

230 Martin Road, Badgerys Creek

Statement of Heritage Impact

Report to EKMC³

April 2026



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EXECUTIVE SUMMARY

EKMC³ is seeking approval for two contemporary warehouse or distribution centre buildings at 230 Martin Road, Badgerys Creek. The site consists of 24.28 hectares of cleared land directly to the west of South Creek.

The proposal comprises a State Significant Development (SSD- 65529236), subject to the Planning Secretary's Environmental Assessment Requirements, issued on the 21 December 2023.

Artefact Heritage and Environment have been engaged by EKMC³ to prepare a Statement of Heritage Impact including a non-Aboriginal archaeological assessment as required to fulfill the Secretary's Environmental Assessment Requirements in support of a State Significant Development Application to support the construction of two warehouses at 230 Martin Road, Badgerys Creek.

Overview of findings

The Statement of Heritage Impact has found the following:

- 230 Martin Road, Badgerys Creek is not listed on any statutory or non-statutory heritage registers.
- The study area has no built items which have the potential for local or State heritage significance.
- The study area has generally **Nil-Low** potential to contain substantial intact historical archaeological remains associated with Phases 1-3 due to its continued use for agricultural purposes.
- Due to the Nil-Low potential for substantial and intact archaeological remains within the study area, it is assessed that the proposed works would result in **neutral** impacts to significant historical archaeological remains.
- Based on the proposed works as outlined in Section 7.0, the proposal would not result in any physical or visual heritage impacts to the 230 Martin Road, Badgerys Creek or the surrounding lots.

Approval pathway

The proposal comprises a State Significant Development (SSD- 65529236), subject to the Planning Secretary's Environmental Assessment Requirements, issued on the 21 December 2023. This Statement of Heritage Impact would form part of an Environmental Impact Statement for the project.

If 50 or more unique submissions are received, or Liverpool City Council object to the application, the SSDA will be determined by the Independent Planning Commission.

Recommendations and mitigation measures

It is recommended that the following mitigation measures are implemented prior to and during the proposed works:

- As the archaeological potential of the study area has been assessed as generally **nil-low** with only the potential for extant remains associated with the modern farming infrastructure, it is recommended that potential archaeological resources be managed through an Unexpected Finds Procedure that is developed for the proposal.
- All staff involved in the proposed works, including design professionals and tradespeople, must receive a heritage induction prior to the commencement of works. The heritage induction should cover the Unexpected Finds Procedure and the appropriate steps to follow in the event that an unexpected archaeological find is encountered. Clear lines of communication must be established for the reporting of any such finds and for procedures to be rapidly implemented.

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1.0 INTRODUCTION

1.1 Project background

EKMC³ are seeking approval for two contemporary warehouse or distribution centre buildings at 230 Martin Road, Badgerys Creek. The site consists of 24.28 hectares of cleared land directly west of South Creek.

The proposal comprises a State Significant Development Application (SSDA) (SSD- 65529236) application, subject to the Planning Secretary's Environmental Assessment Requirements (SEARs), issued on the 21 December 2023.

This report addresses the relevant SEARs listed in Table 1.

Table 1: SEARs Matrix

Item/Description	Response
Non-Aboriginal Cultural Heritage – a non-Aboriginal cultural heritage assessment (including both cultural and archaeological significance) which must detail potential impacts on heritage assets and any proposed management and mitigation measures.	Addressed in Section 8.0 of this SoHI

Artefact Heritage and Environment (Artefact) have been engaged by EKMC³ to prepare a Statement of Heritage Impact (SoHI) including a non-Aboriginal archaeological assessment as required to fulfill the Secretary's Environmental Assessment Requirements (SEARs) in support of an SSDA to support the construction of two warehouses at 230 Martin Road, Badgerys Creek.

1.2 Study area

The site is located at 230 Martin Road, Badgerys Creek on Lot A of DP406215. It is located in the Liverpool City Local Government Area (LGA). The study area comprises the entire lot boundary, it fronts onto Martin Road to the west, it is bounded by lots to its north and south, and by South Creek to its east. The study area is depicted in Figure 1.



Figure 1: Location of study area (Source: Artefact, 2023)

1.3 Authorship

This report has been prepared by Monika Sakal (Heritage Consultant) and Jonny Love (Heritage Consultant) with input and review provided by Sarah-Jane Zammit (Senior Associate), and technical review provided by Josh Symons (Technical Executive) all from Artefact Heritage.

1.4 Limitations

This SoHI examines built heritage and non-Aboriginal archaeological values. No assessment of Aboriginal heritage values will be presented in this SoHI.

2.0 LEGISLATIVE CONTEXT

2.1 Overview

This section discusses the heritage management framework, notably legislative and policy context, applicable to the proposed development and study area.

2.2 Identification of heritage listed items

Heritage listed items were identified through a search of relevant state and federal statutory and non-statutory heritage databases:

- World Heritage List (WHL)
- Commonwealth Heritage List (CHL)
- National Heritage List (NHL)
- State Heritage Register (SHR)
- Section 170 Heritage and Conservation Registers
- NSW State Heritage Inventory database
- State Environmental Planning Policy (Precincts – Western Parkland City) 2021
- Liverpool Local Environmental Plan (LEP) (2008)
- Register of the National Estate (RNE)
- National Trust of Australia (NSW) register.

Items listed on these registers have previously been assessed against the heritage assessment guidelines relevant to their peak governing body. Items that are of Commonwealth, National and World heritage significance have been assessed in accordance with the Environmental Protection and Biodiversity Conservation Act 1999 (the EPBC Act). Items of state or local significance have been assessed against the NSW Heritage Assessment guidelines. Assessments of heritage significance as they appear in relevant heritage inventory sheets and documents, are provided in this assessment.

There are several items of legislation that are relevant to the current study area. A summary of the relevant Acts and the potential legislative implications are provided below.

2.3 The World Heritage Convention

The Convention Concerning the Protection of World Cultural and National Heritage (the World Heritage Convention) was adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organisation (UNESCO) on 16 November 1972, and came into force on 17 December 1975. The World Heritage Convention aims to promote international cooperation to protect heritage that is of such outstanding universal value that its conservation is important for current and future generations. It sets out the criteria that a site must meet to be inscribed on the World Heritage List (WHL) and the role of State Parties in the protection and preservation of world and their own national heritage.

There are **no** items listed on the WHL within the study area or its vicinity.

2.4 Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides a legislative framework for the protection and management of matters of national environmental significance, that is, flora, fauna, ecological communities and heritage places of national and international importance. Heritage items are protected through their inscription on the World Heritage List, Commonwealth Heritage List, or the National Heritage List. The EPBC Act stipulates that a person who has proposed an action that will, or is likely to, have a significant impact on a World, National or Commonwealth Heritage site must refer the action to the Minister for Sustainability, Environment, Water, Population and Communities (hereafter Minister). The Minister will then determine if the action requires approval under the EPBC Act. If approval is required, an environmental assessment would need to be prepared. The Minister would approve or decline the action based on this assessment. A significant impact is defined as “an impact which is important, notable, or of consequence, having regard to its context or intensity.” The significance of the action is based on the sensitivity, value and quality of the environment that is to be impacted, and the duration, magnitude and geographic extent of the impact. If the action is to be undertaken in accordance with an accredited management plan, approval is not needed, and the matter does not need to be referred to the Minister.

2.4.1 Commonwealth Heritage List

The Commonwealth Heritage List (CHL) has been established to list places of outstanding heritage significance to Australia. Established under the EPBC Act, the CHL comprises natural, Indigenous and historic heritage places on Commonwealth lands and waters or under Australian Government control.

There are **no** items listed on the CHL within the study area or its vicinity.

2.4.2 National Heritage List

The National Heritage List (NHL) has been established to list places of outstanding heritage significance to Australia, including places overseas. There are nine matters of national environmental significance, these include Australia’s world heritage properties (as listed on the World Heritage List [WHL]), national heritage places, wetlands of international importance (listed under the Ramsar Convention), migratory species, listed threatened and ecological communities, Commonwealth marine areas, the Great Barrier Reef Marine Park, nuclear actions including uranium mining, and water resources in relation to coal seam gas developments and large coal mining developments.

There are **no** items listed on the NHL within the study area or its vicinity.

2.5 Heritage Act 1977

The NSW *Heritage Act 1977* (Heritage Act) provides protection for items of ‘environmental heritage’ in NSW. ‘Environmental heritage’ includes places, buildings, works, relics, movable objects or precincts considered significant based on historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic values. Items considered to be significant to the State are listed on the SHR and cannot be demolished, altered, moved or damaged, or their significance altered without approval from the Heritage Council of NSW.

2.5.1 State Heritage Register

The SHR was established under Section 22 of the Heritage Act and is a list of places and objects of particular importance to the people of NSW, including archaeological sites. The SHR is administered by Heritage NSW, and includes a diverse range of over 1,500 items, in both private and public ownership. To be listed, an item must be deemed to be of heritage significance for the whole of NSW. For works to an SHR item, a Section 60 application must be prepared for works that are not exempt under Section 57(2) of the Heritage Act.

There are **no** items listed on the SHR within the study area or its vicinity.

2.5.2 Archaeological relics and works

The Heritage Act also provides protection for 'relics', which includes archaeological material or deposits. Section 4 (1) of the Heritage Act (as amended in 2009) defines a relic as:

"...any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and*
- (b) is of State or local heritage significance"*

Sections 139 to 146 of the Heritage Act prevent the excavation or disturbance of land known or likely to contain relics, unless under an excavation permit. Section 139 (1) states:

A person must not disturb or excavate any land knowingly or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, damaged or destroyed unless the disturbance is carried out in accordance with an excavation permit.

Excavation permits are issued by the Heritage Council of NSW, or its Delegate, under Section 140 of the Heritage Act for relics not listed on the SHR or under Section 60 for impacts within SHR curtilages. An application for an excavation permit must be supported by an Archaeological Research Design (ARD) and Archaeological Assessment prepared in accordance with the NSW Heritage Division archaeological guidelines. Minor works that would have a minimal impact on archaeological relics may be granted an exception under Section 139 (4) or an exemption under Section 57 (2) of the Heritage Act.

Items identified as 'works' do not trigger reporting obligations under the Heritage Act, unless they are associated with artefacts and/or assessed to be of State or local significance. Works generally include:

- Former road surfaces or pavement and kerbing.
- Railway infrastructure
- Former water supply (wells, cisterns, drains, pipes) and other service infrastructure, where there are no historical artefacts in association with the item.
- Building footings associated with former infrastructure facilities, where there are no historical artefacts in association with the item.

2.5.3 Section 170 registers

Under the Heritage Act all government agencies are required to identify, conserve and manage heritage items in their ownership or control. Section 170 (s170) requires all government agencies to

maintain a Heritage and Conservation Register that lists all heritage assets and an assessment of the significance of each asset. They must also ensure that all items inscribed on its list are maintained with due diligence in accordance with State Owned Heritage Management Principles approved by the Government on advice of the NSW Heritage Council. These principles serve to protect and conserve the heritage significance of items and are based on NSW heritage legislation and guidelines.

There are **no** items listed on any s170 registers within the study area or its vicinity.

2.6 Environmental Planning and Assessment Act 1979 (NSW)

The *Environmental Planning and Assessment Act 1979* (EP&A Act) establishes the framework for cultural heritage values to be formally assessed in the land use planning and development consent process. The EP&A Act requires that environmental impacts are considered prior to land development; this includes impacts on cultural heritage items and places as well as archaeological sites and deposits.

The EP&A Act also requires that local governments prepare planning instruments (such as Local Environmental Plans and Development Control Plans [DCPs]) in accordance with the EP&A Act to provide guidance on the level of environmental assessment required. The study area falls within the boundaries of the Liverpool local government areas. Schedule 5 of each of the *Liverpool Local Environmental Plan 2008* (Liverpool LEP) includes a list of items/sites of heritage significance within this LGA.

When a project is approved as an SSD or SSI under s5 of the EP&A Act, the conditions and provisions of other state and local instruments are turned off and approved works are undertaken in accordance with relevant Instruments of Approval.

2.6.1 State Environmental Planning Policy (Precincts – Western Parkland City) 2021

This State Environmental Planning Policy (SEPP) contains planning provisions for precincts within the Western Parkland City, it has consolidated and repealed the provisions from previous SEPPs. It facilitates the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State.

There are **no** items within the study area or within the vicinity of the study area listed under the Precincts – Western Parkland City SEPP 2021.

2.6.2 Western Sydney Aerotropolis Precinct Plan 2023

The Western Sydney Aerotropolis Precinct Plan 2023 (WSAPP) is prepared and is in force under the provisions of the Precincts – Western Parkland City SEPP, Chapter 4 Western Sydney Aerotropolis (Aerotropolis SEPP).¹ The Precinct Plan provides the place-based objective and requirements to guide development in the Aerotropolis in a consistent and sustainable manner over time, and sets out finer grain detail to support the land use zoning and other provisions of the SEPP.

