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The Rooty Hill, Rooty Hill Road South Extension, Eastern Creek Historical Archaeological Assessment

Prepared for Frasers Property Australia

July 2022—Final 02

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Document information

Extent Heritage project no.:	0220178
Client:	Frasers Property Australia
Project:	Eastern Creek Quarter Stage 3
Site location:	The Rooty Hill Historical Site, Rooty Hill Road South, Eastern Creek
Author(s):	Dr Jennifer Jones-Travers

Document control

Version	Internal reviewer	Date	Review type
Draft 01	Graham Wilson	28.02.2022	Technical
Final 01	Jennifer Jones-Travers	10.03.2022	Client comments
Final 02	Jennifer Jones-Travers	28.07.22	Study area amendment

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1. Introduction

1.1 Project initiation

This Historical Archaeological Assessment (HAA) has been prepared for Frasers Property Australia to support a State Significant Development Application (SSDA) submitted to the Department of Planning, Industry and Environment (DPIE) relating to development of a retail outlet centre at Lot 3 of the Eastern Creek Quarter Site at Rooty Hill Road South, Eastern Creek. **This report relates specifically to the expansion of Rooty Hill Road South into the curtilage of State Heritage Registered (SHR) site ‘The Rooty Hill’ (SHR No. 01756) (the ‘study area’).**

This report addresses Secretary’s Environmental Assessment Requirements (SEARs) requirement 20 of the SSDA:

20. Environmental Heritage

Where there is a potential for direct or indirect impacts on the heritage significance of environmental heritage, provide a Statement of Heritage Impact and Archaeological Assessment (if potential impacts to archaeological resources are identified), prepared in accordance with the relevant guidelines, which assesses any impacts and outlines measures to ensure they are minimised and mitigated.

In accordance with requirement 20 of the SEARs, this report assesses the study area’s historical archaeological potential, the significance of its potential archaeological resources, evaluates development impacts, and provides recommendations for mitigation of such impacts.

Please note a separate HAA has been developed for the Eastern Creek Quarter Stage 3 concept plan (Extent 2020). An associated statement of consistency has been prepared by Extent Heritage confirming that the proposed SSDA is consistent with the findings and measures set out in the 2020 HAA submitted with the Stage 1 Concept SSDA, which accompanies this SSDA (Extent 2022).

1.2 Site location and identification

The 34ha 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 located approximately 1.5km southeast of Rooty Hill Station. The road extension will help support a higher flow of traffic to Lot 3 of the ECQ site and access to the Helen Beck fields to the east (Figure 1).

The study area for this report is located on the east side of Rooty Hill Road South north of Church Street in part of Lot 101 DP 581882 (Figure 2 and Figure 3).



Figure 1. ECQ and Stage 3 extent with approximate location of study area marked with a white arrow.
Source: Nearmap, Ethos Urban



Figure 2. Study area location in context of the broader Eastern Creek area. Source: Nearmap, Ethos Urban



Figure 3. Study area location and extent on the east side of Rooty Hill Road South. Source: Nearmap, Ethos Urban

1.3 Overview of the proposed development

The proposed State significant development includes the following:

- The construction and operation of a single storey retail factory outlet centre on Lot 3 of DP31130 with approximately 80 tenancies (subject to prospective tenant requirements), the majority of which will accommodate retail factory outlet stores;
- Signage zones;
- Ground level car parking in the northern portion of the site;
- Basement level car parking; and
- Detailed landscape design.

The components of the SSDA which are all outlined above are addressed in the HAA that accompanied the Stage 1 Concept SSDA (Extent 2020) and the Statement of Consistency (Extent 2022).

This HAA relates to proposed works to extend Rooty Hill Road South to the east, just north of the Church Street intersection. This HAA is based on the road design plan shown in Figure 4 below.



Figure 4. Plan of the proposed road extension for Rooty Hill Road South. Source: Frasers Property

1.4 Statutory context

1.4.1 NSW Heritage Act 1977

The *Heritage Act 1977* (NSW) (the Heritage Act) is designed to conserve the environmental heritage of New South Wales and regulate development impacts on the state's heritage assets. While the requirements of the Heritage Act are 'turned off' for SSD, they still provide guidance for the management of the state's heritage resources. Significant historical archaeological features are afforded automatic statutory protection by the 'relics' provisions of the Act. A 'relic' is defined as:

any deposit, artefact, object or material evidence that:

a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and

b) is of State or local heritage significance.

In accordance with Section 139(1) of the Heritage Act, it is an offence to disturb or excavate land, where this may affect a relic, without an approval or excavation permit issued by the Heritage Council of NSW, or an endorsed 'exemption' or 'exception' to disturb or expose and destroy a relic. Sites which may contain archaeological relics are usually managed under Section 140 (application) and 141 (approval) of the Heritage Act. Sites with potential archaeology, listed on the State Heritage Register (SHR), are managed under sections 60 (application) and 63 (approval) of the Heritage Act.

The study area forms part of 'The Rooty Hill' (SHR No. 01756).

1.4.2 Environmental Planning and Assessment Act 1979

Environmental planning instruments made under the *Environmental Planning and Assessment Act (NSW)* (EPA Act) include State Environment Planning Policies (SEPPs), which deal with matters of State or regional environmental planning significance, and Local Environmental Plans (LEPs), which guide planning decisions for local government areas. The study area falls within City of Blacktown LGA. Currently, the relevant environmental planning instrument is the *Blacktown Local Environmental Plan 2015* (Blacktown LEP 2015). As the proposed development is SSD, the provisions of the Blacktown LEP 2015 are 'switched off', but they still provide a framework for the expected management of heritage resources in the LGA.

1.4.2.1 Blacktown Local Environmental Plan

The objectives of the Blacktown LEP 2015 with respect to environment and heritage are provided in the following clauses:

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,*
- (c) *to conserve archaeological sites,*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

(2) Requirement for consent

Development consent is required for any of the following—

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—

- (i) a heritage item,*
- (ii) an Aboriginal object,*
- (iii) a building, work, relic or tree within a heritage conservation area,*

(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,

(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land—

- (i) on which a heritage item is located or that is within a heritage conservation area, or*
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,*

(f) subdividing land—

- (i) on which a heritage item is located or that is within a heritage conservation area, or*
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.*

(7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies)—

- (a) notify the Heritage Council of its intention to grant consent, and*

(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

The study is not listed under schedule 5 (Environmental Heritage) of the Blacktown LEP.

1.5 Heritage items in the vicinity

North of the study area is the 'Government Depot Site (former)' (SHR No. 00345), which consists of the ruins of the original Superintendent's residence for the Rooty Hill Government Depot (Figure 5). The item is also listed on Schedule 5 of the Blacktown LEP as an archaeological site, 'Ruins of the Government Depot' (Item A123). The statement of significance for the Government Depot site is as follows:

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).¹

1.6 Previous reports and investigations

The study area has previously been in the following report:

- AHMS 2012, 'Baseline Historical Archaeological Assessment, proposed Eastern Creek Business Hub, Western Sydney Parklands', prepared for Cadence Australia Pty Ltd.
- Knox & Partners Landscape Architects 2003, 'The Rooty Hill and Morreau Reserve Conservation Plan', prepared for Blacktown Council.

1.7 Approach and methodology

This report was prepared in accordance with the principles and procedures established by the following documents:

- *The Australia ICOMOS Charter for Places of Cultural Significance, 2013 (the Burra Charter)* (Australia ICOMOS 2013);
- *Assessing Significance for Historical Archaeological Sites and 'Relics'* (Heritage Branch, formerly Department of Planning [NSW] 2009); and
- 'Historical Archaeology Code of Practice' (Heritage Council 2006).

¹ Heritage NSW, 'Rooty Hill, The', *State Heritage Inventory*, <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=5054842>, viewed 7 September 2020.

1.8 Limitations

This report deals with the historical archaeology of the study area only. The Aboriginal archaeological and cultural heritage values of the study area are not addressed in this report.

