



**NORTH PENRITH DEVELOPMENT
THE CRESCENT, PENRITH**

**Investigation of Aboriginal heritage values associated with
Thornton Hall and Combewood**

Prepared for Landcom

Penrith Local Government Area

October 2012

Ref. 1201

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1 Introduction

1.1 Project Description

Landcom has been granted concept plan approval to develop a 40 hectare portion of land in north Penrith which has undergone a rezoning process for development for mixed industrial, commercial and high and low density residential purposes. The North Penrith Development site, formerly North Penrith Defence Site, is located immediately to the north of Penrith railway station and is generally bounded by Lemon Grove Road to the east, Castlereagh Road to the west, Coreen Avenue to the north and the railway line to the south. The location of the North Penrith Development site (hereafter referred to as the study area) is shown in Figure 1.

The proposed development makes provision for approximately 1000 residential lots, retail, commercial and industrial floor space, associated infrastructure, road works, water and sewerage lines and landscaping. The development has been determined to be State Significant Development.

Development of the North Penrith site is progressing in stages. The staged development layout is shown in Figure 2. Project approval has been granted for Stage 1 and construction activities have commenced. A project application has been lodged for Stage 2A. Environmental impact statements to support project applications for Stages 2B, 2C, 2D, 3A and 3B are being prepared in accordance with Director General's Requirements (DGRs).

The approvals and DGRs issued for the development include conditions, commitments and requirements related to Aboriginal heritage and consultation with Aboriginal stakeholders. Landcom engaged Kelleher Nightingale Consulting Pty Ltd to assist in meeting the requirements for ongoing consultation with Aboriginal stakeholders and further investigations for the management of Aboriginal heritage.

1.2 Study objectives and summary of findings

To meet the conditions of concept plan approval and statement of commitments for the development, one of the requirements was to:

- further investigate Aboriginal heritage values associated with the two historic properties in the study area - Thornton Hall and Combewood.

This report presents the findings of these further investigations on the Aboriginal heritage values associated with the Thornton Hall and Combewood properties within the North Penrith Development area. Further investigations into the two historic properties has not revealed any direct historical account of interactions or relationship of these properties with Aboriginal people. Furthermore, Aboriginal archaeological assessment of the historic properties has not identified any significant Aboriginal heritage associations.

