



Heritage Impact Statement

Construction of a kiosk pavilion and associated landscaping works
Regatta Park, Penrith

March 2021
EHC2021/0128

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1.0 EXECUTIVE SUMMARY

This Heritage Impact Statement has been prepared at the request of Breakspeare Architects to establish the cultural heritage significance of the subject site and to then assess the potential heritage impacts against those assessed heritage values and significance. It is intended that this report will then accompany a Development Application to Penrith City Council.

The site is situated within the Penrith City Council local government area and in the locality of Emu Plains, which is 58 kilometres west of Sydney city. The site comprises covers approximately 9.5 hectares and encompasses the land bound by the riverbank and Nepean River to east, the Great Western Highway to the north, York Street to the west and residential allotments to the south. The site is intersected by River Road, essentially cutting the park in half. The site includes a number of historic built forms, contemporary amenity structures and known archaeological sites.

The subject site is commonly known as 'Penrith Regatta Park'.

The Penrith Regatta Park in and of itself, is not identified as an item of local or state significance. However, the site is comprised of a large geographical area, made up of numerous individual allotments, of which, a number of sites are identified as listed items of local and state heritage significance.

A Heritage Management Plan has previously been produced to guide the ongoing management of the identified heritage values and cultural significance of the Penrith Regatta Park. Consequently, this Heritage Impact Statement relies upon the previously assessed and established heritage values of the identified heritage-listed sites within the broader site and relies upon the pre-existing assessments to inform the heritage impact assessment of this report.

This Heritage Impact Statement has been prepared to consider the potential heritage impacts resulting from the proposed development, which involves the construction of a kiosk pavilion structure and associated landscaping works.

The proposal has been assessed with regards to the identified heritage values and available physical and documentary evidence, including a visual inspection of the site and statutory planning requirements. In applying the evaluation criteria for assessing the likely impact of a proposed development on the heritage significance of listed items of heritage significance or heritage conservation areas (as published by the Heritage Council of NSW), subject to the recommendations in Section 11.2 of the report, the proposal is considered to have an entirely acceptable heritage impact.

2.0 INTRODUCTION

2.1 Acknowledgement of Country

Edwards Heritage Consultants acknowledges the traditional custodians of the land on which we work and we recognise their continuing connection to land, waters and culture. We pay respect to Aboriginal Elders past, present and emerging.

2.2 Context of the report

This Heritage Impact Statement has been prepared at the request of Breakspear Architects to assess the potential heritage impacts and to accompany a Development Application to Penrith City Council, which seeks approval for construction of a new kiosk pavilion structure and associated landscaping works at Penrith Regatta Park, Penrith.

The report considers:

1. An assessment of the property to establish its cultural heritage significance with the formulation of a Statement of Significance.
2. What impact the proposed works will have on the identified heritage significance;
3. What measures are proposed to mitigate negative impacts;
4. Why more sympathetic solutions are not viable;
5. Recommendations to mitigate heritage impacts.

2.3 Methodology

This report has been prepared in accordance with the general methodology and guidelines set out in the Heritage Council of NSW publication '*Statements of Heritage Impact*' as contained in the *NSW Heritage Manual*.

The overarching philosophy and approach to this report is guided by the conservation principles and guidelines of the Australia ICOMOS *Charter for the Conservation of Places of Cultural Significance (Burra Charter) 2013*.

A visual examination of the subject site has been undertaken, which is followed by a merit and significance based desktop assessment of the development proposal.

The potential, actual and / or perceived heritage impacts stemming from the development proposal have been assessed with reference to the *Penrith Local Environmental Plan 2010*, the *Penrith Development Control Plan 2014*, the *Heritage Management Plan for Regatta Park Precinct 2020* (Lucas Stapleton, Johnson & Partners) and the Heritage Council of NSW assessment criteria.

2.4 Authorship

This Heritage Impact Statement has been prepared by Bethany Robinson B.A M.Mus.Herit, Heritage Consultant, Isabelle Adamthwaite B.A M.Herit.Cons, Heritage Consultant, and Michael Edwards B.Env.Plan M.Herit.Cons, M.ICOMOS, JP, Principal Heritage Consultant / Advisor. The report has been reviewed and endorsed by Michael Edwards B.Env.Plan M.Herit.Cons, M.ICOMOS, JP, Principal Heritage Consultant / Advisor for EHC.

Unless otherwise noted, all contemporary photography in this report is by EHC.

2.5 Limitations

This Heritage Impact Statement:

- Considers the site, external structures and internal rooms and spaces that were visually and physically accessible by EHC on the day of the inspection.
- Is limited to the investigation of the non-Aboriginal cultural heritage of the site. Therefore, it does not include any identification or assessment of Aboriginal significance of the place.
- Is limited to a due-diligence archaeological assessment only and does not present a detailed archaeological assessment of the site.
- Has been prepared relying on existing historical research and significance assessment. No further research or assessment has been undertaken. Subsequently, the heritage impact assessment of this report is based upon the previously assessed heritage values.
- Does not provide a detailed assessment of the provisions of the *Penrith Development Control Plan 2014*, but considers generally the development standards relating to the development within the vicinity of heritage items.

2.6 Terminology

The terminology used throughout this report is consistent with the NSW Heritage Manual and the Australia ICOMOS *Burra Charter* (2013).

A glossary of common terms used is listed in Appendix A.

2.7 Physical Evidence

A visual examination of the site and the surrounding area was undertaken on 9 March 2021. All contemporary photography used in Section 2 of this report was captured at this time, unless otherwise credited.

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3.0 SITE ASSESSMENT

3.1 Location and Context

The site is situated within the Penrith City Council local government area and in the locality of Emu Plains, which is 58 kilometres west of Sydney city. The site comprises approximately 9.5 hectares and encompasses land which is bound by the Nepean River to east, the Great Western Highway and 'Emu Hall' to the north, York Street to the west and low-density detached residential dwelling houses to the south. The site is diagonally intersected by River Road, essentially cutting the park in half. The site includes a number of historic built forms, contemporary amenity structures and archaeological sites.



Figure 1: Aerial view of the locality, provided in the *Regatta Park Precinct Heritage Management Plan*.

[Source: Lucas Stapleton, Johnson & Partners, 2020]

3.2 The subject site

The subject site is predominately located on the southern side of the Great Western Highway and is situated within an established urban streetscape, which is largely characterised by detached-style residential housing along the Nepean River.

The site comprises an area of approximately 9.5 hectares and is a combination of predominantly level open parklands and playing fields, with an undulating surface on the western side of River Road, an open at-grade carpark on the eastern side of River Road with open grassed areas, before falling steeply towards the Nepean River.

The site also encompasses multiple built forms that contribute to the understanding of the various historical phases within the site and the Emu Plains locality. The remaining sites range in architectural

styles and periods, size and scale, function, condition and integrity and are discussed in further detail below.

3.3 Exterior detailing of built sites

4 Punt Road - Former Police Station Residence

Situated on the site is a single storey early 20th century Federation period timber framed cottage, orientated to have its primary frontage to Punt Road and sitting adjacent to the river and on the higher side of the site. The cottage is clad in weatherboards and has a gambrel roof clad in corrugated short sheets.

The front verandah has timber columns with simple timber brackets, a skillion roof and timber flooring. The front elevation had a pair of French doors instead of a single central entrance. The 'front door' is on the eastern elevation (facing the river) and is covered by a small portico clad in corrugated sheet metal with timber brackets.

Timber double hung sash windows have been placed periodically around the exterior of the dwelling and have an upper sash of nine panels. At the rear is a small service wing addition on the eastern side of the dwelling, which sits adjacent to a covered verandah.

In the far south east corner of the site is a small outside WC, clad in weatherboards with a hipped roof.

The definitive framework for identifying architectural styles within Australia is that developed by Apperly, Irving and Reynolds in '*Identifying Australian Architecture: Style and Terms from 1788 to the Present*'. The authors provide a perceptive account of what constitutes and defines a style. Mostly concerned with 'high' or 'contrived' architectural styles, rather than the 'popular' styles or the vernacular, it is accepted that the boundaries between identified styles are not always clear-cut.

Subsequently, the terminology for a style and the framework to be applied in defining the style, comprises two parts, firstly identifying the period in which the building belongs and secondly describing the major characteristics.

In this manner, the building displays characteristics that are attributed to the early 20th century period and of the Federation Arts and Crafts architectural style.



Figure 2: View of the eastern elevation of the dwelling.



Figure 3: View of the primary elevation of the dwelling.



Figure 4: View of the western elevation of the dwelling.



Figure 5: View of the rear elevation of the dwelling.



Figure 6: View of the eastern rear elevation of the dwelling.



Figure 7: View of the outdoor WC.

Punt Road – Ferry Crossing

The former crossing situated at the end of Punt Road forms part of the graded road approach (now a part of the Nepean River Walking Track). The unformed road reserve is located to the east of the Great Western Highway near the junction with the northern end of River Road. The former ferry crossing and Punt Road is delineated by a line of Jacaranda trees, ascending from the riverbank towards the main road.



Figure 8: View of the remaining Jacaranda Trees (left of frame) delineating the alignment of Punt Road.

10 River Road – International Style House

Situated on the site is a two-storey detached masonry and weatherboard dwelling in the 'International Style'. The dwelling has a shallow pitched gable roof and a steel-framed external front stair. The rear elevation of the dwelling (facing the river) has a cantilevered balcony with a steel railing and over sailing cantilevered roof.

The dwelling, likely constructed in the 1960s, has aluminium framed windows and doors. The form is minimalistic, characteristic of the period and architectural details. Owing to the coverage from the surrounding foliage, a comprehensive visual inspection was limited.

Nonetheless, the building displays characteristics that are attributed to the mid 20th century period and of the Post-War International architectural style.



Figure 9: View of the driveway to the site off River Road, facing east towards the river.

36-43 Great Western Highway – Former Union Inn

The Former Union Inn currently remains in ruin and was a brick former coach inn on the Great Western Highway. The ruin comprises heap bricks and other building debris with a vegetated compound much of which obscures views of the site. A cement rendered low brick fence is extant.

Amenity's Building (West of River Road)

Situated on the western side of River Road is a small amenity building constructed in the early 21st century. The building is of concrete block construction, single storey and detached from any built forms. The building has a low-profile skillion roof clad in corrugated sheet metal, projecting eaves and metal screening devises with leaf patterns incorporated into the screens. The building is set on concrete and is adjacent to carparking facilities, bike racks and picnic areas.



Figure 10: View of the amenities block west of River Road.

Amenity's Building (East of River Road)

Situated on the eastern side of River Road to the south of the International Style dwelling and to the north east of the main car parking area is a single storey, face brick amenities building, with a low-pitch gabled roof that is clad in tiles. The building has a utilitarian form, reflective of its purpose and function as public amenities and appears to date from the 1970s-1980s period.



Figure 11: View of the amenities block situated on the eastern side of River Road.

3.4 Landscape

General Landscape

The Regatta Park site comprises an area of approximately 9.5 hectares and is situated on the west side of the Nepean Riverbank.

The site is comprised of a number of individual allotments that make up the precinct, reflective of the former subdivision patterns and the organic manner in which the Regatta Park precinct has evolved through progressive land acquisitions by Penrith City Council.

The site is mostly defined as an open, managed parkland, interspersed by the various individual buildings and structures described above. The site is framed by the Nepean River to the east, Great Western Highway to the north, York Street to the west and residential lots to the south, which provides for a defined boundary to the precinct.