The Aerotropolis SEPP includes provisions relating to the protection of listed local and state heritage items. These items are also included in the Precinct Plan (Section 4.4) so that the conservation status of items and their context relative to the planned outcomes in the Precinct Plan is understood. The objectives and requirements in this section also identify areas of potential heritage significance where additional investigations are required when development is proposed on the relevant land. The following objectives and requirements are outlined in the Precinct Plan:

¹ <https://www.planning.nsw.gov.au/sites/default/files/2023-03/western-sydney-aerotropolis-precinct-plan.pdf>

Objectives

NA01 *Retain links to the history and cultural significance of the land through appropriate conservation and management of heritage items.*

NA02 *Design and develop in the vicinity of heritage items to protect the heritage significance of the item and its setting.*

Requirements

NA1 *Existing heritage items and their significant elements are to be retained and managed, including implementation of adaptive re-use and land uses which ensure the long term conservation viability of heritage items.*

NA2 *Position new development, including the design of subdivision and buildings, to maintain visual links, context and significance of the heritage item and its setting.*

NA3 *Investigate the significance of potential heritage items identified on Figure 4. Where investigations identify heritage values, a heritage management plan is to be prepared outlining the required measures to conserve these values.*

The heritage items identified in Figure 4 of the Precinct Plan have been captured in Figure 2 of this report, and overlayed with the study area in Figure 4 and Figure 5. As outlined in these figures, there are no heritage items located within 230 Martin Road, or in the immediate vicinity, with the closest heritage item located over 2km away from the study area.

2.6.3 Western Sydney Aerotropolis Development Control Plan – Phase 2- 2 November 2022 (Phase 2 DCP)

The Western Sydney Aerotropolis Development Control Plan – Phase 2 (Phase 2 DCP) was placed on public exhibition on 10 November 2022 and finalised September 2024.² It aids in implementing the Precinct Plan by providing development controls for the initial precincts within the Aerotropolis. These initial precincts include Aerotropolis Core, Badgerys Creek, Wianamatta-South Creek, Agribusiness, and Northern Gateway Precincts. Section 2.2.2 provides Objectives, Performance Outcomes and Benchmark Solutions for non-Aboriginal and European heritage within the Aerotropolis Precinct. The objectives of the DCP in relation to non-Aboriginal and European Heritage is outlined below:

Objectives

O1 *Ensure that development in the vicinity of heritage items is designed and sited to protect the heritage significance of the item and its setting.*

O2 *Ensure adequate protection and appropriate management of archaeological resources.*

O3 *Ensure that as much archaeology of Local, State, and potential National heritage significance is retained on site and interpreted within the new*

²https://www.planningportal.nsw.gov.au/sites/default/files/documents/2024/Aerotropolis%20Phase%20%20DCP_Amendment%201_September%202024.pdf

developments.

O4 Ensure the continued relevance of historic values through long-term heritage conservation outcomes that reflect the history of the Aerotropolis area.

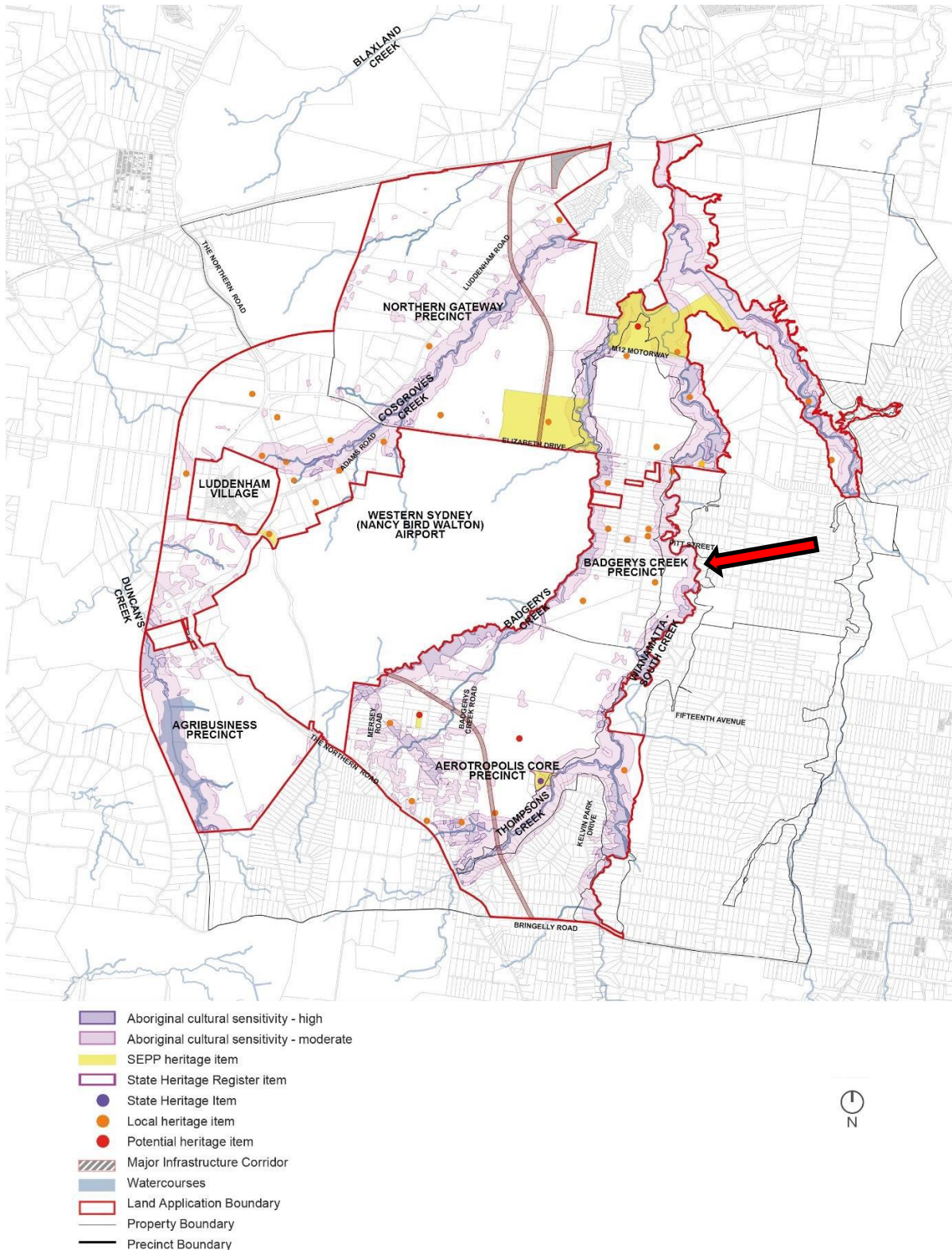


Figure 2: Heritage and Cultural Landscapes, with the approximate location of the study area indicated by a red arrow(WSAPP 2023, p. 27)

2.6.4 Liverpool Local Environmental Plan 2008

Heritage items listed on the Liverpool LEP 2008 are managed in accordance with the provisions of Section 5.10 Heritage Conservation of this LEP. Under Clause 5 of this section of the Liverpool LEP 2008:

(1) Objectives The objectives of this clause are as follows—

- (a) to conserve the environmental heritage of Liverpool,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

(5) Heritage assessment The consent authority may, before granting consent to any development—

- (a) on land on which a heritage item is located, or*
- (b) on land that is within a heritage conservation area, or*
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

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

- (a) notify the Heritage Council of its intention to grant consent, and*
 - (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.*
-

There are **no** items within the study area or within the vicinity of the study area listed on Schedule 5 of the Liverpool LEP.

2.6.5 State Significant Development

As outlined above, when a project is approved as an SSD under Division 4.7 of the EP&A Act, the conditions and provisions of most other State and local instruments are turned off and approved works are undertaken in accordance with relevant Instruments of Approval.

2.7 Non-Statutory Considerations

2.7.1 Register of the National Estate

The Register of National Estate (RNE) is no longer a statutory list; however, it remains available as an archive.

There are **no** items within the study area or within the vicinity of the study area listed on the RNE.

2.7.2 National Trust of Australia (NSW)

Listing on the NSW National Trust Heritage Register (NSW NTHR) does not impose statutory obligations and is more an indication of the heritage significance held by the community.

There are **no** items within the study area or within the vicinity of the study area listed on the NSW NTHR.

2.8 Summary of heritage listings

2.8.1 230 Martin Road, Badgerys Creek

The study area comprises of Lot A of DP 406215, which is not listed on any heritage registers. There are no heritage listings within the study area or within a 250m heritage buffer (Figure 3).

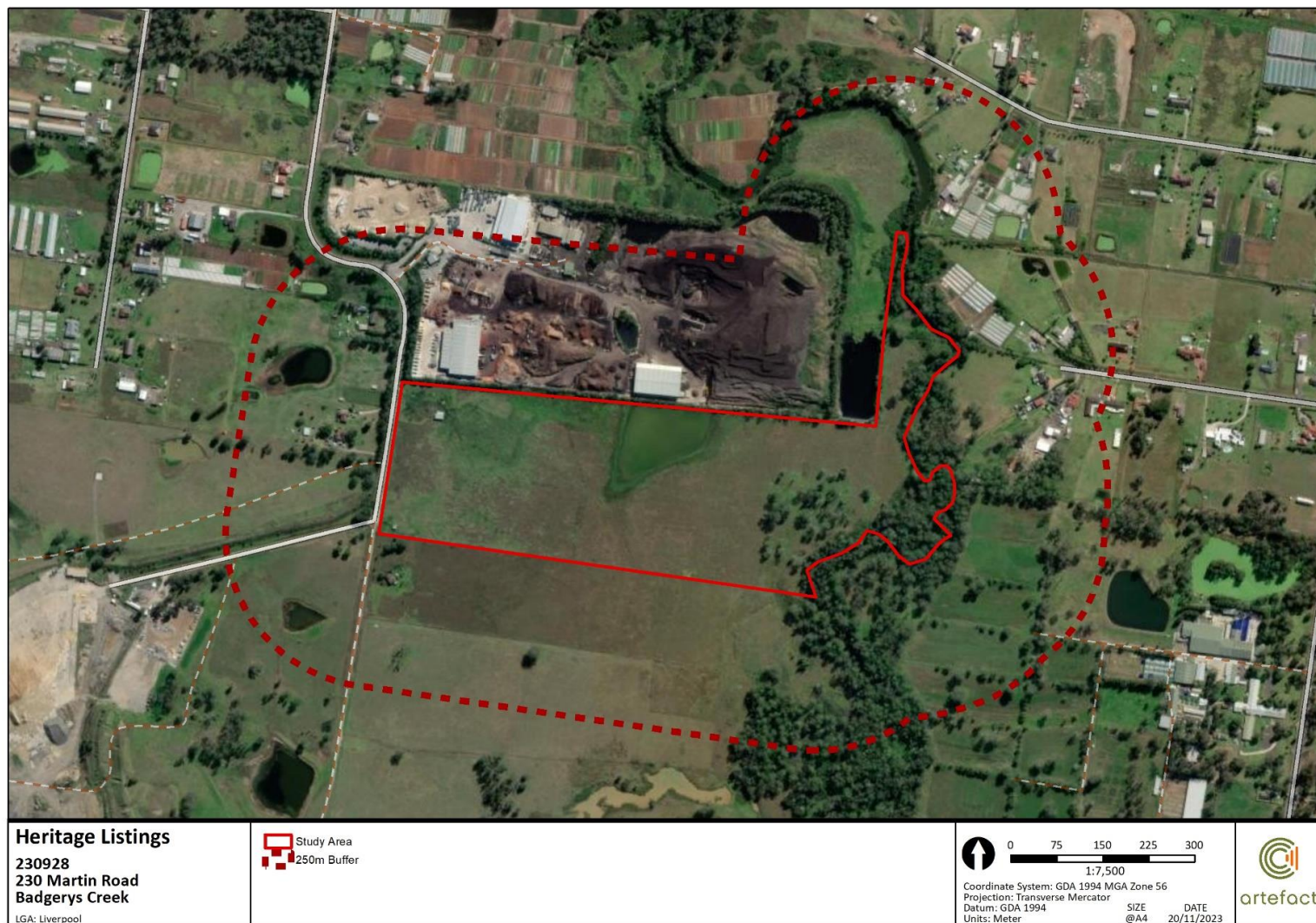


Figure 3: Heritage curtilages at 230 Martin Road, Badgerys Creek (Source: Artefact, 2023)

