

APPENDIX
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Non Indigenous Heritage Impact Assessment



NON-INDIGENOUS HERITAGE IMPACT ASSESSMENT MAULES CREEK COAL PROJECT

Commissioned by Hansen Bailey on behalf of Aston Resources Limited



Produced by
ARCHAEOLOGY AUSTRALIA
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EXECUTIVE SUMMARY

Archaeology Australia was commissioned by Hansen Bailey on behalf of Aston Resources Limited (Aston Resources) to undertake a *Non-Indigenous* Heritage Impact Assessment for the Maules Creek Coal Project (the Project). The purpose of the assessment is to form part of an Environmental Assessment (EA) being prepared by Hansen Bailey to support an application for a contemporary Project Approval under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to facilitate the development of a 21 year open cut coal mining operation and associated infrastructure.

The aim of the *Non-Indigenous* Heritage Impact Assessment is:

- to assess the significance of any Non-Indigenous heritage items located within the Maules Creek Coal Project Boundary (Project Boundary) or within two kilometres of its boundary;
- to assess the impact that the Project may have on those items;
- to outline statutory requirements relating to heritage; and
- to recommend appropriate management and heritage legislation compliance strategies for any items identified as being of heritage significance.

No items of heritage significance have previously been identified within the Project Boundary.

No items of heritage significance were identified / located within the Project Boundary during an assessment survey conducted in October 2010. Several items of heritage significance have been identified as being located in proximity to the Project Boundary. The location and description of these items are detailed in the body of this Report. If further works are proposed, appropriate action will be required in relation to any relics are discovered.

1.00 INTRODUCTION

Archaeology Australia was commissioned by Hansen Bailey on behalf of Aston Resources Limited (Aston Resources) to undertake a *Non-Indigenous* Heritage Impact Assessment for the Maules Creek Coal Project (the Project). The purpose of the assessment is to form part of an Environmental Assessment (EA) being prepared by Hansen Bailey to support an application for a contemporary Project Approval under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to facilitate the development of a 21 year open cut coal mining operation and associated infrastructure.

Specifically, the Project will consist of:

- The construction and operation of an open cut mining operation extracting up to 13 Million tonnes per annum (Mtpa) Run of Mine (ROM) coal to the Templemore Seam;
- Open cut mining fleet including excavator / shovels and fleet of haul trucks, dozers, graders and water carts utilising up to 470 permanent employees;
- The construction and operation of a Coal Handling and Preparation Plant (CHPP) with a throughput capacity of 13 Mtpa ROM coal;
- The construction and operation of a Tailings Drying Area;
- The construction and operation of a rail spur, rail loop, associated load out facility and connection to the Werris Creek to Mungindi Railway Line;
- The construction and operation of a Mine Access Road;
- The construction and operation of administration, workshop and related facilities;

- The construction and operation of water management infrastructure including a water pipeline, pumping station and associated infrastructure for access to water from the Namoi River;
- The installation of supporting power and communications infrastructure; and
- The construction and operation of blasting facilities.

The Non-Indigenous Heritage Impact Assessment has been compiled by archaeologists and heritage consultants, Dr. Jennifer Lambert Tracey and Dr Michael MacLellan Tracey, in accordance with relevant guidelines and legislation. The scope of the assessment includes:

- Review of any relevant heritage assessment reports and other sources of information containing information on heritage items in the region;
- A field survey;
- Assessment of the heritage significance of identified items within the Project Boundary;
- Identification of potential impacts to any site of heritage significance; and
- Identification of necessary impact mitigation measures.

1.01 THE INVESTIGATION

The NSW State Heritage Inventory contains items listed by the Heritage Council under the *Heritage Act, 1977* (Heritage Act). *The Narrabri Local Environmental Plan, 1992* (Narrabri LEP) also lists historical heritage sites within the Narrabri Shire, the local government area in which the Project Boundary is located.