This report is a desktop only assessment of the study area. No physical investigation was carried out to inform this report.

1.9 Author identification

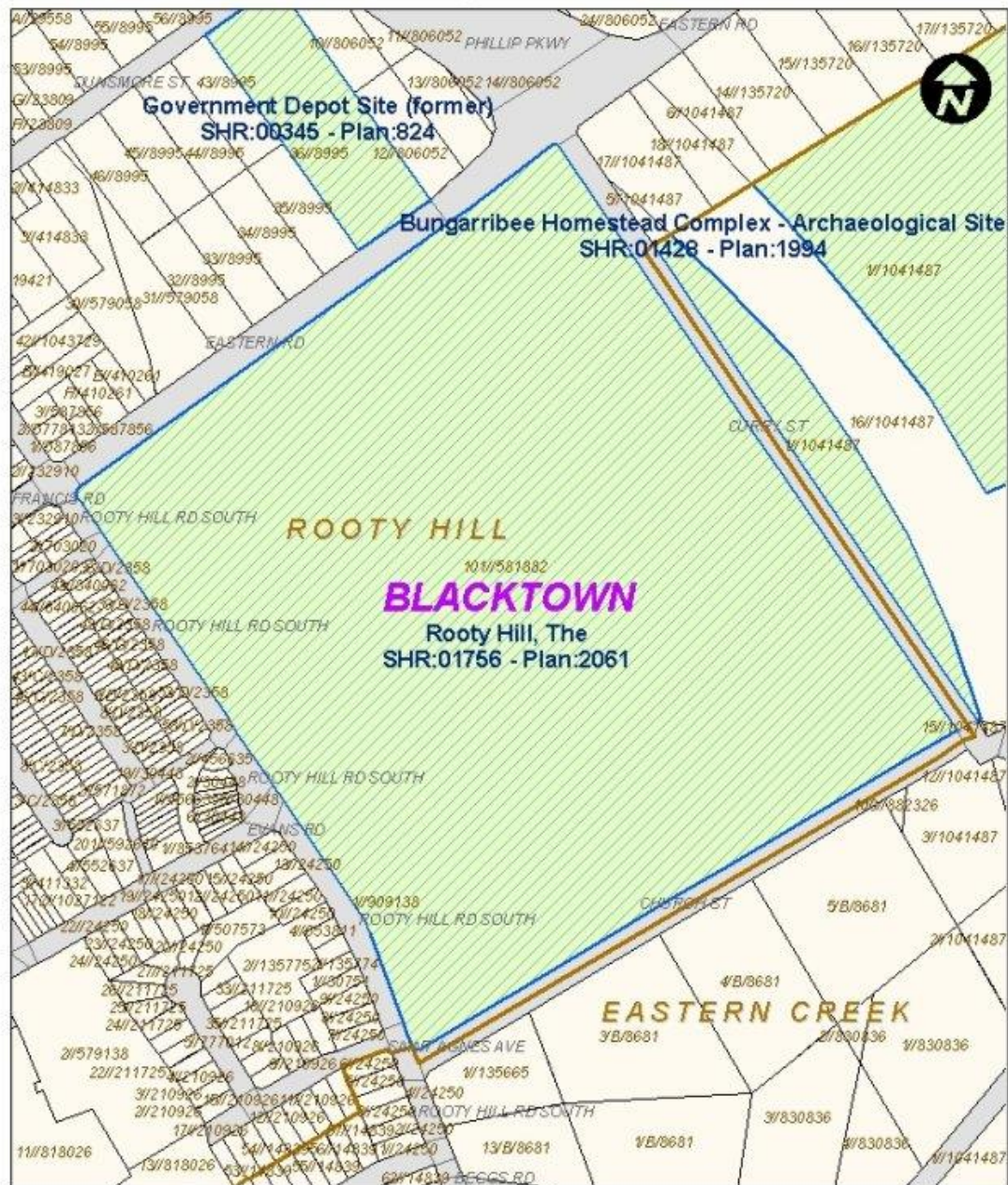
This report was prepared Dr Jennifer Jones-Travers (Senior Associate) and reviewed by Graham Wilson (Principal Heritage Advisor).

1.10 Acknowledgements

Extent Heritage acknowledges the assistance of Angela Wang, Frasers Property Australia.

Heritage Council of New South Wales

Plan under the Heritage Act, 1977



State Heritage Register

Gazettal Date: 15 June 2007

0 37.5 75 150 225 300 Meters

Scale: 1:5,000

Produced by: Stewart Watters

Legend

- SHR Curtilage
- Historic Regions
- LGAs
- Suburbs
- Land Parcels
- Water
- Roads
- Railways
- NSW Reserves

Figure 5. SHR curtilage of the Rooty Hill and the Government Depot Site (former). Source: Heritage NSW.

2. Historical context

2.1 Introduction

This history draws on previous studies and includes detailed analysis of historical plans and aerials to establish a more detailed history of development within the study area.

2.2 History of the area

Following the colonial push into inland NSW in search of fertile farming lands, large farms and areas of land were granted to ex- military and free settlers throughout the land to the west of Sydney. The granting of land to Corps members may have been part of a strategy by Governor King who, in 1801, ordered that the local Aboriginal population around Prospect be pushed back to protect the growing colony. It is likely that Corps members were granted land in this area as part of this protection strategy.

In 1802, Governor King reserved a large area as a government reserve for the breeding and grazing of government livestock. This area became known as the 'Rooty Hill Run' (Griffith 1976, 3). The study area was located in a part of the Rooty Hill Run known as the 'Sheep Paddock', which suggests that it was reserved for pastoral uses. In 1810, Governor Macquarie ordered the 'Rooty Hill Run' to be subdivided and issued as land grants to new settlers. A large portion of the Run was reserved as part of the Church and School Lands, including the study area.

Initially, the main route west for the colonists was the Parramatta River. A land route was soon cut between Sydney and Parramatta, between 1789 and 1791. By 1797, the road had been extended to the west to give access to the new settlements at Toongabbie and Prospect (Griffith 1976, 5). Eventually the road would branch in two; one route leading to the south past the Prospect Hill grants to the Nepean River and the Cowpasture settlement; the second leading to the north to the Hawkesbury River and the Richmond settlement. In 1813, the road was extended across Ropes Creek and Eastern Creek, becoming a gateway to the Blue Mountains and to western Sydney. New land grants were issued along the Western Road, principally in the vicinity of permanent water courses (such as Eastern Creek). Lands were cleared and farms developed where wheat and corn were cultivated and livestock (such as cattle and poultry) were bred to be sold at market.

By the 1830s and 1840s, small population centres were located at Prospect, Eastern Creek and South Creek along the Western Road with smaller settlements between the Western Road and Richmond Road.

In 1861 the Western Railway was extended to Rooty Hill and in 1862 the line was extended to St Marys (South Creek). The establishment of the railway was a turning point for the district as it provided more efficient transport to move the local produce to the city for sale and also increased land values in the area.

Between the 1860s and 1880s, the original land grants in the Rooty Hill district were subdivided and sold. Many of these smaller allotments were used for agricultural purposes. Vineyards,

market gardening and poultry farming were common in the area. Other industry, such as canneries and tanneries, began operation at Rooty Hill from the 1880s.

In 1906 the Shire of Blacktown was formed. By the 1920s, an increase in land sales, subdivision and population increase led to what is known today as the Blacktown district.

2.2.1 Site specific history

2.2.1.1 Rooty Hill Run

The study area is located on what was part of the 'Rooty Hill Run', reserved by Governor King in 1802 for the breeding and grazing of government livestock. The original Rooty Hill Run covered an area of 38,728 acres. At the core of the Rooty Hill Run was an approximately 6,000-acre Government Stock Farm and associated superintendent's residence, constructed in 1815. Between January 1810 and November 1821, the following structures were built at Rooty Hill:

- A two-storey brick house for residence and accommodation of the superintendent and principal overseer of Government stock at the station, reserving one room for use of the Governor (Macquarie), with kitchen, stables, and other necessary out-offices and kitchen garden enclosed.
- Temporary log huts or barracks for the accommodation of 20 stockkeepers, with small kitchen garden attached.
- Four enclosed 50 acre paddocks for grazing young cattle and growing wheat and maize for use by the stockkeepers.²

A plan of the Rooty Hill Depot from 1820 shows that this development was located approximately 450m north of the study area (.