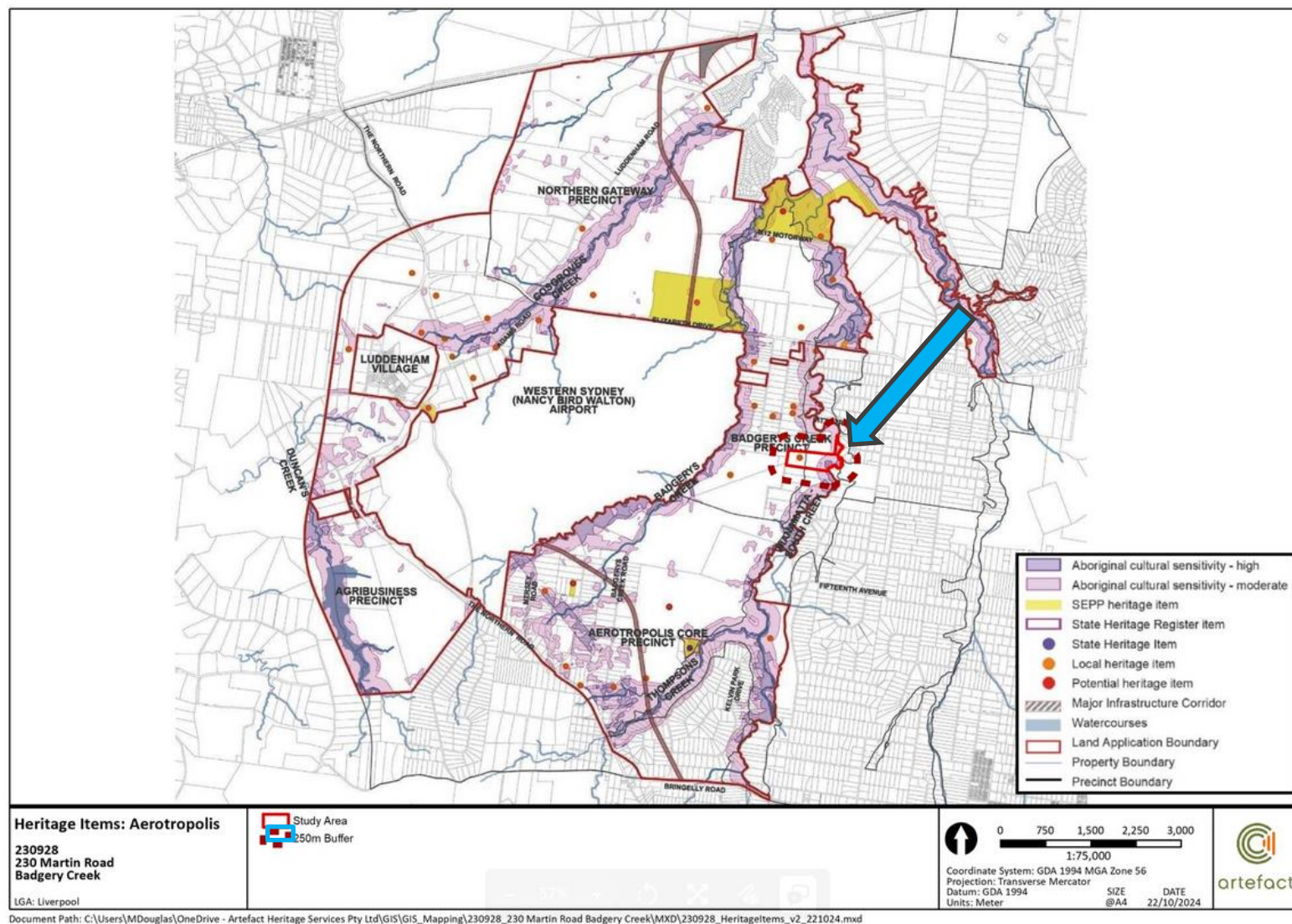


Figure 4: 230 Martin Road, in context with the larger Western Aerotropolis Precinct and heritage items within the Precinct; study area indicated with a blue arrow (Source: Artefact, 2024)

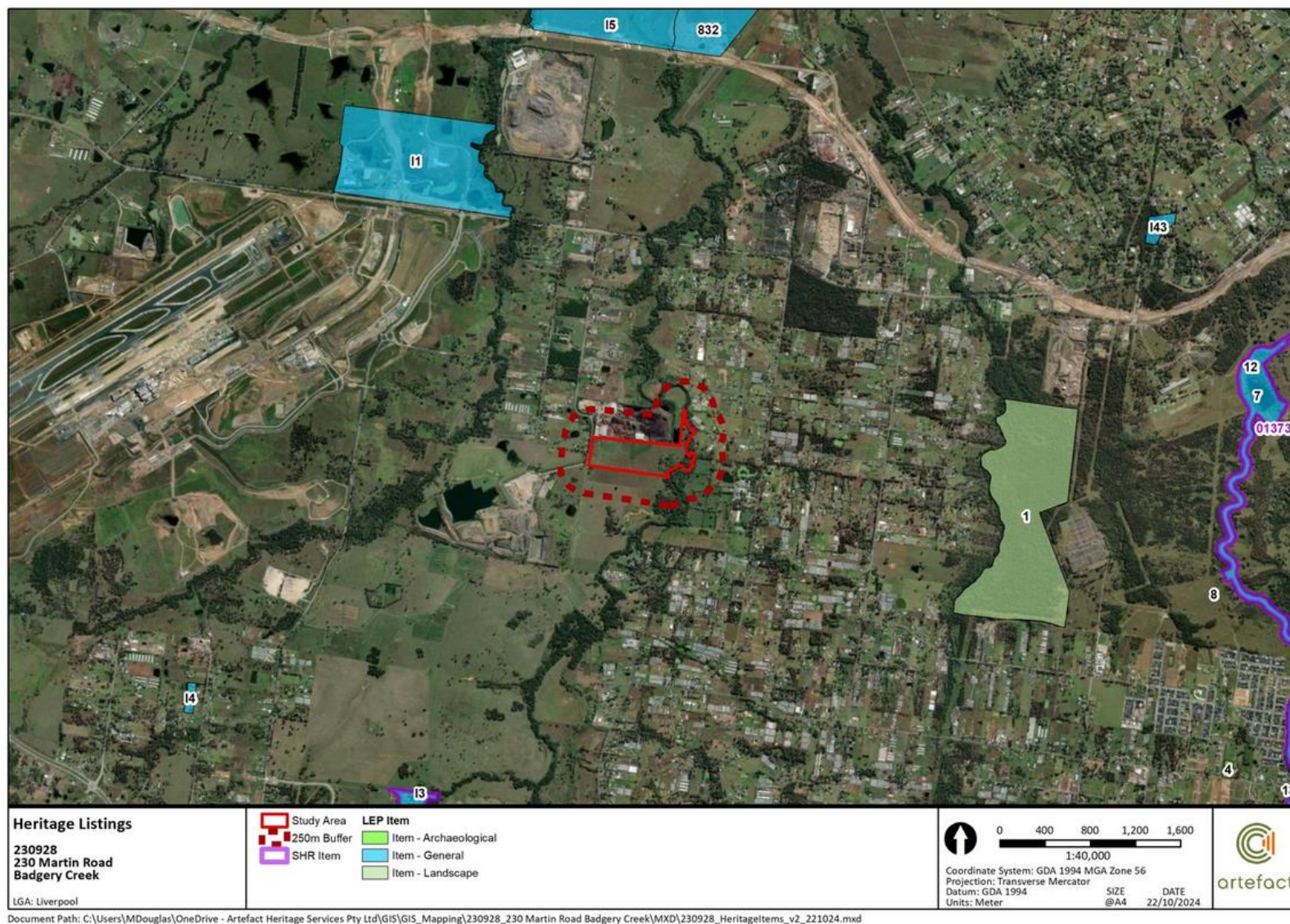


Figure 5: 230 Martin Road in context with heritage items in the vicinity. The closest heritage items are over 2km away (Source: Artefact, 2024)

3.0 HISTORICAL BACKGROUND

3.1 Aboriginal history

The study area is located near the boundaries of two Aboriginal language groups, Dharawal and Gundungurra³. The Dharawal are associated with the area from the south side of Botany Bay and Port Hacking to north of the Shoalhaven River and inland to Campbelltown, Camden and Bargo. They are thought to have ranged further north into the Liverpool region, but the boundaries defined today can only be indicative⁴. The Gundungurra are described as occupying the southern rim of the Cumberland Plain, west of the Georges River, including a boundary area shared with the Dharawal in the Camden and Bargo locality.

Refer to the Aboriginal Cultural Heritage Report (ACHAR), prepared by Artefact in October 2024, which has been updated for this project, for further information on the Aboriginal history of the study area.

3.2 Colonial History

Exploration to the west of Sydney Cove began soon after first European settlement, as it was found that the sandy shallow soils of coastal Sydney were unsuited to cultivation, and it was necessary to find more fertile land. In 1788, a government farm was established on the banks of the Parramatta River at Parramatta (initially named Rose Hill). A government house was built near the farm, which prompted the development of the town of Parramatta, which was laid out in 1790. Initially the river was the main form of transport to and from Parramatta, but an overland track between Parramatta and Sydney was cleared through the bush between 1789 and 1791. This track formed the basis for 'the road to Parramatta' - and later further west, which was laid out in 1797.

3.3 Overview of Parish of Bringelly's History

The parish of Bringelly was established by 1848 which had a population of 613 people with 121 houses⁵. It was named after the Bringelly Post Office opened in 1857, the township was formally named in 1863. It was developed to cater for the needs of the local farming communities, by 1897 a school was in service⁶. From the 1870s land-owners were making a profit from subdividing and selling their large acreages, many allotments had been abandoned as farming was not lucrative in the area⁷. By 1912, Bringelly had a blacksmith's shop, Wesleyan Church, Post office, school and variety of other buildings. Bringelly was officially gazetted 7 April 1972.

3.4 James Badgery

Land about 2km north of the study area was first granted to the English migrant, James Badgery. Hailing from Devonshire, he was one of the few free settlers to migrate to New South Wales in the late eighteenth century, having migrated to Sydney in 1799.⁸ With the possible support of Sir Joseph

³ Tindale, 1974, *Aboriginal Tribes of Australia. Their Terrain, Environmental Controls, Distribution, Limits and Proper Names*. ANU Press, Canberra

⁴ Val Attenbrow, 2010, *Sydney's Aboriginal Past: Investigating the archaeological and historical records*. Sydney, N.S.W., University of New South Wales.

⁵ Perumal Murphy Pty Ltd, 'South Creek Valley Heritage', n.d., 1990.

⁶ Terry Kass, 'A Thematic History of the City of Liverpool', 2004, <https://heritagensw.intersearch.com.au/heritagenswjsui/handle/1/5774>.

⁷ Kass.

⁸ Biographical information about James Badgery and his immediate family are drawn mostly from Bobbie Hardy, *From the Hawkesbury to the Monaro: The Story of the Badgery Family* (Sydney: Kangaroo Press, 1989); another

Banks, Badgery sailed into Sydney aboard the supply ship the *Walker*, alongside his later patron Colonel William Patterson. Badgery, before sailing for Sydney, had spent time on Bank's Spring Grove Estate with Patterson. Upon arrival in Sydney, Badgery quickly demonstrated an aptitude to both farming and grazing, renting land along the Hawkesbury River where he established a small farm and bakery. At the time of the 1802 muster, Badgery had six acres and 13 goats, expanding in 1803 to 39-acres.

In 1808, Governor Bligh was disposed from his position by the NSW Corps and John Macarthur. Badgery had supported the removal of Bligh, presumably because of Bligh's reluctance to grant additional land to free settlers such as himself. He travelled to Sydney from the Hawkesbury to witness the arrest of Bligh, taking his four-year-old son with him. Colonel Patterson, who replaced Bligh as governor, rewarded Badgery for his support by providing him an inn licence and three grants of lands allocated to his children: 240 acres to his daughter Ann which was called Exeter Farm; 200 acres to his son Henry, to be called Heavy Tree; and 200 acres to his son Andrew.

In November 1810, the newly appointed Governor Macquarie visited Exeter Farm. The purpose of his visit was to evaluate the improvements made to the land so as to determine if the land title should be permanently transferred to Badgery. Officials in London did not recognise the grants made under the 'rebel' administration of Patterson, and Macquarie had been instructed to repeal Patterson's grants unless sufficient improvements had been made to the land. However, Governor Macquarie was impressed by the improvements made at Exeter Farms, writing in his journal how he:

*Called first at Badgery's Farm close on the left Bank of the South Creek, where I was much pleased to find a good Farm House built, a good Garden, and a considerable quantity of ground cleared.*⁹

In 1812, Badgery wrote to Macquarie to describe the improvements of his farm to further his claim for full title of the land. Badgery described the farm as being enclosed with a good fence, that the land had been subdivided into nine paddocks with stockyards, and that a large garden had been established by the house. The improvements satisfied Macquarie, and title was conferred upon Badgery for the land Patterson had granted to his children.¹⁰

The whole 640 acre land grant that had been provided to his three children was renamed as a whole 'Exeter Farm'. This area was located in Claremont Parish and was bounded by South Creek to the east, a road easement to the south, and a tributary of South Creek to the west. Nicholas Bayley's 680 acre grant was located to the north near the confluence of a small tributary into South Creek. Later, the tributary was renamed 'Badgery's Creek'.

