

A stylized topographic map with green contour lines is positioned on the left side of the page, extending from the top left towards the bottom left. The lines represent elevation changes, with some forming circular peaks and others following more irregular, wavy paths.

The Belmore Road Precinct – Historical Heritage Study

CKDI Bringelly Pty Ltd atf

DOCUMENT TRACKING

Project Name	The Belmore Road Precinct- Historical Heritage Study
Project Number	SYD19 - 14551
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Approved by	David Bonjer
Status	Final
Version Number	4
Last saved on	30 June 2022

This report should be cited as 'Eco Logical Australia 2022. *The Belmore Road Precinct Historical Heritage Study*. Prepared for CKDI Bringelly Pty Ltd atf

ACKNOWLEDGEMENTS

This document has been prepared by Eco Logical Australia Pty Ltd with support from CKDI Bringelly Pty Ltd atf

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Template 2.8.1

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1. Introduction

1.1 Background

Eco Logical Australia (ELA) has been commissioned by CKDI Bringelly Pty Ltd atf (CKDI) to prepare a Historical Heritage Study and Statement of Heritage Impact to assist CKDI in the Precinct Planning processes for land located within the Belmore Road Precinct within South West Growth Area (SWGA) which is being progressively rezoned to support residential growth.

In 2018 ELA prepared a desktop Aboriginal and historical heritage constraints assessment, for the Northwest land package that makes up part of the South Creek West Precincts, Bringelly, NSW (Figure 1). The report found that historical heritage constraints were considered low as there are no known historical archaeological sites or heritage items within the study area, however field survey was recommended to assess archaeological potential. In addition, preparation of a Heritage Impact Statement (HIS) was recommended due to the close proximity of three locally listed heritage items Bringelly Public School (to the north), Maryland (to the south) and a Fibro House to the east, to assess any impacts of the proposal on the significance of those items.

This report will identify and assess any potential impacts to any archaeological sites in the study area and assess any impacts to the significance of heritage items in the vicinity as a result of the proposal. Where necessary mitigative measures and recommendations for the long-term conservation of heritage values will be provided.

1.2 Study area location

The study area, known as the Belmore Road Precinct, is an irregular land parcel made up of 59 allotments measuring 187.3ha in area. The study area is bounded by The Northern Road to the east, Greendale Road to the north, PGH Brick and Paver facility to the west and farming properties to the south. The study area falls within the suburb of Bringelly, in the Camden Council Local Government Area (LGA) and forms part of Sydney's SWGA (Figure 1).

1.3 Proposal

Rural land in the SWGA is progressively being released and rezoned for residential development and will connect new suburbs with the planned Western Sydney Airport at Badgerys Creek and the broader Western Sydney Employment Area. The study area is currently zoned for agricultural purposes and the Draft Indicative Layout Plan (ILP) for the site proposes a range of housing densities, protection of the riparian corridor, open space for sport and recreation as well as a school, local shopping facilities and transport links (Figure 12).