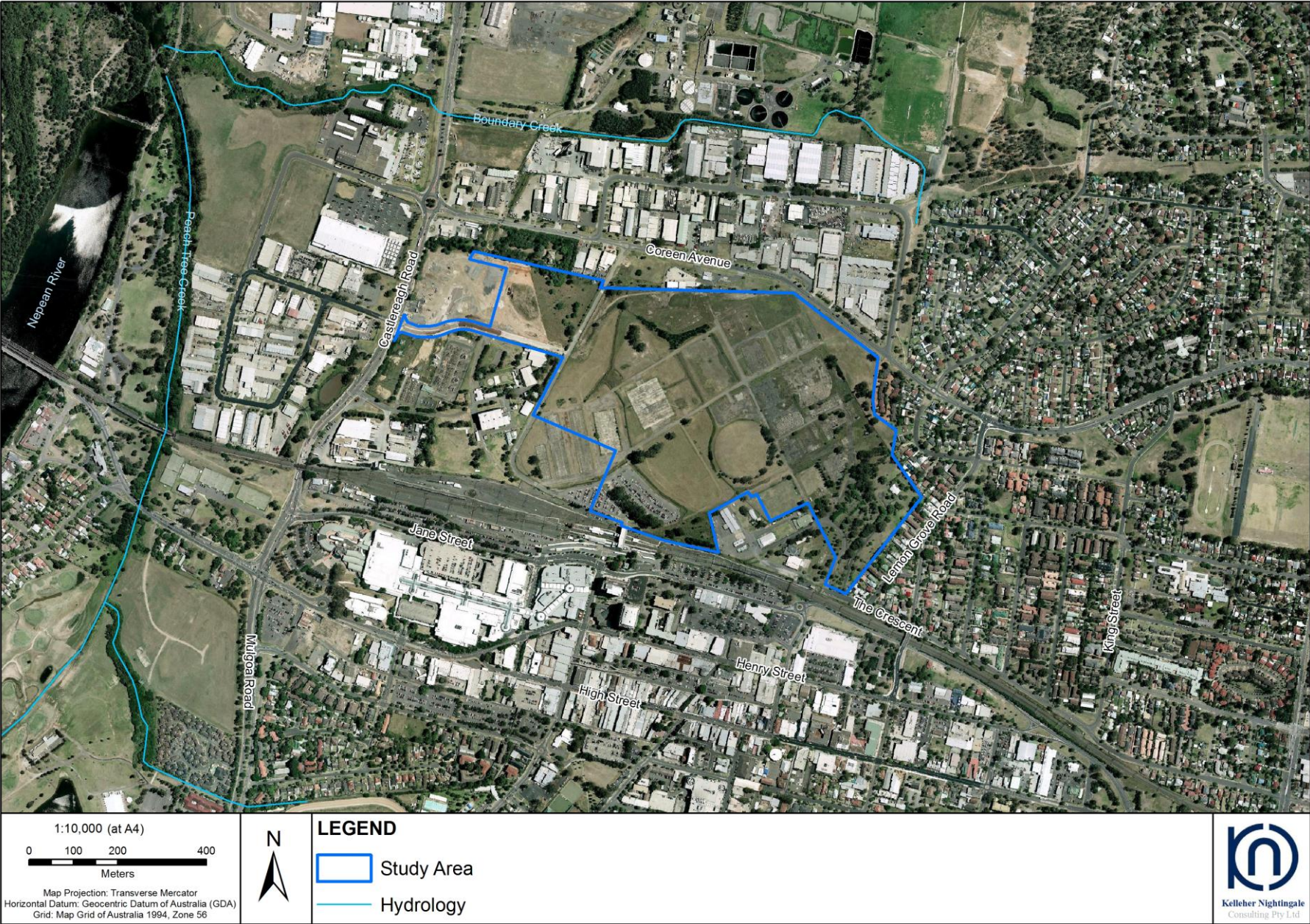


Figure 1. Study area location

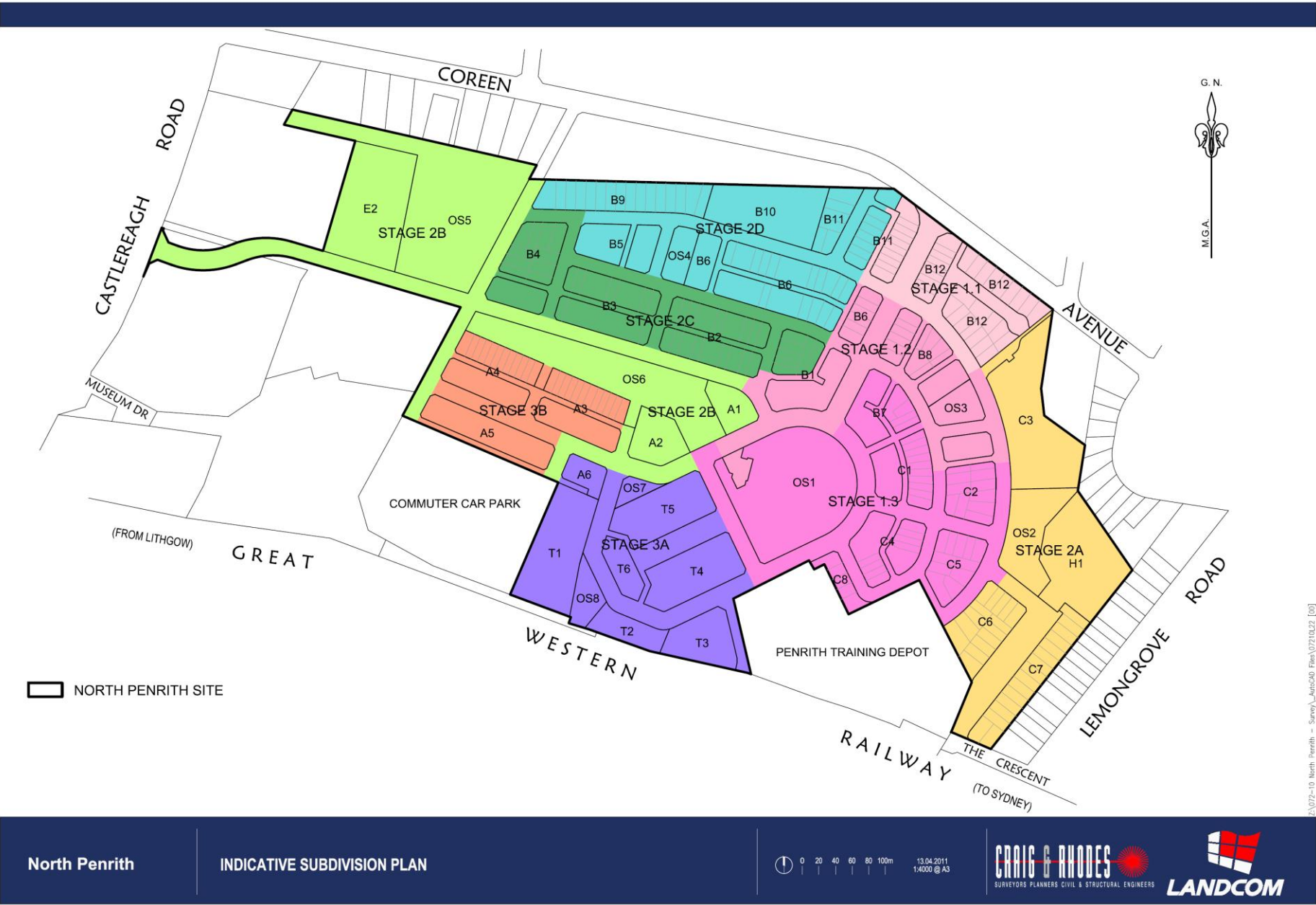


Figure 2. Staged layout plan

2 Approval Conditions for Aboriginal Heritage

The Aboriginal heritage of the North Penrith Development site was assessed as part of the rezoning process. One Aboriginal site, Coreen Avenue 1 (AHIMS site # 45-5-2491), a low density artefact scatter, was identified in the east of site, within Stage 2A (see Figure 3).

An Aboriginal heritage management plan was prepared for the site (JMcD CHM 2011). The management plan made two key recommendations:

1. a portion of site 45-5-2491, considered to have moderate archaeological potential, should be retained in association with a small stand of Cumberland Plan Woodland; and
2. further investigation should be undertaken of Aboriginal heritage values associated with the two historic properties at the North Penrith site, Combewood and Thornton Hall.

These recommendations were adopted in Landcom's commitments for the future development of the North Penrith Development and incorporated into concept plan approval.

2.1 Conditions of Concept Plan Approval and Statement of Commitments

Concept plan approval was granted on 9 November 2011 for the staged development of the former North Penrith Defence Site, The Crescent, Penrith (MP 10-0075). Approval was subject to the conditions of approval listed in Schedule 2 and statement of commitments attached in Schedule 3.

Included in the instrument of approval was the Statement of Commitments (JBA 2011:36) which ensured the future investigation of Aboriginal heritage associated with the historic properties Thornton Hall and Combewood. Commitment 16 stated that:

Prior to commencing works within the vicinity of Thornton Hall (ie: the area denoted as H1 on the Indicative Subdivision Plan map) and Coombewood (ie: the area shown as OS5 on the Indicative Subdivision Plan map), Landcom will investigate and record any Indigenous archaeological remains within the areas utilising current best practice methodologies.

Results of further investigations are presented in this report.

