

# Kemps Creek Data Centre

Statement of Heritage Impact

Report to Arup

March 2021



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## 1.0 INTRODUCTION

### 1.1 Background

The Proponent is proposing the construction and operation of a data centre at 706-769 Mamre Road, Kemps Creek (the proposal). This data centre will be part of the State Significant Development approved Kemps Creek Warehouse, Logistics and Industrial Facilities Hub (KCWLIFH) t, providing continuous administrative and operational support to the hub. The data centre will include two data storage buildings, generators, substation, high voltage switch yard, diesel storage tanks, offices, internal access roads and landscaping.

A request for Planning Secretary's Environmental Assessment Requirements (SEARs) for the proposal was submitted in October 2020 (SSD 10101987). The SEARs for SSD 10101987 were issued on 12 November 2020, requiring the preparation of documents to inform the determination for the proposal.

As part of the SEARs relating to 'Cultural Heritage and Aboriginal Cultural Heritage', Artefact Heritage have been engaged by Arup Pty Ltd (Arup) to prepare a non-Aboriginal Statement of Heritage Impact (SoHI) for the proposal assessing items of cultural heritage and values of the study area and surrounds. The SoHI will support the development of an Environmental Impact Statement (EIS) for the SSD 10101987 application.

This SoHI report will identify heritage impacts to the study area as part of the current proposal designs. It will also determine the level of heritage significance of items proposed to be impacted, recommend mitigation measures to reduce the level of heritage impact, and identify other management or statutory obligations.

### 1.2 Project background

In 2018, Frasers Property Australia and Altis Property Partners prepared a State Significant Development (SSD) application and EIS under Section 4.41 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the proposed construction of a warehouse, logistics and industrial facilities hub as part of the KCWLIFH development (SSD 9522). The proposed works for SSD 9522 included bulk earthworks and infrastructure works.

Biosis prepared a SoHI to inform the EIS for SSD 9522 in 2018.<sup>1</sup> The SoHI concluded that no items of heritage significance were located within the site and that no negative heritage impacts were expected to surrounding heritage items. No archaeological potential was identified in the study area, therefore approval was provided for bulk earthworks which will clear the site. The SSD application for SSD 9522 was approved on 21 December 2020.<sup>2</sup>

### 1.3 Addressing the conditions

This SoHI has been prepared in accordance with the SEARs issued for SSD 10101987 in November 2020. The SEARs addressed in this document are outlined in Table 1.

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<sup>1</sup> Biosis, 2018. Mamre South State Significant Development Application Statement of Heritage Impact. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd.

<sup>2</sup> Mike Young, Executive Director Energy, Industry and Compliance. Development Consent SSD 9522. 21 December 2020.



**Table 1. Addressing relevant SEARs for SSD 10101987**

| SEARs  | Comments   |
|--|--|
| <p><i>The EIS must include an assessment of the potential impacts of the proposal (including cumulative impacts) and develop appropriate measures to avoid, mitigate, manage and/or offset these impacts.</i></p> <p><i>The EIS must address the following specific matters:</i></p> |  |
| <p><b>Cultural Heritage and Aboriginal Cultural Heritage</b><br/>An assessment of non-Aboriginal cultural heritage items and values of the site and surrounding area.</p>  | <p>This SoHI has been prepared to assess non-Aboriginal (historic) heritage items within the vicinity of the study area. There are no listed heritage items within the study area.</p> |
| <p><b>Cultural Heritage and Aboriginal Cultural Heritage</b><br/>Evidence that Aboriginal cultural heritage values that exist across the development site have been identified and documented in an Aboriginal Cultural Heritage Assessment Report (ACHAR).</p>                      | <p>This requirement will be addressed in a separate memo, the Kemps Creek Data Centre Aboriginal Advice Memo.</p>  |
| <p><b>Cultural Heritage and Aboriginal Cultural Heritage</b><br/>A description of the impacts on Aboriginal cultural heritage values.</p>  | <p>This requirement will be addressed in a separate memo, the Kemps Creek Data Centre Aboriginal Advice Memo.</p>  |

## 1.4 Study area

The study area for this report comprises approximately 17.38 hectares (ha) of the properties at 707-769 Mamre Road, Kemps Creek. Currently, the study area consists of undeveloped land in close proximity to Mamre Road. The study area is located within three allotments, comprising Lot X DP 421633, Lot Y DP 642633 and Lot 22 DP 258414.

The study area falls within the Penrith Local Government Area (LGA) and zoned as an IN1 General Industrial zone under the State Environmental Planning Policy (Western Sydney Employment Area) (SEPP WSEA) 2009. The study area is also located within the land portion subject to bulk earthworks and infrastructure works under SSD 9522 (see above).

The location of the study area is shown in Figure 1.

## 1.5 Limitations

As some of the heritage items in this report are located on private land, the site inspection did not include the interiors of the heritage items. The Fleurs Radio Telescope site was unable to be accessed during the site inspection; photographs were taken at the Mamre Road turnoff as close as possible to the heritage item's curtilage.

The proposal is operating on land subject to bulk earthworks under SSD 9522. Following the execution of these earthworks, no archaeological resources will remain on the site. As the bulk earthworks have been previously approved in a separate SSD application, no further archaeological impacts will be assessed as part of this SoHI.

This report provides an assessment of non-Aboriginal heritage impacts only. A separate report has been prepared to address Aboriginal heritage for the site.

## 1.6 Terminology

This SoHI has been prepared in accordance with the following relevant legislation and guidelines:

- *Heritage Act 1977*
- NSW Heritage Manual, 1996<sup>3</sup>
- The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013<sup>4</sup>
- Statements of Heritage Impact, 2002.<sup>5</sup>

The terms used in this report are consistent with the definitions contained in the NSW Heritage Manual, The Burra Charter, Statements of Heritage Impact and Heritage Terms and Abbreviations.<sup>6</sup>

## 1.7 Existing studies

The following reports of relevance to this SoHI were prepared as part of the assessment and approval process for the KCWLIFH development:

- Biosis, 2018. *Mamre South State Significant Development Application Statement of Heritage Impact*. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd.
- Willowtree Planning, 2019. *Environmental Impact Statement: Proposed Warehouse, Logistics and Industrial Facilities Hub*. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd.

## 1.8 Authorship

The SoHI was prepared by Darrienne Wyndham (Heritage Consultant) with management input and review from Dr Sandra Wallace (Managing Director).

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<sup>3</sup> NSW Heritage Office, 1996.

<sup>4</sup> Australia ICOMOS, 2013.

<sup>5</sup> Heritage Office and Department of Urban Affairs & Planning 1996, revised 2002.

<sup>6</sup> NSW Heritage Office, 1996.



Figure 1. Location of study area (SSD 10101987) in relation to SSD 9522

## 2.0 STATUTORY CONTEXT

### 2.1 Introduction

There are several items of State legislation that are relevant to the current study area. A summary of these Acts and the potential legislative implications is provided below.

For the purposes of this SoHI, a register search of all available heritage registers was undertaken on 10 February 2021. The study area and a 2km buffer zone were searched for listed heritage items, with relevant results provided below.

### 2.2 Environmental Protection and Biodiversity Conservation Act 1999

The *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides a legislative framework for the protection and management of matters of national environmental significance; that is, flora, fauna, ecological communities and heritage places of national and international importance. Heritage items are protected through their inscription on the World Heritage List, Commonwealth Heritage List or the National Heritage List.

The EPBC Act stipulates that a person who has proposed an action that will, or is likely to, have a significant impact on a World, National or Commonwealth Heritage site must refer the action to the Minister for Sustainability, Environment, Water, Population and Communities (hereafter Minister). The Minister will then determine if the action requires approval under the EPBC Act. If approval is required, an environmental assessment would need to be prepared. The Minister would approve or decline the action based on this assessment.

#### 2.2.1 Commonwealth Heritage List

The Commonwealth Heritage List (CHL) has been established to list heritage places that are either entirely within a Commonwealth area, or outside the Australian jurisdiction and owned or leased by the Commonwealth or a Commonwealth Authority. The Commonwealth Heritage List includes natural, Aboriginal and historic heritage places which the Minister for Sustainability, Environment, Water, Population and Communities is satisfied have one or more Commonwealth Heritage values.

**There are no listed heritage items on the CHL located within or in a 2km buffer of the study area.**

#### 2.2.2 National Heritage List

The National Heritage List (NHL) has been established to list places of outstanding heritage significance to Australia. It includes natural, historic and Aboriginal places that are of outstanding national heritage value to the Australian nation.

**There are no listed heritage items on the NHL located within or in a 2km buffer of the study area.**

### 2.3 Heritage Act 1977

The *Heritage Act 1977* (NSW) (Heritage Act) is the primary item of State legislation affording protection to items of environmental heritage in NSW. The Heritage Act is designed to protect both listed heritage items (such as standing structures) and potential archaeological remains or relics.



Under the Heritage Act, 'items of environmental heritage' include places, buildings, works, relics, moveable objects and precincts identified as significant based on historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic values. State significant items are listed on the NSW State Heritage Register (SHR) and are given automatic protection under the Heritage Act against any activities that may damage or affect its heritage significance.

### 2.3.1 State Heritage Register

The SHR was established under Section 22 of the Heritage Act and is a list of places and objects of particular importance to the people of NSW, including archaeological sites. The SHR is administered by the Heritage NSW, DPC. This includes a diverse range of over 1,500 items, in both private and public ownership. To be listed, an item must be deemed to be of heritage significance for the whole of NSW.

To carry out activities within the curtilage of an item listed on the SHR, approval must be gained from the Heritage Council by securing a Section 60 permit. In some circumstances, under Section 57(2) of the Heritage Act, a Section 60 permit may not be required if works are undertaken in accordance with the NSW Heritage branch document *Standard Exemptions for Works Requiring Heritage Council Approval*<sup>7</sup> or in accordance with agency specific exemptions. This includes works that are only minor in nature and will have minimal impact on the heritage significance of the place.

**There are no listed heritage items on the SHR located within or in a 2km buffer of the study area.**

### 2.3.2 Section 170 registers

Under the Heritage Act all government agencies are required to identify, conserve and manage heritage items in their ownership or control. Section 170 requires all government agencies to maintain a Heritage and Conservation Register that lists all heritage assets and an assessment of the significance of each asset. They must ensure that all items inscribed on its list are maintained with due diligence in accordance with State Owned Heritage Management Principles approved by the Government on advice of the NSW Heritage Council. These principles serve to protect and conserve the heritage significance of items and are based on NSW heritage legislation and guidelines.