Figure 1: Location of the study area

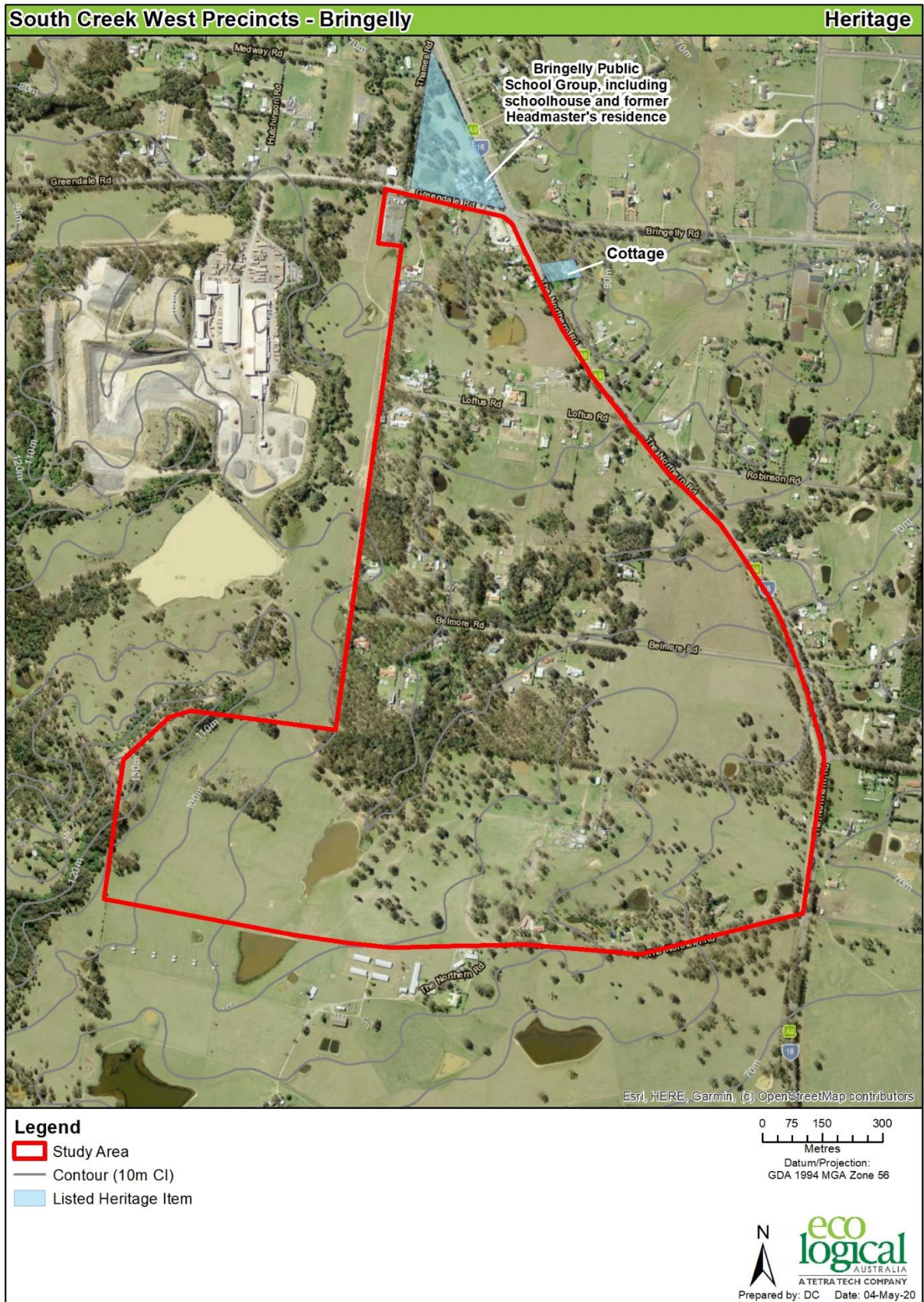


Figure 2 Location of study area in relation to locally listed heritage items School to the north and Fibro House to the east

1.4 Methodology

This Heritage Impact Statement has been prepared in accordance with the NSW Heritage Manual 'Statements of Heritage Impact' (2002) and 'Assessing Heritage Significance' (2001) guidelines. The philosophy and process adopted is that guided by the *Australia ICOMOS Burra Charter* 1999. The subject proposal has also been assessed in relation to the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (Sydney Region Growth Centres SEPP)¹.

1.5 Author identification

This report has been prepared by Karyn McLeod, ELA Principal Heritage Consultant, (BA Hons [Archaeology] University of Sydney, MA [Cultural Heritage] Deakin University) and reviewed by Jennifer Norfolk (MSc. Marine Archaeology Southampton University).

¹ Note the Sydney Region Growth Centres SEPP has now been repealed and replaced by the *State Environmental Planning Policy (Precincts – Western Sydney Parkland) 2021* (Western Sydney Parkland SEPP)

2. Site context

2.1 Site history

In 1805, John Macarthur circumvented a law preventing settlement of the area known as the ‘Cowpastures’ to the south west of the Nepean River and was granted 5000 acres of land he named ‘Camden’. It was not until 1812 that further land in the area was granted by Governor Macquarie. Robert Lowe was one of the earliest settlers in the area after he was granted 1,000 acres he named ‘Birling’ in 1812. The creek which was the southern boundary of his property is known as Lowes Creek. Around 1814 William Hutchinson was granted two adjoining allotments totalling 850 acres to the north and east of Birling. In 1816, 3,000 acres south of Lowes Creek was granted to John Dixon which was known as ‘Nonorrah’. The area known as the Cowpastures appealed to European settlers because there was little undergrowth to discourage the lush grasses that made it ideal for grazing cattle. By 1818 most of the Cowpastures land located in Parish of Cook, County Cumberland had been settled and was cleared for farming (Denbigh SHR listing).

