Proposed buildings: Wallacia Country Club (proposed demolition lower ground and ground levels)

Source: Axil Architects

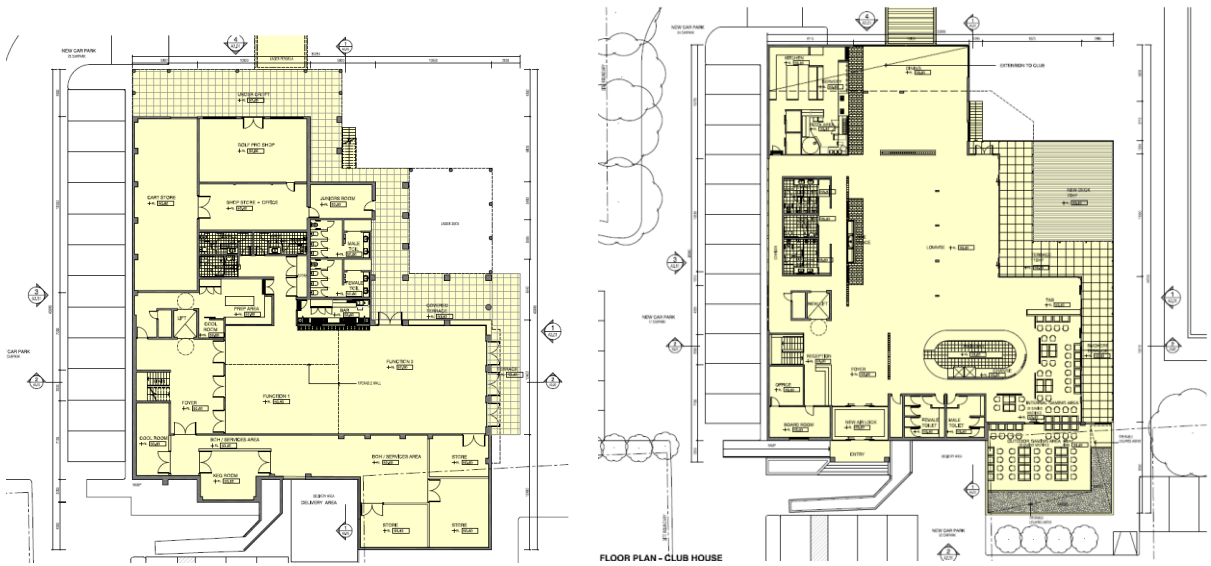


Figure 28 – Proposed buildings: Wallacia Country Club (proposed work lower ground and ground levels)