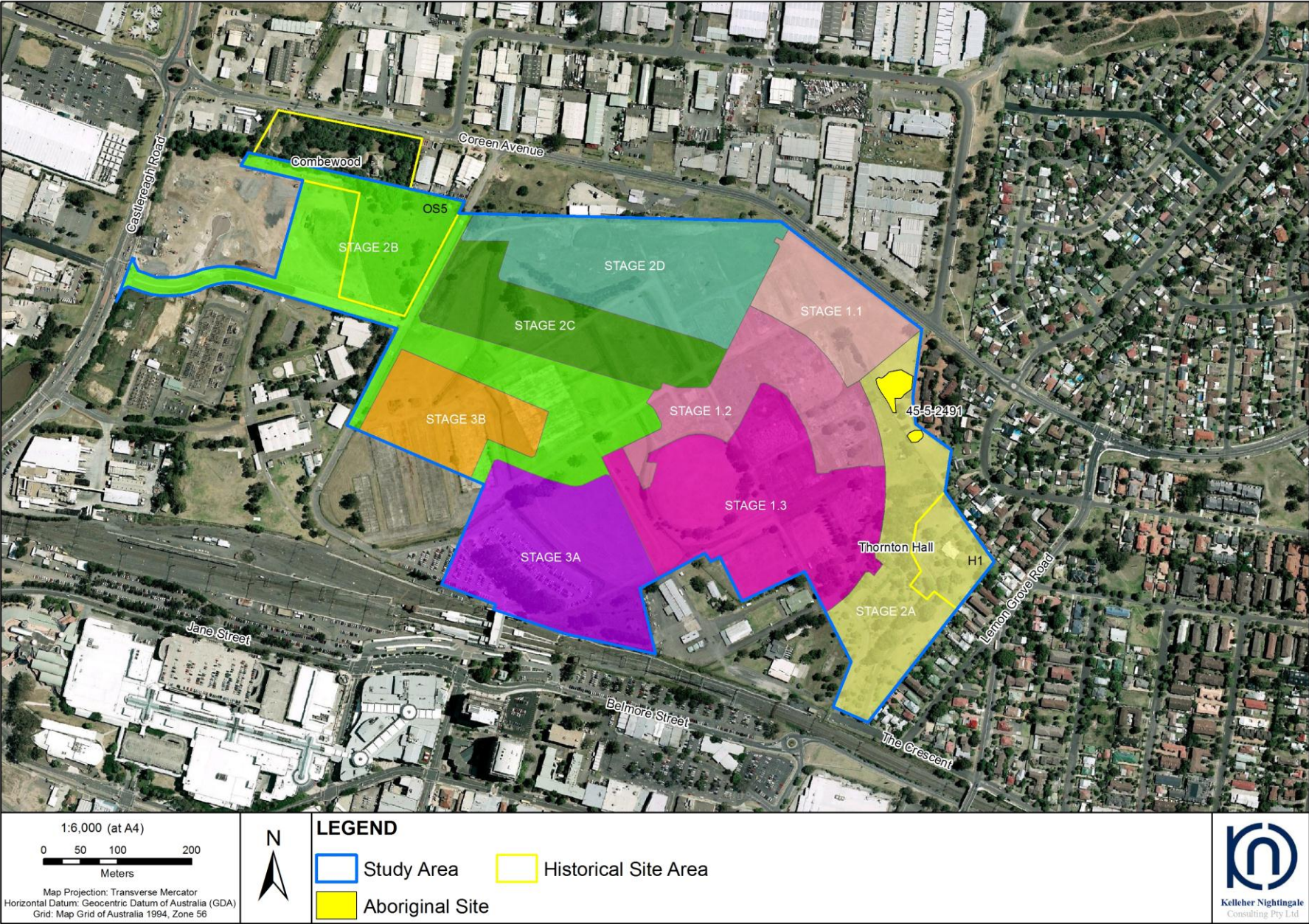


Figure 3. Aboriginal heritage and staged layout plan

3 Background Information on Aboriginal Heritage in the Development Area

3.1 Database search (AHIMS)

The Aboriginal Heritage Information Management System (AHIMS) is a database operated by Office of Environment and Heritage (OEH) and regulated under section 90Q of the *National Parks and Wildlife Act 1974*. AHIMS contains information and records related to registered Aboriginal archaeological sites (Aboriginal objects, as defined under the Act) and declared Aboriginal places (as defined under the Act) in NSW.

A search of AHIMS was conducted on 3 August 2012 to identify registered (known) Aboriginal sites or declared Aboriginal places within or near the study area. Search results are attached as Appendix A.