A parish map dated to 1883 (Figure 3) demonstrates that the southern portion of the study area is located on part of Lowe’s Birling estate, while the majority of the study area is located on Hutchinson’s grant. William Hutchinson was a convict who arrived in Sydney in 1799. He was sent to Norfolk Island where he gained the trust of the Governor and was appointed superintendent of convicts, a position he also held in Sydney until 1823. He became a close associate and confidant of Governor Macquarie and was granted considerable property in Sydney, the Cowpastures, the Illawarra and Southern Tablelands becoming a pastoralist, director of the Bank of New South Wales, director of the Marine Insurance Co. and the Australian Wheat and Flour Co., and in 1840 was one of the first directors of the Mutual Fire Insurance Association. Hutchinson died in 1846 leaving a considerable fortune and land portfolio to his eight children (Australian Dictionary of Biography). The Cowpastures farm was used for pastoral activities and Hutchinson family did not live there. It was subdivided into 50-acre allotments and the study area was purchased by A and FC Whiteman who leased it for dairying. A 1914 parish map reveals that all of Hutchinson’s land had been subdivided into five-acre allotments and Loftus and Belmore Roads within the study area had been laid out. The southern part of the study area on Lowe’s property remained a farming land.

Robert Lowe and his family arrived in Sydney in 1812 as free settlers. He brought an official letter testifying to his respectability and wealth, recommending him for a liberal land grant. Macquarie granted him 1000 acres at Bringelly in August 1812 and a further 500 acres in 1818. He extended the property by buying land in the area until in 1828 it amounted to 5600 acres. He also held 1280 acres at Liverpool. Lowe was a magistrate in 1815 for the Bringelly and Cooke districts and in 1820 for the County of Cumberland. He took an active part in the affairs of the Campbelltown district, was a member of the Agricultural Stock Club, vice-president of the Benevolent Society, was sympathetic to the plight of Aboriginal people and warmly praised Macquarie’s administration. Lowe lived at Birling and his wife Sarah took over the management of the pastoral property after his death in 1832, expanding it beyond Lowes Creek by purchasing some of Dixon’s Nonorrah property (Australian Dictionary of Biography). After 1880, Birling passed through multiple hands, remaining a pastoral property until 1959 when it was subdivided (Tropman and Tropman 2017).