River Road diagonally intersects the park, with the area on the western side of River Road largely comprised of an open playing field, flanked on the periphery and northern precinct by grassed areas interspersed by various strands of trees.

On the eastern side of River Road, the landscape towards the southern end of the precinct comprises an open at-grade carpark, before falling steeply towards the rivers edge, with soft grassed cover. A strand of trees are planted along the rivers edge and continue near the entire boundary of the site. To the north of the carpark, the landform generally continues relatively flat, where a number of the extant historical built structures are situated. This precinct is visually terminated to the north by the recently constructed pedestrian footbridge.

The site's natural landform has been substantially modified subjected to establishing a contemporary parkland during the late 20th Century. Remnants of the existing landscapes can be seen across the park, however are obscured through the culmination of various sites.

The park itself is relatively flat, descending steeply on the eastern side towards the river. The Nepean River is the most prominent landscape feature with the natural topography drawing visitors towards the waters edge. There are a number of significant and established trees that line the river bank which previously evidenced property boundaries and delineations between private and public space. This includes the line of Jacaranda Trees, Canary Island Palms, specific tree plantings along River Road and Punt Road.

Other significant features include Victoria Bridge, Nepean Bridge and the new pedestrian bridge. These built forms sit within the landscape setting with much of the vegetation characterised as 'informal' evidencing remnant of previous properties and farms.

The amenity blocks sit within the existing landscape of the park as opposed to having a site-specific landscape plan or form. Sitting near the amenities blocks on both sides are the open hard standing parking areas for the public. They are characterised by informal gravel and tar parking, sectioned off by low height timber blocks.



Figure 12: View of the eastern side of the park facing south west.



Figure 13: View of the park along the river facing north towards the pedestrian bridge.



Figure 14: View of cluster of trees facing south west from the riverbank.



Figure 15: View of the Jacaranda trees lining former property boundaries facing north.



Figure 16: View of the former ferry crossing and the pedestrian bridge.



Figure 17: View of the Great Western Highway and sandstone boundary markers facing west.



Figure 18: View of the plaque for the former police station.



Figure 19: View of River Road and the park to the east.



Figure 20: View of River Road and the park to the east.



Figure 21: View of the hard stand parking space on the eastern side of River Road.

4 Punt Road - Former Police Station and Residence

The former police station and residence is situated within an established semi-rural landscape, comprising predominately of open grassed areas. The site is currently unoccupied and the landscape setting is minimalistic, interspersed by treed canopy and shrubbery.

A number of large Jacaranda trees are located along the eastern boundary, which acts a natural separation from the river. The front boundary is enclosed by a timber paling fence with a steel framed gate. Presently a steel mesh construction fence separates the former dwelling from the parklands and public space.



Figure 22: View of the eastern side of the property facing west.



Figure 23: View of the front of the property facing south.

Punt Road – Ferry Crossing

The former Ferry Crossing at Punt road comprises a steep grassed area, ascending from the river to the present Punt Road. Despite being visually divorced owing to the construction of the cantilevered pedestrian bridge, the former ferry largely serves as a drainage swale between Emu Hall and the walkway is not clearly discernible as a former roadway.



Figure 24: View of the approximate location of the former ferry crossing and Punt Road would have been.

10 River Road – International Style House

The landscape surrounding the International styled house at 10 River Road, Emu Plains, was unavailable to closely inspect. However, from the surrounding vegetation it is clear the dwelling has an informal landscape with much of the plantings and shrubbery concentrated to the property boundaries for privacy. The site is inundated with well-established bamboo that extends around the perimeter of the site.



Figure 25: View of the landscape setting of the site, from the front driveway entrance at River Road.

3.5 Streetscape contribution

The Regatta Park Precinct is directly accessible off the Great Western Highway, Punt Road, River Road and York Street and is a visually distinctive landscape which prominently features in the various streetscapes.

Given the proximity and relationship to the Nepean River, the Regatta Park Precinct can be viewed and appreciated from the opposite (eastern) side of the river, including the recently constructed pedestrian bridge over the river. Views are not obtained from the vehicular bridge owing to the solid truss walls which obscure any direct visual relationship.

Resultantly, Regatta Park is highly visible from a number of streets and in turn has a prominent and important contribution to the streetscape, forming a significant part of the early town of Emu Plains, incorporating a number of a significant buildings and landscape features which collectively, form a local landmark.

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4.0 HISTORICAL OVERVIEW

4.1 Introduction

A comprehensive historical analysis of the site has previously been prepared by Lucas Stapleton Johnson & Partners Pty Ltd in 2020 as part of the *Regatta Park Heritage Management Plan 2020*.

This Heritage Impact Statement relies on the established historical analysis of the site as produced in the *Regatta Park Heritage Management Plan 2020*. A summarised historical analysis of the site provided in Section 4.3 below.

4.2 Chronology of the historical development of the study area

Date	Event
1789	The Nepean River is named by Captain Watkin Tench.
1790	The Nepean River is successfully crossed by the expedition led by Lieutenant William Dawes.
1813	In 1813 Blaxland, Wentworth and Lawson crossed the Blue Mountains, first crossing the Nepean at the Emu Ford.
1813	Surveyor George Evans confirmed the findings of Blaxland, Lawson, and Wentworth, continuing westwards to the Bathurst Region and the Fish River. Evans is the first European to cross the Great Dividing Range.
1814-1815	William Cox and party of road building convicts, with assistance by two Aboriginal leaders, Colbee and Joe, began working on the river approaches along Surveyor George Evans's route to the Blue Mountains.
1814	John Cronin is commissioned to erect stockyards for government herds at Emu Plains.
1815	Governor Macquarie crosses the Nepean River by government boat 'Pheasant'.
1819	Governor Lachlan Macquarie established the Emu Plains Agricultural Farm.
c1820	A ferry boat is established providing crossings over the Nepean River at Emu Ford.
1823	The colonial government commenced a ferry or punt service about half a mile south of Emu Ford near the present bridge.
1823	A plan of lands at Bathurst and the Blue Mountains including Emu Plains dated 1823 showed the "Punt House".
1828	A Statement of Expenditure by the Government included expenditure by the Department of Public Works of £239 for "Erecting a Ferry House at Emu Ford".
1832	Emu Plains Agricultural Farm closed under directions of Governor Richard Bourke.
1832	Surveyor General T. L. Mitchell reported on the proposed town site of Emu, and the Government Gazette announced that allotments measuring about 50 acres were available for sale at Emu.
1845	Land to the north of the Great Western Road along the river subdivided into 7 portions. James Tobias Ryan (known as Toby Ryan) purchased four of the portions.
Early 1850s	First recorded boat race held on the Nepean River.
c1852	Toby Ryan had built Emu Hall.
1854	Land to the south of the Western Road, near the punt was subdivided into 8 portions and sold by auction.
1854	The Penrith Nepean Bridge was completed.
1854	Surveyor Whitaker's plan subdividing the southern side of the Western Road established River Road (originally known as Nepean Street and later Beach Street and New River Road).
1856	1856 Victoria Bridge Inn (Lot 5) constructed and licensed to John Deveson.
1856	The Penrith Nepean Bridge officially opened.
1857	The Penrith Nepean Bridge is swept away by floods.
1858	The Union Inn (Lot 5) was constructed and licensed to Ralph Jackson Cross.
1858	30 Great Western Highway (Lot 2) to the south of Emu Hall was issued to William York.
1859-1862	A four roomed cottage was constructed at 30 Great Western Highway (Lot 2) by Toby Ryan.
1859	Second bridge across the Nepean River is constructed.
1860	Second bridge is swept away by floods.
1863-1882	Village of Emu Ferry established.
1867	The single Main Western Rail Line was opened passing through Emu Plains.
1867	Punts across the Nepean River destroyed by floods and not replaced.

1867	The Victoria Bridge opens and soon after floods damaged the western timber approaches and washed away a portion of the spans, although it continued to function as a rail bridge during repairs.
1867	The last licence was issued for the Victoria Bridge Inn with licensee recorded as Henry Bennet.
1867	Final licence for the Union Inn was issued to George N Landers.
1869	Victoria Bridge was re-opened to road traffic.
1882	Emu Plains Railway Station constructed.
1882	The township of Emu was renamed Emu Plains in 1882.
c1884	William Bressington, the police constable at Emu Plains leases the cottage at 30 Great Western Highway (Lot 2).
1888	The Penrith Rowing Club and the Nepean Rowing Club were established. On 29 December 1888, the Penrith Rowing Club held its "First Annual Regatta". The club houses were located on the Penrith (east) side of the river.
1898	Reserve for Police Purposes No 27870 County of Cook, Parish of Strathdon was gazetted.
c1898	The Punt House was demolished.
1907	The railway bridge that now stands alongside Victoria Bridge was completed and the Victoria Bridge was converted to carry two lanes of traffic and a footway.
1907-1908	New police station constructed within the Police Reserve lands (4 Punt Road), adjacent to the former Punt House. The original plan for the building was prepared in 1907 by the Government Architect Walter Liberty Vernon and Assistant Architect E. L. Drew. The first police constable to occupy the new police station was First Class Constable Samuel McLean.
1928	A new Nepean Rowing Club was formed, the incentive being the famous King's Cup.
1930	The Union Inn purchased by Stanley and Ollie Adelaide Martin and the name changed to the Nepean Lodge. Operated as a lodging house and café.
c1931	The Victoria Bridge Inn building demolished.
1936-1996	The AAGPS (Athletic Association of the Greater Public Schools of NSW) rowing regatta was held on the Nepean River, finishing near Victoria Bridge.
1937	Blue Mountains Shire Council devised a scheme for a scenic road along the Nepean River at Emu Plains and the council engineer Mr Watson submitted a scheme for 'New Manly' with an avenue of Jacarandas, shelter sheds, rockeries and plantations of trees or shrubs for the beautification of the surroundings along the river bank.
1937	Blue Mountains Shire Council sought a grant for £10,000 to terrace the banks of the Nepean River so people could watch boat races held along the stretch between Emu Plains and Penrith.
1940	Part of the Police Reserve over Punt Road and the police paddock was revoked for public recreation.
1954	It was officially proclaimed that the road along the western bank of the Nepean River between Cary Street and the recreation reserve adjacent to Beach Street would be named as New River Road.
1963	Emu Plains transferred to Penrith Shire Council.
1968	The Nepean Lodge (Union Inn) property purchased by Stan Papantoniou and left to deteriorate.
1970	A new building was constructed to the west of the Union Inn building, now operating as a Thai restaurant.
1972	The Police Reserve covering the police station and residence at 4 Punt Road was revoked.
1975	The name River Road Reserve was assigned to the riverbank lands to the east of River Road.
1976	The Geographical Names Board assigned the name Regatta Park to an unnamed reserve in the parish of Strathdon, Emu Plains on the western side of River Road.
1981	30 Great Western Highway (Lot 2) was owned by the Department of Urban Affairs and Planning (now Department of Primary Industries), and shortly thereafter Penrith Council was granted care, control and management of the property. The land was zoned and purchased by the Department of Planning as Regional Open Space, intended for use by the general public.
1981	The Police Station and Residence was purchased by the New South Wales Department of Planning in 1981 and granted Penrith Council care and control of the building.
1996	The cottage at 30 Great Western Highway (Lot 2) was destroyed by fire. Penrith Council recorded and removed the remains and erected a memorial.
2018	A new pedestrian and bicycle shared bridge, the Yandhai Nepean Crossing, was constructed over the Nepean River in the approximate location of the original punt crossing and the two early bridges.