The road easement to the south of Exeter Farm has been called Elizabeth Drive since 1964. The original Elizabeth Drive route dates from the early 1800s and was originally constructed as a 'corduroy' road, using round logs as a base. It was established to provide access to local land grants and was originally known as the Orphan School Road as it extended west from the Orphan School in what is now Bonnyrigg. Its name was later changed to Mulgoa Road, in reference to its western extent, but subsequently changed again in 1964 to Elizabeth Drive, to honour the visit of Queen Elizabeth II.¹¹

useful source on the history of Exeter Farm is Beverley Donald and Bill Gulson, *A Little Bit of Country: an Oral History of Badgerys Creek* (Sydney: Alken Press, 1996)

⁹ Lachlan Macquarie, 1979 *Lachlan Macquarie: Governor of New South Wales Journals of His Tours in New South Wales and Van Diemen's Land*. Sydney, NSW. p. 19.

¹⁰ Donald and Gulson, 1996. 'A Little Bit of Country: An Oral History of Badgerys Creek'. Liverpool City Council, p. 4

¹¹ NSW Government Gazette, Friday 18 December 1964 Issue 144 p. 4158

3.5 Initial land grants and property ownership

The study area during the nineteenth century extended, in part, over two parcels of land in the Parish of Bringelly, identified as Portion 30 and Portion 29. Portion 30 (200-acres) was granted to William Wall on 1 January 1810 and Portion 29 (100-acres) was granted to John Reeves on 25 August 1812 (Figure 6).¹² Although no information about John Reeves was detected, historical records indicate William Wall arrived in the newly formed colony in January 1788 as part of the First Fleet. William Wall had been assigned to work on a farm located in Seven Hills before he was later granted his own 200-acre lot in Bringelly.¹³ The study area was also located adjacent to the south of Thomas Matcham Pitt, 300-acres land grant, granted in 1810, which was named 'Nelson and Bronte Farm'. Thomas Matcham Pitt was a farmer and Hawkesbury pioneer, his mother Mary Pitt, nee Matcham, was a relative of Lord Nelson, who arrived in 1801 as a free settler and received a 100-acre land grant in Mulgrave Place, Richmond in 1802¹⁴.

Time passed, and the earliest detected transfer of property for the land within the study area was granted to Eva Ramsay and Charles Thomas Roberts on 19 September 1892. Eva Ramsey was the wife of farmer John Ramsey and Charles Thomas Roberts himself was a farmer.¹⁵ The Certificate of Title for the land during this time suggests the land was undivided and likely serving as a large area for agricultural activities (Figure 7). Soon after, on 8 August 1898 the land was granted to Thomas Hammond Martyn who subdivided the area into three separate land lots, identified as 51, 52, and 53 (Figure 8).¹⁶ Indeed, the Certificate of Title for the land during the early stages of the twentieth was characterised by farmers who utilised the land primarily for agricultural purposes with no infrastructural development evident on the land except for a potential small dwelling as identified on the 1935 Liverpool Map (Figure 9). On 11 May 1905 the Certificate of Title for the land was granted to Rebecca Francis Dean, wife of Farmer William Dean, and on 11 June 1941 the Certificate of Title was granted to the Cumberland Farm Pty Ltd (Figure 10).¹⁷ This was followed by the transfer of property a farmer from Double Bay named Richard Bain Scott Fell on 23 May 1949 and a Farmer named William Frederick Maskus on 24 November 1953.¹⁸

The latest identified Certificate of Titles granted for the land were issued to two farmers named Francis William Wyse and Henry Edward Wyse on 4 October 1957.¹⁹ This land granted to Francis and Henry Wyse formed part of the same land granted to William Wall and John Reeves in the early-nineteenth century (Figure 11). The Parish of Bringelly map dated to 1953 and aerial imagery from the 1960s shows that this piece of land remained undeveloped from this early period until the mid-twentieth century where it was used by its owners for agricultural purposes (Figure 12 and Figure 15).

¹² Historical Land Record Viewer, Vol-Fol: 7588-70, Certificate of Title: Henry Edward Wyse, Signed Twenty-Third day of October 1958.

¹³ Wall, William (c. 1764–1821), People Australia, National Centre of Biography, Australian National University, accessed <https://peopleaustralia.anu.edu.au/biography/wall-william-30480/text37791> (24 November 2023); Magann, H. and Learmonth, A. (1997), *They Left Their Mark*, Blacktown, accessed <https://heritagensw.intersearch.com.au/heritagenswjsui/bitstream/1/8561/1/H05292%20-%20THEY.pdf>

¹⁴ G Walsh, 'George Matcham Pitt (1814–1896)', in *Australian Dictionary of Biography*, 1974, <https://adb.anu.edu.au/biography/pitt-george-matcham-4403>.

¹⁵ Historical Land Record Viewer, Vol-Fol: 1069-238, Certificate of Title: Eva Ramsey, Signed on the Nineteenth day of September 1892; Historical Land Record Viewer, Vol-Fol: 1069-239, Certificate of Title: Charles Thomas Roberts, Signed Nineteenth day of September 1892.

¹⁶ Historical Land Record Viewer, Vol-Fol: 1115-106, Certificate of Title: Thomas Hammond Martyn.

¹⁷ Historical Land Record Viewer, Vol-Fol: 1608-13, Certificate of Title: Rebecca Francis Dean, Signed on the Eleventh day of May 1905; Historical Land Record Viewer, Vol-Fol: 5239-52, Certificate of Title: The Cumberland Farm PTY. LIMITED, Signed on the Eleventh day of June 1941.

¹⁸ Historical Land Record Viewer, Vol-Fol: 1608, Certificate of Title: Richard Bain Scott Fell, Signed on the Twenty-Third day of May 1949.

¹⁹ Historical Land Record Viewer, Vol-Fol: 7370-109, Certificate of Title: Francis William Wyse, Signed on the Fourth day of October 1957; Historical Land Record Viewer, Vol-Fol: 7370-108, Certificate of Title: 7370-108, Certificate of Title: Henry Edward Wyse, Signed on the Fourth day of October 1957.



Figure 6: Undated Parish of Bringelly Map showing the study area in relation to the land owned by William Wall and John Reaves²⁰

²⁰ Historical Land Records Viewer, Parent Collection: Historical Parish Maps, Parish Name: Bringelly, Sheet Reference 2.

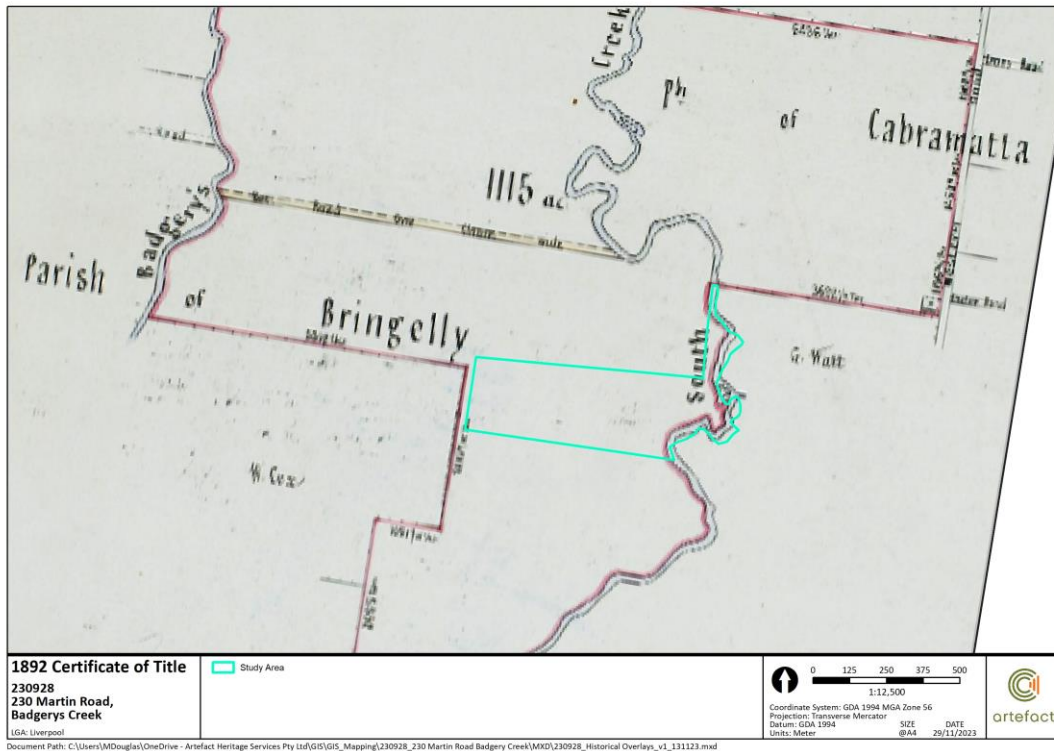


Figure 7: 1892 Certificate of Title showing the study area undivided farming land²¹

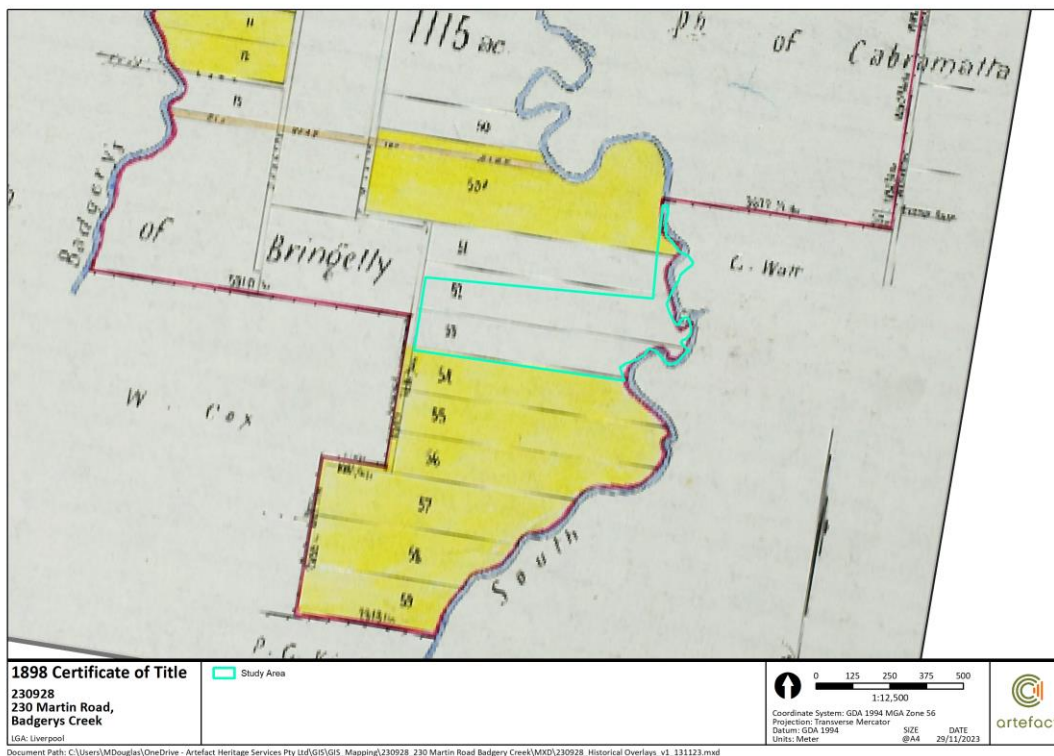


Figure 8: 1898 Certificate of Title showing the study area divided into land lots 51, 52, and 53²²

²¹ Historical Land Records Viewer, Vol-Fol: 1069-238, Certificate of Title: Eva Ramsey, Signed the nineteenth day of September 1892.

²² Historical Land Records Viewer, Vol-Fol: 1255-160, Certificate of Title: Thomas Hammond Martyn, Signed the eighth day of August 1898.