The investigation proceeded by recourse to the historical, archaeological and heritage significance of the Project Boundary and included:

- A search of databases of heritage listed items including those of the Heritage Branch, NSW Department of Planning, the Australian Heritage Council, National Trust of Australia (NSW); and Narrabri Shire Council;
- Review of available literature held by Narrabri Shire Library and the archives of the Boggabri Historical Society in addition to extensive document searches at the National Library of Australia, NSW State Library (Mitchell Library), NSW State Archives;
- Review of relevant documents and photographs held in private collections;
- Identification of heritage listed items within or in close proximity to the Project Boundary;
- A predictive model to assist in the identification of the potential extent and nature of previously unrecorded heritage items that may be located within, or in close proximity, to the Project Boundary;
- Assessment of the potential impacts of the proposed development upon any identified heritage items;
- Details of any statutory requirements relating to heritage items that may be impacted upon by the proposed works;
- Identification of areas requiring further investigation; and
- Recommendations to assist in the development of management and mitigation strategies for any potential impact on identified heritage items.

2.00 PROJECT BOUNDARY LOCATION AND DESCRIPTION

The Project Boundary is located approximately 20 km north-east of Boggabri, within the Narrabri Local Government Area (LGA). Boggabri is approximately midway between Gunnedah and Narrabri on the Kamilaroi Highway and is located on the Werris Creek to Mungindi Railway Line which forms the main rail link between Sydney and Moree.

