

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF INDUSTRIAL UNITS

34-36 PRESTON ST, JAMISONTOWN



STATEMENT OF ENVIRONMENTAL EFFECTS

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Client and Land Details

Client: MKM Construction Group Pty Ltd
Subject Site: Lot 11 DP525103, 34-36 Preston Street, Jamisontown
Proposal: Proposed Demolition of Existing Structures and Construction of Industrial Units



Warwick Stimson RPIA
Director



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1 INTRODUCTION

1.1 PROJECT OVERVIEW

Stimson & Baker Planning has been engaged by MKM Construction Group Pty Ltd to prepare a Statement of Environmental Effects in relation to the proposed demolition of all structures and construction of industrial units on the property known as 34-36 Preston Street, Jamisontown.

The site is zoned B5 Business Development under Penrith Local Environmental Plan 2010 with the proposal being permissible with consent.

The proposal is defined as *development* in Section 4 of the Act. The Act stipulates that the development must not be carried out on the subject site until consent has been obtained. Furthermore, the application does not trigger any of the 'integrated development' provisions of the Act and so no third-party approvals are required.

This report describes the proposed development and subject site in detail and undertakes an assessment of the proposal against the relevant aims, objectives and development provisions of Council's LEP and DCP, and Section 4.15 of the Act.

1.2 REPORT STRUCTURE

This Statement of Environmental Effects is structured as follows:

- Section 1: Introduction – provides an overview of the proposal, planning history for the site and background to the application.
- Section 2: The Site and Surrounds – provides an analysis of the subject site, development within the locality and a consideration of the local and regional context.
- Section 3: Project Description – provides a detailed description of the proposed development and its characteristics.
- Section 4: Statutory Considerations – provides for an assessment of the proposal against the specific planning instruments and policies that are applicable.
- Section 5: Key Planning Issues – provides an assessment of the key issues identified in the preparation of the application.
- Section 6: Section 4.15 Assessment – provides an assessment against section 4.15 of the EPA Act.
- Section 7: Conclusion and Recommendation – summarises the report and presents a recommendation.

1.3 SUPPORTING DOCUMENTATION

The proposed is accompanied by the following documentation:

Documentation	Prepared by
Survey	RHCO
Architectural Drawings	Kleyn Creations Pty Ltd
Stormwater Plans	Abel & Brown Pty Ltd
Landscape Plan	Monaco Designs
Arborists Report	Monaco Designs
Heritage Impact Assessment	Edwards Heritage Consultants
Waste Management Plan	Stimson Urban & Regional Planning

1.4 LEGISLATION, ENVIRONMENTAL PLANNING INSTRUMENTS AND POLICIES TO BE CONSIDERED

- *Biodiversity Conservation Act 2016*
- *State Environmental Planning Policy No 55 – Remediation of Land*
- *Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River*
- *Penrith Local Environmental Plan 2010*
- *Penrith Development Control Plan 2014*

1.5 CONSENT AUTHORITY

The consent authority for this application is Penrith City Council.

2 THE SITE AND SURROUNDS

The subject site and its surrounds have the following characteristics.

Site Address	34-36 Preston Street, Jamisontown
Lot/DP	Lot 11 DP 525103
Site Area	1522 sqm (approx.)
Local Government Area	Penrith City Council
Zoning	B5 Business Development
Current Land Use	Vacant dilapidated building
Proposed Land Use	Industrial Units
Surrounding Land Uses	Residential to the north, Recreational to the east, Industrial to the south
Topography	Generally flat
Terrestrial Biodiversity	Not mapped in LEP
Vegetation	Not mapped in LEP
Heritage	Not mapped in LEP
Flooding/Overland Flow	Not mapped in LEP
Bushfire	Not mapped



Figure 1 Subject Site - Aerial

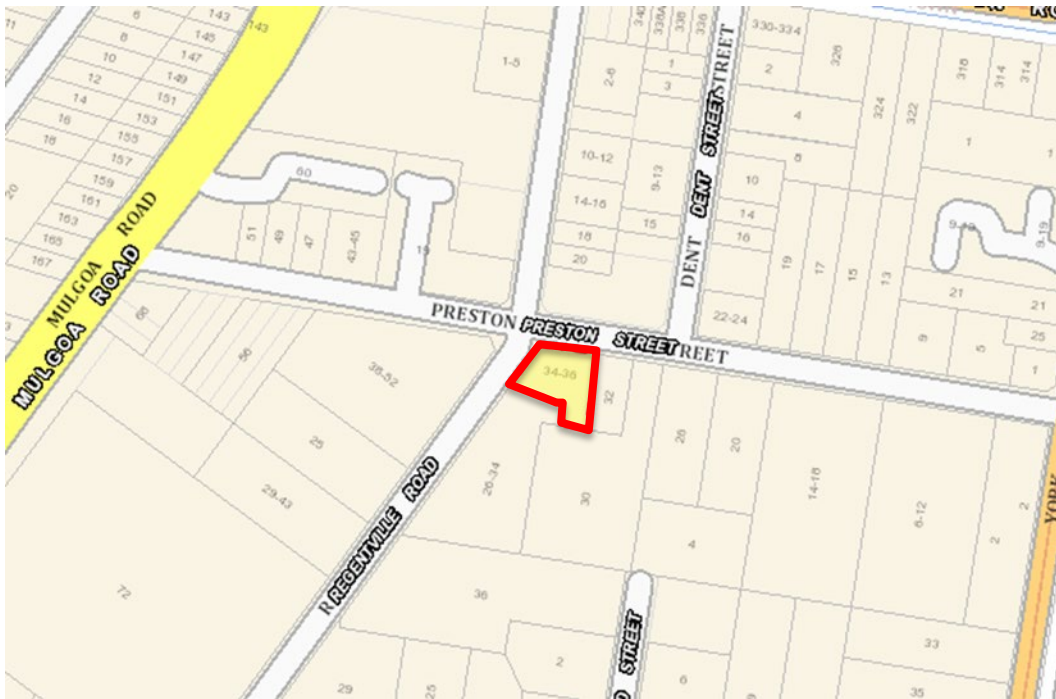


Figure 2 Subject Site - Cadastre

2.1 SURROUNDING CONTEXT

Areas to the north of the subject site are characterised by existing high-density residential development. Development to the south, east and west of the site comprise a mix of light industrial land uses. The majority of these areas were developed under the previous LEP when these lands comprised an industrial zoning.

3 PROJECT DESCRIPTION

3.1 OVERVIEW

The application seeks consent for the demolition of all structures on the site and the construction of five industrial units. On site parking, landscaping and stormwater infrastructure is also proposed. The following describes the development in detail:

	GFA (sqm)	Parking Generation @1/75sqm	Parking Provided	Landscaping (sqm)
Unit 1	161	2.1		
Unit 2	166.1	2.2		
Unit 3	179.9	2.4		
Unit 4	149.5	1.9		
Unit 5	180.6	2.4		
TOTAL	837.1	11.00	9	251

3.2 THE PROPOSED USE OF THE SITE

This application seeks approval for the proposed industrial units to be used for light industry. No tenants are known at this stage, so future development applications will be required for any variations to this application.

3.3 BUILT FORM

The proposed industrial units have been designed with a high level of quality in terms of articulation and materials. There are many architectural elements proposed that ensure the proposal will result in a positive visual impact when viewed from the public domain.



Figure 3 Corner Perspective

3.4 VEHICULAR ELEMENTS

The proposed development includes 9 on site car parking spaces, inclusive on an accessible space. Cars can enter and leave the site in a forward direction. The plans accompanying the application also demonstrate that the site can be serviced by a medium rigid vehicle, although for units of the size proposed, it is considered more likely that small rigid vehicles would service the site.

3.5 LANDSCAPING AND OPEN SPACE

A Landscape Plan accompanies the application and demonstrates appropriate landscaping to the corner of the site and the street frontages.

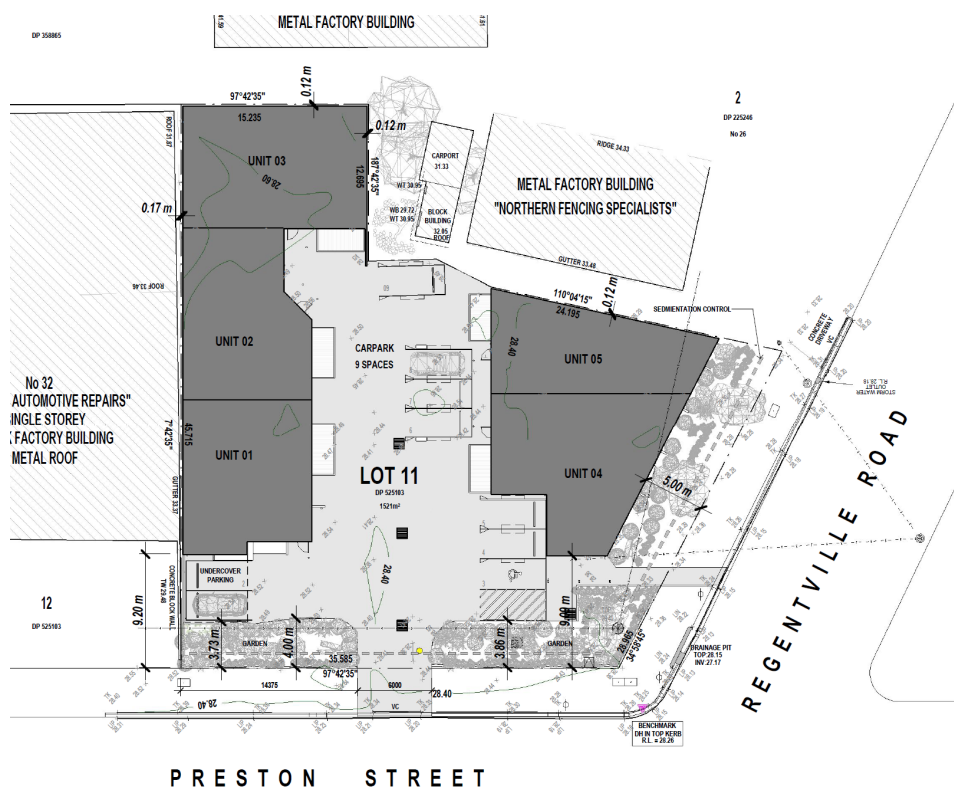


Figure 4 Site Plan

3.6 HOURS OF OPERATION AND EMPLOYEE NUMBERS

Standard hours of operation for industrial units are sought for this application, specifically 7am – 6pm Monday to Friday and 7am-5pm Saturday.

3.7 SIGNAGE

No signage forms part of this application.

3.8 STORMWATER DRAINAGE

A stormwater drainage concept plan accompanies the application and demonstrates compliance with Council's controls.

3.9 UTILITIES

The site is appropriately serviced to accommodate the proposed development.

3.10 WASTE MANAGEMENT STRATEGY

Waste bins will be provided for each of the tenancies in dedicated waste storage areas at ground level and at the rear of the property. Waste will be collected by commercial contractors and organised through the owners/managers of the building or the body corporate if subject to strata subdivision in the future.

An area within each unit is allocated for waste bins. Because of the size of each unit, waste generation is not expected to be significant. Notwithstanding, waste collection is expected to be undertaken by private contractors as organised by each tenant.



Figure 5 Preston Street Perspective

3.11 NATIONAL CONSTRUCTION CODE COMPLIANCE

All works will be carried and comply with the National Construction Code (now incorporating the BCA). A Construction Certificate will be required in relation to the proposal and it is expected that Council will require matters relating to NCC compliance.

3.12 TREE REMOVAL

Existing vegetation is proposed to be removed from the site. The application is accompanied by tree assessment that confirms the existing vegetation has little or no value. No significant examples of native vegetation are located on the site either.

4 STATUTORY CONSIDERATIONS

The applicable statutory planning instruments and relevant guidelines have been considered below.

4.1 BIODIVERSITY CONSERVATION ACT 2016

The NSW *Biodiversity Conservation Act 2016* (BC Act) commenced on 25 August 2017. The Act applies to all of NSW.

The Biodiversity Offsets Scheme (BOS) applies to local developments assessed under Part 4 of the EPA Act that trigger the BOS threshold or is likely to have a significant effect on threatened species based on the ‘test of significance’ at s7.3 of the BC Act.

Amongst other changes, the Act introduced new mandatory requirements for biodiversity assessment and reporting and requires proponents to offset biodiversity impacts by retiring biodiversity credits through the BOS. This is a significant change to the previous legislation where non-significant impacts did not require offsets.

As part of the biodiversity reforms, the State Government established the Biodiversity Assessment Method (BAM) which replaces previous assessment methodologies such as the BioBanking Assessment Methodology. The BAM is an evolution of these previous methodologies and determines the number and type of credits required at a development site, and the number and type of credits created at a Biodiversity Stewardship Site (offset site).

The key principle of BAM is ‘no net loss’, where impacts of development are offset by improving the condition of vegetation or habitat at a Biodiversity Stewardship Site. Importantly, developments cannot proceed simply by securing the required offsets, they are required to firstly demonstrate avoidance, minimisation and mitigation of impacts through reasonable measures prior to offsets being used.

For Local Development (i.e. Part 4 Development Applications under the EP&A Act) the BC Act and BAM apply. There are three ways in which detailed assessment through BAM and the Biodiversity Offset Scheme are triggered:

1. Proposed clearing for your project exceeds the thresholds for minimum lot size in the relevant Local Environmental Plan (LEP)
2. Sensitive Biodiversity Values have been mapped within your project area (as mapped by the State Government); or
3. Impacts on threatened species, populations or communities are likely to be ‘significant’ as determined through the new ‘five part test’

For this proposal, no clearing of any significant native vegetation is proposed, and the site is not mapped on the NSW Sensitive Biodiversity Values map. Given there is no significant vegetation on the development area of the site, it is highly unlikely that any impact on any threatened species will occur.

Accordingly, we submit that no further consideration of this Act is required.

4.2 SYDNEY REGIONAL ENVIRONMENTAL PLAN NO 20 – HAWKESBURY NEPEAN RIVER

The aim of SREP 20 is to protect the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

Appropriate conditions of consent would normally be applied to any approval to ensure the health of the river system is not compromised by way of sediment or erosion from the works or use.

4.3 STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

Under Clause 7(1)(A) the consent authority must not consent to a development application unless consideration has been given to whether the land is contaminated.

Historically, the site has been used as a church, and then a private residential dwelling so it is highly unlikely there would be any contamination found on the site. It is considered that based on this history, no further assessment is required for the land use proposed and the built form proposed.

4.4 PENRITH LOCAL ENVIRONMENTAL PLAN 2010

The Penrith LEP is the main environmental planning instrument applicable to the subject site. The objectives of the LEP are as follows:

- a) to provide the mechanism and planning framework for the management, orderly and economic development, and conservation of land in Penrith,
- b) to promote development that is consistent with the Council's vision for Penrith, namely, one of a sustainable and prosperous region with harmony of urban and rural qualities and with a strong commitment to healthy and safe communities and environmental protection and enhancement,
- c) to accommodate and support Penrith's future population growth by providing a diversity of housing types, in areas well located with regard to services, facilities and transport, that meet the current and emerging needs of Penrith's communities and safeguard residential amenity,
- d) to foster viable employment, transport, education, agricultural production and future investment opportunities and recreational activities that are suitable for the needs and skills of residents, the workforce and visitors, allowing Penrith to fulfil its role as a regional city in the Sydney Metropolitan Region,
- e) to reinforce Penrith's urban growth limits by allowing rural living opportunities where they will promote the intrinsic rural values and functions of Penrith's rural lands and the social well-being of its rural communities,

- f) to protect and enhance the environmental values and heritage of Penrith, including places of historical, aesthetic, architectural, natural, cultural, visual and Aboriginal significance,
- g) to minimise the risk to the community in areas subject to environmental hazards, particularly flooding and bushfire, by managing development in sensitive areas,
- h) to ensure that development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes, and that development is designed in a way that assists in reducing and adapting to the likely impacts of climate change.

It is submitted that the proposed development is not inconsistent with these objectives.

The subject site is zoned *B5 Business Development* with the following zone objectives applying to that zone.

- To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres.
- To maintain the economic strength of centres in Penrith by limiting the retailing of food, groceries and clothing.

The proposed development is consistent with the objectives of the zone in that:

- The tenancies will attract a diverse range of businesses.
- Future uses are expected to support the vitality of Penrith's Employment zones
- Future uses will not undermine existing centres, given the size of each tenancy.