2019	Penrith Council announced the redevelopment of Regatta Park as part of the Western Sydney City Deal's Liveability Program, a program jointly funded by both the state and federal governments and Council.
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4.3 Early Colonial Development of Emu Plains

The first British explorer to reach the Nepean River was Captain Watkin Tench, who led a party to the foothills of the Blue Mountains in 1789. Later that year, an expedition led by Lieutenant William Dawes crossed the river at Emu Ford, to the north of present-day Victoria Bridge. The river was named the Nepean River after Evan Nepean, the Under Secretary of the Home Office in Britain.

Blaxland, Wentworth and Lawson crossed the Nepean at Emu Ford on their expedition across the Blue Mountains in 1813. Surveyor George Evans followed shortly afterwards. The following year, engineer William Cox supervised the construction of the Road to Bathurst or the Western Road. The river was crossed by boat and a punt crossing was established in the early 1820s. By this stage, the road from Emu Ford towards the mountains had already changed alignment several times. By the 1820s, the Western Road followed the alignment of what is now Punt Road. This alignment remained more or less the same until the arrival of the railway in the 1860s.

The area became known as Evan. The later name Emu Plains may have derived from a 1790 survey map that noted a sighting of 'Cassowaries' near the ford on the western side of the river.¹

4.4 Government Stockyards and Agricultural Farm

John Cronin was commissioned to establish government stockyards at Emu Plains in 1814. In 1815, Governor Macquarie contracted William Cox to erect a provisions depot and a guard house near Emu Ford. These were to form part of a network of government farms and stock deposits that were intended to break the monopoly of wealthy landowners and increase food production in response to the doubling of convict arrivals between 1814 and 1820. The Regatta Park Precinct was planted with rye grass and clover. The Government Farm at Emu Plains supported many settlements throughout New South Wales. The Governor's House and a worker's camp was located to the north of the site, near the intersection of Hunter and Annett streets. A provision store, granary and barracks were further to the east.²

4.5 The Punt House

The first known newspaper reference to the ferry was published in 1820 and the government commenced a service near the present Victoria Bridge in 1823.

The age of the corresponding 'Punt House' is unclear. The house appeared on an 1823 survey of Emu Plains, although a Statement of Expenditure by the Government from 1828 lists a £239 payment for the erection of a Ferry House at Emu Ford. The earlier house may have been a temporary structure. It is believed to have been located near the 1908 Police Station building.³

4.6 Bridges over the Nepean River

In response to the punt's ongoing maintenance issues and continued difficulty of transporting stock over the river, the Penrith Nepean Bridge Company constructed a bridge over the river, which was completed in 1854 and opened in 1856. Less than eighteen months later, the bridge was destroyed in a flood. A second bridge, constructed by the same company using elements from the first bridge, was swept away in 1860. The piers survived until they too were washed away in the mid-twentieth century. Two daily punts

¹ Johnson et al., *Regatta Park Precinct Heritage Management Plan* (Sydney: Lucas Stapleton Johnson & Partners Pty Ltd, 2020), 11-13.

² Johnson et al., *Regatta Park Precinct Heritage Management Plan*, 13-15.

³ *Ibid.*, 18-19.

were provided following the loss of the second bridge in 1860, however they were damaged in a flood in 1867 and were not replaced.

In response to these events, it was decided that the proposed railway bridge would be raised by six feet and temporarily carry a single-lane road as well as a railway line. Although Victoria Bridge opened in 1867, another flood forced the closure of the road for repairs until 1869.

A second railway bridge, the Nepean River Bridge, opened in 1907 and Victoria Bridge was converted to accommodate two lanes of traffic and a footway.⁴

4.7 Settlement of Emu Plains

The first provisional land grants in Emu Plains and the vicinity were issued by Administrators Johnston, Foreaux and Paterson between 1808 and 1810. Major Johnston granted 2000 acres to his son George in 1808 which encompassed the Regatta Park precinct, although this grant was never approved by Governor Macquarie.

After the closure of the government farm in 1832, Assistant Surveyor Henry Fancourt White surveyed the land for a town. The Government Gazette announced the availability of fifty-acre allotments at Emu Plain in July of the same year, however portions of the former farm remained in government hands until the site of the governor's house was sold to Michael Hogan in 1845.

When further lots along the river to the north of the Great Western Highway was auctioned in October 1845, James Tobias Ryan bought four of them. Toby Ryan, as he was known, built his house Emu Hall on this land. He also constructed a cottage adjacent to the western boundary of the Punt House Reserve between 1859 and 1862. Ryan worked as a butcher, pastoralist, publican, auctioneer and Member of Parliament over the course of his career.

The butcher, stock salesman and orchardist George Dempsey purchased four allotments near the punt at auction in 1854, all of which are located within the Regatta Park Precinct. He sold the land to the publican Ralph Jackson Cross only a few months later.

The land surrounding the Punt House remained government property until its subdivision in 1858. It had long been associated with the transportation of livestock and remained a pastoral district until the late-nineteenth century.

A second village, named Emu Ferry, developed in this area in the 1860s and 1870s but had been dissolved by the early 1880s, when its post office was renamed Emu Plains.

Emu Plains became a successful orcharding district and continued to thrive until the 1940s. In 1890, the Imperial Mandarin was by chance at Westbank orchard to the south of Regatta Park.⁵

4.8 Development of River Road

River Road was created in the 1854 subdivision of land surrounding the Punt House Reserve. Originally known as Nepean Road, it was also referred to as Beach Street, New River Road and Nepean Street at various points during its history.

Although Emu Plains was not included in the Sands Directory nor Wise's NSW Postal Directory in the late nineteenth and early twentieth centuries, aerial photographs reveal that buildings were constructed on both side of River Road during this period.

⁴ Ibid., 19-21.

⁵ Ibid., 22-27.

The Valuer General's records indicate the following developments along River Road.

Allotment 1 was purchased by Robert Thomas Jamieson in 1858.

Allotment 2, which included the cottage built by Toby Ryan between 1859 and 1862, was purchased by William York in 1858.

Allotments 1 and 2 were transferred to the police constable William Bressington in 1891. Until the erection of a police station and residence in 1908, Ryan's cottage was used for these purposes and allotment 1 served as a police paddock. The cottage on allotment 2 passed between several owners until it came under the ownership of the then Department of Urban Affairs and Planning by 1981.

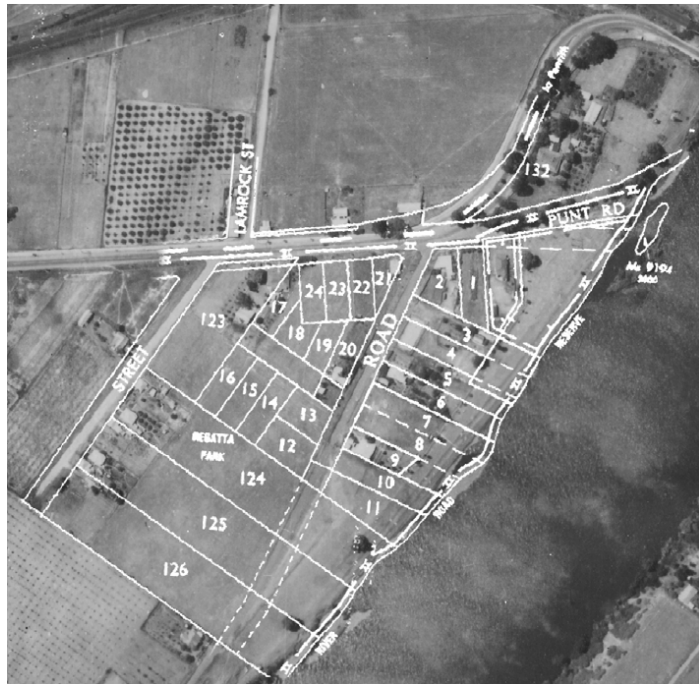


Figure 26: 1947 aerial photograph overlaid with subdivision pattern and allotment numbers from undated town plan.

The land was purchased by the Department of Planning as Regional Open Space but had severely deteriorated by the 1990s. In 1996, the building was destroyed by fire. The ruins were recorded and removed and Penrith Council erected a memorial to mark the site. Sandstock bricks, a water tank and other material were stored at the Arms of Australia Inn. A cottage that had been built on allotment 1 in the mid-twentieth century survived until the 1990s.

Allotments 3 and 4 were purchased by Thomas Amour Magrath in 1858, then by railway worker Claus Horstmann in 1878. The farmer James Amour Magrath/McGrath Jnr. bought the allotments together with *allotment 5* in 1923. The 1947 aerial photograph shows a brick and weatherboard cottage known as 'Spey.' As Magrath's family had established a wool-washing business in Emu Plains in the 1890s that was re-established by his nephews in the Second World War, it is likely that the large pond beside River Road was connected to the wool-washing trade. The portion of land fronting the river was resumed by Blue Mountains Shire Council for Public Recreation in 1951. The Magraths held the remaining land until the 1970s.

Allotments 5 and 6 were purchased by Robert Thomas Jamieson in 1863, conveyed to Thomas Busick Haylock and then to Claus Horstmann in 1878. The land was subdivided in 1909. Silas Edwin Clifton, the retired principal of Emu Plains Public School, purchased the property in 1938. Clifton lived there in a weatherboard cottage of seven rooms, kitchen and offices with sheds until his death. The land was subdivided into three lots in 1959.

An International Style house was constructed by Dr Selina Courtney Puckey on lot C of the 1959 subdivision in the early 1960s. Puckey had worked as a ship's doctor and lived in New Guinea until she was evacuated in 1941, upon which she became medical superintendent of the Renwick Hospital for Infants in Summer Hill until her retirement in 1963. Following her death in 1990, the property passed to Margaret Mary Sherwood.

Allotments 7 & 8 were purchased by William York in 1858 and resumed by Blue Mountains Shire Council for Public Recreation in 1937.

Allotment 9 was purchased by William York and passed to the solicitor William John Ferguson before being transferred to Sarah Elizabeth Rowe, wife of the Nepean boatshed owner, in 1907. The boat proprietor Oswald Fisher bought the property in 1910 and built a weatherboard cottage on the site. In 1937, the river frontage portion was resumed by Blue Mountains Shire Council for Public Recreation.

Allotment 20 was purchased by William York in 1858 and was eventually purchased by the orchardist Vincent George Moxey Sheppard in 1925. Vincent was the son of Richard Moxey Sheppard of Emu Plains, who was one of the first orchardists to adopt irrigation and who named in the Imperial Mandarin in c1890. Sheppard named his eight-room cottage 'Lammerburn,' after his family's previously property in Warren. His son Dr Vincent Sheppard was a renowned organist and his daughter Miss Pamela Sheppard received a Medal of the Order of Australia for her work in the field of occupation therapy in 1984. Although the allotment may have been resumed by Blue Mountains Shire Council in 1940, buildings are visible in aerial photographs of the site until the late 1970s.

Allotment 21 was purchased by Toby Ryan in 1858 and later owned by Sarah Elizabeth Rowe. Upon her death in 1925 the allotment was bought by the labourer and former railway inspector in China, Robert James Glendinning. Glendinning built a refreshment room known as 'Bridge House.'

The *unnumbered allotment* to the south of allotment 20 was purchased by Sarah Elizabeth Rowe. A cottage named 'W.B.' was recorded on the site when her estate was advertised for sale in 1925. The wife of Robert James Glendinning, Bertha, bought the allotment and held the land until 1964. The allotment was purchased by the NSW Planning and Environment Commission in 1975.