Source: Axil Architects

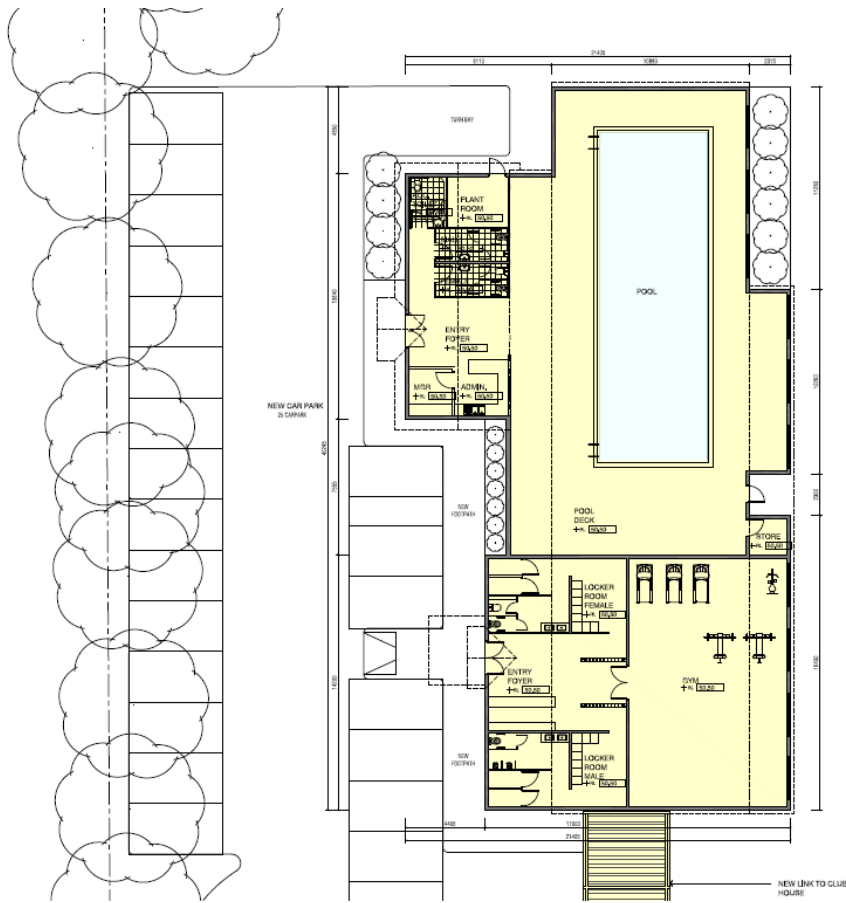


Figure 29 – Proposed buildings: Wallacia Country Club (new carpark and pool)
 Source: Axil Architects

6. IMPACT ASSESSMENT

6.1. STATUTORY CONTROLS

6.1.1. Penrith Local Environmental Plan 2010

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

Table 1 – Penrith Local Environmental Plan 2010, relevant clause impact assessment

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

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

6.1.2. Penrith Development Control Plan 2014

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

Table 2 – Penrith Development Control Plan 2014, relevant clause impact assessment

Clause	Discussion
C7 CULTURE AND HERITAGE	
<p><u>7.1.1 Determining the Impact on Heritage Significance</u></p> <p>a) Where a proposed development could affect the heritage significance of a heritage item or heritage conservation area, the applicant is required to lodge a Heritage Impact Statement or Conservation Management Plan (as required).</p> <p>b) A proposed development could affect the heritage significance of a heritage item or heritage conservation area if it is either in that item, place or conservation area or it is in the vicinity of that item, place or conservation area.</p> <p>c) Impact on a heritage item, place or conservation area can include, but is not limited to:</p> <ul style="list-style-type: none"> i) Affecting the item, place or area itself; ii) Affecting a significant view to or from the item; iii) Affecting the setting or heritage curtilage, including any landscape or horticultural features of the item; 	<p>a) This heritage impact statement has been prepared to assess the proposed works and identify any potential impacts on the proximate heritage items and heritage conservation areas. A conservation management plan is not required.</p> <p>b) The subject site is not a heritage item, nor is it located within a heritage conservation area. However, it is located within proximity to a number of locally listed heritage items, and accordingly the proposed works must be assessed to identify any potential impacts on the proximate heritage items and heritage conservation areas.</p> <p>ci) The proposed works will not physically affect the proximate heritage items or conservation areas. The proposed development will be a low-impact development and the generally rural character of the area will be maintained.</p> <p>Across the eastern portion of the site, the proposed works will require only minor landscape works providing for burials and all proposed built elements (administration building and chapel) will not require intervention to the heritage items.</p> <p>Across the western portion of the site, the proposed alterations to the non-significant clubhouse, and additions including parking and recreation facilities, will have no physical or visual impact on the heritage items in the vicinity.</p> <p>cii) The proposal will not change the presentation of the site as a landscaped site, with a high degree of vegetation, landscaping and undeveloped areas. All proposed built elements (administration building and chapel) are to be located to the eastern portion of the site. The site's existing topography is such that there are no view lines linking this eastern portion of the site with the heritage items themselves. The proposed works will not impact on, obstruct or detract from existing significant views to or from the heritage items.</p> <p>ciii) The proposed works will not affect the setting or landscape elements of the proximate heritage items. The proposed works will not be visible from views of the principal elevation of the Wallacia Hotel from Mulgoa Road, and will not disrupt the landscaped setting to the front of this building.</p> <p>The land to the rear of the former St Andrew's Anglican Church heritage item will be maintained as a golf course.</p>