**There are no listed heritage items on the s170 register located within or in a 2km buffer of the study area.**

## 2.4 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act) establishes the framework for cultural heritage values to be formally assessed in the land use planning and development consent process. The EP&A Act requires that environmental impacts are considered prior to land development; this includes impacts on cultural heritage items and places as well as archaeological sites and deposits. The EP&A Act requires that Local Governments prepare planning instruments (such as Local Environmental Plans [LEPs] and Development Control Plans [DCPs]) in accordance with the Act, to provide guidance on the level of environmental assessment required.

The study area falls within the boundaries of the Penrith LGA, however is not subject to the Penrith LEP 2010. Instead, the study area is subject to the SEPP WSEA 2009 and the site specific DCP for

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<sup>7</sup> Heritage Council of New South Wales, 2009.

SSD 9522. These statutory documents include a schedule of local heritage items and planning controls related to development in the vicinity of heritage items.

#### 2.4.1 State Significant Development

The proposed development approval is being sought under Section 4.22 of the EP&A Act and would be classified as SSD. The SEARs were issued for the proposal on 12 November 2020.

#### 2.4.2 State Environmental Planning Policy (Sydney Region Growth Centres) Western Sydney Growth Area 2006

The SEPP WSEA was introduced in 2009 to provide businesses in the region with land for industry and employment, including transport and logistics, warehousing and office space. The current study area is located within land designated as Land Application Area, Precinct 12 – Mamre Road in the Western Sydney Employment Area.

There is one item listed on the SEPP WSEA (2009) located approximately 1.6km southwest of the study area, as below and illustrated Figure 2:

- **Bayley Park – House (Penrith LEP I104)**

#### 2.4.3 Mamre South Land Investigation Area Development Control Plan

A site-specific DCP was prepared for SSD 9522 under Division 6 of the EP&A Act and Part 3 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). This DCP provides guidelines and controls to facilitate the redevelopment of land subject to the provisions of the SEPP WSEA. This DCP is one of the relevant control documents for the study area.

The DCP contains objectives and controls to identify and protect areas of heritage significance. The controls under Section 6.3 Non-Indigenous Heritage are as follows<sup>8</sup>:

---

##### **Objectives**

- a) *To identify and protect areas that have particular heritage, cultural or scenic value either from major roads, identified heritage items or other public places*
- b) *To ensure development in these areas is located and designed to minimise its visual impact*

##### **Controls**

- a) *A minimum landscape setback of 10 metres is to be provided along Mamre Road to maintain a sense of open agricultural landscape*
  - b) *If any evidence of a European archaeological site or relic is found during earthworks, all works on the site are to cease and the Office of Environment and Heritage are to be contacted immediately. All relics are to be retained in situ unless otherwise directed by the Office of Environment and Heritage.*
- 

<sup>8</sup> Willow Tree Planning, 2019. Mamre South Land Investigation Area Development Control Plan. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd.



#### 2.4.4 Draft Mamre Road Precinct Development Control Plan 2020

A draft DCP for the Mamre Road Precinct was developed by the NSW Department of Planning, Industry and Environment in accordance with Part 3, Division 3.6 of the EP&A Act and the *Environmental Planning and Assessment Regulation 2000*. This DCP provides guidelines and controls to facilitate the redevelopment of land within the Mamre Road Precinct as described in the SEPP WSEA. This DCP will be addressed as part of this SoHI.

The DCP contains objectives and controls to protect areas of heritage significance within the Mamre Road Precinct. The objectives, under Section 2.3 Non-Indigenous Heritage, are as follows<sup>9</sup>:

- 
- a) To protect the heritage significance of heritage items.*
  - b) To ensure adequate curtilage and landscape setting for heritage items.*
  - c) To ensure the integrity of the heritage item and its setting is retained by the careful siting and design of new buildings and alterations and additions to existing buildings.*
  - d) To ensure that the subdivision of land on which a heritage building is located does not isolate the building from its setting or context, or adversely affect its amenity or privacy.*
  - e) To ensure that new development is carefully sited so as to avoid causing physical damage to any heritage item especially where sited within the same curtilage as the heritage item.*
- 

#### 2.4.5 The Penrith Local Environment Plan 2010

Sections of the buffer zone outside of the SSD 9522 approval zone, including the surrounding heritage items, are subject to the Penrith LEP 2010.

The Penrith LEP 2010 aims to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views; and to protect archaeological sites. The LEP stipulates development controls in relation to development proposed on or near heritage listed properties, archaeological sites, or Aboriginal places of heritage significance. The Penrith Development Control Plan (DCP) 2010 details the standards, policies and guidelines related to construction and development for Penrith and is consistent with the Penrith LEP 2010.

The following clauses apply to places of heritage significance within the Penrith City Council LGA, under Part 5 Clause 5.10 of the Penrith LEP 2010:

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*(1) Objectives*

*The objectives of this clause are as follows:*

- (a) to conserve the environmental heritage of Penrith,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabrics, settings and views,*

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<sup>9</sup> NSW Department of Planning, Industry and Environment, 2020. Draft Mamre Road Precinct Development Control Plan. 17.

(c) to conserve archaeological sites,

(d) to conserve Aboriginal objects and Aboriginal places of heritage significance

Before granting consent under this clause in respect of a heritage item or conservation area, the consent authority, the Penrith City Council, must consider the effect of the proposed development on the heritage significance of the item or area concerned (5.10(5)), notably if the development is on land:

*(5) Heritage assessment*

*The consent authority may, before granting consent to any development;*

*(a) on land on which a heritage item is located; or*

*(b) on land that is within a heritage conservation area;*

*(c) on land that is within the vicinity of land referred to in paragraph (a) or (b);*

*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.*

The following heritage listed items are located within a 2km buffer of the study area:

- **Bayley Park – House (LEP Item No. I104)**
- **Fleurs Radio Telescope Site (LEP Item No. 832)**
- **Luddenham Road Alignment (LEP Item No. 843)**
- **Canine Council Dwelling (LEP Item No. 846).**

The locations of these items are illustrated in Figure 2.

## 2.5 Summary of heritage listings

A summary of the heritage listed items located within a 2km buffer of the study area is provided in Table 2.

**Table 2. Summary of listed heritage items in the vicinity of the study area**

| Item name                          | Address                                     | Heritage listing  | Distance from study area |
|------------------------------------|---|---|--------------------------|
| <b>Bayley Park – House</b>         | 919-929 Mamre Road, Kemps Creek, NSW 2171   | SEPP WSEA (Item No. I104)<br>Penrith LEP 2010 (Item No. I104) | <1.59km                  |
| <b>Fleurs Radio Telescope Site</b> | 885(a) Mamre Road, Kemps Creek, NSW 2178    | Penrith LEP 2010 (Item No. 832)                               | 2km                      |
| <b>Luddenham Road Alignment</b>    | Luddenham Road, Luddenham, NSW 2745         | Penrith LEP 2010 (Item No. 834)                               | <1.2km                   |
| <b>Canine Council Dwelling</b>     | 391-395 Mamre Road, Orchard Hills, NSW 2748 | Penrith LEP 2010 (Item No. 846)                               | <1.53km                  |

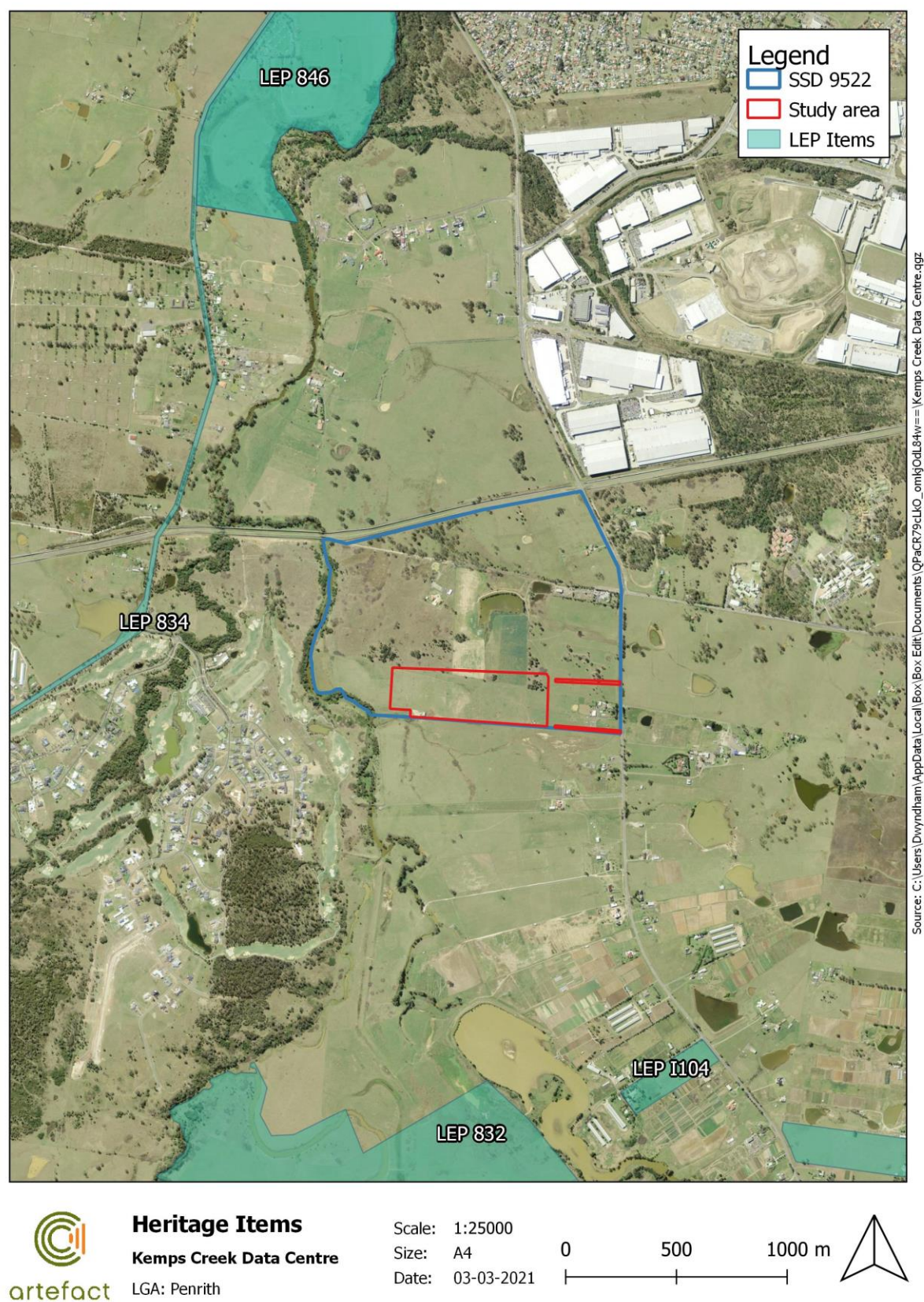


Figure 2. The study area and nearby heritage curtilages



## 3.0 HISTORICAL BACKGROUND

The history of the study area has been adapted from the historical background provided in the SoHI prepared by Biosis as part of the EIS for SSD 9522.<sup>10</sup>