The *unnumbered allotment* adjacent to allotment 1 was the approximate site of the Punt House. Although policemen were only stationed at Emu Plains from 1898, Surveyor Charles Robert Scrivener's 1898 sketch plan of the Old Punt House Reserve notes the site of the building as 'old Police station pulled down.'

As previously mentioned, Toby Ryan's cottage on allotment 2 was used as a police station and residence between 1898 and the erection of a new station and residence near the site of the Punt House in 1908. The new building was designed in 1907 by the Government Architect Walter Liberty Vernon and Assistant Architect E. L. Drew. The contractor, J. J. Giles of St Mary's, commenced work by 29 February 1908. The station only remained fully staffed until 1921, however the building continued to be occupied by the Police Force until the New South Wales Department of Planning purchased the property in 1981. Penrith Council was granted care and control of the building and leased the property as a private residence until around 2016. Since that time, the former station and residence has been vacant.⁶

4.9 Inns on Bathurst Road

A series of inns were built along the Western Road from the time that the government farm closed in 1832. The Victoria Bridge Inn and the Union Inn were located within the Regatta Park Precinct (Fig 27).

The Victoria Bridge Inn was licensed on 4 March 1856 with John Deveson as licensee. The property included a small farm. The last licence for the Victoria Bridge Inn was issued in 1867, to Henry Bennett.

The first licence for the Union Inn was issued to Ralph Jackson Cross in 1858. Its final licence was issued only nine years later, to George N. Landers in 1867. A survey of the land in April 1930 showed a small brick building on the site of the Inn.

Stanley and Ollie Adelaide Martin bought the sites of both the Union Inn and the Victoria Bridge Inn in 1929 and 1931 respectively. The consolidated property became known as Nepean Lodge.

⁶ Ibid., 28-33
Ibid., 40-44.



Figure 27: Crown Plan MS.1539.3000, showing the Union Inn and the Victoria Bridge Inn.
[Source: Regatta Park Precinct Heritage Management Plan, Lucas Stapleton Johnson & Partners]

Stanley Martin was involved in the local community through the Nepean Agricultural, Horticultural and Industrial Society, the Board of the Nepean District Hospital and the Nepean-Hawkesbury District Ambulance Committee. The Victoria Bridge Inn was demolished under the Martins' ownership, while the Union Inn appears to have been used as a guesthouse, as Stanley Martin was described as 'guesthouse proprietor' when the Blue Mountains Shire Council bought the property in 1938. The land was to be part of a reserve known as 'New Manly' for which seats, shelters and toilet facilities were built. A weatherboard cottage to the west of the Union Inn which was visible in a 1964 survey and 1966 aerial photograph was replaced in the 1960s or 1970s. It has been used as a Thai restaurant since at least the early 2000s. The remains of the Union Inn survive today but are heavily obscured by vegetation.⁷

4.10 1937 – Present: Parkland

In 1937, Blue Mountains Shire Council proposed a scheme for a 'New Manly' bathing area in Regatta Park as relief work for unemployed men. In addition to increasing public access to the site, council engineer Mr Watson suggested an avenue of jacarandas, a path along the banks of the river, rockeries and public amenities.

The unnamed reserve was named Regatta park in 1976. Council consequently installed seats, shelters and toilets.

In 2018, a shared pedestrian and bicycle bridge was constructed in the approximate location of the punt crossing and two earlier bridges.⁸

⁷ Ibid., 34-40.

⁸ Ibid., 46-47.

5.0 HERITAGE LISTING STATUS

5.1 Introduction

Identification of the statutory and non-statutory heritage listings applicable to the subject site is as follows:

5.2 Statutory and non-statutory heritage listings

Statutory lists

The subject site **includes items that are** identified as items of local heritage significance, listed under Schedule 5 of *Penrith Local Environmental Plan 2010*;

- 'Police Station Residence', 4 Punt Road, Emu Plains (Item No.52)
- 'Police Station Residence', 30 Great Western Highway, Emu Plains (Item No.A53) (Archaeological Site)
- 'Former Union Inn and trees' 36-42 Great Western Highway, Emu Plains (Item No.63)
- 'Former Ferry Crossing', Punt Road, Emu Plains (Item No. 147)
- 'International Style House, 10 River Road, Emu Plains (Item No.666)

Non-statutory lists

The subject site **is not** identified on any non-statutory heritage lists or registers.

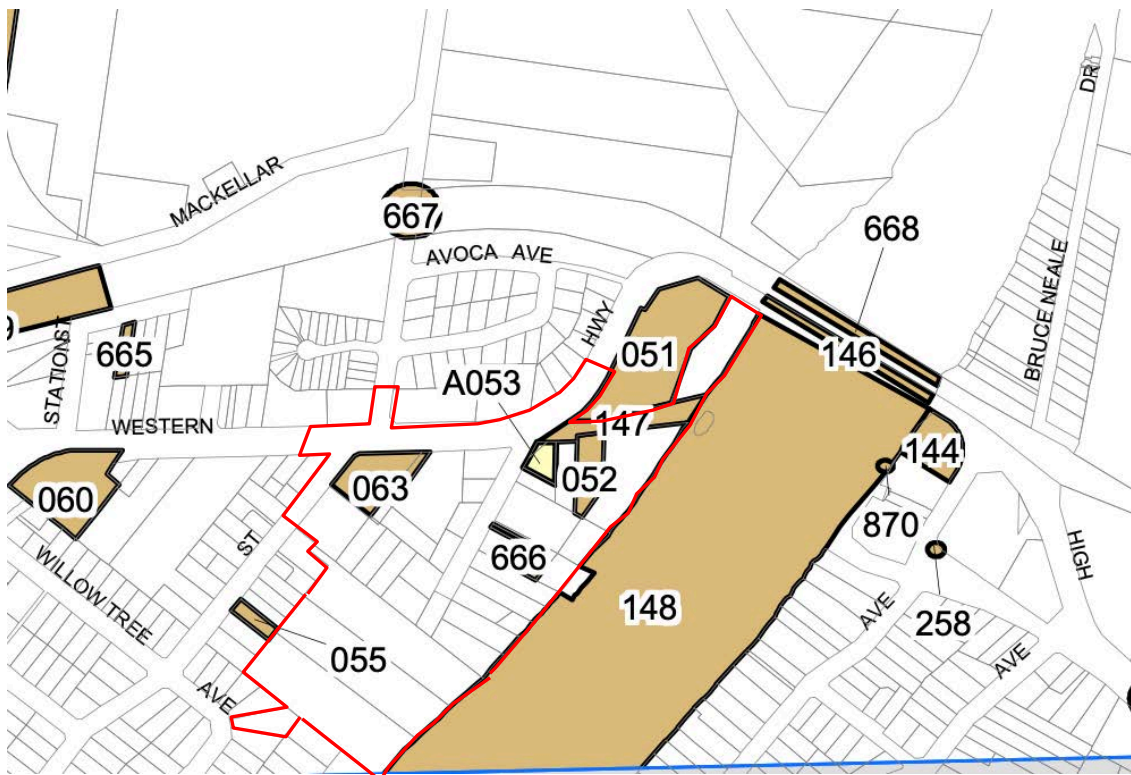


Figure 28: Map showing the heritage status of the subject site and surrounding allotments.
[Source: *Penrith LEP 2010*, Heritage Map HER_005]

5.3 Items of heritage significance within the vicinity of the site

For the purposes of this heritage impact assessment, the term 'in the vicinity' is taken to be any item or items that:

- i) Are within an approximate 100m radius of the boundaries of the subject site;
- ii) Have a physical relationship to the subject site i.e. adjoin the property boundary;
- iii) Are identified as forming a part of a group i.e. a row of terrace houses;
- iv) Have a visual relationship to and from the site; or
- v) Are a combination of any of the above.

In applying the above criteria, items of local heritage significance (listed under Schedule 5 of *Penrith Local Environmental Plan 2010*) within the vicinity of the subject site include:

- 'Rowing Course, Nepean River', Emu Plains (Item No. 148)
- 'Victoria Bridge' Great Western Highway, Emu Plains (Item No. 146)
- 'Emu Hall' 2-26 Great Western Highway, Emu Plains (Item No. 51)

Items of State heritage significance (listed on the State Heritage Register (SHR) under the *Heritage Act 1977*) within the vicinity of the subject site include:

- Emu Plains Underbridge (also known as the Victoria Bridge), Emu Plains (SHR No. 01830)

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6.0 EXISTING HERITAGE SIGNIFICANCE ASSESSMENTS

6.1 Existing description of the heritage item – ‘Police Station Residence’

The NSW State Heritage Inventory (Database No. 2260052) provides a physical description of the Police Station Residence as follows:

‘A modest turn of the century Federation timber cottage located on Punt Road adjacent to the river and opposite Emu Hall. The cottage is clad in weatherboards and has a gambrel roof sheeted in short lengths of corrugated metal. There is an external brick chimney on one side. The front verandah has timber columns with simple splayed timber brackets and a skillion roof. The verandah floor is a timber structure. The planning of the building is unusual in having a pair of French doors fronting the verandah that faces Punt Road. The front door is on the riverside elevation. The timber double hung sash windows have an upper sash of nine panels. There is a rear attached service wing. The house is set within a small allotment with a mature garden setting, and rear yard with a weatherboard outside a dual lavatory. Part of the boundary fencing is an old timber slab and wire fence. To the east of the property within riverside reserve is a row of jacaranda trees that contributes to the setting of the house.’

6.2 Existing Statement of Cultural Significance – ‘Police Station Residence’

The NSW State Heritage Inventory (Database No. 2260052) provides a Statement of Cultural Significance of the Police Station Residence as follows:

‘The cottage, erected in 1908, is an excellent example of its type in retaining characteristic features of the era of construction and is historically important with its association with the provision of police at Emu Plains. This association is demonstrated by the siting adjacent to the original police station and the Great Western Highway. The cottage was erected in Emu Plains over the nineteenth century and early part of the twentieth century and demonstrate the pattern of a village settlement at this important location at the foot of the Blue Mountains.’

6.3 Existing description of the heritage item – ‘Former Union Inn and trees’

The NSW State Heritage Inventory (Database No. 2260063) provides a physical description of the Former Union Inn and trees as follows:

‘The item is the ruin of a brick former coach inn on the Great Western Highway. The ruin comprises heap bricks and other building debris with a vegetated compound secured by a high chain-mesh fence. Much of the vegetation has overgrown including the grass and includes four tall palms clustered together away from the main Highway. A cement rendered low brick fence is extant.’

6.4 Existing Statement of Cultural Significance – ‘Former Union Inn and trees’

The NSW State Heritage Inventory (Database No. 2260063) provides a Statement of Cultural Significance of the Former Union Inn and trees as follows:

‘Completed around the 1850s, the ruin of the former Union Inn is one of a group of like buildings in the town that is unique in the region. Erected in the mid nineteenth century the item demonstrates the pattern of a village settlement at this important location at the foot of the Blue Mountains. While little remains of the former in the clustered palms seen from afar are a representation of its former location.’

6.5 Existing description of the heritage item – ‘Ferry Crossing’

The NSW State Heritage Inventory (Database No. 2260147) provides a physical description of the Ferry Crossing as follows:

‘The item is the graded road approach to the former punt crossing of the Nepean River. The unformed road reserve is located to the east of the Great Western Highway near the junction with the northern end of River Road. The reserve is defined by a graded depression and grassed banks lined with jacaranda trees. The road reserve currently provides an access to the riverside recreational reserve. The avenue of trees frames a view to Victoria Bridge. Other built items of historic association with the road reserve are Emu Hall, the site of the former police station and the police residence.’

