

1030-1048 and 1050-1064 Mamre Road,
Kemps Creek: Heritage Impact Statement

FINAL REPORT

Prepared for ESR Developments (Australia) Pty Ltd

16 August 2023

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Glossary

Biosis	Biosis Pty Ltd
CBD	Central Business District
CHL	Commonwealth Heritage List
DA	Development Application
DP	Deposited Plan
ESR Australia	ESR Developments (Australia) Pty Ltd
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
GFA	Gross Floor Area
HIS	Heritage Impact Statement
Heritage NSW	Heritage NSW, Department of Planning and Environment
Heritage Act	<i>Heritage Act 1977</i>
LEP	Local Environmental Plan
NHL	National Heritage List
Mamre Road Precinct DCP	<i>Mamre Road Precinct Development Control Plan 2021</i>
NSW	New South Wales
PDCP	<i>Penrith Development Control Plan 2014</i>
SHR	State Heritage Register
SoHI	Statement of Heritage Impact
study area	1030-1048 and 10450-1064 Mamre Road, Kemps Creek (Lot 3 and 4 DP 250002)
SEARs	Secretary Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SSD	State Significant Development

Summary

Biosis Pty Ltd (Biosis) was commissioned by ESR Developments (Australia) Pty Ltd (ESR Australia) to undertake a Heritage Impact Statement (HIS) for the proposed industrial development at 1030-1048 and 1050-1064 Mamre Road, Kemps Creek, New South Wales (NSW) (Lot 3 and 4 DP 250002) (the study area). The study area is located in Kemps Creek approximately 22 kilometres east of Penrith and approximately 50 kilometres west of the Sydney central business district (CBD).

The project is to be assessed as a State Significant Development (SSD) application (SSD-46983729 (Westlink Industrial Estate – Stage 2)) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Secretary Environmental Assessment Requirements (SEARs) (10 August 2022) have requested that a HIS is prepared for the project. This HIS has assessed 1030-1048 and 1050-1064 Mamre Road, Kemps Creek, NSW (Lot 3 and 4 DP 250002) only.

As part of the HIS, background research was undertaken to identify the previous land use of the study area to determine whether items of historical significance have the potential to be impacted by the proposed works.

The study area formed a part of the initial land grant to Nicolas Bayly in 1810, which was then acquired by Richard Jones in 1826 following Bayly's death. The land was subsequently subdivided in 1891, but sales did not commence until the 1930s. The land was likely used for pastoral and agricultural uses during this time, but no residential structures appear to have been constructed in the study area until after the 1980s.

The current structures in the study area are a combination of residential and rural (sheds etc.) which were constructed and altered post 1980s. These structures are common throughout Western Sydney.

This assessment has not revealed any evidence of items, activities, or events occurring within the study area that are historically significant, either to the local area or NSW. Archaeological remains that may be present within the study area are likely to include fence lines, post holes and agricultural marks, which hold no research potential and are unlikely to provide information that is of importance in the pattern of NSW's cultural history at a state or local level. The study area is not associated with a significant figure or community group within the local area and possesses low aesthetic value.

There are no listed heritage items, or items of heritage significance, within or adjacent to the study area, therefore the impacts resulting from the proposed works are considered acceptable.

Recommendations

Recommendation 1: The proposed works may proceed with caution

There are no listed items, or items of heritage significance, within or adjacent to the study area.

Works can proceed in the study area with caution as it has been assessed as possessing low archaeological potential. Should unexpected archaeological remains be uncovered during the course of the proposed works, recommendation 2 should be implemented.

Recommendation 2: Discovery of unanticipated historical relics

Relics are historical archaeological resources of local or State significance and are protected in NSW under the *Heritage Act 1977* (Heritage Act). Relics cannot be disturbed except with a permit or exception/exemption notification. Should unanticipated historical archaeology be discovered during the course of the project, work in the vicinity must cease and an archaeologist contacted to make a preliminary assessment of the find.

Heritage NSW, Department of Planning and Environment (Heritage NSW) will require notification if the find is assessed as a relic.

1 Introduction

1.1 Project background

Biosis was commissioned by ESR Australia to undertake a HIS for the proposed industrial development at 1030-1048 and 1050-1064 Mamre Road, Kemps Creek, NSW (Lot 3 and 4 DP 250002) (study area) (Figure 1 and Figure 2). The project is to be assessed as a SSD application (SSD-46983729 (Westlink Industrial Estate – Stage 2) under Part 4 of the EP&A Act. This HIS has assessed 1030-1048 and 1050-1064 Mamre Road, Kemps Creek, NSW (Lot 3 and 4 DP 250002) only.

1.2 Response to project SEARs requirements

This HIS has been prepared in response to the SEARs requirements (SSD-46983729) (Table 1). The HIS has been prepared in accordance with the Heritage Act and the *Burra Charter*.

Table 1 Response to project SEARs requirements

SEAR No.	Heading	Issue and Assessment requirements	Documentation	Section of report responding to SEARs
19	Environmental Heritage	Where there is 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.	- Statement of Heritage Impact - Archaeological Assessment	Sections 2, 3, 4, 5, 6 of this report.

1.3 Location of the study area

The study area is located within Lot 3 and 4 DP 250002 and is approximately 22 kilometres south of Penrith and approximately 53 kilometres west of the Sydney CBD (Figure 1). It encompasses 21.8 hectares of private land and the adjacent road reserves. It is currently zoned IN1 (General Industrial).

The study area is within the:

- Penrith Local Government Area (LGA).
- Parish of Melville
- County of Cumberland (Figure 2).

The study area is bounded by private property to the north, east and south and Mamre Road to the west.

1.4 Scope of assessment

This report was prepared in accordance with current heritage guidelines including *Assessing Heritage Significance*, *Assessing Significance for Historical Archaeological Sites and 'Relics'* and the *Burra Charter*.¹² This report provides a heritage assessment to identify if any heritage items or relics exist within or in the vicinity of the study area. The heritage significance of these heritage items has been investigated and assessed in order to determine the most appropriate management strategy.

The following is a summary of the major objectives of the assessment:

- Identify and assess the heritage values associated with the study area. The assessment aims to achieve this objective through providing a brief summary of the principle historical influences that have contributed to creating the present-day built environment of the study area using resources already available and some limited new research.
- Identifying sites and features within the study area which are already recognised for their heritage value through statutory and non-statutory heritage listings.
- Assess the impact of the proposed works on the cultural heritage significance of the study area and any heritage items within or adjacent to the study area.
- Recommend measures to avoid or mitigate any adverse impacts on the heritage significance of the study area.

1.5 Proposed development

The proposal is for a warehouse and distribution centre with ancillary office space with a total gross floor area (GFA) of approximately 38,500 m² (Figure 3). Specifically, the proposal seeks approval for:

- Site preparation works, including demolition, clearing of all vegetation, bulk earthworks and retaining walls, construction of new internal roads and stormwater and drainage works.
- Subdivision of the site.
- Construction of an industrial warehouse buildings with ancillary office space comprising a total GFA of approximately 38,500m², including:
 - Loading docks and hardstand area, on-lot car parking and internal accessways.
 - Associated landscaping and signage.
 - Hours of operation of 24 hours, 7 days a week.

1.6 Limitations

This report is based on historical research and field inspections. It is possible that further historical research or the emergence of new historical sources may support different interpretations of the evidence in this report.

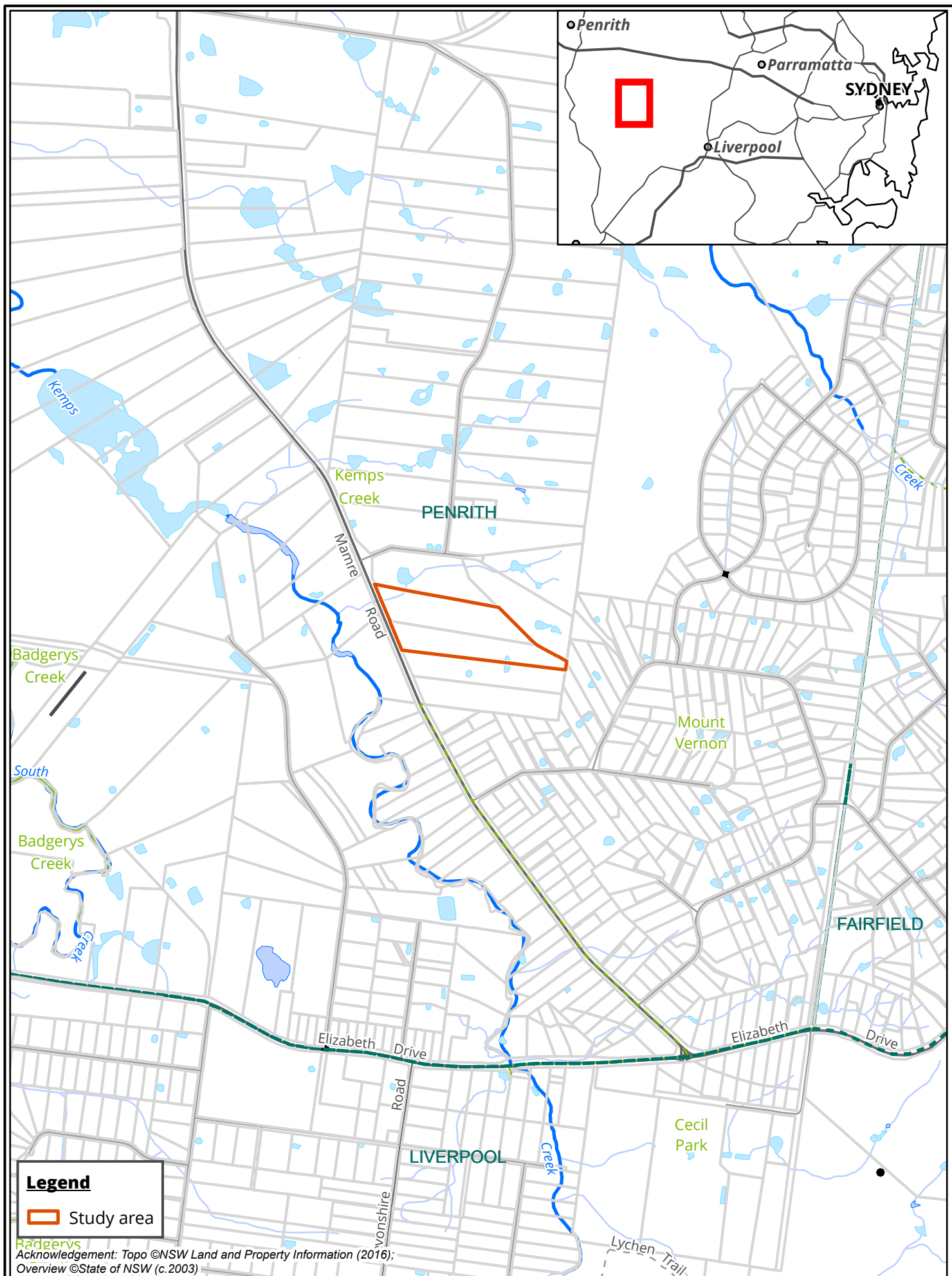
Although this report was undertaken to best archaeological practice and its conclusions are based on professional opinion, it does not warrant that there is no possibility that additional archaeological material will