The AHIMS Web Service database search was conducted within the following coordinates (GDA, Zone 56):

Eastings: 0286100 - 0287300
Northings: 6263150 - 6263750
Buffer: 50 metres

Coreen Avenue 1 (45-5-2491) is the only site identified within the study area. Information from AHIMS shows the site has been partially destroyed under a section 90 consent issued in 2002 (permit number 1367).

3.2 Previous investigations of Coreen Avenue 1 (45-5-2491)

3.2.1 *Brayshaw (1993)*

Brayshaw (1993) conducted a pedestrian survey of the study area as part of a rezoning application for the defence land. The study area was noted as being heavily disturbed associated with land use, with eighty per cent previously disturbed through construction of roads and buildings, leaving roughly twenty per cent of relatively undisturbed land in the north eastern portion of the property.

Coreen Avenue 1 was located in an exposure around an ant nest in the north eastern portion of the property on what Brayshaw described as a barely detectable rise. The site was an open artefact scatter which contained 14 flakes, flake fragments and cores of chert, silcrete, quartz and mudstone. Brayshaw also noted the presence of artefacts eroding out of the basal clay in the exposure and suggested that overall artefact density was likely to be higher than recorded.

It was recommended that the site and associated land surrounding it be conserved as a part of a reserve, however if impacted by future development subsurface investigation of the site would be required.

3.2.2 *Australian Museum Business Services (2001)*

The conservation of site 45-5-2491 was further investigated as part of the preparation of a master plan for the study area (AMBS 2001). The AMBS assessment of Coreen Avenue 1 identified a total of twenty five artefacts at the site, although noted through analysis of historical air photos and ground disturbance that the artefacts were out of context, having been affected by construction of a dam and other bulk earth movement.

It was recommended site 45-5-2491 be incorporated into the master plan through the creation of an "Archaeological Park", which would preserve those areas of the site where artefacts had been identified, as well as those areas where an intact subsurface deposit might occur. Recommendations for site management included rubbish removal and the restoration of a stand of trees around the site without disturbing the subsurface integrity of the site and the introduction of grasses to aid in the protection of artefacts. It was also suggested a local Aboriginal community representative be present to monitor works. If the site could not be conserved it was recommended the site be excavated.

3.2.3 *Jo McDonald Cultural Heritage Management (2010, 2011)*

The site was reassessed by Jo McDonald Cultural Heritage Management as part of concept plan development for the North Penrith Development site (JMcD CHM 2010). The majority of the study area was assessed as having minimal or no archaeological potential based on past land use disturbance.

It was determined that "the proposed Archaeology Park does contain some surface artefacts, but with very little potential for intact deposit" (JMcD CHM 2010:8). The site was assessed as having low archaeological significance and it was concluded that there were no lands worthy of conservation.

Land with low to no archaeological potential posed no constraint to development. The small portion of the site identified as having Zone 2 archaeological potential was determined to be too small to warrant further archaeological investigation and should only be protected if it was considered to be an optimal planning solution. The assessment concluded that “the most appropriate management outcome for this site is not conservation” (JMCD CHM 2010:10).

Further development of the concept plan identified the portion of the site assessed as having moderate potential archaeological deposit coincided with a proposed area of retained vegetation. As such, an Aboriginal heritage management plan was prepared (JMCD CHM 2011). The management plan was developed in consultation with Aboriginal stakeholders and concluded that:

1. No part of site 45-5-2491 warranted conservation.
2. The site was not worthy of subsurface archaeological investigation.
3. Based on ecological values, development would be restricted by the inclusion of a section 88B instrument over the retained vegetation. As a result, any archaeological deposit with moderate potential in the retained areas would be preserved.
4. The remainder of the site was assessed as having low-no archaeological potential and did not pose a constraint to development.

While site 45-5-2491 was not considered worthy of conservation on archaeological grounds, it was noted that the retention of both ecological and cultural heritage values can be seen as a positive outcome where possible as part of the overall concept plan. The management plan concluded that:

the proposed area of retained vegetation can be protected as part of an optimal planning solution which considers ecological and cultural heritage matters.

