

Assessing Significance for Historical Archaeological Sites and 'Relics'

HERITAGE BRANCH
Department of Planning



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1.0 BACKGROUND

The purpose of the *NSW Heritage Act 1977* (as amended) is to conserve the environmental heritage of the State. *Environmental heritage* is broadly defined under Section 4 of the *Heritage Act* as consisting of the following items:

'those places, buildings, works, relics, moveable objects, and precincts, of State or local heritage significance.'

Amendments to the *Heritage Act* made in 2009 have changed the definition of an archaeological 'relic' under the Act. A relic is now an archaeological deposit, resource or feature that has *heritage significance* at a local or State level. The definition is no longer based on age.

This significance based approach to identifying 'relics' is consistent with the way other heritage items such as buildings, works, precincts or landscapes are identified and managed in NSW.

This guideline gives advice about how to assess the heritage significance of known and potential archaeological resources, features or deposits and determine whether they are 'relics' as defined by the Act. The key issue is whether a deposit, artefact, object or material evidence that survives from the past is significant. If it is significant, it will need to be managed under the 'relics' provisions of the *Heritage Act*.

An archaeological site is an area which contains one or more archaeological 'relics'.

1.1 WHAT IS HERITAGE SIGNIFICANCE?

In NSW the process of finding out whether an item is important is called **assessing significance**. Archaeological sites, which contain 'relics' as defined in the *NSW Heritage Act*, are managed like any other significant item of environmental heritage. They should be treated in the same way with the same level of consideration and assessment process as any other surviving physical evidence of the past such as buildings, works, precincts, landscapes or other places and items with potential or known heritage value.

In NSW the heritage system comprises three steps:

- investigate significance
- assess significance
- manage significance.

The *NSW Heritage Manual*, 1996, discusses the NSW heritage management system and provides guidelines for each part of the process.

Apart from NSW State guidelines, the nationally recognised Australia ICOMOS Charter for the Conservation of Places of Significance (*The Burra Charter*) also defines 'cultural significance' as meaning:

'aesthetic, historic, scientific and social value for past, present and future generations.'

Significance is thus an expression of the cultural value afforded a place, site or item.

Understanding what is meant by value in a heritage sense is fundamental, since any society will only make an effort to conserve things it values. In terms of built heritage, what we have inherited from the past is usually places that have been continuously cared for. Conversely, many archaeological sites will comprise places which, for whatever reason, have not been cared for until the relatively recent period.

Our society considers that many places and items we have inherited from the past have heritage significance because they embody, demonstrate, represent or are tangible expressions of values society recognises and supports. Our future heritage will be what we keep from our inheritance to pass on to the following generations.

2.0 WHY IS HERITAGE SIGNIFICANCE IMPORTANT FOR ARCHAEOLOGY?

The main aim in assessing significance is to produce a succinct statement of significance, which summarises the heritage values of a place, site or item. The statement will then become the basis for management choices that will affect the item's future.

The main aim of an archaeological significance assessment is to identify whether an archaeological resource, deposit, site or feature is of cultural value – a 'relic'. The assessment will result in a succinct statement of heritage significance that summarises the values of the place, site, resource, deposit or feature.

For archaeological sites that have been assessed as containing 'relics' understanding the significant values is critical, because these sites are a non-renewable resource. Like other environmental resources, they must be managed for both the present and the future. The identified values of the site or 'relics' (the *heritage significance*) will help determine which management options are most appropriate.

The Heritage Council's *Historical Archaeological Sites: Investigation and Conservation Guidelines*, 1993, ('To Dig or Not To Dig', page 30) note the following in regard to the conservation of historical archaeological sites:

...with any site of high archaeological potential, excavation is inevitably one of the conservation policy options. Other factors are relevant to considerations of when, or if, excavation should be carried out. These include:

- *whether the information likely to be obtained may be obtained by other non-interventionist means;*
- *whether the site has such significance that excavation may be an inappropriate option, at least for present generations. Where the cultural significance is symbolic, aesthetic or associated with sensitive environmental qualities, excavation is likely to be both uninformative and damaging. For such archaeological sites, a conservation policy directing preservation with minimum disturbance may be needed, with excavation explicitly excluded;*
- *whether other comparable sites have been excavated already, so that there is good reason to retain the site in question for the future;*

- *conversely, a site may possess archaeological remains assessed as being of such significance that it is better retained for investigation when more resources and expertise are available.*

The 1993 Guidelines also note that acceptable reasons to excavate an archaeological site may include:

- *that information of value will otherwise be irrevocably lost through unavoidable action, whether for conservation or other reasons. Excavations in these circumstances may be termed rescue excavations;*
- *that excavation is required to provide information essential for the conservation of the site — perhaps by locating features of the site that cannot be ascertained by other means, or by confirming that significant remains have survived. Decisions concerning the information sought should be made in consultation with appropriately qualified practitioners; or*
- *that a strong case in academic and scientific terms is made out for immediate excavation of a selected site. This requires justification by a sound research design.*

The 1993 Guidelines should be referred to for further information.

3.0 HOW TO ASSESS HERITAGE SIGNIFICANCE

3.1 NSW Heritage Criteria

The NSW Heritage Council has adopted specific criteria for heritage assessment, related to the NSW *Heritage Act* 1977 (as amended). The criteria upon which current significance assessment is based are as follows:

- Criterion (a) an item is important in the course, or pattern, of NSW's cultural or natural history (or the local area);
- Criterion (b) an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the local area);
- Criterion (c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);
- Criterion (d) an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons (or the local area);
- Criterion (e) an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the local area);
- Criterion (f) an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the local area); and
- Criterion (g) an item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places or cultural or natural environments (or the local area).

Amendments made in 2009 require the Minister to approve the criteria used by the Heritage Council to make decisions regarding State heritage significance.

3.2 Ranking of Significance

Overall assessments of heritage significance can be complemented and justified by descriptive ranking of the individual elements of a place. As noted in the prior Heritage Office and Heritage Council publication *Assessing Heritage Significance* (2001):

'Different components of a place may make a different relative contribution to its heritage value. Loss of integrity or condition may diminish significance. In some cases it may be useful to specify the relative contribution of an item or its components....'

A descriptive ranking system may be most effectively used to add emphasis to specific heritage significance criteria that have been identified. For example, an item may be of exceptional historical significance or be of intrusive aesthetic value.

A ranking or grading system as a succinct way of considering the relative value of individual elements derives from the work of JS Kerr (*The Conservation Plan*, 2000). Kerr notes that a tabulated hierarchical assessment may be convenient and can assist with the development of management policies for complex places when they are subject to change and flexibility is needed in future management.

The guidelines for *Assessing Heritage Significance* provide the following table:

Grading	Justification	Status
Exceptional	Rare or outstanding item of local or State significance. High degree of intactness. Item can be interpreted relatively easily.	Fulfils criteria for local or State listing
High	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.	Fulfils criteria for local or State listing.
Moderate	Altered or modified elements. Elements with little heritage value but which contribute to the overall significance of the item.	Fulfils criteria for local or State listing.
Little	Alterations detract from significance. Difficult to interpret.	Does not fulfill criteria for local or State listing.
Intrusive	Damaging to the item's heritage significance,	Does not fulfill criteria for. local or State listing

Element grading systems were developed primarily for built and landscape heritage and do not translate easily to assessing archaeological resources. For example, sites of archaeological significance may have high degrees of deposit intactness and research potential but not much original fabric and they usually contain the remains multiple phases of occupation at a site. They can rarely be easily interpreted without further work. Many will need detailed historical research, followed by careful excavation and analysis to identify and express their stories.

