



ARCHAEOLOGY - HERITAGE - MEDIATION - ARBITRATION

New Liverpool Primary School

Statement of Heritage Impact

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INTEGRATED MANAGEMENT SYSTEM

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EXECUTIVE SUMMARY

The new Liverpool Primary School (NLPS) is located within the grounds of the existing Liverpool Boys' and Girls' High Schools in the Liverpool Central Business District (CBD), at 18 Forbes Street, Liverpool. The proposed new Liverpool Primary School is located in the eastern portion of the existing school grounds.

This project will be assessed as a State Significant Development. The application seeks consent for the construction and operation of a new Liverpool Primary School. This will include construction of a new school building for core school facilities, teaching spaces, support units, preschools as well as associated landscaping and open space improvements. A detailed description of development is provided by Ethos Urban within the EIS.

The site proposed for the NLPS is an open grassed area currently used as playing fields for the Liverpool Boys' & Girls' High School. It does not contain any buildings. It is located to the east of the High School buildings which are not listed on the State Heritage Register or Local Environmental Plan. There are no listed structures or buildings within the vicinity or visual catchment of the site. The site does not contain heritage values.

However, the site does contain historical archaeological potential dating to the late 19th century. An historical archaeological assessment (Comber 2021) was undertaken to determine whether evidence of the late 19th century subdivision and cottages could be located on the property. The report recommended archaeological excavation and included a research design and excavation methodology.



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1.0 INTRODUCTION

1.1 Background

The new Liverpool Primary School (NLPS) is located within the grounds of the existing Liverpool Boys' and Girls' High Schools in the Liverpool Central Business District (CBD), at 18 Forbes Street, Liverpool. The proposed new Liverpool Primary School is located in the eastern portion of the existing school grounds (Figure 1).

The site is legally described as Lot 1 in DP 1137425. This project will be assessed as a State Significant Development. The application seeks consent for the construction and operation of a new Liverpool Primary School. This will include construction of a new school building for core school facilities, teaching spaces, support units, preschools as well as associated landscaping and open space improvements. A detailed description of development is provided by Ethos Urban within the EIS.



Figure 1: New Liverpool Primary School Site Plan

The project is being undertaken as a State Significant Development (SSD) under Section 4.12(8) of the Environmental Planning and Assessment Act 1979 Schedule 2 of the Environmental Planning and Assessment Regulation 2000.

Comber Consultants have been engaged to provide this Statement of Heritage Impact to address the conditions in Section 9 of the Planning Secretary's Environmental Assessment Requirements (SEARs) - (SSD-10391 issued on 27 November 2019 and reissued on 9 January 2020).

This report has been prepared in accordance with the NSW Heritage Manual.

1.2 Authors

Caroline Plim, historian, researched and wrote section 2 "history" and section 3 "significance assessment." David Nutley, archaeologist, wrote the remainder of the report which was edited by Dr Jillian Comber.



2.0 LEGISLATION

2.1 Heritage Act 1974

State Heritage Register

s31 of the NSW *Heritage Act 1977* provides for the establishment and maintenance of the State Heritage Register by the Heritage Council. s32 allows the Minister to direct the listing of an item which is of State heritage significance and sets out the procedure for listing an item.

Under s57 of the Heritage Act a person must not “demolish, despoil, excavate, alter, move, damage or destroy” an item listed on the State Heritage Register without a permit under s60 of the Act.

The study area is not listed on the State Heritage Register.

Protection of relics

As defined in the NSW Heritage Act 1977 a “relic”:

means 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 significance”*

Under s139 of the *Heritage Act* it is an offence to disturb a relic, as follows:

A person must not disturb or excavate any land 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 unless the disturbance or excavation is carried out in accordance with an excavation permit.

To excavate or disturb a relic a permit under s140 of the *Heritage Act* is required.

However, as this project is being undertaken as a State Significant Development approval is not required under the *Heritage Act* (See 2.2 below).