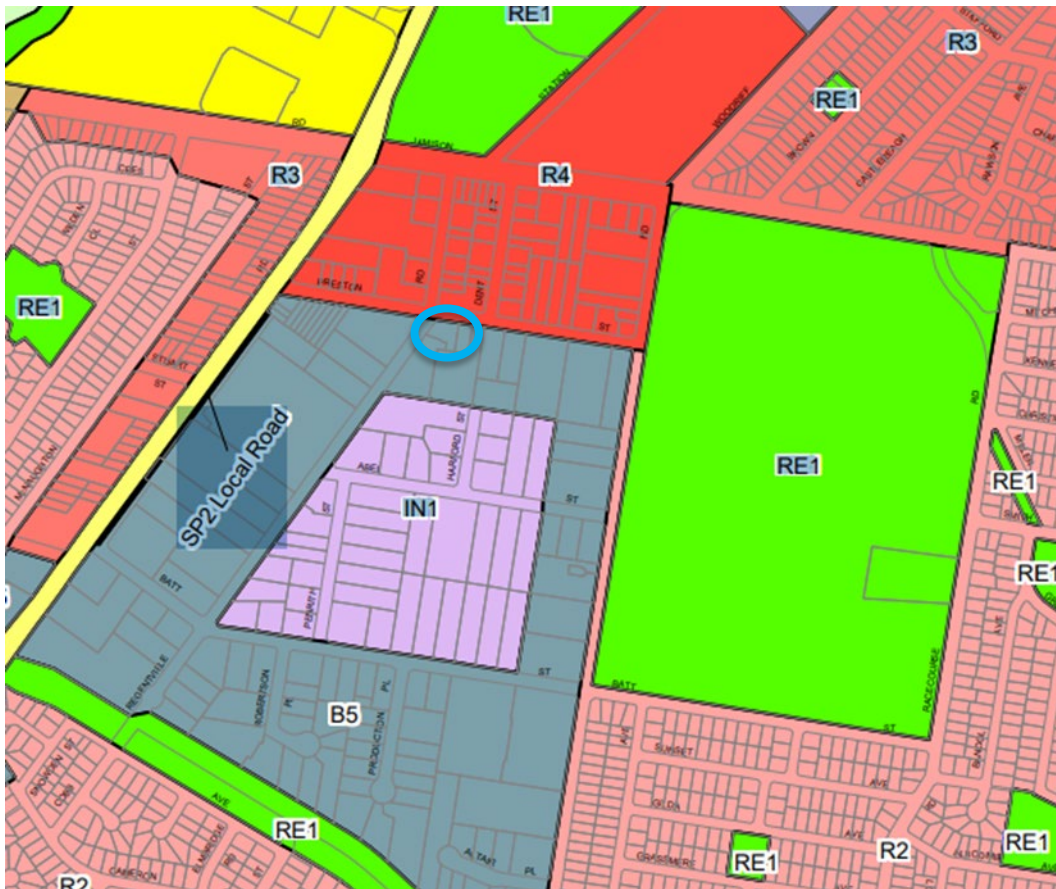


Figure 6 Land use zoning map

The Land Use Table of the LEP nominates *light industry* as a permissible form of development in the zone, given the notation on the zoning. The Dictionary definition of *light industry* is:

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following—

- (a) high technology industry,
- (b) home industry,
- (c) artisan food and drink industry.

The following relevant clauses have also been considered in respect of this development proposal.

Part 4 Principal Development Standards:				
Standard	Permitted	Proposed	Comment	
4.3	Height of Buildings:	12m	8m	Complies
4.4	Floor Space Ratio	N/A	N/A	

Part 5 Miscellaneous Provisions		
Provision	Comment	
5.1	Relevant acquisition authority	N/A
5.2	Classification and reclassification of public land	N/A
5.3	Development near zone boundaries	N/A
5.4	Controls relating to miscellaneous permissible uses	N/A
5.6	Architectural roof features	N/A
5.7	Development below mean high water mark	N/A
5.8	Conversion of fire alarms	N/A
5.10	Heritage conservation	Whilst the site is not listed as an item of environmental heritage, a Heritage Impact Statement is appended to this report containing an assessment. This assessment was requested through the course of assessment of a previous demolition application, which was subsequently withdrawn. The report confirms there are no unacceptable impacts arising from the proposed development. A more detailed discussion is provided later in this report.
5.11	Bush fire hazard reduction	N/A
5.12	Infrastructure development and use of existing buildings of the Crown	N/A
5.13	Eco-tourist facilities	N/A
5.14	Siding Spring Observatory—maintaining dark sky	N/A
5.15	Defence communications facility	N/A
5.16	Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones	N/A
5.17	Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations	N/A

5.18	Intensive livestock agriculture	N/A
5.19	Pond-based, tank-based and oyster aquaculture	N/A

Part 7 Additional Local Provisions

Provision	Comment	
7.1	Earthworks	N/A
7.2	Flood planning	N/A
7.3	Development on natural resources sensitive land	N/A
7.4	Sustainable development	N/A
7.5	Protection of scenic character and landscape values	N/A
7.6	Salinity	N/A
7.7	Servicing	The site is adequately serviced to accommodate the development.
7.8	Active street frontages	N/A
7.9	Development of land in the flight paths of the site reserved for the proposed Second Sydney Airport	N/A
7.10	Dual occupancies and secondary dwellings in certain rural and environmental zones	N/A
7.11	Penrith Health and Education Precinct	N/A
7.12	Maximum gross floor area of commercial premises	N/A
7.13	Exhibition homes limited to 2 years	N/A
7.14	Cherrywood Village	N/A
7.15	Claremont Meadows	N/A
7.16	Glenmore Park Stage 2	N/A
7.17	Dwelling houses on certain land in Castlereagh, Cranebrook, Llandilo, Londonderry, Kemps Creek and Mulgoa	N/A
7.18	Mulgoa Valley	N/A
7.19	Villages of Mulgoa and Wallacia	N/A
7.20	Orchard Hills	N/A
7.21	Twin Creeks	N/A
7.22	Waterside	N/A

7.23	Location of sex services premises and restricted premises	N/A
7.24	Sydney Science Park	N/A
7.25	Warehouses and distribution centres on land zoned B7 Business Park	N/A
7.26	Serviced apartments	N/A

4.5 PENRITH DEVELOPMENT CONTROL PLAN 2014

The following assessment has been made in respect of the industrial development controls within the DCP.

Penrith Development Control Plan

Section

C1 Site Planning and Design Principles

The subject site is unusual in its shape and configuration. The development proposed represents the most efficient building layout for the site. Appropriate access points are proposed to allow for ease of access and egress. Built form is situated such that it maximises the streetscape presentation.

The proposed development represents a contemporary form of development, and a land use that is consistent with nearby and surrounding development.

C2 Preservation of Trees and Vegetation

The application seeks to remove all vegetation from the site. Accompanying reports confirm the majority of existing vegetation is in poor health or is of little retention value. The landscaping proposed is considered to result in an improved landscaping situation for this corner site.

C3 Water Management

Appropriate stormwater measures are proposed as part of this application. There are no flooding concerns that are applicable either.

C4 Land Management

No major earthworks are proposed as part of this application.

No contamination is expected on the subject site given its historical residential use. No further assessment is considered necessary in this regard.

Appropriate erosion and sedimentation controls can be implemented on the site through appropriate conditions of consent.

C5 Waste Management

Waste collection will be managed by individual tenants, with waste being stored in dedicated areas within each tenancy. It is noted that appropriately sized vehicles can enter and leave the site in a forward direction.

C6 Landscape Design

An acceptable landscape solution is proposed for the site, highlighting the corner presentation, and contributing to each of the street frontages. A Landscape Plan accompanies the application.

C7 Cultural and Heritage

The site is not mapped as an item of environmental heritage in the LEP. A detailed discussion on the history of the subject site and its current condition in a historical context is provided later in this report.

C8 Public Domain

Not relevant for this application.

C10 Transport, Access and Parking

Council's DCP requires a parking rate to be applied that generates a demand for 11 car parking spaces. Nine on site spaces are proposed inclusive of one accessible space. The proposal results in a shortfall of 2 on site car parking spaces. This is considered acceptable for the following reasons:

- The site is unusually configured, and the building layout is considered to be the most efficient to maximise floor area.
- There are ample street car parking spaces within the site frontages on both Preston street and Regentville Road.

The car parking provided is considered to be acceptable in the circumstances of this proposal.

Access to the site can also be achieved by medium rigid vehicles, although units of the size proposed are expected to be serviced mainly by small rigid vehicles. Access is consistent with other light industrial development within the locality.

C11 Subdivision

Not applicable to this application.

C12 Noise and Vibration

Conditions of consent can be imposed on this application for generic acoustic controls to be implemented. Any variations to such controls would need to be included within any development application specific to the use of any individual tenancy.

C13 Infrastructure and Services

The site is appropriately serviced to accommodate the application.

D4 Industrial Development

4.1.	Key Precincts	The subject site is not located within any of the industrial precincts so technically this part of the DCP does not apply. Notwithstanding, the controls relating to industrial development have been considered with this proposal.
4.2.	Building Height	The proposed height of 8m complies with the 12m maximum building height in the LEP.
4.3.	Building Setbacks and Landscape	The DCP requires a building setback of 9m and a secondary setback of 5m. The development proposes a 9.2m primary setback and a 5m secondary setback. Compliance is achieved.
4.4.	Building Design	The building proposed is considered to be of high-quality design, showing a mix of contemporary materials and finishes, in a modern streetscape presentation. Elevations also show a high level of articulation.
4.5.	Storage of Materials and Chemicals	N/A
4.6.	Accessing and Servicing the Site	The proposal is generally consistent with these provisions.
4.7.	Fencing	Can be conditioned.
4.8.	Lighting	Can be conditioned if required.

5 KEY PLANNING ISSUES

The following impacts have been considered in the preparation of this development proposal.

5.1 TRAFFIC GENERATION AND PARKING

The proposal results in a shortfall of 2 on site car parking spaces. This is considered acceptable for the following reasons:

- The site is unusually configured and the building layout is considered to be the most efficient to maximise floor area.
- There are ample street car parking spaces within the site frontages on both Preston street and Regentville Road.

The car parking provided is considered to be acceptable in the circumstances of this proposal.

5.2 HERITAGE ISSUES

The proponent had previously attempted to lodge a development application for the demolition of existing structures on the site. Through the assessment of that application (which was subsequently withdrawn) Council requested an assessment be provided over the potential heritage nature of the existing structure. Whilst the subject site is not listed as an item of environmental heritage in the LEP, we have appended to this report a Heritage Impact Assessment by Edwards Heritage Consultants. That report provides the following commentary on the subject site:

The site is not presently identified as an item of local or state heritage significance, however it has been previously identified in the Penrith Heritage Study 2007 and subsequent reviews in 2008 and 2012 as having heritage significance at the local level. The site is also situated within the vicinity of a heritage item which is listed under Schedule 5 of Penrith Local Environmental Plan 2010.

Situated on the site is the former 1908 Holy Trinity Church, which is an example of a small-scaled rural church built by the Church of England, attributed to the Federation Gothic Revival architectural style. Following the closure of the church in 1946 and its subsequent sale in 1947, the building was converted to a private residential dwelling. The extensive alterations and additions that ensued, have obscured each building elevation and substantially distorted the external form and interior, whereby having a deleterious impact to the integrity of the building. The building is no longer readily identifiable as an early 20th century church, though the original form and certain features can be deciphered upon careful inspection.

This Heritage Impact Statement has further assessed the heritage values of the property and found that the (former) Holy Trinity Church is of historical significance at a local level and subsequently, a Statement of Cultural Significance has been developed. In particular, the former Holy Trinity Church evidences the development and growth of Jamisontown in the early 20th century and provides evidence of the early Anglican influences and work in the community from 1908 until its closure in 1946.

Notwithstanding, as outlined in this report, the design integrity of the building has been significantly compromised both externally and internally, with the post-1946 alterations and additions having irreversibly modified the original 1908 church building form and detailing. The integrity of the building is considered so adversely obscured and diminished that retention value is minimal. It is in poor structural and cosmetic condition that further diminishes its retention value.

The proposed development therefore results on no unacceptable heritage impacts.

5.3 VISUAL IMPACT

The proposed development is designed with a high level of architectural merit that exceeds that of nearby and adjoining properties. Its visual impact will positive, presenting to the corner location and providing a visual marker in this locality.



Figure 7 Corner Perspective

5.4 SOCIAL AND ECONOMIC

The development will create jobs through its construction and from the businesses that will eventually tenant the site. No negative economic impacts will arise from the development. Further, no unacceptable social impacts will arise either.

5.5 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

The consideration of CPTED issues has been prepared having regard to various published CPTED literature and academic works, and specifically includes the *“Crime Prevention and Assessment of Development Application Guidelines under Section 4.15 of the Environmental Planning and Assessment Act 1979”* published by the former Department of Urban Affairs and Planning.

The advice is structured in accordance with Part B of the above guidelines – *Principles for Minimising Crime Risk*. In this regard, the advice considers the responsiveness of the proposed design to each of the adopted four principles for CPTED (surveillance; access control; territorial reinforcement and space management).

CPTED principles have been adopted by the NSW Police Force, based on recognition that the design of spaces plays a pivotal role in facilitating the safety and security of its users. The NSW Police Force has identified key principles of CPTED being:

- Establish opportunities for **good surveillance**, both casually and technically.
- Provide legible barriers for **access control** for spatial definition.
- Create a sense of ownership over spaces that are also clearly demarcated between public and private ownership for **territorial reinforcement**.
- Establish spaces that are utilised appropriately through **proper space management**, relating to litter and graffiti removal, and ensuring lighting fixtures are working.

When implemented, these measures are likely to reduce opportunities for crime by using design and place management principles.

Surveillance

The proposed development will provide numerous opportunities for surveillance. The following casual surveillance opportunities have been provided through the design of the project:

- Opportunities for visual observance through a high percent of transparent glazing along all frontages allow normal space users to see and be seen by others.
- Entries are located in highly visible locations.
- Active communal areas at the front and through the centre of the site.

- Clear visual pathways around the site as well as from public streets to private entrances.
- Areas of entrapment are limited due to multiple exit points from around the development.

Access Control

Access control to public, semi public and private areas of the development is considered to be well managed and effective. Access control to the development can be effectively managed through lockable fencing, although this is not proposed at this stage. Each tenancy should have access control measure in place. With respect to fire escape points and building services rooms, the location of these access points, the use of lockable doors and other environmental cues will make it clear that these are not public entry points.

Territorial Reinforcement

Clear separation exists between public and private space in terms of the relationship between the proposal and the public domain. Appropriate signage, landscaping, site furnishings and paving will provide good environmental cues about the transition or movement from public to private domain.

Space Management

For most modern residential developments, space management is increasingly carried out in a professional manner, often by third party specialist building management businesses. Therefore, the effectiveness of management systems such as light globe replacement, removing graffiti, and fixing broken site furnishings will influence the perceived level of care of the project. In this case, the site manager will ensure that processes are established to respond to and fix services and structures and under whose responsibilities these services are assigned.

Site cleanliness is also a factor that influences the perceived and actual level of care of an area.

Cleanliness of the project is dependent upon the management practices of individual tenants as well as the implementation of waste removal and street cleaning processes. This will be overseen by the site manager. The selection of lighting should also be vandal proof, and materials facilitate ease of maintenance in the long-term, to delay the appearance of decay.

The proposed development can appropriately respond to the CPTED principles.

6 SECTION 4.15 ASSESSMENT

An assessment of the proposal has been undertaken in accordance with the statutory requirements of the EPA Act. The following assessment against Section 4.15 of the EPA Act has been undertaken.

6.1 SECTION 4.15(1)(A)(I) – ANY ENVIRONMENTAL PLANNING INSTRUMENTS

The relevant environmental planning instruments have been considered earlier in this report. These include the following:

- *Biodiversity Conservation Act 2016*
- *State Environmental Planning Policy No 55 – Remediation of Land*
- *Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River*
- *Penrith Local Environmental Plan 2010*
- *Penrith Development Control Plan 2014*

The proposal is permissible with consent and is considered satisfactory when assessed against the relevant controls.

6.2 SECTION 4.15(1)(A)(II) – ANY PROPOSED INSTRUMENT THAT IS OR HAS BEEN THE SUBJECT OF PUBLIC CONSULTATION UNDER THIS ACT AND THAT HAS BEEN NOTIFIED TO THE CONSENT AUTHORITY

There are no known draft Environmental Planning Instruments applicable to the subject site.

6.3 SECTION 4.15(1)(A)(III) – ANY DEVELOPMENT CONTROL PLAN

Compliance against the relevant DCP's has been considered earlier in this report.

6.4 SECTION 4.15(1)(A)(IIIA) – ANY PLANNING AGREEMENT OR DRAFT PLANNING AGREEMENT ENTERED INTO UNDER SECTION 7.4

There are no known planning agreements that apply to the site or development.