In 1827 over 8,000 acres of the Rooty Hill Run were granted to the Church and School Lands Corporation by Governor Darling. With the abolishment of the Church and School Lands Corporation in 1833, the ownership of the lands reverted to the Crown. Portions of the 8,000 acre grant were leased between the 1830's and 1860's with parish maps indicating the names of some leases, including Burtlett, John Wright, Thomas Dean (William Dean's son), Patrick Curry, Robert Crawford Jnr and James Roberts (Nicolaidis 2000, 78). Figure 9 shows the study area adjacent to Rooty Hill and bounding the east side of the Rooty Hill Road, the only other road in the area prior to subdivision in the 1860s and 1870s.

² Heritage NSW, 'Government Deposit Site (former)', *State Heritage Inventory*, <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=5045415>, viewed 7 September 2020.

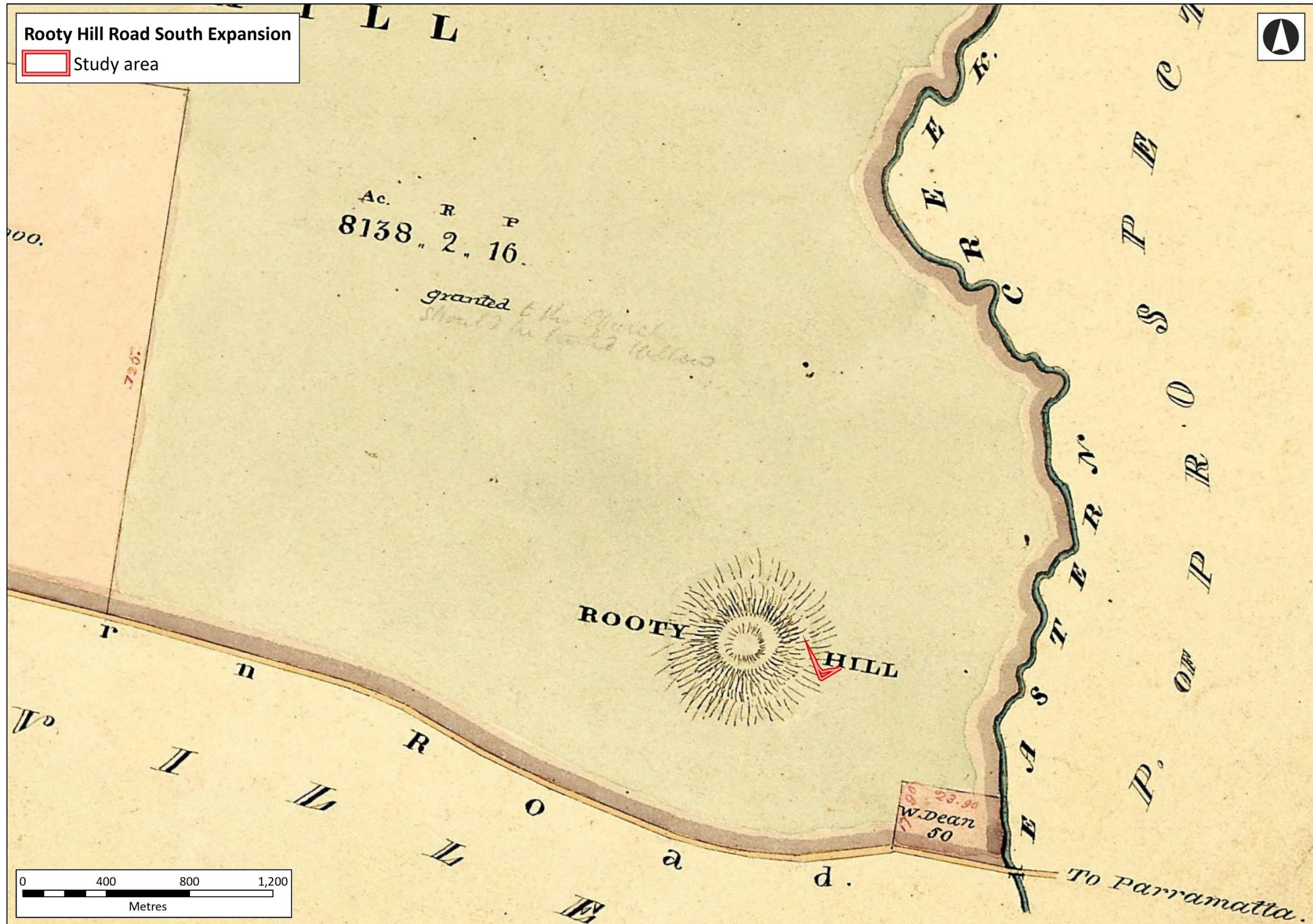


Figure 6. Parish map from c1817 showing the study area within Rooty Hill Run and land granted to W. Dean to the south. (Source: LPI, Extent)