### 3.1 Exploration and early settlement

Following the arrival of Captain Arthur Phillip in New South Wales in 1788, inland exploration via local major rivers commenced, notably the Parramatta and Georges Rivers. The following year, Lieutenant Watkin Tench led an exploration party west of Parramatta, where he was one of the first Europeans to encounter the Nepean River. Deep, safe rivers with nearby arable land were of great value to early settlers, with many choosing to settle close to suitable farming land.<sup>11</sup>

In 1803, the eastern bank of the Nepean River was surveyed by Charles Grimes and James Meehan, with portions of fertile land along the river granted to free settlers, military officials and government workers.<sup>12</sup> A grant of 300 acres was assigned to Edward Wood in December 1805, while Richard Fitzgerald received a similar grant south of Wood's land that same year.<sup>13</sup> The study area lay at the junction of these grants, as seen in Figure 3. Note that in this map, Edward Wood is listed as 'Ezekiel Wood'.

The farms on Wood's and Fitzgerald's land grants became known as King's Wood and Restitution Farm. Fitzgerald, a close confidante of Governor Macquarie, had previously been appointed superintendent of public agriculture in Toongabbie and Parramatta.<sup>14</sup> At the time of his land grant within the study area, Macquarie had appointed Fitzgerald to the superintendency of agriculture at Emu Plains. There is no documentary evidence to suggest that a homestead or other structures were constructed at Restitution Farm; it is likely that land use during Fitzgerald's ownership was limited to land clearance and possibly grazing.

In May 1813, Gregory Blaxland, William Charles Wentworth and William Lawson crossed the Blue Mountains in search of pastoral land to the west of the Great Dividing Range. The subsequent construction of the Great Western Highway in 1815 followed the same route from Sydney to Bathurst.<sup>15</sup> The Great Western Highway enabled the growth of several town centres in the Nepean region, including Penrith, which was established in 1817.<sup>16</sup>

A wide range of supplies to the new colony were produced in the Cumberland Plain, including meat, grain, vegetables and fruit.<sup>17</sup> From the 1820s onwards, the Cumberland Plain also produced Australian wool and wine.<sup>18</sup>

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<sup>10</sup> Biosis, 2018. Mamre South State Significant Development Application Statement of Heritage Impact. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd.

<sup>11</sup> Karskens, G., 2009. *The Colony. A History of Early Sydney*, 20.

<sup>12</sup> Paul Davies Pty Ltd. 2007b. Penrith Heritage Study. Volume 2: Thematic History. Prepared for Penrith City Council.

<sup>13</sup> Biosis, 2018. Mamre South State Significant Development Application Statement of Heritage Impact. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd. 16.

<sup>14</sup> Ibid. 17.

<sup>15</sup> Thorp, W. 1986. The Penrith Heritage Study: The Historical Archaeology Component.

<sup>16</sup> Penrith City Local History, n.d. 'Kemps Creek.'

<sup>17</sup> Karskens, G., 2009. *The Colony. A History of Early Sydney*, 101.

<sup>18</sup> Ibid.



**Figure 3. Undated parish map showing Wood's and Fitzgerald's grants. Source: NSW Land Registry Services with Artefact markup**

### 3.2 King's Wood and Restitution Farm

King's Wood was divided into three parts in 1826 and transferred to Henry Bayly, Richard Jones and William Walker respectively.<sup>19</sup> Bayly was the son of Nicholas Bayly, an ensign in the NSW Corp who was granted Bayly Park, an estate south of the study area. Jones and Walker were part of a merchant firm known as Jones, Riley and Walker and may have acquired the land grant to branch into agricultural activity.<sup>20</sup> In 1847, Wood's original grant was formally indentured into four portions. The first portion was received by William Davies, William Salmon Deloitte and William Fanning, the second by Richard Jones, the third by William Walker and the fourth by Charles York.<sup>21</sup> An indenture for the fourth portion was established between York and John Cosgrove in 1847; Cosgrove would go on to acquire larger estates north of the study area in the mid-nineteenth century.<sup>22</sup>

In 1836, Fitzgerald also leased Restitution Farm to Henry Bayly, whose land holdings in the area were steadily increasing.<sup>23</sup> Following this, ownership of Restitution Farm becomes difficult to follow in the historical record; the grant may have been absorbed into Bayly Park, south of the study area.<sup>24</sup> An 1895 subdivision advertisement of Bayly Park (then known as the Fleurs Estate) supports this theory, with all land up to Edward Wood's grant included in the Fleurs Estate (Figure 4). Ownership can be re-established in 1889, with a primary application for Fitzgerald's land made by Thomas Morse that

<sup>19</sup> NSW Land Registry Services, Primary Application 17335

<sup>20</sup> Shinberg, D. 1967. Jones, Richard (1786–1852). Australian Dictionary of Biography, National Centre of Biography, Australian National University 2. Accessed at: <http://adb.anu.edu.au/biography/jones-richard-2280> (10 February 2020).

<sup>21</sup> Biosis, 2018. Mamre South State Significant Development Application Statement of Heritage Impact. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd. 18.

<sup>22</sup> Biosis, 2018. Mamre South State Significant Development Application Statement of Heritage Impact. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd. 18.

<sup>23</sup> Ibid. 18.

<sup>24</sup> Artefact Heritage, 2019. Lots 54-58 Mamre Road, Kemps Creek Non-Aboriginal Statement of Heritage Impact. Report prepared for Mirvac. 13.

year.<sup>25</sup> Morse did not hold the property for long, with the New Oriental Bank Corporation acquiring the land between 1890 and 1895.

In 1892, Mamre Road was established between the municipality of St Mary's and Orphan School Road. Initially known as Liverpool Road, Mamre Road was eventually renamed after Samuel Marsden's property located north of the study area. A Crown Plan from 1892 shows Mamre Road close to its current alignment, with Cosgrove recorded as the owner of the land in the northern portion of the study area and Nathaniel McCook listed as the 'occupier' (Figure 5). Richard Fitzgerald is still listed in the southern part of the study area covered by the Crown Plan.

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<sup>25</sup> NSW Land Registry Services, Primary Application 7336; NSW Land Registry Services, Certificate of Title Volume 912, Folio 55.



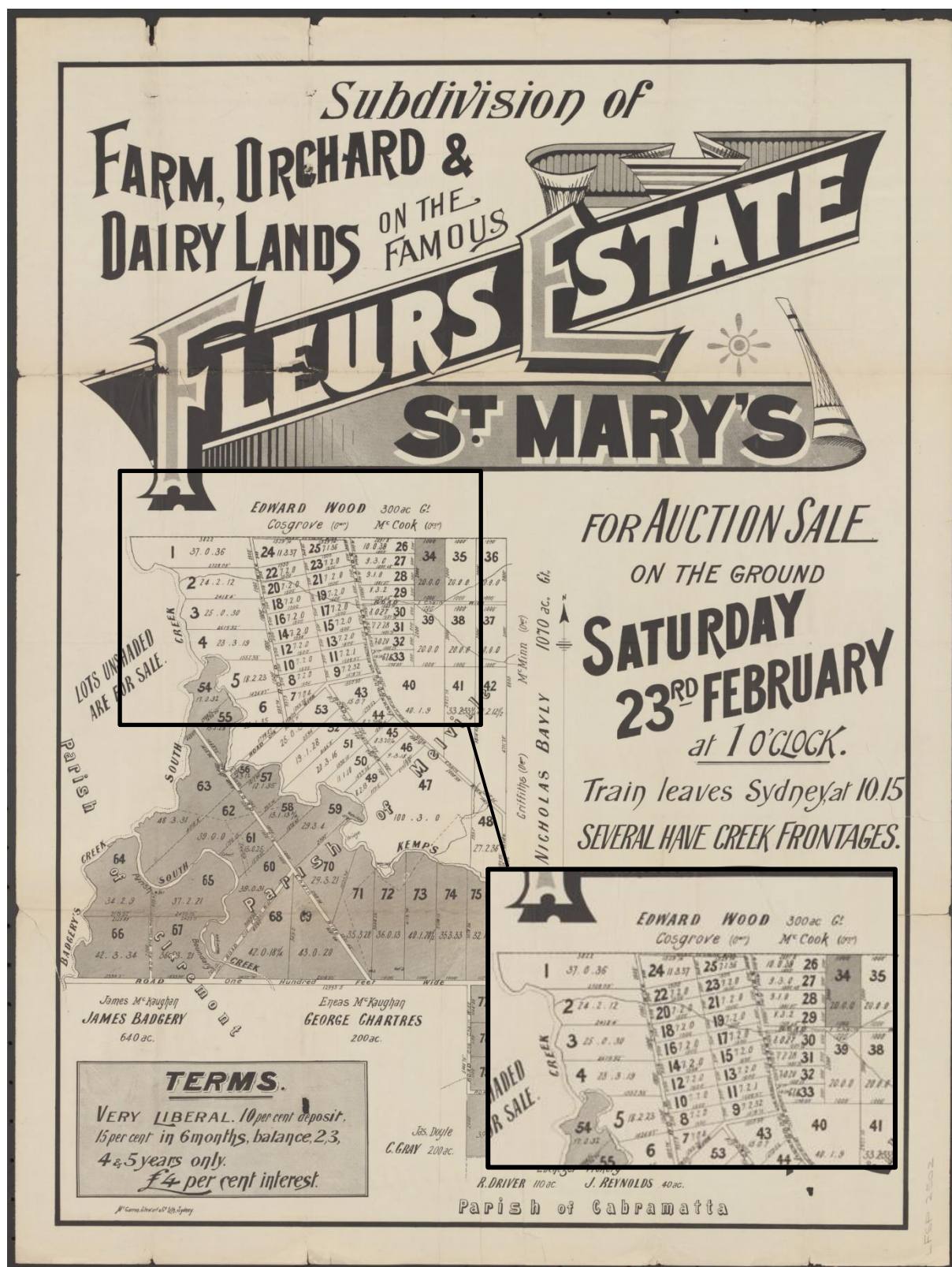


Figure 4. Subdivision of farm, orchard & dairy lands on the famous Fleurs Estate, 1895. Note the establishment of Mamre Road. Source: NLA/Trove<sup>26</sup>

<sup>26</sup> Richardson & Wrench, 1895. Subdivision of farm, orchard & dairy lands on the famous Fleurs Estate St Mary's : for auction sale on the ground Saturday 23<sup>rd</sup> February at 1 o'clock / by Richardson and Wrench Ltd., auctioneers.