2.2 State Significant Development

This project is being undertaken as a State Significant Development (SSD-10391) under Part 4, Division 4.1 of the *Environmental Planning & Assessment Act 1979* (EPA Act). Section 89J of the EPA Act (see below) does not require that a State significant development seek approval under the Heritage Act as follows:

s4.41 details the authorisations that are not required for State significant development, as detailed below. s4.41(c) states that an excavation permit is not required.

4.41 Approvals etc legislation that does not apply
(cf previous s 89J)

- (1) The following authorisations are not required for State significant development that is authorised by a development consent granted after the commencement of this Division (and accordingly the provisions of any Act that prohibit an activity without such as authority do not apply):

(c) an approval under Part 4, or an excavation permit under section 139, of the *Heritage Act 1977*.

- (2) Division 8 of Part 6 of the Heritage Act 1977 does not apply to prevent or interfere with the carrying out of State significant development that is authorised by a development consent granted after the commencement of this Division.

- (3) A reference in this section to State significant development that is authorised by a development consent granted after the commencement of this Division includes a reference to any investigative or other activities that are required



to be carried out for the purpose of complying with any environmental assessment requirements under this Part in connection with a development application for any such development.

The EPA Act is administered by the Department of Planning, Industry and Environment (DPIE) who will provide the consent for this project and for any impact on relics.

Condition 9, Heritage, of the Secretary's Environmental Assessment Requirements (SEARS) (SSD-10391) issued on 9/02/2021 requires that a Statement of Heritage Impact (SOHI) is prepared by a suitably qualified heritage consultant in accordance with the guidelines in the NSW Heritage Manual. If the SOHI identifies impact on potential historical archaeology, the SEARS requires that

9. Heritage

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 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, required BCA and DDA works, new fixtures, fittings and finishes, any modified services*
- *the attempts to avoid and/or mitigate the impact on the heritage significance or cultural heritage values of the site and the surrounding heritage items and*
- *justification for any changes to the heritage fabric or landscape elements including any options analysis.*

If the SOHI identifies impact on potential historical archaeology, an historical archaeological assessment should be prepared by a suitably qualified archaeologist in accordance with the heritage guidelines 'Archaeological Assessment' 1996 and 'Assessing Significance for Historical Archaeological Sites and Relics' 2009. This assessment should identify what relics, if any, are likely to be present, assess their significance and consider the impacts from the proposal on this potential archaeological resource. Where harm is likely to occur, it is recommended that the significance of the relics be considered in determining an appropriate mitigation strategy. If harm cannot be avoided in whole or part, an appropriate Research Design and Excavation Methodology should also be prepared to guide any proposed excavations or salvage programme.

This report has been written to address the above requirement.



2.0 PROPOSAL

The proposed new Liverpool Primary School is to be built on the eastern portion of the current Boys' and Girls' High Schools (Figure 1). The study area extends along the length of Burnside Drive to the east and is bound by Lachlan Street to the north. (Figure 2 & 3).