6.5 SECTION 4.15(1)(A)(IV) – THE REGULATIONS

There are no sections of the regulations that are relevant to the proposal at this stage.

6.6 SECTION 4.15(1)(A)(V) – ANY COASTAL ZONE MANAGEMENT PLAN

Not relevant to the proposed development.

6.7 SECTION 4.15(1)(B) – THE LIKELY IMPACTS OF THAT DEVELOPMENT

6.7.1 *Natural Environment Impacts*

There are no natural environmental impacts that will arise as a result of this application.

6.7.2 *Social and Economic Impacts*

There are no unacceptable social or economic impacts expected as a result of this proposal. Positive economic benefit will arise through additional employment opportunities being created.

6.7.3 *Built Environmental Impacts*

The redevelopment of this site is considered to be positive, given the current state of the existing building, and the potential future jobs that will be created. Given the design of the proposal, there will be no unacceptable built environmental impacts.

6.8 SECTION 4.15(1)(C) – THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The proposal is generally consistent with the planning controls that apply in this zone. Moreover, the objectives of the zone have been satisfied, ensuring that ### would not result in any unacceptable impact on any adjoining landowners or buildings.

The site is considered to be suitable for the development for the reasons outlined below:

- The proposal is permissible with consent in the zone.
- The proposal represents an appropriate land use and built form located on an appropriately serviced site that is in an accessible location.
- The proposal is compatible with surrounding land uses which include other light industrial businesses.
- The proposal represents an increase in employment generating development, particularly of small industrial units that are in high demand in Penrith at this time.

6.9 SECTION 4.15(1)(D) – ANY SUBMISSION MADE

Council may undertake a notification process in accordance with its controls and policies. We welcome the opportunity to provide additional information in response to any submissions that may be received.

6.10 SECTION 4.15(1)(E) – THE PUBLIC INTEREST

Given the type of development, its general compliance with the planning controls, how the objectives are satisfied and the suitability of the site it is considered that the public interest would not be jeopardised as a result of this development.

7 CONCLUSION AND RECOMMENDATION

The proposed development has been assessed against the requirements of the Penrith LEP and DCP and is considered to represent a form of development that is acceptable.

The proposed light industrial units would not result in any unacceptable impact on the locality. They are a permissible land use in the zone and are consistent with established development in the locality.

The site is considered quite suitable for a use of this nature with no negative impacts arising.

An assessment against Section 4.15 of the EPA Act has not resulted in any significant issues arising.

Accordingly, it is recommended that the proposed development be approved.

APPENDIX A

HERITAGE IMPACT STATEMENT







Heritage Impact Statement

Demolition works and construction of an industrial warehouse building
34-36 Preston Street, Jamisontown

June 2020
EHC2020/0124

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	22/06/2020	C	Client issue	Michael Edwards Principal Consultant	Bethany Robinson Heritage Consultant

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1.0 EXECUTIVE SUMMARY

This Heritage Impact Statement has been prepared at the request of Mainbuild Constructions 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.

Situated within the Penrith City Council local government area and in the locality of Jamisontown, which is 56 kilometres west of Sydney city, the site comprises Lot 11 in Deposited Plan No.525103, commonly known as 34-36 Preston Street, Jamisontown.

The site is not presently identified as an item of local or state heritage significance, however it has been previously identified in the *Penrith Heritage Study 2007* and subsequent reviews in 2008 and 2012 as having heritage significance at the local level. The site is also situated within the vicinity of a heritage item which is listed under Schedule 5 of *Penrith Local Environmental Plan 2010*.

Situated on the site is the former 1908 Holy Trinity Church, which is an example of a small-scaled rural church built by the Church of England, attributed to the Federation Gothic Revival architectural style. Following the closure of the church in 1946 and its subsequent sale in 1947, the building was converted to a private residential dwelling. The extensive alterations and additions that ensued, have obscured each building elevation and substantially distorted the external form and interior, whereby having a deleterious impact to the integrity of the building. The building is no longer readily identifiable as an early 20th century church, though the original form and certain features can be deciphered upon careful inspection.

This Heritage Impact Statement has further assessed the heritage values of the property and found that the (former) Holy Trinity Church is of historical significance at a local level and subsequently, a Statement of Cultural Significance has been developed. In particular, the former Holy Trinity Church evidences the development and growth of Jamisontown in the early 20th century and provides evidence of the early Anglican influences and work in the community from 1908 until its closure in 1946.

Notwithstanding, as outlined in this report, the design integrity of the building has been significantly compromised both externally and internally, with the post-1946 alterations and additions having irreversibly modified the original 1908 church building form and detailing. The integrity of the building is considered so adversely obscured and diminished that retention value is minimal. It is in poor structural and cosmetic condition that further diminishes its retention value.

This Heritage Impact Statement has been prepared to consider the potential heritage impacts resulting from the proposed development, which involves the demolition of the existing building and construction of multi-unit commercial warehouses, with associated on-site carparking and landscaping, characteristic of the surrounding precinct.

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), this report considers that the identified historical values imbued in the place, can be sufficiently documented through a Photographic Archival Recording and are not inextricably linked to the physical retention of the extant built form.

Subject to the recommendations in Section 12.2 of the report, the proposal is considered to have an acceptable heritage impact.

2.0 INTRODUCTION

2.1 Context of the report

This Heritage Impact Statement has been prepared at the request of Mainbuild Constructions to assess the potential heritage impacts and to accompany a Development Application to Penrith City Council, which seeks approval for the demolition of the existing building and construction of an industrial warehouse building at 34-36 Preston Street, Jamisontown.

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.

2.2 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*.

The assessment criteria developed by the Heritage Council of NSW as contained in the *NSW Heritage Manual* is used to assess and establish the cultural significance of 34-36 Preston Street, Jamisontown.

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* and the Heritage Council of NSW assessment criteria.

2.3 Authorship

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

Mr Edwards has over 14 years extensive experience in both the town planning and heritage conservation disciplines and has held previous positions in Local and State Government. Mr Edwards has previously worked with the former Heritage Division of the NSW Office of Environment and Heritage and is currently Heritage Advisor to the City of Ryde Council, Cessnock City Council and Georges River Council.

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

2.4 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. Note: There was severely limited internal access available to the building.
- 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.
- Does not provide a structural assessment or advice. Subsequently, this report should be complemented by advice from a Structural Engineer with demonstrated heritage experience.
- 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.

2.5 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.

2.6 Physical Evidence

A visual examination of the site and the surrounding area was undertaken on 29 April 2020. 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

Situated within the Penrith City Council local government area and in the locality of Jamisontown, which is 56 kilometres west of Sydney city, the site comprises Lot 11 in Deposited Plan 525103, commonly known as 34-36 Preston Street, Jamisontown.



Figure 1: Aerial view of the locality.
[Source: NSW Land and Property Information, 2020]



Figure 2: Aerial view of the site.
[Source: NSW Land and Property Information, 2020]

3.2 The subject site

The subject site is located on the southeasterly side of the confluence of Preston Street and Regentville Road and is situated within an established urban streetscape, which is largely characterised by residential housing to the north and commercial and light-industrial to the south, east and west.

The site is irregularly shaped, comprising an area of 1,521sqm and is predominantly level, with an undulating surface.

Although the site contains a residential dwelling and occupancy, the site itself is situated in the northwestern corner of a light-industrial precinct, which is largely characterised by large-scaled industrial warehouse buildings, whereby the subject site presents as an anomaly in the precinct.



Figure 3: The subject site as viewed from the intersection of Preston Street and Regentville Road, facing southeast.

3.3 The Building - Exterior

Situated on the site is a part single, part two storey building, which evidences two distinct phases of construction. The first phase is the original c1908 church building and the second phase are the mid-20th century post-war alterations and additions.

Originally built as a small scaled rural church building for the Church of England, the original building is of masonry construction in stretcher bond, featuring an L shaped footprint with the main gable roofed form oriented north-south and featuring a gabled portico projecting off the western side elevation. An original single storey vestry projects off the southern elevation, though is now only visible internally owing to the later additions that encapsulate it.

Of the original church building, the walls were originally face-brick, having been more recently painted. The western, eastern and northern elevations feature window openings which show evidence of having originally been lancet-profiled openings, but have since been truncated in height to become conventional

double-hung sash windows. The outline of the former lancet profile can be interpreted on the western elevation above the verandah roof plane.

The projecting portico on the western elevation features a gabled form with timber bargeboards and flying timber detailing and similar detailing survives to the northern gabled facade. Both the portico and main gabled roof form are clad in terracotta shingles, which were manufactured by Sherwood Tile Works in Merrylands. The western and eastern facing roof planes feature a small louvred gablet at the centre-line towards the ridge and the ridgeline is finished in decorative terracotta ridge cappings in a crenelated profile. Two clumsily formed and detailed eyelid dormer windows punctuate the eastern facing roof plane and disrupt the original roof geometry. Roofing timbers are exposed to the lower sides of both side elevations of the roof, with the soffits lined with tongue-and-groove timber boards.

Each of the four building elevations have been highly obscured from additions which were undertaken in the mid-20th century and subsequent later modifications. The western elevation features a single storey semi-enclosed verandah extension which projects from the original building footprint to sit in line with the projecting gabled portico. On the eastern elevation is a single storey skillion wing, while both the northern and southern elevations feature part single and part double storey additions.

All of the later additions are of timber frame construction with timber weatherboard cladding and are distinguished from the original building through the contrast in materiality and architectural language. Windows in the additions are typically timber framed casements or double-hung sashes, with corrugated sheet metal cladding to the roof forms.

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 original c1908 church building displays characteristics that are attributed to the early 20th century Federation period and of the Federation Gothic architectural style, with a distinctly ecclesiastical form.

The mid-20th century additions are generally stylistic of the period, but do not evidence any particular style or design influence and are considered more a vernacular form of ad-hoc additions.



Figure 4: View of the building from Regentville Road.



Figure 5: View of the northeastern elevation.



Figure 6: View of the northwestern elevation.



Figure 7: View of the southern elevation.



Figure 8: View of the southern elevation.



Figure 9: View of the southwestern elevation.



Figure 10: View of the eastern roof plane and dormers.



Figure 11: View of the eastern elevation.

3.4 The Building - Interior

Owing to the present condition of the building and its interior, internal inspection of the building was severely limited. Notably, the failure and collapse of the first floor flooring system and the mass accumulation of personal effects and detritus, presented a very high occupational health and safety risk and hazard and so entry was deemed unsafe.

Consequently, the interior was only inspected and analysed from:

- i) The exterior, where internal view points were available;
- ii) Within the western portico of the original building;
- iii) The semi-enclosed verandah on the western elevation; and
- iv) The southwestern corner of the additions.

Access to the first floor was not obtained due to the high safety risk.

From the interior, the original c1908 form of the former church can be reasonably well read and understood, though is highly obscured through the mid-20th century changes which have irreversibly obscured key detailing and features of the building.

The main entry to the original church is via the small entry portico on the western elevation. This comprises a small vestibule, which opens onto what was originally the church sanctuary and what would have originally been a single room. The former church sanctuary has been truncated by internal partition walls, and most notably, a first floor has been constructed, which obscures the original proportions and configuration of the space.

Flooring is likely timber boards, including the flooring to the first floor (as evidenced in the collapsed section), however the mass accumulation of personal effects and detritus completely obscures any visibility to the flooring at the ground floor.

Internal stair access is provided in two locations: a timber framed staircase within the former church sanctuary area and a timber staircase with iron balustrade within the later additions on the northern elevation.



Figure 12: View of the former church sanctuary on the ground floor



Figure 13: View of the collapsed first floor.



Figure 14: View of the collapsed first floor.



Figure 15: View of the semi-enclosed verandah on the western elevation.



Figure 16: View of the semi-enclosed verandah on the western elevation.



Figure 17: View of the semi-enclosed verandah on the western elevation, looking through to the remnant original brick vestry.



Figure 18: View of the kitchen in the skillion roofed additions on the eastern side of the building.



Figure 19: View of the ground floor on the northern elevation facing through to the eastern side additions.



Figure 20: View of the ground floor on the northern elevation, showing the internal stair access to the first floor and masonry wall of the original church building.

3.5 Landscape

The building is situated towards the northwestern corner of the site and is set within an established landscaped setting, which is largely overgrown vegetation.

Encircling the building is mostly grassed spaces, with a variety of shrubs and established trees, many of which show visible signs of being in poor health and vigour, or are identified weed species.

There is no visible evidence of earlier landscaping themes or significant features.

Situated at the southern rear elevation of the building, is a detached garage structure, of concrete block construction, with a low-pitched timber framed roof and corrugated sheet metal cladding. An additional shed structure is located towards the southwestern corner of the site.

Fencing is mostly tubular steel post and rails with chainwire mesh.



Figure 21: View of the detached garage structure.



Figure 22: View of the detached garage structure.

3.6 Streetscape contribution

Situated on a street corner at the confluence of Preston Street and Regentville Road, the subject site is considered prominently placed. Although the existing building is visible from both street frontages, it is largely obscured by the existing dense vegetation canopy.

The western elevation of the building (visible from approach in Preston Street and perpendicularly from Regentville Road), is the most 'intact' elevation of the building from which the original ecclesiastical church form can be viewed.

Its modest scale however, is such that the building does not prominently feature in the streetscape.

3.7 Integrity and condition

The integrity of a site, in terms of its heritage significance, can exist on a number of levels. For instance, a site may be an intact example of a particular architectural style or period and thus have a high degree of significance for its ability to illustrate that style or period.

Equally, heritage significance may arise from a lack of architectural integrity where the significance lies in an ability to illustrate an important evolution to the building or change in use.

While a detailed structural assessment is beyond the scope of this report, a non-invasive visual inspection of the exterior and interior (limited) has been undertaken, which identifies extensive structural and non-structural cosmetic changes that have been undertaken to the building, including:

- Conversion of the former c1909 Holy Trinity Church to a residential dwelling during the mid-20th century;
- Construction of single and double storey timber-framed and clad additions, which project off all four elevations of the building and effectively encase the former church;
- Conversion of the original lancet window openings on the western, eastern and northern elevation by reducing the size of the opening and replacement of windows with conventional double-hung sashes;
- Construction of a first floor with internal stair access within the former church sanctuary, together with partition walls to the ground floor to create multiple internal rooms;
- Insertion of two 'eyelid' dormer windows on the eastern-facing roof plane of the main gabled roof form;
- Painting of the external masonry walls of the former church;
- Creation of new or enlarged openings at the first floor permitting access to the two-storey wing additions.

Overall, the changes demonstrate the evolution of the building during its time of occupation and changes in lifestyle trends, technology and the requirements of the occupants, in particular, the conversion from a church to a private dwelling house.

The changes have substantially altered and obscured the original footprint and silhouette of the c1908 Holy Trinity Church and have materially impacted original fabric and features of the building. The extent of material affectation is considered to have had an adverse impact on the overall character and design integrity of the former church. Some of the changes may be considered reversible, on the basis that surviving physical evidence or available documentary evidence may enable evidence-based reversal and restoration rather than conjectural restoration.

Compounded by insufficient ongoing cyclical and preventative maintenance, the former Holy Trinity Church is presently in very poor condition and repair, with the following defects and notable areas of fabric deterioration evident:

- Extensive vandalism to the building generally, with the loss of architectural elements, malicious damage to fabric and graffiti;
- Failure and collapse of the timber flooring system of the first floor;
- Evidence of extensive previous termite activity and damage to timber fabric;
- Missing timber louvres to the gablet on the western roof plane;
- Partial collapse of the gabled roof form with visible sagging;
- Evidence of differential settlement with 'staircase cracking' to masonry walls in multiple locations;

- Failure of rainwater goods;
- Extensive microbial growth on the terracotta shingle roof cladding, with evidence of localised failure of individual shingle tiles and water penetration.

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4.0 HISTORICAL OVERVIEW

4.1 Introduction

This section attempts to place 34-36 Preston Street, Jamisontown, into the context of the broader history of the region as well as outlining the sequence of development, occupation and use of the site.

Analysing and understanding the historical context of the site is an important consideration in the assessment of cultural significance (see Section 8), informing the assessment of historical significance and historical associations of significance.

The history of the site is presented in a narrative form and is mainly derived from the published sources referenced throughout. The historical analysis also builds on existing extensive publication and research and assumes a prior knowledge of the Aboriginal history of the area.

4.2 First land grant

The present-day locality of Jamisontown is named after Thomas Jamison, who on 18 December 1805, received a substantial land grant of 1,000 acres from Governor King. Situated in the Parish of Mulgoa, Jamison's land grant comprised Portion 41 and was bounded to the west by a long frontage to the Nepean River.