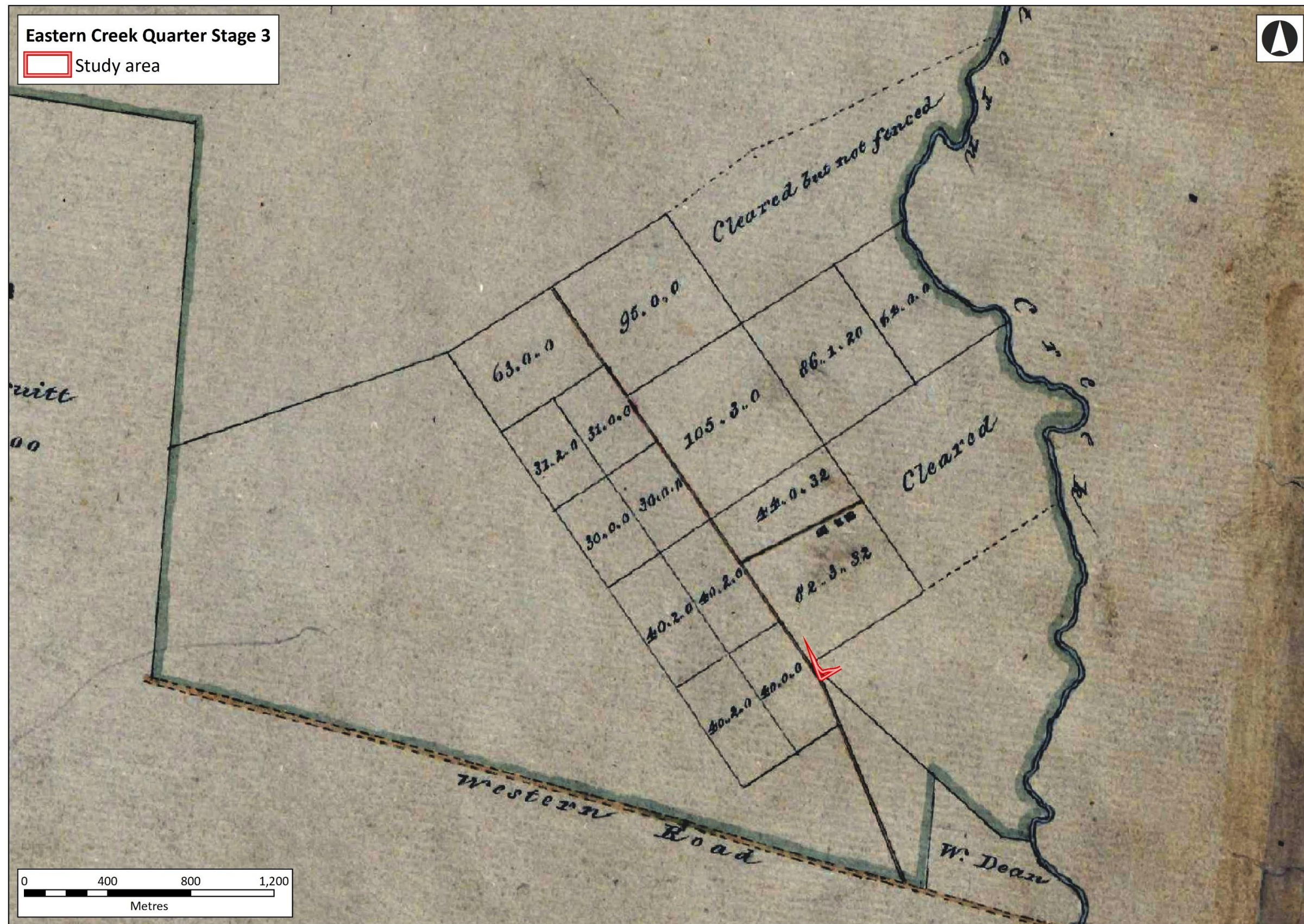


Figure 7. Plan of the 8103-acre Church and School corporation grant in 1828, showing development associated with the Rooty Hill Depot to the north of the study area (study area outlined in red). (Source: SLNSW, Extent)

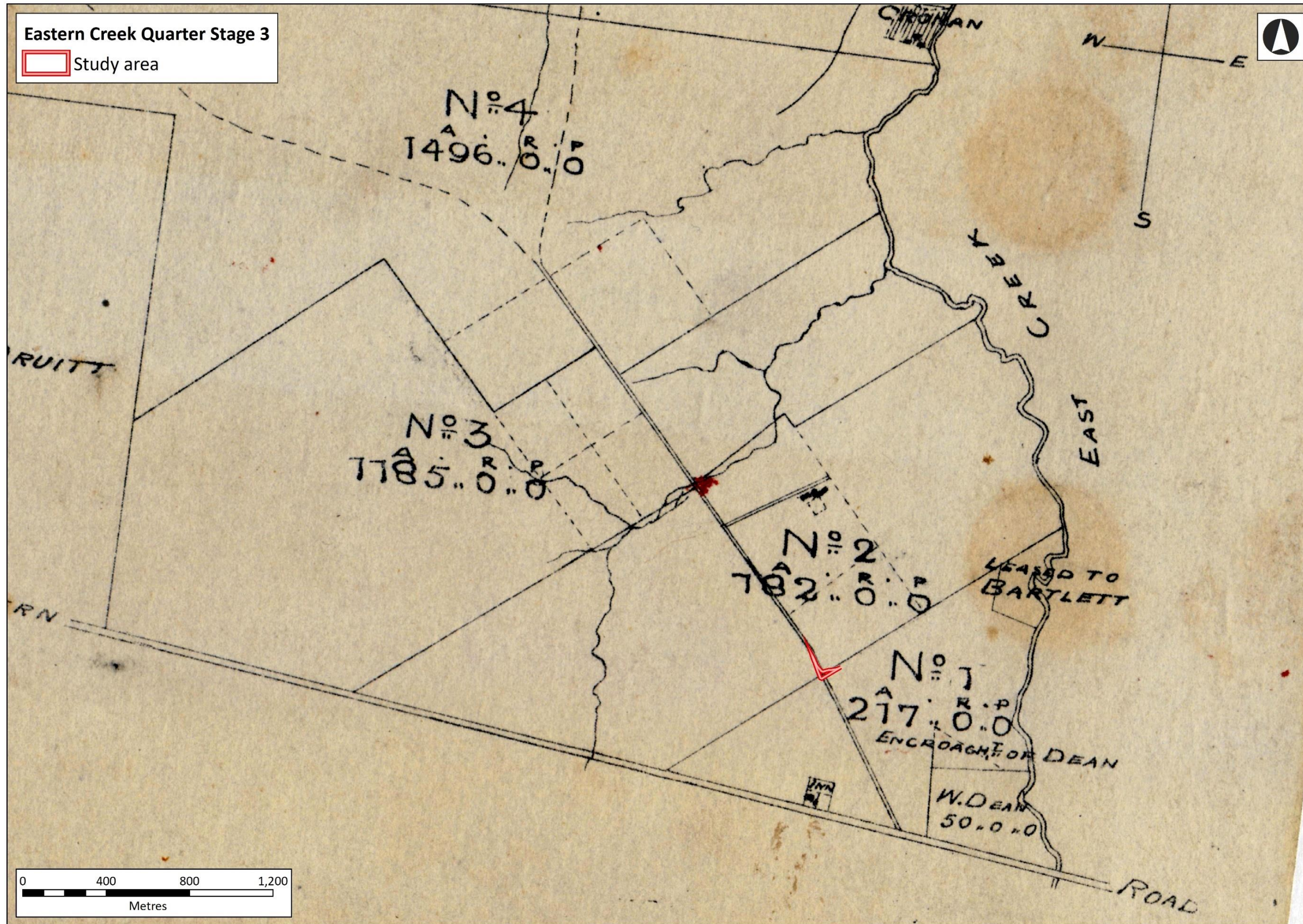


Figure 8. Plan of the Church and School Estates to be leased, created in 1843, showing development associated with the Rooty Hill Depot to the north of the study area (study area location outlined in red). (Source: SLNSW, Extent)