Based on the nature and significance of the identified site, it is concluded that the most appropriate management outcome for this site is not conservation in the pure sense of the word (JMCD CHM 2011:23).

Furthermore, it was recommended that the recognition and interpretation of the site, as part of the broader Aboriginal history of the place, be included elsewhere in the North Penrith Development site, such as the proposed open space around Thornton Hall located to the south of the site.

Consultation with Aboriginal stakeholders was undertaken as part of the Concept Plan. Further consultation with Aboriginal stakeholders on specific management options for site 45-5-2491 was recommended. Based on comments made by Aboriginal stakeholders, the management plan also recommended further assessment of the Aboriginal heritage values associated with the two historic properties Combewood and Thornton Hall.

The two management plan recommendations formed part of the statement of commitments attached to concept plan approval. Landcom has undertaken further investigation into Aboriginal heritage values associated with Combewood and Thornton Hall. Further consultation will be undertaken regarding the management of site 45-5-2491.

The locations of site 45-5-2491, Combewood and Thornton Hall are shown on Figure 3.

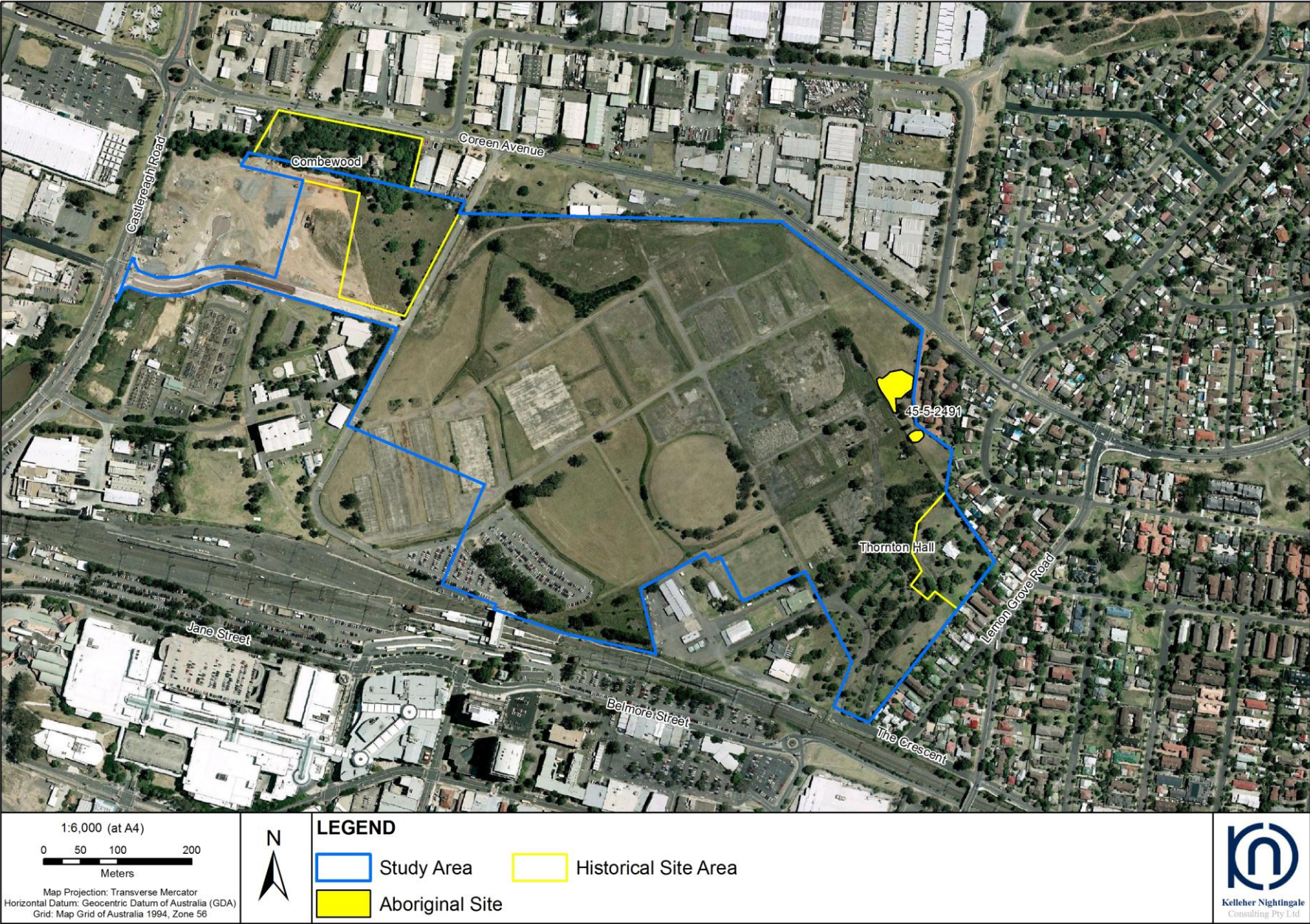


Figure 4. Site 45-5-2491, Combewood and Thornton Hall

4 Investigation of Aboriginal Heritage Associations with Historic Properties

Aboriginal heritage values can have associations with European historic heritage. Linkages can be simple such as the use of common ground where the continuity highlights the use of place through time (e.g. a place where families live), or they can be more complex associations where Aboriginal people and European activity engaged with one another.

Assessment of the two historic properties Combewood and Thornton Hall identifies the continuity of place between Aboriginal and historic times, while no accounts survive of direct interactions. Furthermore, Aboriginal archaeological assessment of the historic properties did not identify any Aboriginal heritage associations.

4.1 European history of the study area

The study area encompasses part of Rodley Farm, a portion of land granted to captain Daniel Woodriff in February 1804 which covered an area of approximately 1000 acres from the Western Road (Great Western Highway/High Street) to an unnamed swamp to the north of the current railway station. Prior to 1822 there are few records that mention the property, although it is known that Woodriff leased the property to a William Martin from 15 February 1804 until the early 1820's and farmed beef and wheat there.

