Blacktown Native Institution

Heritage Impact Statement

Report prepared for Landcom and the Museum of Contemporary Art

May 2018
Report Register

The following report register documents the development and issue of the report entitled Blacktown Native Institution—Heritage Impact Statement, undertaken by GML Heritage Pty Ltd in accordance with its quality management system.

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<table>
<thead>
<tr>
<th>Project Manager:</th>
<th>Catherine Snelgrove</th>
<th>Project Director &amp; Reviewer:</th>
<th>Sharon Veale</th>
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<tr>
<td>Position:</td>
<td>Senior Associate</td>
<td>Position:</td>
<td>Chief Executive</td>
</tr>
<tr>
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Blacktown Native Institution—Heritage Impact Statement, May 2018
Executive Summary

The Blacktown Native Institution (BNI) is a site of state and national heritage significance.

A flannel flower sculpture is proposed to be installed on the site near the corner of Rooty Hill Road and Richmond Road. GML Heritage Pty Ltd (GML) has been commissioned to assess the heritage impacts of this proposal on the heritage significance of the site.

This Heritage Impact Statement finds that the installation of the flannel flowers will have a major positive impact on the BNI site for the following reasons:

- The project responds to the community need to have a physical marker on the site which recognises the place's significance to Aboriginal people.
- The project has been highly collaborative with co-creation at the heart of the design process.
- The proposed project will stimulate public engagement and interest in the heritage values and significance of the site.

The installation of the art work will have a neutral impact on:

- significant views to and from the site; and
- the archaeology of the site.

It is recommended that:

- The flannel flower sculpture should be installed on a freestanding structural concrete plinth which does not require any excavation of the site.
- Due to the size of the sculpture a Standard Exemption should be sought under the Heritage Act 1977 (NSW) under Standard Exemption 7: Minor Activities with Little or No Adverse Impact on Heritage Significance.
- The work as proposed should be considered a ‘non-commercial traditional cultural activity’ for the purposes of the National Parks and Wildlife Act 1974 (NSW).
1.0 Introduction

1.1 Project Background

GML Heritage Pty Ltd (GML) has been commissioned by UrbanGrowth and the Museum of Contemporary Art (MCA) to prepare this Heritage Impact Statement report. We understand it will form part of a development application to Blacktown City Council and an Exemption Application to the NSW Heritage Council for the installation of a new art work at the Blacktown Native Institution (BNI).

The BNI is listed on the State Heritage Register (SHR, Number 01866) and under Part 2 Schedule 5 of the Blacktown Local Environmental Plan 2015 (LEP 2015). The site is the earliest remaining example of an institution built specifically by the colonial government for Aboriginal people. The site is representative of the origins of the institutionalisation of Aboriginal people in Australia and the government’s approach to ‘civilising’ and ‘educating’ Aboriginal people through forcibly removing them from their communities. The BNI played a key role in the history of colonial assimilation policies and race relations in Australia. Within the Sydney Maori community it demonstrates a tangible link to the colonial history of trans-Tasman cultural relations and the removal of children by missionaries.

Ngara – Ngarungwa Byallara (Listen, Hear, Think – The Place Speaks) is a celebration with community and artists at the historic BNI site. New performance, sculpture and interactive artworks form part of the event. Artists Tony Albert and Sharyn Egan, and Moogahlin Performing Arts are working with Aboriginal communities in Blacktown, responding to the history and bringing to life the culture of the BNI. This project is a collaboration between C3West, a key program of the Museum of Contemporary Art (MCA), and Blacktown Arts on behalf of Blacktown City Council. It builds on the previous collaborations, BNI Project (2014–2015) and Blacktown Art’s 2013 exhibition ‘The Native Institute’.

Sharyn Egan’s work, co-created with Baabayn Aboriginal Corporation and local weavers, is a woven flannel flower sculpture to be installed on the site near the corner of Richmond and Rooty Hill Roads. The sculpture will consist of three stems with multiple flowers fixed on concealed steel structural posts. The installation will be semi-permanent and will be in place for between three and five years.

1.2 Study Area

The BNI is located at the corner of Richmond Road and Rooty Hill Road North, Oakhurst, NSW (Figure 1.1).
Figure 1.1 Map showing lot numbers and legend showing corresponding owners. Dashed red outline shows the SHR boundary. (Source: Craig and Rhodes, January 2015)
1.3 Legislative Context

1.3.1 Heritage Act 1977

The Heritage Act 1977 (NSW) (Heritage Act) includes provisions for identifying and protecting items of environmental heritage—including the State Heritage Register (SHR), which lists items assessed as being of state significance. The BNI is listed on the NSW SHR (Item No. 01866). The site is listed for its historical, social and archaeological significance.

The Colebee-Nurragingy Land Grant is on the eastern side of Richmond Road (northeast of the BNI site). This land was originally granted to Aboriginal men Colebee and Nurragingy in 1816, it being part of Nurragingy’s traditional lands. It was here that many Aboriginal families camped to be near their children at the BNI. The land was listed on the SHR in 201 (SHR 01877). It forms part of the cultural landscape context of the BNI site.

Under Section 57(1) of the Heritage Act, the approval of the Heritage Council of NSW is required for any proposed development within sites listed on the SHR, including subdivision, works to grounds or structures, or disturbance of archaeological relics. To gain approval for works to alter, damage, demolish, move or carry out development on land on which a listed building, work or relic is located, an application must be made to the Heritage Council (Section 60 application). Exemptions from approval for certain types of works may be granted in some instances.

The Heritage Council may require a Conservation Management Plan to be submitted for its consideration and endorsement prior to approving any works to a site.

1.3.2 National Parks and Wildlife Act 1974

The National Parks and Wildlife Act 1974 (NSW) (NPW Act) provides statutory protection for all Aboriginal ‘objects’ (any material evidence of the Indigenous occupation of New South Wales) under Section 90, and for ‘Aboriginal places’ (areas of cultural significance to the Aboriginal community) under Section 84. Under the NPW Act it is an offence to harm an Aboriginal object or declared Aboriginal place without the Minister’s consent.

The protection provided to Aboriginal objects and places applies irrespective of the level of their significance or issues of land tenure. Sites of traditional significance that do not necessarily contain material remains may be gazetted as Aboriginal Places, as defined in Section 84 of the NPW Act.

A Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (OEH 2010) outlines the process to determine whether Aboriginal objects are present at a site and whether proposed activities are likely to harm them. Where an activity will harm an Aboriginal object, an Aboriginal Heritage Impact Permit (AHIP) application is required. The Aboriginal Cultural Heritage Consultation Requirements for Proponents (OEH 2010) outlines the consultation required with Registered Aboriginal Parties as part of the heritage assessment process which must be followed when applying for an AHIP.

An exemption from an AHIP may be permitted under Section 87A and 87B of the NPW Act including where Aboriginal people and their dependants are carrying out “non-commercial traditional cultural activities”. In such instances these activities may proceed with caution.

An extensive AHIMS search revealed three sites in the vicinity of the BNI site. Site number 45-5-0398 is the ‘Blacktown Native Institution’ site as a whole. Site 45-5-0486 is Bells Creek A (Rooty Hill) – Open Camp Site, a concentration of artefacts identified to the south of the study area along Bells Creek. It was
identifying following disturbance to the area for the construction of a causeway and 45-5-4531 is site ‘Bells Creek E’ – Open Camp site.

1.3.3 Blacktown Local Environmental Plan 2015

The Blacktown Native Institution is listed as an archaeological site under Schedule 5, Part 2, of the Blacktown Local Environmental Plan 2015.

The consent authority must consider the effects of the proposal on a heritage item before granting consent. This Heritage Impact Statement assesses the impact of the proposal for the purposes of the submission of a development application to Blacktown City Council.

1.4 Methodology

This report uses the terminology, methodology and principles contained in the Australia ICOMOS Charter for Places of Cultural Significance, 2013 (the Burra Charter) and has been prepared with reference to the guideline document Statements of Heritage Impact, 2002, prepared by the NSW Heritage Office and contained within the NSW Heritage Manual.