Thomas Jamison had arrived in the Colony of New South Wales in 1788, having sailed as Surgeon's Mate on the First Fleet ship *Sirius*, progressing through the ranks of the military establishment to attain the position of Surgeon-General of NSW in 1803.

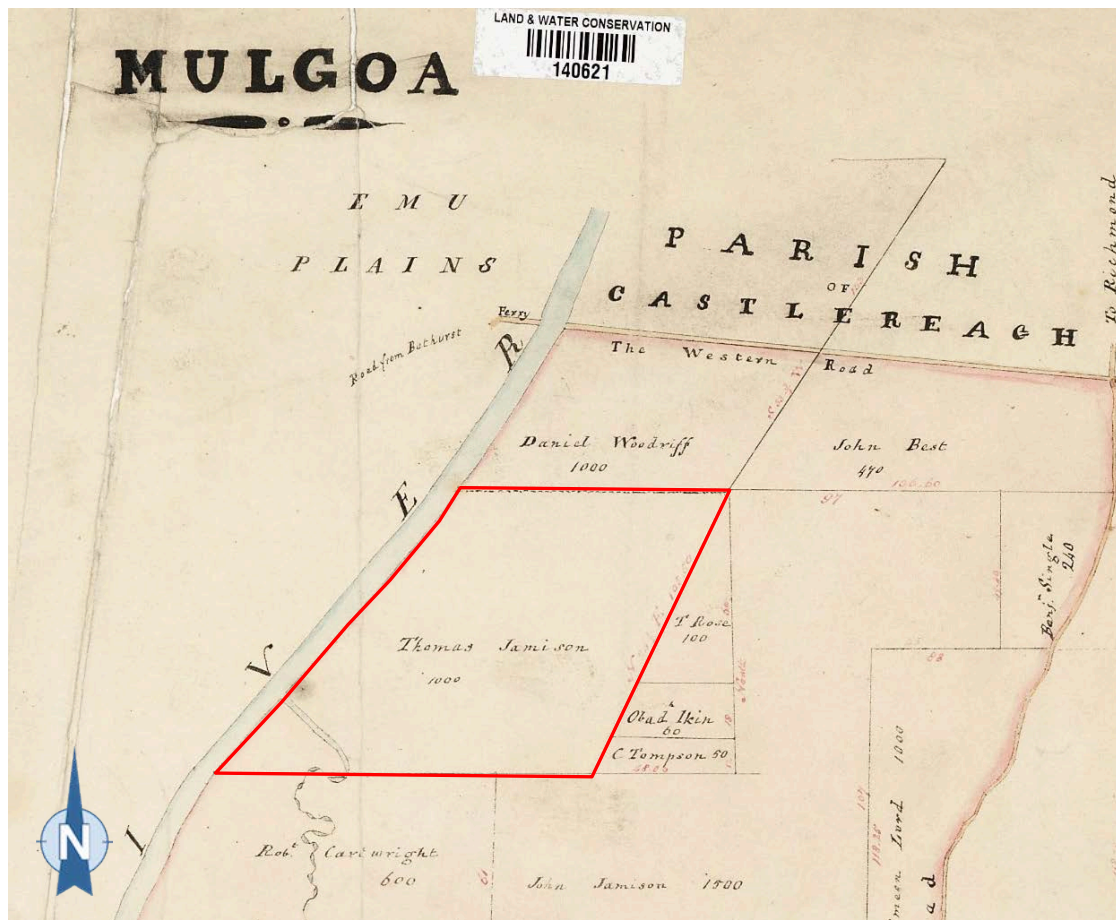


Figure 23: Map of the Parish of Mulgoa, showing Thomas Jamison's original 1,000 acre grant.
[Source: NSW Land and Property Information, 2020, with EHC overlay]

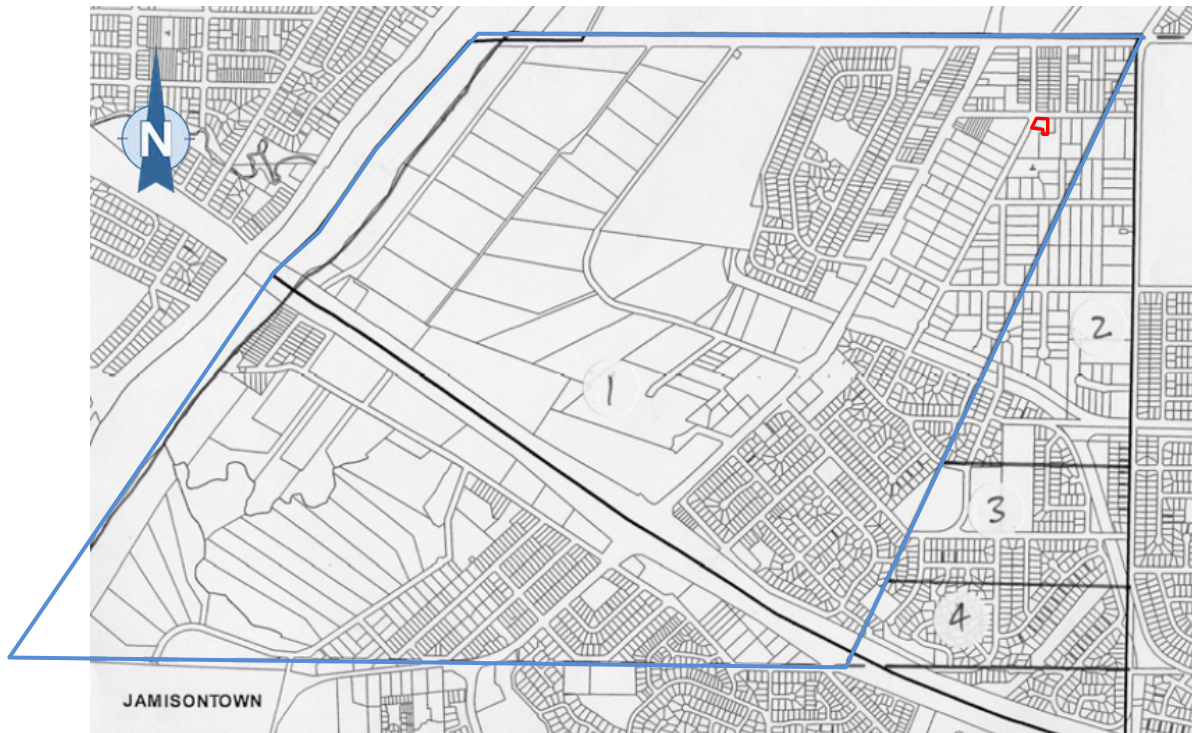


Figure 24: Plan showing the extent of Thomas Jamison's 1,000 acre grant (outlined in blue) in relation to the contemporary cadastral subdivision pattern of Jamison. The subject site is outlined in red.
[Source: Penrith Heritage Study 2007]

Following his grant of 1,000 acres in the Nepean, Jamison also acquired farms at Georges River and South Creek, amassing a total area of land equating to 2,300 acres by 1807¹.

Jamison returned to England in 1809 and left his estate under the administration of Darcy Wentworth. When Thomas died in 1811, his son Sir John Jamison, who like his father was a Surgeon in the Royal Navy, inherited the land. The inheritance of substantial real estate was likely the catalyst for Sir John arriving in Colony in 1814, having sailed out onboard the *Broxbornebury*.

By the 1820s, Jamison was considered one of the first 'Landed Proprietors in the Colony' and he acquired more land by grant and purchase, extending his Nepean estate, where about 1825, he built for himself a handsome country villa named 'Regentville'. In addition to the country villa, the property was to become a model with vineyards, a windmill with an irrigation scheme, a woollen mill built around 1842, together with numerous tenant farms, meat salting works, tannery, flour mill and textile factory.

4.3 Subdivision of the Estate

Following Jamison's death in 1844, the land transferred to his son Thomas Jamison, and in 1847, part of the estate was put up for sale, with a further portion of the estate sold in 1863. With the breakup of the estate, present-day Jamisontown formed part of the Western Division in the later sale of the 1860s², which comprised a number of farming allotments of up to 40 acres each. By 1874, Thomas Jamison's land had been reduced in area to 700 acres.

In 1883, Jamison's 700 acres was re-subdivided as a 'model township' of Jamison Town under two subdivisions (Deposited Plan 1119 and Deposited Plan 1687), which provided mainly villa and town allotments.

¹ Parsons, V. 'Jamison, Thomas (1745-1811)' in 'Australian Dictionary of Biography'.

² Paul Davies Pty Ltd. 2007. 'Penrith Heritage Study'.

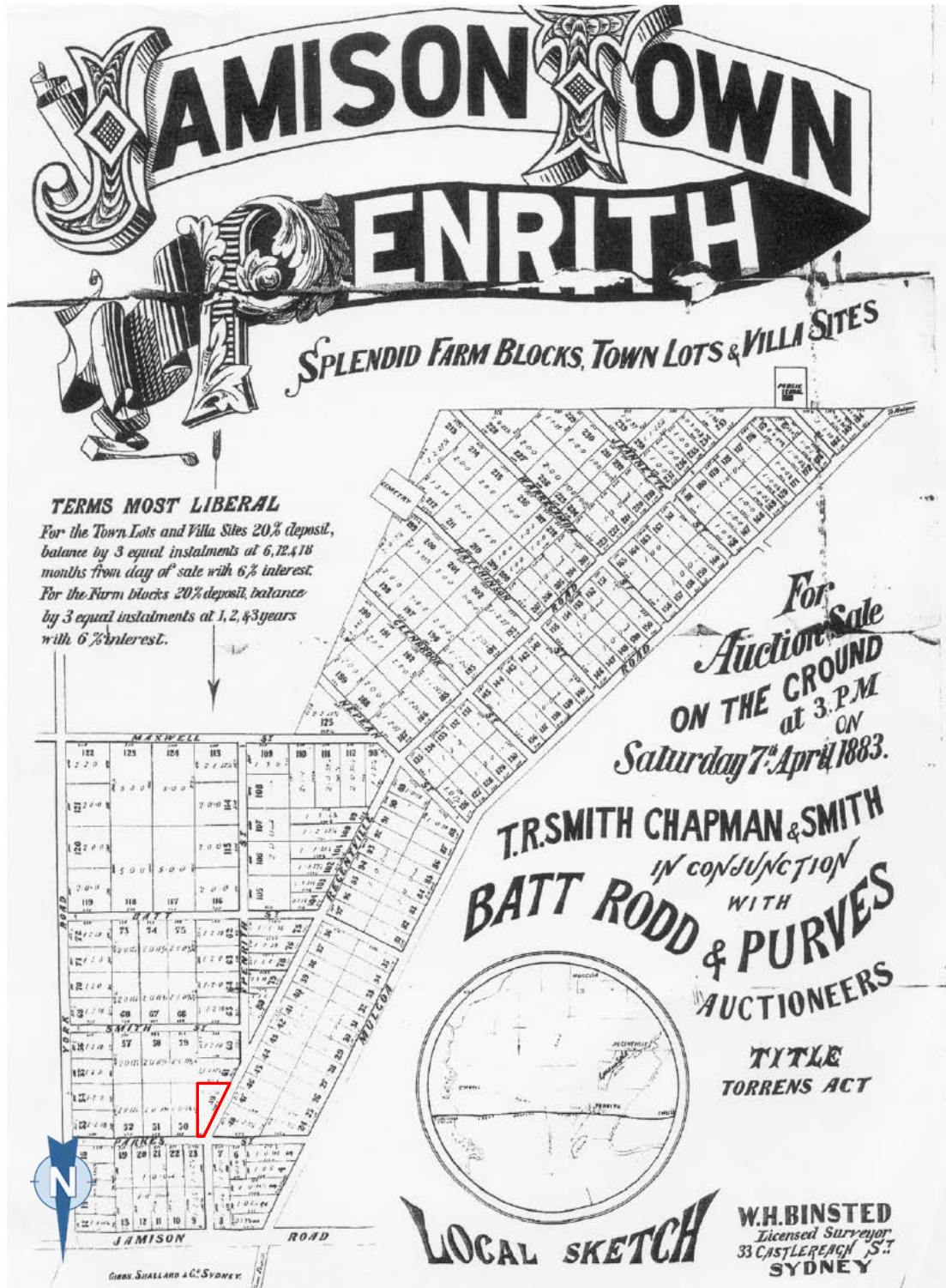


Figure 25: Plan of the Jamison Town subdivision of April 1883. The subject site is shown by red outline.
[Source: Penrith Local Studies Library, 2020, with EHC overlay]

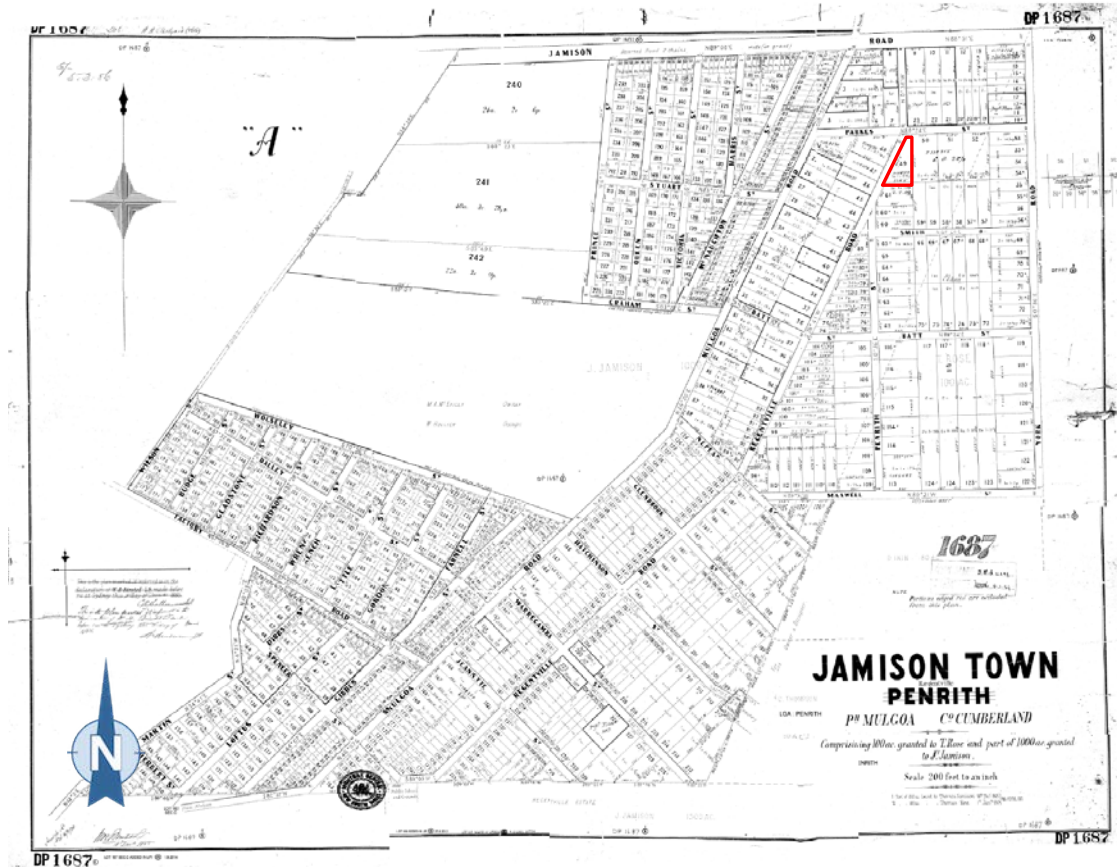


Figure 26: Plan of the Jamison Town subdivision. The subject site is shown by red outline.
 [Source: NSW Land and Property Information, 2020 with EHC overlay]

The allotments were taken up by various land speculators and aspiring residents, with allotments selling sporadically across the subdivision.

By the end of September 1886, Lots 50, 51 and 52 of Section D had been purchased by William Adamson from Sydney³, comprising a cumulative area of just over 6 acres and having frontage to what was then known as Parkes Street (present-day Preston Street).

Three months later, Thomas Richard Smith, an Auctioneer from Sydney, purchased six individual allotments from Section D of the Jamison Town subdivision, including Lots 13, 47, 49, 61, 96 and 97. The fact that the allotments were not all grouped together (i.e. adjoining one another) is curious, suggesting that Smith had acquired the allotments for investment purposes.