**Figure 5. Crown Plan from 1892 showing Mamre Road and the section of land covered by SSD 9522 (then known as Liverpool Road). Source: NSW Land Registry with Artefact markup<sup>27</sup>**

### 3.3 Twentieth century

During the early twentieth century, the study area continued to be utilised as grazing land, with multiple graziers occupying the land. The New Oriental Bank Corporation folded in 1912, going into liquidation and transferring the land in the study area to Assets Realisation Company Limited. The southern portion of the study area was acquired by grazier Donald Bruce MacIntyre in 1913.<sup>28</sup> MacIntyre sold the land to another grazier, Henry Horton, in 1916.<sup>29</sup>

The northern portion of the study area underwent similar land usage. John Cosgrove's land was sold upon his passing in 1911, where his large estates were divided amongst William Cosgrove, John Charles Henry Cosgrove and James Hugh Montague.<sup>30</sup> The Cosgroves were noted graziers, with Montague working as an auctioneer.

Following the First World War, both properties within the study area were acquired by various owners, who continued to graze cattle and horses.<sup>31</sup> In 1958, Mamre Road was widened, which may have impacted the eastern portions of the study area bordering the road. No structures associated the study area are evident on plans for the road widening or on any aerial photographs in the area from the time (Figure 7 - Figure 8).

The study area has continued to be utilised for agricultural purposes in the late twentieth and early twenty-first century. A small dam can be seen in the northern portion of the study area in a 2002 aerial photograph (Figure 9), the only example of development in the area. The land north of the

<sup>27</sup> National Library of Australia, via Trove. Accessed at: <https://nla.gov.au/nla.obj-230481253/view> (10 February 2021).

<sup>28</sup> NSW Land Registry Services, Certificate of Title Volume 912 Folio 55; NSW Land Registry Services, Certificate of Title Volume 2377 Folio 166.

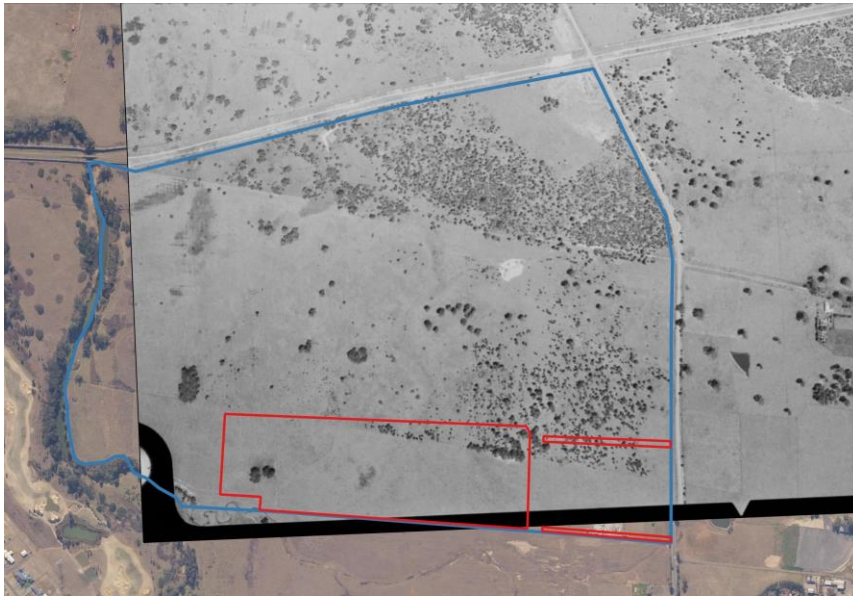
<sup>29</sup> NSW Land Registry Services, Certificate of Title Volume 2656 Folio 98.

<sup>30</sup> NSW Land Registry Services, Primary Application 17335; NSW Land Registry Services, Certificate of Title Volume 2365 Folio 41; NSW Land Registry Services, Certificate of Title Volume 2365 Folio 40; NSW Land Registry Services, Certificate of Title Volume 2365 Folio 39.

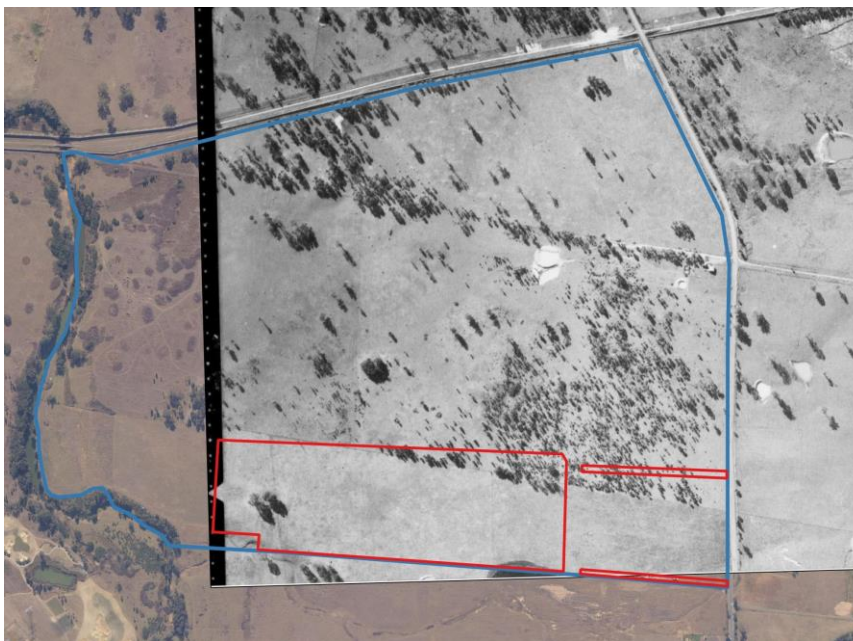
<sup>31</sup> Biosis, 2018. Mamre South State Significant Development Application Statement of Heritage Impact. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd. 20.



study area has recently been utilised for industrial purposes, with a warehousing district constructed in Erskine Park.



**Figure 6. Aerial photograph from 1956 showing the study area. Note no development is present in the study area at this time. Source: NSW Spatial Services with Artefact markup**



**Figure 7. Aerial photograph from 1961 showing the study area. Note no development is present in the study area at this time. Source: NSW Spatial Services with Artefact markup**



**Figure 8. Aerial photograph from 1978 showing the study area. Note no structures are present in the study area at this time. Source: NSW Spatial Services with Artefact markup**



**Figure 9. Aerial photograph from 2002 showing the study area. Note a small dam present in the study area at this time. Source: NSW Spatial Services with Artefact markup**

## 4.0 HERITAGE CONTEXT

### 4.1 Introduction

There are several items of local heritage significance located within the 2km buffer of the study area. The statement of significance of each item and an assessment of significance is included below. The significance assessment and statement of significance for all listed items has been extracted from the relevant State Heritage Inventory (SHI) entry for each item.

### 4.2 Bayley Park – House (LEP Item No. I104)

#### 4.2.1 Description

Bayley Park is a single-storey sandstone and brick house with a newly renovated roof and rendered external walls. Large modern extensions have occurred at the rear of the house, notably an alfresco dining area. There is an extant verandah of all four sides of the house, and pine trees located around the house. The wider landscape has undergone several modifications throughout the twentieth and twenty-first centuries, however the plantings surrounding the homestead appear to be intact. The main access route to the homestead is lined with several trees. To the west of the homestead a tennis court has been added. There are a small number of outbuildings adjacent to the main homestead. These appear to be modern, however the construction date of these structures is uncertain. The LEP listing and previous studies of Bayley Park do not mention whether other historic structures associated with Bayley Park are still extant. The frontage of the property, facing on to Mamre Road, has been heavily asphalted and is currently utilised as a storage facility.

#### 4.2.2 Assessment of significance

The following assessment of significance of the 'Bayley Park – House' heritage item has been adapted from its SHI listing, and is presented in Table 3 below.

**Table 3. Significance assessment for the 'Bayley Park – House' heritage item**

| Criterion                                      | Explanation  |
|--|--|
| <b>A – Historical Significance</b>             | <p>The property demonstrates a phase in the development of the region with the establishment of large pastoral and agricultural estates.</p> <p>The item has <b>local</b> significance under this criterion.</p>                             |
| <b>B – Associative Significance</b>            | <p>The property is associated with the Bayley and Jones families.</p> <p>The item has <b>local</b> significance under this criterion.</p>  |
| <b>C – Aesthetic or Technical Significance</b> | <p>The siting and broader landscaping scheme are excellent examples of a substantial country residences of the nineteenth century with plantings of landmark status.</p> <p>The item has <b>local</b> significance under this criterion.</p> |
| <b>D – Social Significance</b>                 | <b>The item does not reach the threshold of local significance under this criterion.</b>   |
| <b>E – Research Potential</b>                  | <b>The item does not reach the threshold of local significance under this criterion.</b>   |

| Criterion                     | Explanation   |
|-------------------------------|---|
| <b>F – Rarity</b>             | The property is rare for its historic associations with a settler family of note and colonial era rural estate.<br><br>The item has <b>local</b> significance under this criterion. |
| <b>G – Representativeness</b> | <b>The item does not reach the threshold of local significance under this criterion.</b>  |

#### 4.2.3 Statement of significance

The following statement of significance of the 'Bayley Park – House' heritage item has been adapted from its SHI listing:

*Under construction from the 1810s for Nicholas Bayley, the property is unique in the south-eastern section of Penrith LGA for its historic associations with a settler family and colonial era rural enterprise. While the importance of the house requires investigation, the treed creekside setting with foreground of pastureland provides a historic item and demonstrates nineteenth century pastoral and agricultural estate planning.<sup>32</sup>*

### 4.3 Fleurs Radio Telescope Site (LEP Item No. 832)

#### 4.3.1 Description

The Fleurs Telescope site is located between South Creek and Kemps Creek. A scattering of evidence of the series of telescopes that once operated on the site remains. The telescope station was established in 1954 and used by CSIRO astronomers to survey the galactic plane. The first of the telescopes was the Mills Cross, built in 1954. It had north-south and east-west arrays of dipoles in a cross formation with wire mesh reflector. Some of the metal frames and wire mesh of the eastern arm of this array survives.