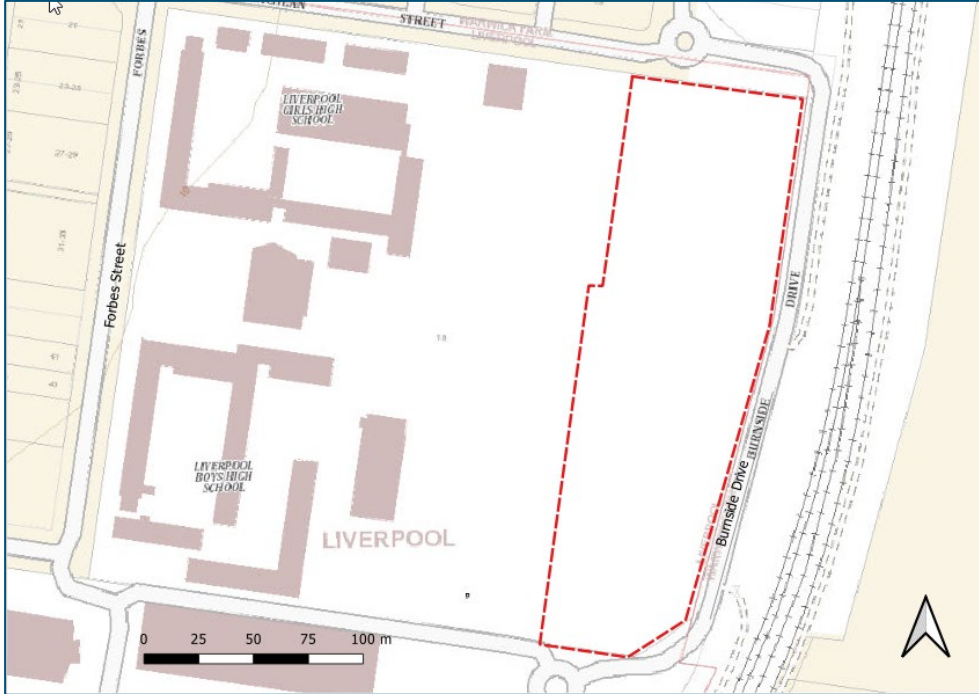


Figure 2: The proposed new Liverpool Primary School site outlined in red.
(NSW Government Land and Property Information with overlays by Comber Consultants)



Figure 3: The proposed site of the new primary school and relationship to the Boys and Girls Schools
(Nearmap with overlay by Comber Consultants)



The proposed works include:

- A. Removal of some existing trees and cricket practice nets (Figure 4), and
- B. Construction of a primary school and a pre-school including:
 - 3-storied structures to accommodate student and staff facilities
 - An unencumbered area which will include a shared playing field.



Figure 4: Proposed site plan



3.0 HISTORY

3.1 Establishment of the Town of Liverpool

Liverpool was the first of several towns founded by Lachlan Macquarie during his Governorship of New South Wales. Although settlers had already established farms in the district, the site for a township was not selected until November 1810. Macquarie's aim was to avoid the haphazard development of settlements by implementing town planning schemes, imposing standards, and building the necessary infrastructure to support the development of the surrounding district. Liverpool was one of a number of locations in the County of Cumberland selected for a settlement and described at the time as a 'thick forest.' Its proximity to the junction of Georges River and Cabramatta Creek, as well as to existing land grants being farmed, appeared an ideal location (Jack 2010: 15, *HRA Ser 1 Vol 10*, 592). Liverpool was considered,

... admirably calculated for Trade and Navigation, being immediately on the Bank of the River where the Depth of Water is sufficient to float Vessels of very considerable burthen (HRA Ser 1 Vol 7, 400).

Surveyor Meehan was directed to mark out the Liverpool township. Meehan's plan for Liverpool plan was ambitious with allotments arranged on a grid plan extending over a considerable area allowing for what was anticipated to be a rapid expansion (Proudfoot 1995, 110). Despatches of October 1811 reported that it was intended 'very soon to erect a Church, a School-House, a Gaol, a Guard-House, &c.' at Liverpool, and free colonists were invited to acquire leases of town allotments with rights to use the adjacent Town Common (*HRA Ser 1 Vol 7*, 400). Similar to other settlements, Macquarie outlined minimum building standards and development controls for town allotments. Macquarie nominated magistrate Thomas Moore of Moorebank to provide planning advice to prospective settlers and minimum times within which they were to be built on. A cow from the Government herd was offered to settlers as an incentive (*HRA Ser 1 Vol 7*, 400; Jack 2010: 17-18). The Colonial Secretary's papers record developments in the township from 1810 (Col Sec SRNSW). Interest in the lease of allotments was slow however public building went ahead.