6.6 Existing Statement of Cultural Significance – ‘Ferry Crossing’

The NSW State Heritage Inventory (Database No. 2260147) provides a Statement of Cultural Significance of the Ferry Crossing as follows:

‘Set above the river bank and between historically significant buildings, this tree lined route and landform contributes to the scenic attraction of the riverside reserve and demonstrates the importance of the river crossing to the development of Penrith and Emu Plains up to the completion of the first successful bridge crossing in 1867. For over 50 years everything that went over the mountains passes through the crossing. The reserve is one of a number of man made features in Emu Plains of the nineteenth century that demonstrates the pattern of a village settlement at this important location at the foothills of the Blue Mountains.’

6.7 Existing description of the heritage item – ‘International Style House and Garden’

The NSW State Heritage Inventory (Database No. 2260666) provides a physical description of the International House and Garden as follows:

‘The house is a two-storey brick and weatherboard building in the International style. It has a slightly raked roof. The building would seem to have been designed with its garden context, with the sharp edged blank southern wall contrasting with the softer foliage of the garden backdrop. The river frontage has an aluminum framed glazed upper wall section.’

6.8 Existing Statement of Cultural Significance – ‘International Style House and Garden’

The NSW State Heritage Inventory (Database No. 2260666) provides a Statement of Cultural Significance of the International House and Garden as follows:

‘An example of the International style of architecture dramatically set on the bank of the Nepean River within a developed garden of predominantly bamboo species. The property demonstrates a phase in the development of Emu Plains with the coming of middle-class residences and contributes to the scenic backdrop of the Nepean River. The house is one of a small number of historic houses on the banks fringing the river at Emu Plains and Penrith that demonstrate a rare riverscape within a suburban setting in greater metropolitan Sydney.’

7.0 HERITAGE CURTILAGE ASSESSMENT

7.1 Introduction to heritage curtilage

The NSW Heritage Council publication *Heritage Curtilages*⁹ defines 'curtilage' as the area of land surrounding an item or area of heritage significance, which is essential for retaining and interpreting its heritage significance.

This area is most commonly, but not always, the lot or lots on which the item is situated and is usually, but not always, restricted to land in the same ownership as the item.

It is important to note that the heritage curtilage for an item or place or heritage significance does not preclude development within the defined heritage curtilage boundary, but requires particular care in the consideration of the nature and extent of such development.

A suitable heritage curtilage should contain all elements, structures and features that contribute to the heritage significance of the site, including, but not limited to:

- a) The historic site boundaries;
- b) Significant buildings and structures including their settings;
- c) Spatial relationships between buildings, landscape features and other important structures;
- d) Significant or important views both to and from the place; and
- e) Any items of moveable heritage significance;

The Australia ICOMOS *Burra Charter 2013* places increased emphasis on the importance of the settings of cultural heritage places, which states that:

'Conservation requires the retention of an appropriate visual setting and other relationships that contribute to the cultural significance of the place.

New construction, demolition, intrusions, or other changes that would adversely affect the setting or relationship are not appropriate' (Article 8).

The Heritage Council of NSW publication *Heritage Curtilages*¹⁰ identify four different types of heritage curtilages:

Heritage Curtilage Type	How is the heritage curtilage is defined?
<i>Lot boundary heritage curtilage</i>	The legal boundary of the allotment is defined as the heritage curtilage. The allotment will in general contain all related features, for example outbuildings and gardens within its boundaries
<i>Reduced heritage curtilage</i>	An area less than total allotment is defined as the heritage curtilage, and is applicable where not all parts of a property contain places associated with its significance.
<i>Expanded heritage curtilage</i>	The heritage curtilage is actually larger than the allotment, and is predominantly relevant where views to and/or from a place are significant to the place.
<i>Composite heritage curtilage</i>	The heritage curtilage relates to a larger area that includes a number of separate places, such as heritage conservation areas based on a block, precinct or whole village.

Subsequently, care must be taken in the development and management of the surroundings of a significant cultural heritage place.

⁹ NSW Heritage Office and the Department of Urban Affairs and Planning. 1996. *'Heritage Curtilages'*

¹⁰ Ibid.

7.2 Heritage curtilage assessment

The Regatta Park site encompasses a significant cultural landscape, comprising numerous individual built structures each within their own individually defined setting. Presently, the various built structures have retained physical curtilages as a result of maintaining individual lot boundaries, even when there is no boundary fencing separating the sites.

Whilst the lot boundaries have not necessarily retained the original subdivision pattern or configuration, it has ensured that the built forms can be read and appreciated in their existing context.

Much of the original subdivision pattern has been obscured or lost from the evolution of the Regatta Park Precinct and the surrounding suburb of Emu Plains through successive land acquisitions, yet elements remain reasonably legible from the existing lot boundaries.

The current heritage curtilage types are listed below and should be used as a guide for retention when considering further subdivision.

Site	Heritage Curtilage Type	Explanation
<i>Police Station Residence</i>	Lot boundary heritage curtilage	Police Station Residence is set within an existing boundary denoted by a fenced allotment. The allotment includes the cottage, rear and front gardens. The site has been divorced from its original setting now being surrounded to the south by Regatta Park, to the west by the archaeological site of the original police station and to the north by the pedestrian walkway and bridge.
<i>Former Police Station</i>	Lot boundary heritage curtilage	The archaeological site of the former police station has retained its original curtilage despite the demolition of the existing building. The general location of the site is marked by masonry podium.
<i>Former Union Inn and tress</i>	Reduced heritage curtilage	The ruins of the Former Union Inn and Trees are within a reduced boundary curtilage being situated on the site of the current Thai restaurant on the corner of York Street and Great Western Highway. The listing pertains to the entirety of the site but has been divorced from the original context of the original Inn.
<i>Former Ferry Crossing</i>	Reduced heritage curtilage	The former ferry crossing is situated on a reduced boundary curtilage and is not clearly delineated from the streetscape. The curtilage has been obscured by the pedestrian bridge and the realignment of Punt Road.
<i>International Style House and Garden</i>	Lot boundary heritage curtilage	The International Style House and Garden are situated within a lot boundary curtilage, on a battle axe allotment. As the site is still occupied as a residence, the lot boundaries have been retained in accordance with the appropriate zoning and setbacks for the site.

7.3 Grading of Significance

A grading of significance and sensitivity to the change of heritage sites within the Penrith Regatta Park Precinct, has been previously established by Lucas Stapleton Johnson & Partners Pty Ltd in the *Regatta Park Heritage Management Plan 2020* and applied to the built forms and landscaped curtilage. The map indicates only the highly significant portions of the Regatta Park Precinct.

This was created based on the significance of each item and the appropriate curtilages necessary to retain key qualities and axial vistas between sites and features. Whilst the grading of significance map was initially created for the purposes of establishing sensitive areas to development, it is nonetheless helpful in considering the significance of curtilages, including visual and physical relationships between the key identified heritage sites within the Regatta Park Precinct.

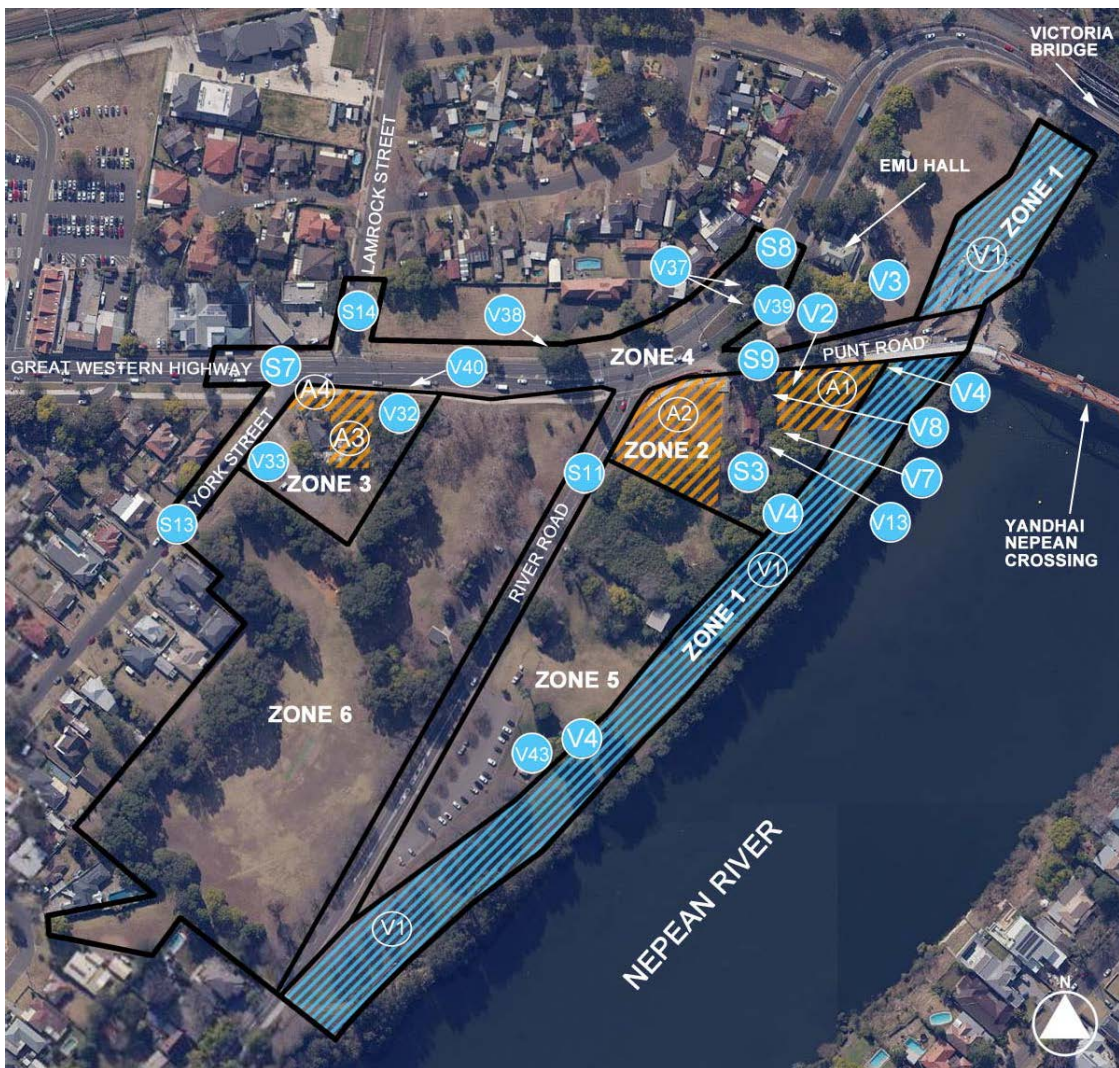


Figure 29: Aerial photograph of the Precinct identifying features graded as being of High significance, together with known historical archaeological site from the Regatta Park Heritage Management Plan.
 [Source: Regatta Park Heritage Management Plan by Lucas Stapleton Johnson and Partners, 2020]

LEGEND

- ZONE 1** River Bank/River Road Reserve
- ZONE 2** Punt House/Police Station & Residences
- ZONE 3** Inns
- ZONE 4** Roads
- ZONE 5** River Road Development
- ZONE 6** Regatta Park

NOTE: For a detailed explanation of the historical and Aboriginal archaeological potential of the Precinct refer to the following reports:

Regatta Park & River Road Reserve Deviation Project Aboriginal Cultural Heritage Assessment (Biosis, 2019);

Historical Heritage Assessment and Statement of Heritage Impact (Biosis, 2020);

Regatta Park Historical Archaeological Test Excavation Addendum (Eco Logical, 2020)

Regatta Park, AHIP Application - Notice to Supply Further Information (Eco Logical, 2020).