The second telescope was the 1956 Shain Cross formed by dipoles slung between timber posts (similar to telegraph posts). Many of the posts on the north-south alignment of the Shain Cross survive. The third major telescope on the site was the 1957 Chris Cross, an array of 32 5.8 metre diameter parabolic dishes. None of these dishes survive, although some concrete footings are visible in the grass.

Following the removal of much of the Chris Cross telescope in 1963, the site was occupied by the University of Sydney's School of Engineering. After the 1950s telescopes on the site had fallen into disuse, research on the site was revived by the erection of six 13.7 metre Synthesis telescopes at the ends of the earlier arrays. Two of these survive, one at the north end of the Shain Cross and one beyond the west end of the Chris Cross. After 1988, the site was leased to the University of Western Sydney. In 2006, the site was cleared of remaining equipment and used for cattle grazing.

Near the junction of the two arms of the Mills Cross is a single storey gabled building clad with compressed fibrous cement sheeting with a roof of corrugated steel with roll top ridge capping. It has paired double hung windows, shaded by bracketed awnings on the north side. Near the junction of

<sup>32</sup> NSW Office of Environment and Heritage (former), 2005. 'Bayley Park – House.' NSW Office of Environment and Heritage.



the two arms of the Chris Cross is a single storey building with a multiple gabled roof. It is clad with compressed fibrous cement sheeting and has a roof of corrugated steel with roll top ridge capping. Windows are paired double hung sashes. To its east is a gabled weatherboard building with a corrugated steel roof and double hung windows. Between the eastern arms of the Mills Cross and the Chris Cross are two single storey buildings clad with compressed fibrous cement sheeting and with roofs of corrugated steel with roll top ridge capping. The windows are casement sashes.\

#### 4.3.2 Assessment of significance

The following assessment of significance of the 'Fleurs Radio Telescope Site' heritage item has been adapted from its SHI listing, and is presented in Table 5 below.

**Table 4. Significance assessment for the 'Fleurs Radio Telescope Site' heritage item**

| Criterion                                      | Explanation  |
|--|--|
| <b>A – Historical Significance</b>             | <p>Used from 1954 until 1988 for astronomical research, the Fleurs Telescope site was in the 1950s considered to be one of the world's leading radio astronomy field stations. Its series of telescopes constructed in a short period were of great importance to the advance of radio astronomy. Much of the equipment was considered important enough to be relocated elsewhere for future research.</p> <p>The item has <b>local</b> significance under this criterion.</p> |
| <b>B – Associative Significance</b>            | <p>The Fleurs Telescope site is associated with a number of important astronomers including Bernie Mills, creator of the Mills Cross, Alex Shain, creator of the Shain Cross and Dr W. N. Christiansen, creator of the Chris Cross and a Professor at the University of Sydney.</p> <p>The item has <b>local</b> significance under this criterion.</p>  |
| <b>C – Aesthetic or Technical Significance</b> | <b>The item does not reach the threshold of local significance under this criterion.</b>   |
| <b>D – Social Significance</b>                 | <b>The item does not reach the threshold of local significance under this criterion.</b>   |
| <b>E – Research Potential</b>                  | <p>While most of the equipment has been removed from the Fleurs Telescope site, there is sufficient remaining equipment, including structure for the Mills and Shain telescopes, bases of the Chris Cross telescopes and two dishes of the Fleurs Synthesis telescope, to allow for further investigation and interpretation.</p> <p>The item has <b>local</b> significance under this criterion.</p>  |
| <b>F – Rarity</b>                              | <p>Fleurs is a rare if not unique example of a site used for astronomical research in the Penrith Local Government Area. The use of the site and the sequence of equipment erected there is probably rare in New South Wales.</p> <p>The item has <b>local</b> significance under this criterion.</p>  |
| <b>G – Representativeness</b>                  | <b>The item does not reach the threshold of local significance under this criterion.</b>   |

#### 4.3.3 Statement of significance

The following statement of significance of the 'Fleurs Radio Telescope Site' heritage item has been adapted from its SHI listing:

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*Used from 1954 until 1988 for astronomical research, the Fleurs Telescope site was in the 1950s considered to be one of the world's leading radio astronomy field stations. At its peak it included telescopes developed by with a number of important astronomers including Bernie Mills, creator of the Mills Cross, Alex Shain, creator of the Shain Cross and Dr W. N. Christiansen, creator of the Chris Cross and a Professor at the University of Sydney. The series of telescopes constructed on the site in a short period were of great importance to the advance of radio astronomy. Much of the equipment was considered important enough to be relocated elsewhere for future research.*

*While most of the equipment has been removed from the Fleurs Telescope site, there is sufficient remaining equipment, including structure for the Mills and Shain telescopes, bases of the Chris Cross telescopes and two dishes of the Fleurs Synthesis telescope, to allow for further investigation and interpretation.*

*Fleurs Telescope Site is a rare if not unique example of a site used for astronomical research in the Penrith Local Government Area.<sup>33</sup>*

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## 4.4 Luddenham Road Alignment (LEP Item No. 843)

### 4.4.1 Description

Luddenham Road is a rural road that connects Mamre Road in its north-eastern extreme to Elizabeth Drive in the south-eastern extreme. The name of the road is taken from the Luddenham Estate, established by John Blaxland in 1813. The road originally connected the Luddenham Estate to Blaxland's brother George's landholding in Orchard Hills, known as Lee Holme. It was first metalled in 1887, and eventually was gazetted as a Government Road c.1900.

The road pattern undulates through adjacent farmland though, in some sections, it is cut into the side of the hills. The Luddenham roadway itself comprises an asphalted two-lane road with grassed verges and some areas with remnant stands of trees. Some sections of the road retain stretches of old timber post and rail fencing, evidence of the primary use of the land for grazing.

### 4.4.2 Assessment of significance

The following assessment of significance of the 'Luddenham Road Alignment' heritage item has been adapted from its SHI listing, and is presented in Table 5 below.

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<sup>33</sup> NSW Office of Environment and Heritage (former), 2008. 'Fleurs Radio Telescope Site.' NSW Office of Environment and Heritage.

**Table 5. Significance assessment for the 'Luddenham Road Alignment' heritage item**

| Criterion                                      | Explanation   |
|--|---|
| <b>A – Historical Significance</b>             | <p>Luddenham Road provides evidence of the early nineteenth century pastoral activities in the Penrith region, connecting the estates of Luddenham and Lee Holme owned by brothers John and Gregory Blaxland respectively. It continued to be an important link through the nineteenth century, connecting Bringelly with St Marys.</p> <p>The sparsely settled landscape around Luddenham Road and the surviving post and rail fencing continues to provide evidence of the predominant pastoral activities in the district in the nineteenth century through to the present time.</p> <p>The item has <b>local</b> significance under this criterion.</p> |
| <b>B – Associative Significance</b>            | <b>The item does not reach the threshold of local significance under this criterion.</b>  |
| <b>C – Aesthetic or Technical Significance</b> | <p>The continuing rural character of Luddenham Road, characterised by the undulating traverse of the road, sparsely settled pastoral land and surviving timber post and rail fencing gives the road a high level of aesthetic appeal.</p> <p>The item has <b>local</b> significance under this criterion.</p>   |
| <b>D – Social Significance</b>                 | <b>The item does not reach the threshold of local significance under this criterion.</b>  |
| <b>E – Research Potential</b>                  | <b>The item does not reach the threshold of local significance under this criterion.</b>  |
| <b>F – Rarity</b>                              | <b>The item does not reach the threshold of local significance under this criterion.</b>  |
| <b>G – Representativeness</b>                  | <b>The item does not reach the threshold of local significance under this criterion.</b>  |

#### 4.4.3 Statement of significance

The following statement of significance of the 'Luddenham Road Alignment' heritage item has been adapted from its SHI listing:

*Luddenham Road provides evidence of the early nineteenth century pastoral activities in the Penrith region, connecting the estates of Luddenham and Lee Holme owned by brothers John and Gregory Blaxland respectively. It continued to be an important link through the nineteenth century, connecting Bringelly with St Marys.*

*The sparsely settled landscape around Luddenham Road and the long surviving post and rail fencing continue to provide evidence of the predominant pastoral activities in the district in the nineteenth century through to the present time (2008) and give the road a high level of aesthetic appeal.<sup>34</sup>*

<sup>34</sup> NSW Office of Environment and Heritage (former), 2008. 'Luddenham Road Alignment.' NSW Office of Environment and Heritage.

## 4.5 Canine Council Dwelling (LEP Item No. 846)

### 4.5.1 Description

As there is no description of the heritage item in the SHI, a short description has been compiled from the site inspection.

The Bill Spilstead Complex for Canine Affairs was constructed in 1990 on 80 ha of State Government land at Orchard Hills. This complex, administered by the NSW Canine Council (Dogs New South Wales), is purpose built for dog shows, obedience training, and agility, working and sporting dog trials. The site comprises three main buildings for administration and catering, a car parking facility and a large open green space for dog training. The complex also offers powered and non-powered camping sites. The complex was listed on the Penrith LEP 2010 as Item No 846 in 2010.

### 4.5.2 Assessment of significance

There is no assessment of significance of the heritage item in the SHI.

### 4.5.3 Statement of significance

There is no statement of significance available for the heritage item in the SHI.

## 4.6 Archaeological context

The proposal for the Kemps Creek Data Centre is located on land subject to SSD 9522 and will be undergoing bulk earthworks for the construction of the KCWLIFH development. The bulk earthworks, operating under an SSD approval, will effectively remove any and all archaeological material from the site.