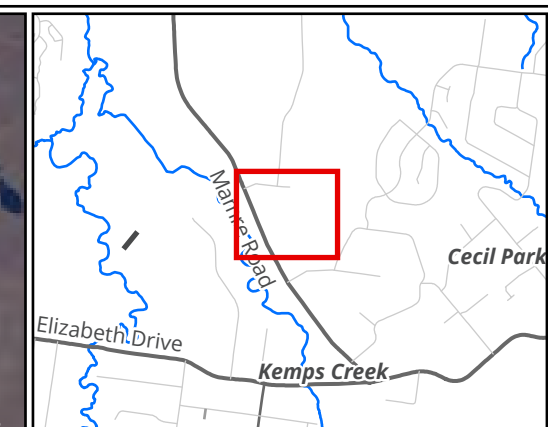
¹ Heritage Office 2001

² Australia ICOMOS 2013a

be located in subsequent works on the site. This is because limitations in historical documentation and archaeological methods make it difficult to accurately predict what is under the ground.

The significance assessment made in this report is a combination of both facts and interpretation of those facts in accordance with a standard set of assessment criteria. It is possible that another professional may interpret the historical facts and physical evidence in a different way.

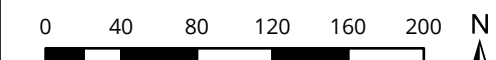




Legend

-  Study area
-  Lot

Figure 2 Study area detail



Metres
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2 Statutory framework

This assessment will support an SSD application under Part 4 of the EP&A Act. In NSW cultural heritage is managed in a three-tiered system: National, state and local. Certain sites and items may require management under all three systems or only under one or two. The following discussion aims to outline the various levels of protection and approvals required to make changes to cultural heritage in the state.

2.1 Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Act 1999* (EPBC Act) is the national Act protecting the natural and cultural environment. The EPBC Act is administered by the Department of Agriculture, Water and the Environment. The EPBC Act establishes two heritage lists for the management of the natural and cultural environment:

- The National Heritage List (NHL) contains items listed on the NHL have been assessed to be of outstanding significance and define 'critical moments in our development as a nation'.³
- The Commonwealth Heritage List (CHL) contains items listed on the CHL are natural and cultural heritage places that are on Commonwealth land, in Commonwealth waters or are owned or managed by the Commonwealth. A place or item on the CHL has been assessed as possessing 'significant' heritage value.⁴

A search of the NHL and CHL did not yield any results associated with the study area.

2.2 NSW Heritage Act 1977

Heritage in NSW is principally protected by the Heritage Act (as amended), which was passed for the purpose of conserving items of environmental heritage of NSW. Environmental heritage is broadly defined under Section 4 of the Heritage Act as consisting of the following items: 'those places, buildings, works, relics, moveable objects, and precincts, of State or Local heritage significance'. The Act is administered by the Heritage Council, under delegation by the Heritage Division, Heritage NSW. The Heritage Act is designed to protect both known heritage items (such as standing structures) and items that may not be immediately obvious (such as potential archaeological remains or 'relics'). Different parts of the Heritage Act deal with different situations and types of heritage and the Act provides a number of mechanisms by which items and places of heritage significance may be protected.

2.2.1 State Heritage Register

Protection of items of State significance is by nomination and listing on the State Heritage Register (SHR) created under Part 3A of the Heritage Act. The Register came into effect on 2 April 1999. The Register was established under the *Heritage Amendment Act 1998*. It replaces the earlier system of Permanent Conservation Orders as a means for protecting items with State significance.

There are no items or conservation areas listed on the SHR within the study area.

³ 'About National Heritage' <http://www.environment.gov.au/heritage/about/national/index.html>

⁴ 'Commonwealth Heritage List Criteria' <http://www.environment.gov.au/heritage/about/commonwealth/criteria.html>

2.2.2 Archaeological relics

Section 139 of the Heritage Act protects archaeological 'relics' from being 'exposed, moved, damaged or destroyed' by the disturbance or excavation of land. This protection extends to the situation where a person has 'reasonable cause to suspect' that archaeological remains may be affected by the disturbance or excavation of the land. This section applies to all land in NSW that is not included on the SHR.

Amendments to the Heritage Act made in 2009 changed the definition of an archaeological 'relic' under the Act. A 'relic' is defined by the Heritage Act as:

'Any deposit, object or material evidence:

- (a) Which relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and*
- (b) Which is of State or Local significance'.*

It should be noted that not all remains that would be considered archaeological are relics under the NSW Heritage Act. Advice given in the Archaeological Significance Assessment Guidelines is that a 'relic' would be viewed as a chattel and it is stated that,

'In practice, an important historical archaeological site will be likely to contain a range of different elements as vestiges and remnants of the past. Such sites will include 'relics' of significance in the form of deposits, artefacts, objects and usually also other material evidence from demolished buildings, works or former structures which provide evidence of prior occupations but may not be "relics".⁵

If a relic, including shipwrecks in NSW waters (that is rivers, harbours, lakes and enclosed bays) is located, the discoverer is required to notify the NSW Heritage Council.

Section 139 of the Heritage Act requires any person who knows or has reasonable cause to suspect that their proposed works will expose or disturb a 'relic' to first obtain an Excavation Permit from the Heritage Council of NSW (pursuant to Section 140 of the Act), unless there is an applicable exception (pursuant to Section 139(4)). Excavation permits are issued by the Heritage Council of NSW in accordance with sections 60 or 140 of the Heritage Act. It is an offence to disturb or excavate land to discover, expose or move a relic without obtaining a permit. Excavation permits are usually issued subject to a range of conditions. These conditions will relate to matters such as reporting requirements and artefact cataloguing, storage and curation.

Exceptions under Section 139(4) to the standard Section 140 process exist for applications that meet the appropriate criterion. The Section 139(4) permit is an exception from the requirement to obtain a Section 140 permit and reflects the nature of the impact and the significance of the relics or potential relics being impacted upon.

If an exception has been deemed appropriate but during the course of the development, substantial intact archaeological relics of state or local significance, not identified in the archaeological assessment or statement required by this exception, are unexpectedly discovered during excavation, work must cease in the affected area and the Heritage Office must be notified in writing in accordance with section 146 of the Heritage Act. Depending on the nature of the discovery, additional assessment and, possibly, an excavation permit may be required prior to the recommencement of excavation in the affected area.

2.2.3 Section 170 Heritage and Conservation Registers

Section 170 of the Heritage Act requires that culturally significant items or places managed or owned by Government agencies are listed on departmental Heritage and Conservation Register. Information on these registers has been prepared in accordance with Heritage Division guidelines.

⁵ NSW Heritage Branch, Department of Planning 2009, p.7

Statutory obligations for archaeological sites that are listed on a Section 170 Register include notification to the Heritage Council in addition to relic's provision obligations.

There are no items within or adjacent to the study area that are entered on a State government Section 170 Register.

2.3 Environmental Planning and Assessment Act 1979

2.3.1 State Environmental Planning Policy

The *State Environmental Planning Policy (Industry and Employment) 2021* (SEPP) and the SEPP (*Precincts – Western Parkland City*) 2021 contains schedules of heritage items by the controls in the instrument. These items contain state or regional environmental planning significance. Heritage items in the vicinity of the study area are identified within Figure 4.

There are no heritage items listed in the SEPP (Industry and Employment) 2021 Schedule 3 (Part 1) or in the SEPP (Precincts – Western Parkland City) 2021 Schedule 2 Environmental heritage – Western Sydney Aerotropolis (Part 1) that are located within or adjacent to the study area.