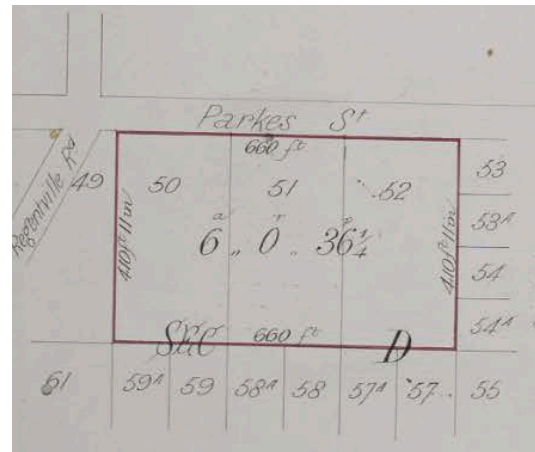


Figure 27: Plan of Adamson’s land as purchased in 1886.
 [Source: NSW LPI, 2020. CT Vol.807 Fol.28]

³ NSW Land and Property Information, 2020. Certificate of Title Vol.807 Fol.28.

It is unknown whether any improvements were made to either Smith's or Adamson's allotments during this time.

In late June 1891, Thomas Smith sold Lots 6, 13, 49, 61, 96 and 97 to George Charles Waldron. After George's death, the land transferred to Frederick William King Waldron as executor of George's estate. Frederick progressively sold the various allotments in multiple land transactions from mid-November 1899 onwards.

William Adamson sold his three allotments fronting Parkes Street at the beginning of June 1903, having been purchased by Alfred Watts, a Cord Worker from Jamison Town⁴. By June 1907, he had sold Lot 52 to Grace Stayward.

4.4 The Church of England builds a church

In the era post the coming of the railway in the early 1860s, the Church of England was the most active in establishing new Church congregations, including St James in Luddenham in 1871, Christ Church in Castlereagh in 1878, St Phillips in Kingswood in 1898 and St Aidan's in Werrington in 1906.

Following the model town subdivision of Jamison Town, the population of the area steadily increased and so too, the need for support services for the fledgling community.

The Church of England recognised the growing need for an Anglican presence in Jamison Town and so the Church began searching for a suitable site on which it would build a new church.

Typical of most churches of the time, the preference, or perhaps stipulations in the search criteria, would have been to find land that was situated on a street corner. This was not only because it would afford the future church visual prominence in the street, but aid in identification and a give a sense of 'ecclesiastical presence' in the community, as well as being conveniently placed for the congregation to access.

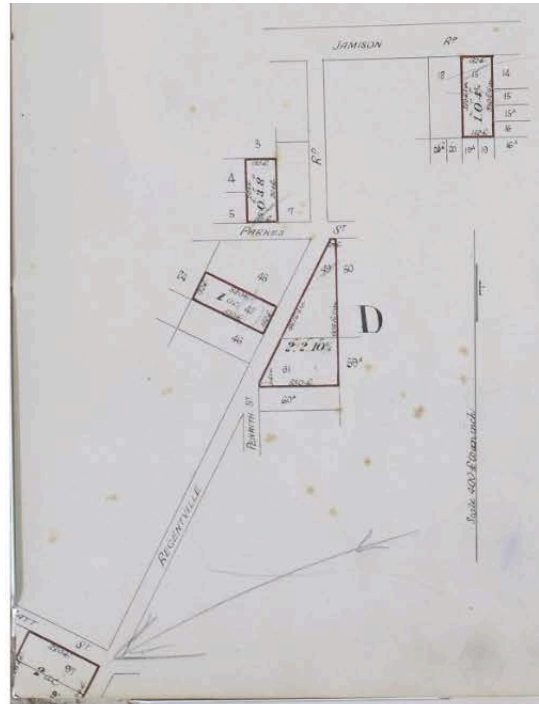


Figure 28: Plan showing the allotments purchased by Smith in December 1886.

[Source: NSW LPI, 2020. CT Vol.818 Fol.17]

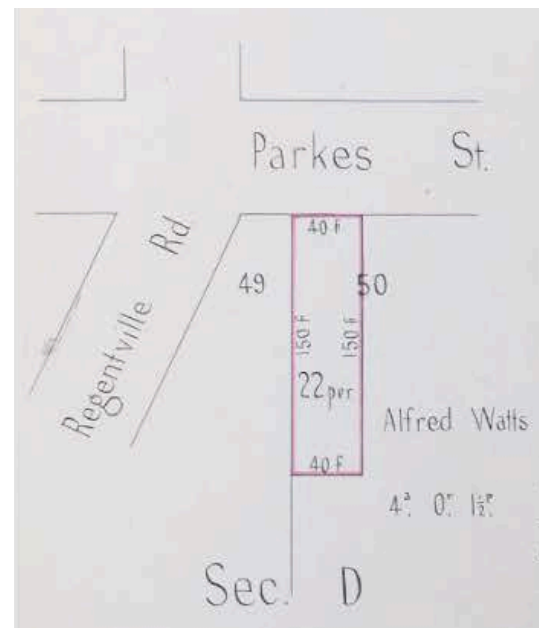


Figure 29: Plan showing the portion of Lot 50 purchased by the Church of England in April 1908.

[Source: NSW LPI, 2020. CT Vol.1880 Fol.146]

⁴ NSW Land and Property Information, 2020. Certificate of Title Vol.1804 Fol.64.

By April 1908, a site had been identified in Parkes Street, when Alfred Watts sold a portion of his Lot 50 to the Church of England Property Trust Diocese of Sydney. The allotment was relatively small, comprising an area of 22 perches, with a 40-foot frontage to Parkes Street.

However, it appears that this may have been acquired with the knowledge that the adjoining land would soon become available, or perhaps by prayerful petition, for by the end of September 1908, The Church of England Property Trust Diocese of Sydney had purchased all of the adjoining Lot 49 from Frederick Waldron⁵. Wasting no time, plans were afoot for the construction of a new church.



Figure 30: Plan showing Lot 49 as it was when purchased by the Church of England in September 1908.

[Source: NSW LPI, 2020. CT Vol.1926 Fol.172]

On Wednesday 11 November 1908, the Governor of New South Wales, Sir Harry Rawson, arrived in Penrith by train, having been invited to the district for various official inspections and business.

The Governor had arrived in Penrith to much fanfare and ceremony, for it was the first vice-regal visit to the district in sixteen years. Following a reception just behind the Penrith Railway Station, with an escort of mounted police, the Governor was driven by carriage to the Nepean Cottage Hospital where he made a complete inspection, followed by a trip across the Victoria Bridge over the Nepean River. Afterwards, the vice-regal party returned to the Masonic Hall, where the Governor officially opened the newly built Lodge⁶.

Continuing with the busy schedule, the Governor then travelled to Jamisontown. Arriving at 12:30pm, a large number of people had gathered where arrangements were all complete for the laying of the foundation stone for the new Anglican Mission-Church⁷.

Upon the Governor's arrival, the band of the Third Regiment began playing the National Anthem from a large marquee that had been erected opposite the site of the new church and from which a 'first class luncheon' was supplied. In addition to the Governor, a number of other dignitaries had also assembled for the momentous occasion, including the Mayor, members of the Federal and State Parliaments, and representing the Church of England, the Reverend Canon Archdall and Canon Vaughan.

During the ceremony, Reverend H T Holliday addressed those assembled and stated that despite there being a difference of opinion as to the necessity of the new church in Jamisontown, there was a feeling amongst the Church of England people that they 'always liked to have their own church building' and that 'the erection of a new building at Jamisontown was a sign of progress'.

Following the official ceremony, the company then adjourned to the new church building, where a specially prepared church service was held. During the course of the service, His Excellency the Governor formally laid the foundation stone, which was placed into the wall on the western side of the building near the entrance. In doing so, the Governor declared '*In the faith of Christ, and with prayer for the blessing of God, I lay this foundation stone of a church, to be called Holy Trinity, in the Name of the Father, and of the Son, and of the Holy Ghost, Amen*'⁸.

⁵ NSW Land and Property Information, 2020. Certificate of Title Vol.818 Fol.17.

⁶ The Nepean Times. 'Visit of the Governor' Saturday November 14 1908.

⁷ Ibid.

⁸ Ibid.

The foundation stone was inscribed:

This stone was laid by
Admiral Sir Harry Rawson, G.C.B
Governor of New South Wales
Nov. 11, 1908 AD

The Governor was presented with a handsome silver trowel for the occasion, which was inscribed with the Greek letters Alpha and Omega, representing 'Christ, the Alpha and Omega, the First and the Last' and underneath it 'Holy Trinity, Jamisontown, Nov. 11, 1908'⁹.

A collection was taken from those present, with the sum of £60 being raised towards the construction of the new church.

Construction works continued over the following month, with the small brick church building adopting Federation Gothic styled design influences, with timber framed lancet windows and terracotta roof shingles, manufactured by Sherwood Tile Works in Merrylands.

OPENING OF A NEW CHURCH.—
On Sunday last the new Church of England, Holy Trinity, recently erected at Jamisontown, was formally opened for public worship. The Sunday School was well attended and at the service in the afternoon the church was well filled. Canon Archdall, M.A., who conducted the service, preached a special sermon, appropriate for the occasion.

Figure 31: News report of the opening of the church.
[Source: Nepean Times, Saturday 19 December 1908]

The new church building was completed by the beginning of December. An official service of dedication was held on the afternoon of Sunday 13 December 1908, at which the newly built church was 'well filled'¹⁰.



Figure 32: Early view of Holy Trinity Church, Jamisontown. c1925.
[Source: Penrith Local Studies collection]

⁹ The Nepean Times. 'Visit of the Governor' Saturday November 14 1908.

¹⁰ Penrith History, 2020. Available online at www.penrithhistory.com/suburb-profiles/jamisontown

4.5 Growth and changes to the Holy Trinity Church

The Holy Trinity Church continued to grow over the proceeding years.

In addition to regular Sunday morning church services, throughout the years, the church would host many weddings, funerals, social events, Harvest Thanksgiving events and community fetes and bazars. Each December, a special anniversary service would also be held to commemorate the completion of the church building.

There were numerous additions, improvements and changes made to the church over the proceeding years. In 1910, a tablet was erected within the church to the memory of Mr F.W.C Timmis, who was accidentally killed at 22 years of age. In March 1917, a new 'two manual [sic] organ' was gifted to the church by the family of the late Mrs Ewan¹¹, which it was reported, would fulfil a much-felt need.

In June 1920, the Church Wardens approached Penrith Council for permission to erect a paling fence around the church as well as seeking the Council to construct appropriate drains to carry away stormwater, for it was recorded that 'access to the church was most difficult in wet weather'. Permission was granted by the Council for the erection of the fence and the Council agreed to investigate options for drainage¹².

The last known change to the Holy Trinity Church occurred in 1925, when a new bell was erected by some of the 'male members of the church'. Historic photographic evidence shows that the bell was a simply timber post with a bell mounted atop, situated to the southwestern corner of the main front entry.



Figure 33: View of the former Holy Trinity Church in 1938.

[Source: Consideration of Submissions; Policy Review Committee Meeting, 13 July 2009]

¹¹ Nepean Times. 'Jamisontown' Saturday 10 March 1917.

¹² Nepean Times 'Penrith Council' Saturday 26 June 1920.



Figure 34: Aerial view of the site in 1943.

[Source: NSW Land and Property Information, 2020]

4.6 Conversion of more than just people

It is unclear whether the Holy Trinity Church congregation continued to grow or decline over the next decade. Either way, in 1946, an Ordinance to authorise the sale of the church was passed by the Synod of the Church of England.

The church was de-licensed, and the land and building were put up for sale. At the end of April 1947, the property (Lot 49 and part Lot 50) was sold, having been purchased by Thomas Noble Soper, a timber merchant from Penrith¹³. The money from the sale was paid to the Rector and Church Wardens of the Parish of St Stephen the Martyr, Penrith, which would be used towards the erection of a kindergarten hall adjoining their parish hall¹⁴.

Thomas Soper sold the property in early April the following year to Peter Roberts, a contractor from Penrith¹⁵, who in turn, privately mortgaged the property to Thomas Soper at the same time. That mortgage was discharged almost exactly a year later in April 1949, only to be re-mortgaged to the English Scottish and Australian Bank Limited at the end of August 1950, discharging in 1965.

With Thomas Soper a timber merchant, it is likely that he was responsible for the conversion of the former Holy Trinity Church into a residential house. This involved substantial alterations and additions, including the addition of a second floor internally with dormer windows punching through the eastern facing roof plane, together with two-storey additions at both the northern and southern ends of the former church building.

Soper's additions would effectively encase the brick church building, leaving on the original terracotta shingled roof visible above the additions, together with the entry porch on the western side.

¹³ NSW Land and Property Information, 2020. Certificate of Title Vol.1880 Fol.146.

¹⁴ Paul Davies Pty Ltd, 2007. 'Penrith Heritage Study'.

¹⁵ Ibid.

4.7 Mid-20th Century Subdivision

Peter Roberts resided at the property until April 1965, when he sold the land to John Brian Kenny, a Company Executive from Penrith¹⁶.

In mid-July 1965, a local licensed surveyor from St Marys, Leonard Stapleton, was engaged to survey the land and prepare a plan of subdivision. This resulted in the consolidation of Lot 49 with part Lot 50, which was then followed by the subdivision of that allotment into two, creating Lots 1 and 2 in Deposited Plan 225246. The former Holy Trinity Church would be situated on Lot 1.

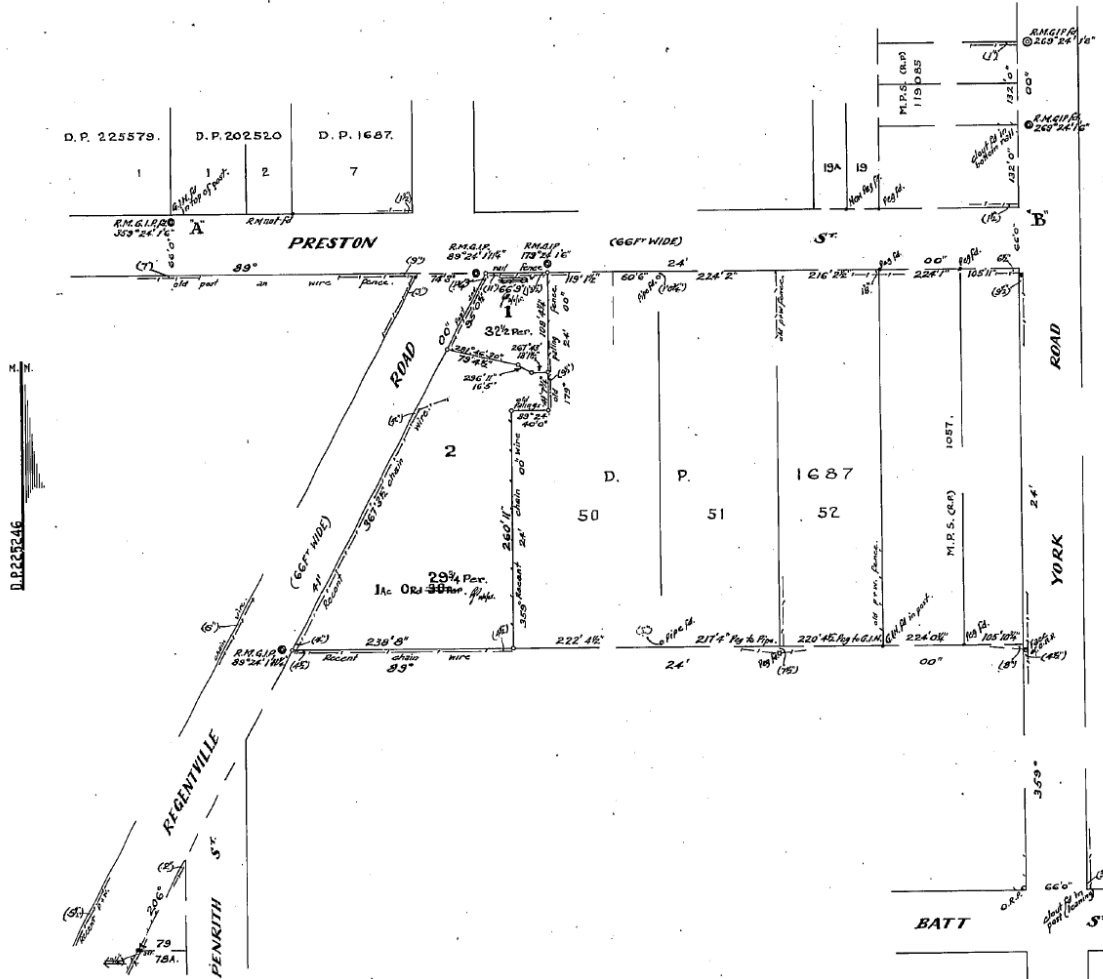


Figure 35: Plan of the 1965 subdivision, known as Deposited Plan 225246. [Source: NSW Land and Property Information, 2020]

The land was later sold in May 1967 to Grace McDowell Jones and Jean McDowell Jones, a Typist from Penrith, together with Phyllis Knox Jones, a Secretary from Penrith¹⁷.