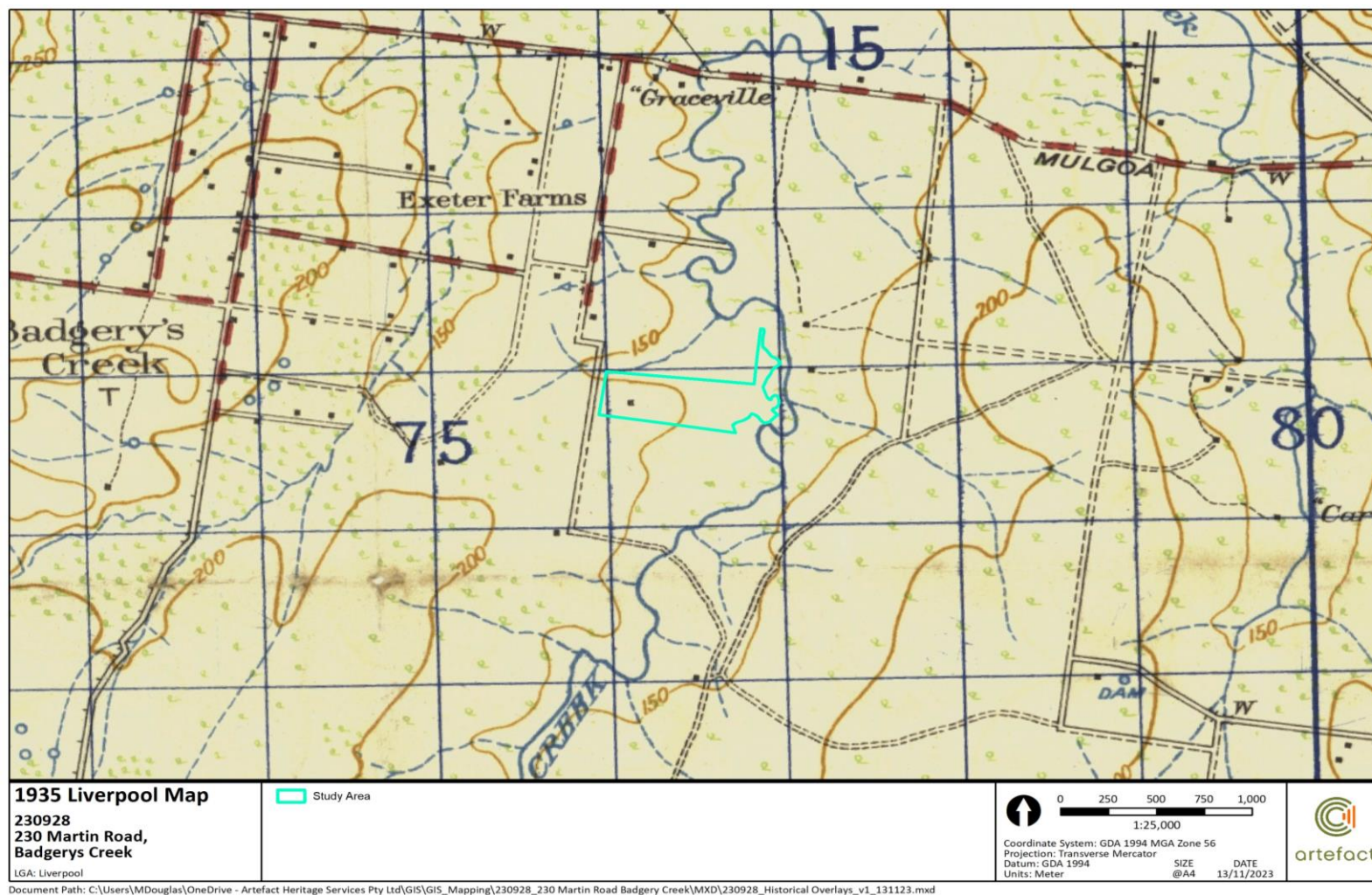


Figure 9: 1935 Map of Liverpool with potential dwelling located within the study area outlined in blue²³

²³ Great Britain. War Office. General Staff. Australian Section, cartographer & Australia. Army. Royal Australian Engineers. Survey Section, surveyor. (1935). *Liverpool, New South Wales*, accessed <http://nla.gov.au/nla.obj-446266912> (28 November 2023).

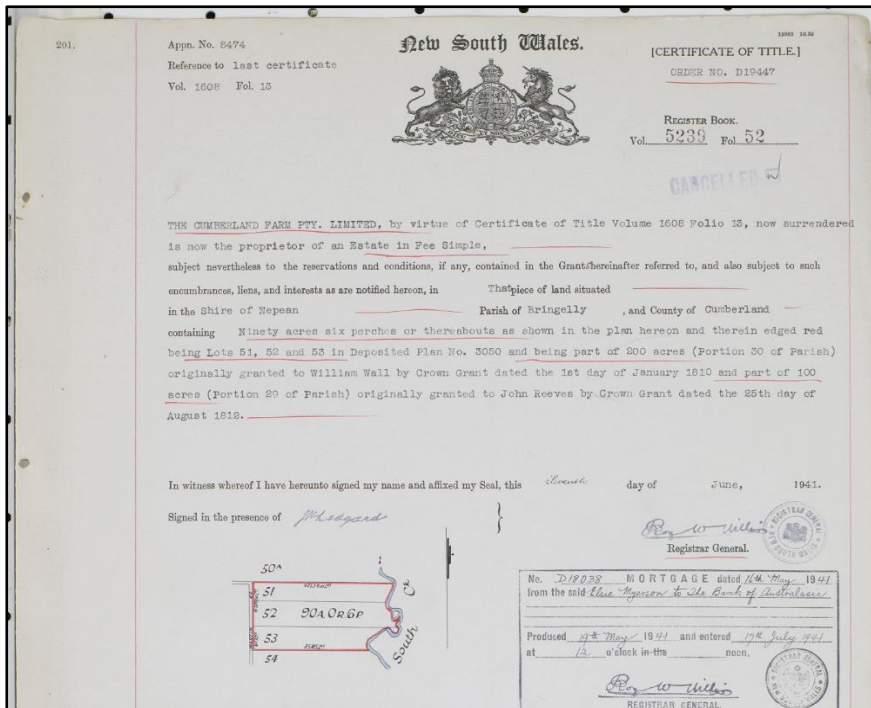


Figure 10: Certificate of Title for the study area within land lots 51, 52, and 53 granted to the Cumberland Farm PTY. LIMITED on 11 June 1941²⁴

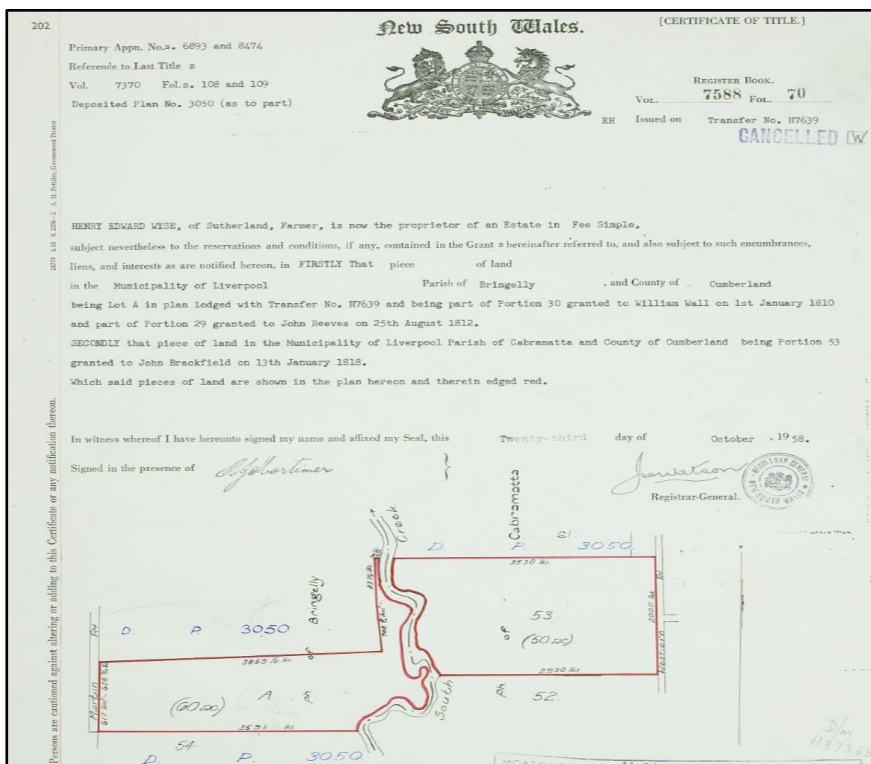


Figure 11: Certificate of Title for the current study area granted to Henry Edward Wyse (Farmer) on 13 January 1958²⁵

²⁴ Historical Land Records Viewer, Vol-Fol: 5239-52, Certificate of Title: The Cumberland Farm PTY. LIMITED, Signed the eleventh day of June 1941.

²⁵ Historical Land Records Viewer, Vol-Fol: 7588-70, Certificate of Title: Henry Edward Wyse, Signed the twenty-third day of October 1958.

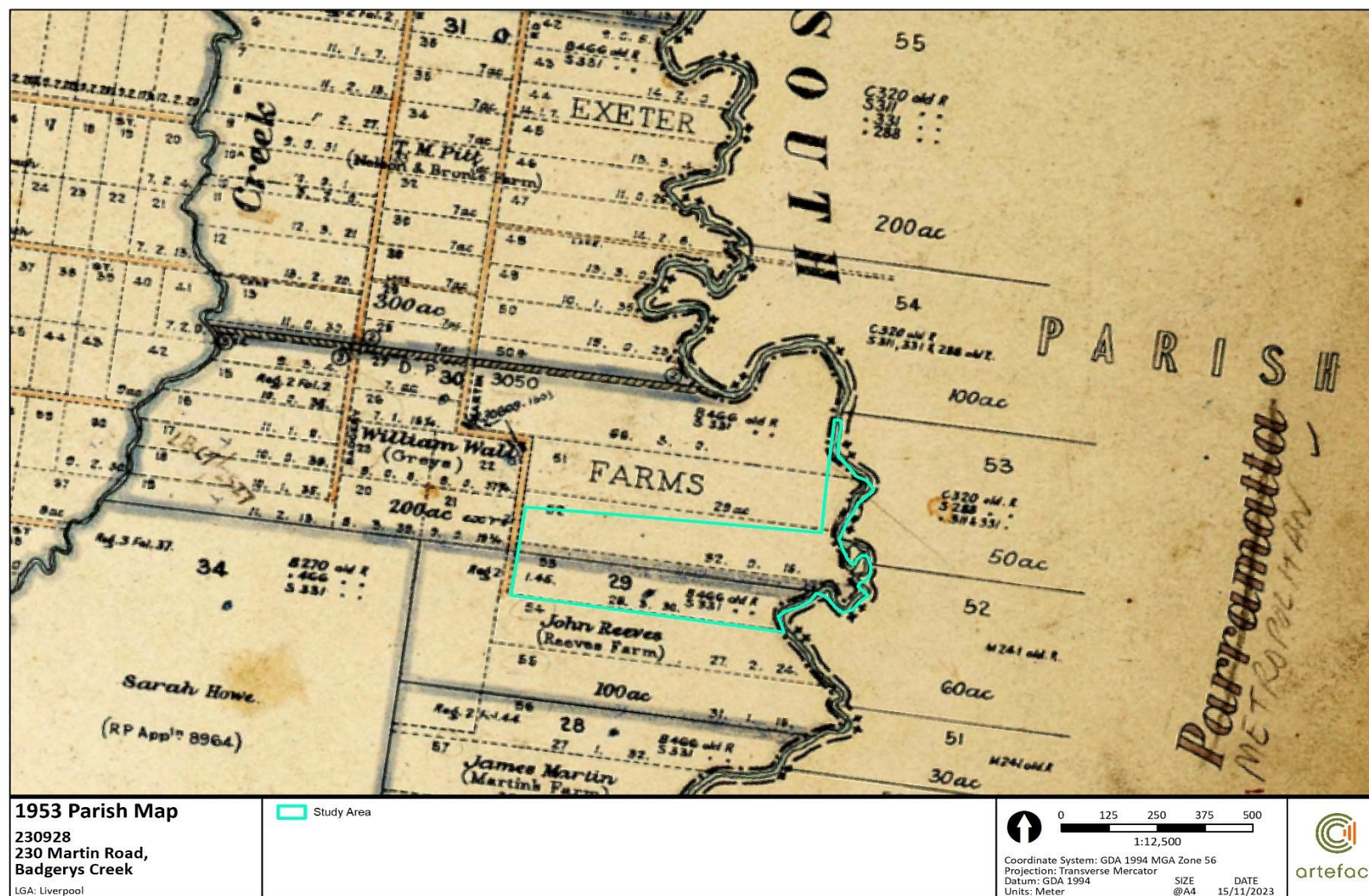


Figure 12: 1953 Parish of Bringelly map with study area outlined in blue²⁶

²⁶ Historical Land Records Viewer, Parent Collection: Historical Parish Maps, Parish Name: Bringelly, Sheet Reference: 2, Edition Number 2.