The study area is situated within the local vicinity of the following heritage listed items of local significance:

- Brick Farmhouse (Item No. I4/104), 282 Aldington Road, Kemps Creek, Lot 142 DP 1033686. Heritage item of local significance located approximately 610 metres north-east of the study area.
- Gateposts to Colesbrook (Item No. I3/105), 269 Mamre Road, Kemps Creek, Lot 8 DP 253503. Heritage item of local significance located approximately 460 metres north of the study area.
- Bayley Park, house (Item No. I2/106), 919 – 929 Mamre Road, Kemps Creek, Lot 35 DP 258414. Heritage item of local significance located approximately 1 kilometres north-west of the study area.
- The Fleurs Radio Telescope Site (Item No. I5/832), 885(a) Mamre Road, Kemps Creek, Lot 21, DP 258414. Heritage item of local significance located approximately 1.1 kilometre west of the study area.

2.3.2 Penrith Development Control Plan 2014

The *Penrith Development Control Plan 2014* (PDCP) outlines built form controls to guide development. The PDCP supplements the provisions of the Penrith LEP. The PDCP Section C7.1.2 outlines the following controls for the development of heritage items:

- Be consistent with an appropriate Statement of Heritage Impacts (SoHI also referred to in this document as a HIS) and information of the SHR.
- Protect the setting of the heritage item.
- Retain significant internal and external fabric and building elements, and spaces.
- Remove unsympathetic material.
- Reinstate missing detail and building elements.
- Use materials, finishes and colours that are appropriate to significant periods of development or architectural character.

Controls are also provided for development within the vicinity of a heritage item:

- A HIS must be lodged with the development application if it may impact heritage setting, undermine or cause physical damage, or any adverse impact to the item.

2.3.3 Mamre Road Precinct Development Control Plan 2021

The *Mamre Road Precinct Development Control Plan 2021* (Mamre Road Precinct DCP) aims to ensure that non-Aboriginal heritage values are managed appropriately in order to produce conservation outcomes. This includes archaeological and culturally significant areas. The Mamre Road Precinct DCP states that a HIS is required to accompany any development application for works proposed within the vicinity of a known heritage item that may impact upon an items setting or physical remains.

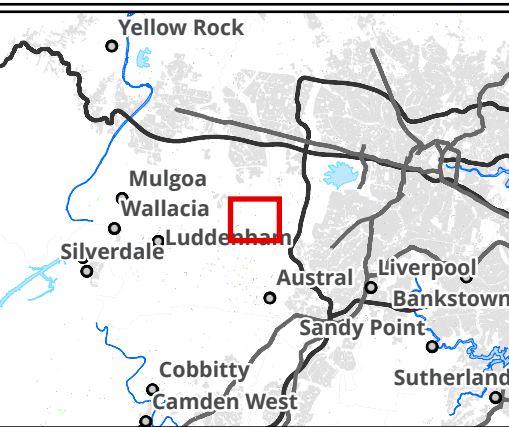
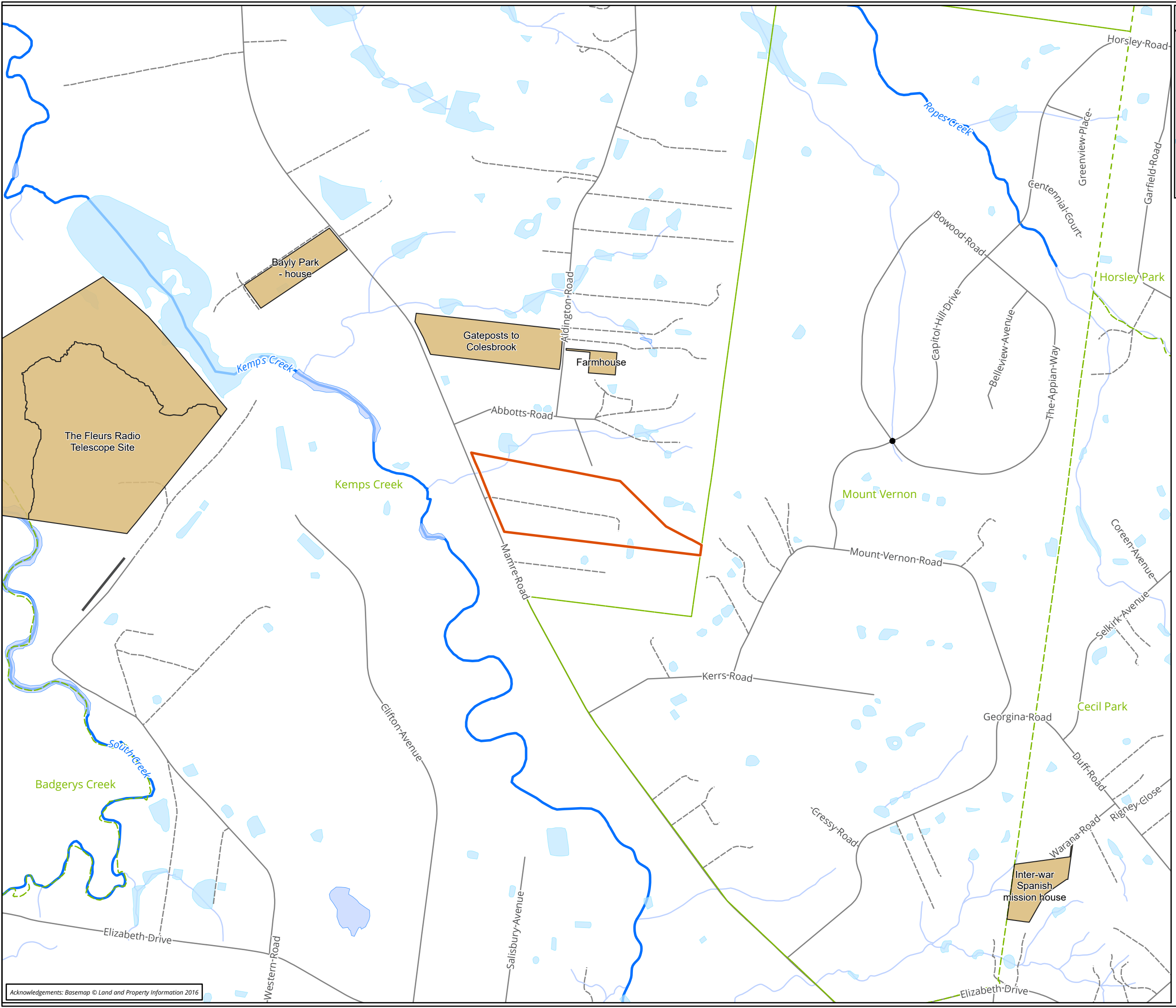
As mentioned in Section 2.3.1 and 2.3.2 there are four items within the local vicinity. A review of the Mamre Road Precinct DCP identified that the study area does not contain any items of heritage significance and is not immediately within the vicinity of any heritage items.

2.4 Summary of heritage listings

A summary of heritage listings within the vicinity of the study area is presented in Table 2 and Figure 4.

Table 2 Summary of heritage listings in the vicinity of the study area

Site number	Site name	Address / Property description	Location from study area	Listings		Significance
				Individual item	As a Conservation Area	
I4/104	Brick farmhouse	282 Aldington Road, Kemps Creek, Lot 142 DP 1033686	610 metres north-east	Mamre Road Precinct DCP and SEPP (Industry and Employment) 2021	-	Local
I3/105	Gateposts to Colesbrook	269 Mamre Road, Kemps Creek, Lot 8 DP 253503	160 metres south	Mamre Road Precinct DCP and SEPP (Industry and Employment) 2021	-	Local
I2/106	Bayley Park, house	919 – 929 Mamre Road, Kemps Creek, Lot 35 DP 258414	430 metres south-west	Mamre Road Precinct DCP and SEPP (Industry and Employment) 2021	-	Local
I5/832	The Fleurs Radio Telescope site	885(a) Mamre Road, Kemps Creek, Lot 21 DP 258414	1.1 kilometres metres west	SEPP (Precincts – Western Parkland City) 2021	-	Local



- Legend**
- Study area
 - Lot
- Local Environmental Plan**
- Item - General

Figure 4 Heritage items in the vicinity of the study area

0 120 240 360 480 600
Metres
Scale: 1:15,000@ A3
Coordinate System:
GDA 1994 MGA Zone 56


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3 Historical context

Historical research has been undertaken to identify the land use history of the study area, to isolate key phases in its history and to identify the location of any built heritage or archaeological resources which may be associated with the study area. The historical research places the history of the study area into the broader context of Kemps Creek.

3.1 Topography and resources

The study area is located within the Cumberland Lowlands physiographic region that consists of low lying, gently undulating plains and low hills, with a dense drainage net of predominantly northward flowing channels. The study area itself is a series of undulating moderately inclined slopes and crests which gradually descends towards unnamed tributaries of Ropes Creek in the north-east and Kemps Creek in the south.

There is one creek line within the study area, a non-perennial, second order natural water course tributary of Kemps Creek crossing the north-west corner of the study area. The tributary runs south-east to north-west from Kemps Creek, located approximately 247 metres west of the study area.