An archaeological assessment for the study area was undertaken as part of the EIS prepared for SSD 9522. This assessment identified no areas of archaeological potential within the study area and recommended the preparation of an unexpected finds procedure.<sup>35</sup> Therefore, further archaeological assessment is unnecessary for the study area.

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<sup>35</sup> Biosis, 2018. Mamre South State Significant Development Application Statement of Heritage Impact. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd. v.

## 5.0 SITE INSPECTION

### 5.1 Introduction

A site inspection of the study area was carried out on Tuesday 16 February 2021 by Darrienne Wyndham (Heritage Consultant) and Brye Marshall (Heritage Consultant). The aim of this inspection was to assess the view lines between listed heritage items and the study area and evaluate any impacts of the proposed works to surrounding heritage items. The following section provides a physical analysis of the study area. All photos were taken by Artefact Heritage.

### 5.2 Study area

The study area is accessed from the east, via a gravelled driveway and circular parking area off Mamre Road, Kemps Creek. A sandy, semi-gravelled track runs through the entirety of the study area from east-west (Figure 10). The land has a modest cross fall from northeast to southwest of approximately 1.2m.<sup>36</sup>

The study area primarily consists of vegetation, with dense mid-length grasses covering the extent of the eastern portion and low grass, possibly recently grazed, covering the western portion (Figure 11, Figure 18). No trees are extant in the study area, though a small number of isolated large eucalyptus trees are located at some distance to the north, east and west the study area. A dilapidated timber roof structure, disused gate and sheep run are positioned in the south-eastern portion of the study area adjacent to the track (Figure 14 - Figure 16). The track curves to the north at the western extent of the study area, skirting several rusted vehicles and a large, corrugated iron shed positioned in the western portion (Figure 22). A creek bed is located west of the western extent of the study area (Figure 21).

### 5.3 Bayley Park

The Bayley Park heritage item is accessed from a driveway off Mamre Road, Kemps Creek (Figure 23). The landscape is flat and rolling, with the house set away from the main road. The heritage item does not have any significant elevation above the study area that would provide relevant view lines.

A number of mature trees border the driveway, providing a natural screen for the house and the surrounding properties. An extensive vehicle storage yard located to the north of the heritage item completely obscures all views towards the study area (Figure 24).

### 5.4 Fleurs Radio Telescope Site

The Fleurs Radio Telescope Site was not accessible during the site inspection, with photographs being taken as close to the curtilage as possible on Mamre Road. The land around the heritage item is flat and rolling, with no elevations present for views towards the study area (Figure 25).

### 5.5 Luddenham Road Alignment

The Luddenham Road Alignment heritage item is accessed from Mamre Road, running south-east towards Elizabeth Drive (Figure 26). The section of the heritage item closest to the study area is bordered on the eastern side by mature eucalyptus trees, with a well-maintained, extensive golf course and creek bed located to the east of the heritage item. On the eastern side, the heritage item

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<sup>36</sup> Willow Tree Planning on behalf of ARUP, 2020. Request for SEARS, Proposed Data Centre. 10.



is bordered by properties and extensive paddocks. The view lines from the heritage item towards the study area are effectively obscured by the golf course land, eucalyptus trees and vegetation associated with the creek bed (Figure 27).

## 5.6 Canine Council Dwelling

The Canine Council Dwelling is accessed from Luddenham Road, and consists of an extensive complex for dog training with large green spaces, camping amenities and administrative buildings (Figure 28). The land formation is flat and rolling, with the complex bordered by mature eucalyptus trees and vegetation associated with a creek bed to the south of the curtilage. A green space is located in the southernmost extent of the heritage curtilage closest to the study area. All views towards the study area are effectively obscured by the vegetation and land formation (Figure 29).



Figure 10. View west from eastern portion of study area



Figure 11. View of vegetation in study area, looking north towards Bakers Lane



Figure 12. View of vegetation in eastern portion of study area looking east towards Mamre Road



Figure 13. View from eastern portion of study area looking south



Figure 14. View of dilapidated roof structure in study area, looking north



Figure 15. View of vegetation, road tracks and former gate in study area, looking west



Figure 16. View of former sheep run in study area, looking north



Figure 17. View of former shed structure in xx portion of study area, looking west





**Figure 18.** View of cleared vegetation in western portion of study area, looking north



**Figure 19.** View from western portion of study area towards Mamre Road, looking east



**Figure 20.** View from western portion of the study area, looking south



**Figure 21.** View from western portion of the study area, looking south towards creek bed



**Figure 22.** View from western edge of the study area, looking east towards Mamre Road



**Figure 23.** View of Bayley Park heritage item, looking south



**Figure 24.** View from Bayley Park heritage item, looking north-west towards the study area



**Figure 25.** View from Mamre Road, as close as possible to Fleurs Radio Telescope Site curtilage, north-west towards the study area





**Figure 26. View of the Luddenham Road Alignment heritage item, looking south-east**



**Figure 27. View from Luddenham Road Alignment heritage item towards study area**



**Figure 28. View of the Canine Council Dwelling heritage item, looking north**



**Figure 29. View from the curtilage of the Canine Council Dwelling item, looking south-east towards the study area**



## 6.0 IMPACT ASSESSMENT

### 6.1 Introduction

This section will assess the impacts, both direct (physical) and indirect (visual), that the proposed works may have on heritage items in the vicinity of the study area.

### 6.2 Proposed works

The current design for the proposal will comprise the construction of:

- Three 36 megawatt data centre buildings
- Two access corridors from Mamre Road
- Two two-storey buildings with roof mounted plant
- 60 generators for data halls
- One generator for the substation
- One high voltage switchyard
- Perimeter access roads from Mamre Road
- 169 car parking spaces
- Extensive screening landscaping.

The extent of the proposed works are illustrated in the preliminary architectural plans in Figure 30 - Figure 32.

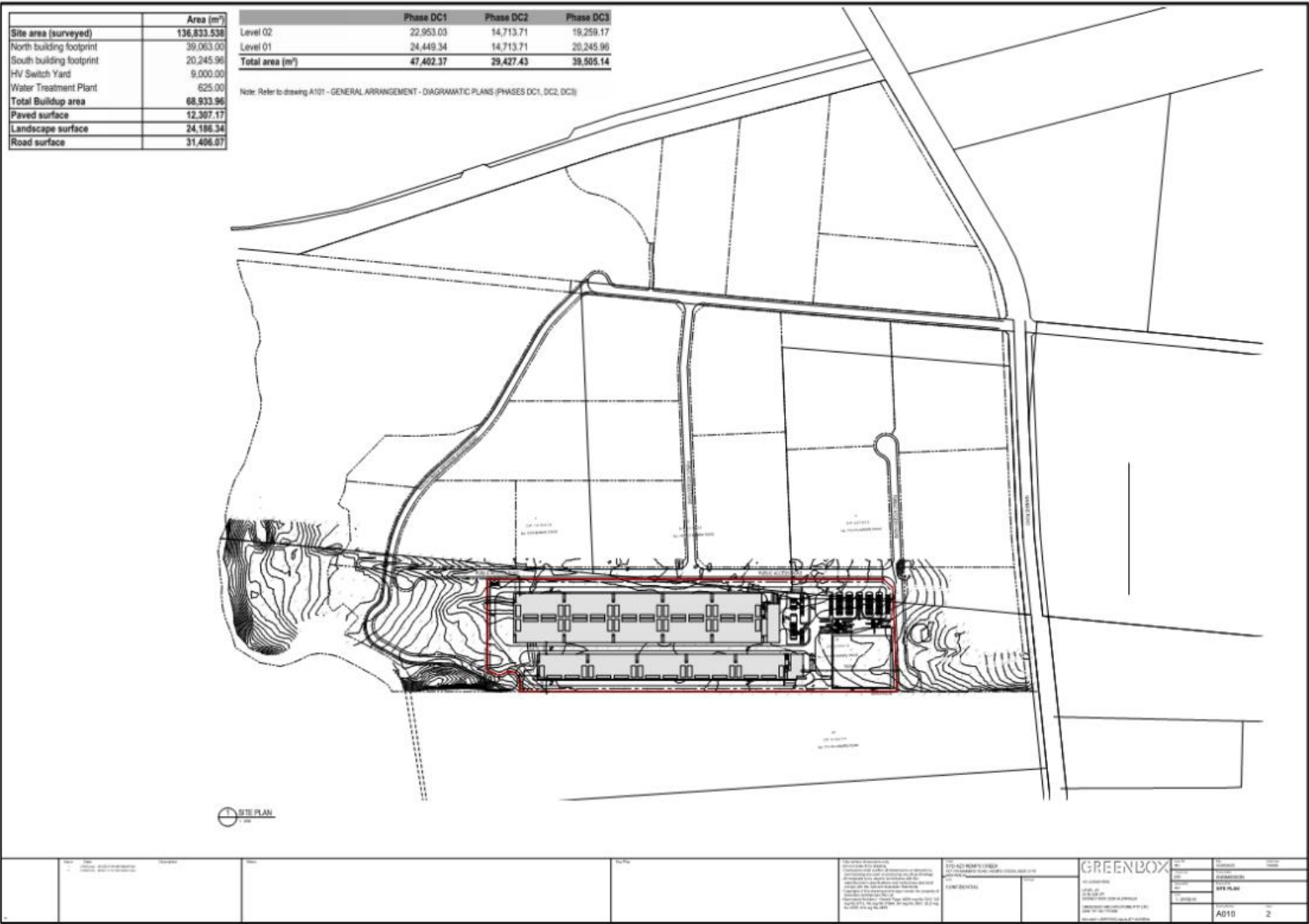


Figure 30. Proposed preliminary site plan for the Kemps Creek Data Centre. Source. Greenbox