A specific grading or ranking is yet to be developed for historical archaeological resources, but those above may assist with providing a useful context and structure for grading heritage values for complex sites or places.

Misunderstanding of the suggested use of these kinds of ranking to assess the individual *elements* of a *place* as a contribution to its heritage value has led to the inaccurate but widespread use of invented terms such as high-Local or low-State significance. One explanation for the use of such terms is confusion between the terminology for the overall assessment levels (State and local) and the above kind of tabulated grading system for elements of individual places.

Another explanation may be that prior to the amendment of the Heritage Act in 1998 a three tiered heritage classification system existed in NSW:

When the *Heritage Act* was amended in 1998, although there had previously been a three tiered heritage management system, a decision was made not to include a definition of "regional" heritage significance in the Act, and to delete it as a distinct classification. Apart from the overall goal of simplifying the heritage management system, another factor in the decision to delete "regional" significance was the absence of an appropriate body at a regional level to manage those heritage items.

- Local;
- Regional; and
- State.

This three tiered system was used extensively in the Heritage Studies conducted in most Local Government Areas throughout NSW, as well as in conservation management plans, heritage impact assessment documents and planning instruments – Local Environmental Plans and Regional Environmental Plans.

It is likely that in some instances practitioners are expressing a view through the assessment process that there are some items or places which may be of significance to a community broader than a local government area, but that these items may not reach the State heritage significance threshold.

Nevertheless, terms such as high, medium or low significance or High-State and Low-Local significance are inaccurate and reflect an inappropriate use of the previously published guidelines issued following the 1998 amendments to the Heritage Act, 1977. Use of these kinds of terms effectively creates six potential levels of heritage assessment, when only two levels exist in the NSW system as administered under the Heritage Act.

Terms such as High Medium or Low significance should not be used. Correct assessment should identify State or local significance for an item.

3.3 Levels Of Significance

A two tiered heritage assessment system was introduced in 1998 amendments to the NSW *Heritage Act* with the creation of the State Heritage Register. Section 4 of the Act defines '**environmental heritage**' to mean those places, buildings, works, relics, moveable objects, and precincts, of State or local heritage significance. An '**area**' is usually taken to mean a Local Government Area.

Two levels of significance exist in the NSW heritage management system:

Local State

'*State heritage significance*', in relation to a place, building, work, relic, moveable object or precinct, means significance to the State in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item. (Section 4A)

'*local heritage significance*', in relation to a place, building, work, relic, moveable object or precinct, means significance to an area in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item. (Section 4A).

The Act goes on to note that if an item is primarily of State heritage significance it can also be of local heritage significance; an item that is primarily of local heritage significance however, may not necessarily be of State heritage significance.

4.0 HERITAGE SIGNIFICANCE AND ARCHAEOLOGY

4.1 The 'Relics' Provisions and Historical Archaeology

Archaeological '*reliqs*' are one type of environmental heritage which is protected under the NSW *Heritage Act*. The Act defines the different types of heritage items, namely: places, buildings, works, relics, moveable objects, and precincts of State or local heritage significance. The Heritage Act then provides different measures for the protection and management of the different types of environmental heritage. The applicable regulatory regime is affected by the type of item in question.

Division 9, Part 6 of the NSW *Heritage Act* (Sections 138-146) comprises the 'reliqs' provisions. Interim Heritage Orders are made under S24.

The entire *Heritage Act* protects heritage, but historical archaeological remains are additionally protected from being moved or excavated through the operation of the 'reliqs' provisions. These protect unidentified 'reliqs' which may form part of the State's environmental heritage, but which have not been listed on the State Heritage Register or protected by an Interim Heritage Order. An archaeological site is an area of land which is the location of one or more archaeological 'reliqs'.

4.1.1 What is a Relic?

Section 4(1) of the *Heritage Act* (as amended 2009) defines 'relic' as follows:

relic means any deposit, artefact, object or material evidence that:

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

4.1.2 Protection of Archaeological Sites and Relics

The use of *'certain'* allows the Heritage Council to exercise its discretion in these matters, which has been done through policy development over many years and supported by periodic amendments to the *Heritage Act*. Policies such as the *'Excavation Director's Assessment Criteria'* have existed in various forms since at least 1981.

Division 9 of the Heritage Act is titled 'Protection of certain relics' and S139 also refers to an 'Excavation permit [being] required in certain cases' to 'disturb or excavate land'. Such permits are issued under Sections 140 and 141 of the Act, or under Sections 60 and 63 of the Act, in cases where 'relics' are situated within sites or places listed on the State Heritage Register.

Permits are issued in accordance with Heritage Council policies which ensure that disturbance of sites and 'relics' occurs in accordance with appropriate professional assessment, standards and procedures.

Section 139 prohibits the excavating or disturbing of land leading to a relic being discovered, exposed, moved, damaged or destroyed. To excavate and disturb land in the context of the NSW Heritage Act is associated with the activity of digging or unearthing. The new definition also indicates that the 'relic' being exposed or disturbed is considered significant (or has the potential to be significant) at the time of its excavation, removal or destruction.

Relevant case law and the general principles of statutory interpretation strongly indicate that a 'relic' is properly regarded as an object or chattel. A relic can, in some circumstances, become part of the land and be regarded as a fixture (a chattel that becomes permanently affixed to land).

In practice, an important historical archaeological site will be likely to contain a range of different elements as vestiges and remnants of the past. Such sites will include 'relics' of significance in the form of deposits, artefacts, objects and usually also other material evidence from demolished buildings, works or former structures which provide evidence of prior occupations but may not be 'relics'. The value of the site and the elements within it must be assessed, documented and recognised so that correct future management choices are made.

Before a site is excavated, the 'relics' within it are retained within the ground. This might lead to outcomes such as conservation in-situ with interpretation, or archaeological excavation. After a site is excavated, 'relics' from it may form an in-situ display or an artefact collection which requires ongoing storage, curation and management.

In addition to those sites which contain obvious archaeological 'relics', there may also be other places or items, for example standing buildings, to which archaeological techniques can be applied to yield new evidence with meaningful results for the understanding of the history and occupation of the place. These are not covered in this part of the *Heritage Act* but may be protected under the Part 3A State Heritage Register provisions of the Act.

4.2 Traditional View of Archaeological Significance

Archaeological significance has long been accepted as linked directly to archaeological (or scientific) research potential:

A site or resource is said to be scientifically significant when its further study may be expected to help answer questions. That is scientific significance is defined as research potential
(Bickford and Sullivan, 1984 pp 23–24)

This is a concept initially developed in the United States for cultural resource management that was extended by Bickford and Sullivan in the Australian situation and redefined as the following questions which can be used as a guide for assessing the research potential of an archaeological site within a relative framework:

1. ***Can the site contribute knowledge that no other resource can?***
2. ***Can the site contribute knowledge that no other site can?***
3. ***Is this knowledge relevant to general questions about human history or other substantive questions relating to Australian history, or does it contribute to other major research questions?***

The emphasis in these three questions is on the need for archaeological research to add to the knowledge of the past in an important way, rather than merely duplicating known information or information that might be more readily available from other sources such as documentary records or oral history.