The study area is located partly within the Blacktown soil landscape, the Luddenham soil landscape and the South Creek soil landscape. These soil landscapes support a range of flora and fauna species. Plant species likely to be available within the landscape include, Forest Red Gum *Eucalyptus tereticornis*, Narrow-leaved Ironbark *E. crebra*, and Grey Box *E. moluccana*. Spotted Gum *Corymbia maculata* are present on shale hills. Hard-leaved Scribbly Gum *E. sclerophylla*, Rough-Barked Apple *Angophora floribunda*, and Old-man Banksia *Banksia serrata* are identified on alluvial sands and gravels. Broad-leaved apple *Angophora subvelutina*, Cabbage Gum *E. amplifolia*, Forest Red Gum *E. tereticornis*, and Swamp Oak *Casuarina glauca* are present on river flats. Tall Spike Rush *Eleocharis sphacelata* and *Juncus Juncus effuses* with Paramatta Red Gum *E. parramattaensis* are noted around lagoons and swamps.

This would have supported a range of animal species such as, Australian Wood Duck *Chenonetta jubata*, White-faced Heron *Egretta novaehollandiae*, Eastern Long-Necked Tortoise *Chelodina longicollis*, Eastern Water Skink *Eulamprus quoyii*, Garden Skink *Lampropholis guichenoti*, Welcome Swallow *Hirundo neoxena*, Western Swampphen *Porphyrio porphyrio*, as well as arboreal fauna including owls *Strigiformes*, Ringtailed Possum *Pseudocheirus peregrinus* and Brushtailed Possums *Trichosrus vulpecula*, and gliders *Petauridae*.

3.2 Aboriginal past

It is generally accepted that people have inhabited the Australian landmass for the last 65,000 years.⁶ Dates of the earliest occupation of the continent by Aboriginal people are subject to continued revision as more research is undertaken. The timing for the human occupation of the Sydney Basin is still uncertain. While there is some possible evidence for occupation of the region around 40,000 years ago, the earliest radiocarbon date for the Aboriginal occupation of the Sydney Basin is associated with a cultural archaeological deposit at Parramatta, which was dated to 30,735 ± 407 Before Present (BP).⁷

⁶ Allen & O'Connell 2003

⁷ JMCHM 2005a, JMCHM 2005b

Archaeological evidence of Aboriginal occupation of the Cumberland Plains indicates that the area was intensively occupied from approximately 4,000 years BP.⁸ Such 'young' dates are probably more a reflection of the conditions associated with the preservation of this evidence and the areas that have been subject to surface and sub-surface archaeological investigations, rather than actual evidence of Aboriginal occupation prior to this time.

Our knowledge of Aboriginal people and their land-use patterns and lifestyles prior to European contact is mainly reliant on documents written by non-Aboriginal people. These documents are affected by the inherent bias of the class and cultures of their authors, who were also often describing a culture that they did not fully understand - a culture that was in a heightened state of disruption given the arrival of settlers and disease. Early written records can however be used in conjunction with archaeological information and surviving oral histories from members of the Aboriginal community in order to gain a picture of Aboriginal life in the region.

Despite a proliferation of Aboriginal heritage sites there is considerable ongoing debate about the nature, territory and range of pre-contact Aboriginal language groups in the greater Sydney region. These debates have arisen largely because, by the time colonial diarists, missionaries and proto-anthropologists began making detailed records of Aboriginal people in the late 19th century, pre-European Aboriginal groups had been broken up and reconfigured by European settlement activity. The following information relating to Aboriginal people on the Cumberland Plains is based on such early records.

There is some confusion relating to group names, which can be explained by the use of differing terminologies in early historical references. Language groups were not the main political or social units in Aboriginal life. Instead, land custodianship and ownership centred on the smaller named groups that comprised the broader language grouping. There is some variation in the terminology used to categorise these smaller groups; the terms used by Attenbrow will be used here.⁹

The study area is in the vicinity of three language groups, Dharawal, Gundungurra and the hinterland Darug. Attenbrow suggests:

- The Gundungurra covered "the southern rim of the Cumberland Plain west of the Georges River, as well as the southern Blue Mountains".
- The Dharawal covered "the south side of Botany Bay, extending as far as the Shoalhaven River; from the coast to the Georges River and Appin, possibly as far west as Camden".
- The hinterland Darug covered the area "from Appin in the south to the Hawkesbury River in the north; west of the Georges River, Parramatta, the Lane Cove River and Berowra Creek".¹⁰

These areas are considered to be indicative only and would have changed through time.

After the arrival of European settlers the movement of Aboriginal people became increasingly restricted. European expansion along the Cumberland Plain was swift and soon there had been considerable loss of land to agriculture. At the same time diseases such as small pox were having a devastating effect on the Aboriginal population. Death, starvation and disease were some of the disrupting factors that led to a reorganisation of the social practices of Aboriginal communities after European contact. The formation of new social groups and alliances were made as Aboriginal people sought to retain some semblance of their previous lifestyle.

⁸ Dallas 1982

⁹ Attenbrow 2010

¹⁰ Attenbrow 2010, pp. 34

3.3 Kemps Creek – historical development

3.3.1 Exploration (1789 to 1830)

The earliest exploration of the Penrith region was in 1789, which was led by Captain Watkin Tench, an officer in the Marine Corps, accompanied by Mr Lowe (surgeon's mate of the Sirius), Mr Arndell (assistant surgeon to the Colony), two other marines and a convict. The group reached the Nepean River on the 28 June 1789.¹¹ Later that year, the Penrith Ford was crossed, and in 1791 the course of the Nepean had been explored from the ford to Grose River. By 1791, it has been confirmed that the Hawkesbury and Nepean rivers were the same watercourse; however, each of the names were kept, transitioning from one to the other at the junction with the Grose River.¹²

From 1803, Charles Grimes and James Meehan surveyed areas of the eastern bank of the Nepean River following the sanctioning of settlement in this area by Governor Phillip Gidley King, likely in part for the fertile soils associated with the Nepean River floodplain. The portions of land ranged from 40 to 200 acres (approximately 16.2 to 81 hectares), with several of 1,000 acres (404.6 hectares) and above. These were granted to officials, free settlers and military staff.¹³

Over time, around 1,699 Europeans had settled in the Nepean region, most of whom were of Irish and English heritage and were emancipists or convicts assigned to free settlers or those associated with the government or military.¹⁴ Until the establishment of the Great Western Road (Great Western Highway) around 1815, there was no official passage to the Nepean area. In the same year, Governor Lachlan Macquarie conducted his inspection tour of the region.¹⁵ The Great Western Road had developed into a main route for travel and communication for the Nepean region by 1817, and in this year the government town of Penrith was established. Penrith remain a small, roadside settlement into the 1830s.¹⁶

3.3.2 Early development and land grants within the study area (1810 to 1900)

A review of Melville Parish maps and Crown Plans for Mamre Road indicates that the study area was previously part of a 1070 acre (433 hectares) plot of land granted to Nicholas Bayly in 1810, known as Macquarie Place (see Photo 1). Bayly was the son of a British politician and arrived in Australia as an ensign in the NSW Corps in 1798.¹⁷ Bayly had originally been granted 330 acre (133.5 hectares) portion of land to the west of the study area that he called King Down in 1805. Following his resignation from the Corps, he was appointed Naval Officer in 1809 by Lieutenant-Governor William Paterson and subsequently granted himself the 1070 acre (433 hectares) grant within the study area called Macquarie Place and a 550 acre (222.5 hectares) portion of land called Bayly Park, located to the north-west of the study area in 1810. Prior to his death in 1823, Bayly was a cashier and secretary of the Banks of NSW.

¹¹ Oehm, A. 2006, Paul Davies Pty Ltd 2007, pp. 11

¹² Thorpe 1986, pp. 12

¹³ Paul Davies Pty Ltd 2007a, pp. 11, Thorpe 1986, pp. 12

¹⁴ Paul Davies Pty Ltd 2007b

¹⁵ Thorpe 1986, pp. 12

¹⁶ Thorpe 1986, pp. 12

¹⁷ Fletcher 1966



Photo 1 Parish map of Mellville n.d., with the study area outlined in red (Source: NSW Land Registry Services, Parish Map of Mellville)

According to Paul Davies¹⁸, a house was built by 1814 which was surrounded by gardens and cultivated grounds and in 1823 Bayly engaged government road gangs to undertake extensive clearing across his estate. The location of this house is within the Bayly Park Estate, to the north-west of the study area. It was also noted that Bayly had 2630 acres, with only 40 cleared for growing wheat and 34 cattle and eight sheep. It is unclear if the land within the study area was cleared at this point in time.

In 1819, 1,050 acres of the original 1,070 acre grant, containing the study area was purchased by Henry Brooks. Little information is available for Brooks, however the land was likely used for pastoral purposes as this was the primary occupation of the area at the time. Following Nicholas Bayly's death in 1823, Bayly's remaining 2,500 acres (1,011.7 hectares) was then acquired by Richard Jones in 1826, and became known as Fleurs Estate.¹⁹ Only a small portion of what was originally part of Bayly's 1,070 acre (433 hectares) portion, not containing the study area, was a part of this Estate transfer. In 1891, Fleurs Estate was subdivided into smaller 20 acre farms, however little land was sold, with over 2,000 acres (8,093.7 Hectares) placed on the market again in the 1930s (Photo 2).²⁰ The auction advertisement describes the land as suitable for farms, orchards and dairies; but no structures were recorded on the plan.²¹ The sale of land was likely hampered by the depression within the 1890s, which was caused by drought.