Clause	Discussion
<p>iv) Overshadowing of the item;</p> <p>v) Affecting the form of any historic subdivision pattern;</p> <p>vi) Undermining or otherwise causing physical damage to the item; or</p> <p>vii) Otherwise having an adverse impact on its heritage significance.</p> <p>d) A Heritage Impact Statement or Conservation Management Plan must be prepared by a qualified Heritage Consultant.</p> <p>e) A Heritage Impact Statement must address the issues set out in this section of the DCP and the Submission Requirements for applications in Appendix F3 of this DCP.</p>	<p>civ) As discussed above, the proposed works include a small number of new built structures that are to be located to the north-east of the site. The proposed buildings will therefore have no potential overshadowing impact on the proximate heritage items which are concentrated around the south-western portion of the site.</p> <p>v) As discussed earlier in this report, the subject site and the majority of surrounding land (to the east of Mulgoa Road) all formed part of the original land grant to John Blaxland in 1813. The form of this land holding has been lost with the urbanisation and development of Wallacia over the previous two centuries and is no longer evidenced in the existing subdivision pattern.</p> <p>vi) The proposed works will not involve any works that could potentially undermine or destabilise the proximate heritage items. The only alteration work to existing structures proposed within the site is the refurbishment of the existing, later and non-significant, club house. This refurbishment work will be undertaken within the existing footprint of the building, and will enhance the overall aesthetic of the building when viewed from the public domain and adjoining heritage items. This building is not identified to be of heritage value and no significant fabric will be affected.</p> <p>vii) The proposed works have no identified impacts on the heritage significance of the proximate heritage items.</p> <p>d) This heritage impact statement has been prepared by a qualified heritage consultant from Urbis Heritage.</p> <p>e) Complies.</p>

Clause	Discussion
<p><u>7.1.5 Development in the Vicinity of a Heritage Item or Conservation Area</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>b) May undermine or otherwise cause physical damage to a heritage item; or</p> <p>c) Will otherwise have any adverse impact on the heritage significance of a heritage item or any heritage conservation area within which it is situated.</p> <p>2) The following issues must be addressed in the Heritage Impact Statement:</p> <p>a) The impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item;</p> <p>b) Details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works; and</p> <p>c) Details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.</p>	<p>1) As above, this heritage impact statement has been prepared to address this clause and assist the consent authority in their assessment of the proposal.</p> <p>2) The proposed works are not considered to have any impact on the significance, curtilage or setting of the proximate heritage items, for the reasons outlined in this report. The proposed structures and buildings are to be located at the north-eastern portion of the site, far from the locality of the heritage items. Cemetery related works including burials, headstones and roads / paths, are minor works which will not overshadow or physically impact on the proximate heritage items.</p> <p>The proposed new buildings, being the administration building and chapel, will be contemporary in design and materiality. This is appropriate as these buildings are visually and physically removed from proximate heritage items due to the natural topography of the site, and provide for a well-resolved design approach to the new cemetery to the eastern portion of the site.</p>

Clause	Discussion
<p><u>7.3 Significant Trees and Gardens</u></p> <p>If a tree, or trees, has been identified as significant, the owner or any person proposing to do any work on that defined area has the following responsibilities:</p> <ol style="list-style-type: none"> 1) The owner shall not ringbark, cut down, top, lop, or wilfully destroy any tree, except with the consent of Council. 2) Development in the vicinity of a significant tree or garden should not result in the destruction or damage of that tree or garden. 3) The owner of any property, which has a tree or garden located on the site, should take into consideration the significance of the tree or garden and design development accordingly. 	<p>None of the existing vegetation has been identified to be a heritage item or within a heritage conservation area. The historical assessment included herein at Section 3 concludes that the majority of the vegetation on the site is twentieth century vegetation, apart from small instances of vegetation along riparian corridors, which will not be altered. It is noted that Aboriginal cultural heritage assessment of the place is outside of the scope of this report. The design of the new cemetery and golf course sections of the property has responded to the existing vegetation and has undertaken to supplement this existing stock with additional native planting.</p>