As a result archaeological significance has usually been addressed in terms of Criterion (e) of the NSW Heritage assessment criteria (see below), that is *'the potential to yield information...'*.

The Heritage Council *Archaeological Assessment Guidelines* comment:

'the key test that must be applied in understanding the scientific research values of a known or potential archaeological site is the question of whether further studies of the physical evidence may reasonably be expected to help answer research questions'
(Archaeological Assessment Guidelines 1996:26).

To do this effectively it is desirable that more research frameworks for archaeology are developed with relevant questions devised and the ability of specific areas or sites of archaeological potential to address those questions assessed. Research frameworks will usually relate to an overall region, area, or subject of research interest; some examples exist in Archaeological Management Plans.

Even a specific site investigation will also usually require an archaeological research design to ensure that the archaeological investigation is problem-oriented and focussed on research needs and outcomes.

4.3 A broader approach to Archaeological significance

Whilst the 'research potential' of an archaeological site and its component 'relics' is clearly a key assessment criterion, a research only approach may limit the consideration of an archaeological site's other heritage values. This has not always been recognised in current professional archaeological practice, however, recent changes to the *Heritage Act* (Section 33(3) (a)) make it imperative that more than one criterion is considered when assessing the heritage significance of a site or relic.

Archaeological significance may be linked to other significance categories especially where sites were created as a result of a specific historic event or decision, or when sites have been the actual location of particular incidents, events or occupancies.

Other relevant factors may be comparative values related to the intactness and rarity of individual items. The rarity of individual site types is an important factor, which should inform management decisions.

Intactness

Intactness refers to the physical condition of an item. It is particularly relevant to archaeological sites in the sense of 'undisturbed' sites or areas which may be expected to yield well-provenanced archaeological deposits, amenable to investigation and interpretation. An archaeological site or other heritage place may also need to retain sufficient integrity that it is able to convey its significance to people in the present. This could derive from factors unrelated to 'research potential' such as location, setting, design, materials, workmanship, association.

Lifeways

It may also be appropriate to consider the significance of a site in terms of its 'ability to demonstrate' a way of life, taste, function, custom or process of particular interest (Kerr, 2000:8). Both above-ground and sub-surface archaeological features can demonstrate such information. This aspect of significance may be realised in its simplest form by identifying or otherwise interpreting the site of an historical event, or a vanished or obscured structure. The Heritage Council has published separate guidelines about the interpretation of significant heritage items and places (NSW Heritage Office, 2005).

The Challenge of Potential

Archaeological sites may be more difficult to assess than above ground heritage items because at least the initial assessment of heritage values will be reliant on predicted rather than known attributes. The fact that highly significant 'relics' and other components of an archaeological site are below-ground and therefore invisible may pose a challenge to accurate assessment. The experience and knowledge of individual practitioners may be a key factor influencing the correctness of the predicted significance. This could include knowledge about how to research the history of the site through collation of information from documents, maps and plans; how to assess the degree of disturbance and

whether the value of the site for research will have been impaired; how to evaluate the site in comparison with other similar sites (at local, State or National levels); how to regard the importance of particular site uses or particular technology associated with sites occupied for industrial purposes.

Changes in Significance

Archaeological sites may also experience a change in the nature of the values or predicted significance that they hold, before and after the completion of large scale excavations or other investigations. The anticipated nature of the site, its relics and deposits, may be confirmed following archaeological testing or salvage excavation. Conversely, the process of investigation might itself change both the predicted significance and the actual significance of some elements of the archaeological resource.

This would be the case for a site where subsequent phases of development were found to have disturbed the earlier archaeology less than was predicted by the initial assessment. The site or parts of the site are found to be more intact and yield significant early deposits or other evidence. The opposite could also occur, whereby a site predicted to contain significant evidence was found to have been destroyed or removed by historically undocumented activities.

While in most cases archaeological 'relics' will maintain their significance after excavation as a research collection, or in some cases be discovered to be more significant, poor excavation and analysis may lessen that significance or remove it altogether. This would be the case for a site completely excavated and therefore lost for future research, but never written up due to inaccurate fieldwork or poor record-keeping or where information is lost because the collection is poorly curated. In some instances finance has also been lost for a project, making it difficult to complete full analysis and publication of the results.

As noted in discussion of the ranking of individual site elements in Section 3.2 above, it should also be recognised that not all elements of a site are necessarily equal. For example an artefact assemblage recovered from a site may not be as significant as the site from which it came; or it may be more significant, or it could be equally significant but for other reasons or values.

Multiple Heritage Values

Some archaeological sites will also have other heritage values which require careful handling to ensure they do not come into conflict. An example might be an historic cemetery, which may have archaeological research significance which would be best realised by excavation, but also has a high social value and significance to descendants of the dead who want their burial site left untouched.

Relevant prior Heritage Council publications are: *Cemeteries: Guidelines for their Care and Conservation*, 1992; and *Skeletal Remains*, 1998.

There may be additional groups, apart from specific descendants or family, who for specific religious and theological reasons or from a more general respect for the dead, do not want historic cemeteries disturbed. Thus, the values identified by professional practitioners and researchers may not always align with those of particular 'communities of interest'. Such sites require a sensitive approach and full consultation with affected parties.

Consent Conditions

With the above factors in mind Heritage Council consent conditions for approved archaeology permits now reflect a broader approach to understanding and managing an archaeological site. As a result, permits usually require both the original research design and the assessed significance of the excavated site and its 'relics' to be revisited during preparation of the final report on the project. This will ensure that any changes in the original site assessment will be recorded and that the findings from the work can contribute to an ongoing process of building knowledge about particular site types, preservation conditions in specific areas and other future management information.

4.4 NSW Heritage Criteria for Assessing Significance related to Archaeological Sites and Relics

Archaeological Research Potential (current NSW Heritage Criterion E).

Archaeological research potential is the ability of archaeological evidence, through analysis and interpretation, to provide information about a site that could not be derived from any other source and which contributes to the archaeological significance of that site and its 'relics'.

The integrity of the site, the state of preservation of archaeological material and deposits will also be relevant.

- To which contexts (historical, archaeological and research-based) is it anticipated that the site will yield important information?
- Is the site likely to contain the mixed remains of several occupations and eras, or is it expected that the site has the remains of a single occupation or a short time-period?
- Is the site rare or representative in terms of the extent, nature, integrity and preservation of the deposits (if known)?
- Are there a large number of similar sites?
- Is this type of site already well-documented in the historical record?
- Has this site type already been previously investigated with results available?
- Is the excavation of this site likely to enhance or duplicate the data set?

Associations with individuals, events or groups of historical importance (NSW Heritage Criteria A, B & D).