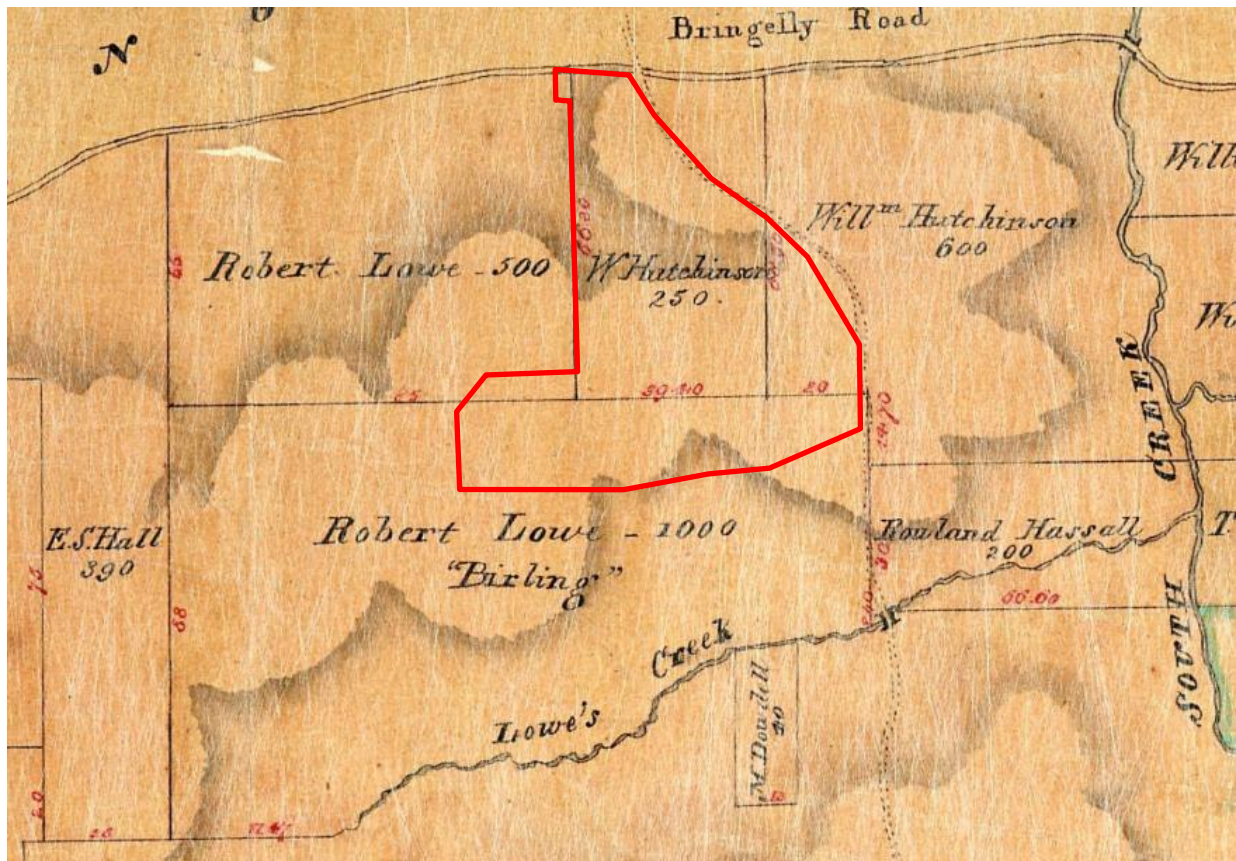


Figure 3: The study area overlain onto 1883 Parish of Cook map (HLRV LPI)

From the 1840s, the Northern Road traversed northward from Cobbitty Road through Dixon's property in the south, along the boundary of Lowe's property and through Hutchinson's property to meet Bringelly Road in the north. The road provided access to numerous land grants along its route. The study area does not contain any of the original homesteads or farming infrastructure associated with the early land grants. The archaeological site of the 1812 Birling homestead (demolished 1930s) is located approximately 450 m to the south of the study area.

Bringelly was a name given to a district of Sydney in the early 19th century. The first post office in the area was opened in 1857 as Luddenham Post office but in 1863 was renamed Bringelly. The first public school was opened in 1878, and by that time most farmers in the area were farming dairy cattle and the large estates were slowly being subdivided into smaller farms.

Local Government came to the area in 1906 with the creation of the Shire of Nepean, covering the area from Hoxton Park in the west to the Nepean River and south as far as Narellan. In 1948, the amalgamation of Local Government Areas (LGA) resulted in the suburb of Bringelly being split between Liverpool and Camden Councils as it remains today. Bringelly Road forms the boundary between the Liverpool LGA to the north and Camden LGA to the south.

2.2 Site description

A site visit was conducted by ELA Principal Heritage Consultant, Karyn McLeod on 1st May 2020. It was neither possible or necessary to survey the entirety of the study area, however targeted areas of potential were investigated on foot based on the historical research and aerial mapping.

The study is consists generally of a gently undulating landform containing numerous waterways with associated chain of pond features running through the landscape associated with Lowes Creek to the south, South Creek to the east and Thompsons Creek to the west, as well as a number of artificial dams. This soil landscape contains hard setting brown clay loam (Bannerman & Hazelton 1990:92) that has principally been used for pastoral activities in the past.

Bringelly Road forms the boundary between Liverpool LGA to the north and Camden LGA to the south. Bringelly Public School, opposite the northern boundary of the study area, contains two small 19th century brick buildings and a cluster of demountable and weatherboard buildings surrounded by native trees. There are open grassed areas and car parking to the east and north. The early buildings can be viewed from the Northern Road but not from the study area. The northwestern corner of the study area also contains a large electricity substation located on Greendale Road.

The study area contains a range of rural residences, small farms and industrial premises. All development post-dates the 1950s subdivision of the area. The farming and residential properties are generally disturbed, containing multiple sheds, houses, tracks, fences, hot houses, dams and cleared paddocks. Some properties function as market gardens and others are stocked with horses, cattle or sheep. The Boral asphalt works to the north of Belmore Road contains industrial machinery, stockpiled materials, office buildings and a large paved parking and storage area.

The land to the south of Belmore Road is generally less developed and comprises cleared farmland, several dams and residences on large lots. The Northern Road is currently undergoing upgrades resulting in realignment and provision of intersections for the future development of the study area. Vegetation has generally been cleared from the side of The Northern Road.



Figure 4: Bringelly Public School view north west from the study area across Greendale Road



Figure 5: Bringelly Public School view east from the Northern Road



Figure 6: The study area between Greendale Road and Loftus Road, view east



Figure 7: Fibro House opposite the study area, view from the Northern Road



Figure 8: Residences and small farms in the study area from Loftus Road, view south west



Figure 9: Boral Asphalt plant in the study area, view from the Northern Road



Figure 10: Bringelly Substation in the study area on Greendale Road



Figure 11: Intersection of the Northern Road and Greendale Road, shopping centre on the left is opposite the school and within the study area.

3. Heritage Impact Assessment

3.1 Listing

The study area is not a listed heritage item, is not located in a Conservation Area and the site survey did not locate any potential heritage items or archaeological sites.

Bringelly Public School (item number: I7) is a locally listed item on Schedule 5 of the Liverpool LEP 2008, and is located on the opposite side of Bringelly Road from the northern boundary.

Fibro House (item number: I2) is a locally listed item on Schedule 5 of Camden LEP 2010 on the opposite side of the Northern Road from the north eastern boundary.