The following methodology has been adopted in preparing this report:

- review of statutory heritage lists, including the State Heritage Register, heritage schedules on the Blacktown LEP and the AHIMS; and
- review of relevant heritage reports including the 2002 and 2015 Draft Conservation Management Plans (CMPs) for the site.

To clarify the potential impacts of the proposed works, GML has developed a ranking for measuring the severity of potential impacts on heritage values. The methodology used to rate the severity is explained below.

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<th>Definition</th>
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<td>Major adverse</td>
<td>Actions which will 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.</td>
</tr>
<tr>
<td>Moderate adverse</td>
<td>Actions which will 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.</td>
</tr>
<tr>
<td>Minor adverse</td>
<td>Actions which will 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.</td>
</tr>
<tr>
<td>Neutral</td>
<td>Actions which will have no heritage impact.</td>
</tr>
<tr>
<td>Minor positive</td>
<td>Actions which will bring a minor benefit to a heritage item, such as an improvement in the item’s visual setting.</td>
</tr>
<tr>
<td>Moderate positive</td>
<td>Actions which will 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.</td>
</tr>
<tr>
<td>Major positive</td>
<td>Actions which will 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.</td>
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1.5 Limitations

A site visit has not been conducted as part of this assessment.

No additional community consultation has been undertaken as part of this assessment.

1.6 Authorship

This report has been written by Cath Snelgrove, Senior Associate of GML Heritage, with additional assistance from Tim Owen, Senior Associate, and reviewed by Sharon Veale, CEO.

1.7 Acknowledgements

Anne Loxley from the MCA and Jenny Bisset from Blacktown City Council provided details on the BNI Project and the program of consultation followed in creating the art work.
2.0 Historical Overview

2.1 Introduction

This section of the report is provided to assist understanding of the historic phases and principal historical events that have contributed to the BNI site’s heritage values. It has been taken from the Draft BNI CMPs and has been edited where required.

2.2 Aboriginal Traditional Owners—The Darug

The study area is located on the Cumberland Plain within the traditional lands of the Darug (also spelt Dharug). The Darug occupied the Cumberland Plain for thousands of years prior to British colonisation, living by complex systems of social kinship and economic management of natural and ecological resources.

The Cumberland Plain provides archaeological evidence for Aboriginal occupation of the area from around 30,000 years ago (ie during the Pleistocene period). As most Aboriginal sites in Australia can only be dated to within the last few thousand years (ie during the Holocene), the Cumberland Plain is a particularly important landscape. The evidence for pre-colonial Aboriginal occupation of this area is predominantly provided by stone artefacts. Archaeologists and Aboriginal people have identified chronological changes in their form, referred to as the Eastern Region Sequence, which can be used to date Aboriginal sites. These artefacts also provide information about land use, site types, raw material procurement strategies, manufacturing techniques, tool function, and trade networks.

Raw material procurement plays a role in the context of the site chosen for the BNI. The site is 900m northeast of the first land grant made by Governor Macquarie to Colebee and Nurragingy in 1816 (SHR 01877). It has been suggested that one of the reasons Nurragingy chose this land, the land of his clan, was because of his knowledge of important stone quarry sources and other traditional places/ground associated within the wider cultural landscape.

This wider landscape presents a series of ridgelines traversing north–south, through which the deep permanent water source of Eastern Creek flows. Early historical plans (eg J Musgrave, 1842, Plan of Part of Windsor District Contained Between Old Richmond Road and the Road from Windsor) show the forested nature of the district, crossed by roads—likely former Aboriginal walking paths. Significant Aboriginal places are identified including a ‘Burial Ground of the Blacks’. Archaeological investigations in the region have uncovered dense deposits of stone tools and Aboriginal cooking hearths; the use of these places extending from the early Holocene (7,000 years BP) through the contact phase when land grants were given to colonists. Significant interactions between Aboriginal people and new British settlers would have occurred, and are attested to through the written records of the BNI, and physical archaeological deposits of Aboriginal modified glass and ceramic (recovered from the former Schofields Aerodrome, by GML 2017).

At Nurragingy’s land grant, archaeological excavations have recovered some 50,000 stone artefacts. The Darug hold enduring traditional connections to these places, and especially the area of the land grant as well as the site of the BNI. This connection continues today.
2.3 Establishment of Native Institutions

2.3.1 Background

The arrival of the First Fleet and establishment of the penal colony of New South Wales resulted in a swathe of interventionist policies, political discussion, assimilation programs, laws and initiatives on behalf of the British authorities. Many of these policies proved highly detrimental to Aboriginal people. The Parramatta Native Institution—and the later BNI—represents one of the earliest attempts by the Colonial Government to manage the relationship between the colonising power and the Aboriginal population. One of the policies set out by Governor Macquarie for the establishment of the Parramatta Native Institution was the removal of Aboriginal children from their families to live at the institution.

The Parramatta Native Institution and the BNI are the genesis of the ideology that would later lead to the Stolen Generations.

As founder and co-patron of the Parramatta Native Institution, Macquarie had some understanding of the impact colonisation was having on the Aboriginal people. He believed Aboriginal people were entitled to the particular protection of the British Government on account of being driven from the sea coast by white settlers who subsequently occupied their best hunting grounds in the interior. While sympathetic to the impact of Europeanisation on the Aboriginal people, Macquarie had little understanding of their life and culture.

Macquarie’s ideas to ‘civilise’ and educate the Aboriginal people did not evolve in isolation. Prior to the establishment of formal education for the general population in the colony, the colonial state decided to establish schools for the children of the poor and criminal classes. Urban ‘urchins’ could thus be reformed by instruction and examination in basic education. Education was closely aligned to both child welfare and social control, and, as in Britain, the Christian churches partnered with the state in these endeavours. Macquarie extended the notion of schooling for ‘care and control’ to Aboriginal children.

In April 1814, William Shelley, of the London Missionary Society, wrote to Governor Macquarie with a proposal for educating the Aboriginal people. He stressed the need for education and religious supervision. He believed Aboriginal people should be educated in groups, not as individuals, in skills that would be useful for when they married.

2.3.2 Parramatta Native Institution: 1814–1822

Macquarie ‘eagerly seized upon’ Shelley’s proposal and resolved to ‘make an experiment’, by establishing a Black Native Institution in Parramatta—a school for Aboriginal children. He acquired a house in Parramatta, appointing Shelley as superintendent and principal instructor. In August, Shelley wrote to Macquarie that four children had ‘pleaded so hard’ to live with and be taught by Shelley that he had taken them into his home already. Shelley said that he found the children ‘remarkably teachable’, with a peculiar aptness in learning the English language.

On 10 December 1814, Macquarie sent an official letter to his superiors in England making clear his intention for land grants to Aboriginal farmers:

With a View, therefore, to effect the Civilization of the Aborigines of New South Wales, and to render their Habits more domesticated and industrious His Excellency the Governor, as well from Motives of Humanity as of that Policy which affords a reason- able Hope of producing such an Improvement in their condition as may eventually contribute to render them not only more happy in themselves, but also in some Degree useful to the Community, has determined to institute a school for the Education of the Native Children of both sexes and to assign a Portion
of land for the Occupancy and Cultivation of adult Natives, under such Rules and Regulations as appear to him likely to answer the desired Objects, and which are now published for general Information.

The letter also outlined Macquarie’s 15-point plan for the new Aboriginal Native Institution as follows:

... that there shall be a School for the Aborigines of New South Wales, established in the Town of Parramatta; of which His Excellency the Governor is to be Patron and Mrs Macquarie, Patroness...

That the Institution shall be placed under the immediate management and care of Mr William Shelly as Superintendent and Principal Instructor...

That this Institution shall be an Asylum for the Native Children of both sexes, but no child shall be admitted under four, or exceeding seven years of Age...

That the Children of both sexes shall be instructed in common, Reading, Writing, and Arithmetic...

That a Portion of Land shall be Located for the use of adult Natives, which shall be invited and encouraged to cultivate it and that such Assistance shall be rendered them for that Purpose by Government, as may be deemed expedient:

That the Management and Superintendence thereof shall be also vested in Mr Shelly; and under his immediate Inspection, subject to such Directions as he shall receive from the Committee...