Archaeological remains may have particular associations with individuals, groups and events which may transform mundane places or objects into significant items through the association with important historical occurrences.

- Does the archaeological site link to any NSW Historic Themes? Will the site contain 'relics' and remains which may illustrate a significant pattern in State or local history?
- Is the site widely recognised?
- Does the site have symbolic value?
- Is there a community of interest (past or present) which identifies with, and values the specific site?
- Is the site likely to provide material expression of a particular event or cultural identity?
- Is the site associated with an important person? (the role of the person in State or local history must be demonstrated/known)
- What is the strength of association between the person and the site?
- Did the person live or work at the site? During the phase of their career for which they are most recognised? Is that likely to be evident in the archaeology /physical evidence of the site?
- Did a significant event or discovery take place at the site? Is that evident/or likely to be evident in the archaeology/physical evidence of the site?

Aesthetic or technical significance (NSW Heritage Criterion C).

Whilst the technical value of archaeology is usually considered as 'research potential' aesthetic values are not usually considered to be relevant to archaeological sites. This is often because until a site has been excavated, its actual features and attributes may remain unknown. It is also because aesthetic is often interpreted to mean attractive, as opposed to the broader sense of sensory perception or 'feeling' as expressed in the *Burra Charter*.

Nevertheless, archaeological excavations which reveal highly intact and legible remains in the form of aesthetically attractive artefacts, aged and worn fabric and remnant structures, may allow both professionals and the community to connect with the past through tangible physical evidence.

- Does the site/is the site likely to have aesthetic value?
- Does the site/is the site likely to embody distinctive characteristics?
- Does the site/is the site likely to embody a distinctive architectural or engineering style or pattern/layout?
- Does the site demonstrate a technology which is the first or last of its kind?
- Does the site demonstrate a range of, or change in, technology?

Ability to demonstrate the past through archaeological remains (NSW Heritage Criteria A, C, F & G).

Archaeological remains have an ability to demonstrate how a site was used, what processes occurred, how work was undertaken and the scale of an industrial practice or other historic occupation. They can demonstrate the principal characteristics of a place or process that may be rare or common.

A site may best demonstrate these aspects at the time of excavation. It may also be possible to explain the nature of the site and demonstrate past practices via public interpretation either before, during, or after excavation.

- Does the site contain well-preserved or rare examples of technologies or occupations which are typical of particular historic periods or eras of particular significance?
- Was it a long-term or short-term use?
- Does the site demonstrate a short period of occupation and therefore represents only a limited phase of the operations of a site or technology or site? Or does the site reflect occupation over a long period?
- Does the site demonstrate continuity or change?
- Are the remains at the site highly intact, legible and readily able to be interpreted?

4.4.1 How to use the above Criteria and Questions

The above questions are not intended to form a prescription or a checklist requiring completion for every archaeological assessment. Use of the Bickford and Sullivan questions will provide basic but essential information. The above questions framed around the current NSW Heritage Criteria build upon that essential information to allow consideration of how an individual archaeological site or 'relic' may be assessed in its own right and also compared with other sites.

Whilst the questions form a guide and not a checklist, it is likely that an individual site which is found to contribute answers to more than one question under each criterion would then be assessed as being significant. There may be additional questions, not included in those above, which are relevant to specific sites and particular occupations.

A key issue will be the level at which the site is found to be significant. As with all other places and items, the NSW Heritage Criteria refer to relative importance – either to the whole of NSW or to the local area. Relevant factors are likely to always include intactness and rarity. Other factors may be the likely scope or scale of an applicable Research Design and whether the information likely to be obtained would help understanding of the history, character or other attributes of the local area, the State or even the Nation.

For example, a site from 1790s Parramatta will be likely to contain evidence relevant to the nature of the town at that time (history, occupation, town planning). The same site also contains information about that era which, due to the historic settlement of NSW and Australia, was only ever created in a few places – Sydney, Parramatta, the Hawkesbury (Windsor) and Norfolk Island. The same site may contain information which relates to an even broader context, namely British colonies around the world which were established in the late 18th or early 19th century. The site will probably be of State significance.

Conversely a site established in 1870s Parramatta may also contain some archaeological evidence, however, there is a greater likelihood that a larger number of similar sites will exist, including some where archaeological deposits and 'relics' are found in association with still extant buildings. Beyond Parramatta itself, there will be many more sites established in urban Sydney in the same period. Apart from being more abundant, such sites are also likely to yield a greater amount of duplicate or redundant information due to the existence of a wider range of historic sources (directories, newspapers, trade catalogues, photographs, etc). Nevertheless there could be good reason to excavate the site, due to a particular local occupation or other factors which may make the site of Local significance. Relevant factors would need to be elaborated in the archaeological assessment.

5.0 OTHER ASPECTS RELATING TO ARCHAEOLOGY UNDER THE NSW HERITAGE ACT

5.1 Artefacts

Consent conditions on archaeology permits and professional historical archaeological practice under the NSW *Heritage Act* has meant that over some 30 years a large number of archaeological collections have been recovered, each requiring long-term storage and curation. Adequate resources and structures for the management of these collections have been more problematic to establish and maintain.

Heritage Council policy development in this area is ongoing and not yet finalised. However, this section provides preliminary guidance about matters relevant to the broader context of significance assessment for sites and 'relics'.

In the context of significance assessment, it is essential that artefact collections are subject to a process similar to that applied to the other elements of an archaeological site. The assessed value of the objects recovered, whether future research value, rarity, association, ability to demonstrate or others as expressed in the NSW heritage criteria, must be considered and assessed after the results of the excavation are known and the artefacts have been catalogued and analysed. Related aspects for assessing significance may include the condition, representativeness, diversity, or complexity of the archaeological collection.

Archaeological Collections

Apart from excavated artefacts, an archaeological collection might also include soil samples, photographs, maps, research notes, project field notes or recording sheets, excavation or trench reports and other information pertinent to the excavation. The overall description of the project and its findings will be encapsulated in a final report. It is usually the final report which will be sent to the State consent authority. The wider availability of the internet means that some consultancy firms make their final reports available on-line or by sale.

Whilst for an archaeologist cataloguing and analysis for a final report may be often considered the final step in processing excavation materials, it needs to be realised that these processes may also prepare the collections for future uses.

It has often been argued that retention of all archaeological collections is necessary, because these will open avenues of inquiry for new approaches to old research problems by allowing old collections to be revisited. It has also been recognised, however, that relatively few collections have been utilised in this way, except for academic projects. Many archaeologists seemingly prefer to excavate new material.

Other factors likely to influence this include:

- when consultants or academics are seeking comparative or new material it may be desirable to undertake independent research on new and different sites;
- where archaeological sites are affected by future projects, the statutory requirements often make it imperative that such sites are investigated before or as part of redevelopment;
- artefacts may be stored in ways which make them difficult to access or use, often through limited time or funding in a commercial situation, poor curatorial practice, ad hoc solutions and inadequate documentation;
- although consent conditions for prior approvals may require collections to be retained, locating and accessing them after the redevelopment of the site can be problematic;
- whilst the value of unique and rare objects will always be recognised, some collections managers or building managers – especially if they are not archaeologists – may see bulk archaeological collections as tedious to work with, expensive to process, and requiring valuable storage space.