6.2. HERITAGE DIVISION GUIDELINES

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

Table 3 – Heritage Division Guidelines, relevant guideline impact assessment

Guideline	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 heritage item, nor is it located within a heritage conservation area. The proposed works are not considered to have any detrimental heritage impact on the significance, curtilage or setting of the vicinity heritage items.</p> <p>The proposed works will not affect any significant existing views towards heritage items in the vicinity. The proposed works will not be visible from views towards the principal elevation of the Wallacia Hotel from Mulgoa Road, and will not disrupt the landscaped setting to the front of this building. The land to the rear of the former St Andrew's Anglican Church heritage item will be maintained as a golf course.</p> <p>The proposed development will be a low-impact development and the generally rural character of the area will be maintained. Across the eastern portion of the site, the proposed works will require only minor landscape works providing for burials and all proposed built elements (administration building and chapel) will not require intervention to the heritage items. Across the western portion of the site, the proposed alterations to the non-significant clubhouse, and additions including parking and recreation facilities, will have no physical or visual impact on the heritage items in the vicinity.</p> <p>The proposed new buildings will be contemporary in design and materiality. This is appropriate as these buildings are visually and physically removed from proximate heritage items due to the natural topography of the site and provide for a well-resolved design approach to the new cemetery.</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>None identified. The proposed works are considered to be minor and appropriate with regards to their impact on the proximate heritage items and conservation areas.</p>
<p>The following sympathetic solutions have been considered and discounted for the following reasons:</p>	<p>None identified.</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>The proposed use of the subject site as a cemetery and a golf course is considered a minor change. The proposed cemetery portion of the site will retain the site as generally landscaped, open and undulating character. This proposed use will ensure the future retention of the site as a large scale, landscaped property.</p>

Guideline	Discussion
<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>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 proposed works are not considered to have any impact on the significance, curtilage or setting of the proximate heritage items, for the reasons outlined in this report. These have been discussed in detail above.</p> <p>The proposed works are not considered to have any detrimental heritage impact on the significance, curtilage or setting of the vicinity heritage items.</p> <p>The proposed works will not affect any significant existing views towards heritage items in the vicinity. The proposed works will not be visible from views towards the principal elevation of the Wallacia Hotel from Mulgoa Road, and will not disrupt the landscaped setting to the front of this building. The land to the rear of the former St Andrew's Anglican Church heritage item will be maintained as a golf course.</p> <p>It is beyond the scope of this report to assess the archaeological potential of the subject site or assess the potential historical archaeological or Aboriginal cultural heritage impacts of the proposal.</p>
<p>Tree removal or replacement</p> <p>Does the tree contribute to the heritage significance of the item or landscape?</p>	<p>None of the existing vegetation has been identified to be a heritage item or within a heritage conservation area. The historical assessment included herein at Section 3 concludes that the majority of the vegetation on the site is twentieth century vegetation, apart from small instances of vegetation along riparian corridors, which will</p>

Guideline	Discussion
<p>Why is the tree being removed?</p> <p>Has the advice of a tree surgeon or horticultural specialist been obtained?</p> <p>Is the tree being replaced? Why? With the same or a different species?</p>	<p>not be altered. It is noted that Aboriginal cultural heritage assessment of the place is outside of the scope of this report. The design of the new cemetery and golf course sections of the property has responded to the existing vegetation and has undertaken to supplement this existing stock with additional native planting.</p>

7. CONCLUSION AND RECOMMENDATIONS

The significance assessment undertaken at Section 4 of this report has concluded that the subject site does not meet the requisite threshold for heritage listing at the local or state level. The proposed works (as detailed in Section 5) have been assessed for their potential impact on the proximate heritage items and heritage conservation areas, in the detailed impact assessment included in Section 5.

The proposed works are not considered to have any impact on the significance, curtilage or setting of the proximate heritage items, for the reasons outlined in this report.

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

The proposed works will not affect any significant existing views towards heritage items in the vicinity. The proposed works will not be visible from views towards the principal elevation of the Wallacia Hotel from Mulgoa Road, and will not disrupt the landscaped setting to the front of this building. The land to the rear of the former St Andrew's Anglican Church heritage item will be maintained as a golf course.

The proposed development will be a low-impact development and the generally rural character of the area will be maintained. Across the eastern portion of the site, the proposed works will require only minor landscape works providing for burials and all proposed built elements (administration building and chapel) will not require intervention to the heritage items. Across the western portion of the site, the proposed alterations to the non-significant clubhouse, and additions including parking and recreation facilities, will have no physical or visual impact on the heritage items in the vicinity.

The proposed new buildings will be contemporary in design and materiality. This is appropriate as these buildings are visually and physically removed from proximate heritage items due to the natural topography of the site and provide for a well-resolved design approach to the new cemetery.

The proposed works are supported from a heritage perspective and are recommended for approval.

8. BIBLIOGRAPHY AND REFERENCES

8.1. BIBLIOGRAPHY

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