

STATEMENT OF HERITAGE IMPACT

Lot 3 Eastern Creek Quarter - Stage 3 + Roadway Intersection
Rooty Hill Road South, Eastern Creek

July 2022 Issue H



LOT 3 EASTERN CREEK QUARTER - STAGE 3

JOB NO. ROOT3829/20

ISSUE	DESCRIPTION	DATE	ISSUED BY
A	Draft for Review	11/05/21	GM
B	Amended Draft	28/05/21	GM
C	Amended for 'Request for Additional Information'	8/07/21	GM
D	Intersection Draft	29/04/22	GM
E	Amended for submission	12/05/22	GM
F	Amended for Reserve Boundary	5/07/2022	GM
G	Amended for Site Boundary Adjustment	21/07/2022	GM
H	Amendment for Submission	26/07/2022	GM

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1.0

INTRODUCTION

1.1 REPORT OVERVIEW

This report has been prepared for Frasers Property Australia as part of the Environmental Impact Statement (EIS) for State Significant Development (SSD) application number SSD-10457, as noted by the Department of Planning & Environment (DPE). The proposed Stage 3 development is at Lot 3 of the Eastern Creek Quarter at Rooty Hill Road South, Eastern Creek.

This issue includes an assessment of a proposed four-way intersection on Rooty Hill Road South that aligns Church Street with St Agnes Avenue opposite. This proposal requires a section of The Rooty Hill SHR listed item to be dedicated to the new roadway alignment.

The report evaluates the proposed ongoing development of the Eastern Creek Business Hub with a new Retail Outlet Centre, designed by i2C Architects, as well as the proposed intersection.

The *Amended Planning Secretary's Environmental Assessment Requirements* (SEARs) notes the following applicable items in relation to European heritage:

10. Heritage and archaeology

- A *Statement of Heritage Impact* (SOHI) prepared by a suitably qualified heritage consultant in accordance with the guidelines in the *NSW Heritage Manual*. The SOHI is to address the impacts of the proposal on the heritage significance and the listed values of the site, and adjacent areas and is to identify the following:
- all heritage items (state and local) within the vicinity of the site including built heritage, landscapes and archaeology, detailed mapping of these items, and assessment of why the items and site(s) are of heritage significance
- compliance with the relevant *Conservation Management Plan*
- the impacts of the proposal on heritage item(s) including visual impacts, significant site lines and viewsheds from and to the sites, including analysis of appropriate height limitations to

protect view corridors to the Blue Mountains from the surrounding SHR sites, which have values linked to their significant views;

- *the attempts to avoid and/or mitigate the impact on the heritage significance or cultural heritage values of the surrounding heritage items.*

This report concludes the proposal will have an acceptable heritage impact, with regard to built heritage.

Following an initial assessment by the DPE, we refer to their correspondence, dated 13 April 2021 (extract):

d) Heritage:

- i. *Provide an updated Statement of Heritage Impact including additional information in relation to compliance with relevant Conservation Management Plans, impacts on heritage items, and attempts to avoid/mitigate impacts of the proposal on the heritage significance and or cultural heritage values of the items.*

This amended SoHI addresses the above points:

- The subject site does not have a Conservation Management Plan (CMP), however, as noted under section 1.5 below and 7.4, there is a Conservation Plan (CP) for the neighbouring SHR listed site to the north, *The Rooty Hill* (2003). Comment is made on the applicable recommendations of the CP. Reference is also made to the *Western Sydney Parklands Plan of Management 2030*.
- The above second dot point is addressed in the section 6.0 *View Analysis* (p18) with viewpoints from the identified heritage items. In particular, Figures 6.7 and 6.8, consider the viewsheds towards the Blue Mountains.
- Mitigation of potential adverse impacts are discussed in section 7.0 *Assessment of Heritage Impact* (p24).

1.2 REPORT OBJECTIVES

The main objective of this Statement of Heritage Impact is to analyse the overall heritage impact of the proposed development in relation to the Environmental Planning Instruments (EPIs) specified in the Director General Requirements (DGRs) and the guidelines endorsed by the NSW Heritage Council.

1.3 METHODOLOGY AND STRUCTURE

This Statement of Heritage Impact has been prepared in accordance with guidelines outlined in the *Australia ICOMOS Charter for Places of Cultural Significance, 2013*, known as *The Burra Charter*, and the Heritage NSW (in the NSW Department of Premier and Cabinet) publication, *NSW Heritage Manual*.

The Burra Charter provides definitions for terms used in heritage conservation and proposes conservation processes and principles for the conservation of an item. The terminology used, particularly the words *place*, *cultural significance*, *fabric*, and *conservation*, is as defined in Article 1 of *The Burra Charter*. The *NSW Heritage Manual* explains and promotes the standardisation of heritage investigation, assessment and management practices in NSW.

1.4 SITE IDENTIFICATION

The subject 34ha site, known as Lot 3 of the Eastern Creek Quarter at Rooty Hill Road South, Eastern Creek, is located on the east side of Rooty Hill Road South, between Church Street and Beggs Road. At present, it is described by NSW Land Registry Services (LRS) as follows:

- Lots 1, 3-5 and 13 Section B DP8681
- Lot 1 DP135665
- Lots 1-4 DP830836

Church Street marks the site's northern boundary. The site forms part of the Western Sydney Parklands and is located within the Blacktown Local Government Area. It is located approximately 1.5km south east of Rooty Hill Station.

1.5 HERITAGE MANAGEMENT FRAMEWORK

1.5.1 NSW ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (EP&A ACT)

The subject property is **not** listed as an item of heritage significance in any statutory instrument. However, it is located in the vicinity of the following items listed in Schedule 1 of the *State Environmental Planning Policy (SEPP) (Western Parklands City) 2021*, and Schedule 5 of the *Blacktown LEP 2015* as items of State and Local heritage significance, the closest being:

SEPP (Western Parklands City) 2021

- Item No. 2 - *The Rooty Hill*, Eastern Road, Rooty Hill
- Item No. 3 - *Pioneer Memorial Church*, Rooty Hill Road South, Rooty Hill

Blacktown LEP 2015

- Item I104 - *House - Belvedere*, 116 Rooty Hill Road South, Rooty Hill
- Item A118 - *Bungarribee Homestead Complex*, Steeltrap Drive, Bungarribee
- Item A119 - *View Park*, Steeltrap Drive, Bungarribee
- Item A123 - *Archaeological site - Ruins of the Government Depot*, Dunsmore Street, Rooty Hill

The Items A118, A119 and A123 are also listed under *Part 2 Archaeological Sites* of the *Blacktown LEP 2015*.

Of the above items, four are also listed on the State Heritage Register:

Item No. 2	<i>The Rooty Hill</i>
Item A118	<i>Bungarribee Homestead Complex</i> ,
Item A119	<i>Bungarribee View Park</i>
Item A123	<i>Archaeological site - Ruins of the Government Depot</i>

As such, the property is subject to the heritage provisions of the *SEPP (Western Parklands City) 2021*, the *Blacktown LEP 2015* and the *Blacktown DCP 2015*, under the *Environmental Planning and Assessment Act 1979*. The proposal has been referred to the NSW Government DPE for comment on the potential heritage impact of the proposed development on the significance of the listed items in the vicinity of the subject site.