Maryland Estate (item number: I1) is a locally listed item on Schedule 5 of Camden LEP 2010 and is located within 600m of the southern boundary of the study area.

3.2 Previous heritage assessments

Eco Logical Australia, 2018. South Creek West Precincts, South West - Aboriginal and Historical Heritage Constraints Assessment. Prepared for Boyuan Holdings Limited.

ELA prepared a desktop Aboriginal and historical heritage constraints assessment, for the South West land package. The report found that historical heritage constraints were considered low as there are no known historical archaeological sites or heritage items within the study area, however field survey and a Statement of Heritage Impact (SoHI) was recommended to assess archaeological potential of the study area and to assess any impacts of the proposal on Maryland Estate and Denbigh Estate. The study concluded that the potential for Aboriginal sites within the study areas was moderate to high, based on previously identified AHIMS sites within and adjacent to the study area, especially in areas that include creek lines and areas less disturbed by agriculture.

Eco Logical Australia, 2018. Bringelly Residential Rezoning – Aboriginal and Historical Heritage Constraints Assessment. Prepared for Stockland.

ELA prepared an assessment for four parcels of land along The Northern Road, Bringelly (part of which is located within the current study area) and two parcels of land along Chittick Lane, Cobbitty. The report found that historical heritage constraints were considered low as there are no known historical archaeological sites or heritage items within the study area. The study concluded that the potential for Aboriginal sites within the study areas was moderate to high, based on the landform presence of creek lines and previously identified AHIMS sites.

Tropman & Tropman Architects, 2017. Thomas Barker Estate: Maryland & Lowe's Birling Conservation Management Plan prepared for Macarthur Developments Pty Ltd.

This CMP was prepared for the NSW Department of Planning and Environment via Macarthur Developments Pty Ltd to review and update the existing documentation of the property, investigate and analyse the physical evidence available to formulate a statement of cultural significance, and to provide management guidelines to enable this significance to be retained in future use and development.

The surrounding land is subject to rezoning and the CMP study area includes both the Birling and Maryland estates.

3.3 Archaeological Potential

Archaeological Potential is defined as:

The degree of physical evidence present on an archaeological site, usually assessed on the basis of physical evaluation and historical research. Common units for describing archaeological potential are:

- known archaeological features/sites (high archaeological potential)
- potential archaeological features/sites (medium archaeological potential)
- no archaeological features/sites (low archaeological potential) (OEH 2011).

Using a series of aerial images and the history of the study area, the site survey targeted areas that were assessed to have archaeological potential. These included fence lines, stock yards, former access tracks, rubbish dumps and disturbed landforms. Apart from exotic plantings, and trees - generally pines, planted along fence lines, there was no evidence of previous structures, building materials, former roads or land use. All structures and access within the study area is modern.

The historical development of the study area does not indicate that there were ever any buildings constructed in the study area or activities undertaken that would result in an archaeological resource. The site survey confirmed that the study area has low archaeological potential and will not yield new or further substantial scientific and/or archaeological information.

3.4 Significance Assessment

The Heritage Council of NSW has developed a set of seven criteria for assessing heritage significance, which can be used to make decisions about the heritage value of a place or item. These include historical, associative, social, aesthetic, scientific/technical, representative and rarity. There are two levels of heritage significance used in NSW: state and local.

3.4.1 Statement of Significance

Statements of heritage significance summarise a place's heritage values – why it is important and why a statutory listing was made to protect these values. Understanding these values leads to decisions that will retain these values in the future.

Bringelly Public School

Bringelly Public School was established in 1878 in a small brick building on the corner of Bringelly Road and The Northern Road. In June 1894 a headmaster's residence was constructed and in 1897 the present schoolroom was completed, replacing the dilapidated original building. Modifications and additions to the school have been ongoing with a number of buildings appearing temporary (State Heritage Inventory 2004).

This site demonstrates the history of education and settlement in the region. The 1897 classroom is representative of the simple, functional design of educational buildings from the late 19th/early 20th

century. There is potential to gain more information on the site from further architectural, archaeological and documentary research (State Heritage Inventory 2004).

Fibro House

This house is located at 1186 The Northern Road, Bringelly, to the east of the study area. The dwelling is now a rare 20th century survivor of the historical growth of Bringelly village, and which would be worthy of further historical research as to its associations with the Village centre (State Heritage Inventory 2006).

Maryland

Maryland is an outstanding complex of early homestead and farm buildings, especially significant for its completeness as a group, its excellent state of preservation, and the integration of the buildings, garden and magnificent setting. Includes many early buildings in good repair as well as buildings of special architectural interest. The winery and store may be the oldest winery buildings in Australia. Property has been in continuous occupation by only two families for over 130 years. Long associations with the surrounding district. Maryland is locally significant for its historical, social, representative and technical values (State Heritage Register 2002).