Within a month of owning the property, Grace, Jean and Phyllis had acquired a further portion of the adjoining Lot 50, subdividing the land to consolidate their newly acquired land. This resulted in the enlargement of the allotment that had been created in the 1965 subdivision, by extending eastwards.

¹⁶ NSW Land and Property Information, 2020. Certificate of Title Vol.10210 Fol.181.
¹⁷ Ibid.

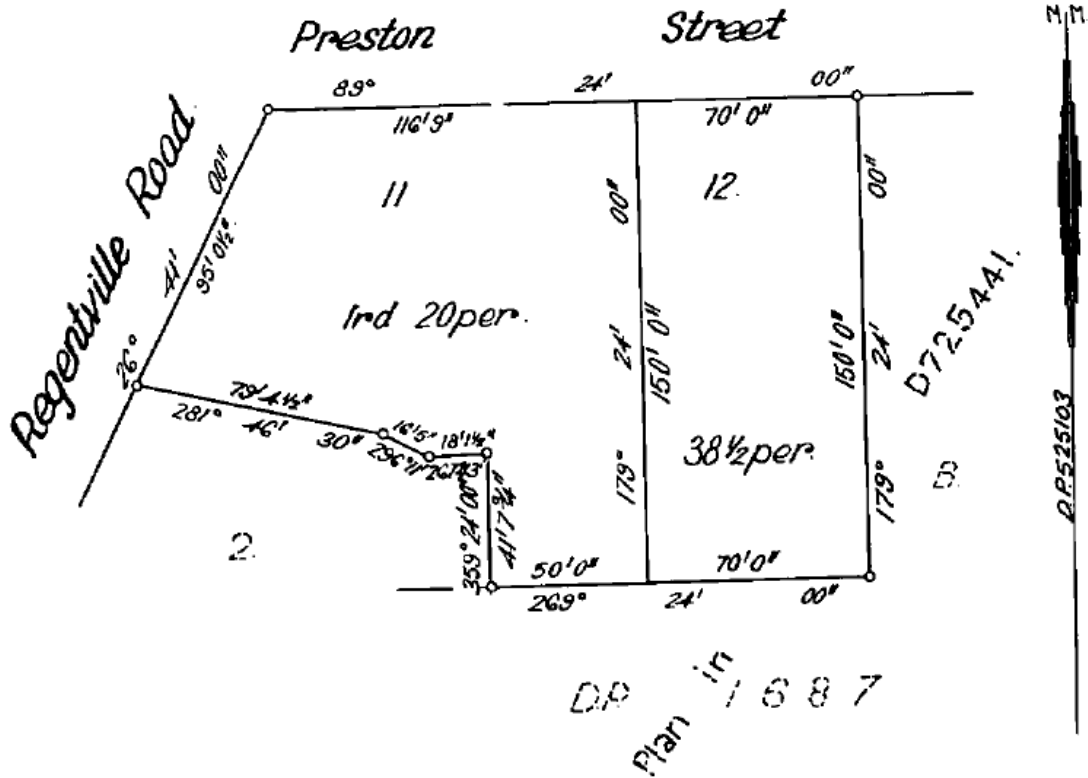


Figure 36: Plan showing the 1967 subdivision, known as Deposited Plan 525103. [Source: NSW Land and Property Information, 2020]



Figure 37: Aerial view of the site in January 1970, showing the mid-20th century residential additions. [Source: NSW Land and Property Information, 2020]

Grace, Jean and Phyllis Jones sold the land to John and Aileen Tyson from Bargo, but a month later, the land had been purchased back by Grace, Jean and Phyllis Jones.

Around this time, it is likely that a new garage structure was built in the southeastern corner of the land. It is also likely that Grace, Jean and Phyllis Jones were responsible for establishing the landscaped gardens around the property during their tenure, with the planting of additional trees and shrubs.

Following the death of Jean Jones in 1978, both Grace and Phyllis Jones became joint owners. Phyllis became the sole owner following the death of Grace in 1987.



Figure 38: Aerial view of the subject site in August 1986.
[Source: NSW Land and Property Information, 2020]

4.8 Heritage Studies

In 2006, Paul Davies Pty Ltd were engaged by Penrith City Council to undertake a city-wide heritage study. This resulted in the *Penrith Heritage Study 2007*, of which the purpose was to build upon the earlier heritage studies of the Penrith local government area, by focussing on investigation and assessment of non-Aboriginal heritage¹⁸ and to identify, assess and recommend to Council a schedule of items and conservation areas which require statutory protection.

The *Penrith Heritage Study 2007* provided a thematic history of the Penrith local government area, which included an overview of religious activity as a historical theme that has influenced the growth and development of the Penrith region. The study identified that in the era post the coming of the railway in the early 1860s, the Church of England was the most active in establishing new congregations, including 'Holy Trinity' at Jamisontown. Interestingly, 'Holy Trinity' was recorded as being 'demolished'.

The *Penrith Heritage Study 2007* then provided a historical overview of the various suburbs and localities within the study area, including Jamisontown locality. Existing heritage items which were then listed on Schedule 2 of the *Penrith Local Environmental Plan 1991* were identified for each suburb and locality,

¹⁸ Paul Davies Pty Ltd, 2007. '*Penrith Heritage Study Vol.1 Report and Recommendations*'.

together with existing nominated heritage items (that is, items which were identified in the inventory of the 1987 Penrith Heritage Study, but not listed on Schedule 2 of the *Penrith Local Environmental Plan 1991*, and potential heritage items as identified and assessed in the *Penrith Heritage Study 2007*.

Within Jamisontown, only one item was identified as a potential heritage item, being J-05 'Brick Cottage/former church – 34-36 Preston Street'. The item was described as follows:

This much altered early twentieth century Arts and Crafts style former church is atypical of the general light industrial, commercial and residential development in the area. The building is quite prominent in the streetscape because of its corner block location and remnant garden setting. The house has been extended and altered. The integrity of the early finishes and plan form require further investigation.

The study provided the recommendation that:

The heritage and aesthetic values of the suburb [Jamisontown] are protected by listed items J-02, R-01 and PC-01. R-01 has heritage values that may satisfy the criteria for entering in the State Heritage Register. Item J-05 identified in this review adds diversity to the existing listings in demonstrating a later phase of residential development and is recommended for listing, subject to further investigation to ascertain integrity of early building fabric.'

The proposed heritage listing of 34-36 Preston Street was reviewed by Hubert Architects in 2008¹⁹. The review found that the former church building satisfied the Heritage Council of NSW significance assessment criteria insofar as demonstrating historical, aesthetic and rarity significance.



Figure 39: View from Regentville Road, 2008.
[Source: Pamela Hubert. 2008]



Figure 40: View from Preston Street in 2008.
[Source: Pamela Hubert. 2008]

An updated Statement of Significance was provided for the property as follows:

The former Holy Trinity Church is of historic importance as the place of worship for the Anglican community in Jamisontown from 1908 until its closure. The small size of the church is evidence of the rural character of the locality in the early twentieth century.

Although now partly surrounded by additions, the former Holy Trinity Church is an interesting example of the Federation Gothic style applied to a small rural church. It is also of aesthetic interest for its terracotta shingled roof, a material used in the Federation period but rare in the western Sydney region.

¹⁹ Godden Mackay Logan, 2012. 'Three Properties in Penrith LGA Heritage Assessment'.

Church buildings of this size were usually built in rural areas to serve farming communities. With the gradual spread of the city, most small churches have been lost with redevelopment or were replaced by larger church buildings. The former Trinity Church in Jamisontown is a rare surviving example of a small rural church building in what is now an urban context. (P.Hubert 2008)

However, when *Penrith Local Environmental Plan 2010* was gazetted and came into force in 2010, 34-36 Preston Street, Jamisontown, was not listed as an item of heritage significance on *Schedule 5 Environmental Heritage*.

In June 2012, Godden Mackay Logan Heritage Consultants were engaged by Penrith City Council to prepare a heritage assessment of three properties in the Penrith local government area. The purpose of the heritage assessment was to specifically review three individual properties which had been identified and recommended for heritage listing in the Paul Davies Pty Ltd *Penrith Heritage Study 2007*, but had not subsequently been listed on Schedule 5 of the *Penrith Local Environmental Plan 2010*, on the basis that the owners had objected to the proposed heritage listing following exhibition of the then draft *Penrith LEP 2010*.

One of the three properties examined and reviewed in the report included the subject site.

Despite the acknowledged limitation that the interior of the building could not be assessed as internal access was not obtained, the report made the recommendation that:

Without having viewed the interior of the property, GML cannot make an assessment of the impact of changes on the authenticity of the interior fabric. However, the exterior envelope of the building retains enough original fabric and features to allow its original use to be discerned. The historical association with Penrith's early settlement and community development confirms that the property has significance at the local level, as described by the citation. The eastern portion of the property contains gardens established by the current owner's family. The property should be listed on the LEP as an item of local heritage significance.



Figure 41: View of the former Holy Trinity Church in 2012.
[Source: Godden Mackay Logan, 2012]

4.9 Ownership to the present-day

During the late 1980s, much of the surrounding landscape began to change from low-density residential to light-industrial, with a number of warehouse buildings being erected on the southern side of Preston Street (formerly Parkes Street).

From the 1990s onwards, the condition of the property deteriorated, particularly within the past decade. It is unclear when Phyllis Jones vacated the dwelling, but prior to her death in early 2019, anecdotal evidence provided by the current owner, suggests that Phyllis was living in a caravan on the property as the condition of the interior of the building was totally uninhabitable.

By now, the mass accumulation of personal effects over many years, had effectively rendered internal access virtually impossible. In more recent years, the first floor has collapsed internally, meaning there is no safe access to the first floor.

Following the death of Phyllis Jones in early 2019, the property was sold, having been purchased by the present owners at the end of November 2019.

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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 **is not** identified as an item of local heritage significance, listed under Schedule 5 of *Penrith Local Environmental Plan 2010*.

The subject site **is not** located within a Heritage Conservation Area listed under Schedule 5 of *Penrith Local Environmental Plan 2010*.

Non-statutory lists

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



Figure 42: Map showing the heritage status of the subject site and surrounding allotments.
[Source: *Penrith LEP 2010*, Heritage Map HER_006]

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:

- 'Workmen's cottages' 56-62 Mulgoa Road, Jamisontown (Item No.194)

There are no items of state heritage significance (listed on the State Heritage Register (SHR) under the *Heritage Act 1977*) within the vicinity of the subject site.

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6.0 EXISTING HERITAGE SIGNIFICANCE ASSESSMENTS

6.1 Existing description of the heritage item

The *Penrith Heritage Study 2007* as reviewed by Hubert Architects in 2008, provides a physical description of the former Holy Trinity Church as follows:

The former Holy Trinity Church at the corner of Preston Street and Regentville Road, Jamisontown, is a small church building almost engulfed in single storey skillion additions.

The church is a simple tall building with steeply pitched gabled roof. A gabled entry on the west (Regentville Road) side still appears to be the main entry to the building. A second gabled porch on the south side that shows in a 1938 photo of the church is no longer visible behind weatherboard additions. The main roof has a gablet vent on each of the east and west slopes. On the east slope are two eyelid dormers, that appear to be later alterations to provide a first floor and area now sheeted over.

The church is built of stretcher bond face brickwork, now painted. The roof retains its original terracotta shingles and crenelated terracotta ridge tiles. The door to the western entry is framed and boarded and appears to be original. The original pointed arch window on the west side has been bricked up, at least above the level of the 1950s roof. Simple gable friezes are of vertical timber battens.

6.2 Existing Statement of Cultural Significance

The *Penrith Heritage Study 2007* as reviewed by Hubert Architects in 2008, provides a Statement of Cultural Significance of the former Holy Trinity Church as follows:

The former Holy Trinity Church is of historic importance as the place of worship for the Anglican community in Jamisontown from 1908 until its closure. The small size of the church is evidence of the rural character of the locality in the early twentieth century.

Although now partly surrounded by additions, the former Holy Trinity Church is an interesting example of the Federation Gothic style applied to a small rural church. It is also of aesthetic interest for its terracotta shingled roof, a material used in the Federation period but rare in the western Sydney region.

Church buildings of this size were usually built in rural areas to serve farming communities. With the gradual spread of the city, most small churches have been lost with redevelopment or were replaced by larger church buildings. The former Trinity Church in Jamisontown is a rare surviving example of a small rural church building in what is now an urban context. (P.Hubert 2008)

7.0 COMPARITIVE ANALYSIS

7.1 Introduction

Comparative analysis of the site is an important consideration in the assessment of cultural significance (see Section 8), helping to determine whether a place is 'rare' or 'representative' and also helps to locate it within patterns of history or activity.

The level of design and condition integrity may impact upon how a site compares with other similar examples. It is important that the comparative analysis is based upon selected examples that display similarities in terms of context of place, or share key features, use, characteristics, attributes, style, association and / or historic themes.

This section of the report examines the former Holy Trinity Church in the context of place, with the following selection criteria applied:

- Small scaled rural churches in the Penrith City Council local government area;
- Small scaled rural churches attributed to the late 19th century (post 1880) to early 20th century (pre1920);
- Small scaled rural churches in Jamisontown;

7.1.1 Selection of comparative examples

A search of the NSW State Heritage Inventory (SHI), Schedule 5 of the *Penrith LEP 2010* and the various heritage studies of the Penrith region for heritage-listed churches within the Penrith City Council local government area (LGA), identifies seven examples which fit the selection criteria:

- 'St Phillip's Anglican' 32 Bringelly Road, Kingswood [Item No.101];
- 'St Mary's Catholic Church' 1262-1266 Mulgoa Road, Mulgoa [Item No.133];
- 'Orchard Hills Uniting Church' 3 Frogmore Road, Mulgoa [Item No.156];
- 'St Thomas' Anglican Church (former) and Palm Trees, 540A-544A Cranebrook Road, Cranebrook [Item No.42];
- 'St David's Anglican Church (former)', 257B Seventh Avenue, Llandilo. [Item No.673];
- 'Luddenham Uniting Church and cemetery', 3097-3099 The Northern Road, Luddenham. [Item No.120];
- 'St Andrew's Anglican Church (former)', 25 Park Road, Wallacia. [Item No.326];

7.1.2 Comparative analysis of selected examples

a) 'St Phillip's Anglican', Kingswood

Statement of Significance:

'Located on Bringelly Road, St. Phillip's Anglican Church completed in 1898 is a landmark in the local area and now represents the principal focus for defining the centre of Kingswood. The church demonstrates the onset of village development at Kingswood following suburban subdivision of the 1880s. The church is a good example of a modest church of its era and the earliest of the extant churches in Kingswood.'



Figure 43: St Phillip's Anglican.
[Source: NSW State Heritage Inventory, 2020]

Consideration	Response	Similar ✓/X
Class of building	Church	✓
Level of significance	Local	✓
Date of construction	1898	X
Context	Urban (residential)	X
Design integrity	Reasonably intact with later additions	X
Condition	In good repair and condition	X
Use	Church (in use)	X
Architectural Style	Late Victorian Gothic Revival	X
Materiality	Brick with stone lintels and rendered masonry base. Corrugated sheet metal roofing	✓
Scale	Small rural church	✓
Architectural form	Rectangular with front and rear vestibule, gabled roof form	✓

St Phillips Anglican Church has similarities to the former Holy Trinity Church, particularly through the scale and form and its urban context. However, the former Holy Trinity Church is set predominantly within a light-industrial context, whereby its setting is more degraded than St Phillip's Anglican Church.

There are similarities in the materiality, particularly through the use of brick, however this example has a differing architectural style. The later additions are also confined to one end of the building, allowing the entire silhouette of the original form to be clearly viewed and appreciated. The later additions are considered to sympathetically respect important features and elements.

b) 'St Mary's Catholic Church' Mulgoa

Statement of Significance:

'The church, completed in 1892, is a good example of a late nineteenth century church in the LGA and demonstrates the development of a village at Mulgoa in the late nineteenth century and the commencement of the provision of diversity in community services.'

The building retains a form and detailing which provides insight into this type of building of the era.



Figure 44: St Mary's Catholic Church
[Source: NSW State Heritage Inventory, 2020]

Its location within the private village reserve provides insight into the geographic range of the village while the church's orientation on the axis of the neighbouring Winbourne estate drive provides reference to the first generation of European settlement in the valley. The building continues in use as a Catholic church and is one of a number of structures in Mulgoa village erected over the nineteenth century and early part of the twentieth century that demonstrates the pattern of a village settlement.'