¹⁸ Paul Davies Pty Ltd 2007b, pp. 114

¹⁹ Paul Davies Pty Ltd 2007b, pp. 114

²⁰ NSW Land Registry Services, Certificate of Title Volume 912 Folio 55

²¹ Richardson & Wrench & McCarron, Stewart & Co & Chatfield & Brown 1895

By the end of the century, reliable communication links between Sydney and Penrith had been established, and the railway had been expanded within the Penrith area. These developments laid the foundations for modern expansion within the area leading into the 20th century.

World War I and World War II saw a military presence within the area, developing a Royal Australian Air Force diversionary airfield within a portion of Fleurs Estate in 1942-1943 north-west of the study area. In addition to this, industrial development in the area began to rise, farmland was repurposed into housing estates, turf farming, vegetable growing, vineyards and some specialty crops.

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Photo 3 1947 aerial photograph with the study area outlined in blue (Source: NSW Spatial Services)

A historical aerial from 1965 shows that the trees visible in Photo 3 are still present within the study area (Photo 4). The fence has been removed, and the access track previously in the west has fallen out of use and faded. There are three waterbodies present within the study area, two in the northern portion and one in the southern portion, which possibly served as dams. A possible additional dam is located in the north-western corner of the study area (Photo 3).



Photo 4 1965 aerial photograph with the study area outlined in blue (Source: NSW Spatial Services)

In 1976, Pasquale Sergi, Tony Sergi and Bruno Trimbolo obtained 1030-1048 Mamre Road, and Giuseppe and Anna Addabbo obtained 1050-1064 Mamre Road.²² A Crown Plan dated to 1963 records a transmission line located next to the north-western corner of the study area (Photo 5). Part of the transmission line easement [3] is located with 1030-1048 Mamre Road, and a plan of the parish of Melville dated to 1967 confirms the lack of permanent structures within the study area (Photo 6).²³ Mamre Road is also recorded along the western border, while no other structures are recorded within the study area. In 1977, ownership of 1030-1048 Mamre Road transferred to Pasquale and Rosa Callipari.²⁴ Similarly, in 1983 ownership of 1050-1064 Mamre Road transferred to Antonio and Anna Josephine Rossini.²⁵

²² NSW Land Registry Services, Vol. 12886 Fol. 206 and Vol. 12886 Fol. 207

²³ NSW Land Registry Services, Vol. 12886 Fol. 206

²⁴ NSW Land Registry Services, Vol. 12886 Fol. 206

²⁵ NSW Land Registry Services, Vol. 12886 Fol. 207



Photo 5 Crown Plan dated to 1963, with the study area outlined in red (Source: NSW Land Registry Services, Crown Plan 19097.3000)



Photo 6 1967 map of the Parish of Melville, with the study area outlined in red (Source: NSW Land Registry Services)

A historical aerial from 1986 shows the re-addition of a fence line [4] across the two properties, and a residential structure [5], and access track/driveway [6] within the study area (Photo 7). In the north-west of the study area there is evidence of market gardening. The trees identified in the 1965 aerial have been removed by further vegetation clearance, and the previous waterbodies are dried up or no longer present.



Photo 7 1986 aerial photograph with the study area outlined in blue (Source: NSW Spatial Services)

A more recent aerial from 2005 shows a long track [7] running from Mamre Road in the east through the northern portion of the study area (Photo 8). The western end of the track is circular for vehicle access. There has also been some landform modification in the western portion of the study area, perpendicular to the track and parallel to Mamre Road. An additional fence line [8] has been built adjacent to the house [5].

Current aerial imagery shows that there are several additional features to the study area (Photo 9). There are three small structures in the study area [9], [10] and [11] (likely sheds), as well as a fence line [12]. The water body in the southern portion of the study area also has water in it. The landform modification visible on the 2005 aerial is clearer on the current aerial (Photo 8 and Photo 9).

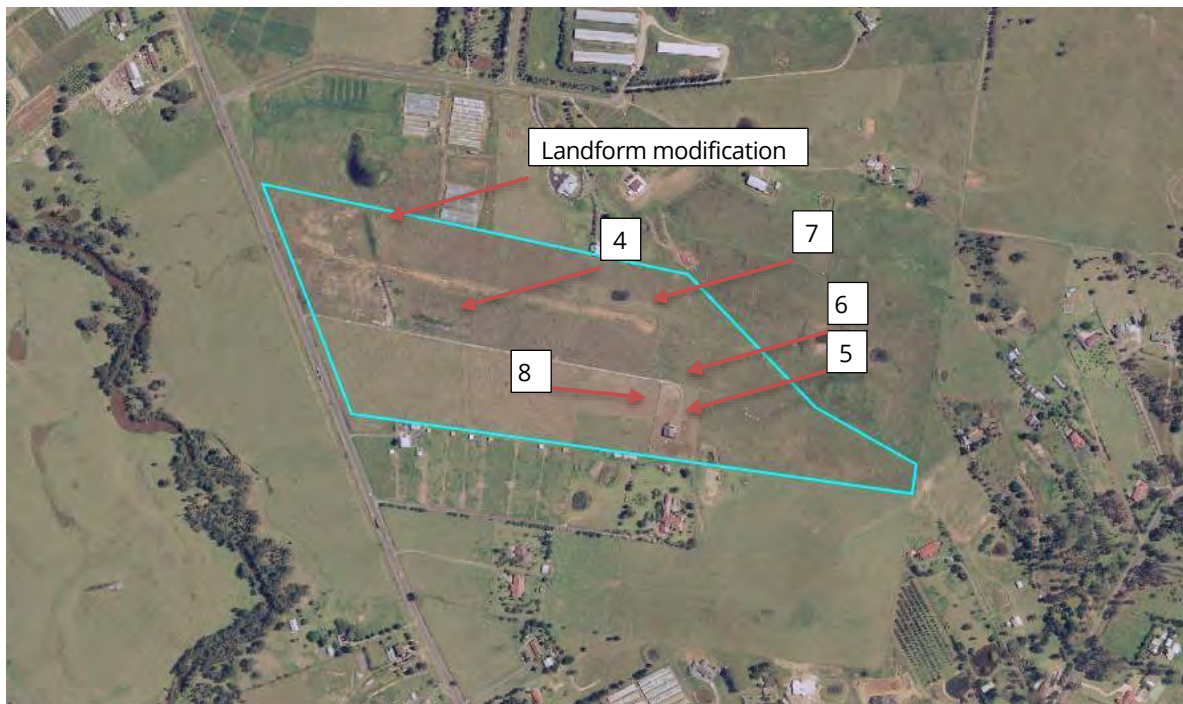


Photo 8 2005 aerial photograph with the study area outlined in blue (Source: NSW Spatial Services)

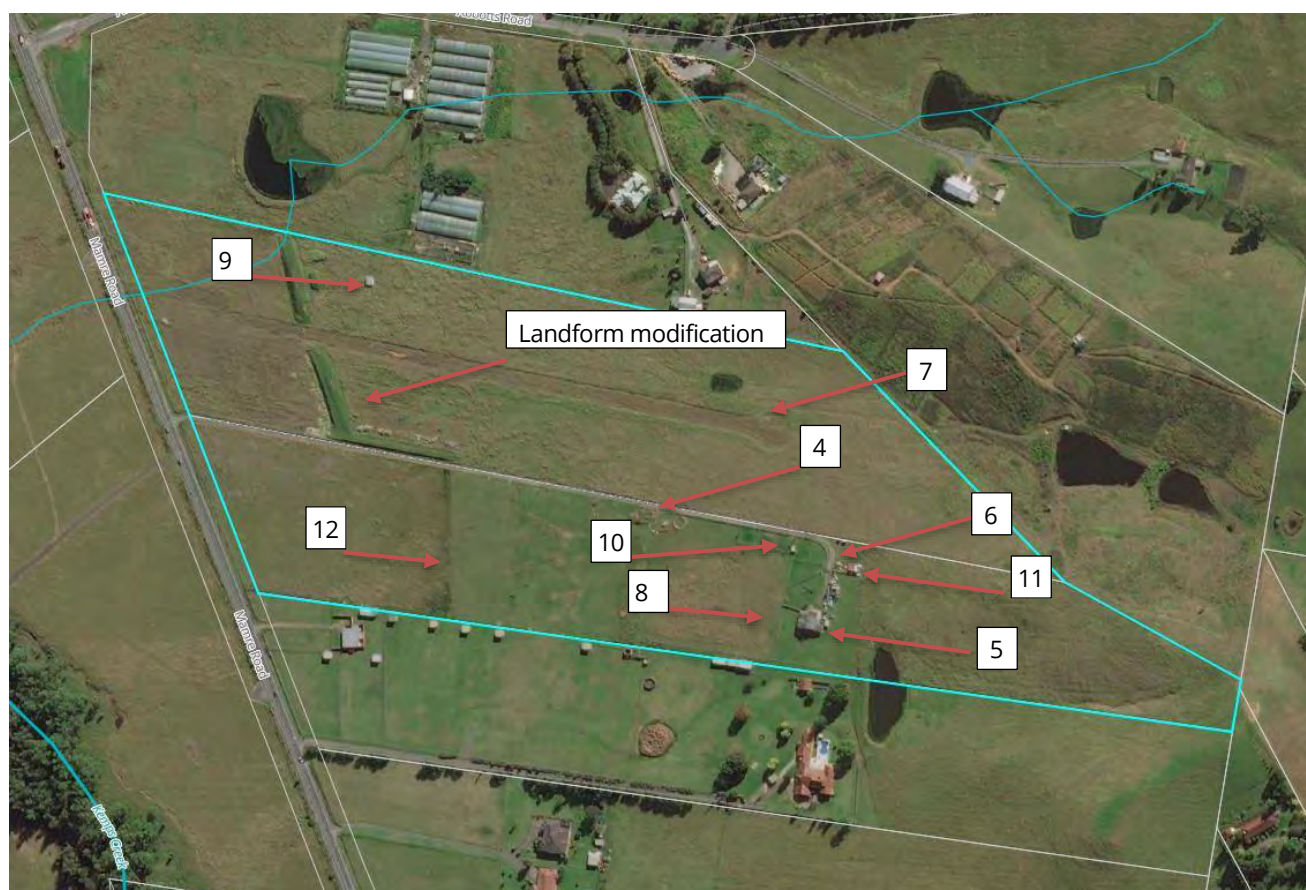


Photo 9 Current aerial photograph with the study area outlined in blue (Source: NSW Spatial Services)

3.4 Chronology of the study area

Based upon the historical research presented it is possible to summarise the chronology of the study area, this is presented in Table 3.