Curation Crisis

A recognised and ongoing 'curation crisis' means it has been difficult to find sufficient resources to manage the collections which have progressively accumulated as a consequence of the issuing of permits under the Heritage Act.

It is necessary to always consider and preferably to demonstrate, the values and uses of archaeological collections after excavation. Uses might include outreach such as interpretation and other education or promotion. In recent years some Heritage Council consents have been issued for excavated artefact collections where following analysis and final reports, the artefact collection has been divided into three categories: Display, Study and Discard. On this basis disposal of part of the artefact collection has been permitted for some sites in Port Macquarie.

It may also be the case that there are relative values between collections and in effect, this may influence the allocation of future resources for example: funding for conservation, storage, exhibition, or future research. Conversely, it accords with standard heritage conservation practice that not all objects or collections will necessarily be kept following completion of recording. De-accession or disposal of less significant items may occur. Consideration of these aspects is likely to require specialist assessment and reporting.

A single collection will probably contain objects of different value, for example, particularly unusual or rare artefacts; artefacts with unique provenance; artefacts of particular type or materials. These different attributes will then influence decisions such as specialist conservation input during or after excavation and also future outcomes such as display. As with decisions about interpretation of the in-situ physical fabric of an archaeological site after excavation, these further assessments may require specialist documents for example an Interpretation Plan or an artefact curation and management plan (refer to Section 4.3 above).

5.2 Maritime Archaeology

With an extensive coastline and large inland river systems, NSW has a considerable maritime heritage resource in addition to its land-based archaeology. Some 1800 historic shipwrecks have been identified in the State and associated remains of ports, shipyards, coastal defences and other maritime infrastructure sites, add to the historic record from the past.

Specific provisions for historic shipwrecks were included in amendments to the *Heritage Act* in 2001 (Part 3C). Section 51 refers to shipwreck permits, which are issued under S140.

Shipwrecks off the NSW coast (outside State waters) are subject to the *Commonwealth Historic Shipwrecks Act 1976*.

As for land archaeology a permit needs to be sought from the Heritage Council of New South Wales to disturb an historic shipwreck or its associated artefacts ('relics'). In addition, shipwrecks over 75 years of age are automatically protected as heritage items and entered onto a register of historic shipwrecks. Under the *Heritage Act* all shipwrecks within NSW that took place more than 75 years ago are protected. It is also possible to extend this protection to important shipwrecks less than 75 years old through an order by the Minister published in the *NSW Government Gazette*. Outstanding wrecks may also be listed on the State Heritage Register. Three such wrecks are currently listed, the 'Dunbar', the PS 'Rodney' and the M24 Japanese Midget Submarine.

The assessment criteria used derives from that used for other heritage items and usually relates the importance of the wreck to:

- historical development (Australia or NSW);
- historic association (person or event of historical significance);
- research potential of the wreck site and/or its 'relics';
- representative value;
- and others, for example Naval wrecks (not deliberately scrapped) and
- wrecks with outstanding recreational or educational interest.

The 75 year blanket protection for wreck sites and their 'relics' has been seen as positive given that there remain relatively few *declared historic shipwrecks* and significance assessment will still be required if the site becomes threatened by maritime development, inappropriate uses such as treasure hunting, or other potentially negative activities. As with land archaeology permits, historic shipwreck permits will be assessed on the accompanying Research Design, work methods and personnel.

Maritime archaeology is a specialist sub-discipline of archaeology and a series of specific guidelines and policies have been prepared. The State government also holds delegation to administer Commonwealth legislation in this area.

For projects requiring a maritime archaeology component contact should be usually be made with the Maritime archaeologists in the Heritage Branch to discuss specific requirements.

6.0 WHERE ARE THE IMPORTANT SITES LIKELY TO BE FOUND?

6.1 Overview of NSW Historic Settlement Pattern

Aboriginal 'objects' are managed under the NSW *National Parks and Wildlife Act 1974*. Archaeological work is managed under Section 87 (excavation permits) and Section 91 (Consent to Destroy).

The greater Sydney region, known as the County of Cumberland, was first settled by Europeans (British) in 1788 with population centres at Sydney Cove, Parramatta, Hawkesbury (Windsor), Toongabbie and Castle Hill. Before this time the area had been occupied by Aboriginal peoples for tens of thousands of years. Traces of Aboriginal settlement are plentiful around Sydney, but such sites and objects are not managed under the 'relics' provisions of the Heritage Act, unless they are found within archaeological contexts in historic sites.

At first expansion beyond the Cumberland Plain was constrained by the difficulty of crossing the Blue Mountains, the Hawkesbury River and other natural barriers. By 1821 land had been granted throughout large tracts of the County of Cumberland with population clusters forming on rivers and roads. Industries sprang up to process raw materials close to farming districts, mineral deposits, and timber country.

As settlement spread beyond the Cumberland Plain the first arrivals were usually stock farmers and the labour force, mainly convict, until the end of transportation in the 1840s. From 1825 to 1829 the government tried to limit the spread of settlement beyond a specified 19 counties but this policy was a failure.

Settlement continued to spread along rivers and stock routes, spurred by the gold rush of the 1850s and the construction of railways from the 1860s. Towns which had grown up spontaneously and generated shops and hotels were consolidated by official facilities such as courthouses, railway stations and post offices.

The late 19th and early 20th century saw an increase in urban expansion which has affected the nature and survival of the archaeological resource, particularly in urban areas. Urban expansion required not only new subdivisions but also redevelopment of earlier sites. Redevelopment of old town centres may lead to locally significant sites overlying State significant early sites. Investigation of the State significant archaeology may require demolition of (non-significant) standing buildings and excavation of locally significant archaeology to enable access to the earlier deposits. These aspects should be considered in management strategies developed during the archaeological assessment.

Later 19th and early 20th century sites usually have fewer artefacts associated with specific occupations due to the introduction of municipal garbage collection or other off-site garbage disposal. The advent of reticulated town water and sewerage services means that on-site services (wells, cisterns, cess-pits) become redundant. This may lead to specific instances of particular artefact-rich deposits within the fill of such structures during a particular period or episode.

6.2 Which places are likely to be important?

The historic settlement pattern dictates that the early centres of rural and urban development in NSW will be the places where most early archaeological sites will be found unless they have been removed by subsequent development. Towns established in the 1790s on the Cumberland Plain were Sydney, Parramatta and Windsor (the Green Hills settlement). Other early grants were made at Prospect Hill and along the Hawkesbury River near South Creek.

In 1810 Governor Macquarie directed the establishment of new towns away from flood liable land. These were Windsor, Richmond, Pitt Town, Castlereagh and Wilberforce. Other Macquarie-era towns include Liverpool, Campbelltown, Appin and Bathurst which was established in 1815. Most early towns had an associated agricultural hinterland where significant archaeological resources often survive on extant pastoral properties taken up by early squatters. For places such as Wollongong early occupation commenced on rural properties in 1815 with first surveys for land alienation from 1816. Wollongong town was late to develop as Kiama was initially envisaged as a more likely regional centre.