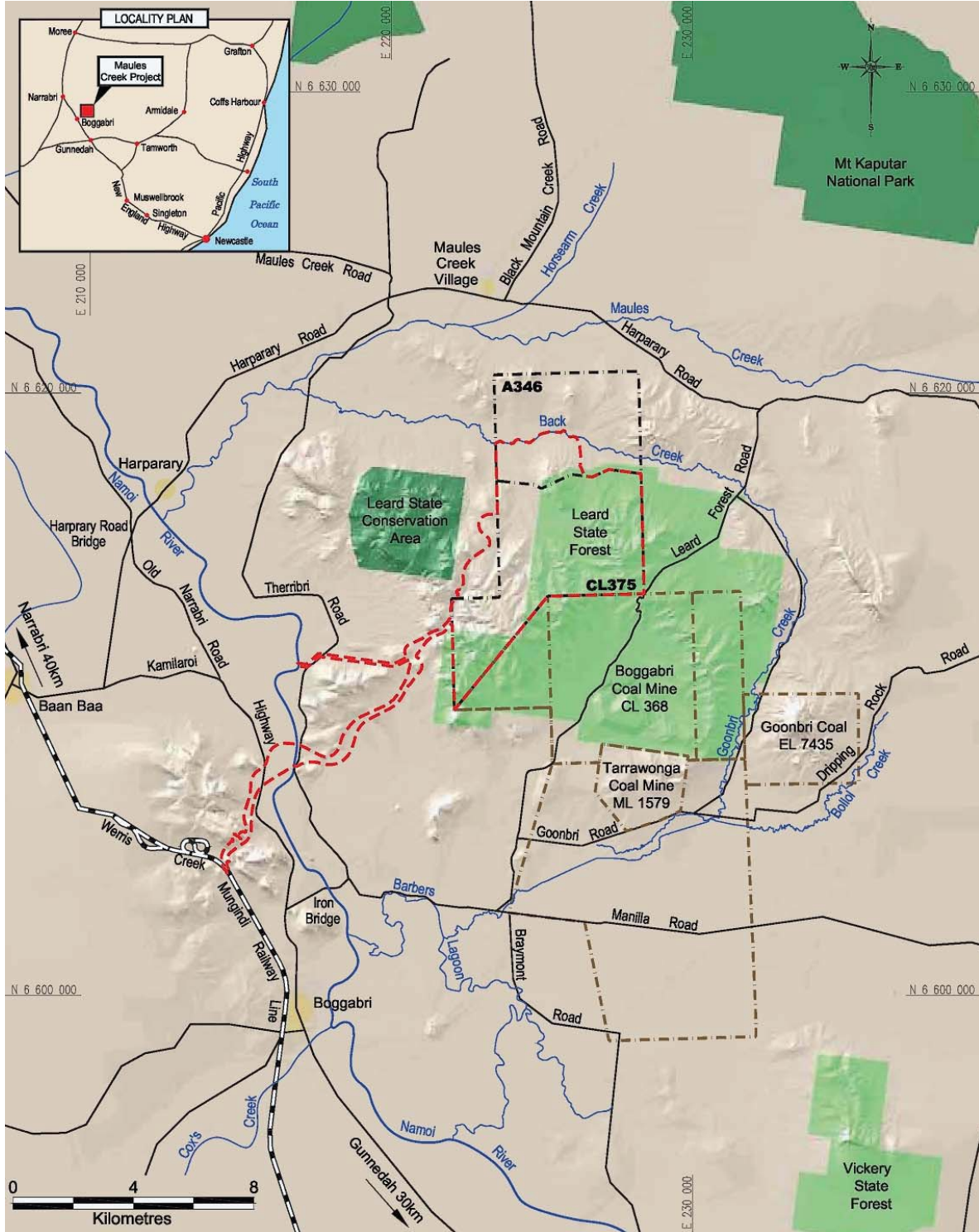


Figure 1: The Project Boundary marked with a red dotted line. [Data provided by Hansen Bailey Pty. Limited, October, 2010].

A substantial part of the Project Boundary is located within the Leard State Forest, an 8134 ha remnant patch of native vegetation that has been subject to the impact of forestry operations.¹ The Project Boundary is predominately located on land within Coal Lease 375 (CL 375) and Authorisation 346 (A 346), which are held by Aston Coal 2 Pty Limited (Aston), a wholly owned subsidiary of Aston Resources Limited (Aston Resources).

The area is supported by agriculture and is recognised for its economic production of cotton, wheat, beef cattle, lamb and wool. The majority of the Shire’s residents are located within the town of Narrabri, with a smaller population base in the rural areas and townships of Boggabri and Baan Baa.

2.01 LEARD STATE FOREST [FORMERLY BACK CREEK FOREST RESERVE]

Back Creek Forest Reserve was declared as a forest reserve in 1878.² The area was declared as Leard State Forest in 1917. The forest area covered in excess of 90 sq km. While ironbark (*Eucalyptus crebra*) and native pine (*Callitris* spp.) are common within Leard State Forest, quality is patchy and there is little evidence available to suggest that it was a valuable forest resource. The historical cultural heritage of the Leard State Forest was assessed as part of the NSW Western Regional Assessment of the Brigalow Belt South Bioregion. During this survey a water tank and a 1980s experimental coal extraction area were identified as being of possible historical importance. The available evidence suggests that Leard State Forest supported sporadic forestry activities. Historically, local residents sourced ironbark from the forest for posts for shed and yard building. Occasional contract logging for sleepers was also undertaken.³ Minimal evidence of logging activities remains and no evidence of spot mills or logging camps was identified.