Records also indicate that a party of Cox's road builders camped on the property and that Governor Macquarie camped on the southern side of the lagoon (now dry – probable sewerage treatment works) located directly to the north of the study area.

Although William Martin was obliged to clear and farm the land as a part of his lease, it appears that only a small portion of the property on the banks of the Nepean River was used for this purpose.

John McHenry, who took over the lease in 1821 noted that Martin had over-cultivated those areas along the banks and that "the rest of the farm was in a state of nature without a single tree fallen upon it" and that the farm itself was effectively a public space for the growing settlement around it (Tanner Architects 2010:6-7 and Casey & Lowe 2010:8-11).

Apart from land clearance for agricultural purposes, there was little disturbance to the property by McHenry. A parish map from 1833 shows that there were no buildings on Rodley Farm, although by 1873, after the land had been subdivided a number of houses were visible on the west of the property toward the Nepean River. Although the houses weren't completed until 1872 and 1890, the sketch from 1873 shows structures at the approximate locations of Thornton Hall and Combewood (Casey & Lowe 2010:12).

4.2 Ethnographic sources

While there appear to be no first-hand accounts of Aboriginal occupation of the study area Aboriginal groups were present in the Penrith area along the banks of the Nepean River.

In his journey westward from Rose Hill in 1879 Tench made note of the fact that he saw no Aboriginal people but noted that there was repeated evidence along the banks of the Nepean River:

sometimes in their hunting-huts, which consist of nothing more than a large piece of bark, bent in the middle, and open at both ends, exactly resembling two cards, set up to form an acute angle; sometimes in marks on trees which they had climbed; or in squirrel-traps; or, which surprised us more, from being new, in decoys for the purpose of ensnaring birds (Tench 1789: Chapter 5).

Historical evidence of continued Aboriginal presence in the area includes a photograph from around 1865 taken of the construction of Victoria Bridge, around one kilometre west of the study area, which shows a group of Aboriginal men on the bank of the river (Plate 1).



Plate 1. Photograph of the construction of Victoria Bridge c. 1865 (Penrith City Library)

4.3 Landform and potential

The underlying geology of the study area consists of the Cranebrook Formation, a fluvial deposit formed during the Pleistocene. It is characterised by a medium to coarse sandy matrix with lithic clasts of quartz, quartzite, silcrete, chert, porphyry, granite sandstone and hornfels (Jones & Clark 1991). The overlying landscape of the Cranebrook geology is the Richmond soil landscape, which is characterised by primarily flat landforms with 1% gradients and a red clay loam.