Settlements continued to be specifically established for the management of convicts, for example Newcastle (penal settlement 1804-1822) and Port Macquarie (1821-1840). Convict settlements were usually expected to engage in industrial production such as coal-mining, timber getting and lumberyards, lime burning and other production helpful in the establishment of settlement.

In the 1820s Governors Brisbane and Darling further organised town planning by directing the use of rectangular grids with standard half acre allotments and wide streets. This produced the characteristic country town plan familiar throughout 1830s NSW towns such as Maitland, Mudgee, Braidwood, Berrima, Marulan, Bungonia, Wollongong, Kiama, Carcoar, Queanbeyan, Yass, Murrurundi and Albury. It was also applied to re-planned towns such as Port Macquarie, Goulburn (moved from North Goulburn) and Bathurst. In the 1840s new towns such as Rylstone, Orange, Wellington, Armidale, Casino, Grafton, Cooma, Gundagai, Wagga Wagga, Deniliquin and Dubbo became established.

The development of road networks saw numerous inns provided along main transport routes to the north, south and west of Sydney throughout the Hunter region, Southern Highlands and Central West.

The early Colonial period also saw towns established by private enterprise. Examples include Boydtown, Morpeth and Carrington. Boydtown was founded specifically for the exploitative industry of shore-based whaling. NSW towns whether private or public, were all founded after the commencement of the industrial revolution and during the development of competitive world capitalism. From its base at Carrington the Australian Agricultural Company spread out to vast estates on the Liverpool Plains. Later private towns included Kempsey (1830s) and Jamberoo (1840s).

Prior to the development of railways individual industrial enterprises included flour milling, brick making, tanneries, sawpits and mills, breweries and similar industries based upon the processing of available raw materials. Specific

mineral deposits were also exploited from time to time (an example being the iron ore near Mittagong) and this escalated with the coming of rail links. Rail links also meant that the ability to import, transport and use new or current technology was enhanced. Industries could also relocate to better sources of raw material or better ports. A surviving industrial site dated to pre-1860, especially if it has become an archaeological site, will be more likely to demonstrate the use of redundant technologies than a site which has remained in use with the introduction of updated technology later in time. In some particular instances towns were created specifically for the purpose of an industrial enterprise. Examples include oil-shale mining towns such as Joadja or Hartley Vale and many other mining towns. When the industry ceased, towns became abandoned and several are now largely archaeological sites.

Following the cessation of convict transportation in 1840, after 1850 NSW obtained self-government (1856) and also discovered gold (1851). The discovery of gold caused substantial dislocation with many unplanned townships arising on alluvial fields throughout the Central West, New England and Riverina regions. Gold towns include Hill End, Sofala, Tuena, Crookwell, Araluen, Forbes, Grenfell and Barraba. Gold was followed by other mining booms for tin, copper, silver, arsenic, lead and zinc during the late nineteenth century.

Increasing organisation of towns and cities in the 1870s and 1880s led to the development of municipal services such as garbage collection, water and sewage. As already noted, these services usually limit the amount and nature of surviving archaeology.

Thus, it is important to be aware of, and to consider the historic context in which any given archaeological site was initially created. Knowledge of the historical geography and settlement pattern of NSW will assist in placing a particular archaeological site or 'relic' into a broader analytical framework. As indicated in prior sections of this guideline, it is not only historic criteria or questions which should be considered in assessing significance for an historical archaeological site, but historical aspects such as themes, era, and period of use will provide essential information.

7.0 References

- Allen Consulting Group, 2006, 'Valuing the Priceless: The Value of Historic Heritage in Australia', Research Report 2, prepared for the Heritage Chairs and Officials of Australia and New Zealand, November,
- Bickford, A and S Sullivan 1984, 'Assessing the Research Significance of Historic Sites', in Sullivan S and S Bowdler (eds), *Site Surveys and Significance Assessment in Australian Archaeology* (Proceedings of the 1981 Springwood Conference on Australian Prehistory), Department of Prehistory, Research School of Pacific Studies, The Australian National University, Canberra pp 23–24.
- Hardesty, D & Little, B, 2000, *Assessing Site Significance: A Guide for Archaeologists and Historians*, Altamira Press.
- Henderson, G., 2001, 'Significance assessment or blanket protection?' *The International Journal of Nautical Archaeology* 30.1:34.
- Heritage Council of Victoria & Heritage Victoria, 2008, *Guidelines for Conducting Historical Archaeological Site Surveys*.
- Moyer, Teresa, S., 2006, *Archeological Collections and the Public: Using Resources for the Public Benefit*, NPS Archaeology Program Technical Brief No.19, Published by the DOI Departmental Consulting Archeologist/NPS Archeology Program, National Park Service, Washington, DC.
- NSW Department of Planning/Heritage Council of NSW, 1993, *Historical Archaeological Sites: Investigation and Conservation Guidelines*.
- NSW Department of Planning/Heritage Council of NSW, 1992, *Cemeteries: Guidelines for their Care and Conservation*.
- Heritage Branch, NSW Department of Planning, information regarding legislation, and publications on website: www.heritage.nsw.gov.au
- Heritage Branch, NSW Department of Planning, State Heritage Databases, on web, accessible at www.heritage.nsw.gov.au
- Heritage Office, 2008, Levels of Heritage Significance, Heritage Office, Department of Planning.
- NSW Heritage Office, 1996, *NSW Heritage Manual*, NSW Heritage Office, Department of Urban Affairs & Planning
- NSW Heritage Office, 1996, *Regional Histories of NSW*, NSW Heritage Office, Department of Urban Affairs & Planning
- NSW Heritage Office, 1998, *Skeletal Remains*.

NSW Heritage Office. 2001, *Assessing Significance: a NSW Heritage Manual Update*.

NSW Heritage Office, 2005, *Interpreting Heritage Places and Items, Guidelines*

Schacht, Ilka, 2008, 'Determining Research Significance In Archaeological Collections from Historic Sites', unpublished PhD Thesis, Deakin University.

Staniforth, M. 2002, 'Assessing the significance of 20th century underwater cultural heritage'. ICOMOS Conference proceedings. In *20th Century Heritage: Our Recent Cultural Legacy* edited by David S. Jones. The University of Adelaide and The ICOMOS Secretariat. Adelaide. 145-149.

Sydney Water, 2009, 'Veteran Hall Conservation Management Plan, Archaeological Site, Prospect', unpublished report based on a study conducted by Archaeology and Heritage Pty Ltd.

APPENDIX:

EXAMPLES OF ASSESSMENT AND MANAGEMENT – STATE AND LOCAL ARCHAEOLOGICAL SITES

State Significant Site – former Parramatta Hospital now the Parramatta Justice Precinct

The former Parramatta Hospital site (SHR No. 828) was initially identified in the Section 170 Register prepared by the NSW Department of Health in 1992 and subsequently included on the State Heritage Register in 1999.

The State Heritage Register (SHR) listing includes the archaeological remains of the Colonial Hospital (SHR No. 828) and Brislington and landscape (SHR No. 59, included 2 April, 1999, formerly a PCO made in 1983).