3.2 Liverpool Boys' & Girls' High Schools

The 1943 aerial photograph shows that the land contained a few cottages with outbuildings (Photograph 1). The structures shown on the aerial photograph were on land auctioned at Liverpool on 19th January 1884 and the structures built some time after that (Comber 2019:18)

Land was resumed by the Minister for Education for Liverpool High School on 15 February 1946. Parts of Hart, Drummond and Campbell Streets were resumed for school in January 1947. The Liverpool community supported by the Municipal Council had been lobbying for a high school since at least 1916, however the Department of Education refused the request citing insufficient enrolments to warrant the expense and that there was ample accommodation for students at Parramatta Girls' and Boys' High Schools (Dept of Education 1963, 10). Agitation continued in 1931 with the Department making certain concessions by adding new senior course to the overcrowded Liverpool Public School but refusing to build a high school on a separate site (*The Biz Fairfield* 19 Jun 1931, 6). Finally, in 1945 Minister for Education Robert Heffron announced that premises would be built for two new high schools at Liverpool – a Girls' Domestic Science School and a Boys' Technical School – to be built on a site in Forbes Street at the estimated cost of £120,000 (Dept of Education 1963, 14; PWD Annual Report 1945-46, 64 & 1946-47, 26).

The school site bounded by Forbes Street, Lachlan Street, Campbell Street and a railway reserve was pegged-out by the Public Works Department in 1945-46 and a contour survey made of the site (PWD Annual Report 1945-46, 91). The resumption of the site was greeted by the community with great relief as Liverpool Public School was so overcrowded that lessons had to be staggered to accommodate the 1,700 children attending, many being taught in portable classrooms (*The Biz* 14 Mar 1946, 2).



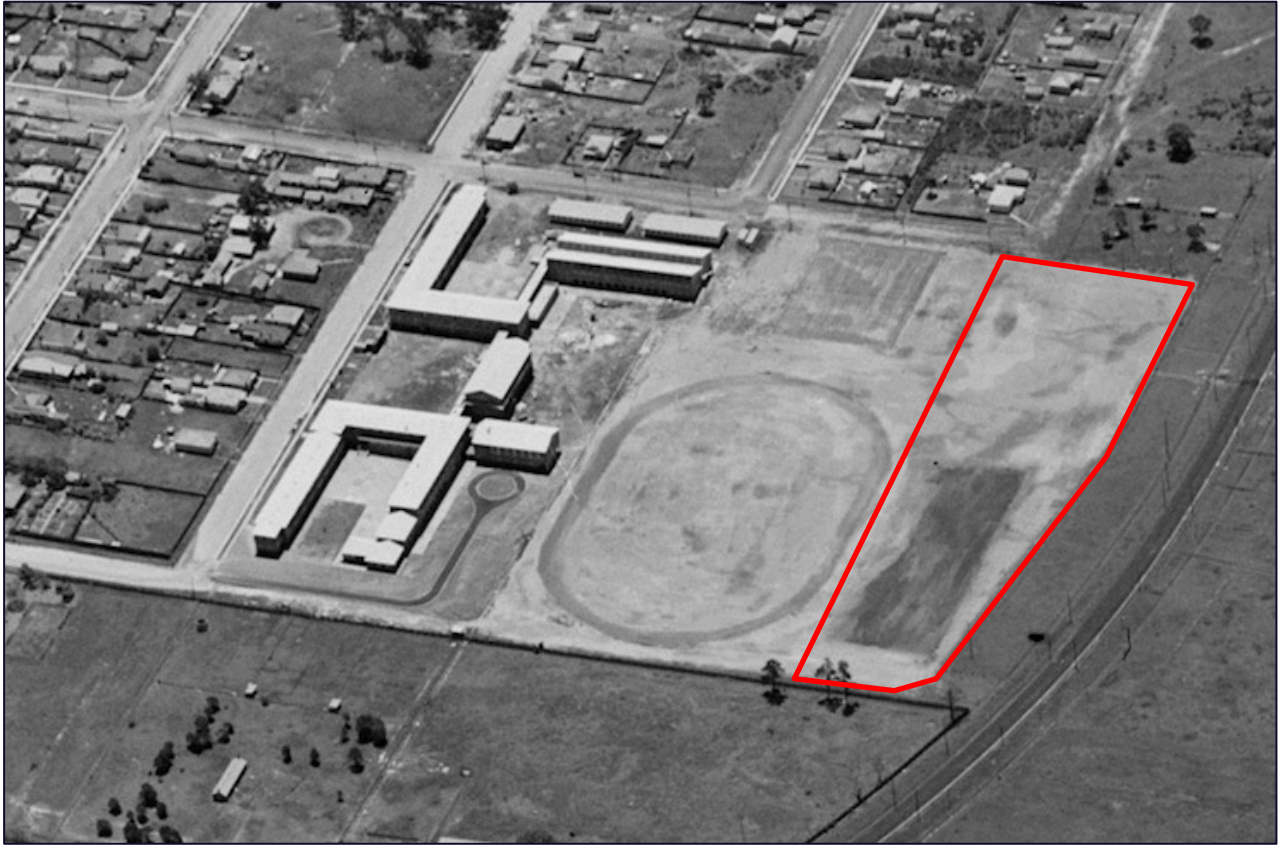
Photograph 1: 1943 aerial photograph showing structures on the high school site and the area proposed for the new primary school (Aerial 1943, SKM, SixMaps, LPI. Overlay by Comber Consultants).