Correspondence from Heritage NSW in relation to the SEARs for SSD-10457 notes:

The proposed SSD site is in the vicinity of State Heritage Register Archaeological items, The Rooty Hill (SHR no. 01756), Government Depot Site (former) (SHR no. 00345), and Bungarribee Homestead Complex - Archaeological Site (SHR no. 01428).

While it may be argued by the Proponent that visual impacts are unlikely to an archaeological site, Heritage NSW notes that the context of an archaeological site directly contributes to its understanding in the landscape.



Figure 1.1

Site Location. Note the existing development to the south of Beggs Road and the subject site outlined in red. The proposed 4-way intersection is circled in yellow

Source: maps.au.nearmap.com

The Rooty Hill site has a Conservation Plan (CP) that will be referenced as a part of the heritage impact assessment:

The Rooty Hill and Morreau Reserve Conservation Plan by Knox & Partners, Landscape Architects, August 2003.

Other management plans will be referred to where applicable. As such, it is necessary to assess the potential impact of the proposed development on the existing and historical views to and from the archaeological sites in the vicinity, as well as physical extant items, if any.

We note that the three sites of the *Government Depot Site*, the *Bungaribee View Park*, and the *Bungaribee Homestead Complex* are archaeological sites and not within the scope of works of this report, in terms of referencing any applicable CMP's. They are however, still assessed in this report in terms of view analysis.

In addition to these two listed heritage items, others in the wider locality are separated from the subject site by intervening development, distance, roadways, and local topography, and have no direct visual connection to the site.

1.5.2 NSW HERITAGE ACT 1977

The *NSW Heritage Act 1977* (Amended) is an Act to conserve the environmental heritage of New South Wales. The Act established the Heritage Council of NSW, and the State Heritage Register.

As the subject site is not included on the State Heritage Register there are no heritage approvals required for the site under the *NSW Heritage Act 1977*, other than those that may be applicable to archaeology. These are considered in the EXTENT report:

Eastern Creek Quarter Stage 3, Historical Archaeological Assessment, December 2020
- Final.

1.6 AUTHORSHIP

This report has been prepared by Ella Sheridan, Heritage Consultant, Garry McDonald, Associate Director of GBA Heritage, and has been reviewed by the Director, Graham Brooks. Unless otherwise noted, all of the photographs and drawings in this report are by GBA Heritage.

1.7 REPORT LIMITATIONS

While this report is limited to the analysis of European cultural heritage values, GBA Heritage recognises that for over forty thousand years or more Aboriginal people occupied the land that was later to be claimed as a European settlement.

Recommendations have been made on the basis of documentary evidence viewed and inspection of the existing fabric. Archaeological assessment of the subject site is outside the scope of this report.

This report only addresses the relevant heritage planning provisions and does not address general planning or environmental management considerations.

This Statement of Heritage Impact does not include a comprehensive historical overview of the property as these are included in the accompanying AHMS report.

1.8 COPYRIGHT

Copyright of this report remains with GBA Heritage.



Figure 1.2

Excerpt from the *SEPP (Western Parklands City) 2021 Heritage Map* showing the subject site outlined in red. State heritage items are hatched yellow (2), and local heritage items are brown (3). The perimeter of the Parklands is outlined with a thick black line. The proposed intersection is circled in yellow

Source: NSW Government Legislation website, *SEPP map HER 003*

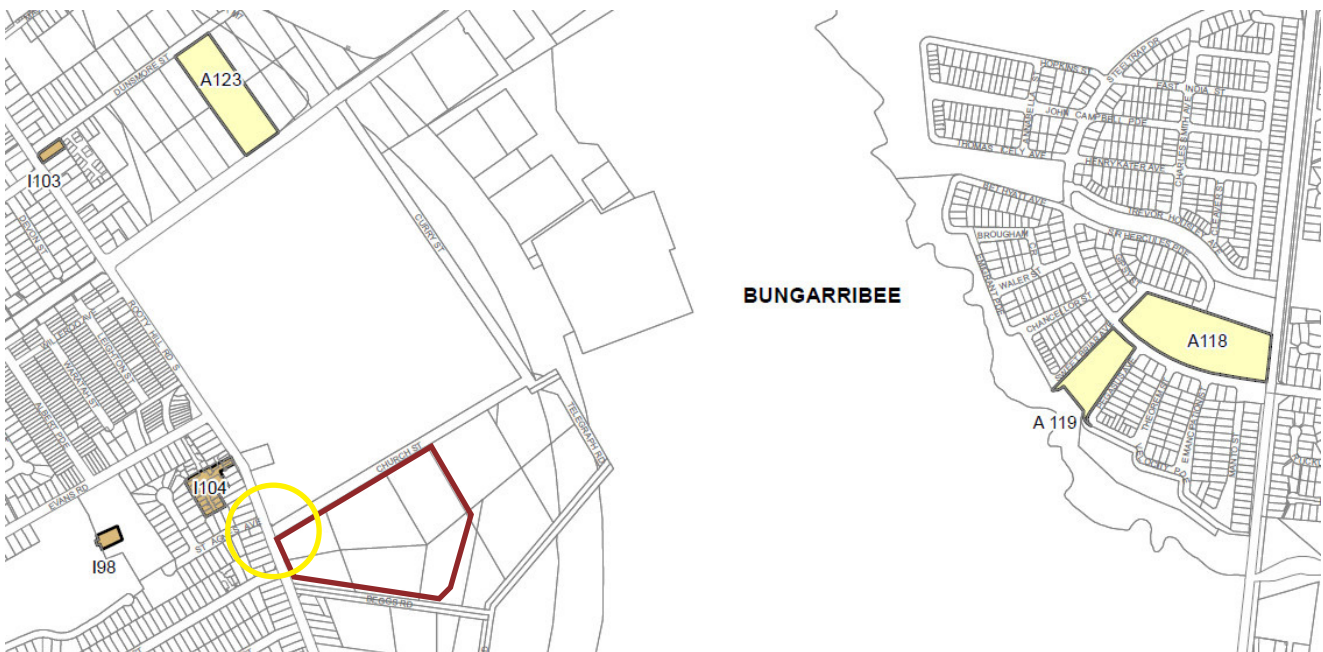


Figure 1.3

Excerpt from the *Blacktown LEP 2015 Heritage Map* with the subject site outlined in red. General heritage items are shown in brown and archaeological items are shown yellow. The proposed intersection is circled in yellow

Source: NSW Government Legislation website, *LEP map HER 009*



2.0

HISTORICAL SUMMARY

2.1 BRIEF HISTORY OF THE LOCALITY

The following history are extracts from *The Rooty Hill* inventory sheet of the Heritage NSW website.

Prior to European settlement the area was occupied by the Dharug people. A significant stone artefact scatter relating to pre-contact Aboriginal use has been identified on the site indicating the potential importance of the site for research. According to oral testimony, the significance of the site for Aboriginal people continued in post contact years as it provided an important unofficial or hidden gathering and camping site for people moving between Sydney Parramatta and the rest of the State.

*A close examination of the documentation of Governor Phillip's first exploration of Parramatta's western hinterland in April 1788 reveals that the orthodox view that he went only as far as Prospect Hill or a little beyond is deeply flawed. His party is much more likely to have traversed Toongabbie, Seven Hills and Blacktown to climb **Bungarribee Hill**, Doonside and reaching Eastern Creek and **Rooty Hill** (Flynn, 1995, 9; emphasis GBA).*

The hill was named the Rooty Hill by Governor King and was included in one of the four reserves of land for government stock runs. It is most likely that it was named after a hill of similar geological form on Norfolk Island where the Governor has been posted ten years prior to his appointment to New South Wales.