Figure 14: 1947 aerial imagery showing the general area of the study area indicated by the red arrow with no infrastructural development present²⁸



Figure 15: 1961 aerial imagery showing the study area outlined in blue with no infrastructural development present²⁹

²⁸ Historical Spatial Imagery Portal, 1947, accessed <https://portal.spatial.nsw.gov.au/portal/apps/webappviewer/index.html?id=f7c215b873864d44bccdda8075238cb> (28 November 2023).

²⁹ Historical Spatial Imagery Portal, 1961, accessed <https://portal.spatial.nsw.gov.au/portal/apps/webappviewer/index.html?id=f7c215b873864d44bccdda8075238cb> (24 November 2023).

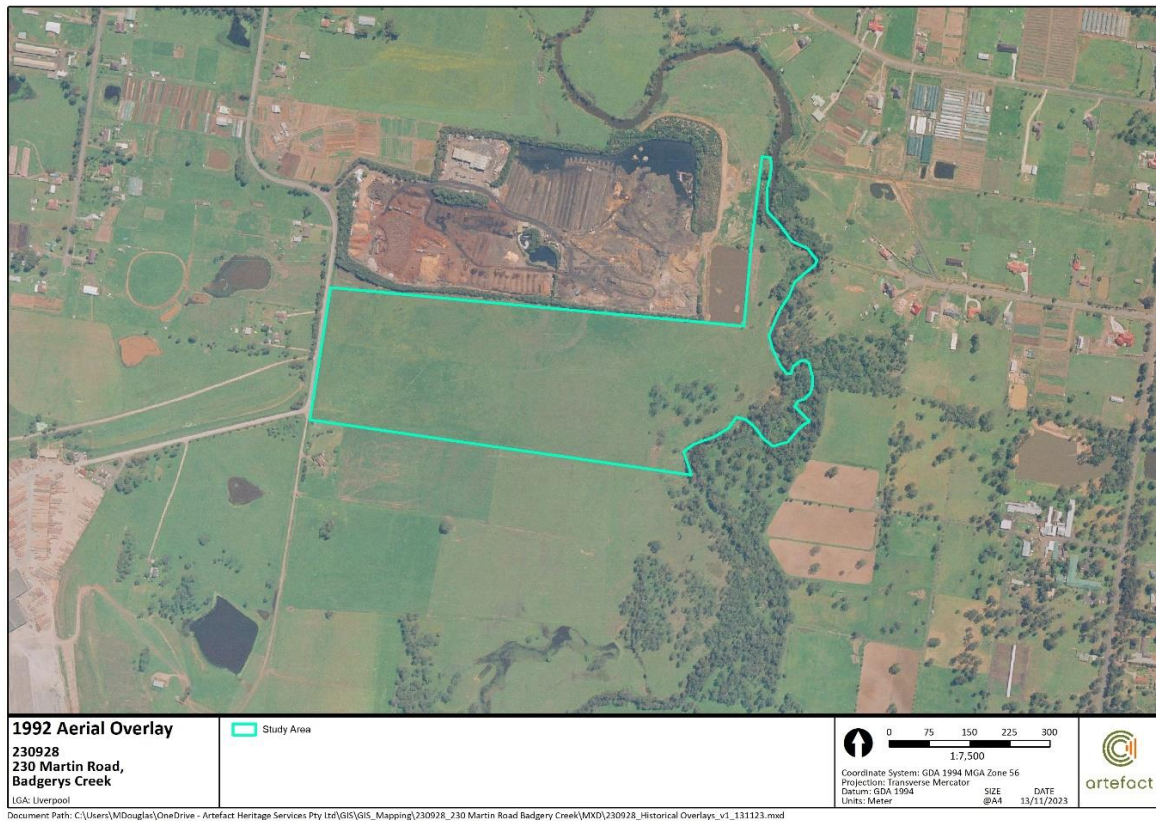


Figure 16: 1992 aerial, study area indicated by cyan (Source: Historical Spatial Viewer)

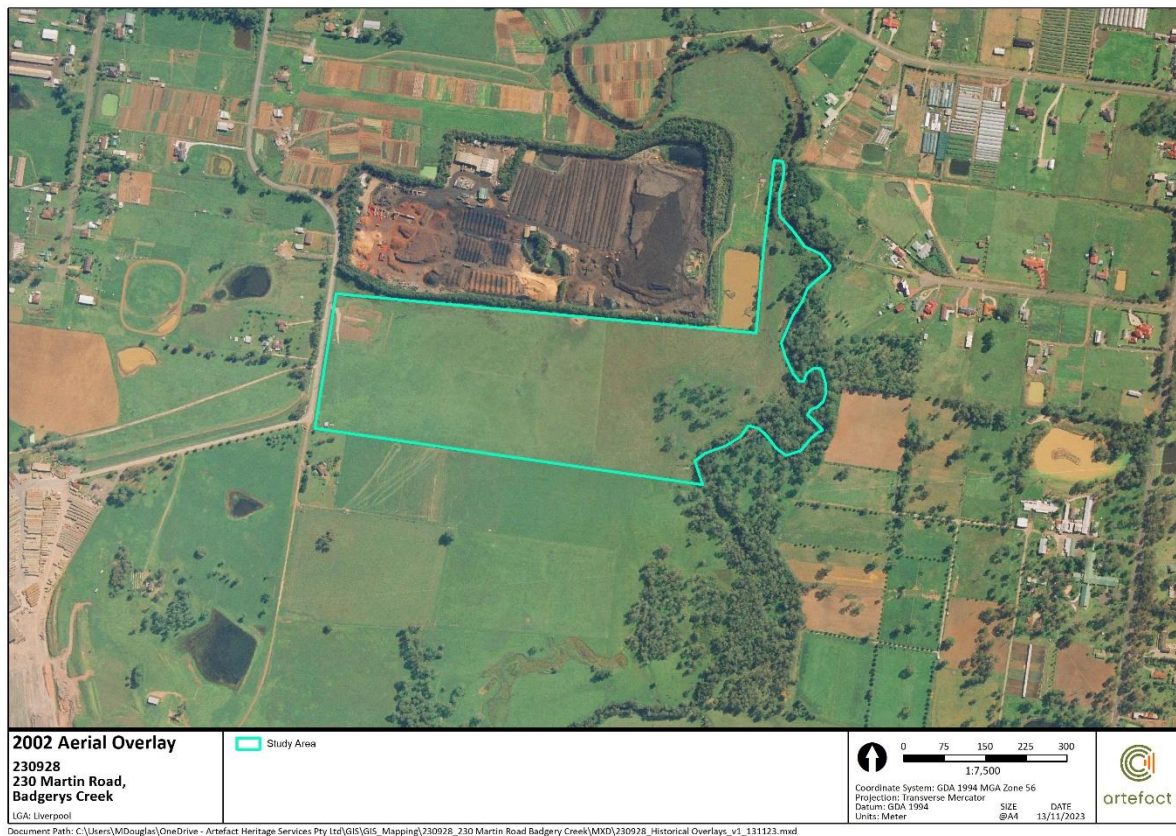


Figure 17: 2002 aerial, study area indicated by cyan (Source: Historical Spatial Viewer)



Figure 18: 2022 aerial, study area indicated by cyan (Source: Sixmaps)

4.0 PHYSICAL CONTEXT

4.1 Site Inspection

A physical inspection of the study area was undertaken by Jonny Love (Heritage Consultant) and Monika Sakal (Heritage Consultant) from Artefact Heritage and Environment on 21 November 2023 to record the current condition of the site from a built heritage and historical archaeological perspective. The aim of the site inspection was to inspect the area of proposed impacts, inform a preliminary assessment of archaeological potential, and to identify heritage items and heritage significant fabric at the station and in the vicinity that may be affected by the project. The inspection was undertaken on foot and a photographic record was made.

4.1.1 Site

The study area measures approximately 24.28 hectares which represents the entire land within Lot A of DP 406215. The study area is surrounded by a commercial property (Australian Native Landscapes) on the north, dense overgrown bush and large trees to the east, open land used for agricultural purposes to the south, and residential properties and Martin Road (access point) to the west (Figure 19). The land within the study area comprises undeveloped heavily vegetated open land, characterised by thick natural grasses with few trees, fence lines, and a large artificial water body (Figure 20, Figure 21, and Figure 22). Some exposed ground surfaces were identified, although these showed evidence of vehicle and livestock disturbance and erosion scouring. Overall, this landform was characterised by uneven, and in some instances sloping, heavily vegetated open ground.

The study area contained a number of extant structures and features. For example, a shed and concrete retaining blocks were identified on the northwest portion of the site, with a second shed present on the southwest portion of the site (Figure 23, Figure 24, Figure 25, and Figure 26). Several extant wooden fence posts were also identified across the centre of the site (Figure 27 and Figure 28). To this end, several fence lines were identified throughout the study area including one surrounding the artificial water body (Figure 29 and Figure 30). Throughout the study area, no evidence of subservice services associated with water, sewage, and electrical service was noted.

No surface archaeological remains or significant built heritage were identified within the study area during the site inspection, and no evidence of potential archaeological deposits or former structures was identified.



Figure 19: Access point to study area from Martin Road, view east



Figure 20: Study area characterised by open undeveloped land, view southeast



Figure 21: Study area showing the overgrown natural grasses and the shed located, view southeast



Figure 22: Study area with the water reservoir, commercial property, and dense bushland in the background



Figure 23: Detail of shed located on the northwest portion of the study area, view northeast



Figure 24: Detail of shed located on the northwest portion of the study area, view west



Figure 25: Exposed surface used by vehicles and livestock with concrete retaining blocks, view north



Figure 26: Shed located on the southwest portion of the study area, view north



Figure 27: Extant wooden fence posts, view east



Figure 28: Detail of extant wooden fence post, view north



Figure 29: Fenceline with commercial property in background, view north



Figure 30: Water reservoir with surrounding fence and heavily vegetated area, view east

5.0 SIGNIFICANCE ASSESSMENT

5.1 Methodology

Determining the significance of heritage items or a potential archaeological resource is undertaken by utilising a system of assessment centred on the *Burra Charter* (Australia ICOMOS 2013). The principles of the charter are relevant to the assessment, conservation and management of sites and relics. The assessment of heritage significance is outlined through legislation in the *Heritage Act* and implemented through the *NSW Heritage Manual*, the *Archaeological Assessment Guidelines*³⁰ and the document *Assessing Significance for Historical Archaeological Sites and 'Relics'*.³¹

If an item meets one of the seven heritage criteria and retains the integrity of its key attributes, it can be considered to have heritage significance (see Table 2). The significance of an item or potential archaeological site can then be assessed as being of local or State significance. If a potential archaeological resource does not reach the local or state significance threshold, then it is not classified as a relic under the *Heritage Act*.

'*State heritage significance*', in relation to a place, building, work, relic, moveable object or precinct, means significance to the State in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item.

'*Local heritage significance*', in relation to a place, building, work, relic, moveable object or precinct, means significance to an area in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item.³²

Table 2. NSW heritage assessment criteria

Criteria	Description
A – Historical Significance	An item is important in the course or pattern of the local area's cultural or natural history.
B – Associative Significance	An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history.
C – Aesthetic or Technical Significance	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.
D – Social Significance	An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons.
E – Research Potential	An item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history.
F – Rarity	An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history.
G - Representativeness	An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places of cultural or natural environments (or the cultural or natural history of the local area).

³⁰ NSW Heritage Office 1996, 25-27.

³¹ NSW Heritage Branch 2009.

³² This section is an extract based on the Heritage Office Assessing Significance for Historical Archaeological Sites and Relics 2009:6.

5.2 Existing heritage assessments

5.2.1 Statement of Significance

There is no existing statement of significance for the site and no requirement for a significance assessment to be undertaken or a statement to be written, as no heritage structures or sites are listed on the site or were discovered as part of the field survey. Accordingly, the site has no heritage significance.

5.2.2 Significant views and vistas

The site is an open landscaped environment with scattered trees and residential buildings. The views towards and through the site are consistent with the adjacent properties and none are significant from a heritage standpoint.

6.0 ARCHAEOLOGICAL ASSESSMENT

6.1 Introduction

This section discusses the study area's potential to contain historical archaeological resources. The potential for the survival of archaeological remains is significantly affected by activities which may have caused ground disturbance. This assessment is therefore based on consideration of current ground conditions, and analysis of the historical development of the study area.

'Archaeological potential' refers to the likelihood that an area contains physical remains associated with an earlier phase of occupation, activity or development of that area. This is distinct from 'archaeological significance' and 'archaeological research potential'. These designations refer to the cultural value of potential archaeological remains and are the primary basis of the recommended management actions included in this document.