The Belmore Road Precinct

While the study area is associated with two significant early land grants, there is nothing on the site to demonstrate or reflect this association or connections with historically important activities or processes. The boundaries of the study area do not reflect the early land grants and the land has been used for farming activities like so many other allotments in the region. The study area has no evidence of creative or technical innovation or achievement nor does it have landmark qualities. The historical development of the study area does not suggest that there were ever any buildings constructed on the site or activities undertaken that would result in an archaeological resource and therefore the study area does not have potential to yield new or further substantial scientific and/or archaeological information.

The study area does not meet the threshold for local or state significance.

3.5 Proposal

Heritage Investigations are required to inform the Precinct Planning process, in particular the preparation of an Indicative Layout Plan (ILP) and the Precinct Planning Report which will be submitted to DPE for rezoning.

The Draft ILP (Figure 12) includes a variety of residential lot sizes and densities, from very low density to high density, local parks, playing fields, riparian corridor, a school and local shopping as well as local, collector and sub arterial roads. The study area will connect with planned rezoning and land release precincts to the south (Maryland).

The land opposite Bringelly Public School are proposed employment land along Greendale Road which in the future will connect to the Outer Sydney Orbital. A green corridor is proposed along most of the Northern Road. High and medium density housing is proposed around the proposed core green space, school and shopping centre, while the remainder of the study area will comprise low density housing.

3.6 Impacts

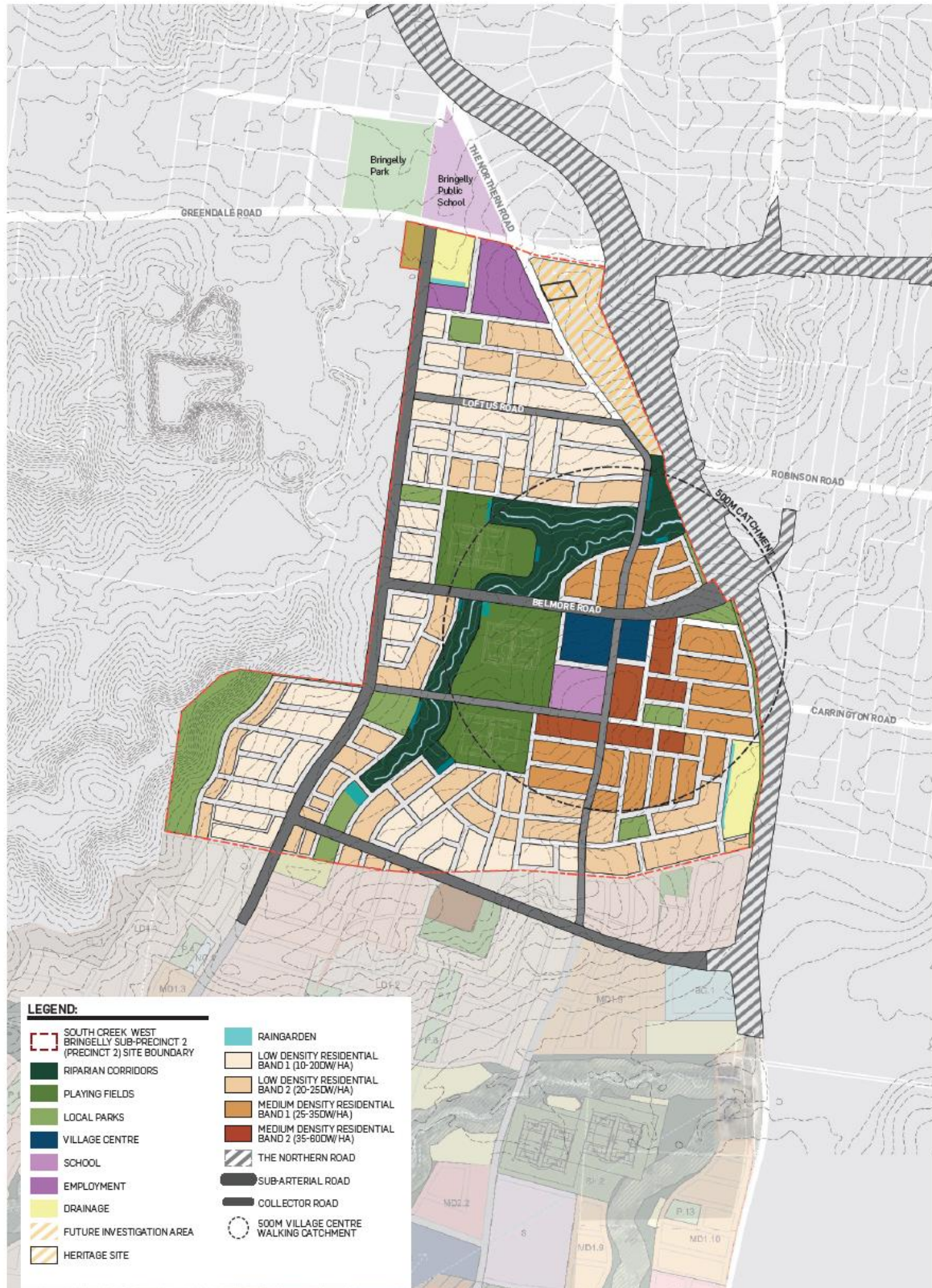
The study area is not a heritage item. There are no unidentified heritage items or potential archaeological sites in the study area and therefore there will be no heritage impacts to the study area as a result of the proposal.