Table 3 Chronological development of the study area

No.	Building	Date
1	Fence line	Pre-1947
2	Access track along the western border of the study area	Pre-1947
3	Transmission line easement	1963
4	Fence line	Post-1965 and pre-1986
5	House	Post-1965 and pre-1986
6	Driveway/access track	Post-1965 and pre-1986
7	Access track in the northern portion of the study area	Post-1986 and pre-2005
8	Fence line	Post-1986 and pre-2005
9	Structure (likely shed)	Post-2005 and pre-2022

No.	Building	Date
10	Structure (likely shed)	Post-2005 and pre-2022
11	Structure (likely shed)	Post-2005 and pre-2022
12	Fence line	Post-2005 and pre-2022

3.5 Research themes

Contextual analysis is undertaken to place the history of a particular site within relevant historical contexts in order to gauge how typical or unique the history of a particular site actually is. This is usually ascertained by gaining an understanding of the history of a site in relation to the broad historical themes characterising Australia at the time. Such themes have been established by the Australian Heritage Commission (AHC) and the Heritage Office and are outlined in synoptic form in Historical Themes.²⁶

There are 38 State historical themes, which have been developed for NSW, as well as nine National historical themes. These broader themes are usually referred to when developing sub-themes for a local area to ensure they complement the overall thematic framework for the broader region.

A review of the contextual history in conjunction with the local historical thematic history has identified one historical theme which relates to the occupational history of the study area.²⁷ This is summarised in Table 4.

Table 4 Identified historical themes for the study area

Australian theme	NSW theme	Local theme
Developing local, regional, and national economies	Agriculture	Activities relating to the cultivation and rearing of plant and animal species, usually for commercial purposes, can include aquaculture.

²⁶ NSW Heritage Council 2001

²⁷ Kass 2005

4 Physical inspection

A physical inspection of the study area was undertaken on 18 February 2022, attended by Mathew Smith (Senior Heritage Consultant) and 31 May 2022, attended by Anthea Vella (Biosis, Heritage Consultant). The principal aims of the survey were to identify heritage values associated with the study area; this included any heritage items. Heritage items can be buildings, structures, places, relics or other works of historical, aesthetic, social, technical/research or natural heritage significance. 'Places' include conservation areas, sites, precincts, gardens, landscapes and areas of archaeological potential.

4.1 Landscape character assessment

The purpose of this section is to provide an analysis and description of the study area as part of a cultural landscape. The cultural landscape concept emphasises the landscape-scale of history and the connectivity between people, places and heritage items. It recognises the present landscape is the product of long-term and complex relationships between people and the environment. For the purposes of this report cultural landscapes are defined as: '... those areas that clearly represent or reflect the patterns of settlement or use of the landscape over a long time, as well as the evolution of cultural values, norms and attitudes toward the land'.²⁸

4.1.1 An overview of cultural landscapes

In order to fully understand the heritage significance of the study area it is necessary to consider the character of the landscape within which it is situated. The heritage value of a landscape may be related to its aesthetic, archaeological, historical, scientific, social, or architectural values, each or all of these values can - exist at any one time. The identification of these values is important in discussing the study area and its constituent elements heritage significance.

Three general landscape categories have been developed and applied by heritage organisations to assist in understanding different types of landscapes:²⁹

- **Designed landscapes:** Those that are created intentionally such as gardens, parks, garden suburbs, city landscapes, ornamental lakes, water storages and campuses.
- **Evolved landscapes:** Those that display an evolved land use in their form and features. They may be 'relict' such as former mining or rural landscapes. They may be 'continuing' such as modern active farms, vineyards, plantations or mines.
- **Associative cultural landscapes:** These are landscape features that represent religious, artistic, sacred or other cultural associations to individuals or communities.

The study area consists of two lots located across undulating hills and gentle slopes. It is bordered on its west by Mamre Road, and primarily consists of cleared paddocks, some landform modification and one residential dwelling. The study area appears to have been used primarily for grazing and agricultural practices.

4.1.2 Views to and from the study area

It is important to analyse and describe views to and from components within a cultural landscape to help understand how it is experienced and to understand the nature of an evolving landscape. This enables a

²⁸ Context Pty Ltd et al. 2002

²⁹ UNESCO 2012

greater understanding of what aspects of the landscape need to be conserved and protected. Significant views to, from and within the study area are shown in Table 5.

Table 5 Views across the study area

Orientation	Description	Photo
North	Views from the study area, showing dam	
West	Views west across the study area, showing house, sheds, and gentle slope	
South	Views within the study area showing dam	

Orientation	Description	Photo
East	Views within the study area, showing rolling hills	
West	Views from the study area	
East	Views within the study area showing gentle slopes	

Orientation	Description	Photo
West	Views within the study area showing gravel and landform modification	

4.2 Built fabric assessment

Several modern structures and elements of the built environment (pre 1986) were present within the study area, reflecting its relatively recent development. The primary built element was a brick veneer residential dwelling, in a style that is common across Western Sydney from the 1970's to 1980's.

In addition to the residential dwelling, a number farm sheds and fence lines were present throughout the study area, which reflect the semi-rural nature of the study area. The sheds were primarily constructed of corrugated sheet metal and timber.

Table 6 Built structures in the study area

Structure No.	Building description	Photo
[5] [11]	Single storey brick veneer dwelling with tiled gable roof. Associated corrugated iron sheds with timber frame.	

Structure No.	Building description	Photo
[10]		
	Corrugated iron shed	

4.3 Archaeological assessment

The potential archaeological resource relates to the predicted level of preservation of archaeological resources within the study area. Archaeological potential is influenced by the geographical and topographical location, the level of development, subsequent impacts, levels of onsite fill and the factors influencing preservation such as soil type. An assessment of archaeological potential has been derived from the historical analysis undertaken during the preparation of this report.

4.3.1 Archaeological resource

This section discusses the archaeological resource within the study area. The purpose of the analysis is to outline what archaeological deposits or structures are likely to be present within the study area and how these relate to the history of land use associated with the study area.

The historical context presented in this report indicates that the study area was developed post 1960's. Background research undertaken for the project did not identify any existing or potential heritage items

within or adjacent to the study area. A review of Crown Plans and aerial imagery indicated that no physical structures were constructed in the study area until after the 1960s, with the primary use up until then being low intensity agricultural use. A 1986 aerial of the study area shows one building [5] in the study area. As a result the only potential archaeological resource predating the 1980's in the area would be associated with the agricultural activities undertaken in the study area. This may consist of fence lines and post holes and agricultural marks such as plough lines.

The existing built structure in the study area is typical of modern architecture. The brick veneer architecture is a common element throughout Western Sydney. There are no potential archaeological resources associated with these building, as they are still present in the study area. For this reason they have been excluded from the archaeological assessment

4.3.2 Integrity of sub-surface deposits

The study area has been used for low intensity agricultural purposes from the 1940s, and has a house and associated infrastructure constructed. This will have disturbed sub-surface deposits in these areas, as well as the removal of potential archaeological resources associated with agricultural uses in these areas. However, large areas of the study area have also remained largely intact, therefore it is likely that the integrity of sub-surface deposits in these areas has remained.

4.3.3 Research potential

Archaeological research potential refers to the ability of archaeological evidence to provide information about a site that could not be derived from any other source and which contributes to the archaeological significance of that site. Archaeological research potential differs from archaeological potential in that the presence of an archaeological resource (i.e. archaeological potential) does not mean that it can provide any additional information that increases our understanding of a site or the past (i.e. archaeological research potential).

The research potential of a site is also affected by the integrity of the archaeological resource within a study area. If a site is disturbed, then vital contextual information that links material evidence to a stratigraphic sequence may be missing and it may be impossible to relate material evidence to activities on a site. This is generally held to reduce the ability of an archaeological site to answer research questions.

Assessment of the research potential of a site also relates to the level of existing documentation of a site and of the nature of the research done so far (the research framework), to produce a 'knowledge' pool to which research into archaeological remains can add.