That no Child, after having been admitted into the Institution, shall be permitted to leave it, or be taken away by any Person whatever (whether Parents or other Relatives) until such time as the Boys shall have attained the Age of Sixteen Years, and the Girls Fourteen Years; at which Ages they shall be respectively discharged ...9

The institution was to be managed by a committee comprising John Thomas Campbell, D’Arcy Wentworth, William Redfern, Hannibal McArthur, the Rev William Cowper, the Rev Henry Fulton and Mr Rowland Hassall. On 28 December 1814, Shelley called a public conference in Parramatta of Aboriginal people living between Port Jackson and the Blue Mountains to discuss the proposed school.10 At this first meeting, the 60 or so Aboriginal people who attended were informed by Macquarie and his officers of the advantages to be gained from following white ways, ‘moderate industry’ and allowing their children to be educated at the new school. The committee was, in turn, informed that other Aboriginal people in the vicinity were reluctant to come forward because they doubted the colonists’ intentions. It was conjectured that some may have feared the forcible removal of their children. At length, three children were handed over, and later in the day a fourth child was given into Shelley’s care.11

With these eight Aboriginal children, the school opened on 18 January 1815. A paling fence was erected so parents could see in—but soon an escape-proof wall was erected to prevent children from escaping.12 Within a few months, Macquarie reported that the parents ‘by some unaccountable caprice’ had taken away three of the children.13 In June, Shelley wrote that the remaining five were making good progress—these were: Maria, aged 8, of Richmond; Kitty, 7, of Prospect; Fanny, 4, of Caddie (Cattai Creek); Friday, 7, Portland Head; and Billy, 7, South Creek.

By 1820, of the 37 children admitted to the institution, 10 had died, absconded or been removed by their families. Generally, the parents had remained unconvinced of the utility of the institution and the problem of retention continued. However, the turning point in the history of the Parramatta Native Institution came with Macquarie’s departure from the colony in 1822 and Mr Shelley’s retirement that same year.
2.4 The Colebee and Nurragingy Land Grant and Establishment of ‘Black Town’: 1819

Two years after Macquarie established the Native Institution in Parramatta, he approved the first land grant to two Aboriginal men, Colebee and Nurragingy, in the location which came to be known as ‘Black Town’. This land was granted to them as a reward for assisting Macquarie on a punitive expedition to stop the violence between settlers and local Aboriginal people in the Cowpastures, Appin, Parramatta and Windsor districts.

Nurragingy (who was also known as Creek Jemmy) chose 30 acres on land about 12 miles from Parramatta on the Richmond Road belonging to Nurragingy’s clan at South Creek. Macquarie saw the granting of this land as an opportunity to establish his Aboriginal community remote enough from Parramatta so as not to be impacted by ‘bad influence’ and, with the stabilising influence of Nurragingy, Macquarie intended to establish newly married graduates from his school on their own land holdings in the area. He also strategically settled Europeans known to Nurragingy and Colebee near Black Town to assist in the assimilation process. These included police constable Joseph McLoughlin, Rev Robert Cartwright and emancipist Sylvanus Williams.

2.5 The Blacktown Native Institution Site: 1823–1829

2.5.1 Phase 1—Opening of the Blacktown Native Institution: 1823–1825

When Governor Brisbane replaced Macquarie on 1 December 1821, Samuel Marsden, on behalf of the Anglican Christian Missionary Society (CMS), offered his assistance to the Governor. He was subsequently appointed chairman of the Parramatta Native Institution’s committee. The committee recommended that the Parramatta Native Institution be moved out to the area of the native settlement at South Creek, now being referred to as ‘the Blacktown’, and that a new school be built there with 500 acres reserved for Aboriginal people to settle.

On New Year’s Day 1823, George and Martha Clarke took up their position as managers of the BNI and the 14 children remaining at the Parramatta Native Institution were transferred to their care. By this time, a few sheds had been built to house the Clarkes and the children but a ‘substantial building’ would not be completed for another six months. A Maori of Hongi Hika’s tribe from Marsden’s New Zealand Mission acted as a servant to the Clarkes.

In October 1823, Clarke wrote to the CMS secretary reporting progress at the BNI. He mentioned that the ‘commodious Mission House’ had been finished, with room for at least 60 children. By this time 11 children were under the Clarkes’ care, with one little boy having died earlier in the month.

Development at the Blacktown settlement at this time has been summarised by Brook and Kohen as consisting of the large Native Institution building with its outbuildings which dominated the surrounding forested area. There were at least six small cottages with land annexed to each for the occupants to farm on the high ground above Bells Creek. Across the Richmond New Road, Nurragingy’s house and a section of cleared cultivated ground broke the drab greenery of tall trees. A few cows grazed beside the creek on the land previously owned by Sylvanus Williams. Part of this land could well have been sown with corn, wheat, or even a crop of tobacco.

The Clarkes left for New Zealand in February 1824, leaving the institution in the care of John Harper, who had arrived as an assistant school teacher in mid-1823. Soon after, the administration of the institution was re-organised, and Governor Brisbane placed the school under the control of Rev William Walker, a Wesleyan Methodist. Prior to taking up his position, Walker visited the settlement
in March 1824. He recorded how he conversed with and preached to many of the ‘wild natives’ he found in the woods.  

Of the 13 children (seven girls and six boys) in the school when Walker arrived, four girls and three boys had European fathers. The girls remained at Blacktown while the boys were sent to Rev Cartwright’s Male Orphan School in Liverpool. This school had also been established by Governor Macquarie in 1819—originally in George Street at the site vacated by the Female Orphan School—but had recently relocated to farmland in the Liverpool district (now Bonnyrigg) also owned by the Female Orphan School. Cartwright was in charge of this institution between 1825 and 1829.

On a visit to Blacktown in May 1824, the Rev William Horton noted in his journal that there were:

> only four black children in the school. There are 6 little cottages with land annexed to each for such of the natives as can be persuaded to settle here, but only 3 are inhabited.

Walker was awarded £5 for each child he ‘procured’ for the institution and, in September 1824, a 5-year-old boy was brought to the institution by one of the Blacktown Aborigines from Bathurst where martial law had been declared the previous month.

Mrs Shelley, of the Parramatta Native Institution, continued to show an interest in her former pupils and visited the Blacktown settlement two or three times during Walker’s appointment. As the children reached the age of 15 some of the girls were placed in service. One account reported that several of the girls absconded, not wanting to be servants, and Walker’s own account from this time noted that a few girls did abscond, but several female students were relocated to the Parramatta Female Orphan Institution.

At the end of 1824, as part of his assimilation policy, Governor Brisbane decided to close the BNI, to amalgamate the Native and Orphan Schools, and to place Walker and his wife in charge of this new amalgamated group at the Female Orphan Institution in Parramatta. The few remaining girls went with Walker to his new post where he took over as superintendent on 4 January 1825. A few couples remained at the Blacktown settlement, including Robert and Maria Lock, and Nurragingy with his wife Mary, who remained on his land opposite.

### 2.5.2 Phase 2—Re-Opening of the Blacktown Native Institution: 1825–1829

In May 1825, the newly appointed archdeacon of NSW, Rev Thomas Hobbes Scott, decided to reopen the BNI. In June, he proposed that the Blacktown schoolhouse be repaired. On Marsden’s suggestion, the Anglican CMS missionary William Hall (a carpenter by trade who had spent the past 10 years in New Zealand teaching the Maoris) and his wife were given charge of the re-opened school.

In December, Hall, his wife, their three children and three Maori children—who had come with the Halls from New Zealand and acted as his servants—moved to the BNI site. Two of Hall’s children assisted in teaching at the institution, while Mrs Hall cooked and taught sewing and spinning to the girls. Water was drawn from the well beside the house. In October 1826, six additional girls arrived from the Female Orphan School in Parramatta: Fanny, Jenny (Jane Cox), Tonch, Mary Walker, Helen Shanglely and Ann Randall. A Maori child known as ‘Little Kooley’ died there in December 1826. Hall also received boys from Cartwright’s Male Orphan Institution in Liverpool from December 1826 to January 1827—including Billy (probably the son of Nurragingy), Wallace and Johnny.