At a ceremony on 12 April 1947 Premier James McGirr, member for Liverpool, and Mr Heffron laid two engraved foundation stones on the north and south sides of the Forbes Street site (*The Biz* 17 Apr 1947, 4). Plans for the High Schools were prepared in 1947-48 with buildings to include an assembly hall and a gymnasium at an increased estimated cost of £281,300 (PWD Annual Report 1947-48, 21).

Delays in the completion of the long awaited Liverpool High School were reported in newspapers in 1952. The Education Department was reported to have cut by 'two-thirds' the building budget of one its biggest contractors, A. W. Edwards Pty Ltd of Glebe. The firm was one of the biggest firms in the State and contracted to build the high school among other Sydney schools. Edwards reported that the Department requested Edwards to restrict building to £175,000 for the 1952-53 financial year. Despite funding shortages, the Department didn't want to see any job stopped and instructed Edwards to carry on with as much building as possible. As a result of the budget reduction the company had to dismiss 22 of its 310 employees, (*SMH* 28 Jun 1952, 1). The construction of the Girls' School continued while the Boy's School was delayed in order to reduce the costs (*The Biz* 3 Sep 1953, 12).

Work on Liverpool High School continued in 1953-54 and, due to the extent of works including sewerage works and the installation of a pump house, the estimated total cost had risen to £360,000 (PWD Annual Report 1953-54, 35, 27). in September 1953 it was estimated that the Girls' High School would be complete by October, except for the furnishing of classrooms

A 1954 aerial photograph of the site (below) shows that the girls' campus was complete and that, externally, the boys' campus was close to completion. The area proposed for the new primary school shows the area of the new Liverpool Primary School entirely cleared of vegetation being used as playing fields and with the cottages shown on the 1943 aerial now demolished (Photograph 2).



Photograph 2: Aerial view of Liverpool Girls' and Boys' High Schools dated 1954 showing study area edged in red (Kent Image 15 Item 21 ON447/Box 152 ML SLNSW. Overlay by Comber Consultants).

Liverpool Boys' Technical High School officially opened on 12 August 1955 (*Liverpool Boys' High School: A Brief History* 2015, 1).

A c.2012 aerial photograph (Photograph 3 below) shows the current configuration of the High School and the playing fields to the east of the high school buildings where the new primary school will be constructed. Photographs 4 and 5 show the proposed location for the new primary school.