6.2 Archaeological potential

The archaeological potential of each site is presented in terms of the likelihood of the presence of archaeological remains, considering the land use history and previous impacts at the site. This evaluation is presented using the following grades of archaeological potential as outlined in Table 3 below:

Table 3: Grading of archaeological potential

Grading	Rationale
Nil	No evidence of historical development or use, or where previous impacts would have removed all archaeological potential
Low	Research indicates little historical development, or where there have been substantial previous impacts, disturbance and truncation in locations where some archaeological remains such as deep subsurface features may survive
Moderate	Analysis demonstrates known historical development and some previous impacts, but it is likely that archaeological remains survive with some localised truncation and disturbance
High	Evidence of multiple phases of historical development and structures with minimal or localised twentieth century development impacts, and it is likely the archaeological resource would be largely intact

6.2.1 Land use summary

The European occupation of the study area has been divided into three general phases of historical activity, which are outlined in Table 4 below:

Table 4: Land use summary

Phase	Discussion
Phase 1: Early land grants, William Wall and John Reeves (1810-1890s)	- Northern section (Portion 30) of the study area granted to William Wall on 1st January 1810. - Southern section (Portion 29) of the study area granted to John Reeves on 25th August 1812. - The study area was open paddock possibly used for animal grazing. - No known structures other than possible boundary fencing in the study area. - Early use of the property consisted of land-clearing of native vegetation to provide pasturage. The landscape was largely modified during this phase. - Potential archaeological remains associated with Phase 1 may be associated with the initial establishment of land grants. This may include post holes representing fence posts.
Phase 2: Subdivision, property transfer, and agricultural activities (1890s-1950s)	- Certificate of Title for the land issued to a number of Farmers, including Eva Ramsey, Charles Thomas Roberts, Rebecca Francis Dean, The Cumberland Farm PTY, Richard Bain Scott Fell, and William Frederick Maskus. - Study area was divided into three lots (51, 52, and 53). - Evidence of early subdivision and land division may include post holes representing fence lines. These remains are unlikely to be well preserved in an agricultural paddock. - No documentary evidence to suggest structures or improvements upon the land at this time, except for an unidentified structure potentially on the site. However, this potential structure was only recorded on one map (1935) with earlier and later maps and aerial imagery showing no signs of the structure. For this reason, it is possible that the map was not historically accurate. - Potential archaeological remains associated with Phase 2 agricultural activities may include the establishment of light-weight undocumented timber structures associated with yard structures, such as paddocks, pig sties or calf pens may have occurred during this phase.
Phase 3: Subdivision (1950s-present)	- Land purchased by Henry Edward Wyse in 1957 and appears to have remained undeveloped until the present, except for limited farming infrastructure including two farm sheds and a livestock enclosure. - Land was subdivided into its current land boundaries during this time. - The study area was open paddock used for animal grazing.

6.2.2 Previous ground disturbance

The study area is located within a zone that has historically been characterised as rural in nature. The dominant activities within the vicinity from the nineteenth century onwards would be a mix of agricultural activity, including pastoralism and farming. The earliest detected parish maps and property plans indicate limited subsurface impacts occurred during these early phases of pastoral activity. Ploughing works would typically impact the soil profile to at least a depth of approximately 300 millimetres. Although there is no documented evidence to suggest that any structures were established inside or within the vicinity of the study area during the nineteenth century, early ground disturbance may have been present in the form of land clearing by tree felling and burning, animal activity, yard structures, fencing and excavation for water features including dams.

While there was a significant amount of development within the wider region which included the Exeter Farm Estate (housing and other structures), there appears to have been no development within the study area.

Historical plans and aerials imagery from the twentieth century to the present demonstrate that limited development of the study area occurred during this time. The farm sheds and livestock enclosure encountered during the physical inspection (Section 4.1) appear to be the only improvements made on the land. Land clearing and pastoral activities have altered the landscape of the study area. Ongoing development to the north of the study area associated with the commercial property (Australian Native Landscapes) has involved bulk earthworks; however, those works have not directly impacted the study area.

6.2.3 Previous relevant investigations

6.2.3.1 Within study area

No archaeological excavations have been undertaken within the study area. However, the study area has been subject to a previous heritage assessment as part of the Western Sydney Aerotropolis Aboriginal and Non-Aboriginal Cultural Heritage Assessment prepared by Extent Heritage in October 2020.³³ The report assessed the archaeological potential within the study area, with the relevant findings presented below.

Extent Heritage (2020), Western Sydney Aerotropolis Aboriginal and Non-Aboriginal Cultural Heritage Assessment, 230 Martin Road Badgerys Creek³⁴

This report was prepared to assess the built, Aboriginal, and historical archaeological heritage components for the Western Sydney Aerotropolis project, which included providing a high-level list of identified and potential archaeological sites in the area that includes Badgerys Exeter Farm. As part of the historical archaeological assessment, a brief assessment of archaeological potential for the study area was prepared.

The Extent reports notes that 230 Martin Road Badgerys Creek is a potential archaeological site (Site ID: 307), with the study area being a site that potentially contains an unidentified structure built before 1917.³⁵ As a result, the assessment provided the following heritage management and planning control recommendations for the study area:

- Undertake additional research and assessment to determine physical condition and heritage significance.
- Future development on this site must consider potential archaeological impacts

It is noted that this high-level report by Extent Heritage did not provide any detailed assessment of the study area or the unidentified structure that was located on the site. Instead, the report simply outlines that the study area is a comprised site that contains potential for remains associated with a structure built before 1917. This assessment was likely based on documentary evidence including historical plans and maps. No physical inspection of the site was undertaken for that assessment, which was based on a desktop study.

Although Extent Heritage provided no direct evidence of the unidentified built before 1917, it is likely this assessment of potential is based on the 1935 Liverpool Map which shows a potential house

³³ Extent Heritage (2020), Western Sydney Aerotropolis Initial Precincts: Draft Aboriginal and non-Aboriginal Cultural Heritage Assessment, Report prepared for Western Sydney Planning Partnership October 2020.

³⁴ *ibid.*

³⁵ *ibid.* P. 559.

structure located within the western portion of the site near Martin Road (Figure 9).³⁶ However, no other detected historical plans dated to this time (early-twentieth century) show signs of this unidentified structure and no documentary evidence refers to the structure. Additionally, historical plans and aerial imagery from the 1940s onward show no sign of this structure within the study area. For this reason, it is possible that the map was not historically accurate. As a result, the additional research and assessment have concluded that the study area contains **nil-low** potential for remains associated with this unidentified structure. This is consistent with the assessed level potential for the study area as outlined in Section 6.2.4 and with the site inspection for the study area as outlined in Section 4.1 which identified no physical heritage within the site.

6.2.3.2 Outside study area

A number of historical archaeological assessments and investigations have also been prepared and undertaken around the study area including:

- Sydney Metro Western Sydney Airport Technical Paper–non-Aboriginal Heritage Assessment,³⁷
- 30-40 Martin Road Badgerys Creek,³⁸
- Elizabeth Drive Enterprise Precinct Heritage,³⁹
- Heritage Constraints Report – 1990 Elizabeth Drive Badgerys Creek,⁴⁰
- Western Sydney Zero Emissions Buses – Bradfield Layover non-Aboriginal SoHI,⁴¹
- Bradfield City Centre First Building SoHI.⁴²

The archaeological investigations managed at 30-40 Martin Road and Bradfield City Centre are presented below due to their close proximity and similar landform to the current study area, and as an indicator of the levels of archaeological preservation and potential that can be observed within the region.

Artefact Heritage (2023), 30-40 Martin Road Badgerys Creek: Statement of Heritage Impact⁴³

As part of a new development associated with the property at 30-40 Martin Road Badgerys Creek, a SoHI was prepared for the project as part of the requirements for the State Significant Development (SSD) application. The assessment took place approximately 1.43 km north of the study area.

The archaeological assessment component of the SoHI assessed the following archaeological potential within the study area:

³⁷ Artefact Heritage (2020), Sydney Metro – Western Sydney Airport Technical Paper: Non-Aboriginal Heritage, Report to Sydney Metro Authority, October 2020.

³⁸ Artefact Heritage (2023), 30-40 Martin Road Badgerys Creek: Statement of Heritage Impact, Report to SOILCO Developments PTY Ltd, P. 33-34.

³⁹ Artefact Heritage (2019), Elizabeth Drive Enterprise Precinct Heritage Advice Memo, Report to Mirvac, April 2019.

⁴⁰ Artefact Heritage (2021), Heritage Constraints Report – 1990 Elizabeth Drive, Badgerys Creek, NSW, Report to 1990 Developments Pty Ltd.

⁴¹ Artefact Heritage (2023), Western Sydney Zero Emissions Buses – Bradfield Layover: Non-Aboriginal Statement of Heritage Impact, Report to WSP Australia Pty Ltd on behalf of TfNSW, August 2023.

⁴² Extent Heritage (2022), Bradfield City Centre First Building: Statement of Heritage Impact, Report Prepared for Western Parkland Authority.

⁴³ Artefact Heritage (2023), 30-40 Martin Road Badgerys Creek: Statement of Heritage Impact, Report to SOILCO Developments PTY Ltd, P. 33-34.

- Nil to low archaeological potential for historical archaeological remains due to the continued pastoral activity dating from the early nineteenth century within the study area. This continued pastoral activity over time significantly reduces the likelihood for archaeological remains to survive.
- Potential remains associated with early pastoralism may include timber posts, postholes, tree boles, evidence of burning palynological evidence of native flora and sporadic or isolated artefacts that may have been lost or discarded.

Extent Heritage (2022), Bradfield City Centre First Building: Statement of Heritage Impact⁴⁴

In 2022, Extent Heritage was engaged by Western Parkland City Authority (WPCA) to prepare a SoHI for the Advanced Manufacturing Research Facility (AMRF) – the Bradfield City Centre First Building. The assessment took place approximately 3.9 km to the southwest of the current study area.

The archaeological assessment component of the SoHI assessed the following archaeological potential contained within the study area:

- Low archaeological potential for historical archaeological remains associated with all phases of the site, beginning with British exploration and survey from 1788-1804 to late twentieth century development (1945-2000). This assessed level of potential is due to the limited structural development and continued pastoral activity within the study area.
- Potential archaeological remains within the study area may include postholes, fence lines, tracks, and isolated artefacts that may have been lost or discarded.

Artefact Heritage (2023), Western Sydney Zero Emissions Buses – Bradfield Layover: Non-Aboriginal Statement of Heritage Impact⁴⁵

As part of the Bradfield Bus Layover site, which forms part of the Bradfield City Centre Masterplan and the Zero Emission Buses Transition Plan, a SoHI was prepared to provide an assessment of potential impacts of the proposed development on historical (non-Indigenous) heritage. The assessment took place approximately 3.7 km northeast of the current study area.

The archaeological assessment component of the SoHI assessed the following archaeological potential contained within the study area:

- Nil to low archaeological potential for historical archaeological remains due to land clearance, continued pastoral activities, and limited structural development within the study area from the nineteenth century.
- Potential archaeological remains within that study area may include fence lines, remnant timber post holes, and isolated artefacts that may have been lost or discarded.

⁴⁴ Extent Heritage (2022), Bradfield City Centre First Building: Statement of Heritage Impact, Report Prepared for Western Parkland Authority.

⁴⁵ Artefact Heritage (2023), Western Sydney Zero Emissions Buses – Bradfield Layover: Non-Aboriginal Statement of Heritage Impact, Report to WSP Australia Pty Ltd on behalf of TfNSW, August 2023.

The summary of archaeological potential has been extracted, in part, from the 2023 SoHI due to the site's similar location and landform to the current study area which includes undeveloped heavily vegetated land:⁴⁶

Potential archaeological remains... would be linked to the initial establishment of land grants and with early agricultural activity. The following activities may have occurred within the study area during this period: land clearance, the erection of fencing, and agricultural activities, primarily the growing of grain crops. It is possible that undocumented outbuildings or evidence of water management were also constructed during this period.

6.2.4 Summary of historical archaeological potential

Based on the review of the information obtained from historical sources, previous archaeological works in the surrounding area, and the current condition of the site, it can be concluded that the study area has **nil-low** potential to contain historical archaeological remains due to the continual use of the site as a farming area.

Potential archaeological remains associated with Phases 1-2 would be linked to the initial establishment of land grants, transfer of property, subdivision of land, and with early agricultural activity. Agricultural activities during these phases may have included land clearance, the erection of fencing and timber posts, tree boles, the growing of grain crops, and isolated artefacts that may have been lost or discarded. It is possible that undocumented timber outbuildings or water management infrastructure were constructed during this period.

There is no documented evidence to suggest that significant structures were constructed within the study area during these phases, except for a potential structure located on the study area as identified by the 1935 Liverpool Map (Figure 9). However, the physical inspection of the site and the documentary evidence – including historical maps, plans, and aerial imagery – from this time show no signs of this unidentified structure. As a result, the additional research and assessment concluded that the study area contained **nil-low** potential for remains associated with this unidentified structure.