More children arrived at the school over the next year. By late 1827, there were 17 Aboriginal and five Maori pupils in the school, but this was still well below the building’s capacity. By January 1828, the numbers had dwindled to 11 Aboriginal children and five Maoris.
By January 1829 there were only eight children in the school—five Aboriginal children and three Maori children. Aboriginal parents could no longer be persuaded to release their young to save the idealistic dream of the British authorities. Governor Macquarie’s experiment appeared to have almost run its course. Soon after, Scott recommended that the school be closed and the children transferred to Cartwright’s school in Liverpool. Cartwright then resigned from his position at the Male Orphan School and took charge of the 10 ‘native’ children at his own premises in April, for a sum of £250 per annum.

William Hall bought Cartwright’s original 500 acres opposite the Aboriginal settlement site at Blacktown where he constructed a cottage he called ‘Upperby’. The Hall family ran a small boarding school from the site which continued operating well into the 1870s. Hall and his family continued their association with the local Aboriginal people.

At Liverpool, on Rev Cartwright’s property, the remnants of the Aboriginal school slowly disappeared. By May 1832, Cartwright was trying to transfer his charges to Lancelot Threlkeld’s Aboriginal mission at Lake Macquarie or the proposed CMS mission at Wellington Valley where Harper had been. The three remaining girls were eventually conveyed to Wellington Valley in January 1833. Macquarie’s experiment thus ended after 18 years.

In 1850, the British Government ordered Governor Fitzroy to abandon any further efforts at educating Aboriginal children in segregated schools. Instead, Aboriginal parents were to be encouraged to send their children to schools for European children. However, it was rare to find Aboriginal children in government schools before the 1870s.

### 2.6 Owners and Occupiers of the Former Blacktown Native Institution Site: 1829–Present

#### 2.6.1 Continued Use of the Former Blacktown Native Institution Building: 1829–1924

Writing in June 1831 to the new archdeacon Broughton, William Hall mentioned that ‘the house formerly built for the instruction of the Aboriginal Natives’ was crumbling through lack of maintenance. The shingles upon the roof were ‘entirely rotten’ and excessive rains had ‘brought down the ceiling in many places’. By 1832, the *New South Wales Calendar and General Post Office Directory* stated: ‘Black Town is now deserted, and no vestige of the habitations of the sable settlers remain’. As Macquarie had originally ordered the land to be set aside and measured out of the Government No. 4 Reserve, the former BNI was deemed to be in government ownership and it was recommended that the house and land be advertised for sale.

In 1832, Governor Bourke requested the surveyor-general report to the colonial secretary on the extent and status of the land and buildings. The assistant-surveyor, Felton Mathews, surveyed the site of the ‘Crown Reserve and Schoolhouse at Black Town’ on 2 November 1833 and his sketch shows the location of the house, kitchens, stable and gardens (Figure 2.1), as well as the creek, still known as the ‘Gidley Chain of Ponds’.

In 1833 the former BNI was advertised for sale: ‘House and premises ... together with the allotment of Land on which the same stands measuring 29 acres, 2 roods, and 24 perches’. The almost 30 acres (12.14ha) of the former BNI site was purchased at auction in 1833 by William Bell for £200. He re-named the property ‘Epping’ or ‘Epping Forest’. The BNI buildings remained on the site.
William Bell died on 22 June 1843 and his Blacktown land was purchased at auction by his daughters (Anna) Maria Bell and Caroline Holmes (Bell) Campbell. Maria Bell owned the property and resided there until her death in 1876. She never married.

In September 1877, well-known Sydney identity Sydney Burdekin purchased the property as his country residence and re-named it Lloydhurst. The BNI buildings were still on the site and in a reasonable condition when purchased by Burdekin in 1877. He made additions to the former BNI building, including a ballroom. He also enlarged the site, purchasing surrounding land and increasing the size of the property to around 140 acres (56ha). Burdekin died in December 1899 and Lloydhurst remained with the Burdekin family until 1906.

When the family sold the enlarged property to Mr LJ Davis in 1906, it continued to be called Lloydhurst. Lloydhurst was purchased by Robert Smith in 1910 and then sold to Harry Woolnought the following year, who continued to farm the land. In 1920 Mrs Mary Ann Wardrop, widow, purchased the property for £2030. She lived at Lloydhurst with her two sons and two daughters.

In 1924 the house was destroyed by fire. Mrs Wardrop had been out in the yard when she noticed the smoke but by the time she returned to the house it was well and truly alight. The family managed to save some furniture but the house was destroyed. At the time of the fire the house was said to be ‘old but in good repair and well kept’. The property was described as consisting of the main building, the kitchen and maid’s room, and the dwelling and billiard room. The ground floor of the main building was said to contain 16 rooms and an office, with three rooms and an office upstairs. There was also a tennis court.

The destruction of Lloydhurst marked the end of the BNI building, which had stood for 101 years.

2.6.2 The Property after the Destruction of the Former Blacktown Native Institution Building: 1924–Present

In 1924, the site was purchased by Harvey and Laura Hart, who leased it to Paul Fietz, farmer, in 1932. Ernest Westrup purchased the property in a mortgagee sale in 1933 and remained its owner until 1955.

From 1955 until 1982, the site was in use as a dairy farm and it is thought that at this time the fibro house was built on the site over the ruins of the former BNI building. Other references have said it was built in the 1930s or 1940s.

When archaeologist Anne Bickford carried out a historical and archaeological investigation of the site in 1981, she recorded that a fibro house still stood over the ruins of the former BNI building and dairy cattle were grazed on the rest of the site. Bickford noted that the sandstock brick footings of Lloydhurst were visible below the front and side walls of the fibro cottage, and that brick rubble had been re-used in the new footings. Traces of the institution’s kitchen, schoolhouse and stable—marked on Felton Mathews’ 1833 plan—were also found to the northwest (rear) of the residence, and six areas of sandstock bricks were ‘embedded in the ground’.

Bickford also mentioned that stone flakes had been recorded on the southeastern side of the creek by the NPWS. Bickford recorded evidence for a ‘contact’ campsite on the northwest creek bank, comprising traditional Aboriginal artefacts made from ‘stone types foreign to that locality’, as well as European ceramics and glass dating to the early to mid-nineteenth century. Bickford also noted a scarred tree, although it was not clear whether this was a result of Aboriginal or European activity.
The site was purchased by Land Commission NSW in 1982 and the fibro cottage demolished in 1985. This land was then subdivided along with other adjoining land into acreage allotments, but the subdivision was never acted upon and the site remains as a whole. In 1985 Blacktown archaeologist Jim Kohen stated that the actual foundations of the former BNI building were still visible on the land.\textsuperscript{52}

The preservation of the BNI site in its natural state became the number one priority for the Blacktown Community Bicentennial Committee in 1988 and although this proposal was especially favoured by the NSW Bicentennial Council, funding was not granted because of difficulties in acquiring title to the land.\textsuperscript{53}

By 1986, the preservation of the BNI site and the Plumpton (ironbark) ridge on the Colebee-Nurragingy grant had been identified as high on the list of priorities of the Darug Local Aboriginal Land Council.\textsuperscript{54} Archaeological investigations on the ridge identified many prehistoric campsites, silcrete quarry sites and a possible burial, while the footings of the institution building, a contact site, and a prehistoric camp have all been identified within the boundaries of the original BNI site.\textsuperscript{55}

In 2002, the site was listed on the Blacktown City Council LEP and the heritage curtilage was established. In 2004, the site was described as being grassed with only a handful of trees surviving. It was said to have been regularly mown except for one area where the archaeological remains were visible on the surface. There were a number of remnant garden plantings there as well.\textsuperscript{56}

In 2004, the boundary of the BNI allotment was fenced with a low timber rail fence in order to stop rubbish dumping on the site. A site inspection at this time revealed no evidence of the campsite identified by Bickford, nor the extent of brick scatters indicating the outbuildings of the BNI. As the grass cover was lush at this time, surface remains could not be seen. An area of the site along the eastern boundary with Richmond Road also showed grassed-over mounds. These could be the result of rubbish dumping or piles of spoil left by earthmoving for drainage, sewerage or landscaping works.

In 2011, the BNI site was listed on the NSW SHR.