Photograph 3: Aerial photograph showing Liverpool Girls' and Boys' High Schools c.2012. Area proposed for the new Liverpool primary school shown to the east of the high school buildings (Aerial c2012 SKM LPI. Overlay by Comber Consultant).



Photograph 4: View of the study area between the playing fields (left) and blue fence beside Burnside Drive to the right. View to north.



Photograph 5: Site of proposed new primary school. View to south along Burnside Drive border



4.0 SIGNIFICANCE ASSESSMENT

4.1 Preamble

Significance Assessment is the process whereby buildings, items or landscapes are assessed to determine their value or importance to the community.

The following criteria have been developed by the NSW Heritage Office and embody the values contained in the Burra Charter. The Burra Charter provides principles and guidelines for the conservation and management of cultural heritage places within Australia.

This significance assessment only assesses the significance of the site for the new Liverpool Primary School. It does not assess the Liverpool Boys' & Girls' High Schools.

4.2 Significance Assessment

Historical

Criterion (a) – an item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)

The site of the proposed new Liverpool Primary School is of local significance as the location of town allotments in Sections 3 and 5 on the outskirts of Liverpool and subsequent residential occupation within Section 3 from c1935 and Section 5 including the footprints of buildings on Lots 1, 4 and 8 in the early 1940s.

Association

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

Historical research has not identified attributes that meet this criterion.

Aesthetic/Technical

Criterion (c) – an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)

Historical research has not identified attributes that meet this criterion.

Social

Criterion (d) – an item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons

Historical research has not identified attributes that meet this criterion.

Research

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

The residential occupation within Sections 3 and 5 have the potential, through archaeological research, to yield information that will contribute to an understanding of the development and use of early nineteenth town allotments on the outskirts of Liverpool when little documentary evidence survives.

Rarity

Criterion (f) – an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)

Historical research has not identified attributes that meet this criterion, although historical archaeological excavation may reveal further information that could meet this criterion.

Representative

Criterion (g) – 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 a class of the local area's
- cultural or natural places; or
 - cultural or natural environments



Historical research has not identified attributes that meet this criterion, although historical archaeological excavation may reveal further information that could meet this criterion.

4.3 Statement of significance

The location of town allotments in portions of Sections 3 and 5 have the potential to yield information, through archaeological research, that contributes to an understanding of the development and use of early nineteenth town allotments on the outskirts of Liverpool in the early nineteenth century.

The proposed site of the new Liverpool Primary School is of local significance.



5.0 RESPONSE TO SEARS CONDITIONS

SEARS Condition 9. Heritage requires the following:

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 of the site and adjacent areas and is to identify the following:

Heritage Condition	Response
<p>o 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</p>	<p>Figure 5 maps the heritage items within the vicinity of the site.</p> <p>Items listed on the NSW State Heritage Register The Liverpool Boys' & Girls' High Schools, including the current study area for the proposed new primary school, are not listed on the State Heritage Register.</p> <p>The nearest State Heritage listed area is Liverpool TAFE College (former Liverpool Hospital) approximately 300m to the south on the southern side of Liverpool Hospital. It is not within the vicinity of the site of the NLPS and cannot be seen from the NLPS. The Liverpool TAFE College is not within the visual curtilage of the location proposed for the new primary school and will not be impacted upon by the proposal.</p> <p>Items listed under the Heritage Act on S.170 NSW State Heritage Registers The Department of Education has a draft s170 Register and the study area is not listed on the draft s170 Register.</p> <p>Items listed on the Liverpool Local Environmental Plan 2008</p> <ul style="list-style-type: none"> • The Liverpool Boys' & Girls' High Schools, including the current study area for the proposed new primary school, are not listed on the Liverpool Local Environmental Plan 2008. • The northern border of the study area abuts onto Lachlan Street which is a part of the 2008 LEP listing of the early town centre street layout from Hoddle's 1927 Plan of Town of Liverpool (LEP item 89) (See Figure 7). <p>The proposed works will not encroach onto the early town centre layout and will be contained wholly within the boundaries of the high school. The proposed new school will not adversely impact upon this item.</p>
<p>o compliance with the relevant Conservation Management Plan</p>	<p>There is no Conservation Management Plan for this site.</p>
<p>o the impacts of the proposal on heritage item(s) including visual impacts, required BCA and DDA works, new fixtures, fittings and finishes, any modified services</p>	<p>As the site does not contain heritage items, significant or listed built structures and is not within the visual curtilage of any significant or listed buildings there will be no impact upon these items.</p>
<p>o the attempts to avoid and/or mitigate the impact on the heritage significance or cultural heritage values of the site and the surrounding heritage items, and</p>	<p>Not applicable as there is no impact upon heritage significance or cultural heritage values of the site and surrounding heritage items.</p>