FEATURES OF HIGH SIGNIFICANCE

Buildings and Site Features

- S3** Former Police Station & Residence & Privy at No. 4 Punt Road
- S7** Great Western Highway (c1813)
- S8** Great Western Highway (c1867)
- S9** Punt Road (c1813)
- S11** River Road (c1858)
- S13** York Street (c1854)
- S14** Lamrock Street (c1845)

Vegetation and Landscape Features

- V1** Nepean River high bank landscape feature
- V2** Kurrajong at No. 4 Punt Road
- V3** Mature plantings at Emu Hall
- V4** Jacaranda along high bank
- V7** Remnant adzed timber post & netted wire fencing at No. 4 Punt Road
- V8** Driveway access to No. 4 Punt Road
- V13** Pinoak at No.4 Punt Road
- V32** White Cedar near Union Inn ruins
- V33** Skyduster palms (No. 5) at No. 36-42 Great Western Highway
- V37** Median strip within Great Western Highway (adjacent to Emu Hall)
- V38** Chir pine on north side of Great Western Highway
- V39** Mature plantings along boundary of Emu Hall
- V40** Bull Bays street plantings along north and south sides of the Great Western Highway
- V43** Group of cultural plantings near western carpark: Skyduster palm, a large cypress, a date palm and a Camellia cv.

Known Historical Archaeology

- A1** Location of former Punt House and surrounding fencing
- A2** Location of former Police residence at No. 30 Great Western Highway
- A3** Ruins of the Union Inn
- A4** Location of former Victoria Bridge Inn

Figure 30: Legend for grading of significance diagram above.
 [Source: Regatta Park Heritage Management Plan by Lucas Stapleton Johnson and Partners, 2020]

7.4 Recommended heritage curtilage

The curtilage assessment and grading of landscaped and built elements suggests that a lot boundary heritage curtilage (whereby defined by the existing allotment boundaries) is appropriate in any future management of the site as a heritage item, so as to preserve the context and setting.

Furthermore, the heritage curtilage could also benefit from an expanded heritage curtilage whereby the sites are protected from future development through generously portioned lots that encompass multiple heritage sites and requires future development to be located further from the 'sensitive zones' recognised above. This has naturally occurred at the site through consolidation of the sites for the managed parkland.

7.5 Tolerance for Change

Good conservation practice encourages change, adaptation or removal of elements that have a lesser contribution to the overall significance of the item – having a higher tolerance to change. Whereas elements that provide a high contribution to the heritage significance of the site have a lesser tolerance for change and should generally be left intact or altered in a most sympathetic manner that does not detract from the interpretation of the heritage significance.

The 'tolerance for change' based on the equivalent grading of significance is demonstrated in the following table:

Grading of Significance	Grading	Tolerance for Change
<i>Exceptional Significance</i>	Low to no tolerance	Low or no change possible
<i>High Significance</i>	Low to some tolerance	Minor changes possible
<i>Moderate Significance</i>	Moderate tolerance	Some changes possible
<i>Little Significance</i>	Moderate tolerance	Moderate changes possible
<i>Intrusive</i>	High tolerance	Considerable changes possible

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8.0 ARCHAEOLOGICAL POTENTIAL

8.1 Due diligence assessment

The Regatta Park Precinct, as a whole, is not identified as an archaeological item, however there are two sites situated within the precinct that are listed on Schedule 5 of the *Penrith Local Environmental Plan 2010*:

- Former Police Station, 30 Great Western Highway (Archaeological site, Item No. A53);
- Former Union Inn and trees, 36-42 Great Western Highway (Item No. 63).

The physical archaeological evidence within the site may also include remnants of existing structures and features from former built structures within the precinct. This archaeological evidence may include structural features, intact subfloor deposits, open deposits and scatters, ecological samples and individual artefacts which have the potential to yield information relating to the growth and development of Emu Plains. These sites include;

- Punt Road;
- 4 Punt Road and land to the east (Punt House, outbuildings and associated structures);
- 36-42 Great Western Highway (Victoria Bridge Inn);
- East side of River Road (various late 19th and early 20th century residences and outbuildings);
- West side of River road (various late 19th and early 20th century residences, outbuildings and Bridge House refreshment room).

The *Regatta Park Heritage Management Plan 2020* provides for a baseline archaeological assessment of the site and establishes management principles and framework for dealing with historical archaeology at the site. The subject site, specifically the location of the proposed works, is identified in the *Regatta Park Heritage Management Plan 2020* as being of moderate archaeological potential.

Standard advisory notes and precautionary guidelines are considered sufficient to address archaeological potential and are included in the recommendations of this Heritage Impact Statement.



Figure 31: Aerial overlay of the Regatta Park site, showing the location of proposed historical test pits (blue) and Aboriginal test pits (green), as well as areas of high archaeological potential (red) and moderate archaeological potential (yellow).

[Source: *Regatta Park Heritage Management Plan, 2020*. Lucas Stapleton, Clements and Co]

9.0 DEVELOPMENT PROPOSAL

9.1 Plans & drawings referenced

This Heritage Impact Statement provides an assessment of the development proposal as shown on the following plans and drawings:

Drawing No:	Revision:	Title:	Dated	Prepared By:
LD-TD-01	D	Cover Page	17/12/2020	McGregor Coxall
LD-TD-02	E	Tender Documentation		
LD-TD-03		Key Plan		
LD-TD-04		Plantings Schedules		
LD-TD-04		Demolition Plan		
LD-TD-L2		Layout and Grading Plan		
LD-TD-L3		Materials and Finishes		
LD-TD-L4		Planting Plan		
LD-TD-101		Demolition Plan		
LD-TD-102		Layout and Grading Plan		
LD-TD-103		Materials and Finishes Plan		
LD-TD-104		Planning Plan		
LD-TD-201		Demolition Plan		
LD-TD-202		Layout and Grading Plan		
LD-TD-203		Materials and Finishes Plan		
LD-TD-204		Planting Plan		
LD-TD-301		Demolition Plan		
LD-TD-302		Layout and Grading Plan		
LD-TD-303		Materials and Finishes Plan		
LD-TD-304		Planting Plan		
LD-TD-401		Demolition Plan		
LD-TD-402		Layout and Grading Plan		
LD-TD-403		Materials and Finishes' Plan		
LD-TD-404		Planting Plan		
LD-TD-501		Demolition Plan		
LD-TD-502		Layout and Grading Plan		
LD-TD-503		Materials and Finishes Plan		
LD-TD-504		Planting Plan		
LD-TD-601		Demolition Plan		
LD-TD-602		Layout and Grading Plan		
LD-TD-603		Materials and Finishes Plan		
LD-TD-604		Planting Plan		
LD-TD-701		Demolition Plan		
LD-TD-702		Layout and Grading Plan		
LD-TD-703		Materials and Finishes Plan		
LD-TD-704		Planting Plan		
LD-TD-801		Demolition Plan		
LD-TD-802		Layout and Grading Plan		
LD-TD-803		Materials and Finishes Plan		
LD-TD-804		Planting Plan		
LD-TD-901		Demolition Plan		
LD-TD-902		Layout and Grading Plan		
LD-TD-903		Materials and Finishes Plan		
LD-TD-904		Planting Plan		
LD-TD-1001		Demolition Plan		
LD-TD-1002		Layout and Grading Plan		
LD-TD-1003		Materials and Finishes Plan		

LD-TD-1004		Planting Plan		
LD-TD-W1	B	Signage and Wayfinding		
LD-TD-W2		Signage and Wayfinding		
LD-TD-W3		Signage and Wayfinding		
LD-TD-W4		Signage and Wayfinding		
LD-TD-S1	E	Sections		
LD-TD-S2		Sections		
LD-TD-S3		Sections		
LD-TD-S4	D	Sections		
LD-TD-S5		Sections		
LD-TD-S6		Sections		

Plans relating specifically to the proposed kiosk pavilion structure and associated landscaping

Drawing No:	Revision:	Title:	Dated	Prepared By:
100	A	Site Plan	14/12/2020	Breakspeare Architects
101		Floor and Roof Plan		
102		RCP and Slab Setout Plans		
200		Elevations and Sections		

9.2 Description of the proposed works

The development proposal seeks the consent of Penrith City Council for the construction of a small single storey pavilion structure for use as a park kiosk and associated landscaping works for the Regatta Park.

The proposal seeks to enhance the existing park by the construction of a lightweight pavilion structure which will incorporate bathrooms, a café with covered and outdoor seating, play equipment and associated landscaping works.

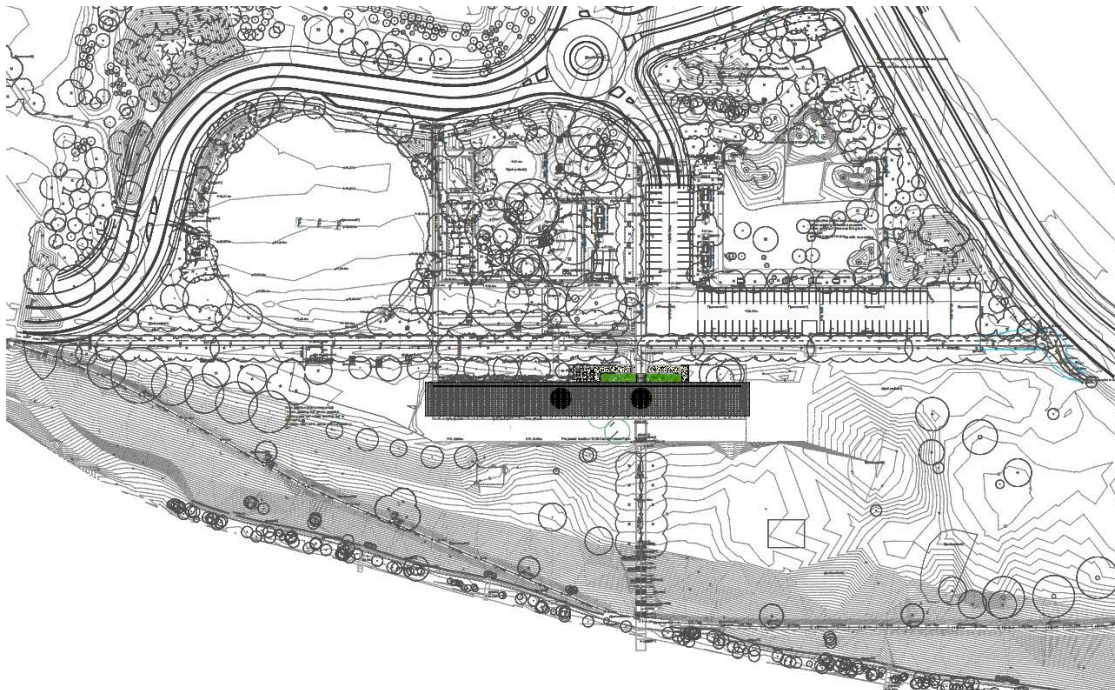


Figure 32: Plan showing the location of the proposed kiosk pavilion.
 [Source: Breakspeare Architects, 2021]

The site will be situated parallel to the existing River Road and will comprises largely of a steel frame structure with a skillion roof clad in transparent fibreglass roofing. The proposed work will require the relocation of a Canary Island Palm and removal of existing landscape features to accommodate a new concrete slab.