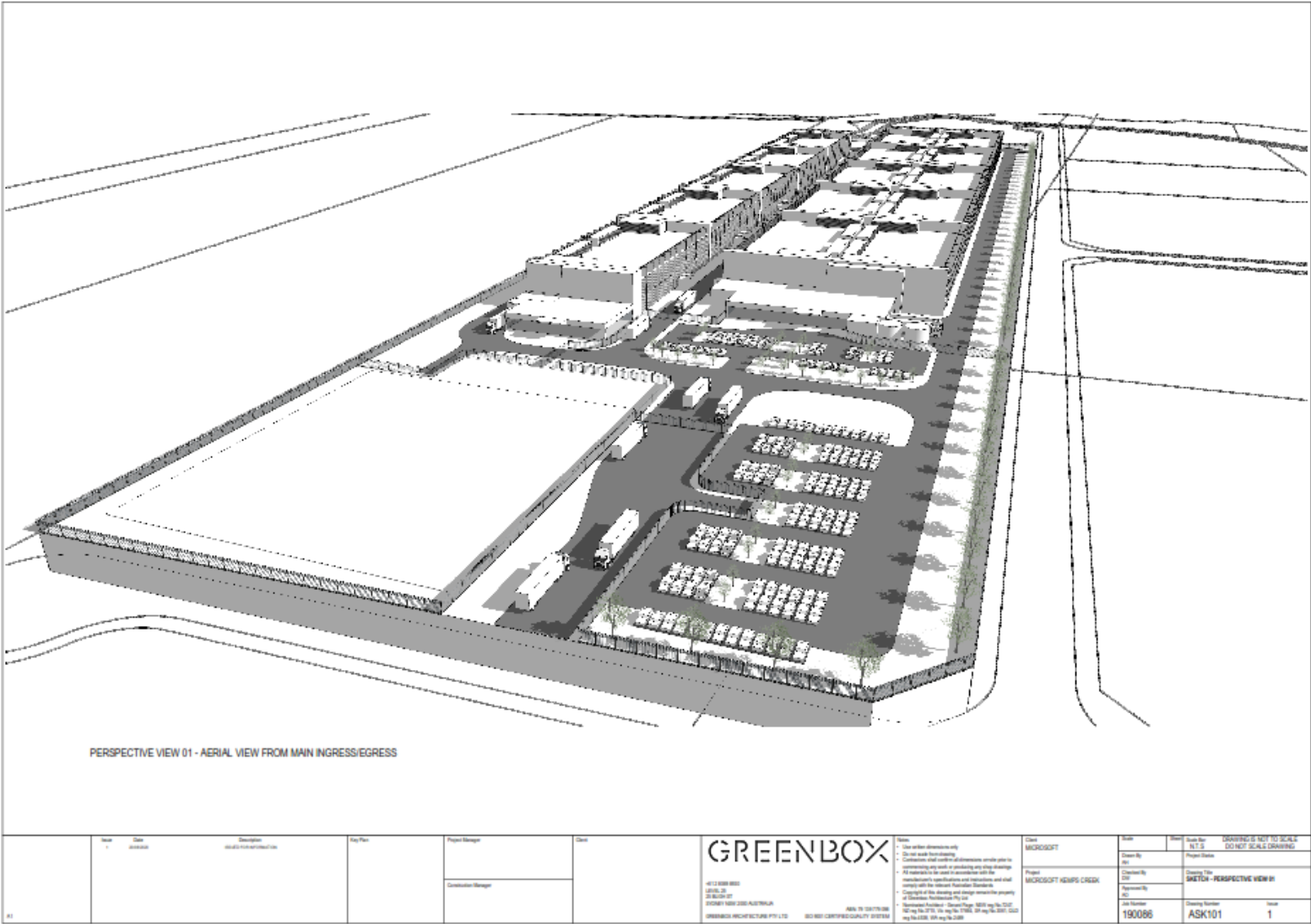


Figure 31. Proposed preliminary site plan for the Kemp's Creek Data Centre. Source. Greenbox



Figure 32. Proposed preliminary site plan for the Kemp's Creek Data Centre. Source. Greenbox



## 6.3 Heritage impact assessment

There are no listed or unlisted heritage items or elements of significant fabric located within the study area. During the site inspection, no buildings, features or objects within the study area were determined to be unlisted heritage items or moveable heritage of significance at a local level or above. No archaeology or items of archaeological potential were identified during the site inspection.

### 6.3.1 Direct (physical) impact assessment

The proposed works within the study area include the construction of two two-storey buildings with mounted plant, three 36 megawatt data centre buildings, generators, perimeter access roads, a carpark and extensive screening landscaping. The listed heritage items are positioned outside the study area at a distance of more than 1km and will not be physically altered as a result of the works. There would be no direct impacts to the curtilages or significant fabric associated with the heritage items.

Due to the significant distance of the heritage items from the study area, it is not expected that significant fabric would be impacted by vibration associated with the bulk earthworks or construction works within the study area.

Overall, the proposal would result in a **neutral** direct (physical) impact to the heritage items Bayley Park – House (LEP Item No. 1104), Fleurs Radio Telescope Site (LEP Item No. 832), Luddenham Road Alignment (LEP Item No 843) and Canine Council Dwelling (LEP Item No. 846).

### 6.3.2 Indirect (visual) impact assessment

The proposed works within the study area include the construction of two two-storey buildings with mounted plant and three 36 megawatt data centre buildings approximately 1.5km-2km in distance from the four listed heritage items. The proposed works will not be vertically oversized to preserve residential views in accordance with the site specific DCP.<sup>37</sup> Landscaping for the proposal consisting of native and endemic plants, shrubs, trees and grasses will be planted across 24,186.34m<sup>2</sup> of the complex to provide screening.<sup>38</sup> The SSD 9522 DCP requires a minimum landscape setback of 10m along Mamre Road, to ensure a sense of open agricultural landscape is maintained.<sup>39</sup>

The study area and its surrounds have largely maintained the historic rural character and setting of the area. The heritage items are set back from the road and generally surrounded by large, mature eucalyptus trees and vegetation associated with nearby creek beds. The combination of large trees and the rolling character of the landscape has entirely obstructed view corridors between the study area and the heritage items. The long distance between the study area and the heritage items, ranging from 1.5km to < 2km further minimises the importance of any view lines, should they exist.

The Fleurs Radio Telescope Site was not accessed during the site inspection; however, it is likely that there are no view lines from the heritage item towards the study area due to the structure of the landscape.

<sup>37</sup> Willow Tree Planning, 2019. Mamre South Land Investigation Area Development Control Plan. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd.

<sup>38</sup> Willow Tree Planning on behalf of ARUP, 2020. Request for SEARS, Proposed Data Centre. 12.

<sup>39</sup> Willow Tree Planning, 2019. Mamre South Land Investigation Area Development Control Plan. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd.

Overall, the proposal would result in a **neutral** indirect (visual) impact to the heritage items Bayley Park – House (LEP Item No. 1104), Fleurs Radio Telescope Site (LEP Item No. 832), Luddenham Road Alignment (LEP Item No 843) and Canine Council Dwelling (LEP Item No. 846).

## 6.4 Archaeological impact assessment

The proposal is operating on land subject to bulk earthworks under SSD 9522. Following the execution of these earthworks, no archaeological resources will remain on the site.

An archaeological assessment for the study area was undertaken as part of the EIS prepared for SSD 9522. This assessment identified no areas of archaeological potential within the study area and recommended the preparation of an unexpected finds procedure.<sup>40</sup> As the removal of all archaeological resources has been previously approved in a separate SSD application, an archaeological impact assessment is not necessary.

## 6.5 Cumulative impacts assessment

Cumulative impacts represent the incremental loss of, or modifications to, a heritage item or archaeological resource over time. These can result from individually minor, but collectively significant, actions and must therefore be considered within the wider development context in order to minimise impacts.

As the proposal has been assessed as having neutral impacts to surrounding heritage items, there are no cumulative impacts as a result of the proposed works.

## 6.6 Summary

Overall, the project will have **neutral** impacts to the surrounding heritage items.

## 6.7 Draft Mamre Road Precinct Development Control Plan 2020

This SoHI recommends that any future proposed works comply with the controls set within the Draft Mamre Road Precinct DCP. These design controls and their assessment against the proposal are outlined in Table 6.

**Table 6. Draft Mamre Road Precinct DCP controls**

| Draft Mamre Road Precinct DCP control  | Assessment   |
|--|--|
| <p><b>Control 1:</b> A Heritage Impact Statement shall be lodged with a development application for subdivision, buildings or works in the vicinity of heritage items identified in Figure 4, including development that:</p> <ul style="list-style-type: none"><li>• May have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing; or</li><li>• May undermine or otherwise cause physical damage to a heritage item; or</li><li>• Will otherwise have any adverse impact on the heritage significance of a heritage item within which it is situated.</li></ul> | <p>This Statement of Heritage Impact has been prepared to submit with the relevant SSD application for the proposal.</p> |

<sup>40</sup> Biosis, 2018. Mamre South State Significant Development Application Statement of Heritage Impact. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd. v.

| Draft Mamre Road Precinct DCP control  | Assessment   |
|--|--|
| <b>Control 2:</b> Proposals for subdivision should define an appropriate setting or curtilage for the heritage building as part of the Heritage Impact Statement or Conservation Management Plan.  | <p>The proposal would not encroach upon the heritage curtilages of listed items surrounding the study area. The study area is not a listed item of heritage significance.</p>  |
| <p><b>Control 3:</b> In determining the curtilage of a heritage building, consideration is to be given to the following:</p> <ul style="list-style-type: none"> <li>• The original form and function of the heritage building: The type of structure that constitutes the heritage building should be reflected in the curtilage. For example, it may be appropriate that a larger curtilage be maintained around a former rural homestead than that of a suburban building;</li> <li>• Outbuildings: A heritage building and its associated outbuildings should be retained on the same allotment; and</li> <li>• Gardens, trees, fencing, gates and archaeological sites: Features that are considered valuable in interpreting the history and in maintaining the setting of a building should be identified and, where possible, retained within the curtilage.</li> </ul>   | <p>The proposal would not encroach upon the heritage curtilages of listed items surrounding the study area. The study area is not a listed item of heritage significance.</p>  |
| <p><b>Control 4:</b> New development shall be of a scale and form that does not detract from the historical significance, appearance and setting of the heritage item. In this way, the following elements require specific consideration:</p> <ul style="list-style-type: none"> <li>• The height of new development near heritage items shall be less than the subject item. Increases in height shall be proportional to increased distance from the items and will be considered on merit;</li> <li>• Views and vistas to the heritage item from roads and other prominent areas are key elements in the landscape and shall be retained;</li> <li>• If the development site can be viewed from a heritage item(s), any new development will need to be designed and sited so that it is not obtrusive when it is viewed from the heritage item(s); and</li> <li>• Curtilages shall be retained around all listed items sufficient to ensure that views to them and their relationship with adjacent settings are maintained.</li> </ul> | <p>Heritage items are located further than 1.5km from the study area, with no view lines or curtilages obscured by the proposed designs. The development site cannot be viewed from the curtilages of heritage items surrounding the study area.</p>   |
| <p><b>Control 5:</b> In order to preserve and maintain an appropriate scale and the visual prominence of a heritage item, the building height of new development shall generally not exceed that of the original heritage item. New development or large additions or alterations must provide a transition in height from the heritage item.</p>  | <p>The building height of the new development will be two storeys in total. The development is not occurring in close proximity to heritage items.</p>   |
| <p><b>Control 6:</b> Development proposals, which involve largescale redevelopment and alteration to the original character of the heritage item and will negatively impact on the heritage significance of the curtilage, will not be permitted.</p>  | <p>The proposal will have a neutral direct (physical) and indirect (visual) impact on surrounding heritage items, with no listed items present within the study area. The proposal is situated within an approved area for bulk earthworks, the impacts of which are previously approved under SSD 9522.</p> |