Research theme

Developing local, regional, and national economies – Agriculture

Based upon the historical context and documentary evidence presented within this assessment, it is unlikely that archaeologically significant remains associated with historical agricultural land use will occur within the study area. There is no research potential present as these remains (if present) will likely consist of fence lines and post holes. Any remains associated with fence lines and post holes are not likely to contribute to knowledge of the area that cannot be obtained from elsewhere.

4.3.4 Summary of archaeological potential

Through an analysis of the above factors a number of assumptions have been made relating to the archaeological potential of the study area, these are presented in Table 7 and Figure 5.

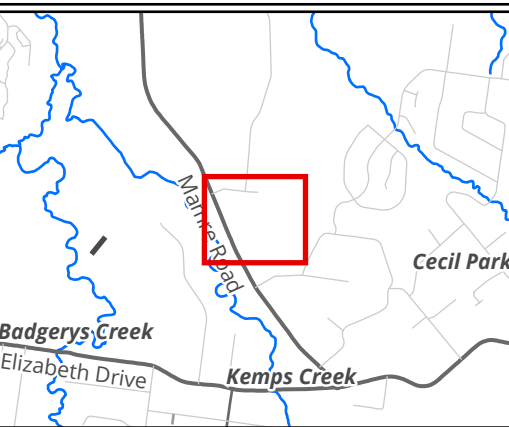
The assessment of archaeological potential has been divided into three categories:

- **High archaeological potential** – based upon the historical context and documentary evidence presented within this report there is a high degree of certainty that archaeologically significant remains relating to this period, theme or event will occur within the study area.
- **Moderate archaeological potential** – based upon the historical context and documentary evidence presented within this assessment it is probable that archaeological significant remains relating to this period, theme or event could be present within the study area.
- **Low archaeological potential** – based upon the historical context and documentary evidence presented within this assessment it is unlikely that archaeological significant remains relating to this period, theme or event will occur within the study area.

Table 7 Assessment of archaeological potential

Designation	Description	Probable feature(s)	Possible construction date	Archaeological potential
-	Low intensity agricultural land use	Fence lines, post holes, and agricultural marks	-	Low
1	Fence line	Post holes	Pre-1947	Low
2	Access track along the western border of the study area	Access track	Pre-1947	Low
3	Transmission line easement	Concrete foundations	1963	Low
4	Fence line	Post holes	Post-1965 and pre-1986	Low
5	House	Concrete or brick footings or foundation slabs, associated services and potentially occupational deposits	Post-1965 and pre-1986	Low
6	Driveway/access track	Access track	Post-1965 and pre-1986	Low
7	Access track in the northern portion of the study area	Access track	Post-1986 and pre-2005	Low
8	Fence line	Post holes	Post-1986 and pre-2005	Low
9	Structure (likely shed)	Foundation slab	Post-2005 and pre-2022	Low
10	Structure (likely shed)	Foundation slab	Post-2005 and pre-2022	Low

Designation	Description	Probable feature(s)	Possible construction date	Archaeological potential
11	Structure (likely shed)	Foundation slab	Post-2005 and pre-2022	Low
12	Fence line	Post holes	Post-2005 and pre-2022	Low



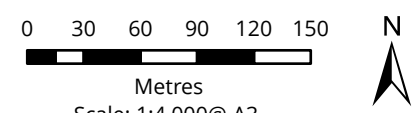
Legend

 Study area

Archaeological potential

 Low

Figure 5 Archaeological potential



Matter: 37009, Date: 02 June 2022,
Drawn by: JET, Checked by: AV, Last edited by: jtowndsend
Location: P:\37000s\37009\Mapping\
37009_MamreRd, Layout: 37009_HHA_F5_Archpot

5 Significance assessment

An assessment of heritage significance encompasses a range of heritage criteria and values. The heritage values of a site or place are broadly defined as the 'aesthetic, historic, scientific or social values for past, present or future generations'.³⁰ This means a place can have different levels of heritage value and significance to different groups of people.

The archaeological significance of a site is commonly assessed in terms of historical and scientific values, particularly by what a site can tell us about past lifestyles and people. There is an accepted procedure for determining the level of significance of an archaeological site.

A detailed set of criteria for assessing the State's cultural heritage was published by the (then) NSW Heritage Office. These criteria are divided into two categories: nature of significance, and comparative significance.

Heritage assessment criteria in NSW fall broadly within the four significance values outlined in *The Burra Charter*.³¹ *The Burra Charter* has been adopted by state and Commonwealth heritage agencies as the recognised document for guiding best practice for heritage practitioners in Australia.³² The four significance values are:

- Historical significance (evolution and association).
- Aesthetic significance (scenic/architectural qualities and creative accomplishment).
- Scientific significance (archaeological, industrial, educational, research potential and scientific significance values).
- Social significance (contemporary community esteem).

5.1 Levels of heritage significance

Items, places, buildings, works, relics, movable objects or precincts can be of either local or state heritage significance, or have both local and state heritage significance. Places can have different values to different people or groups.

Local heritage items

Local heritage items are those of significance to the local government area. In other words, they contribute to the individuality and streetscape, townscape, landscape or natural character of an area and are irreplaceable parts of its environmental heritage. They may have greater value to members of the local community, who regularly engage with these places and/or consider them to be an important part of their day-to-day life and their identity. Collectively, such items reflect the socio-economic and natural history of a local area. Items of local heritage significance form an integral part of the State's environmental heritage.

State heritage items

State heritage items, places, buildings, works, relics, movable objects or precincts of state heritage significance include those items of special interest in the state context. They form an irreplaceable part of

³⁰ Heritage Office 2001

³¹ Australia ICOMOS 2013

³² Australia ICOMOS 2013

the environmental heritage of NSW and must have some connection or association with the state in its widest sense.

The following evaluation attempts to identify the cultural significance of the study area. This significance is based on the assumption that the site contains intact or partially intact archaeological deposits.

5.2 Evaluation of significance

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).

Archaeological remains that may be present include fence lines, post holes and agricultural marks. However, archaeological remains such as these are unlikely to be of importance in the pattern of NSW's cultural or natural history. Based upon the historical context and documentary evidence presented within this assessment it is unlikely that archaeologically significant remains will occur within the study area.

The current structures in the study area are a combination of residential and rural (sheds etc.) which were constructed sometime in the 1970's or 80's and altered post 1980s. These consist of a brick veneer house and corrugated sheet metal sheds, which are common throughout Western Sydney. They are unlikely to be of importance in the pattern of NSW's cultural or natural history.

The potential archaeological remains and built structures do not satisfy this criterion at a local or state level.

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).

The study area formed a part of the 1,070 acre land grant to Nicolas Bayly in 1810, which was then acquired by Richard Jones in 1826 following Bayly's death. The land was then subdivided in 1891 but sales did not commence until the 1930s. The land was used for low intensity agricultural uses; however there are no special associations relating to tenure of the land by Bayly, Jones or subsequent owners and the historical research did not indicate the study area had any association with anyone of importance in NSW's cultural history, or the history of the local area. The remaining residence and structures are not from this period of use.

The potential archaeological remains and built structures do not satisfy this criterion at a local or state level. The study area does not satisfy this criterion at a local or state level.

Criteria 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).

Archaeological remains that may be present include fence lines, post holes and agricultural marks. Archaeological remains such as these would not demonstrate aesthetic characteristics of a high degree of creative or technical achievement in NSW or the local area.

The current structures in the study area are a combination of residential and rural (sheds etc.) which were constructed sometime in the 1970's or 80's and altered post 1980s. These consist of a brick veneer house and corrugated sheet metal sheds, which do not demonstrate aesthetic characteristics and/or a high degree of creative or technical achievement in NSW or at the local level.

The potential archaeological remains and built structures do not satisfy this criterion at a local or state level.

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.*

While no community consultation has been undertaken for this report, the history has not indicated that the potential archaeological remains or current structures would have an association with a particular community or cultural group in NSW or the local area.

The potential archaeological remains and built structures do not satisfy this criterion at a local or state level.

Criterion E: *An item has the 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).*

Archaeological remains that may be present include fence lines, post holes and agricultural marks.

Archaeological remains such as these are not uncommon in a study area which has been used for agricultural purposes.

The current structures in the study area are a combination of residential and rural (sheds etc.) which were constructed and altered post 1980s. It is unlikely that these structures, which are common throughout Western Sydney, would have the potential to yield information that will contribute to an understanding of NSW's cultural or natural history.

The potential archaeological remains and built structures do not satisfy this criterion at a local or state level.

Criterion F: *An item possesses uncommon, rare or endangered aspects of the area's cultural or natural history (or the cultural or natural history of the local area).*

Archaeological remains that may be present include fence lines, post holes and agricultural marks.

Archaeological remains such as these are not uncommon in a study area which has been used for agricultural purposes.

The current structures in the study area are a combination of residential and rural (sheds etc.) which were constructed and altered post 1980s. Structures such as these are common throughout the Western Sydney region and are not uncommon, rare or endangered aspects of the area's cultural or natural history.

The potential archaeological remains and built structures do not satisfy this criterion at a local or state level.

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).*

The historical research and inspection has not indicated that the types of archaeological remains potentially present across the study area or current built structures within the study area would be important in demonstrating the principal characteristics of a class of NSW's cultural places or environments.

The potential archaeological remains and built structures do not satisfy this criterion at a local or state level.