The portions of the site are currently owned by UrbanGrowth NSW, Blacktown City Council, the Department of Planning and Transport for NSW.
Figure 2.1 1833 Survey of Native Institution site. (Source: Field Book of Surveyor Felton Matthews, 6 November, State Archives and Records NSW)

Figure 2.2 c1900 Former Blacktown Native Institution Building, now called Lloydhurst. (Source: Blacktown City Library)
Figure 2.3  c1900 image of Lloydhurst, the former Blacktown Native Institution Building. (Source: Mt Druitt Historical Society)

Figure 2.4  1947 aerial photograph showing the southern part of the former Blacktown Native Institution Site. Footings of the original building are still visible just to the right of the existing structures. (Source: Department of Lands)
Figure 2.5 1955 aerial photograph of the southern part of the former Blacktown Native Institution site, showing the structures on the site at this time. (Source: Department of Lands)

Figure 2.6 1965 aerial photograph of the southern part of the former Blacktown Native Institution site, showing the development of the site in this period. (Source: Department of Lands)
Figure 2.7 1978 aerial photograph of the southern part of the former Blacktown Native Institution site, showing the extent of development relating to the dairy farm on the site at this time. (Source: Department of Lands)

Figure 2.8 1986 aerial photograph of the southern part of the former Blacktown Native Institution site, following the demolition of most of the structures on the site. (Source: Department of Lands)
2.7 Endnotes


6 Macquarie to Bathurst, 8 December 1814 HRA 8, p 369; ‘Rules And Regulations’, Dixon Library 81/71.


9 NRS 1046 [S759], pages 11–14; Reel 6038.

10 Sydney Gazette, 10 December 1814. This took place 28 December 1814, the anniversary of Macquarie’s arrival in the colony; a feast was also provided.


13 Macquarie to Bathurst 24 March 1815, HRA, I, 8, p 467.


16 Missionary register ML 1825. The Lambs seem to have left already.


19 Walker to Gen Sec 15/3/1824 BT 53 Folio 302.


21 SRNSW Agency Number 399 Male Orphan School, Information Sheet Archives Investigator.


24 Mrs Shelley’s evidence, op cit, p 54.


27 R Lock to Brisbane, Colonial Secretary Memorials re Land, 1825, No. 477 State Records NSW 4/1843, Reel 1097.


33 Hall’s Diary 1816–1838, 27 August 1826 and 24 August 1826, ML MSS 1597.
34 ‘Billy was apprenticed in Sydney in June, but ran away after ten days and was not recovered’, Darling to Huskisson, HRA 14, pp 56–57; C and SC Proceedings of Committee No. 1 State Records NSW 4/292, p 230.
38 By May 1832 Cartwright was attempting to transfer his pupils to Lake Macquarie or to the proposed Wellington Valley Mission. When the oldest girl, Betty, was discovered to have disappeared one night, and was discovered at a ‘Black Brothelhouse’ operated by the runaway girls from the Native Institution, he ordered her to leave. When she was found to be pregnant, he sent the three remaining girls to Wellington Valley. C and SC General Court Proceedings 1826–30, 3 February 1829, State Records NSW 4/291, p 185; C and SC Cartwright to Cowper 29 January 1833 State Records NSW 4/325, pp 57–59, cited in Kohen, JL and Brook, J 1991, The Parramatta Native Institute and the Black Town: A History, UNSW Press, Sydney, pp 227–228.
44 ‘Sale of House and Premises at Blacktown on the Richmond Road’, NSW Government Gazette, 1833.
45 OST Bk 14 No. 349, Department of Lands.
46 Primary Application No. 17017, Department of Lands.
52 ‘Aboriginal Sites are Jim’s main interest’, The Star, 4 May 1985, p 8.
54 Kohen, JL 1986, An Archaeological investigation of the Native Institution, Blacktown, report prepared for Blacktown City Council.
3.0 Physical Description—Landscape and Archaeology

This section is a physical description of the study area and its key landscape and archaeological components.

3.1 Vegetation and Landscape

The landscape, topography, environment and setting of the BNI are integral aspects of its significance. The site of the BNI is today a largely vacant lot of land bounded by the residential subdivision of Hassall Grove to the west/southwest and arterial roads to the east and south. The site is predominantly cleared and is traversed in the north by Bells Creek, which has been modified and piped.

The Colebee-Nurragingy Land Grant northeast of the BNI site forms an important part of the cultural landscape. Nurragingy selected the location of the land grant, choosing land within his traditional clan territory. The subsequent settlement became a centre for Aboriginal life in the early colonial period and influenced the siting of the BNI. The BNI and Colebee-Nurragingy Land Grant together present a significant symbol of the persistence of Aboriginal traditions, kinship ties and attachment to place.

At the time of European contact the subject site would have been part of the large area of open woodland that characterised the low rainfall areas of the Cumberland Plain. This vegetation community was dominated by two eucalyptus species, *Eucalyptus moluccana* (grey box) and *Eucalyptus tereticornis* (forest red gum), which grew on the Wianamatta shales and tertiary alluvium associated with major creeks. Cumberland Plain Woodland can differ with quite subtle changes in topography and geomorphology. Grey box is more dominant on elevated lands with better drainage, while forest red gum is dominant on the flat plains and floodplain terrace. *Eucalyptus crebra* (narrow-leaved ironbark) occurred as a sub-dominant species in both these topographies. *Angophora floribunda* (rough-barked apple) also occurred on the lower flats. Remnants of these vegetation communities border the site today, across the Richmond Road.

The flannel flower (*Actinotus helianthi* Labill) grows in coastal heath and scrub, open eucalypt forest on shallow sandy soils, often in exposed situations, widespread, north from the Nerriga-Ulladulla district and west to Narrabri. It blooms all year round and can be found in Cumberland Plain Woodland communities.

The site is bisected by Bells Creek; however, this creek has been covered and piped. These changes have resulted in the loss of the original course with substantial changes to the landforms associated with the creek and original vegetation. Riparian vegetation would once have included *Eucalyptus amplifolia* (cabbage gum) and *Casuarina cunninghamiana* (river oak). No trace of this vegetation is apparent today.

The study site is part of the greater floodplain of Eastern Creek; the soil landscape associated with this creek is South Creek alluvium which can contain stratified deposits, in some places up to 2m deep. The alluvial soil landscape in the study area is likely to be shallow (up to 0.5m) and located on the terraces and lower slopes abutting Bells Creek. Upslope areas are associated with the residual Blacktown soil landscape that generally presents 400mm of un-stratified top soil (A1 and A2), capable of bearing an Aboriginal archaeological deposit above basal clay.
3.2 Views

There are a number of significant views from within the BNI site despite the highly urbanised setting. View 1 (Figure 3.1) is from the flat terrace adjacent to Bells Creek, in the north of the site, facing south, upslope to the BNI archaeological site, and the semi-mature vegetation immediately behind the site. The backdrop to the archaeological site, as seen from Bells Creek, is the intrusive infrastructure of the M7, rising above Richmond Road and Rooty Hill Road. From View 1, the remainder of the view south and west is dominated by low, single storey residential housing. The view north presents a ribbon of mature trees, which mark the Colebee and Nurraringy land grant and Plumpton Ridge.

View 2 (Figure 3.2) from the southwest corner of the site on the modified creek flat opens to the grassy field with the creek line traversing north and residential housing to the east and west. The traffic and roads from this location are partly screened. Wider views to the Colebee and Nurraringy reserve are dominant from this location.

View 3 (Figure 3.3) is from the BNI buildings, falling downslope north across the open grassland of the former BNI field system to Bells Creek. This view is evocative because of the open expanse of grass, which can be visualised to reflect the layout of the place in the 1820s. An absence of built form across the field is rare in Western Sydney, and starkly contrasts against the adjacent urban development.

Figure 3.1 View 1. View north from Bells Creek (northern corner of the BNI site) to the BNI archaeological site. (Source: GML 2015)
Figure 3.2 View 2. View northeast from the southwest corner of the BNI site. (Source: GML 2015)

Figure 3.3 View 3. View of the BNI archaeological site, north to Bells Creek. (Source: GML 2014)
3.3 Archaeological Potential

Archaeological potential expresses the likelihood of archaeological evidence remaining in situ. It is ‘the degree of physical evidence present on an archaeological site, usually assessed on the basis of the nature and extent of disturbance through time, physical evaluation of site conditions, and historical research’.1

This section considers the likelihood of archaeological remains surviving on the site and divides the site into zones of archaeological potential.