<p>o justification for any changes to the heritage fabric or landscape elements including any options analysis.</p>	<p>Not applicable.</p>
<p>o If the SOHI identifies impact on potential historical archaeology, an historical archaeological assessment should be prepared by a suitably qualified archaeologist in accordance with the heritage guidelines 'Archaeological Assessment' 1996 and 'Assessing Significance for Historical Archaeological Sites and Relics' 2009. This assessment should identify what relics, if any, are likely to be present, assess their significance and consider the impacts from the proposal on this potential archaeological resource. Where harm is likely to occur, it is recommended that the significance of the relics be considered in determining an appropriate mitigation strategy. If harm cannot be avoided in whole or part, an appropriate Research Design and Excavation Methodology should also be prepared to guide any proposed excavations or salvage programme.</p>	<p>Historically, the land proposed for the NLPS was subdivided and sold on 19th January 1884 and cottages with outbuildings constructed sometime after that date (Comber Consultants 2019). An historical archaeological assessment was undertaken in accordance with the relevant guidelines. The historical archaeological report contains an appropriate Research Design and Excavation Methodology to guide archaeological excavations as recommended in the historical archaeological report.</p>

Table 1: Heritage conditions in SEARs and response

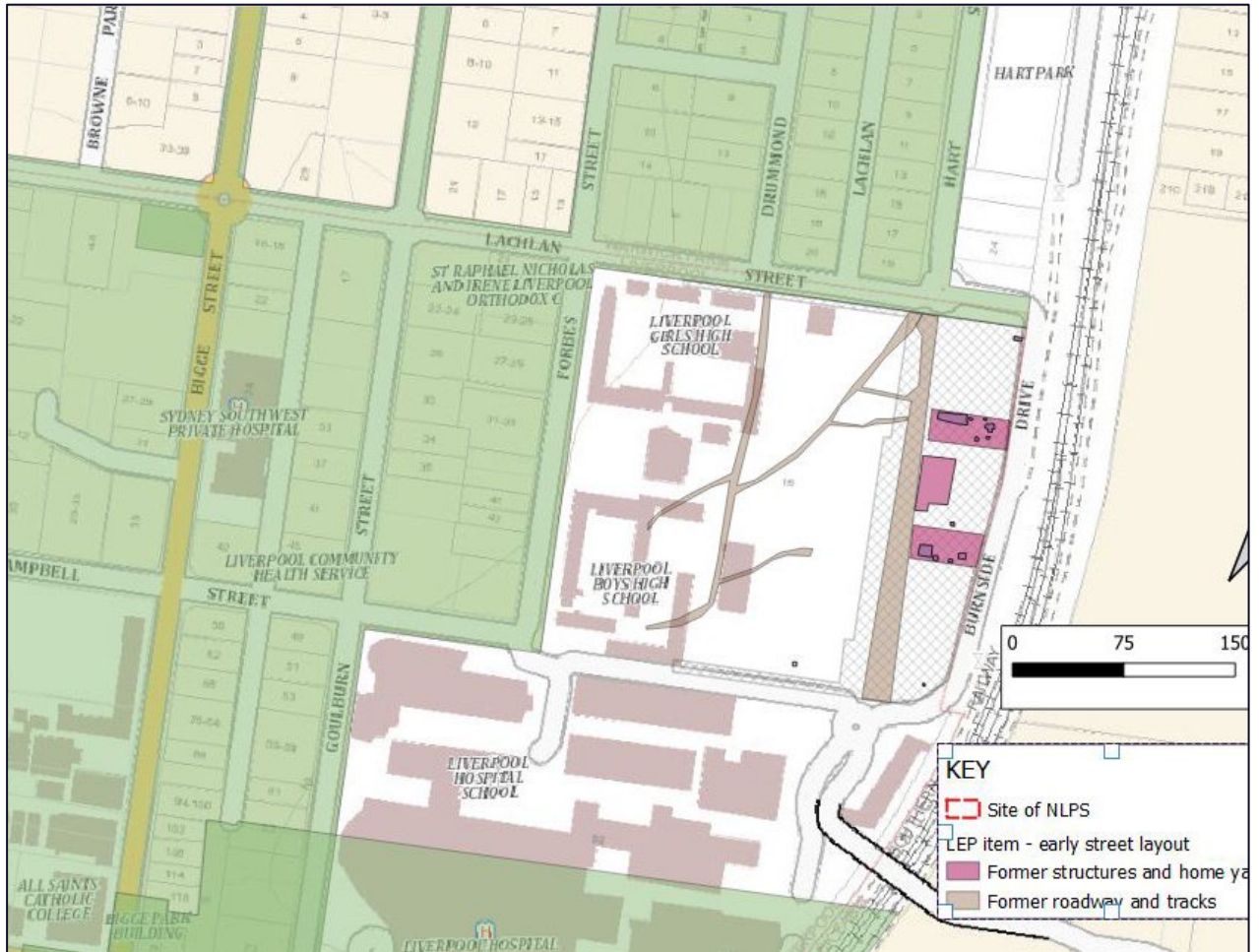


Figure 5: The study area with heritage items mapped.



6.0 SUMMARY

The site proposed for the NLPS is an open grassed area currently used as playing fields for the Liverpool Boys' & Girls' High School. It does not contain any buildings. It is located to the east of the High School buildings which are not listed on the State Heritage Register or Local Environmental Plan. There are no listed structures of buildings within the vicinity or visual catchment of the site. The site does not contain heritage values.