The study area appears to have undergone land clearance and stumping most likely utilised for grazing. If the boundary of the site was unfenced, there is a chance the study area could have contained structures such as troughs for horses, calf pens, pigsties, milking yards and stock yards. While these undocumented former structures may have existed, they are archaeologically ephemeral and are unlikely to have been preserved even with minor levels of ground disturbance. Large areas of land clearance may have occurred within these phases, and there may be evidence of backfilled tree boles due to land clearance.

Potential remains associated with the construction of boundary fence lines between land grants and paddocks would likely take the form of timber and post holes. Although the physical inspection of the study area (Section 4.1) identified remnant timber posts, there is no clear evidence to suggest these remains are associated with these early phases. Rather, the extant timber posts are likely the remains of a modern discontinued wire fence line associated with Phase 3. The timber posts would have been placed periodically across the land and connected by the wire, forming the fence line. As a result, it is unknown if a boundary fence was erected during Phases 1-2; however, the use of timber post likely connected by wire indicates these extant timber posts represent a discontinued modern fence line from Phase 3. This is consistent with earlier fencing found in rural areas across Australia which was

⁴⁶ Artefact Heritage (2023), Western Sydney Zero Emissions Buses – Bradfield Layover: Non-Aboriginal Statement of Heritage Impact, Report to WSP Australia Pty Ltd on behalf of TfNSW, August 2023, P. 31.

typically characterised by the post-and-rail method of construction and not periodic timber posts connected by wire.⁴⁷

Historical plans and aerial imagery from the mid to late-twentieth century until the present (Phase 3) demonstrates that no development within the study area occurred during this time. For these reasons, the assessment concludes that there is **nil-low** potential for archaeological resources associated with Phases 1-3 within the study area.

On balance, this assessed level of potential is consistent with early land grants and certificates of title, historical mapping and aerial imagery which shows the site was used for agricultural and farming activities since the nineteenth century to the present. This assessed level of potential is also consistent with the previous relevant investigations (Section 6.2.3) managed within the surrounding area which identifies this region as containing limited development due to its continued use for agricultural activities. Table 5 below provides a summary of the type of potential archaeological remains and their likelihood of survival relative to the phase of historical development they are associated with.

Table 5: Historical archaeological potential summary

Phase	Potential archaeological resources	Archaeological potential
Phase 1: Early land grants, William Wall and John Reeves (1810-1890s)	Evidence of vegetation removal/landscape modification such as tree boles, plough marks, terracing Evidence of fence lines/boundaries i.e. postholes Environmental data/ecological samples	Nil-Low
Phase 2: Subdivision, property transfer, and agricultural activities (1890s-1950s)	Evidence of early subdivision and land division may include post holes representing fence lines. Evidence of the unidentified structure may include footings or timber remains. Potential remains associated with this structure would be ephemeral and unlikely to be well-preserved.	Nil-Low
Phase 3: Subdivision (1950s-present)	Land was purchased by Henry Edward Wyse in 1957 and appears to have remained undeveloped until the present. There are no anticipated remains except for extant timber posts likely from this phase.	Nil-Low

6.3 Archaeological significance

The assessment concluded that there is **nil-low** potential for archaeological resources associated with Phases 1-3 to be present within the study area. As a result, a significance assessment for the archaeological resource is not required.

In the unlikely event that any unexpected archaeological remains are identified during the proposed work, the project would be required to continue under the Unexpected Finds Procedure (UFP) to ensure the remains are appropriately managed.

⁴⁷ John Pickard, Illustrated glossary of Australian rural fence terms, NSW Government: Department of Planning, Heritage Council of New South Wales, P. 14.

6.4 Summary of historical archaeological potential and significance

This archaeological assessment has identified **nil-low** potential for historical archaeological remains associated with Phase 1, Phase 2, and Phase 3. These remains are summarised in Table 6.

Table 6: Historical archaeological potential ad significance

Phase	Anticipated remains	Potential	Significance
Phase 1: Early land grants, William Wall and John Reeves (1810-1890s)	Ephemeral evidence of vegetation removal/landscape modification such as tree boles, plough marks, terracing Evidence of fence lines/boundaries i.e. postholes Environmental data/ecological samples	Nil-Low	No significance
Phase 2: Subdivision, property transfer, and agricultural activities (1890s-1950s)	Evidence of early subdivision and land division may include post holes representing fence lines. Evidence of the unidentified structure may include footings or timber remains. Potential remains associated with this structure would be ephemeral and unlikely to be well-preserved.	Nil-Low	No significance
Phase 3: Subdivision (1950s-present)	Land was purchased by Henry Edward Wyse in 1957 and appears to have remained undeveloped until the present. There are no anticipated remains except for extant timber posts likely from this phase.	Nil-Low	No significance

7.0 THE PROPOSED WORKS

7.1 The proposed works

The proposal seeks approval for two contemporary warehouse or distribution centre buildings at 230 Martin Road, Badgerys Creek. Specifically, the development will comprise:

- Site clearance works, including the removal of existing structures and trees
- Bulk earthworks and the installation and augmentation of utilities infrastructure and other services
- Construction and operational use of two warehouse or distribution centres containing ancillary offices, amenities and manufacturing use (in lot 1 only) with associated parking, landscaping and access
- Other ancillary works

The following design drawings prepared by EMKC³ have been assessed in this SoHI, see below:

Drawing	Title	Scale	Date
000	Proposed Estate Plan	1:5000	14/09/2023
001	Proposed Subdivision Site Plan	1:3000	26/11/2025
002	Zoning Site Plan	1:2500	26/11/2025
003	Proposed Masterplan w Built Form	1:2500	26/11/2025
004	Proposed Site Plan	1:1000	26/11/2025
005	Proposed Spec Site Plan	1:1000	26/11/2025
008	Proposed Roof Plan Lot 1	1:1000	11/10/2023
009	Proposed Roof Plan Lot 2	1:1000	15/02/2024
120	Proposed Office 1 GF Plan	1:100	14/09/2023
121	Proposed Office 1 L1 Plan	1:100	14/09/2023
122	Proposed Office 2A GF Plan	1:100	14/09/2023
123	Proposed Office 2A L1 Plan	1:100	14/09/2023
124	Proposed Office 2B GF Plan	1:100	14/09/2023
125	Proposed Office 2B L1 Plan	1:100	14/09/2023
210	Proposed Warehouse 1 Elevations	1:500	19/10/2023
211	Proposed Warehouse 2 Elevations	1:500	19/10/2023
220	Proposed Office 1 Elevations	1:200	19/02/2023
221	Proposed Office 2A Elevation	1:200	19/10/2023
222	Proposed Office 2B Elevation	1:200	19/10/2023
800	Proposed Material Finishes Schedule	1:0	14/09/2023
900	Proposed Perspectives	1:0	14/09/2023
901	Proposed Perspectives	1:0	14/09/2023

The proposed estate plan is depicted below (Figure 31), refer to the accompanying drawing set.



Figure 31: Proposed site plan for two warehouses at 230 Martin Road, Badgerys Creek (Source: EKMC³, April 2026)

8.0 HERITAGE IMPACT ASSESSMENT

8.1 Overview

This section assesses the heritage impact of the proposed works at the study area on heritage values within the study area. Justifications are also provided for the proposed works.

Within this approach, the objective of a heritage impact assessment is to evaluate and explain how the proposed works will affect the heritage value of the study area and/or place. A heritage impact assessment should also address how the heritage value of the site/place can be conserved or maintained, or preferably enhanced by the proposed works.

In order to consistently identify the impact of the proposed works, the terminology contained in the following table has been references throughout this document. The terminology and definitions are based on those contained in guidelines produced by the International Council on Monuments and Sites (ICOMOS)⁴⁸ and the Heritage Council of NSW⁴⁹ and are shown in Table 7.

Table 7: Terminology for assessing the magnitude of heritage impact.

Grading	Definition
Major adverse	Actions that would have a severe, long-term and possibly irreversible impact on a heritage item. Actions in this category would include partial or complete demolition of a heritage item or addition of new structures in its vicinity that destroy the visual setting of the item. These actions cannot be fully mitigated.
Moderate adverse	Actions that would have an adverse impact on a heritage item. Actions in this category would include removal of an important part of a heritage item's setting or temporary removal of significant elements or fabric. The impact of these actions could be reduced through appropriate mitigation measures.
Minor adverse	Actions that would have a minor adverse impact on a heritage item. This may be the result of the action affecting only a small part of the place or a distant/small part of the setting of a heritage place. The action may also be temporary and/or reversible.
Negligible	Actions that are so minor that the heritage impact is considered negligible.
Neutral	Actions that would have no heritage impact.
Minor positive	Actions that would bring a minor benefit to a heritage item, such as an improvement in the item's visual setting.
Moderate positive	Actions that would bring a moderate benefit to a heritage item, such as removal of intrusive elements or fabric or a substantial improvement to the item's visual setting.
Major positive	Actions that would bring a major benefit to a heritage item, such as reconstruction of significant fabric, removal of substantial intrusive elements/fabric or reinstatement of an item's visual setting or curtilage.

⁴⁸ Including the document Guidance on Heritage Impact Assessments for Cultural World Heritage Properties, ICOMOS, January 2011.

⁴⁹ <https://www.environment.nsw.gov.au/resources/heritagebranch/heritage/material-threshold-policy.pdf>

Table 8: Terminology for heritage impact types

Impact	Definition
Physical	Impacts resulting from works located within the curtilage boundaries of the heritage item.
Potential physical	Impacts resulting from increased noise, vibrations and construction works located outside the curtilage boundaries of the heritage item.
Visual	Impact to views, vistas and setting of the heritage item resulting from proposed works outside the curtilage boundaries of the heritage item.
Archaeological	Impacts to potential archaeological remains located within the curtilage boundaries of the heritage item.

8.1.1 Physical heritage impacts

Whilst the works would physically impact the site through excavation works, and the construction of the new facilities, the overall site does not meet the criteria for local or state heritage significance as there are no heritage structures on the site and a **nil-low** likelihood of historical archaeological remains. Based on this, the proposed works would result in a **neutral** physical impact on the site.

Physical impact: Neutral

8.1.2 Visual heritage impacts

The site and neighbouring properties within the project boundary are open rural landscapes and while the proposed warehouse buildings would visually impact the views to and from the site, these are not heritage views. Therefore, the proposed works would result in a **neutral** visual heritage impact on the site.

Visual impact: Neutral

8.1.3 Impacts to archaeological resources

The study area has been assessed as having a **nil-low** potential to contain significant archaeological remains associated with Phase 1, Phase 2, and Phase 3.

In the unlikely event that any unexpected archaeological remains are identified during the proposed work, the project would be required to continue under the Unexpected Finds Procedure (UFP) to ensure the remains are appropriately managed. The guidelines for the UFP are outlined in the recommendations and mitigation measures (Section 9.3).

Archaeological impact: Neutral

9.0 CONCLUSION

9.1 Conclusion

Based on the assessment of this SoHI, the following key findings have been identified:

- 230 Martin Road, Badgerys Creek is not listed on any statutory or non-statutory heritage registers.
- The study area has no built items which have the potential for State or local heritage significance.
- The study area has generally **nil-low** potential to contain substantial intact historical archaeological remains associated with Phases 1-3 due to its continued use for agricultural purposes.
- Due to the **nil-low** potential for substantial and intact archaeological remains within the study area, it is assessed that the proposed works would result in **neutral** impacts to significant historical archaeological remains.
- Based on the proposed works as outlined in Section 7.0, the proposal would not result in any physical or visual heritage impacts to 230 Martin Road, Badgerys Creek or the surrounding lots.

9.2 Approval pathway

The proposal comprises a State Significant Development (SSD- 65529236), subject to the Planning Secretary's Environmental Assessment Requirements, issued on the 21 December 2023. This Statement of Heritage Impact would form part of an Environmental Impact Statement for the project.

If 50 or more unique submissions are received, or Liverpool City Council object to the application, the SSDA will be determined by the Independent Planning Commission.

9.3 Recommendations and mitigation measures

It is recommended that the following mitigation measures are implemented prior to and during the proposed works:

- As the archaeological potential of the study area has been assessed as generally **nil-low** with only the potential for extant remains associated with the modern farming infrastructure, it is recommended that potential archaeological resources be managed through an Unexpected Finds Procedure (UFP) that is developed for the proposal.
- All staff involved in the proposed works, including design professionals and tradespeople, must receive a heritage induction prior to the commencement of works. The heritage induction should cover the UFP and the appropriate steps to follow in the event that an unexpected archaeological find is encountered. Clear lines of communication must be established for the reporting of any such finds and for procedures to be rapidly implemented.

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