GBA note: there are other theories as to the naming of Rooty Hill

In order to build up the colony's stock reserves and as a failsafe against food shortages, Governor King reserved 15,672.72 hectares of land in the Prospect area. This reserve included the Hill and was known as the Rooty Hill Run.

Under Macquarie's governance the colony's stock farms were expanded and reorganised and were still seen as an important reserve of food for times of shortage and an effective means of wresting the strangle hold on food/meat prices from a "cartel of

officers and wealthy settlers" (Banksia Heritage and Archaeology Oct 2004). In 1813 Macquarie instigated a system of government employed overseers and stock keepers to manage four government stock farms in the colony. He also ordered the construction of farm buildings, enclosures and accommodation.

Rooty Hill became the second-most important of the government stock farms and was allocated an overseer's residence with accommodation for the Governor and other visitors. The overseer's cottage was built in 1815 on the northern slopes of The Rooty Hill. (now across Eastern Road from The Rooty Hill). This site was possibly chosen as the Hill would have as surely offered protection from the elements. The Rooty Hill remained a part of the stockfarm at this stage.

An inquiry into the colony's agricultural development in 1822 criticised the expense of the government stock farms and resulted in the reduction of the size of the Rooty Hill farm through grants of land on the perimeter of the reserve. Under Governor Brisbane the Rooty Hill stock farm was reduced further and in 1828 Governor Darling closed the Rooty Hill station giving over ownership of the remaining lands, including the Hill to the Church and Schools Corporation. When the Corporation failed in 1832 the land reverted to government, Church and Schools Corporation. When the Corporation failed in 1832 the land reverted to government ownership and was leased for grazing until 1865 when 134.87 hectares including The Rooty Hill was sold into the private ownership of Charles McKay. McKay donated a parcel of land on the south west edge of the Hill to the Baptist Church. This was later came into the ownership of the Presbyterian Church, which retains ownership to this day.

The Hill remained in private ownership from the time of McKay's purchase up until 1975 when the land was resumed by the Planning Department as part of the Eastern Creek Open Space Corridor. In the early 1980s a planting and landscaping project was initiated on the Hill and the sporting fields, Morreau reserve were established. In 1992 ownership of the Hill was given to Blacktown City Council in order to establish an historic park there.

3.0

SITE DESCRIPTION

3.1 URBAN / RURAL CONTEXT

The 34 hectare (ha) Eastern Creek Quarter (ECQ) site is situated to the north of the Great Western Highway between Rooty Hill Road South and the M7 Motorway. Church Street marks the site's northern boundary. The site forms part of the Western Sydney Parklands and is located within the Blacktown Local Government Area. It is approximately 1.5km south east of Rooty Hill Station.

This SSDA relates to Lot 3 of the ECQ site, which is the final area proposed to be developed. It is located in the northern part of the site and has an area of approximately 7.29ha (refer to Figure 5.1).

Rooty Hill Road South forms the west boundary, the north boundary aligns with Church Street, the south boundary with Beggs Road, and the two eastern boundaries face the M7 freeway. Development along the western side of Rooty Hill Road South is generally detached housing.

The site is currently largely vacant. The completed first stage, a Neighbourhood Retail Centre with adjacent carpark, is located across Beggs Road to the south.

3.2 VIEWS TO AND FROM THE SITE

As the proposal concerns the potential visual impact on the heritage listed items in the vicinity, views to and from the site, including these listed items are to be analysed and reviewed.

The heritage listed properties identified in section 1.5 are located relative to the subject site:

- *The Rooty Hill* is across Church Street to the north.
- *Pioneer Memorial Church* is to the north on Rooty Hill Road South facing west, and approximately 100 metres from the subject site on the corner with Church Street.
- *Belvedere house* is across Rooty Hill Road opposite the above Church.
- *Bungarribee Homestead Complex* to the east, is on the other side of the M7 freeway, approximately 1000 metres from the site
- *Bungarribee View Corridor* similar location to the Homestead above
- *Government Depot Site (former)* located to the north of The Rooty Hill, and thus not evident either to or from the subject site.

Figure 3.1 (below)

Image along Rooty Hill Road South, on the corner with Beggs Road. The subject site is on the immediate left and the first stage of the ECQ is across Beggs Road. Note the heights of the existing housing on the right relative to the completed first stage of the ECQ on the left

Source: maps.au.nearmap.com





Figure 3.2

Image towards the east along Church Street, with the vacant subject site on the right, and *The Rooty Hill* SHR site on the left. Note the mature landscape of the SHR site.

Source: maps.au.nearmap.com



Figure 3.3

Image towards the west, along Church Street, with Rooty Hill Road South in the distance. The subject site is on the left, and *The Rooty Hill* SHR site on the right, with the access road to the Morreau Reserve. Note the mature landscape of the SHR site

Source: maps.au.nearmap.com



Figure 3.4

Image from within *The Rooty Hill* SHR site towards Church Street and the entrance roadway of Figure 3.3. Note the mature landscape of the SHR site and that the subject Lot 3 of the ECQ site is not evident other than the opening from the roadway

Source: maps.au.nearmap.com



Figure 3.5

Image along Rooty Hill Road South, and the Pioneer Memorial Church on the left, which is within *The Rooty Hill* SHR site. Note the turn off to Church Street and the corner of the subject site, located by the red arrow, are not evident from this point. The red arrow also indicates the location of the proposed 4-way intersection

Source: maps.au.nearmap.com



Figure 3.6

Image from Rooty Hill Road South of LEP listed *Belvedere*, with the dormer and verandah. Set back from the main road, it is not obvious from Rooty Hill Road South, and would not be evident from the subject site

Source: maps.au.nearmap.com



Figure 3.7

Image of *The Rooty Hill* from the SHR listed *Government Depot Site* (former), from the north side of Eastern Road. Note that the subject site on the other, south side of Rooty Hill would not be evident from this distance and location

Source: maps.au.nearmap.com



Figure 3.8

Image from Bungarribee towards the subject site in the distance indicated with a red arrow. The *Bungarribee Homestead Complex* is to the immediate left and the *Bungarribee View Corridor* is in the middle distance, left

Source: maps.au.nearmap.com



Figure 3.9

Image from Emigrant Parade, Bungarribee, the perimeter road adjacent to the Western Sydney Parklands towards the subject site and the M7. The degree of plantation along this roadway, from the direction of the Bungarribee SHR listed sites is typical

Source: maps.au.nearmap.com



Figure 3.10

Image towards the subject site to the west, from the M7 roadway. Note the screening vegetation along this part of the roadway that is still developing. The approximate location of the subject site is located by the red arrow

Source: maps.au.nearmap.com

4.0

ESTABLISHED HERITAGE SIGNIFICANCE

4.1 ESTABLISHED SIGNIFICANCE OF THE HERITAGE ITEMS IN THE VICINITY OF THE SUBJECT SITE

As noted in section 1.5 *Heritage Management Framework*, there are a number of individually listed heritage items in the vicinity of the subject site. These are listed as items of State and Local heritage significance on the SHR of Heritage NSW, *SEPP (Western Parklands City) 2021* and Schedule 5 of the *Blacktown LEP 2015* (Figures 1.2 & 1.3).

Heritage NSW has requested an assessment of impact and view analysis be undertaken in regards to these sites to ensure the proposed development will have no adverse impact on the present, and historical, relationship of the sites to significant views, including to the distant Blue Mountains.