However, the site does contain historical archaeological potential dating to the late 19th century. An historical archaeological assessment (Comber 2021) was undertaken to determine whether evidence of the late 19th century subdivision and cottages could be located on the property. The report recommended archaeological excavation and included a research design and excavation methodology.



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35.895, NSW Land and Property Management Authority.

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Aerial photograph of Liverpool, 1951, NSW Land and Property Management Authority. Liverpool Sheet 25, February 1949,

BLKWTL 4188, Sydney Water Archives.

Photographic Works including Aerial Views

Item 19: Milton Kent Aerial Views of Arncliffe, Balmain, Blacktown, Fairfield, Liverpool, St Leonards, 1961, Image 16 of views taken for Paynter and Dixon, ON447/Box 151, Mitchell Library, State Library of New South Wales. See other images in this series for views of Liverpool Girls' and Boys' High Schools.

Item 21: Milton Kent Aerial Views of Bathurst, Cowra, Liverpool, 1954, Image 12 of views taken for Cable Makers Australia, ON447/Box 152, Mitchell Library, State Library of New South Wales. See other images in this series for views of Liverpool Girls' and Boys' High Schools.

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ABBREVIATIONS

CP Crown Plan

DP Deposited Plan

HRA Historical Records of Australia LCL Liverpool City Library

LPI NSW Land and Property Management Authority ML Mitchell Library

NSW DET New South Wales Department of Education and Training NSW PWD New South Wales Public Works Department

SLNSW State Library of New South Wales

SRNSW State Archives & Records NSW