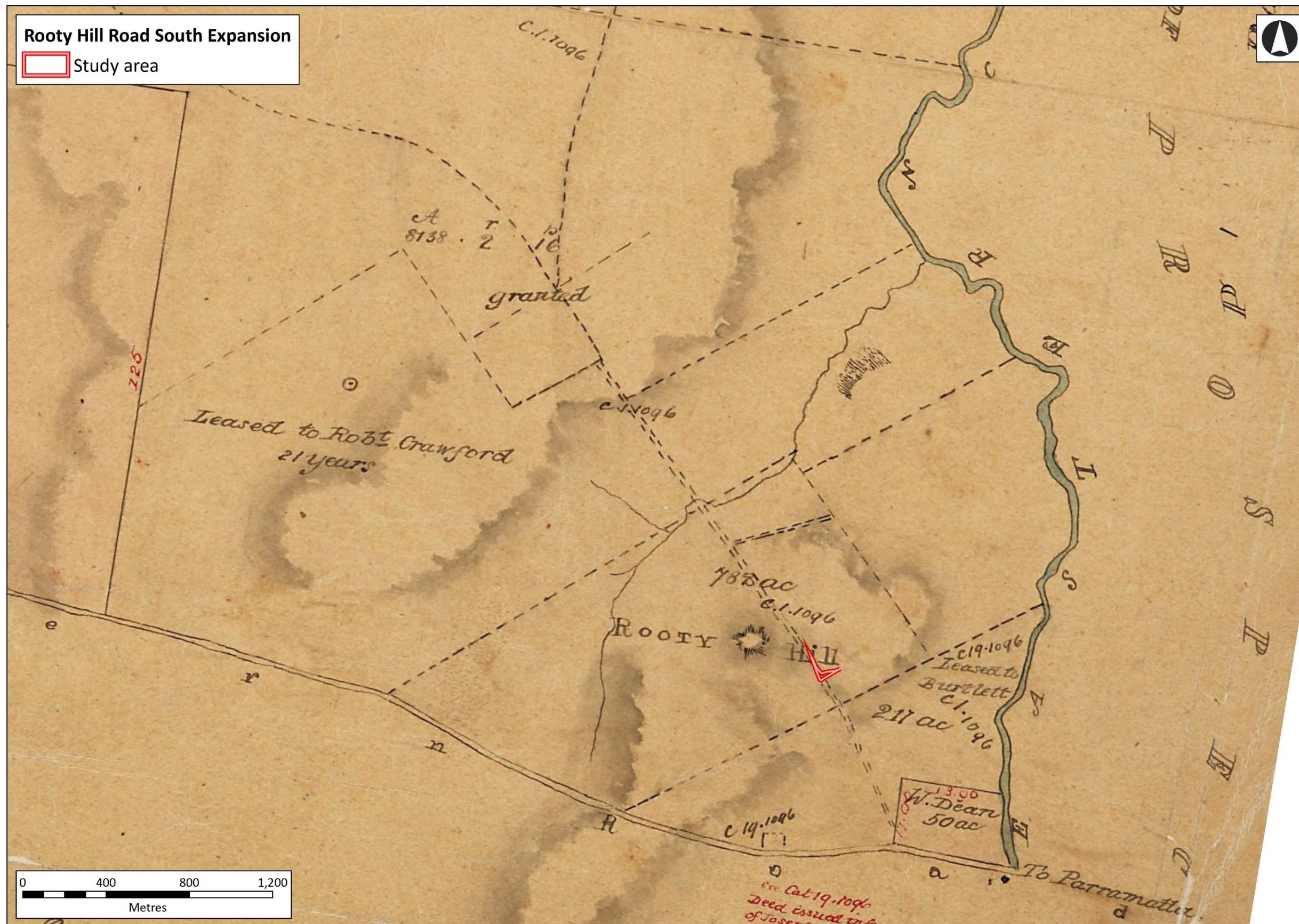


Figure 9. Parish map from c1850 showing division of Rooty Hill Run into allotments for lease. The study area is shown bounding Rooty Hill Road. (Source: LPI, Extent)

2.2.1.2 Private agricultural estates

In the 1860s and 1870s the Church and School lands were subdivided into large allotments and sold at public auctions. Around 1871, Charles McKay purchased 333 acres located between the western road, the railway and Eastern Creek, including the study area. Rooty Hill formed part of McKay's estate (Minchinbury Estate) and appears to have been used for grazing by McKay and subsequent owners. McKay also established Minchinbury vineyards elsewhere on his estate (Knox & Partners 2003, 15-16, 18). McKay donated land on the southwestern side of the site fronting Rooty Hill Road for construction of a small brick Baptist Church, while John Morgan donated the bricks for its construction. Morgan made the bricks at his home on Horsley Road, Eastern Creek, and is currently the lone person interred on the Church's grounds, with the headstone recording his death in 1893 at 67 years of age.

McKay's allotments were subdivided for sale in 1880, but instead of individual allotments 2,000 acres of McKay's estate (including the study area) was purchased by James Angus in 1895 and the estate manor house renamed Atornish Hall (Knox & Partners 2003, 18, 23). Angus was a railway contractor pivotal in the establishment of the rail network in NSW. Angus' estate was used for a wide range of agricultural pursuits, including sowing exotic grasses, cultivating feed and running cattle. He also expanded McKay's Minchinbury vineyards to produce sparkling wines from 1908 and over 1,300 acres were leased to neighbouring dairy farmers. The Rooty Hill itself was used for grazing (Knox & Partners 2003, 18).

Under Angus' ownership, Rooty Hill became a place for community gatherings. Firework displays on Empire Day and Jubilee celebrations were sponsored by the Angus family and adjoining landowners, reflecting their role as part of the local gentry in the community life of the town. The Rooty Hill also became a popular 'courting' place for the local youth (Knox & Partners 2003, 23).

2.2.1.3 Twentieth century land use and occupation

As ownership of the Rooty Hill transitioned to multiple private owners, all of whom appeared to use the site for grazing or agistment, public access to the hill was maintained and local residents recall playing on the hill (running, biking or rolling down it), as well as attending multiple annual public events (Knox & Partners 2003, 27). Rooty Hill and the study area continued to be used for grazing and agistment by its various owners through the mid twentieth century. Oral history for the hill provides an account of a horse trainer, Jack Adams, leasing Rooty Hill for spelling (resting injured) racehorses and trotters in the 1950s. Aerial photographs of the study area in 1943 and 1953 show no development within the study area, as it remained in a paddock on the east side of Rooty Hill Road.

In the late 1960s the study area was acquired by the NSW Government (Knox & Partners 2003, 19). Aerial images from 1961 and 1972 show the continued absence of development within the study area. A Greenspace tree planning and landscape project occurred in the 1980s, including creation of the Morreau Reserve and sporting fields. This is evident in aerial images from 1986, 1994 and 2002 which show the study area's gradual revegetation with dense scrub. The study area has remained densely vegetated and undeveloped through to the present. The former Baptist Church has remained to the north of the study area in a clearly delineated and separate property.