In summary, the heritage items are located to the north of the site, or to the far east side of the M7 freeway. Considering the location of the heritage items, relative to the subject site and the topography, the visually sensitive area is therefore situated to the north of the site, predominately from The Rooty Hill direction.

4.1.1 STATEMENTS OF SIGNIFICANCE

The analysis in this report focuses on the impact of the proposed development (if any) on the following items. The NSW Heritage Inventory contains Statements of Significance for the nominated items in the vicinity:

Rooty Hill, The

Eastern Road, Rooty Hill
Database entry number 5054842

The Rooty Hill is of State heritage significance as a remnant of one of the four Government Depots and stock farms first selected by Governor King in 1802 and further developed by Governor Macquarie after 1810. Under Macquarie, Rooty Hill Depot and stock farm developed as the second most important of the stock farms in colonial NSW.

It functioned to provide an important reserve food supply for the colony during its establishment when it frequently faced crop failures, drought and other difficulties. The stock farm also enabled the government to control livestock prices and so prevent exploitation of the market by private graziers and contributed to the establishment of colonial breeding herds. An open stone artefact scatter has been located on the site indicating the site's potential as a research resource for Aboriginal history in the area. The hill also has significance to the Aboriginal community as a post contact camping and meeting place for those travelling over the Blue Mountains and into Parramatta and Sydney.

Pioneer Memorial Church

Rooty Hill Road South, Rooty Hill
Database entry number 1140120

The church is built on land donated by Charles McKay. Originally a Baptist Church, it was acquired for the local Presbyterian community by James Angus, McKay's successor as owner of the Minchinbury estate. The church is an important and long standing religious centre in Rooty Hill.

Belvedere

116 Rooty Hill Road South, Rooty Hill
Database entry number 1140119

Belvedere is a good example of a Victorian Regency rural house featuring a symmetrical front and encircling bullnose verandah and one of a small number of surviving brick houses from the mid to late Victorian period in Western Sydney. The house has some potential to yield further information about construction date and methods through the protection of both the external and internal fabric of the place. The house has social significance through its association with the Lawson Family, particularly Dr Lawson who was one of the first doctors in the district.

Belvedere has an association of more than 80 years with the Lawson family, in particular with Dr George Lawson who was the only local doctor in Rooty Hill.

Bungarribee Homestead Complex - Archaeological Site

Doonside Road, Doonside

Database entry number 5051257

The Bungarribee Homestead complex represents a rare, intact footprint of a very early farmstead including a main house, outbuildings and plantings. The remains, as defined by the heritage curtilage are considered to have State significance based on their historic, aesthetic, social and technical/research values.

The homestead has a strong association with settler John Campbell who arrived in the colony in 1821 seeking to increase his fortunes. Bungarribee is a reflection of the ambition of Campbell, but also of other settlers who desired a new and prosperous life. The homestead is architecturally and aesthetically significant and contributed to the influence of the 'cottage ornee' style in the colony (Broadbent 1997:145). The homestead was also an important reminder of the social status of its owners with its "Italianate tower seen across paddocks from the Western Road,... as important an architectural landmark in the colony as Mrs Macquarie's Gothic forts on Sydney Harbour".

As a cultural resource, this complex is highly significant for the potential to yield information regarding the evolving pastoral and economic activities of an early homestead in the western region of Sydney. It has the potential to yield information regarding the initial construction and occupation of the homestead, the barracks, barn and other outbuildings. This resource has the potential to provide information relating to the domestic conditions and social status of early settlers, and the working life and conditions of domestic and farm assistants employed on this estate. (Austral Archaeology: June 2000)

Bungarribee View Corridor

Steeltrap Drive, Doonside

Database entry number 1140291

GBA note: The inventory does not contain a Statement of Significance.

Government Depot Site (former)

Dunsmore Street, Rooty Hill

Database entry number 5045415

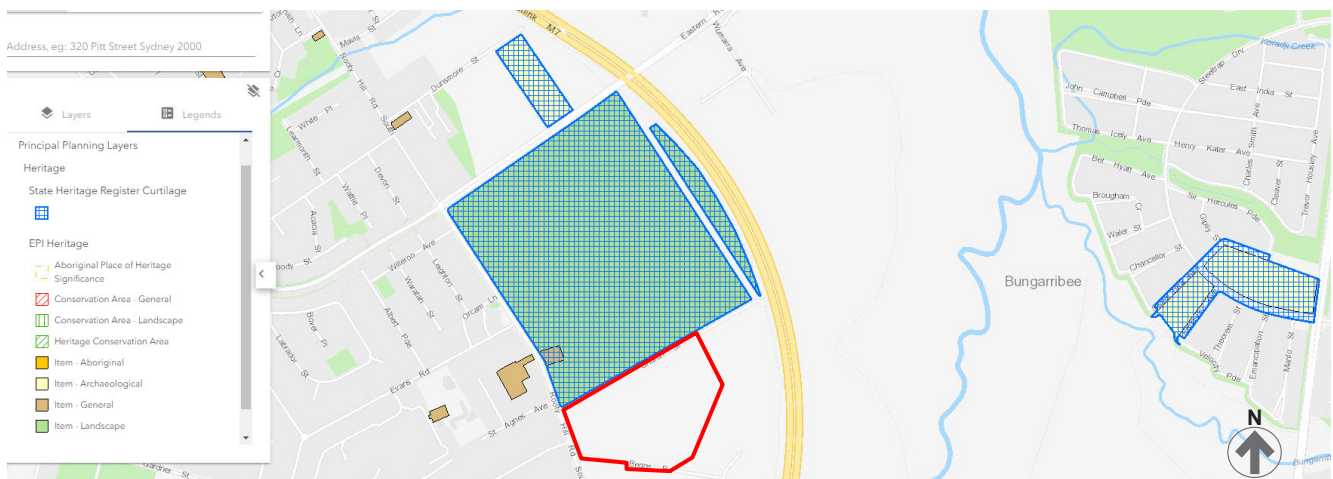
The Government Depot site has potential State significance for its association with Governor Macquarie and is certainly of regional significance as the former residence of the Superintendent of the stock farm. The site also has local significance through its association with early travellers and settlers in the district (HO).

The station at Rooty Hill was the next principal one to that at Camden for the grazing of the Government horned cattle and horses in the early 1800s. (Bertie, 1935).

Figure 4.1 (below)

Planning Portal diagram indicating the heritage listed items in the vicinity of the subject site, outlined in red. The SHR items are cross-hatched green, and the LEP listed items are shaded brown. Refer to Figure 7.1 below

Source: planningportal.nsw.gov.au/spatialviewer



5.0

DESCRIPTION OF THE PROPOSAL

The proposed State Significant Development Application (SSDA) seeks Concept Plan approval for a new retail outlet centre, designed by i2C Architects, at Lot 3 of the Eastern Creek Quarter site. The Concept Plan will establish the following framework to guide the future detailed design of the Lot 3 development:

- Land uses, including retail (factory outlet), food and drink premises, amusement centre and indoor recreation facility;
- Building footprints, including basement, with a maximum height of 12m;
- A maximum GFA of 39,500m at Lot 3 which will be staged as follows:
 - Phase A: 29,500m²
 - Phase B: 10,000m²
- Upgrade of Church Street for vehicular access, including traffic signals at the Church Street/Rooty Hill Road South intersection; refer to intersection road widening below;
- Modifications to the Cable Place/Rooty Hill Road South/Site Access intersection; and
- Modifications to the Francis Street/Eastern Road/Rooty Hill Road South intersection.