| Draft Mamre Road Precinct DCP control   | Assessment   |
|---|--|
| <b>Control 7:</b> The colours and materials used in a new development (whether an extension or addition) should complement the colours and materials of the heritage item. New development within the curtilage must not adversely impact upon the significant fabric of a heritage item.   | The colours and materials of the development have not yet been determined in this design stage. As a neutral indirect (visual) impacts to surrounding heritage items has been assessed in this SoHI, this control is not applicable to the proposal. |
| <b>Control 8:</b> Where possible, existing fences that have been identified as significant or that contribute to the overall setting or character of a heritage item are to be retained or repaired, rather than replaced.  | There are no significant existing fences identified as part of the proposal. As there are no heritage items within the study area, this control is not applicable to the proposal.   |
| <b>Control 9:</b> New fences should either match as closely as possible the original fencing, or if the original fence type is not known, specifically relate to the architectural character and period of the existing heritage item with respect to design, materials, colour and height. Old photographs or careful inspection of remaining fabric can often reveal the original fence type. | The study area is not a listed item of heritage significance, therefore this control is not applicable to the proposal.  |
| <b>Control 10:</b> New development shall not be sited in front of the front building line of the existing heritage item nor shall it extend beyond the established side building lines of the heritage item.  | Heritage items are located further than 1.5km from the study area, with no curtilages obscured by the proposed designs. The development site cannot be viewed from the curtilages of heritage items surrounding the study area                       |
| <b>Control 11:</b> New development within the same curtilage as a heritage item shall generally not be larger in scale than the heritage item. Reference shall be made to the building height of the heritage item as the maximum permissible building height of alterations or additions.  | The proposal does not involve development within the curtilages of surrounding heritage items, therefore this control is not applicable to the proposal.   |
| <b>Control 12:</b> Vegetation around a heritage item shall be assessed for its value to the item and retained where required.   | Heritage items are located further than 1.5km from the study area, with no associated vegetation affected by the proposed designs.   |

## 6.8 Statement of Heritage Impact

The Statement of Heritage Impact for the proposal is shown in Table 7 below.

**Table 7. Statement of Heritage Impact for the proposed works as part of SSD 10101987**

| Impact  | Discussion   |
|---|--|
| <b>What aspects of the proposal respect or enhance the heritage significance of the study area?</b> | The proposal for SSD 10101987 would not involve the alteration of any listed heritage items surrounding the study area or impinge on their curtilages. No visual impacts would occur to any heritage items, as the study area is located in an area with no intact view lines between the surrounding heritage items. The structures are planned to be two storeys in height and set back from Mamre Road to maintain the integrity of the area's rural setting. Extensive landscaping will also be undertaken as part of the proposal, providing natural screening for the data centre. |



**What aspects of the proposal could have a detrimental impact on the heritage significance of the study area?**

The proposal for SSD 10101987 would result in neutral direct (physical) and indirect (visual) impacts to the four locally significant heritage items, as the heritage items are located outside of, and a considerable distance from, the study area.

As the study area is subject to development previously approved under SSD 9522, impacts resulting from bulk earthworks and infrastructure construction have been previously approved and do not form part of this assessment.

**Have more sympathetic options been considered and discounted?**

The proposal for SSD 10101987 has been designed to avoid the curtilage of listed heritage items surrounding the study area. The current draft designs align with the controls for heritage set out in the site-specific DCP for SSD 9522. This has been assessed as the most sympathetic option for the proposed works.

Alternatives included the consideration of different sites; however these were dismissed as the study area was appropriately zoned as IN1 General Industrial (SEPP WSEA) and resulted in the most beneficial outcomes for heritage in the area. Another alternative included a different site configuration; however the current draft designs are considered most appropriate for the topography and rural character of the study area.

## 7.0 CONCLUSIONS AND RECOMMENDATIONS

### 7.1 Conclusions

This SoHI has found that:

- There are four listed heritage items located within a 2km buffer of the proposed works:
  - Bayley Park – House (LEP Item No. I104)
  - Fleurs Radio Telescope Site (LEP Item No. 832)
  - Luddenham Road Alignment (LEP Item No. 843)
  - Canine Council Dwelling (LEP Item No. 846).
- The proposal is operating within land subject to the SSD 9522 for the Kemps Creek Warehouse, Logistics and Industrial Facilities Hub, which includes bulk earthworks and infrastructure development
- These proposed works for SSD 10101987 include the construction of:
  - Three 36 megawatt data centre buildings
  - Two access corridors from Mamre Road
  - Two two-storey buildings with roof mounted plant
  - 60 generators for data halls
  - One generator for the substation
  - One high voltage switchyard
  - Perimeter access roads from Mamre Road
  - 169 car parking spaces
  - Extensive screening landscaping.
- As the proposal is operating on land subject to bulk earthworks under SSD 9522, no archaeological resources will remain on the site. No archaeological resources were identified during previous assessments as part of the EIS for SSD 9522. Therefore, no archaeological impacts are assessed as part of this SoHI
- The proposed works have been assessed as having a:
  - Neutral direct (physical) impact to all surrounding heritage items
  - Neutral indirect (visual) impacts to all surrounding heritage items.

### 7.2 Recommendations

- If the concept design for the Kemps Creek Data Centre is revised to include any works that may further impact on surrounding heritage items (such as a substantial increase in height or bulk), additional heritage assessment must be undertaken.
- As the proposal would not impact any archaeological remains that would be considered 'relics' under the Heritage Act, no archaeological excavation permits or exemptions are required for the project.

- If unexpected archaeological finds are discovered during the proposed work, the TfNSW unexpected finds procedure must be followed. The NSW Heritage Division would be notified of the discovery of a relic in accordance with Section 146 of the *NSW Heritage Act 1977*.
- All relevant staff, contractors and subcontractors should be made aware of their statutory obligations for heritage under *NSW National Parks and Wildlife Act 1974* and *NSW Heritage Act 1977*. This may be implemented as a heritage induction.

## 8.0 REFERENCES

- Artefact Heritage, 2019. Lots 54-58 Mamre Road, Kemps Creek Non-Aboriginal Statement of Heritage Impact. Report prepared for Mirvac.
- Australia ICOMOS, 2013. *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*.
- Biosis, 2018. Mamre South State Significant Development Application Statement of Heritage Impact. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd. 20.
- Heritage Branch, Department of Planning, 2009. *Assessing Significance for Archaeological Sites and 'Relics'*.
- Heritage Council of New South Wales, 2009. *Standard Exemptions for Works Requiring Heritage Council Approval*.
- Heritage Office and Department of Urban Affairs & Planning 1996, revised 2002. *Statements of Heritage Impact*.
- Karskens, G., 2009. *The Colony. A History of Early Sydney*.
- Mike Young, Executive Director Energy, Industry and Compliance. Development Consent SSD 9522. 21 December 2020.
- NSW Heritage Office, 1996. *Heritage Terms and Abbreviations*.
- NSW Heritage Office, 1996. *NSW Heritage Manual*.
- NSW Land Registry Services, Certificate of Title Volume 2365 Folio 41.
- NSW Land Registry Services, Certificate of Title Volume 2365 Folio 40.
- NSW Land Registry Services, Certificate of Title Volume 2365 Folio 39.
- NSW Land Registry Services, Certificate of Title Volume 2377 Folio 166.
- NSW Land Registry Services, Certificate of Title Volume 2656 Folio 98.
- NSW Land Registry Services, Certificate of Title Volume 912 Folio 55.
- NSW Land Registry Services, Primary Application 17335.
- NSW Land Registry Services, Primary Application 7336.
- NSW Office of Environment and Heritage (former), 2005. 'Bayley Park – House.' NSW Office of Environment and Heritage.
- NSW Office of Environment and Heritage (former), 2008. 'Fleurs Radio Telescope Site.' NSW Office of Environment and Heritage.
- NSW Office of Environment and Heritage (former), 2008. 'Luddenham Road Alignment.' NSW Office of Environment and Heritage.
- Paul Davies Pty Ltd. 2007b. Penrith Heritage Study. Volume 2: Thematic History. Prepared for Penrith City Council.



Penrith City Local History, n.d. 'Kemps Creek.' Accessed at: <https://penrithhistory.com/suburb-profiles/kemps-creek/> (10 February 2021).

Richardson & Wrench, 1895. *Subdivision of farm, orchard & dairy lands on the famous Fleurs Estate St Mary's: for auction sale* on the ground Saturday 23<sup>rd</sup> February at 1 o'clock / by Richardson and Wrench Ltd., auctioneers. National Library of Australia, via Trove. Accessed at: <https://nla.gov.au/nla.obj-230481253/view> (10 February 2021).

Shinberg, D. 1967. Jones, Richard (1786–1852). Australian Dictionary of Biography, National Centre of Biography, Australian National University 2. Accessed at: <http://adb.anu.edu.au/biography/jones-richard-2280> (10 February 2021).

Thorp, W. 1986. The Penrith Heritage Study: The Historical Archaeology Component.

Willow Tree Planning, 2019. Mamre South Land Investigation Area Development Control Plan. Report prepared for Frasers Property Industrial Constructions Pty Ltd and Altis Property Partners Pty Ltd.

Willow Tree Planning on behalf of ARUP, 2020. Request for SEARS, Proposed Data Centre.



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