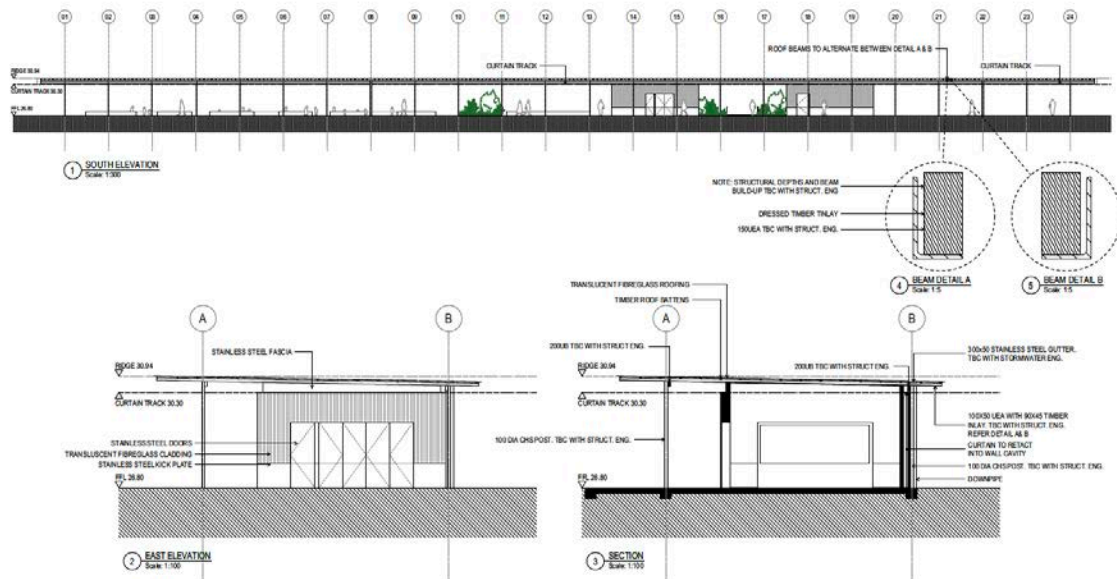


Figure 33: Plan showing the elevation views of the proposed kiosk pavilion. [Source: Breakspear Architects, 2021]

The heritage impacts of the above-described proposal are considered in detail in the ensuing sections of this report.

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10.0 ASSESSMENT AGAINST STATUTORY PLANNING AND HERITAGE CONTROLS

10.1 Penrith Local Environmental Plan 2010

Clause 5.10 of the *Penrith Local Environmental Plan 2010* establishes the statutory framework for heritage conservation and the management of heritage items, heritage conservation areas and archaeological sites (both Aboriginal and non-Aboriginal).

The provisions specify circumstances where development consent is and is not required, together with specifying statutory requirements and key considerations for the Consent Authority.

In assessing development proposals relating to listed items of heritage significance, or involving development on land situated within a Heritage Conservation Area, Council as the Consent Authority, must consider the impacts of the proposed works on the heritage item and / or Heritage Conservation Area (clause 5.10(4)).

The ensuing heritage impact assessment considers in detail what impact the proposed development will have on the Regatta Park Precinct of which contains a number of locally listed heritage items on Schedule 5 of the *Penrith Local Environmental Plan 2010*, together with listed items of heritage significance within the vicinity of the site (as identified in Section 5.3).

10.2 Penrith Development Control Plan 2014

Part C Section 7 of the *Penrith Development Control Plan 2014* ('the DCP'), contains performance-based controls that relate to the development of heritage items, development within the vicinity of a heritage item, or development within a heritage conservation area.

These development controls seek to ensure that new development is appropriately designed, contextually responsive and sympathetic to the heritage values and significance of an item or place.

The proposed development has been considered against the development guidelines of the DCP and consistency is demonstrated in the ensuing heritage impact assessment.

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11.0 ASSESSMENT AGAINST HERITAGE MANAGEMENT DOCUMENTS AND GUIDELINES

11.1 Introduction

Operating outside of the statutory planning framework are a variety of heritage management tools, which, although bear no statutory weight, assist in guiding development proposals, to facilitate successful and appropriate heritage management and conservation outcomes.

The relevant heritage management tools are identified and considered as follows:

11.2 Regatta Park Heritage Management Plan 2020

A Heritage Management Plan (HMP) has been prepared for the Regatta Park Precinct.

Known as the *Regatta Park Precinct Heritage Management Plan 2020*, the plan provides for a comprehensive assessment of cultural significance, identifying constraints and opportunities for the ongoing management of Regatta Park, which is based on the assessed level of cultural significance of the individual heritage items and archaeological site within the site.

A framework surrounding obligations and opportunities has also been developed as a part of the HMP, which provides guidelines for certain actions relating to the day-to-day and long-term care and conservation, adaptation and change, and on-going management of the site, so that the heritage values and cultural significance of the heritage listed items within the park as well as protecting the general park aesthetic and significant views.

Although the HMP bears no statutory weight, the conservation policies provide valuable guidance in the formulation and assessment of development proposals and assist in facilitating appropriate heritage management and conservation outcomes.

The conservation policies relevant to the proposed construction of the kiosk pavilion are reproduced below and are considered in the ensuing heritage impact assessment.

Relevant conservation policies:

- *Retain and conserve the historical significance of the Regatta Park Precinct;*
- *Retain, conserve and interpret surviving historical features relating to the 19th century development of the locality, including surviving mature trees within and around the Precinct, the alignment of Punt Road and the punt crossing and the alignment of the Great Western Highway, River Road, York Street and Lamrock Street;*
- *Retain, conserve and interpret surviving historical features relating to the early 20th century development of the locality, including the former Police Station and Residence, No.4 Punt Road, cultural plantings relating to former properties and Council public domain plantings (Jacaranda and Bull Bays);*
- *Retain, conserve and where appropriate interpret Aboriginal archaeological potential and Aboriginal cultural values associated with the Precinct lands;*
- *Retain and conserve the aesthetic significance of the Precinct, including the visual and landscape relationship with the Nepean River, identified significant views, the broader setting of the Precinct and the visual catchment.*

12.0 HERITAGE IMPACT ASSESSMENT

12.1 Consideration of the Heritage Impact

The ensuing heritage impact assessment is based upon the Statement of Significance (refer to Section 6.0 above); available physical and documentary evidence including a visual inspection of the site and statutory planning requirements.

The Heritage Council of NSW has published a series of evaluation criteria for assessing the likely impact of a proposed development on the heritage significance of listed heritage items or heritage conservation areas¹¹, which are listed below and considered in the ensuing statement of heritage impact.

12.2 Response to the evaluation criteria

i) *New Landscape Works and Features*

- *How has the impact of the new work on the heritage significance of the existing landscape been minimised?*

The Regatta Park site comprises various landscapes intertwined with built forms and landscape features that contribute to the historical narrative of the broader site. There have been many changes to the site which is evidenced through the reconfiguration of the land through introduction of roads, parkland and pedestrian walkways. The site is uniquely layered with various histories which has been heightened by the extant built forms, thus making it a valuable site and contribution to the Emu Plains area.

The proposal seeks to construct a new kiosk pavilion structure, that will be situated parallel to River Road on the western side. The kiosk pavilion will form part of the proposed redesign of Regatta Park and makes up a portion of Stage 1 of the Regatta Park project, which is part of a larger strategic revitalisation of the precinct, spearheaded by Penrith City Council.

The setting of many of the surviving and intact sites of heritage significance within the Regatta Park site, have already been compromised through the general accumulation of land for the Regatta Park. This has resulted in a confusion of existing boundaries through the removal of landscape and built features and changes to the natural landform. Resultantly, for many of the heritage items, the historical boundaries of their respective allotments have been substantially obscured or lost altogether. Consequently, it is difficult to ascribe and define a 'lot boundary' heritage curtilage to many of the items as the lot boundaries are themselves obscured. This in turn has meant that the relationship of these sites, to the site in question (location of the proposed kiosk pavilion) have little relationship to their existing context and are therefore not further impacted from the construction of the proposed kiosk pavilion.

The kiosk pavilion structure will be of steel frame construction with a transparent fibreglass roof cladding that will provide amenity and functionality, without appearing visually cumbersome or introducing a dominating form within the park grounds. The new kiosk pavilion structure is will primarily be viewed as transparent, with significant views to and from the river preserved through the structure. The kiosk pavilion structure will offer views of the riverbank from the high point of the park and will have formal gardens and plantings to soften the introduction of a built form. The location is a significant distance from the

¹¹ NSW Heritage Branch, 'Heritage Impact Statements – Some questions to be answered in a Statement of Heritage Impact and Supporting Information Required'.

listed heritage items and archaeological sites and will respect what remains the existing curtilages of the sites.

The kiosk pavilion has also been designed to sit low to the ground through the low-height and elongated form, which ensures the structure will not visually dominate the landscape or the heritage items within the precinct.

The café, playground and bathrooms are all considered common park amenities that will not be an anomaly within the streetscape. The use of circular patterns and soft edges mitigates the contrasting elements within the existing park of which is primarily open grassed areas.

Long term, the kiosk pavilion structure will form a naturally evolving portion of the Regatta Park and the horizontality will be remnant of the former River Road once it has been removed. As the plantings grow and evolve in the area the structure will become naturally sheltered from view and will not be a prominent or dominating structure. The nearby heritage items will have their own landscape setting that will discreetly distinguish them as individual sites, whilst still harmoniously integrating with the parklands.

- *Has evidence (archival and physical) of previous landscape work been investigated? Are previous works being reinstated?*

A detailed history has been prepared as part of the *Regatta Park Heritage Manage Plan 2020* that evidences Regatta Park as having once been multiple allotments for various sites gradually accumulated into one precinct. As such there are a number of varying landscape features that are relevant to difficult allotment within the park that should be retained or reinstated.

Despite this, in the approximate location of the kiosk pavilion structure, the sites previously were used as farming allotments and had informal plantings positioned periodically around the site. These sites have been obscured by River Road which currently transects the original grants. The land is now predominately an open grassed space which is used as park land.

The introduction of the new kiosk pavilion structure will not hinder any existing landscape features and will in keeping with the managed parkland landscape that now defines Regatta Park.

- *Has the advice of a consultant skilled in the conservation of heritage landscapes been sought? If so, have their recommendations been implemented?*

The proposed kiosk pavilion structure has taken into consideration the *Regatta Park Heritage Management Plan 2020*. This document denotes the items and areas of significance within Regatta Park and responds to the recommendations of keeping significant views of the river, and retention of significant or original trees and landscaping.

Only one tree is proposed for removal, the Canary Island Palm. This will be replanted close to its original position to maintain the existing tree canopy within the immediate vicinity and historical plantings of the Regatta Park.

EHC's consultants have demonstrated expertise in the conservation of cultural and heritage landscapes and whilst advice has not been provided to inform the design, this assessment considers the impact and changes to the landscape from the kiosk pavilion and immediate landscaping works to be acceptable.

- *Are any known or potential archaeological deposits affected by the landscape works? If so, what alternatives have been considered?*

The area of the proposed kiosk pavilion structure is situated within an area that has been identified as having moderate archaeological potential. As such it is recommended caution is exercised when excavating and should archaeological evidence be found the statutory requirements and guidelines must be followed. This is further detailed below in the recommendations in Section 11.2.