Consideration	Response	Similar ✓/X
Class of building	Church	✓
Level of significance	Local	✓
Date of construction	1892	X
Context	Rural	X

Design integrity	Reasonably intact with cosmetic changes	X
Condition	In good repair and condition	X
Use	Church (in use)	X
Architectural Style	Late Victorian Gothic Revival	X
Materiality	Brick with concrete lintels and bolections, terracotta tile roof	✓
Scale	Small rural church	✓
Architectural form	Rectangular with front vestibule, gabled roof form	✓

St Mary's Catholic Church has similarities to the former Holy Trinity Church, particularly through the scale and form, however, it is set within a rural setting with limited buildings within the immediate visual curtilage, retaining a higher degree of integrity to its setting and context.

There are similarities in the materiality, particularly through the use of brick, however this example has a differing architectural style. The church retains a high degree of architectural design integrity, with no visible later additions, though the building has had some cosmetic changes, namely through the replacement of original lancet window glazing.

c) 'Orchard Hills Uniting Church'

Statement of Significance:

Located on the crest of the highest high hill in the locality, the former Mount Hope Methodist Church (now Uniting) completed in 1904 is unique in the local area and represents the principal focus for development of community services for Orchard Hills. The church demonstrates the building of a rural community following farmstead subdivision of the 1880s. The church is the only early extant church in Orchard Hills. It is a good example of a modest rural church of its era.



Figure 45: Orchard Hills Uniting Church
[Source: NSW State Heritage Inventory, 2020]

Consideration	Response	Similar ✓/X
Class of building	Church	✓
Level of significance	Local	✓
Date of construction	1904	✓
Context	Rural	X
Design integrity	Highly intact, with later detached additions	X
Condition	In good repair and condition	X
Use	Church (in use)	X
Architectural Style	Late Victorian / Federation Gothic Revival	✓
Materiality	Brick walls (painted), timber framed lancet shaped windows, galvanised steel roofing	✓
Scale	Small rural church	✓
Architectural form	Rectangular with front vestibule, gabled roof form	✓

Orchard Hills Uniting Church (now Mt Hope Orchard Hills Uniting Church) has similarities to the former Holy Trinity Church, particularly through the architectural scale, form and stylistic influences, having been built approximately 4 years earlier.

The church features similar materiality through the use of brick walls (painted), though has differences in the roof cladding.

This example retains a very high degree of architectural integrity, having been little altered and is considered a good representative example of the style and class of rural church buildings from the early 20th century.

d) 'St Thomas' Anglican Church' Cranebrook

Statement of Significance:

'The former church demonstrates the development of a rural community in the region following the subdivisions of large land holdings in the 1880s, and is one of the few extant structures that demarcate the largely undeveloped private village. The church and palms provide insight to the evolution of this community. In other respects the church and memorial palms are representative of a movement from around 1900 to erect small community churches to serve outlying rural communities.'



Figure 46: St Thomas' Anglican Church (former).
[Source: NSW State Heritage Inventory, 2020]

Consideration	Response	Similar ✓/X
Class of building	Church	✓
Level of significance	Local	✓
Date of construction	c1900	✓
Context	Urban (residential / semi-rural)	X
Design integrity	Modified – alterations and additions, loss of original features including fenestration	✓
Condition	In good repair and condition	X
Use	Adaptively re-used as a cafe	X
Architectural Style	Federation ecclesiastical vernacular	X
Materiality	Rendered brick walls, corrugated metal roof	X
Scale	Small rural church	✓
Architectural form	Rectangular with front vestibule, gabled roof, side additions	✓

St Thomas' Anglican Church is a former church, having been adaptively re-used as a restaurant / café. The building shows similarities to the former Holy Trinity Church, in that its use has changed and no longer functions as a church, however this example is a commercial premises rather than residential.

Built approximately 8 years earlier to the former Holy Trinity Church, it shows some design similarities through the form and scale, but has been substantially modified from later additions. The later additions still allow the silhouette and form of the original church building to be clearly read and interpreted.

The setting of the former St Thomas' Anglican Church also differs, in that it is largely set within a semi-rural residential context. Similar to the former Holy Trinity Church, it is situated on a corner allotment.

e) 'St David's Anglican Church', Llandilo

Statement of Significance:

The building, completed in 1899, is a rare extant example of a rural weatherboard Federation era church in the LGA and demonstrates the development of a village at Llandilo in the late nineteenth century and the commencement of the provision of community services. The building is a good example of a rural church retaining a form and detailing which provides insight into this type of building of the era. Its rural setting within cleared ground with shade trees, complements its rural origins.



Figure 47: St David's Anglican Church. [Source: NSW State Heritage Inventory, 2020]

Consideration	Response	Similar ✓/X
Class of building	Church	✓
Level of significance	Local	✓
Date of construction	1899	X
Context	Rural	X
Design integrity	Highly intact	X
Condition	In reasonable repair and condition	X
Use	Church (disused)	✓
Architectural Style	Federation ecclesiastical vernacular	X
Materiality	Timber frame with weatherboard cladding, corrugated sheet metal roof	X
Scale	Small rural church	✓
Architectural form	Rectangular form with front entry and side vestry, gabled roof.	✓

St David's Anglican Church displays some similarities to the former Holy Trinity Church, through the modest scale and form. However, this is considered a more modest example of a late 19th century church and has an earlier construction date. Most notably, St David's Anglican Church is of differing construction quality and materiality, being of timber frame with weatherboard cladding. It retains its rural context and setting and retains a high degree of architectural integrity, having been little altered.

f) 'Luddenham Uniting Church and cemetery', Luddenham

Statement of Significance:

Completed in 1886, the building is a unique example of an extant former Primitive Methodist Church in the LGA and demonstrates the development of a village at Luddenham in the late nineteenth century and the commencement of the provision of community services.



Figure 48: Luddenham Uniting Church. [Source: NSW State Heritage Inventory, 2020]

The building is a good example of a rural church of the late nineteenth century retaining a form and detailing which provides insight into this type of building of the era, and its rural setting atop a rise on The Northern Road. The building continues in use as a Uniting Church and is one of a number of structures in Luddenham village erected over the nineteenth century and early part of the twentieth century that demonstrates the pattern of a village settlement at this important location on The Northern Road. This building is one of a contiguous group of three church related buildings. The cemetery is an important element within the Luddenham Village Centre, illustrating the development of the village in the 1870s - 80s.

Consideration	Response	Similar ✓/X
Class of building	Church	✓
Level of significance	Local	✓
Date of construction	1886	X
Context	Rural	X
Design integrity	Highly intact with some cosmetic changes	X
Condition	In good repair and condition	X
Use	Church (in use)	X
Architectural Style	Late Victorian Gothic Revival	X
Materiality	Rendered brick walls with corrugated sheet metal roofing	X
Scale	Small rural church	✓
Architectural form	Rectangular with front entry, lancet windows, gabled roof form	X

Luddenham Uniting Church has some similarities to the former Holy Trinity Church through its form and overall scale. However, unlike the former Holy Trinity Church, this example retains its rural context and setting and has a high degree of architectural integrity, having been little altered, though with some minor cosmetic changes evident.

The building remains in use as a church.

Luddenham Uniting Church pre-dates the former Holy Trinity Church by almost 20 years and is attributed to an earlier architectural style and materiality.

g) 'St Andrew's Anglican Church (former)', Wallacia

Statement of Significance:

The former church is a good representative example of a modest rural weatherboard church which demonstrates growth in the village in the 1920s necessitating provision of community services.

The compact scale and resolution of design make the church the most attractive of this type of church in Penrith LGA .

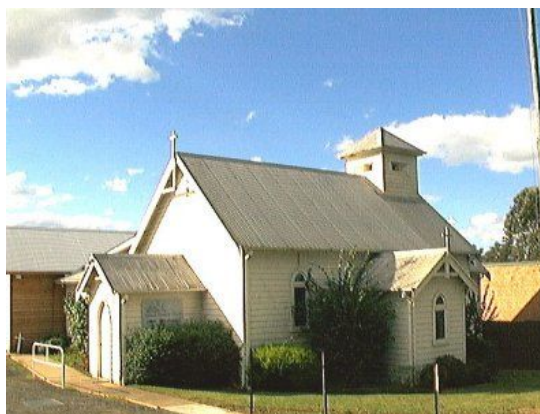


Figure 49: St Andrew's Anglican Church.
[Source: NSW State Heritage Inventory, 2020]

Consideration	Response	Similar ✓/X
Class of building	Church	✓
Level of significance	Local	✓

Date of construction	1920s	X
Context	Urban (residential)	X
Design integrity	Highly intact with later adjoining development, though the church was relocated from its original position in 1926	X
Condition	In good repair and condition	X
Use	Church (in use)	X
Architectural Style	Inter-War ecclesiastical vernacular	X
Materiality	Timber framed with weatherboard cladding	X
Scale	Small rural church	✓
Architectural form	Rectangular with chancel, front entry and bell tower	X

St Andrew's Anglican Church has similarities to the former Holy Trinity Church as it is situated on a corner allotment, however this church post-dates the construction of the former Holy Trinity Church by approximately 15 years and is attributed to a differing architectural style and materiality. The church has few similarities in terms of the architectural features and this example includes a bell tower.

It retains a high degree of design integrity, having little changed, but has sympathetically scaled adjoining development, which allows the expression of the original form and language to be read. This church was relocated from its original positioning in Greendale in 1926 soon after its construction, whereby its original context has been lost.

7.1.3 Summary observations of the comparative analysis

The comparative analysis against the seven examples selected, demonstrate a range of similarities and dissimilarities to the former Holy Trinity Church at Jamisontown.

Similarities are generally limited to the overall architectural form and scale and corner allotment orientation within the streetscape. Many of the similar architectural features (rectangular form, positioning of a vestry and entry portico and lancet windows are common ecclesiastical architectural features which are evident in many differing architectural styles of the late 19th and early 20th centuries. In this manner, the overall form of the former Holy Trinity Church is not considered rare or uncommon.

Many of the selected examples have similarity to their materiality, particularly in the use of brick for the main construction. Orchard Hills Uniting Church is the closest in construction age to the former Holy Trinity Church and shows the most similarity, though has a much higher degree of design integrity.

Dissimilarities include the materiality to the roof cladding, with the former Holy Trinity Church being the only identified example which uses terracotta shingled tiles, together with the extent of change and modification. Each of the other selected examples either maintain a very high degree of architectural integrity, having been little altered, or have had sympathetically scaled additions or new development, allowing the original form and language of the church building to be clearly read from most if not all elevations.

The former Holy Trinity Church is the only example to have had extensive alterations and additions that encapsulate the building on all four sides, having been converted for residential use.

Only one other example was found where the original church use has ceased and been converted for use as a restaurant / café. None of the examples are used for residential purposes.

None of the selected examples are situated within Jamisontown, suggesting that small scale rural churches have a degree of rarity in the context of Jamisontown.

When considered across the broader Penrith City Council local government area, small scale rural churches are uncommon, but not rare, with numerous extant examples.

Overall, the selected examples each demonstrate a commonality in their moderate to high design integrity and condition. The former Holy Trinity Church is in very poor condition and has very low design integrity by comparison.

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8.0 ASSESSMENT OF CULTURAL SIGNIFICANCE

8.1 Methodology

The assessment of cultural significance follows the methodology recommended in *Assessing Heritage Significance*²⁰ by using the NSW Heritage Assessment Criteria and is consistent with the guidelines as set out in the *Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (The Burra Charter 2013)*²¹.

An item or place will be considered to be of heritage significance if it meets at least one or more of the following criteria:

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

It is important to note that only one of the above criteria needs to be satisfied for an item or place to have heritage significance. Furthermore, an item or place is not excluded from having heritage significance because other items with similar characteristics have already been identified or listed.

8.2 Assessment against NSW Heritage Assessment Criteria

8.2.1 Criterion (a) – Historical Significance

An item or place is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
<ul style="list-style-type: none"> Shows evidence of a significant human activity. 	X	<ul style="list-style-type: none"> Has incidental or unsubstantiated connections with historically important activities or processes. 	✓
<ul style="list-style-type: none"> Is associated with a significant activity or historical phase. 	✓	<ul style="list-style-type: none"> Provides evidence of activities or processes that are of dubious historical importance. 	✓
<ul style="list-style-type: none"> Maintains or shows the continuity of a historical process or activity. 	X	<ul style="list-style-type: none"> Has been so altered that it can no longer provide evidence of a particular association. 	✓

²⁰ NSW Heritage Branch, 2001. 'Assessing Heritage Significance'.

²¹ Australia ICOMOS, 2013. 'Burra Charter'.

Assessment of Significance

- The former Holy Trinity Church provides evidence of the historical development and growth of Jamisontown in the early 20th century.
- It provides evidence of the early Anglican influences and work in the community from 1908 until its closure in 1946.

The former Holy Trinity Church satisfies this criterion in demonstrating historical significance at a local level.

8.2.2 Criterion (b) – Historical Association Significance

An item or place has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
• Shows evidence of a significant human occupation.	X	• Has incidental or unsubstantiated connects with historically important people or events.	✓
• Is associated with a significant event, person or group of persons.	X	• Provides evidence of people or events that are of dubious historical importance.	✓
		• Has been so altered that it can no longer provide evidence of a particular association.	✓

Assessment of Significance

- The former Holy Trinity Church is situated on land originally granted to Thomas Jamison in 1805, though the subject site was not created until the model township subdivision of Jamison Town in 1883, which bears its name from Thomas Jamison. However, all allotments within the Jamison Town subdivision are capable of demonstrating this association with Thomas Jamison.
- The former church has some associational significance with the early Anglican church community of Jamisontown, though this association is considered of dubious historical importance.
- The former Holy Trinity Church has associational significance to the then Governor of New South Wales, Sir Harry Rawson, who laid the foundation stone in 1908, however this association is considered incidental as Rawson had no prior or ongoing association with the church, having laid the foundation stone in his vice-regal capacity as he did for numerous other buildings and sites across New South Wales.
- Following the closure of the church in 1946, it was converted for residential use and the extent of alterations and additions have distorted the ability to clearly distinguish the original church use and function, whereby obscuring any potential association with the Anglican church community.

The former Holy Trinity Church does not satisfy this criterion in demonstrating historical associative significance.

8.2.3 Criterion (c) – Aesthetic Significance

An item or place is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
• Shows or is associated with, creative or technical innovation or achievement.	X	• Is not a major work by an important designer or artist.	✓
• Is the inspiration for a creative or technical innovation or achievement.	X	• Has lost its design or technical integrity.	✓
• Is aesthetically distinctive.	X	• Its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded.	✓
• Has landmark qualities.	X	• Has only a loose association with a creative or technical achievement.	✓
• Exemplifies a particular taste, style or technology	X		

Assessment of Significance

- The former Holy Trinity Church is situated on a corner allotment and has some visual prominence in the streetscape accordingly. It is not considered aesthetically distinctive, being of a modest scale that sits quietly on the street corner.
- The building has been extensively modified from alterations and additions post the 1946 closure of the church. The substantial modifications to each of the four building elevations have more than temporarily distorted and degraded the architectural language of the building and its design integrity. Consequently, the building is considered to have low visual and sensory appeal.
- The former Holy Trinity Church is not attributed to the work of any particularly notable architect or designer.
- The once rural setting has been substantially eroded from the light-industrial precinct adjacent and forming the visual backdrop to the site.

The former Holy Trinity Church does not satisfy this criterion in demonstrating aesthetic significance.

8.2.4 Criterion (d) – Social Significance

An item or place has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
• Is important for its associations with an identifiable group.	X	• Is only important to the community for amenity reasons.	X
• Is important to a community's sense of place.	X	• Is retained only in preference to a proposed alternative.	X

Assessment of Significance

- Built in 1908, the Holy Trinity Church has significance to the Anglican and local community in Jamisontown, having served the spiritual and social needs of that community for a period of 38 years before being de-licensed in 1946 and sold in 1947.
- However, the ecclesiastical use ceased over 70 years ago and it is unlikely that there are any living persons associated with the former congregation and ecclesiastical use. Consequently, the social significance is considered to be embodied with a past community rather than the present-day.

The former Holy Trinity Church does not satisfy this criterion in demonstrating social significance.