Table 8 Evaluation and statements of significance for archaeological items within the study area

Site name	Significance assessment criteria							Statement of significance
	A	B	C	D	E	F	G	
Low intensity agricultural land use								The potential archaeological materials associated with low intensity agricultural land use including fence lines, post holes, and agricultural marks are not considered an important component of or will yield information that will contribute to an understanding of the cultural history of NSW or the Kemps Creek area, nor do they hold associations with the life or works of a person(s) of importance in. The potential archaeological materials are unlikely to demonstrate aesthetic characteristics or a high degree of creative or technical achievement in NSW or the Kemps Creek area, and they do not hold a strong or special association with a community or cultural group in NSW or the Kemps Creek area for social, cultural or spiritual reasons. The potential archaeological materials are not considered to possess uncommon, rare or endangered aspects of NSW or the Kemps Creek area's cultural history, nor do they demonstrate the principal characteristics of a class of NSW or the Kemps Creek area's cultural places or environments. The potential archaeological materials associated with low intensity agricultural land use do not hold heritage significance.
Fence line [1], [4], [8], and [12]								The potential archaeological materials associated with the fence lines [1], [4], [8], and [12] including post holes are not considered an important component of or will yield information that will contribute to an understanding of the cultural history of NSW or the Kemps Creek area, nor do they hold associations with the life or works of a person(s) of importance in. The potential archaeological materials are unlikely to demonstrate aesthetic characteristics or a high degree of creative or technical achievement in NSW or the Kemps Creek area, and they do not hold a strong or special association with a community or cultural group in NSW or the Kemps Creek area for social, cultural or spiritual reasons. The potential archaeological materials are not considered to possess uncommon, rare or endangered aspects of NSW or the Kemps Creek area's cultural history, nor do they demonstrate the principal characteristics of a class of NSW or the Kemps Creek area's cultural places or environments. The potential archaeological materials associated with the fence lines [1], [4], [8], and [12] do not hold heritage significance.

Site name	Significance assessment criteria							Statement of significance
	A	B	C	D	E	F	G	
Access track [2], [6], and [7]								The potential archaeological materials associated with the access tracks [2], [6], and [7] are not considered an important component of or will yield information that will contribute to an understanding of the cultural history of NSW or the Kemps Creek area, nor do they hold associations with the life or works of a person(s) of importance in. The potential archaeological materials are unlikely to demonstrate aesthetic characteristics or a high degree of creative or technical achievement in NSW or the Kemps Creek area, and they do not hold a strong or special association with a community or cultural group in NSW or the Kemps Creek area for social, cultural or spiritual reasons. The potential archaeological materials are not considered to possess uncommon, rare or endangered aspects of NSW or the Kemps Creek area's cultural history, nor do they demonstrate the principal characteristics of a class of NSW or the Kemps Creek area's cultural places or environments. The potential archaeological materials associated with the access tracks [2], [6], and [7] do not hold heritage significance.
Transmission line easement [3]								The potential archaeological materials associated with the transmission line easement [3] including concrete foundation are not considered an important component of or will yield information that will contribute to an understanding of the cultural history of NSW or the Kemps Creek area, nor do they hold associations with the life or works of a person(s) of importance in. The potential archaeological materials are unlikely to demonstrate aesthetic characteristics or a high degree of creative or technical achievement in NSW or the Kemps Creek area, and they do not hold a strong or special association with a community or cultural group in NSW or the Kemps Creek area for social, cultural or spiritual reasons. The potential archaeological materials are not considered to possess uncommon, rare or endangered aspects of NSW or the Kemps Creek area's cultural history, nor do they demonstrate the principal characteristics of a class of NSW or the Kemps Creek area's cultural places or environments. The potential archaeological materials associated with the transmission line easement [3] do not hold heritage significance.

Site name	Significance assessment criteria							Statement of significance
	A	B	C	D	E	F	G	
House [5]								The potential archaeological materials associated with the house [5] including concrete or brick footings or foundation slabs, associated services and potentially occupational deposits are are not considered an important component of or will yield information that will contribute to an understanding of the cultural history of NSW or the Kemps Creek area, nor do they hold associations with the life or works of a person(s) of importance in. The potential archaeological materials are unlikely to demonstrate aesthetic characteristics or a high degree of creative or technical achievement in NSW or the Kemps Creek area, and they do not hold a strong or special association with a community or cultural group in NSW or the Kemps Creek area for social, cultural or spiritual reasons. The potential archaeological materials are not considered to possess uncommon, rare or endangered aspects of NSW or the Kemps Creek area's cultural history, nor do they demonstrate the principal characteristics of a class of NSW or the Kemps Creek area's cultural places or environments. The potential archaeological materials associated with the house [5] do not hold heritage significance as the house is still standing and was built in the 1980s.
Structure (likely shed) [9], [10], and [11]								The potential archaeological materials associated with the structures (likely sheds) [9], [10], and [11] including foundation slabs are are not considered an important component of or will yield information that will contribute to an understanding of the cultural history of NSW or the Kemps Creek area, nor do they hold associations with the life or works of a person(s) of importance in. The potential archaeological materials are unlikely to demonstrate aesthetic characteristics or a high degree of creative or technical achievement in NSW or the Kemps Creek area, and they do not hold a strong or special association with a community or cultural group in NSW or the Kemps Creek area for social, cultural or spiritual reasons. The potential archaeological materials are not considered to possess uncommon, rare or endangered aspects of NSW or the Kemps Creek area's cultural history, nor do they demonstrate the principal characteristics of a class of NSW or the Kemps Creek area's cultural places or environments. The potential archaeological materials associated with the structures (likely sheds) [9], [10], and [11] do not hold heritage significance.

6 Heritage impact statement

This HIS has been prepared to address impacts resulting from the proposed redevelopment of the study area. The HIS identifies the level of impact arising from the proposed development and discusses mitigation measures which must be taken to avoid or reduce those impacts. This section of the report has been prepared in accordance with the Heritage Manual guideline *Statements of Heritage Impact*.³³

6.1 Proposal details

As previously outlined, the proposal is for a warehouse and distribution centre with ancillary office space with a total GFA of approximately 38,500m² (Figure 3). Specifically, the proposal seeks approval for:

- Site preparation works, including demolition, clearing of all vegetation, bulk earthworks and retaining walls, construction of new internal roads and stormwater and drainage works.
- Subdivision of the site.
- Construction of an industrial warehouse buildings with ancillary office space comprising a total GFA of approximately 38,500m², including:
 - Loading docks and hardstand area, on-lot car parking and internal accessways.
 - Associated landscaping and signage.
 - Hours of operation of 24 hours, 7 days a week.

6.2 PDCP and Mamre Road Precinct DCP

As outlined in section 2.3.2 and 2.3.3, the PDCP and Mamre Road Precinct DCP request that a HIS is provided. This HIS has demonstrated that there are no heritage items within or adjacent to the study area, and the study area is not considered to be significant at a local or state level.

6.3 Heritage impact statement

From the time of European settlement onwards, the study area appears to have been extensively cleared and used primarily for grazing and agricultural purposes. Archaeological resources likely to be present within the study area would be associated with low intensity agricultural land use.

Archaeological material that may present within the study area include fence lines, post holes, agricultural marks, access tracks, concrete or brick footings or foundation slabs, associated services and potentially occupational deposits. However, these current structures and their possible archaeological materials have been assessed as not holding heritage significance. Any potential remains associated with low intensity agricultural land use; fence line [1], [4], [8], and [12]; access track [2], [6], and [7]; transmission line easement [3]; house [5]; and structures (likely sheds) [9], [10], and [11] are considered not to hold historical, cultural, social, aesthetic or associative significance, nor would these remains likely be considered rare, representative or hold research potential.

³³ Heritage Office & DUAP 1996

The current structures in the study area are a combination of residential and rural (sheds etc.) which were constructed and altered post 1980s. These structures are common throughout Western Sydney.

This assessment has not revealed any evidence of items, activities, or events occurring within the study area which are historically significant, either to the local area or NSW. Archaeological remains that may be present within the study area are likely to include fence lines, post holes and agricultural marks which hold no research potential and are unlikely to provide information that is of importance in the pattern of NSW's cultural history at a state or local level. The study area is not associated with a significant figure or community group within the local area and possesses low aesthetic value due to the concentrated disturbances within.

There are no items of heritage significance within or adjacent to the study area, therefore there are no heritage impacts resulting from the proposed works. An unexpected finds policy should be implemented to identify and record any archaeological material that may be encountered during the proposed works.

7 Recommendations

7.1 Recommendations

These recommendations have been formulated to respond to client requirements and the significance of the site. They are guided by *The Burra Charter* with the aim of doing as much as necessary to care for the place and make it useable and as little as possible to retain its cultural significance.³⁴

Recommendation 1: The proposed works may proceed with caution

There are no recorded items of heritage significance in or adjacent to the study area. Works can proceed in the study area with caution as it has been assessed as possessing low archaeological potential. Should unexpected archaeological remains be uncovered during the course of the proposed works, recommendation 2 should be implemented.

Recommendation 2: Discovery of unanticipated historical relics

Relics are historical archaeological resources of local or State significance and are protected in NSW under the Heritage Act. Relics cannot be disturbed except with a permit or exception/exemption notification. Should unanticipated historical archaeology be discovered during the course of the project, work in the vicinity must cease and an archaeologist contacted to make a preliminary assessment of the find. Heritage NSW will require notification if the find is assessed as a relic.

³⁴ Australia ICOMOS 2013b

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