3.3.1 Physical Site Characteristics

The site is characterised by the following physical features relevant to understanding archaeological potential.

- There is little remnant vegetation, apart from some garden remains around the main house site.
- The site contains a combination of residual Blacktown soil (on the slopes) and alluvial South Creek soil (associated with the lower slopes and terraced creek flats). Soils capable of bearing an archaeological deposit are unlikely to be deeper than 500mm at this location.
- Surface remains (historical structures and artefacts) are visible only in the area of the main institution building.

3.3.2 Aboriginal Site Search

A search of the OEH Aboriginal Heritage Information Management System (AHIMS) database was undertaken on 14 May 2018. The extensive search revealed three sites in the vicinity of the BNI site (see Figure 3.4). Site number 45-5-0398 is the ‘Blacktown Native Institution’ site as a whole, listed in AHIMS as an Aboriginal Ceremony and Dreaming site. Site 45-5-0486 is Bells Creek A (Rooty Hill) – Open Camp Site, a concentration of artefacts identified to the south of the study area along Bells Creek. It was identified following disturbance to the area for the construction of a causeway and 45-5-4531 is site ‘Bells Creek E’ – Open Camp site. The site search reveals the potential for Aboriginal objects to occur within the vicinity of the BNI site and within the study area.

In total, 34 Aboriginal sites were recorded within 1km of the study location (Figure 3.5). Table 3.1 provides an overview of the different site features and their frequency identified within the bounds of the AHIMS search.

<table>
<thead>
<tr>
<th>Site Type or Feature</th>
<th>Frequency</th>
<th>Percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aboriginal Ceremony and Dreaming</td>
<td>1</td>
<td>2.9%</td>
</tr>
<tr>
<td>Isolated Find</td>
<td>2</td>
<td>5.9%</td>
</tr>
<tr>
<td>Isolated Find—Destroyed</td>
<td>4</td>
<td>11.8%</td>
</tr>
<tr>
<td>Open Camp Site</td>
<td>20</td>
<td>58.8%</td>
</tr>
<tr>
<td>Open Camp Site—Destroyed</td>
<td>1</td>
<td>2.9%</td>
</tr>
<tr>
<td>Site Type or Feature</td>
<td>Frequency</td>
<td>Percentage (%)</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>-----------</td>
<td>----------------</td>
</tr>
<tr>
<td>Potential Archaeological Deposit</td>
<td>2</td>
<td>5.9%</td>
</tr>
<tr>
<td>Potential Archaeological Deposit—Destroyed</td>
<td>1</td>
<td>2.9%</td>
</tr>
<tr>
<td>Potential Archaeological Deposit—Partially Destroyed</td>
<td>2</td>
<td>5.9%</td>
</tr>
<tr>
<td>Stone Quarry and Artefact Site—Deleted</td>
<td>1</td>
<td>2.9%</td>
</tr>
<tr>
<td><strong>Total Sites</strong></td>
<td><strong>34</strong></td>
<td></td>
</tr>
</tbody>
</table>
Figure 3.4 Location of AHIMS sites in relation to the BNI study area and approximate location of the Colebee and Nurragingy land grant. (Source: Land and Property Information NSW [LPI] with GML additions 2018)
Figure 3.5 Location of the 34 sites located within 1km of the BNI boundary. (Source: LPI with GML additions 2018)
3.4 Levels of Disturbance

The site has undergone a number of disturbance activities:

- through its life as a working property in the nineteenth century and up until 1985 when the farmhouse was demolished; and

- through post-1985 activities which have included:
  - clearing of vegetation;
  - piping of the creek;
  - construction of the sewer (date unknown); and
  - construction of an open drain running north to south through the site.

These activities may have had considerable impact on the potential for archaeological deposits on the site. The bulk of the site has been cleared of vegetation and is likely to have been subject to some ploughing from the late nineteenth century to the first decades of the twentieth century.

Vegetation stripping, farming and ploughing followed by changes to the creek are likely to have reduced the integrity of the pre-European soil profiles, although the study area does not appear to have lost considerable quantities of soil and thus may retain some soil condition. There is some potential for pre-European soil profiles and archaeology to survive in undisturbed pockets across the site.

In assessing the potential for archaeology associated with the BNI, it is expected that the site contains potential remnant deposits from both the occupation and demolition activities at the site.

3.5 Summary of Archaeological Potential

Archaeological potential at a site is generally graded as low, moderate or high, and is defined as follows:

- Low—it is unlikely that archaeological evidence associated with this phase or feature survives.

- Moderate—it is possible that some archaeological evidence associated with this phase or feature survives. If archaeological remains survive they may have been subject to some disturbance.

- High—it is likely that archaeological evidence associated with this phase or feature survives intact.

The results of the above analysis are summarised below in Table 5.1. A graphic illustration of archaeological potential across the site, and the outlines of previous historical buildings, is presented in Figures 3.6–3.9.
Table 3.2 Potential Archaeological Features and Associated Archaeological Evidence.

<table>
<thead>
<tr>
<th>Phase</th>
<th>Potential Archaeological Remains</th>
<th>Evidence of Disturbance</th>
<th>Archaeological Potential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase 1: Pre-Europen Settlement (Figure 3.6)</td>
<td>Artefact sites, and cultural features such as hearths or ground ovens.</td>
<td>There has been historical disturbance across the site, particularly in the vicinity of the schoolhouse in the south. Locations associated with the creek have been substantially impacted by creek modifications. Subsurface deposits within intact natural soil profiles and disturbed contexts are likely to remain across the remainder of the site.</td>
<td>Low, but exists within localised areas retaining natural soil profiles with good condition and integrity.</td>
</tr>
<tr>
<td>Phase 2: Early Settlement 1819–1877 (Figure 3.7)</td>
<td>Contact period use of European material for traditional Aboriginal purposes. Likely to be associated with sites identified in Phase 1.</td>
<td>There has been historical disturbance across the site, particularly in the vicinity of the schoolhouse in the south. Locations associated with the creek have been substantially impacted by creek modifications. Subsurface deposits in intact natural soil profiles and disturbed contexts are likely to remain across the remainder of the site.</td>
<td>Low, but exists within localised areas retaining natural soil profiles with good condition and integrity.</td>
</tr>
<tr>
<td></td>
<td>Evidence of first small sheds, including post holes.</td>
<td>Likely to have been extensively disturbed by subsequent activities including construction of other structures and establishment of farmland. Features such as post holes may survive, cut into lower strata.</td>
<td>Low.</td>
</tr>
<tr>
<td></td>
<td>Evidence of the BNI, including structural remains of the schoolhouse building and associated underfloor deposits.</td>
<td>Footings recorded in situ below the farmhouse in 1981. Footings and associated underfloor deposits are likely to have been only moderately disturbed by its construction and demolition. Underfloor deposits may survive intact.</td>
<td>Moderate to high.</td>
</tr>
<tr>
<td></td>
<td>Ancillary buildings including kitchen, stable and coach house.</td>
<td>Evidence of these structures was recorded in 1981.</td>
<td>High</td>
</tr>
<tr>
<td></td>
<td>Service infrastructure and water supply, including at least one well.</td>
<td>There is documented evidence of a well at the site, which is likely to survive due to the deep excavation required for its construction. There is some evidence of other service infrastructure visible on the surface.</td>
<td>High.</td>
</tr>
<tr>
<td>Phase</td>
<td>Potential Archaeological Remains</td>
<td>Evidence of Disturbance</td>
<td>Archaeological Potential</td>
</tr>
<tr>
<td>------------------------------</td>
<td>------------------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Phase 3: Lloydhurst 1877–1924 (Figure 3.8)</td>
<td>Evidence of modifications to schoolhouse following its sale. Evidence of landscape modifications including operation of vegetable farming, and tennis court.</td>
<td>Evidence of these structures was recorded in 1981. May have been obscured or disturbed/removed by subsequent landscaping or activities or structures.</td>
<td>High.</td>
</tr>
<tr>
<td>Phase 4: Dairy Farm 1924–1985 (Figure 3.9)</td>
<td>Evidence of operation of dairy farm, including construction of the farmhouse and ancillary structures.</td>
<td>Some extant footings visible within study area. The barn from this period, located in the southwest corner of the site, has been destroyed by residential development. One extant structure on site dates to this period.</td>
<td>High.</td>
</tr>
<tr>
<td>Phase 5: BNI/Mittigar Reserve 1985–present</td>
<td>Landscape modifications including construction of drainage channel, enclosure of the creek and archaeological remains.</td>
<td>Evidence of latest modifications are extant within the study area.</td>
<td>High.</td>
</tr>
</tbody>
</table>
Figure 3.6 Areas of archaeological potential relating to Phase 1, based on likely location of alluvial and residual soils present on site. (Source: QGIS with Google Earth base plan, 2015)
Figure 3.7 Areas of known archaeological potential relating to Phase 2, based on 1833 Survey of Native Institution site. (Source: QGIS with Google Earth base plan, 2015)
Figure 3.8 Areas of archaeological potential relating to Phase 3, based on aerial photography. (Source: QGIS with Google Earth base plan, 2015)
Figure 3.9 Areas of archaeological potential relating to Phase 4, based on aerial photography. (Source: QGIS with Google Earth base plan, 2015)
4.0 Statement of Significance