It is also proposed to seek consent for a series of early works including:

- Removal of up to 0.64ha of Cumberland Plains Woodlands in the south west corner of the site;
- Bulk earthworks within Lot 3; and
- Extension of the internal access road to connect to the basement car park.

The proposed outlet centre at Lot 3 will necessitate the inclusion of conditions of consent which requires the modification of SSD 5175 (the existing Concept Plan for the broader ECQ site) to amend the overall allocation of GFA and associated uses, relevant Concept Plan and the existing Design Guidelines.

This report is based on the Concept Plan prepared by i2C, shown in Figure 5.1 below. The aim of the proposal is to provide contemporary retail spaces for the local community.

In order to address the expected increase in vehicular traffic in the area, it is proposed to provide a 4-way intersection, as designed in Figure 5.2. This proposal would require the dedication of a section of The Rooty Hill site including:

- The widening of the Rooty Hill Road, from the Pioneer Memorial Church site boundary, for an off ramp into Church Street, as well as a Reserve Boundary.
- The re-alignment of Church Street towards the north, to align with St Agnes Avenue opposite.
- Adjustments along the Rooty Hill Road to allow for the proposed intersection.
- Removal of an additional 0.48ha of vegetation outside of the site boundary to facilitate the intersection.
- The reinstatement of vegetation, where a section of Church Street has become redundant.



Figure 5.1

Concept Plan of the subject site, outlined in red. Note 'The Rooty Hill' SHR site is to the north of Church Street, and the location of the proposed retail factory building identified as '6' on the plan. Building No. 2 is the existing Neighbourhood Retail Centre. Note the proposed setbacks from Church Street, as well from Rooty Hill Road South. The proposed building envelope is chamfered on the street corner, the area of '12', to allow for the views towards Rooty Hill to open up from the main road thoroughfare, travelling to the north. The proposed 4-way intersection is circled in yellow

Source: i2CArchitects

6.0

VIEW ANALYSIS

An assessment of the proposal requires an analysis of the subject site in relation to the heritage items in the vicinity. As such, a survey of applicable viewpoints has been prepared by iC2 architects, with agreed locations as per Figure 6.1.

An outline of the building envelope in yellow, has been superimposed on each Viewpoint to enable an assessment of the possible visual impacts of the proposed development.



Figure 6.1

Aerial view of the subject site, outlined in red, and the overall ECQ outlined in yellow. The nominated viewpoint locations are numbered one to eight

Source: iC2Architects



6.1 THE ROOTY HILL



Figure 6.2

Viewpoint 1: Image from the northern most area of The Rooty Hill SHR listed site, towards the south. The proposed development structure is outlined in yellow, and it is evident that it cannot be seen due to the extent of tree cover

Source: iC2 Architects



Figure 6.3

Viewpoint 2: Image from the highpoint of The Rooty Hill SHR listed site, towards the south-east. The proposed development structure is outlined in yellow and it is evident that it cannot be seen due to the extent of tree cover

Source: iC2 Architects



Figure 6.4

Viewpoint 3: Image from lower down the hill from Viewpoint 2 of *The Rooty Hill* SHR listed site, towards the south-east. The proposed development structure is outlined in yellow and it is evident that it cannot be seen due to the extent of tree cover, and likely to be less evident than Viewpoint 2.

Source: iC2 Architects



Figure 6.5

Viewpoint 4: Image from near the south curtilage boundary of *The Rooty Hill* SHR listed site, towards the south-east. The proposed development site is becoming more evident, albeit through what is still quite dense tree cover. The proposed development is outlined in yellow and would only be partly seen through the trees. The density of vegetation from this viewpoint is not likely to alter with the proposed tree removal for the 4-way intersection, which is further to the right (west)

Source: iC2 Architects



Figure 6.6

Viewpoint 5: Image from near the east curtilage boundary of *The Rooty Hill* SHR listed site, towards the south. The proposed development site is outlined in yellow and would not be evident from this viewpoint

Source: iC2 Architects

6.2 BUNGARRIBEE HOMESTEAD COMPLEX



Figure 6.7

Viewpoint 6: Image from *Bungarribee Homestead Complex - Archaeological Site*, which overlooks the *Bungarribee View Corridor*, towards the west. The proposed development site is outlined in yellow that would not be evident from this viewpoint, and which does not rise above the distant escarpment, with the Blue Mountains beyond

Source: iC2 Architects



Figure 6.8

Viewpoint 7: Image from *Bungarribee Homestead Complex - Archaeological Site*, towards the west with the proposed development site outlined in yellow, which would not be evident from this viewpoint, nor would the Blue Mountains be in the viewshed

Source: iC2 Architects



Figure 6.9

Viewpoint 8: Image from Rooty Hill Road South, towards the south east. St Agnes Avenue is on the right, and Church Street is further down, on the left. The proposed intersection would occupy a section of land on the left, from the Pioneer Memorial Church to Church Street. The proposed development site, outlined in yellow, would not be particularly evident from this viewpoint due to the density of tree cover, although to some extent this would be negated by the proposed road widening. Note also that the yellow outline is setback from Rooty Hill Road and mitigates its visual presence along the roadway

Source: iC2 Architects

6.4 SUMMARY OF THE VIEW ANALYSIS AND POTENTIAL IMPACTS

The key heritage issues that have been identified in this response to the Concept Plan proposal are as follows:

- The identified heritage sensitive area is located to the north of the subject site, in the direction of The Rooty Hill. Refer to Figure 6.1, viewpoint locations 1 to 5, and 8. Heritage Items located at points 6 and 7 are of such a distance, and on the other side of the M7 Freeway, that viewpoints to and from this direction will have very little potential adverse impact.
- Viewpoints 6 & 7 do not rise above the distant escarpment, in the direction of the Blue Mountains. Similarly, Viewpoint 8, to and from the Pioneer Memorial Church is limited by the parkland of The Rooty Hill (Figure 6.9).
- The proposed Concept Plan has located the factory outlet building toward the south of the site, which relates to the completed Stage 1 development, and as far away from The Rooty Hill heritage site as possible. This allows for open space and landscaping along Church Street rather than building close to the boundary.
- The factory outlet building is limited to a maximum height envelope of 12 metres, and thus minimises the profile of the development within the landscape and any viewpoints from heritage items.
- The incorporation of a minimum, 10 metre landscaped buffer zone along the north, the Church Street boundary of the site, as well as a park presentation to Rooty Hill Road South, mitigates the potential visual impact of the proposed building towards The Rooty Hill SHR site to the north, and Rooty Hill Road South.