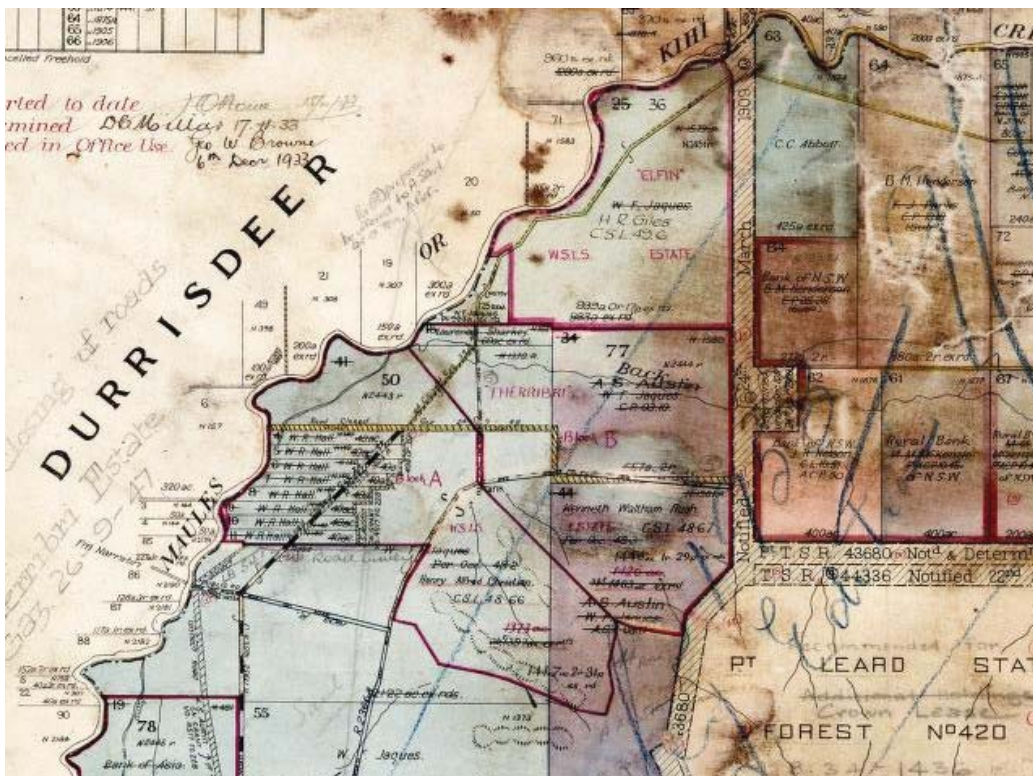


Figure 2: County of Nandewar, Parish of Leard 1883. (1st Ed.). NSW Department of Lands.

¹ Project Boundary details supplied by Hansen Bailey Pty Limited, October 2010.
² NSW Department of Lands, 1883, 1893..
³ Richard Eather, *pers. comm.* October 2010).