The buildings comprising Bringelly School do not present to either Greendale Road or the Northern Road and the school has no visual appeal from the study area. The Fibro House is set back from the Northern Road and views are obscured by trees.

The subdivision and future development of the study area is separated from the heritage items by roads. The Northern Road is currently being upgraded, and Greendale Road will be upgraded as part of the SWGA infrastructure.

Sympathetic solutions for any impacts of future development that results from this subdivision have been considered and include tree planting and green corridor along the Northern Road boundary.

- The study area is not a heritage item. There are no unidentified heritage items or potential archaeological sites in the study area and therefore there will be no heritage impacts to the study area as a result of the proposal.
- The proposal will not detrimentally impact on heritage significance of any of the heritage items in the vicinity of the study area including Bringelly School and the Fibro House.
- Views to and from the study area do not contribute to the significance of heritage items in the vicinity of the study area.
- Bringelly School and the Fibro House will retain the ability to be viewed and appreciated by the public, and users of the items.



SOUTH CREEK WEST - BRINGELLY SUB-PRECINCT 2 PRECINCT 2 REVISED FINAL ILP

DATE: 14.06.2022
JOB NO: P0030401
DWG NO: -
REV: B

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Figure 12 Draft Indicative Layout Plan (ILP) (Urbis, 2022)

4. Statutory Controls

4.1.1 *Heritage Act 1977 (New South Wales)*

The *Heritage Act 1977* (NSW) provides protection of the environmental heritage of the State which includes places, buildings, works, relics, movable objects or precincts that are of State or local heritage significance.

The NSW State Heritage Register (SHR) is the statutory register under Part 3A of the NSW Heritage Act. Listing on the SHR means that any proposed works or alterations (unless exempted) to listed items must be approved by the Heritage Council or its delegates under section 60.

Section 57(2) of the Heritage Act provides for a number of potential exemptions to Section 57(1) approval requirements to reduce the need for approval of minor or regular works such as maintenance. Exempted development does not require prior Heritage Council approval. Standard exemptions do not apply to the disturbance, destruction, removal or exposure of archaeological relics.

Archaeological features and deposits are afforded statutory protection by the ‘relics provision’. Section 4(1) of the Heritage Act (as amended 2009) defines ‘relic’ as *any deposit, artefact, object or material that relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and is of State or Local heritage significance*. The ‘relics provision’ requires that no archaeological relics be disturbed or destroyed without prior consent from the Heritage Council of NSW.

Archaeological sites that are not located within a state heritage curtilage are protected under Section 139-140 of the *Heritage Act 1977* (Heritage Act). A person must not disturb or excavate any land knowing or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damage or destroyed unless the disturbance or excavation is carried out in accordance with an excavation permit.

The Heritage Council must be notified on the discovery of a relic under Section 146 of the Heritage Act.

- The study area is not a state listed heritage item nor are there any known archaeological sites. No approvals are required from the Heritage Council.

4.1.2 *Environmental Planning and Assessment Act 1979 (New South Wales)*

The *Environmental Planning and Assessment Act 1979* (EP&A Act) requires that consideration is given to environmental impacts as part of the land use planning process. In New South Wales, environmental impacts are interpreted as including cultural heritage impact. Proposed activities and development are considered under different parts of the EP&A Act, including:

- Major projects (State Significant Development under Part 4.1 and State Significant Infrastructure under Part 5.1) require the approval of the Minister for Planning;
- Minor or routine developments requiring local council consent are usually undertaken under Part 4 activities which, in limited circumstances, may require the Minister’s consent; and
- Part 5 activities which do not require development consent. These are often infrastructure projects approved by local councils or the State agency undertaking the project.