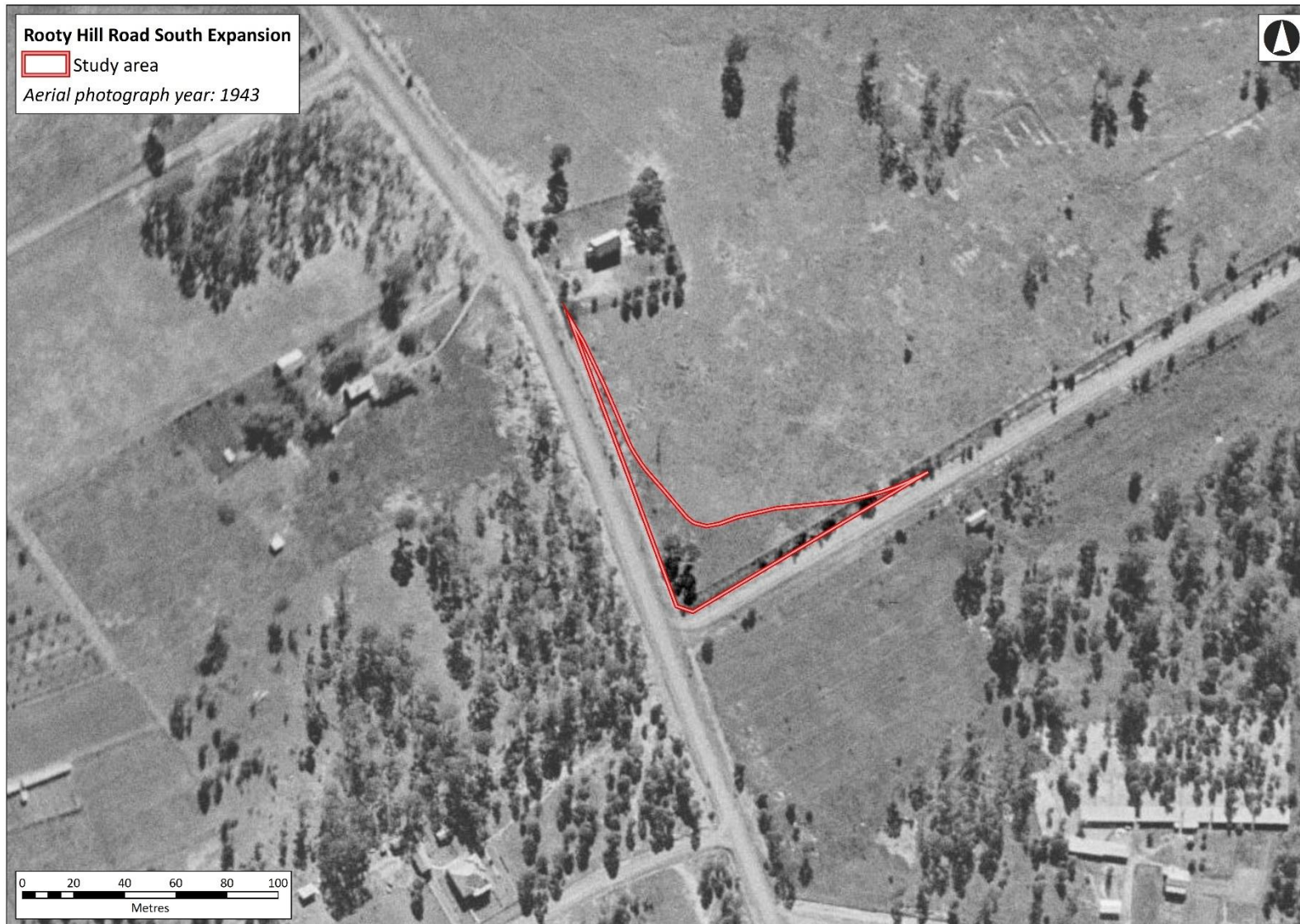


Figure 10. Aerial photograph of the study area in 1943. Source: LPI, Extent

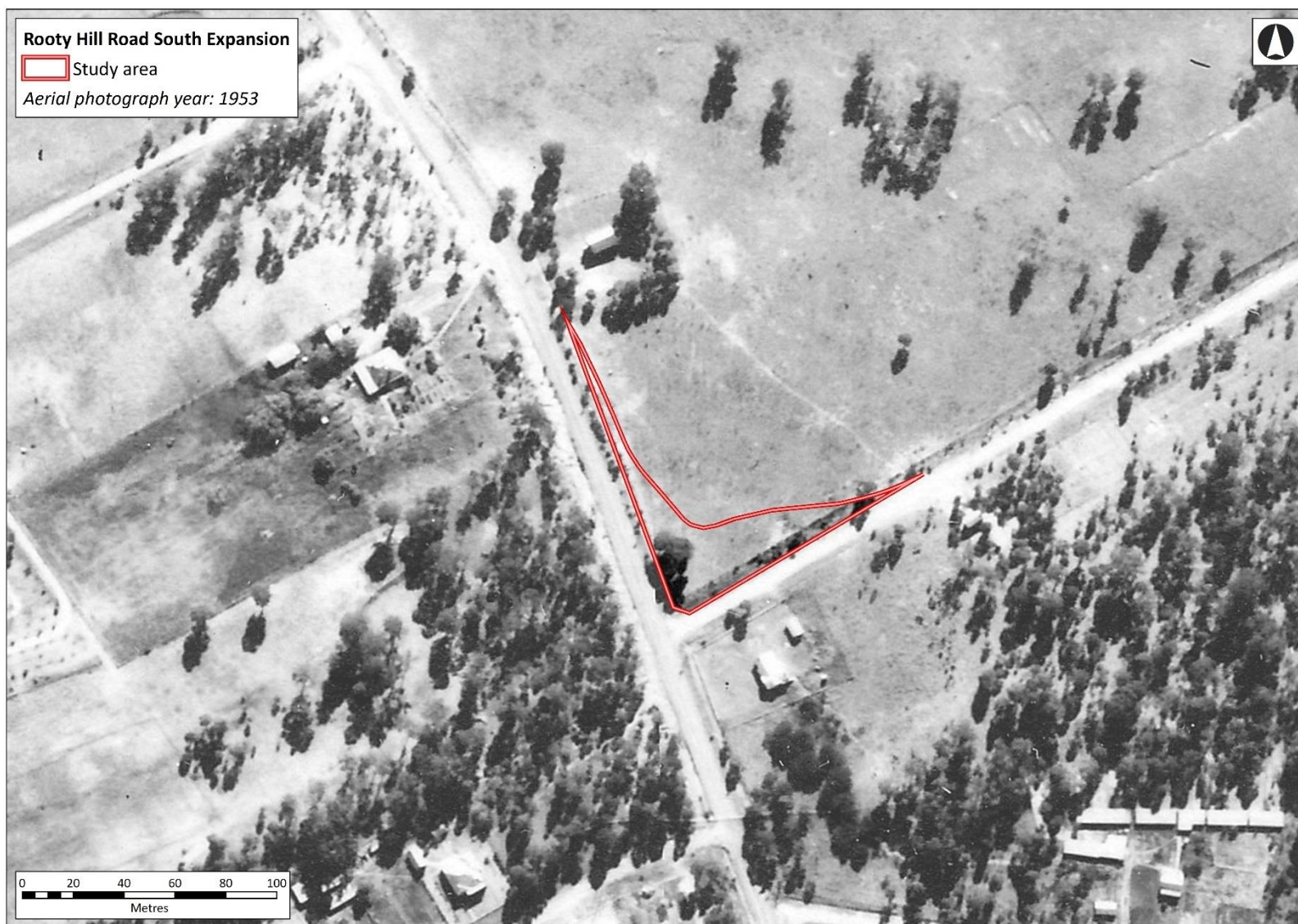


Figure 11. Aerial photograph of the study area in 1953. Source: LPI, Extent

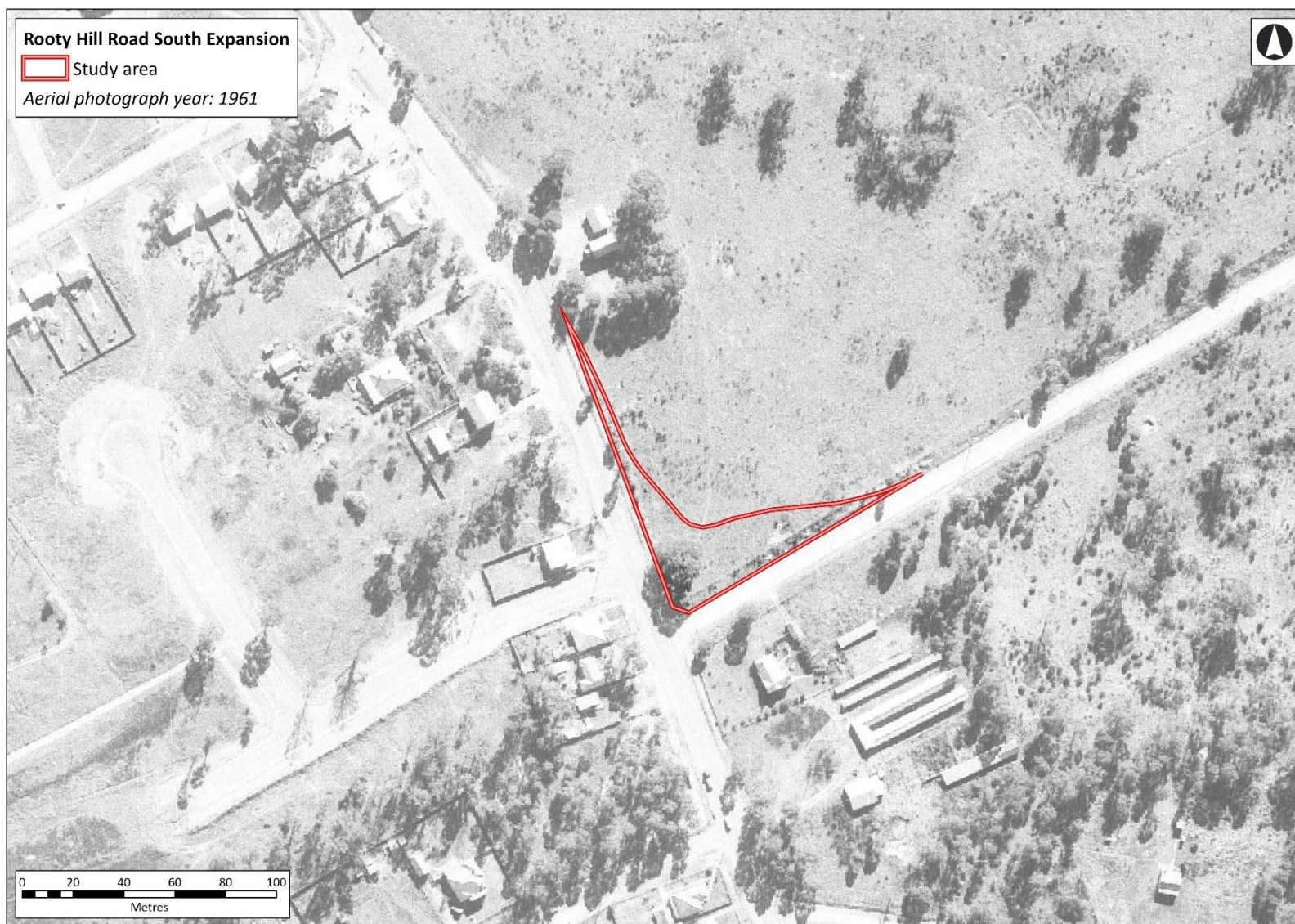


Figure 12. Aerial photograph of the study area in 1961. Source: LPI, Extent



Figure 13. Aerial photograph of the study area in 1970. Source: LPI, Extent



Figure 14. Aerial photograph of the study area in 1986. Source: LPI, Extent



Figure 15. Aerial photograph of the study area in 1994. Source: LPI, Extent



Figure 16. Aerial photograph of the study area in 2002. Source: LPI, Extent

3. Historical archaeological potential

3.1 Phases of development

Based on the historical research undertaken to the following broad historical phases of site development could be identified:

Phase 1: 'Rooty Hill Run' (1802-1827)

Phase 2: Church and School Lands Corporation (1827-1871)

Phase 3: Private agricultural estates (1871-1960)

Phase 4: NSW Government land (1960-present)

3.1.1 Phase 1: 'Rooty Hill Run' (1802-1827)

During Phase 1 the study area was part of the 'Rooty Hill Run', a pastoral run for government sheep and cattle established in 1802. Much of the land around Rooty Hill was cleared by 1815 for pastoral use as part of the Rooty Hill Run, and it is likely that fence lines dividing the run were also established by this time. Development of the Depot was focused north of the study area (Figure 7 and Figure 8).

Archaeological evidence associated with this phase is likely to be limited to evidence of land clearing, landscaping (specifically establishment of fence lines and paddocks), temporary/ephemeral structures associated with animal husbandry, and isolated artefacts resulting from loss or discard.

3.1.2 Phase 2: Church and School Lands Corporation (1827-1871)

In 1827 approximately 8,000 acres of the run, including the study area, were granted to the Church and School Lands Corporation who in turn leased portions of the grant to farmers. When the Church and School Lands Corporation folded in 1833, the land returned to the crown and continued to be leased for grazing. Plans of the study area during this period illustrate that no development was completed by the Church and School Lands Corporation or later lessees within the study area. It is likely that pastoral activities continued at this time.

No development was identified within the study area during this phase. Archaeological evidence associated with this phase is likely to be limited to evidence of changing landscape configurations (fence lines) and isolated artefacts resulting from loss or discard.

3.1.3 Phase 3: Private agricultural estates (1871-1960)

Around 1871, 333 acres of the Church and School lands were purchased by Charles McKay who used them for grazing as part of his Minchinbury Estate, donating land to the north of the study area for construction of a Baptist Church which still stands today. James Angus purchased 2,000 acres of the estate in 1895. Historical subdivision plans in 1871 and 1917 provide no

evidence of residences or permanent structures within the study area, and it appears to have been used for grazing and possibly public events (fireworks, Jubilee celebrations, races) likely to have resulted in only ephemeral and isolated archaeological evidence.

No development was identified within the study area during this phase. Archaeological evidence associated with this phase is likely to be limited to evidence of changing landscape configurations (fence lines), introduction of services (water, sewerage, telephone, electrical) along Rooty Hill Road South, and isolated artefacts resulting from loss or discard.

3.1.4 Phase 4: NSW Government land (1960-Present)

The study area was leased out for grazing until the 1980s when a Greenspace program saw the study area subject to revegetation as part of a broader government initiative to improve the Rooty Hill for recreational use.

Archaeological evidence associated with this phase is likely to be limited to evidence of changing landscape configurations (fence lines) and isolated artefacts resulting from loss or discard.

3.2 Summary of historical archaeological potential

The study area has low potential for historical archaeological evidence associated with the Rooty Hill Run and former Government Depot in Phase 1, or later uses in Phases 2 through 4. Construction and use of the Rooty Hill Depot occurred to the north of the study area, which appears to have been used consistently for grazing from the early 19th century onwards, as evidenced through the assessment of historical plans and aerial photographs. Archaeological evidence from all phases of use is likely to be limited to evidence of fence lines, ephemeral temporary structures, isolated artefacts, and eventually modern services.

Table 1 below lists the potential archaeological remains from all phases of historical development with summarised formation process which may have affected the survival of those relics. Their likelihood of survival is graded in accordance with the following classification: Nil, Low, Moderate, High and Extant.

Table 1. Summary of Historical Archaeological Potential

Phase	Site Feature	Potential Remains	Likelihood of survival
Phase 1: 1802-1827	Land clearing and establishment of the Rooty Hill Run	Ephemeral structures associated with animal husbandry (sheds, troughs, pens etc) Land clearing (tree boles, wash deposits) Landscape evidence (kitchen gardens, postholes, paths, working yards) Isolated artefacts resulting from loss or discard	Low
Phase 2: 1827-1871	Leased to graziers by the Crown	Ephemeral structures associated with animal husbandry (sheds, troughs, etc) Water management features (wells, cisterns, drains, dams) Landscape evidence (kitchen gardens, postholes, paths, working yards) Isolated artefacts resulting from loss or discard	Low
Phases 3-4: 1871-Present	Pastoral activities	Landscape evidence (postholes) Isolated artefacts resulting from loss or discard Modern services (water, electrical, sewerage, communications) Ephemeral structures associated with animal husbandry (sheds, pens)	Low

4. Assessment of historical archaeological significance

4.1 Existing statement of significance

The study area forms part of 'The Rooty Hill' (SHR No. 01756). The statement of significance for the Rooty Hill is as follows:

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.³

4.2 Basis for assessment

Archaeological significance refers to the heritage significance of known or potential archaeological remains. While they remain an integral component of the overall significance of a place, it is necessary to assess the archaeological resources of a site independently from above ground and other heritage elements. Assessment of archaeological significance is more challenging as the extent and nature of the archaeological features is often unknown and judgement is usually formulated on the basis of expected or potential attributes.

4.3 NSW heritage criteria

The following significance assessment of the subject area's archaeological resource is carried out by applying criteria expressed in the publication *Assessing Significance for Historical Archaeological Sites and 'Relics*, prepared by the Heritage Branch, formerly Department of Planning (NSW) (now the Heritage Division, Department of Premier and Cabinet) in December 2009.

Table 2 outlines the assessment of potential historical archaeological remains with regard to the NSW Heritage Criteria.

³ Heritage NSW, 'Government Deposit Site (former)', *State Heritage Inventory*, <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=5045415>, viewed 7 September 2020.

Table 2 Assessment of potential archaeological remains against the NSW Heritage Criteria.