The following Statement of Significance is taken from the Draft CMP (2015).

The Blacktown Native Institution site is of national, state and local significance because of its combination of historical, social and archaeological values.

The Blacktown Native Institution site features the earliest remaining physical evidence of an institution built specifically to house and indoctrinate Aboriginal people with European customs and is representative of the origins of institutionalisation of Aboriginal people in Australia. The Blacktown Native Institution played a key role in the history of colonial assimilation policies and race relations in Australia. The site is also important to the Sydney Maori community as an early tangible link with the colonial history of trans-Tasman cultural relations and the removal of children by missionaries.

The practices that were experimented with by Governor Macquarie, and which are represented by the Blacktown Native Institution, were the first stage of what were to become significant, long-term and controlling policies for the ‘management’ of the Aboriginal population in the post-contact period of Australian history. The site is illustrative of post-colonial laws, practices and policies that were specifically targeted at the management of the Aboriginal population in Australia. The institutionalisation of Aboriginal children at the site can also be seen as the genesis of government ideology that would later evolve into systemic, forced Aboriginal child removal, now commonly referred to as the Stolen Generations.

The site has an enduring connection with the Aboriginal community and a strong social significance for local groups as well as the broader Aboriginal population. It is valued by sections of the contemporary Aboriginal community and the wider Australian community as a landmark in the history of cross-cultural engagement in Australia. Community groups and historians are actively engaged with the Blacktown Native Institution site as a place that reflects the history of post-colonial intervention in Aboriginal cultural traditions. For Aboriginal people in particular, the Blacktown Native Institution holds great cultural, spiritual and heritage significance as a place that symbolises dispossession, loss and forced child removal.

The Blacktown Native Institution played a key role in the history of colonial assimilation policies and race relations. The site is notable for the range of associations it possesses with prominent colonial figures including Governor Macquarie, Governor Brisbane, Samuel Marsden, William Walker and Sydney Burdekin.

The Blacktown Native Institution is a rare site reflecting early nineteenth-century missionary activity. It has the potential to reveal evidence, which may not be available from other sources, about the lives of the children who lived at the school and the customs and management of the earliest Aboriginal school in the colony. The site also has the potential to contain archaeological evidence relating to later phases of land use, including the period in which the property was owned by Sydney Burdekin. In addition, the site may contain evidence of pre- and post-contact period Aboriginal camps that may provide information about how Aboriginal people, accustomed to a traditional way of life, responded to the changes prompted by colonisation.
5.0 Identification and Evaluation of Heritage Impacts

5.1 Description of Proposal

Since 2013, the Blacktown Native Institution Project (the Project) has delivered events, art installations and interpretive performances at the BNI site. The Project is a collaboration between local communities and artists, Blacktown Arts Centre, Blacktown City Council and the MCA. The Project aims to ‘reclaim this historical site’ through art and to use art to facilitate discussion about the history and future of the site.

In 2018 the Project is working with artist Sharyn Egan to install a flannel flower sculpture on the BNI site. The location selected for the sculpture is at the corner of Richmond Road and Rooty Hill Road North, approximately 35m inset from the road corner (Figure 5.1).

The sculpture will consist of three stems with multiple flowers woven from polyethylene rope. The stems will be fixed on concealed steel structural posts. The total height of the stems will be 8m. The footing will be an above ground self-supporting structural concrete pad which does not require excavation for installation (Figures 5.2–5.3). The sculpture will be semi-permanent and will be in place for between three and five years.

5.1.1 Community Collaboration

The flannel flower installation is the result of three arts projects and one planning project occurring between 2013 and 2018. The projects have involved extensive consultation and engagement with Blacktown’s Aboriginal community, including the traditional custodians, the Darug. Each of the three iterations of the Project has informed the subsequent phases. A key guiding principle is co-creation with the community and traditional custodians. The creative process has facilitated renewed cooperation among community members.

Darug artists Leanne Tobin and Robyn Caughlan worked on the Project in 2013. They met with a range of community organisations including Darug Tribal Aboriginal Corporation (DTAC) in a creative collaboration. Historians Jim Kohen and Jack Brook also took part, providing information about the colonial historical context. Other community members involved at that time were Diane Ussher, Zona Wilkinson, Chris Tobin and Gordon Workman (representing DTAC). Blacktown Arts worked with UrbanGrowth NSW to hold a community day on site during the exhibition and 60 people attended to discuss the future of the site.

At this time UrbanGrowth NSW was working on a Draft Plan of Management for the site, and as part of this work, undertook a series of community consultations, including public sessions on site and smaller meetings and established the Interim Management Committee. Members of this Committee included individual Traditional Owners, and representatives of organisations including DTAC and Darug Custodians Aboriginal Corporation. This consultation informed the Draft Interim Plan of Management, which shapes the current and intended uses of the site. Seven key objectives were identified, including ‘protection, interpretation and enhancement of the cultural significance of the site’ and ‘recognition of the site as a place of National Heritage significance’. These objectives reflect the desire of local Aboriginal people to have a marker on the site, calling attention to its cultural and historical significance.
In 2014 a second arts project was initiated and UrbanGrowth joined Blacktown Arts and the MCA’s ‘C3West’ in a collaboration which continued until 2015. This project delivered two artist camps at the site. These camps created opportunities for local Aboriginal people to discuss the future of the site with Aboriginal experts in a range of fields, including educator Michael McDaniel, historian Julia Torpey, and architect Linda Kennedy, and to participate in the creation of temporary on-site artworks.

Darug artist Leanne Tobin worked with the local community, creating a series of participatory performances and on-site artworks. Other project artists included local Aboriginal photographer Darren Bell. Each camp was attended by approximately 250 people. The third and final event was the major public celebration, Corroboree, which attracted more than 500 people.

At the same time, the 2002 BNI CMP was updated (commencing in 2014). The BNI Conservation Management Plan (Updated) Draft Report prepared for UrbanGrowth in September 2015 included a survey of Aboriginal groups, historical societies, statutory authorities and stakeholder groups and a call to contribute information about the history, heritage significance and continuing cultural connections to the place.

The responses consistently made reference to the continuing spirituality and family connections Aboriginal people have with the place. Current use of and connection to the site by today’s Aboriginal community were also recurrent themes, with individuals commenting on how it forms a ‘regular theme and location for my art practice’, and as a place to reflect on and connect with the experiences of ancestors were placed in the institute.

In addition, the community feedback indicated that there was disappointment at the site’s anonymity in the landscape.