The Colonial Hospital archaeological site was also included in the Parramatta Historical Archaeological Landscape Management Study (PHALMS) Archaeological Management Unit 2868. PHALMS recognised that the site contained archaeological resources of National and possibly International heritage significance. The PHALMS statement of significance and the study's recommendation that the resources be retained *in situ* and interpreted to the public were adopted by the Heritage Council in October 2000.

The historical archaeological remains anticipated at this site for some time, were confirmed by early archaeological work in 1994 by Edward Higginbotham (for the new Blood Bank building) and by a brief testing program by MacLaren North in 2001. In 2003 a Conservation Management Plan prepared by DPWS Heritage Design Services recommended that if the hospital site was subject to redevelopment that future open space areas should be planned to coincide with the probable areas of archaeological remains. That CMP was endorsed by the Heritage Council in May 2003.

In 2003, the assessed significance of the Hospital site was:

The Parramatta Hospital site and associated grounds is historically significant at a national level because it is the oldest continuously occupied site for public health in Australia.

There are a number of buildings which possess aesthetic and historical significance, including Brislington House, the Sulman and Power Building, Kearny House and Jeffrey House. These buildings demonstrate the changing needs of medical facilities and attitudes towards health care for over 100 years.

The Parramatta Hospital site has important historic views of the Parramatta River. The hospital site was selected by Governor Phillip as part of his plan for the township. He envisaged the river as playing an important role in water transport. The design of the buildings made use of fresh air and ventilation, and emphasised their spatial relationship to the water (an important element in convalescing) and aesthetic relationship with the Parramatta River. The landscape on the banks of the river was left undeveloped, and has formed an important green zone for the hospital site and the Kings School opposite. It also has significant spatial relationship to the street boundaries of Marsden and George Streets.

The Parramatta Hospital site has the potential to contain archaeological evidence of the 1818 Convict Hospital and several buildings added to it later in

the nineteenth century, as well as evidence dating back to the first hospital of 1790 and evidence of Aboriginal occupation and use of the site.

Further archaeological testing was undertaken in 2003 to determine the extent and condition of the remains of the main Colonial Hospital building. Testing by AHMS Pty Ltd confirmed that the footprint of the main Colonial Hospital Building existed below the Sulman and Power Cottage Hospital and that the areas of the footprint exposed were in good condition.

An archaeological excavation was undertaken in 2004 within the vacant land at the corner of George and O'Connell Streets to investigate the site for the new Children's Courts. Remains of the Emu Brewery and domestic housing were investigated and recorded by Casey & Lowe.

In 2004 a Masterplan was prepared for the site by the Department of Commerce. The positioning of the major envelopes in the proposed Masterplan created an open area in the centre of the site which anticipated *in situ* retention of the likely archaeological resource and its interpretation and/or presentation in an 'archaeology courtyard' created between the proposed new buildings (Trial Courts and Justice Offices) and the existing Jeffery House.

After demolition of a number of buildings on the site, including the Sulman and Power Hospital, Kearney House and others, an Excavation Permit was sought in relation to the archaeology of the hospital site, including all areas to be affected by the redevelopment of the site for the new Parramatta Justice Precinct. It was agreed that the remains of the Colonial Hospital would be exposed and recorded. State significant pre-1850 remains and sections of the original landform adjoining the river were proposed to be retained *in situ*. Additional remains anticipated to be present within the site such as outbuildings, wells, cesspits and other elements were to be investigated and recorded. Subject to the Section 60 approval, and after completion of the archaeological investigations and recording, some remains were likely to be removed in areas to be occupied by new buildings.

As part of the S60 Excavation Permit application in 2005 (application 2005/S60/027) Casey & Lowe prepared a revised statement of significance:

'5.2 Statement of Significance for the Known and Potential Archaeological Remains

The Parramatta Hospital Site contains the known remains of the Third Hospital (1818-1848) built as part of Parramatta's Colonial Convict Hospital. These substantial structural remains represent the surviving evidence of the 1818 hospital designed by Watts and built under direction from Governor Macquarie. These remains are one of a group of contemporary structures Watts designed along similar lines and based on existing military practices. These buildings are: The Military Hospital, Observatory Hill; 'Rum' Hospital, Macquarie Street; Lancer Barracks, Parramatta. Part or all of these buildings survive.

The Convict Hospital was part of Governor Macquarie's building programme to provide housing and shelter for convicts, as well as a means to manage their interaction with free society. These buildings include the Convict Barracks, Hyde Park; the Female Factory, Parramatta; the Female Orphan School, Rydalmere

as well as many other government buildings. Such practices were criticised by Commissioner Bigge as being too expensive and unsuitable for a penal colony. The Third Hospital building operated for many years as an important medical facility, initially for convicts and later for residents of Parramatta. Its construction and later use represents a shifting from a colonial society that had to absorb the outcast convicts of British society to a new order, under self-government that rejected the transportation of convicts and demanded its discontinuation. New South Wales no longer wished to bear the stain of being a penal colony.

The other potential remains of the First and Second Hospitals (1789-1818) represent a rare archaeological resource relating to convict accommodation, the early settlement of Parramatta, the provision of convict health services which were an essential component of the survival of the penal settlement itself. The success of the early colony was dependent on the growing of crops for self sufficiency and the convict labour force at Parramatta was an integral component of the clearing of ground, planting and harvesting of crops. The hospital was therefore an important part of the system which Governor Phillip established as the basis for survival in the early days of the penal colony. It was also one of the few places where convicts were provided with 'accommodation' other than the convict huts along George and Macquarie Streets.

The exposure, retention and interpretation of the remains of the three convict hospitals provides an opportunity for exploring and linking to the physical remnants of Parramatta's colonial landscape. These remains are a rare and seemingly well-preserved element of the early colonial landscape of Parramatta, which has the potential to make part of the early story readable in the current urban landscape. It also has the potential to connect to other, surrounding elements of that landscape, including Parramatta River, remnants of Governor Macquarie's town plan (ie. the layout of main streets), Government House and Domain, and the Barracks at the eastern end of the town.

The remains of the convict huts on Lots 98 and 99 represent aspects of early convict and free life in Parramatta which is an ever diminishing resource. In relation to the hospital they present different aspects of how convicts were managed during the early colony. The analysis and interpretation of the known and potential archaeological structures, deposits, artefacts and eco-facts at this site may assist with addressing a range of substantive research questions relating to Parramatta convict hospitals and health care for convicts, the nature of convict and free life in colonial Parramatta and the evolving landscape of colonial Parramatta from Aboriginal, to convict and then a free society.

(Casey & Lowe Pty Ltd, 'Excavation Permit Application Parramatta Hospital Site, Marsden Street, Parramatta' (including Archaeological Strategy) for Department of Commerce, March 2005, Section 5.2, page 59-60).

Extensive archaeological investigation, including large scale open area excavations occurred at this site in separate stages in 2005 and 2006.

The extensive archaeological works undertaken at the hospital site revealed intact deposits, legible structural remains and other significant evidence from the convict era. Major archaeological elements and structures dating from before 1850 were conserved in the 'Heritage Courtyard' area. These included footings of the second hospital (1792) and remains of a 1790s convict hut on the

Marsden Street frontage. This area also contained artefacts connected with early bone-button manufacturing. Much of the footprint of the third Colonial Hospital (1818) survived, along with evidence of the 1818 Surgeon's Residence and the Kitchen wing. Associated early evidence including a two-phase privy system (1818 and 1840) a well and a cistern also survived.