Development in the Camden Local Government Area (LGA) is controlled by Camden Local Environmental Plan 2010 . Land that is located within the South West Growth Area (SWGA) is assessed under the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (SEPP).

4.2 State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (SEPP)¹.

One of the aims of the SEPP is to protect and enhance land with natural and cultural heritage value. As the precinct planning process has not been finalised, specific controls applying to the South Creek West precincts have not been developed. General Heritage Conservation provisions have been developed for nearby land release areas such as the Oran Park Precinct which includes the following objectives;

- (a) to conserve the environmental heritage of the Oran Park Precinct and the Turner Road Precinct, and
- (b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views, and
- (c) to conserve archaeological sites, and
- (d) to conserve places of Aboriginal heritage significance.

5. Conclusion and Recommendations

CONCLUSION

The study area and surrounds are in the process of large scale rezoning as part of the SWGA. The study area has been used for cattle grazing and small farming activities since the earliest land grants and was subdivided extensively from the 1950s. There is no evidence to suggest that there were previous structures or uses of the land. The study area has no heritage significance and the proposal will not impact on potential heritage items or archaeological sites.

Local heritage items in the vicinity of the study area including Bringelly School and the Fibro House demonstrate the history, settlement and growth of the region and have historical and social values. The proposal does not obscure views to, and from either item. The subdivision and future development of the study area is separated from the heritage items by either road or open space and does not compromise or impact the curtilage or significance of the heritage items.

RECOMMENDATIONS

Historical archaeological relics are protected under the *Heritage Act 1977* regardless of whether they are listed or not. Based on the results of this assessment, the study area has no archaeological potential therefore future subdivision, excavation and ground disturbance works associated with the proposal can go ahead without further approvals.

Future controls for the study area should consider the height of development on the northern boundary of the study so that the future development of the study area will not overwhelm Bringelly School to the north.

Unexpected finds

If any unexpected Aboriginal objects, historical heritage items or human skeletal remains are uncovered in any future works at the site, the works must cease, and the unexpected finds procedure must be followed.

An 'unexpected heritage find' can be defined as any unanticipated archaeological discovery, that has not been previously assessed or is not covered by an existing approval under the *Heritage Act 1977* (Heritage Act) or *National Parks and Wildlife Act 1974* (NPW Act). These discoveries are categorised as either:

- (a) Aboriginal objects (archaeological remains ie stone tools),
- (b) Historic (non-Aboriginal) heritage items (archaeological remains (ie artefacts) or movable objects),
- (c) Human skeletal remains.

Should any unexpected historical archaeology be uncovered during any future excavation works, the following procedure must be adhered to:

- Stop all work in the immediate area of the item and notify the Project Manager.

- Establish a 'no-go zone' around the item. Use high visibility fencing, where practical. Inform all site personnel about the no-go zone.
- No work is to be undertaken within this zone until further investigations are completed.
- Engage a suitably qualified and experienced Archaeologist to assess the finds.
- The Heritage Council must be notified if the finds are of local or state significance. Additional approvals will be required before works can recommence on site.
- If the item is assessed as not a 'relic', a 'heritage item' or an 'Aboriginal object' by the Archaeologist, work can proceed with advice provided in writing.

6. References

Australia ICOMOS, 1999. *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*, Australia ICOMOS, Burwood (revised 2013).

Design 5 Architects, 2008. *Denbigh 421 The Northern Road, Cobbitty, NSW 2570: Conservation Management Plan and Curtilage Study*. Prepared for the Department of Planning.

Eco Logical Australia, 2018. *South Creek West Precincts, South West - Aboriginal and Historical Heritage Constraints Assessment*. Prepared for Boyan Holdings Limited.

Eco Logical Australia, 2018. *Bringelly Residential Rezoning – Aboriginal and Historical Heritage Constraints Assessment*. Prepared for Stockland.

Hector Abrahams Architects, 2017. *Maryland and Birling Conservation Management Plan Grading of Significance and Policies*. Prepared for Camden Council.

Heritage Office and Department of Urban Affairs & Planning 1996, *NSW Heritage Manual*, Heritage Office and Department of Urban Affairs & Planning (NSW), Sydney.

Heritage Office, 2001. *Assessing Heritage Significance*, Heritage Office, Parramatta.

Heritage Office, 2002. *Statements of Heritage Impact*, Heritage Office, Parramatta.

Historical Land Records Viewer (HLRV) <https://online.nswlrs.com.au/wps/portal/six/services/hlr/>

Land and Property Department - Six Maps: <https://maps.six.nsw.gov.au/>

State Heritage Inventory: <https://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx>

Tropman & Tropman Architects, 2017. *Maryland Estate Conservation Management Plan*. Prepared for Macarthur Developments Pty Ltd.