For the current collaboration between Blacktown Arts and C3West, supported by UrbanGrowth, an Aboriginal Steering Committee was convened to provide cultural advice and direction. The Steering Committee includes local Aboriginal people, artists, elders and traditional custodians, along with representatives from DTAC, Darug Custodian Aboriginal Corporation, Australian Museum and Museum of Applied Arts and Science. Members include Julie Bukari Webb, Corina Marino, Nene Brown, Uncle Greg Simms, Uncle Wes Marne, Uncle Danny Eastwood, Marcus Hughes, Sharni Jones and Debbie Higgison-Bradley. Committee members have been consulted through a series of meetings and via email.

Sharyn Egan’s flannel flower sculpture is the result of community consultation and research by the artist. The decision to engage Sharyn was a strategic response to the community’s desire to highlight the national significance of the site. As a respected Nyoongar weaver from Western Australia and member of the Stolen Generations, Sharyn was welcomed by the Blacktown Aboriginal community.

All of the project artists attended a creative development week in October 2017, intended to inform the development of their artistic responses. During this week the artists learned about the BNI site from traditional custodians, participated in workshops with Aboriginal experts in a range of fields, and visited the Australian Museum’s collection of Darug objects.

Sharyn’s initial proposal comprised a field of flowers resembling children’s drawings, reflecting the innocence of children. Each flower was intended as a memorial to the children who attended the BNI. Through a process of consultation with the elders and weavers of Baabayn Aboriginal Corporation and with the BNI Project Steering Committee, Sharyn’s proposal was refined to its current form: a stand of white flannel flowers made from woven rope. Flannel flowers were selected by traditional custodians Julie Bukari Webb, Corina Marino and Nene Brown as a much-loved species native to the local area.
Reflecting on the project, Sharyn said:

I’m a Nyoongar woman from Perth, Western Australia. Being involved in the Blacktown Native Institution Project is quite special for me as I’m from the Stolen Generation as well. I’m working on flowers, as flowers are used for all occasions, sad, happy, joyous — it seems to cover all the emotions that are involved in this project. I’m using marine rope — it lasts for years and keeps its colour. I’m working with the community on them. I’m going to do them on a large scale so they can bring a bit of notice to the site where the Institution was.

The flower sculptures have been woven in collaboration with the community, most notably Baabayn Aboriginal Corporation, which hosted Sharyn’s residencies in Blacktown.

The flannel flowers are reflective of the strong emotional attachment by Aboriginal people to the BNI and Colebee Nurragingy sites. They reflect at once the innocence of the children who attended the BNI and, through their size and materiality reflect the longevity of Aboriginal communities’ connection with this place and landscape. The choice of a flannel flower which is highly recognizable in the local area, is reflective of the desire of the community to have strong visual recognition of these nationally important sites which the flowers will mark.

5.2 Social Significance Impact Assessment

The intensive consultation, co-design and co-creation processes have led to the development of the flannel flower sculpture. This has realised a strong aspiration expressed by the Aboriginal community over a number of years, which was documented in the Draft CMP, to focus attention on the site.6

The flannel flowers are part of an ongoing community led collaboration with Blacktown City Council, the MCA and other institutions. They build on traditional Aboriginal arts practices in this and other communities. The art projects undertaken at this site over time have had a national online audience appropriate to the significance of the site. At the same time these projects have engaged local people in the creation of art works and the practice of traditional arts and crafts.

Given the depth of community consultation, the involvement of local groups and stakeholders, and the collaborative design approach, it is considered that the Aboriginal cultural and social significance of the site has been carefully addressed and considered in the development of the proposal.

Overall the impact on social significance is therefore considered to be positive and the project has contributed to the ongoing development of traditional Aboriginal arts and crafts. The creation of these artworks should be considered as non-commercial traditional cultural activities under the NPW Act, in this case the production of woven art works.

5.3 Landscape and Views Impact Assessment

The flannel flowers will be visually prominent on and within the BNI site. The 8m-high flowers will be visible to passing traffic from Richmond and Rooty Hill Roads and from the M7. They may be able to be glimpsed from Romley Crescent, Oakhurst, south of the study area and in the distance from Colebee Crescent, Hassall Grove, to the west.

There are culturally significant views within the BNI site which reference the Colebee and Nurragingy land grant, the original creek line and distant views to other parts of the wider cultural landscape (Section 4.2). The flannel flowers will be visible across all of the internal site views.

While the height of the flannel flowers will ensure that they have a level of visual prominence on the site, this is a deliberate strategy to create a culturally appropriate and culturally negotiated site marker. This addresses the community desire to draw attention to the site through a physical expression.
The location of the flowers, in the southeast of the site, will be most prominent from view location 1 (Figure 3.1). From view location 1, the M7 infrastructure is considered intrusive; it is possible that the flannel flower installation would partially obscure the high-level view to the raised portions of the M7. Within this context, the installation may replace or alter an intrusive external aspect with a cultural artwork and as such, it may represent a positive impact.

5.4 Archaeological Impact Assessment

Figure 5.1 shows the location that has been selected for the flannel flowers superimposed on the potential archaeological remains at the site.

The proposed location is where potential residual soils have been identified. Where natural soil profiles are intact, they have potential to contain Aboriginal artefacts.

The location is not within any of the areas of archaeological potential. The CMP noted, however, that while there was high level of disturbance across the site there is potential for yards, paths and other ephemeral archaeological evidence related to site layout and use.

The concrete plinth footing will have not archaeological impact as it does not require ground disturbance or excavation for installation of the flannel flowers.

Areas assessed as having the potential for significant archaeological remains, objects and relics would therefore not be impacted by the proposed development. It is possible that unanticipated impacts could occur through vehicle movements on site as the movement of heavy vehicles used in installation of the concrete plinths and raising of the flannel flannels could cause damage to the ground in an arc around the installation site.
Figure 5.1 The predicted soil profile, archaeological and landscape elements and the proposed art work location shown with a red dot. (Source: Google Maps with overlay by GML)
Figure 5.2 Sketch of proposed sculpture and concrete pads. (Source: Drawing by the MCA 2018)

Figure 5.3 Weaving in progress for the flannel flowers. (Source: MCA, May 2018)
5.5 Endnotes

6.0 Conclusions and Recommendations

The installation of the flannel flowers will have a major positive impact on the understanding and appreciation of the natural and cultural heritage significance of the BNI site to local Aboriginal people for the following reasons:

- The project has been undertaken in a highly collaborative manner as part of an ongoing collaboration between local communities, MCA, and Blacktown Arts.
- The project responds to the community need to have a physical marker on the site which recognises the place’s significance to Aboriginal people.
- The project will create a level of curiosity and the sculpture will attract a greater level of enquiry and interest about the site.

The installation of the art work will have a neutral impact on:

- significant views to and from the site;
- the archaeology of the site; and
- the surrounding cultural landscape.

It is recommended that:

- The flannel flower sculpture should be installed on a concrete plinth which does not require any excavation of the site.
- During installation protective mats should be placed over the ground to prevent truck movements damaging the subsurface areas of the site.
- Due to the size of the sculpture, a Standard Exemption should be sought under the Heritage Act under Standard Exemption 7: Minor Activities with Little or No Adverse Impact on Heritage Significance.
- It is not considered that the installation of the sculpture will directly or indirectly harm an Aboriginal object within the meaning of the NPW Act. An Aboriginal Object under Section 5 of the NPW Act means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.
- The work as proposed should be considered a ‘non-commercial traditional cultural activity’ for the purposes of the NPW Act. Under Section 87B of the NPW Act, Aboriginal people are exempt from the provisions of Section 86 that prohibit the harming of an Aboriginal object or place where they are carrying out traditional cultural activities (except commercial activities). This applies to and in respect of any dependants (whether Aboriginal or not) of Aboriginal people in the same way as it applies to and in respect of Aboriginal people.
- A suitably qualified archaeologist should be on call in case of unexpected Aboriginal objects being identified during the course of works.
• Should unexpected Aboriginal objects be identified during the course of development, work should cease immediately and the on-call archaeologist contacted to document and assess these finds. Any object/s should be reported to the Office of Environment and Heritage and registered on the AHIMS.

• Should any historical archaeological remains which are of local or state heritage significance (relics) be identified during the installation, work should cease immediately and the on-call archaeologist contacted to document and assess these finds and the Heritage Division should be notified.