- *How does the work impact on views to, and from, adjacent heritage items?*

The proposed kiosk pavilion structure, which includes a café, bathrooms, play equipment and associated landscaping will sit quietly within the established parkland. The kiosk pavilion structure will be a significant distance from the identified heritage items which are naturally separated through existing landscape features. The new built form is light weight and transparent, promoting views to the Nepean River and the wider surrounds. The 'see through' concept aids in the lightweight perception of the built structure and allows it to naturally integrate with the existing parklands.

Owing to the significant portions of land that contribute to the Regatta Park there is sufficient physical distance between the proposed structure and the heritage items nearby, whereby they will not be dominated or obscured by proposed built form.

Overall, the structure has a quiet contribution to the Regatta Park and will have no visual or physical impacts on the heritage items in the immediate vicinity.

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13.0 RECOMMENDATIONS AND MITIGATION MEASURES

13.1 Conclusion

Regatta Park in and of itself, is not identified as an item of local or state significance. However, the site is comprised of a large area, made up of numerous individual allotments, of which, a number of sites are identified as listed items of local and state heritage significance.

A Heritage Management Plan has previously been developed for the site, providing relevant background information and recommendations for future development on the site. In effect, the Regatta Park Heritage Management Plan 2020 acts in a similar manner to a Conservation Management Plan insofar as providing for opportunities and constraints together with a framework of conservation policies for the ongoing management of the site and its heritage values. This Heritage Impact Statement has relied on previously assessed heritage values of the identified heritage sites within the broader Regatta Park precinct and have relied upon the pre-existing assessments to inform the heritage impact assessment of this report.

The proposed construction of a new kiosk pavilion structure towards the centre of the Park has been assessed with regards to the previously established heritage values and consideration has been given to the visual and physical impacts of the proposed structure on the identified heritage values of the sites.

The proposal will not result in any material affectation to significant heritage fabric, being concentrated towards the centre of the site and in areas of the landscape which are considered a 'managed landscape', having been previously modified through various improvements. At this location, the kiosk pavilion will be situated at a significant distance from the identified heritage items, having a negligible visual and physical impact on their curtilage and setting. While the structure will involve the introduction of a contemporary built form, the colour and materials palette will harmoniously integrate with the surrounding parkland, contributing to the contrived and evolved nature of the Regatta Park landscape with various phases of change evident.

The proposed construction of a kiosk pavilion structure is therefore considered to have an acceptable heritage impact and is recommended for approval.

13.2 Recommended mitigation measures

The following recommendations arise from the heritage impact assessment in Section 12.0 of this report. Adoption and implementation of the recommendations should be seen as mechanisms for addressing statutory requirements, mitigating heritage impacts and to ensure appropriate conservation and ongoing management of the heritage item.

Recommendation	Recommended management / mitigation measures
1: Archaeology	<p>Should any substantial intact archaeological deposits whether artefacts, relics or occupation deposits be discovered or uncovered, excavation and / or disturbance of the site is to immediately cease and the Consent Authority and Heritage NSW notified.</p> <p>Additional archaeological assessment may be required prior to works continuing in the affected area/s based on the nature of the discovery.</p>

End of Report

Appendix A

Common Terms Used

The following is a list of terms and abbreviations adopted for use in the NSW Heritage Manual (prepared by the Heritage Council of NSW), and other terms used by those involved in investigating, assessing and managing heritage, including terms used within this Heritage Impact Statement:

Aboriginal significance: An item is of Aboriginal heritage significance if it demonstrates Aboriginal history and culture. The National Parks and Wildlife Service has the primary responsibility for items of Aboriginal significance in New South Wales.

Adaptation: Modification of a heritage item to suit a proposed, compatible use.

Aesthetic significance: An item having this value is significant because it has visual or sensory appeal, landmark qualities and/or creative or technical excellence.

Archaeological assessment: A study undertaken to establish the archaeological significance (research potential) of a particular site and to propose appropriate management actions.

Archaeological feature: Any physical evidence of past human activity. Archaeological features include buildings, works, relics, structures, foundations, deposits, cultural landscapes and shipwrecks. During an archaeological excavation the term 'feature' may be used in a specific sense to refer to any item that is not a structure, a layer or an artefact (for example, a post hole).

Archaeological significance: A category of significance referring to scientific value or 'research potential' that is, the ability to yield information through investigation.

Archaeological sites: A place that contains evidence of past human activity. Below-ground archaeological sites include building foundations, occupation deposits, features and artefacts. Above-ground archaeological sites include buildings, works, industrial structures and relics that are intact or ruined.

Archaeology: The study of material evidence to discover human past. See also historical archaeology.

Artefacts: Objects produced by human activity. In historical archaeology the term usually refers to small objects contained within occupation deposits. The term may encompass food or plant remains (for example, pollen) and ecological features.

Australia ICOMOS: The national committee of the International Council on Monuments and Sites.

Burra Charter: (and its guidelines). Charter adopted by Australia ICOMOS which establishes the nationally accepted principles for the conservation of places of cultural significance.

Comparative significance: In the NSW Heritage Assessment Procedure there are two

values used to compare significance: representativeness and rarity.

Compatible use: A use for a heritage item, which involves no change to its culturally significant fabric, changes which are substantially reversible or changes, which make a minimal impact.

Cultural landscapes: Those areas of the landscape, which have been significantly modified by human activity. They include rural lands such as farms, villages and mining sites, as well as country towns.

Cultural significance: A term frequently used to encompass all aspects of significance, particularly in guidelines documents such as the Burra Charter. Also one of the categories of significance listed in the Heritage Act 1977.

Curtilage: The geographical area that provides the physical context for an item, and which contributes to its heritage significance. Land title boundaries and heritage curtillages do not necessarily coincide.

Demolition: The damaging, defacing, destroying or dismantling of a heritage item or a component of a heritage conservation area, in whole or in part.

Conjectural reconstruction: Alteration of a heritage item to simulate a possible earlier state, which is not based on documentary or physical evidence. This treatment is outside the scope of the Burra Charter's conservation principles.

Conservation: All the processes of looking after an item so as to retain its cultural significance. It includes maintenance and may, according to circumstances, include preservation, restoration, reconstruction and adaptation and will be commonly a combination of more than one of these.

Conservation Management Plan: (CMP) A document explaining the significance of a heritage item, including a heritage conservation area, and proposing policies to retain that significance. It can include guidelines for additional development or maintenance of the place.

Conservation policy: A proposal to conserve a heritage item arising out of the opportunities and constraints presented by the statement of heritage significance and other considerations.

Contact sites: Sites which are associated with the interaction between Aboriginal and non-Aboriginal people.

Excavation permit: A permit issued by the Heritage Council of New South Wales under

section 60 or section 140 of the Heritage Act 1977 to disturb or excavate a relic.

Façade: The elevation of a building facing the street.

Heritage Act 1977: The statutory framework for the identification and conservation of heritage in New South Wales. The Act also describes the composition and powers of the Heritage Council.

Heritage Advisor: A heritage consultant engaged by a local council, usually on a part-time basis, to give advice on heritage matters to both the council and the local community.

Heritage assessment criteria: Principles by which values for heritage significance are described and tested. See historical, aesthetic, social, technical/ research, representativeness, rarity.

Heritage conservation area: An area which has a distinctive character of heritage significance, which it is desirable to conserve.

Heritage Council: The New South Wales Government's heritage advisory body established under the Heritage Act 1977. It provides advice to the Minister for Urban Affairs and Planning and others on heritage issues. It is also the determining authority for section 60 applications.

Heritage fabric: All the physical material of an item, including surroundings and contents, which contribute to its heritage significance.

Heritage inventory: A list of heritage items, usually in a local environmental plan or regional environmental plan.

Heritage item: A landscape, place, building, structure, relic or other work of heritage significance.

Heritage NSW: The State Government agency of the Department and Premier and Cabinet, responsible for providing policy advice to the relevant Minister, administrative services to the Heritage Council and specialist advice to the community on heritage matters.

Heritage precinct: An area or part of an area which is of heritage significance. See also heritage conservation area.

Heritage significance: Of aesthetic, historic, scientific, cultural, social, archaeological, natural or aesthetic value for past, present or future generations.

Heritage study: A conservation study of an area, usually commissioned by the local council. The study usually includes a historical context report, an inventory of heritage items

within the area and recommendations for conserving their significance.

Heritage value: Often used interchangeably with the term 'heritage significance'. There are four nature of significance values and two comparative significance values. See heritage significance, nature of significance, comparative significance.

Hierarchy of significance: Used when describing a complex heritage site where it is necessary to zone or categorise parts of the area assigning each a particular significance. A commonly used four level hierarchy is: considerable, some, little or no, intrusive (that is, reduces the significance of the item).

Industrial archaeology: The study of relics, structures and places involved with organised labour extracting, processing or producing services or commodities; for example, roads, bridges, railways, ports, wharves, shipping, agricultural sites and structures, factories, mines and processing plants.

Integrity: A heritage item is said to have integrity if its assessment and statement of significance is supported by sound research and analysis, and its fabric and curtilage are still largely intact.

International Council on Monuments and Sites (ICOMOS): An international organisation linked to UNESCO that brings together people concerned with the conservation and study of places of cultural significance.

There are also national committees in sixty countries including Australia.

Level of significance: There are three management levels for heritage items in New South Wales — local, regional and state. The level is determined by the context in which the item is significant. For example, items of state

heritage significance will either be fine examples or rare state-wide or will be esteemed by a state-wide community.

Local significance: Items of heritage significance which are fine examples, or rare, at the local community level.

Moveable heritage: Heritage items not fixed to a site or place (for example, furniture, locomotives and archives).

Occupation deposits: (In archaeology.) Accumulations of cultural material that result from human activity. They are usually associated with domestic sites, for example, under-floor or yard deposits.

Post-contact: Used to refer to the study of archaeological sites and other heritage items dating after European occupation in 1788 which helps to explain the story of the relationship between Aborigines and the new settlers.

Preservation: Maintaining the fabric of an item in its existing state and retarding deterioration.

Rarity: An item having this value is significant because it represents a rare, endangered or unusual aspect of our history or cultural heritage.

Reconstruction: Returning a place as nearly as possible to a known earlier state by the introduction of new or old materials into the fabric (not to be confused with conjectural reconstruction).

Relic: The Heritage Act 1977 defines relic as: '...any deposit, object or material evidence relating to non-Aboriginal settlement which is more than fifty years old.' The National Parks and Wildlife Act 1974 defines a relic as: '...any deposit, object or material evidence (not

being a handicraft made for sale) relating to indigenous and non-European habitation of the area that comprises New South Wales, being habitation both prior to and concurrent with the occupation of that area by persons of European extraction, and includes Aboriginal remains.'

Representativeness: Items having this value are significant because they are fine representative examples of an important class of significant items or environments.

Restoration: Returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without introducing new material.

Social significance: Items having this value are significant through their social, spiritual or cultural association with a recognisable community.

State heritage inventory: A list of heritage items of state significance developed and managed by the Heritage Division. The inventory is part of the NSW Heritage Database.

State significance: Items of heritage significance which are fine examples, or rare, at a state community level.

Statement of heritage significance: A statement, usually in prose form which summarises why a heritage item or area is of importance to present and future generations.

Technical/research significance: Items having this value are significant because of their contribution or potential contribution to an understanding of our cultural history or environment.