Criterion	Assessment
<p><i>Criterion (a)</i></p> <p><i>An item is important to the course, or pattern, of NSW's cultural or natural history (or the local area).</i></p>	<p>The Rooty Hill Depot was critical to establishing colonial breeding herds and the availability of fresh meat to the colony, becoming the second most significant government stock depot in NSW. Substantial and legible archaeological evidence associated with the Rooty Hill Depot in Phase 1 would be of State significance under this criterion.</p> <p>The leasing of crown land to private graziers in Phase 2 enabled the growth of industry and availability of dairy and meat in the local region. Substantial and legible archaeological evidence associated with use of the site by private graziers in Phase 2 would be of local significance under this criterion.</p> <p>Ephemeral evidence of fence alignments, isolated artefacts and modern services from Phases 1 through 4 would not meet the threshold for significance under this criterion.</p>
<p><i>Criterion (b)</i></p> <p><i>An item has strong or special association with the life or works of a person, or group of persons, of importance to NSW's cultural or natural history (or the local area).</i></p>	<p>The Rooty Hill Run was established on land reserved by Governor King. It is, however, unlikely that the archaeological resource would demonstrate this association. Rooty Hill Run would have been constructed and operated at least partly through the use of convict labour. The site holds associations with the forced migration and unpaid labour of convicts used to establish the colony of NSW. Archaeological evidence associated with the use of convict labour at the Rooty Hill Depot would be of State significance under this criterion.</p> <p>The site holds associations with significant grazier and winery owner Charley McKay and railroad engineer James Angus. The archaeological resource is, however, unlikely to demonstrate these associations. The anticipated historical archaeological resource for Phases 2 through 4 would not meet the threshold for local significance under this criterion.</p>
<p><i>Criterion (c)</i></p> <p><i>An item is important in demonstrating aesthetic characteristics and/or a high degree of technical achievement in NSW (or the local area).</i></p>	<p>No evidence of technical achievement or likely aesthetic characteristics was identified in the assessment of the study area. The anticipated historical archaeological resource would not meet the threshold for local significance under this criterion.</p>
<p><i>Criterion (d)</i></p> <p><i>An item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons (or the local area).</i></p>	<p>Community consultation has not been undertaken as part of preparing this HAA. The review of existing documents and site history has identified strong local community associations with the Rooty Hill.</p> <p>Substantial archaeological remains associated with Phases 1 through 3 would be of local significance under this criterion.</p>
<p><i>Criterion (e)</i></p> <p><i>An item has potential to yield information that will contribute to an understanding of the life of the colony or the local area.</i></p>	<p>Archaeological evidence of the Rooty Hill Depot would provide insight into animal husbandry and pastoral practices in the earliest days of the colony (including failed practices), the daily lives of staff and convicts on the depot, availability of resources, and the types of activities occurring at the site. Substantial and legible</p>

Criterion	Assessment
<i>understanding of NSW's cultural or natural history (or the local area).</i>	<p>archaeological evidence associated with the Rooty Hill Depot in Phase 1 would be of State significance under this criterion.</p> <p>Archaeological evidence of use of Crown Land leased to private graziers would provide insight into changing pastoral practices and daily life for a tenant farmer in the mid-19th century. Substantial and legible archaeological evidence associated with use of the site by private graziers in Phase 2 would be of local significance under this criterion.</p> <p>Ephemeral evidence of fence alignments, isolated artefacts and modern services from Phases 1 through 4 would not meet the threshold for significance under this criterion.</p>
<p><i>Criterion (f)</i></p> <p><i>An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the local area).</i></p>	<p>Rooty Hill Run is one of only four government stockyards/depots established by Governor King at the start of the 19th century. For both its age and context as a government stockyard, archaeological evidence associated with the Rooty Hill Run would be considered uncommon or rare. Substantial and legible archaeological evidence associated with the Rooty Hill Depot in Phase 1 would be of State significance under this criterion.</p> <p>Ephemeral evidence of fence alignments, isolated artefacts and modern services from Phases 1 through 4 would not meet the threshold for significance under this criterion.</p>
<p><i>Criterion (g)</i></p> <p><i>An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or the local area).</i></p>	<p>The anticipated historical archaeological resource would not meet the threshold for local significance under this criterion.</p>

4.3.1 Bickford and Sullivan's questions

The above assessment criteria are supplemented by the established assessment framework that has been developed by Anne Bickford and Sharon Sullivan (1984), who set three fundamental questions to assist in determining the research potential of an archaeological site. These questions are as follows:

Can the site contribute knowledge that no other resource can?

As a government-operated depot, Rooty Hill Run was likely at least relatively well recorded historically by the superintendent or officer(s) in charge. These recordings, however, often omit the minutiae of daily life on the site (diet, activities occurring on site, domestic life) and the lives of other residents (convicts, staff, women, children). The archaeological resource has the potential to supplement and even challenge the knowledge created by the historical record.

After the Rooty Hill Run land was leased to private graziers by the Crown, historical records are less likely to have been kept in a meaningful way. The site could contribute knowledge of the lives of graziers, their family and staff in the mid-19th century.

Can the site contribute knowledge that no other site can?

Only four government stockyards were established by Governor King at the start of the 19th century to supply fresh meat to the colony. There are very few sites of the same type or age (established 1802) within NSW.

Tenant farmers were known to exist across NSW and the practice of leasing out portions of estates or Crown Land was relatively common practice. There are potentially numerous other sites in the greater Sydney region of similar antiquity and context (though likely rapidly disappearing in the scale of recent development).

Is this knowledge relevant to general questions about human history or other substantive questions relating to Australian history, or does it contribute to other major research questions?

The archaeological resource associated with Rooty Hill Run has the potential to general knowledge relevant to broad research questions relating to early food sources in the colony, establishment of animal husbandry and pastoral practices in a new environment, and life in the early days of the colony.

4.4 Summary statement of significance

Substantial and legible archaeological evidence of the Rooty Hill Depot would be of State significance for its historical, associate and research values, as well as its rarity. The depot and stockyard were established in the earliest days of the colony in NSW to provide fresh meat to settlers and avoid unfair pricing by private graziers. It was likely established and at least in part operated by an unpaid convict labour force. As a government site, although likely well documented there is substantially more knowledge that the archaeological resource could provide by way of understanding early landscape clearance, daily life on a government stockyard, and early pastoral practices.

Substantial and legible archaeological evidence associated with use of Crown Land by private graziers in Phase 2 would be of local significance for its historical and research values. Private graziers leased areas of the former Rooty Hill Run to establish their own pastoral enterprises. Archaeological evidence of pastoral outbuildings and features would provide insight into changing pastoral practices and daily life for people living and working there.

Ephemeral evidence of fence lines and isolated artefacts would be of little or no archaeological significance.

5. Impact assessment

5.1 Proposed development

The proposed works include the extension of Rooty Hill Road South to the east north of the Church Street intersection (Figure 4). These works will include:

- localised removal of vegetation along the road frontage; and
- earthworks to strip topsoil and excavation to a depth of 300mm to 600mm to enable laying of subgrade and asphaltting; and
- battering along the eastern edge of the road extension where it intersects with the Rooty Hill Reserve.

5.2 Archaeological impacts

This assessment has identified that the study area is unlikely to contain significant historical archaeological remains. The proposed works will not impact on significant historical archaeological remains or relics.

5.3 Proposed mitigation

As the site has low potential for impacts to significant historical archaeological remains, works should be completed under an 'unexpected finds protocol', with a heritage induction delivered to site contractors which would:

- Provide historical context to the site;
- Make contractors aware of their responsibilities under the provisions of the Heritage Act;
- Provide guidance on the identification of historical archaeological evidence; and
- Establish the unexpected finds protocol, including steps to take if potential historical archaeological evidence is encountered during works.

6. Conclusions and recommendations

6.1 Conclusions

- The study area was formerly part of the Rooty Hill Run, a 38,728-acre parcel of land reserved by Governor King in 1802 for use in breeding and grazing government livestock.
- There is low potential for archaeological evidence of State significance associated with Rooty Hill Run or the associated Government Depot within the study area.
- There is low potential for archaeological evidence of local significance associated with use of the property by private graziers in the mid-19th century.
- The study area is unlikely to contain significant historical archaeological remains or 'relics', as defined by the Heritage Act.

6.2 Recommendations

- A heritage induction should be prepared and delivered to contractors prior to ground disturbing works commencing. The induction should identify contractor's legal obligations under the provisions of the Heritage Act, what types of things might comprise significant archaeological evidence, and establish an unexpected finds procedure to enable reporting of unexpected finds to the project archaeologist.
- In the unlikely event of the discovery of unexpected historical archaeological remains, all works in the affected area should cease and a qualified archaeologist contacted to undertake an inspection and assessment of the find. If the find is assessed to be a 'relic' in the meaning of the Heritage Act, Heritage NSW must be notified in accordance with section 146 of the Heritage Act. Archaeological investigations may be required in accordance with the significance of the find.
- In the event that evidence of the Aboriginal occupation of the site is identified during any phase of onsite works, all works in the affected area should stop, the area adequately protected and Heritage NSW informed about the discovery under section 89(A) of the *National Parks and Wildlife Act 1974*.

7. References

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