Figure 6.10

Image along Rooty Hill Road South, towards the north with the recently completed Stage 1 of the ECQ in the middle ground, right of the roadway. Image taken at the intersection of the new vehicular entrance and Cable Place (refer Figure 5.1). Note from this direction that Rooty Hill is not evident

Source: maps.au.nearmap.com

7.0

ASSESSMENT OF HERITAGE IMPACT

This section of the report provides a detailed analysis of the statutory controls applying to this site, with regard to heritage. Refer to Figures 4.1 and 7.1

7.1 INTRODUCTION

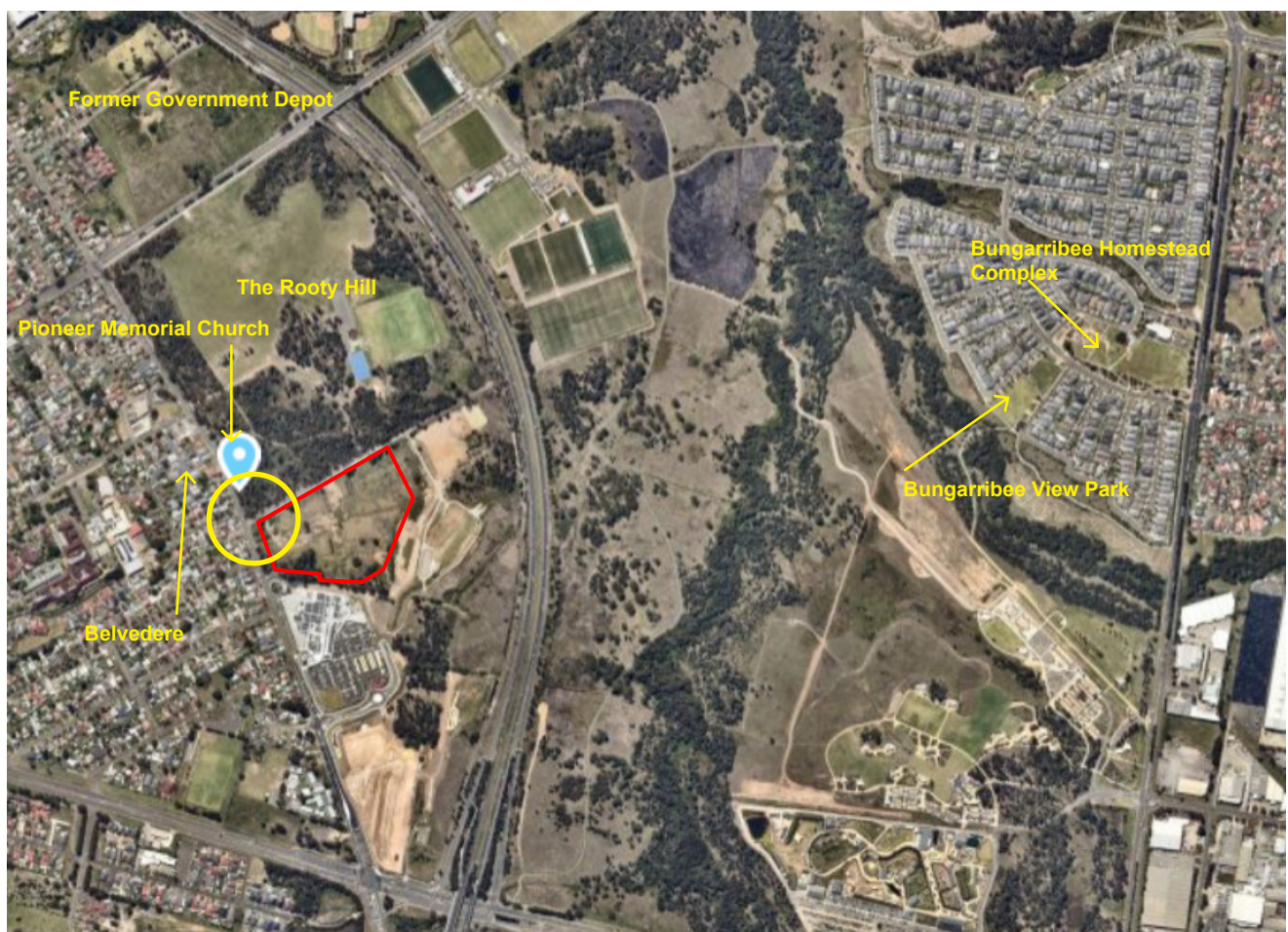
This Statement of Heritage Impact has been prepared in relation to the following applicable impact assessment criteria:

- Heritage NSW guidelines, *Altering Heritage Assets and Statements of Heritage Impact*
- *SEPP (Western Parklands City) 2021*
- *Blacktown LEP 2015*
- *Blacktown DCP 2015*
- *Western Sydney Parklands Plan of Management 2030*
- *The Rooty Hill and Morreau Reserve Conservation Plan*, Knox & Partners, 2003

Figure 7.1 (below)

Aerial photograph showing the subject site, outlined in red, the listed heritage items in the vicinity, and the proposed intersection circled in yellow

Source: maps.au.nearmap.com



7.2 CONSIDERATION OF THE GUIDELINES OF HERITAGE NSW

Heritage NSW (in the NSW Department of Premier and Cabinet) has published a series of criteria for the assessment of heritage impact. The relevant 'questions to be answered' in the *NSW Heritage Manual* 'Statements of Heritage Impact' guidelines relating to development adjacent to a heritage item have been considered in the preparation of the following commentary; they are:

The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:

- The relatively low visibility of the proposed addition
- Retention of significant views to and from the heritage items in the vicinity, and their setting
- The design has a 12 metre high envelope to minimise the overall height of the proposal in relation to the heritage items in the vicinity
- There is a proposed 10 metre wide landscape buffer zone along Church Street, opposite *The Rooty Hill*, which is the nearest heritage listed item
- A substantial setback and landscape area on the corner of Church Street and Rooty Hill Road South.

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?*
- *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?*

Comment

The likely impact of the built form proposal on its surroundings, including the heritage items, is considered to be relatively low, with suitable setbacks and a maximum height limit. No additional measures are deemed necessary to minimise any impact.

The new development is not located immediately adjacent to any listed built heritage item, other than the boundary line of The Rooty Hill. The heritage items that are nearest to the subject site are physically and visually separated from it by the relatively wide roadway of Church Street, intervening development, public domain and topography. There will be no adverse impact on these items or any other items in the area.

Significant views to and from the identified heritage items, relative to the subject site, are either from a different viewpoint or are mitigated by substantial existing vegetation. Although the proposed development site fronts Church Street, and may be evident in some views close to Church Street from The Rooty Hill, it is largely obscured by substantial existing plantings. Further mitigation will be achieved by proposed planted setbacks along Church Street within the subject site

The other listed heritage items in the wider locality, are physically and visually separated from the subject site by distance, roadways, landscaping and topography.

Proposed Rooty Hill Road Intersection

The proposed 4-way intersection linking Church Street and St Agnes Avenue, requires a dedication of a relatively small part of the boundary curtilage from The Rooty Hill SHR item. The proposed widening of Rooty Hill Road to create an improved slipway entry to Church Street involves only a slight 'straightening' of the roadway kerb. There would only be a minor adjustment to the layback to the street boundary of the Pioneer Memorial Church. As the Church is towards the rear of the lot (Figure 5.2), the impact of this altered roadway would be acceptable.

With regard to the minor curtilage reduction to the south corner of The Rooty Hill site, there are no built structures in this area, however the potential heritage impact may be archaeological and with biodiversity. Refer to the assessment by others, with regard to these disciplines, and which it has been found to be an acceptable impact.

The reduction in some tree cover may impact on the visual presence of the proposed Lot 3 Retail Outlet Centre from Viewpoint 8 (Figure 6.9). However, this may be mitigated by native planting in the redundant area of Church Street that has been 'removed' for the proposed 4-way intersection, subject to any fire hazard restrictions.

7.3 HERITAGE OBJECTIVES OF THE STATUTORY PLANNING INSTRUMENTS

The proposal is reviewed and considered in relation to the relevant heritage objectives of the applicable statutory planning instruments.