Outcrops of lithic raw material resources in the vicinity of the study area include the Rickabys Creek Gravels, which have been identified at site RS1 in Regentville approximately five kilometres to the south, and directly to the west in the Nepean River.

A landscape analysis based on early photographic records and parish maps shows that the study area consists primarily of a flat, very gently undulating plain that rests above the Nepean River with a local high point in the south east corner (Thornton Hall and Lemon Grove Road) (Plate 2).

A tributary of the Nepean River ran through the subject land and fed into an unnamed swamp to the north of the property (now Penrith Sewerage Treatment Works/Kingswood Park). In an 1833 map the land is noted as being a rich alluvial plain toward the river, while the eastern portion is noted as being undulating woodland.



Plate 2. View of Thornton Hall in 1986 showing the localised high point (Penrith City Library)

The presence of a 2nd and 3rd order watercourse within 800 metres of the study area, as well as the swamp directly to the north and the Nepean River one kilometre to the west suggests that riverine and associated resources would have been abundantly available in the immediate vicinity of the study area. However, the high level of historical disturbance and limited ethnographic record for Aboriginal occupation in the area does not provide enough information to show a direct link with the historical properties of Thornton Hall and Combewood.

Being situated on raised landforms, the very low rise on which 45-5-2491 is located, as well as the localised high point in the Thornton Hall property could be interpreted as areas of potential Aboriginal occupation.

5 Conclusions

Further investigations into the two historic properties associated with the study area, Combewood and Thornton Hall, has not revealed any direct historical account of interactions or relationship of these properties with Aboriginal people. Aboriginal archaeological assessment of the historic properties has not identified any significant Aboriginal heritage associations.

It was concluded that the commitment for further investigation of Combewood and Thornton Hall has been met and no further assessment of these areas is required.

References

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- Jo McDonald Cultural Heritage Management Pty Ltd (JMcD CHM) 2011. Aboriginal Heritage Management Plan for Site 45-5-2491. Prepared for Landcom.
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- Tench, W., 1793. Complete Account of the Settlement at Port Jackson. G. Nicol and J. Sewell, London. Online resource <http://ebooks.adelaide.edu.au/t/tench/watkin/settlement/>, accessed 12:06 15/08/2012

Appendix A AHIMS Search Results



AHIMS Web Services (AWS) Search Result

Your Ref Number : 1201

Client Service ID : 76456

Kelleher Nightingale Consulting Pty Ltd

suite 911-912 155 King Street

Sydney New South Wales 2000

Attention: Kylie McDonald

Email: kylie.mcdonald@knconsult.com.au

Date: 03 August 2012

Dear Sir or Madam:

**AHIMS Web Service search for the following area at Datum :GDA, Zone : 56, Eastings : 286100 - 287300,
Northings : 6263150 - 6263750 with a Buffer of 50 meters, conducted by Kylie McDonald on 03 August 2012**

A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

1	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](http://www.nsw.gov.au/gazette) (<http://www.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

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Office of
Environment
& Heritage

AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref Number : 1201

Client Service ID : 76456

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status	SiteFeatures	SiteTypes	Reports
45-5-2491	Coreeen Ave 1	AGD	56	287070	6263430	Open site	Partially Destroyed	Artefact : -	Open Camp Site	98259
	<u>Contact</u>					<u>Recorders</u>	Helen Brayshaw,Tony Kondek		<u>Permits</u>	1367

Report generated by AHIMS Web Service on 03/08/2012 for Kylie McDonald for the following area at Datum :GDA, Zone : 56, Eastings : 286100 - 287300, Northings : 6263150 - 6263750 with a Buffer of 50 meters.Additional Info : Background. Number of Aboriginal sites and Aboriginal objects found is 1

This information is not guaranteed to be free from error omission. Office of Environment and Heritage (NSW) and its employees disclaim liability for any act done or omission made on the information and consequences of such acts or omission.