Design of the architecture and landscape of the new 'Heritage Courtyard' was then developed to include two pavilion buildings within the courtyard to interpret and partially expose the archaeological remains of the third Colonial Hospital (1818-1848). Hard landscaping was used to define the extent of the hospital curtilage, the location of other hospital buildings and other evidence of early convict settlement. Soft landscaping was used to provide shade and amenity for users and also (through choice of species) to reinforce the history of the site. The 'Heritage Courtyard' was also designed to include interpretation in the form of plaques, photographic images, signage, artefact displays and other devices, not least architectonic representations of the former buildings in the form of new lightweight pavilion structures.

In 2008 the Australian Institute of Architects recognised the Precinct with an Award in the Heritage Category given to the Parramatta Justice Precinct - Courtyard Pavilions by Bates Smart Pty Ltd. The citation noted:

This public courtyard celebrates the historic significance of the former Parramatta Colonial Hospital and interprets its history to a broad audience, through landscape, archaeology and built elements. The site provides a series of interpretative themes and stories expressed in the courtyard and through a variety of media including planting, paving, graphics, the reconstruction of boundary walls and two pavilion buildings. While much of the archaeology is capped with a protective slab, including the second hospital and convict hut, the third Colonial Hospital and kitchen (1818-1844) is interpreted in two pavilions. The location and size of these pavilions represent the earlier buildings and offer a place to house exhibits, interpretation panels and in-situ relics. Notwithstanding some teething problems with environmental control for the in-situ relics, the site presents a significant educational experience in buildings of architectural quality. The jury was impressed by the realisation of contemporary design in an historic context, a combination that is rarely so well executed.
(AIA, www.architecture.com.au/i-cms?page=11388).

A number of reports for the Parramatta Hospital work have been prepared by Casey & Lowe and those note the need to revisit the 2005 Research Design in the light of the findings from the excavations, not only to assess predictions against actual evidence, but also because new questions have been generated by the project. See reports on line at: www.caseyandlowe.com.au.

It is also possible to reassess the statements of significance prepared for the site. Some significance remains largely unaltered; because not all the site was excavated so it still retains future archaeological research value within the deposits remaining on site. Other aspects of significance may be considered to have been enhanced by the purpose-built interpretation on the site, which explains the history, location, layout, uses and archaeology of the site to visitors.

State Significant Site – Veteran Hall, Prospect

"Veteran Hall" was the property owned and occupied by the explorer, William Lawson between 1810 and 1850. William Lawson, a key figure in Australian history, died at Veteran Hall in 1850, and was buried at nearby St. Bartholomew's Church. The main homestead was erected in about 1821 and either replaced or was an enlargement of Lawson's first house, which was built on the same land holding around 1810. It was a large, single-storey building in typical Colonial Georgian style, Veteran Hall was approximately 65 squares in size, which expanded to a size of approximately 110 squares including verandahs. The property was resumed during the 1880's for the construction of the Prospect Reservoir, and the building became the residence and local office of the Water Board's Engineer-In-Charge of Headworks from 1888 until 1912, when the position was moved to Potts Hill. The homestead was then leased with the surrounding paddocks to the Commonwealth military authorities until 1915 as a remount depot. The building then became vacant and was demolished in 1929.

The Veteran Hall archaeological site is included on the State Heritage Register as item No. 1351. The SHR Statement of Significance is as follows:

The Veteran Hall archaeological remains are associated with the explorer and statesman, William Lawson, who built the first substantial house on the site. The remains can potentially provide insights into settlement in the area and 19th century pastoralism, due to their intactness. The site has the potential to yield information about the second occupants of the site, the Metropolitan Water Supply Board, who occupied the site during the early phases of the Upper Nepean Scheme until the early years of the 20th century, when the Military took it over. The remains make a positive contribution to the landscape and relate harmoniously to the visual catchment of the Prospect Reservoir curtilage.

The site is also listed in Sydney Water's S170 Heritage Register. Because of its early establishment date, visible archaeological remains, and rich written and pictorial history to support their interpretation, Veteran Hall is regarded as possibly the most significant historical archaeological site under Sydney Water's care. A Conservation Management Plan (CMP) was prepared for the site by Sydney Water in 2009 (see Bibliography).

The CMP prepared more detailed statements of significance for the site and noted that no change in the use of the site was currently anticipated. The site is currently within open space surrounding Prospect Reservoir. The CMP provides a Conservation Policy including tabulated grading of significance for different elements. The Conservation Policy also gives recommendations for:

- physical action necessary for the retention or recovery of the significance of the site
- uses which are both compatible and achievable and constraints on use
- public access and interpretation
- security
- controls on future development

Policies note that any intervention may require more detailed archaeological assessment and submission of relevant applications under the Heritage Act.

Locally Significant Site – 50 to 52 O'Connell Street, Parramatta

This site was identified in the Parramatta Historical Archaeological Landscape Management Study (PHALMS) as Archaeological Management Unit 3124. PHALMS identified the site as having local heritage significance. The Statement of Significance for AMU 3124 was:

This AMU has moderate archaeological research potential.

This area was used for agricultural purposes during the early years of the settlement, prior to the spread of the settlement to the north side of the river in the early 1800s. This area developed as mainly residential during the mid-to-late-nineteenth century and has remained predominantly residential. The physical archaeological evidence within this area may include structural features, intact subfloor deposits, open deposits and scatter, ecological samples and individual artefacts which have potential to yield information relating to major historic themes including Agriculture, Cultural Sites, Housing, Land Tenure and Township.

The archaeological resource of this AMU is likely to be largely intact, but subject to minor disturbance in some areas.

This AMU is of Local significance (PHALMS 2001).

Development consent was determined by Parramatta City Council for this site in 2001 except for the area of 52 O'Connell Street. In 2003 a development was proposed for a commercial building with basement car parking. An archaeological assessment identified potential archaeological remains associated with a brick cottage dating from 1831 located at 50 O'Connell Street and a house erected by 1887 located at 52 O'Connell Street. Remains associated with the late-nineteenth century bakery and two outdoor toilets associated with cottages fronting Grose Street would be left undisturbed.

A S140 permit was issued with consent conditions requiring that if the 1831 remains were found to be highly intact that adequate mitigation strategies including the potential for in situ retention would need to be considered. Archaeological investigation of the 1831 house site and the late 19th century baker's oven was undertaken prior to the new development. In addition to structural evidence, and artefacts associated with occupation deposits, the archaeological work also found evidence of early 19th century agriculture.

The results of the archaeological work, some artefacts and new small-scale bronze sculptural elements provide on site interpretation. The archaeology of the standing buildings, including the use of the baker's ovens and evidence of a brick stable floor are now interpreted within the new development. The development has also taken its new identity from the history of the site being named 'Baker's Mews'.

(also see: Edward Higginbotham, 2003, 'Historical and Archaeological Assessment of Proposed development, 50, 50A and 52 O'Connell Street and 6-12 Grose Street, North Parramatta, NSW', Unpublished report).