7.3.1 SEPP (WESTERN PARKLANDS CITY) 2021

7.14 Heritage conservation

(1) Objectives

The objectives of this clause are:

- (a) to conserve the environmental heritage of the Western Parklands, and*
- (b) to conserve the heritage significance of heritage items in the Western Parklands including associated fabric, settings and views.*

Comment

Under this planning instrument, the listed heritage items are *The Rooty Hill* and the *Pioneer Memorial Church* (Figure 1.2). The Church is some distance away on Rooty Hill Road South and located within *The Rooty Hill* curtilage. There is considerable vegetation between the Church and the subject site, to the point where the proposed development is not evident from the heritage item (Figure 6.9).

Although *The Rooty Hill* site is directly across Church Street from the subject site, it is heavily planted to the point that the proposal would not be particularly evident from within the site of the Hill, unless quite close to the Street (Figure 6.5). Further, the proposal includes a landscape buffer zone, 10 metres wide, along the length of the site fronting Church Street.

Distant views from *The Rooty Hill* are only obtainable from the high points of the Hill as the lower levels are heavily planted, as evident from Figures 6.2 to 6.6.

The proposed development is considered to be acceptable, from a heritage perspective, for the following reasons:

- Retains views to and from the adjacent heritage items.
- There will be little adverse impact on the established heritage significance of the listed heritage items in the vicinity of the site.
- The proposed 4-way intersection has been assessed in this report as having an acceptable heritage impact with regard to built items. To date, assessments for archaeological and biodiversity impact, by others, also refers to an acceptable impact.

7.3.2 BLACKTOWN LEP 2015

5.10 Heritage conservation

(1) Objectives

The objectives of this clause are as follows:

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

Comment

The subject site is in the vicinity of the local heritage item 'Belvedere' at 116 Rooty Hill Road South, Rooty Hill (Figure 1.3). However, the proposed development, including the 4-way road intersection, will not affect the heritage item given its distant location.

Other listed heritage items in the vicinity of the subject site are archaeological rather than built. They are also of considerable distance from the site.

7.3.3 BLACKTOWN DCP 2015

The applicable extracts from the DCP:

4.4.2 Development in the vicinity of a heritage item

Objectives

- (a) Ensure that development does not adversely affect the heritage significance of heritage items, heritage groups or archaeological sites as well as their settings, distinctive streetscape, landscape and architectural styles*
- (b) Ensure that development in the vicinity of a heritage item is responsive and respectful in terms of height, setback, form and overall design.*

Controls

- (c) Development must maintain significant or historic public domain views to and from the heritage item*
- (g) Development must have effective screen planting on side and rear boundaries adjoining a heritage item, with planting to achieve a minimum mature height of 10m*

Comment

The discussion under 7.3.1 demonstrates that the proposal also addresses the provisions of the DCP with regard to setbacks, the use of buffer zones, and limited overall height. The screen planting requirement



Figure 7.2
 Parklands' Precinct 3 for The Rooty Hill indicating the proposed land use. Note the bush corridor along the whole eastern side of the ECQ, with the subject site outlined in red
 Source: Western Sydney Parklands, Plan of Management 2030

has been addressed by the use of 10 metre setbacks along Church Street as well as Rooty Hill Road South, in response to the listed item of The Rooty Hill.

4.4.3 Archaeological sites and areas of significance

Refer to the *Historical Archaeological Assessment* and correspondence prepared by *Extent*, for an evaluation of archaeological sensitivity, including for the 4-way road intersection.

7.3.4 WESTERN SYDNEY PARKLANDS PLAN OF MANAGEMENT 2030

The applicable extracts pertaining to the subject site:

Precinct 3: Rooty Hill ***Objectives***

- Work with Blacktown City Council to conserve the scenic and cultural heritage values of Rooty Hill and provide opportunities for visitors to experience the significant cultural heritage of The Rooty Hill.*
- Work with Blacktown Council to manage the State significant heritage values of The Rooty Hill*
- Develop a vibrant commercial and retail centre at Eastern Creek Business Hub to support the Parklands.*

Comment

The above comments with regard to the relationship of the site and the heritage item of The Rooty Hill are also applicable here. The development of the retail area of the Hub is likely to increase an awareness of The Rooty Hill as well as provide ready access from across the street.

Given the use of setbacks and landscape buffers for the subject site, there would still be a respectful visual separation between heritage item and retail centre.

Although the proposed 4-way road intersection would reduce the boundary curtilage of The Rooty Hill, this can be mitigated by 'replacement' vegetation and native trees to the area of the disused Church Street on the north west corner of the subject site.

Precinct 4: Bungarribee ***Objectives***

- Conserve and maintain the Parklands' Bushland Corridor and links to surrounding areas*
- Conserve and enhance the open grasslands and wetlands for habitat diversity and scenic amenity.*

Comment

Although the Bungarribee precinct is a considerable distance from the subject site, the proposal for the whole of the ECQ site along its eastern length, is to retain and contribute to the bushland along the Parklands corridor.

7.4 THE ROOTY HILL CP

The proposal has been reviewed and considered against the heritage document, *The Rooty Hill and Morreau Reserve Conservation Plan* (CP) by Knox & Partners, 2003. The study area for the CP is within the curtilage of the heritage listing, that is within the perimeter streets, including Church Street (Figure 7.3). The area of The Rooty Hill heritage site is to the north of Church Street but does not include the subject site .

As The Rooty Hill site is an archaeological site, the primary focus is on managing the potential for disturbance, within its curtilage.

Under the section of the CP, *6.0 Implementation*, are the following applicable recommendations:

Zone-Based Management Recommendations ***Protect the Uniting Church Curtilage***

Reason: The church's setting of re-growth trees is a clue to the nature and appearance of the landscape at the time of building. The church's curtilage may contain a reported site sacred to the indigenous inhabitants.

Detail: Protect existing trees by limiting further development. Use the existing trees as a fund of genetic material and encourage regeneration.

Comment

The reference to the use of the existing trees as a fund for regeneration may also be a suitable species for the proposed landscape buffer zone along Church Street and the area at the street corner of the subject site identified as '12'.

Protect Naturally-Occurring Vegetation

This clause has the same recommendation as above, regarding the use of the existing trees as a source of genetic material for regeneration as applied to the subject site. As per our comment above, subject to the advice of an arborist.

Preserve and enhance the role of The Rooty Hill as an important meeting place

Emphasis should be given to clear entry points and convenient access.

Retain the Hill as a venue for outdoor performance which will necessitate minimising noise entering the site from the Western Sydney Orbital Link Road. Develop (M7), in the lower areas picnic/park facilities such as shelters, potable water, walking tracks and interpretive material.

Comment

Where appropriate, coordinate with these recommendations. For example, in terms of pedestrian access into the retail centre of the ECQ, it may be used as a point of amenity for the visitors to The Rooty Hill. Or vice versa, visitors to the ECQ may use The Rooty Hill for recreation.

There may be an opportunity for interpretation of the precinct in general, and The Rooty Hill in particular, on the north side of the ECQ as a backdrop to the subject site.

Refer Figure 7.3 for *Management Recommendations*.

7.5 ARCHAEOLOGICAL IMPACTS

Reference to the *Historical Archaeological Assessment*, December 2020 (p42), by *Extent*, has concluded:

- *The proposed development of a direct factory outlet and associated carpark is unlikely to impact on significant historical archaeological remains.*
- *No further mitigation or intervention with regard to historical archaeology is recommended in association with redevelopment of the site.*

With regard to the proposed 4-way intersection, refer to the applicable correspondence addressing archaeological and biodiversity impact.