8.2.5 Criterion (e) – Technical / Research Significance

An item or place has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
<ul style="list-style-type: none"> Has the potential to yield new or further substantial scientific and/or archaeological information 	X	<ul style="list-style-type: none"> The knowledge gained would be irrelevant to research on science, human history or culture. 	✓
<ul style="list-style-type: none"> Is an important benchmark or reference site or type. 	X	<ul style="list-style-type: none"> Has little archaeological or research potential. 	✓
<ul style="list-style-type: none"> Provides evidence of past human cultures that is unavailable elsewhere. 	X	<ul style="list-style-type: none"> Only contains information that is readily available from other resources or archaeological sites. 	X

Assessment of Significance

- The former Holy Trinity Church displays a form, detailing and features that are considered typical to the small scaled rural brick churches built by the Church of England in the late 19th century and early 20th century. The former church evidences construction practices and materiality that are considered typical of the period and of the architectural style.
- Previous heritage assessments have considered the use of terracotta shingled tiles for the roof cladding to have some degree of technical significance, however there is no evidence to suggest that the use of terracotta shingle tiles is uncommon in Federation era church buildings.
- The post 1946 alterations and additions have substantially degraded the architectural design integrity, obscuring much of the original detailing and form. Consequently, the building is not considered an important benchmark or reference site.
- The archaeological potential of the site is considered to be low, with no known structures or significant occupation of the site pre-dating the existing dwelling house.

The former Holy Trinity Church does not satisfy this criterion in demonstrating technical / research significance.

8.2.6 Criterion (f) – Rarity

An item or place possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
<ul style="list-style-type: none"> Provides evidence of a defunct custom, way of life, or process. 	✓	<ul style="list-style-type: none"> Is not rare. 	✓
<ul style="list-style-type: none"> Demonstrates a process, custom or other human activity that is in danger of being lost. 	X	<ul style="list-style-type: none"> Is numerous but under threat. 	✓
<ul style="list-style-type: none"> Shows unusually accurate evidence of a significant human activity. 	X		
<ul style="list-style-type: none"> Is the only example of its type. 	X		
<ul style="list-style-type: none"> Demonstrates designs or techniques of exceptional interest. 	X		
<ul style="list-style-type: none"> Shows rare evidence of a significant human activity important to the community 	X		

Assessment of Significance

- The former Holy Trinity Church provides evidence of religious and Anglican church practices in Jamisontown from 1908 until its closure in 1946. The former church therefore provides evidence of a defunct custom and way of life in Jamisontown. However, the custom of religious activity and Anglican church practices is not uncommon in the broader Penrith locality.
- Attributed to the small scaled rural churches which were typical of the late 19th and early 20th centuries, the former Holy Trinity Church is not the only example of its type, with numerous surviving examples of similarly scaled rural churches throughout the Penrith region, attributed to a range of Christian denominations, including those built by the Church of England.

The former Holy Trinity Church does not satisfy this criterion in demonstrating significance through the item's rarity.

8.2.7 Criterion (g) - Representativeness

An item or place is important in demonstrating the principal characteristics of a class of NSW's:

- Cultural or natural places; or
- Cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments.).

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
• Is a fine example of its type.	X	• Is a poor example of its type.	✓
• Has the principal characteristics of an important class or group of items.	X	• Does not include or has lost the range of characteristics of a type.	✓
• Has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity.	X	• Does not represent well the characteristics that make up a significant variation of a type.	✓
• Is a significant variation to a class of items.	X		
• Is part of a group which collectively illustrates a representative type.	X		
• Is outstanding because of its setting, condition or size.	X		
• Is outstanding because of its integrity or the esteem in which it is held.	X		

Assessment of Significance

- The former Holy Trinity Church displays features which define it as a small-scaled rural church built by the Church of England. Built in 1908, the church building displays stylistic influences attributed to the Federation Gothic Revival architectural style. Distinguishing features include the modestly scaled form, gabled roof with terracotta shingle cladding and entry portico on the western elevation.
- Post 1946 alterations and additions have extensively obscured each building elevation, materially affecting original features and fabric through removal, modification or concealment. Cumulatively, the extent of the changes substantially distorts the overall form, obscuring key features and the building is not readily identifiable as an early 20th century church.
- The architectural integrity of the building has been substantially diminished from the extensive structural and cosmetic changes, making the building a poor example of its type. The extremely poor condition of the building further adds to the loss of design integrity and architectural value.

- The former Holy Trinity Church is not considered representative of its style or class.

The former Holy Trinity Church does not satisfy this criterion in demonstrating representative significance.

8.3 Summary level of significance

The following table summarises the assessed level of significance against each criterion for assessing heritage significance:

Criterion	What is the assessed level of significance?
Criterion (a) – Historical Significance	LOCAL
Criterion (b) – Historical Association Significance	Does not satisfy criterion
Criterion (c) – Aesthetic Significance	Does not satisfy criterion
Criterion (d) – Social Significance	Does not satisfy criterion
Criterion (e) – Technical / Research Significance	Does not satisfy criterion
Criterion (f) – Rarity Significance	Does not satisfy criterion
Criterion (g) – Representativeness Significance	Does not satisfy criterion
Overall assessed level of cultural significance	LOCAL

8.4 Proposed Statement of Cultural Significance

The former Holy Trinity Church is of historical significance at the local level as it evidences the development and growth of Jamisontown in the early 20th century and provides evidence of the early Anglican influences and work in the community from 1908 until its closure in 1946.

Built in 1908, with the foundation stone having been laid by the then Governor of New South Wales, Sir Harry Rawson; the former Holy Trinity Church displays characteristics and materiality which help define it as a small-scaled rural church built by the Church of England, attributed to the Federation Gothic Revival architectural style. This is evident through the modest scale and gabled roof form with terracotta shingles and timber trellis to the gables.

Following the closure of the church in 1946 and its subsequent sale in 1947, the building was converted to a private residential dwelling. The extensive alterations and additions that ensued, have obscured each building elevation and substantially distorted the external form and interior, whereby having a deleterious impact to the integrity of the building. The building is no longer readily identifiable as an early 20th century church, though the original form and certain features can be deciphered upon careful inspection.

Although the building is situated on a corner allotment and has some visual prominence in the streetscape, it is not considered aesthetically distinctive, with its setting having been substantially eroded from the light-industrial precinct adjacent and forming the visual backdrop to the site.

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:
KC1907 A000	A	Colour Schedule	07/04/2020	Kleyn Creations
KC1907 A001		Site Plan		
KC1907 A002		Site Analysis Plan		
KC1907 A003		Area Plans		
KC1907 A004		Turning Circles – Unit 1		
KC1907 A005		Turning Circles – Unit 2		
KC1907 A006		Turning Circles – Units 3 & 4		
KC1907 A007		Turning Circles – Unit 5		
KC1907 A101		Proposed Ground Floor Plan		
KC1907 A102		First Floor Plan		
KC1907 A103		Roof Plan		
KC1907 A200		Elevations		
KC1907 A201		Elevations and Section		

9.2 Description of the proposed works

The development proposal seeks the consent of Penrith City Council for the demolition of the existing building and all ancillary structures, followed by the construction of a commercial warehouse development, comprising five (5) commercial units with on-site carparking and new periphery landscaping works.

The site is situated within a commercial and light-industrial precinct, with the site being zoned under *Penrith LEP 2010* as B5 Business Development. Consequently, the proposed development seeks to redevelop the site to accommodate a built form and land use which is commensurate with the established surrounding built form character and land uses, with the present residential use of the site an anomaly within the precinct.

Demolition of the existing building is sought on the basis that the building is presently in very poor structural and cosmetic condition and that the building has low retention value owing to its loss of integrity.

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

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.

While the subject site is not identified as an item of heritage significance listed within Schedule 5 of *Penrith Local Environmental Plan 2010*, the Consent Authority (Penrith City Council) is required by clause 5.10(4) to '*consider the effect of the proposed development on the heritage significance of the item or area concerned*'.

In doing so, clause 5.10(5) enables the Consent Authority to require a heritage management document to be prepared that '*assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned*' for such circumstances which involves development:

- (a) *on land on which a heritage item is located, or*
- (b) *on land that is within a heritage conservation area, or*
- (c) *on land that is within the vicinity of land referred to in paragraph (a) or (b),*

Subsequently, as the subject site is within the vicinity of numerous heritage items and a Heritage Conservation Area (refer to section 3.0 of this report), this Heritage Impact Statement has been requested by Penrith City Council to assist in the assessment of the development proposal.

The ensuing heritage impact assessment therefore, considers in detail what impact the proposed development will have on the established cultural significance and heritage values of the heritage items and Heritage Conservation Area within the vicinity of the site.

10.2 Penrith Development Control Plan 2014

Section C7 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.

11.0 HERITAGE IMPACT ASSESSMENT

11.1 Consideration of the Heritage Impact

The ensuing heritage impact assessment is based upon the Statement of Significance (refer to Section 8.4 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 areas²², which are listed below and considered in the ensuing statement of heritage impact.

11.2 Response to the evaluation criteria

While the subject site is not presently identified as an item of heritage significance, this Heritage Impact Statement has assessed the property against the Heritage Council of NSW significance assessment criteria and found that the former Holy Trinity Church at 34-36 Preston Street, Jamisontown, is of historical significance at the local level.

Consequently, this report considers the building to have heritage significance, but noting that this significance is largely embodied in its intangible historical values rather than the tangible form. In light of this, this assessment considers the impacts of the proposed development on the basis of the assessed heritage values and significance.

i) *Demolition of a Building or Structure*

- *Have all options for retention and adaptive re-use been explored?*

Options for retention and the adaptive re-use of the existing building have not been considered. This is on the basis that it is the owner's preference to demolish the structures and to redevelop the property in line with the current B5 Business Development zoning.

While a detailed structural analysis of the building has not been undertaken at this juncture, a non-invasive visual inspection of the building displays substantial structural and cosmetic defects, whereby the building is evidently in extremely poor condition and repair. In this manner, retention and adaptive re-use of the building would necessitate the remediation of the present extensive structural and cosmetic defects, which would likely require demolition and reconstruction works. Furthermore, the analysis of the building in Section 3 of this report, demonstrates that the design integrity has been significantly compromised both externally and internally, with the post-1946 alterations and additions having irreversibly modified the original 1908 church building form and detailing. The integrity of the building is considered so adversely obscured and diminished that retention value is minimal.

The assessment of cultural significance in Section 8 of this report demonstrates that the former Holy Trinity Church has historical significance at the local level, whereby the significance is largely embodied in the intangible values of the place, particularly in documenting the early development and growth of Jamisontown. The extant physical form and fabric of the building has low value in documenting the form and materiality of the building, however it is not considered to have aesthetic, technical, rarity or representative significance.

²² NSW Heritage Branch, 'Heritage Impact Statements – Some questions to be answered in a Statement of Heritage Impact and Supporting Information Required'.

Overall, the extant building has low architectural interest or value. While the Australia ICOMOS *Burra Charter* (2013) advocates that places of cultural significance should be retained, the present structural and cosmetic condition of the site deleteriously impacts on its retention value.

There is opportunity to appropriately document and record the building through a Photographic Archival Recording, which can include the historical analysis provided in this report. Such outcomes would ensure the historical values of the place can sufficiently be recorded and maintained.

- *Can all of the significant elements of the heritage item be kept and any new development be located elsewhere on the site?*

The analysis of the building in Section 3 and assessment of significance in Section 8 demonstrates that the building has been substantially obscured through the post-1946 alterations and additions. Those additions have materially affected original fabric through removal, obscuration or concealment and the building no longer clearly reads or can readily be distinguished as an early 20th century church.

The former 1908 Holy Trinity Church is discernible only in the gabled roof form with the terracotta shingled cladding and gabled ends, together with the projecting gabled entry portico on the western elevation. All other aspects or features of the building have been obscured and have low design integrity.

There is opportunity to salvage the terracotta shingle tiles and incorporate into interpretative measures on the site or in the proposed redevelopment as a means of documenting the architectural language of the former church.

- *Is demolition essential at this time or can it be postponed in case future circumstances make its retention and conservation more feasible?*

Demolition is considered essential at this time as the proposed commercial development requires the removal of the existing structures on the site.

The present structural condition of the building also poses an occupational health and safety risk and as is evident from the photographs provided in Section 3 of this report, a contributing factor to the present condition of the building is the recent authorised access and vandalism through malicious fabric damage and graffiti.

- *Has the advice of a heritage consultant been sought? Have the consultant's recommendations been implemented? If not, why not?*

Yes. EHC has provided preliminary heritage advice which has affirmed the current development proposal involving demolition and new development. EHC provides further recommendations to mitigate heritage impacts in Section 12 of this report.

ii) *Tree Removal or Replacement*

- *Does the tree contribute to the heritage significance of the item or landscape?*

The historical analysis in Section 4 of this report shows that the present landscaped gardens and vegetation largely post-date the construction of the former 1908 Holy Trinity Church and are largely attributed to the period of ownership by the three Jones sisters from the 1960s onwards.

In this regard, the present landscaped gardens, inclusive of specimen tree and shrub plantings, are of low significance and retention value.

- *Why is the tree being removed?*

Removal of the specimen tree plantings are required to accommodate the proposed redevelopment of the site.

- *Has the advice of a tree surgeon or horticultural specialist been obtained?*

Aboricultural advice has not been sought with regards to an assessment of the health and vigour of the tree nor their ecological value.

- *Is the tree being replaced? Why? With the same or a different species?*

The proposed site plan indicates the introduction of new landscape plantings. While a specific planting schedule has not been provided for consideration, it is anticipated that the planting schedule will involve the replacement tree planting of a suitable species in a suitable positioning around the periphery of the site.

- *Would the removal of the tree adversely impact on, detract, diminish or confuse the understanding and readability of the embodied cultural heritage of the heritage item?*

Removal of the vegetation would have a low and therefore acceptable impact on the identified heritage significance of the property and heritage items within the vicinity of the site.

iii) *New Development Adjacent to a Heritage Item*

- *How is the impact of the new development on the heritage significance of the item or area to be minimised?*

Heritage items within the vicinity of the site are identified in Section 5.2 of this report.

While there is a listed item of local heritage significance within the vicinity of the site, the relationship is through its spatial proximity only and there is no direct visual relationship, owing to the various intervening built forms.

Consequently, the proposed redevelopment of the site will not result in any visual or physical impacts on the heritage item within the vicinity of the site.

- *Why is the new development required to be adjacent to a heritage item?*
- *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?*
- *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*
- *Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?*
- *Will the additions visually dominate the heritage item? How has this been minimised?*
- *Will the public, and users of the item, still be able to view and appreciate its significance?*

As identified above, the proposed development is not adjacent to a heritage item, but within the vicinity. There will be no visual or physical impacts by the proposed development.

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- *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?*

The historical analysis provided in Section 3 of this report demonstrates that there are no known structures or European occupation of the site pre-dating the construction of the former Holy Trinity Church in 1908.

The site has potential to yield some archaeological evidence through occupation deposits, however this would be of dubious archaeological significance. Recommendations are made at Section 12 of this report relating to the unexpected discovery of any archaeological resources during demolition and building works.

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12.0 RECOMMENDATIONS AND MITIGATION MEASURES

12.1 Conclusion

The former Holy Trinity Church at 34-36 Preston Street, Jamisontown, is not presently identified as an item of local heritage significance, however it has been previously identified in the Penrith Heritage Study 2007 and subsequent reviews in 2008 and 2012 as having heritage significance at the local level.

Subsequently, this Heritage Impact Statement has further assessed the heritage values of the property and found that the (former) Holy Trinity Church is of historical significance at a local level and subsequently, a Statement of Cultural Significance has been developed.

Notwithstanding, as outlined in this report, the design integrity of the building has been significantly compromised both externally and internally, with the post-1946 alterations and additions having irreversibly modified the original 1908 church building form and detailing. The integrity of the building is considered so adversely obscured and diminished that retention value is minimal. It is in poor structural and cosmetic condition that further diminishes its retention value.

The proposed demolition of the building and redevelopment of the site to accommodate a multi-unit commercial warehouse development, has been assessed with regards to the re-assessed heritage values and consideration has been given to the visual and physical impacts of the proposed development on the identified heritage values of the property.

While the proposal will involve the complete demolition of the building, this report considers that the identified historical values imbued in the place, can be sufficiently documented through a Photographic Archival Recording and are not inextricably linked to the physical retention of the extant built form.

Subject to the recommendations below, the proposed demolition and redevelopment of the site, is considered to have an acceptable heritage impact.

12.2 Recommended mitigation measures

The following recommendations arise from the heritage impact assessment in Section 11 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
Recommendation 1: Archaeology	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. Additional archaeological assessment may be required prior to works continuing in the affected area/s based on the nature of the discovery.
Recommendation 2: Photographic Archival Recording	Prior to the commencement of demolition works, a Photographic Archival Recording of the former church building (interior and exterior) at 34-36 Preston Street, Jamisontown, should be undertaken in accordance with the guidelines of Heritage NSW and submitted to Council's Local Studies Library catalogue for Council's records.
Recommendation 3: Salvage of building elements	Prior to the commencement of demolition works, significant fabric such as original doors, windows, architraves and any other significant features or fabric, should be salvaged and disposed through a licensed dealer in second-hand building fabric.

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 curtilages 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.