SITE WIDE ISSUES

- Conduct comprehensive Aboriginal and Non-Aboriginal archaeological surveys and assessments - if sub surface disturbance is to occur.
- Preserve and enhance the role of the Rooty Hill as an important meeting place and venue for outdoor performance

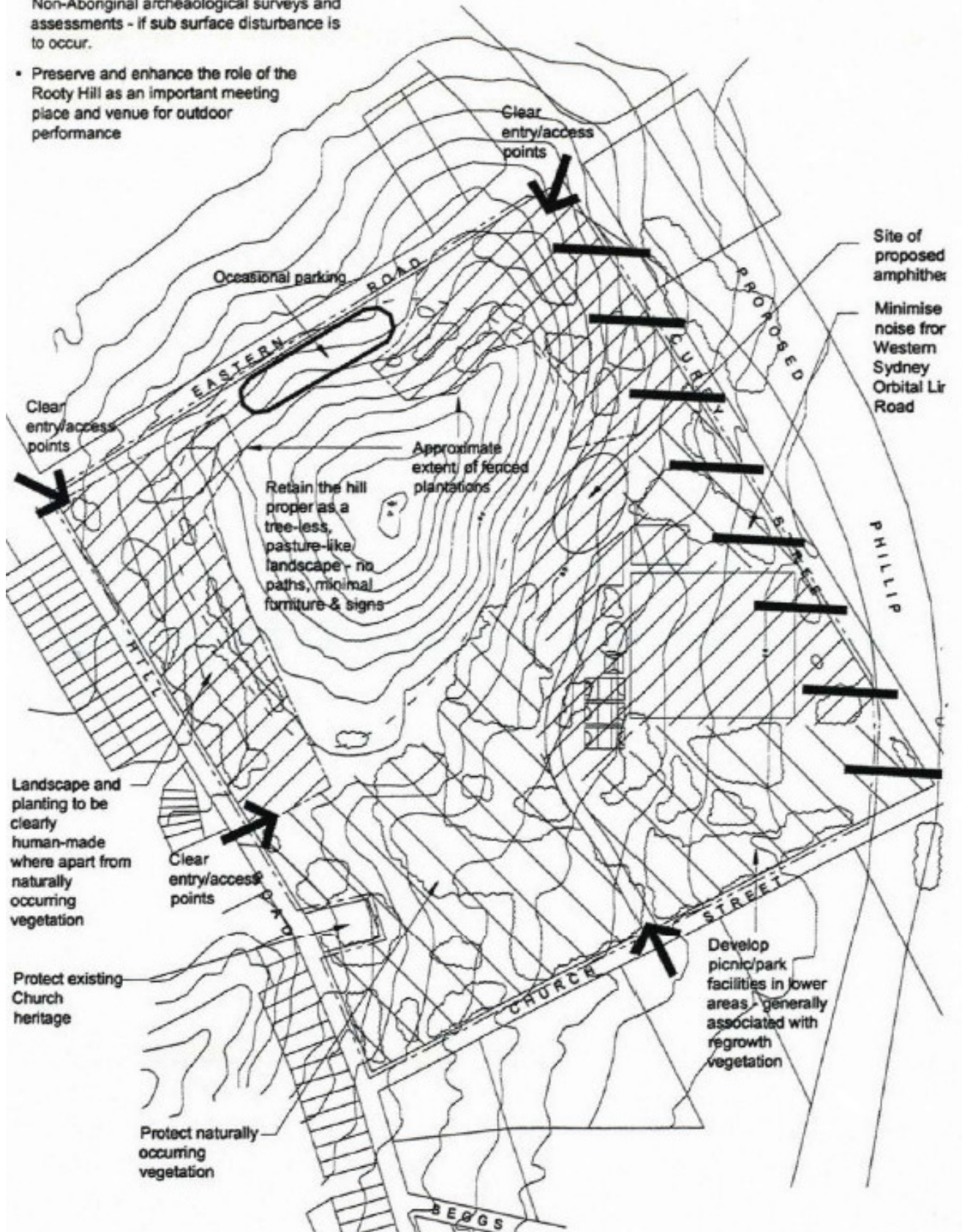


Figure 7.3

Management Recommendations for The Rooty Hill site as detailed in the applicable Conservation Plan
 Source: *The Rooty Hill and Morreau Reserve Conservation Plan*, Knox & Partners, 2003 Figure 7 p40



8.0

CONCLUSIONS AND RECOMMENDATIONS

8.1 CONCLUSIONS

- Lot 3 Eastern Creek Quarter, Rooty Hill Road South, Eastern Creek is **not** listed as an item of heritage significance in any statutory instrument.
- It is located in the vicinity of the listed heritage items:
 - Item No. 2 - *The Rooty Hill*, Eastern Road, Rooty Hill
 - Item No. 3 - *Pioneer Memorial Church*, Rooty Hill Road South, Rooty Hill
 - Item I104 - *House - Belvedere*, 116 Rooty Hill Road South, Rooty Hill
 - Item A118 - *Bungaribee Homestead Complex*, Steeltrap Drive, Bungaribee
 - Item A119 - *View Park*, Steeltrap Drive, Bungaribee
 - Item A123 - *Archaeological site - Ruins of the Government Depot*, Dunsmore Street, Rooty Hill
- Of these listed heritage items, only *The Rooty Hill*, and remotely, the *Pioneer Memorial Church*, have a direct visual link with the subject site. The other identified items, such as the Bungaribee site, and the Government Depot (former), are generally far removed from the subject site.
- The potential impact of the site to items in the vicinity, is mitigated by proposed buffer zones and the landscape setback on the corner of Church Street.
- The proposed development is consistent with the conservation policies of the *CP 2003* for the site, prepared by Knox & Partners.
- The proposed development will have no physical impact on the heritage items in the vicinity of the site.
- There are no views between the subject site and the heritage items in the vicinity that have been identified as contributing factors to the cultural heritage significance of any of these places.
- The proposed development at Eastern Creek Quarter does not generate any adverse impact, as existing views and the setting of the heritage items in the vicinity are retained.
- Distant views towards the Blue Mountains are retained and not compromised by the height of the proposal.
- The proposed building envelope at ECQ has been designed to reduce visual dominance, with a 12 metre height limit, and its location towards the south, away from the northern boundary with Church Street and The Rooty Hill.
- The proposed development is consistent with the heritage requirements and guidelines of the SEPP (Western Sydney Parklands) 2009, the *Blacktown LEP 2015* and the *Blacktown DCP 2015*.
- The proposed 4-way road intersection would not have any adverse impact on built heritage items. Archaeology and Biodiversity impacts have been assessed by others as having an acceptable level of heritage impact.
- Should any unexpected relics be disturbed during excavation of the site, they must be managed under the Archaeological provisions of the *NSW Heritage Act*.

8.2 RECOMMENDATIONS

- Subject to the recommended mitigation measures below, GBA Heritage recommends the application to the authorities for approval.
- The proponent install way-finding signage on the northern side of the Church Street road reserve to assist with orientation to The Rooty Hill.
- The landscape design is coordinated with the use of local species of vegetation for the landscape buffer zones.
- A copy of this report should be lodged with the Blacktown Local Studies Library.

9.0

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