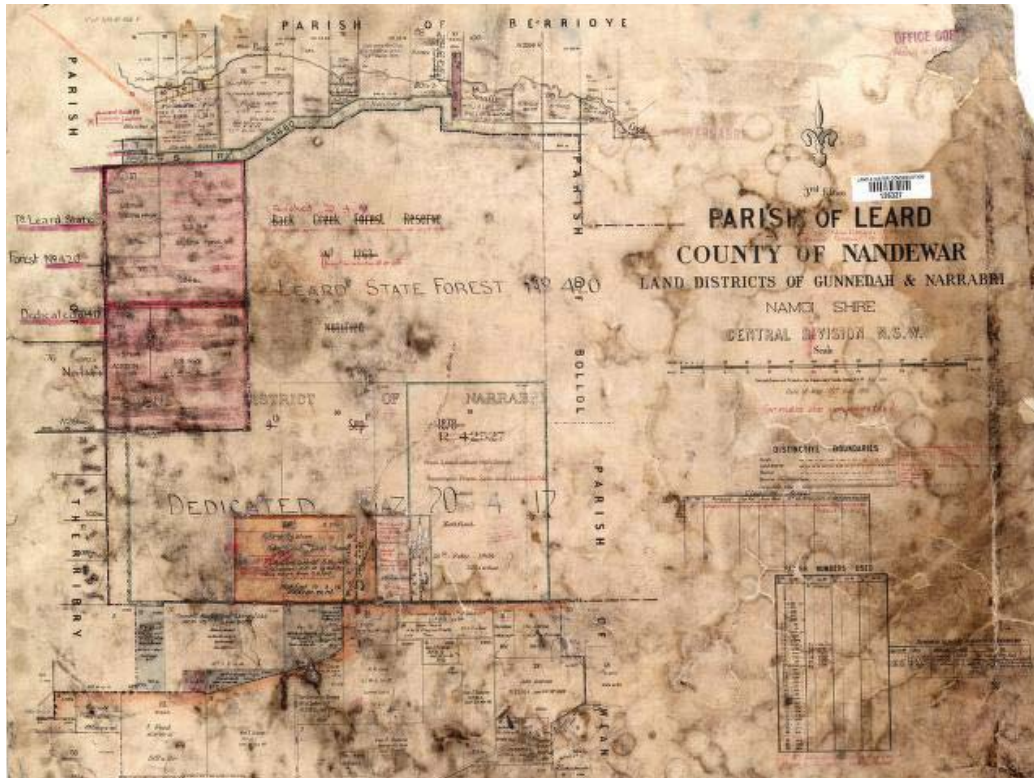


Figure 3: Parish of Leard County of Nandewar, Land Districts of Gunnedah & Narrabri – 1910.

2.02 MAULES CREEK VILLAGE

The village of Maules Creek is located approximately 5 km north of the Project Boundary. The principal road network adjacent to the Project Boundary includes:

- Leard Forest Road (to the east of the Project Boundary);
- Harparary Road (to the north of the Project Boundary);
- Therribri Road (to the west of the Project Boundary);
- Goonbri Road (to the south of the Project Boundary adjoining Leard Forest Road);
- Kamilaroi Highway (to the south-west of the Project Boundary);
- Manilla Road (to the south of the Project Boundary).

The northern sector of the Project Boundary is generally undulating with low hills and ridges separating Back Creek from Maules Creek. Back Creek flows through flat land paddocks and is largely impacted upon by grazing activities. To the south, the Project Boundary generally comprises ridges and narrow gullies with moderate slopes.

2.03 LANDSCAPE UTILISATION AND OWNERSHIP

The Project Boundary comprises land impacted upon by agricultural activities, grazing, and largely forestry operations. The Project Boundary includes Leard State Forest, an 8134 ha area of disturbed remnant native vegetation covering most of CL 375. The Leard State Forest covers a large portion of the land within the Project Boundary. The landscape surrounding is predominately rural, with grazing and agricultural activities dominating the area to the north, south, east and west of Leard State Forest.

Land within and surrounding the Project Boundary consists primarily of private freehold land, land in the ownership of Aston Resources, land owned by other mining companies and land held by NSW State Forests. Private freehold landowners occupy land to the north and south-west of the Project Boundary.⁴

3.00 METHODOLOGY

The investigation commenced with historical and archival research and searches of various heritage registers and planning instruments to ascertain whether any heritage sites had previously been recorded within or adjacent to the Project Boundary. Registers, databases and plans of the Australian Heritage Council (National Heritage List and Commonwealth Heritage List), Australian Heritage Commission (Register of the National Estate), National Trust (NSW), Heritage Council of NSW (State Heritage Register) and Narrabri LEP was searched. Historical records retained by the National Library of Australia, State Library of NSW, Boggabri Historical Society were also searched for relevant information.

An historical background of the region and Project Boundary is included to provide context and understanding of the processes of settlement and land use development within the area. This will assist with the production of a basic predictive model to assess the potential for heritage items to occur within the Project Boundary.

Not all land within the Project Boundary was inspected. Physical inspections were confined to areas based on the devised predictive model and information obtained during the course of historical and archival research. Local residents and members of the Boggabri Historical Society were also consulted as to their knowledge of the historical significance of areas within Project Boundary. Areas with the potential to contain evidence of any items of interest were closely examined and assessed.

The report contains a description and discussion of each site located followed by an assessment of heritage significance using the criteria outlined by the NSW Heritage Council. Distances and areas mentioned in this report may include Imperial Measurements as they were described in historical records. This report concludes with a Summary and Recommendations relating to the potential impact of the proposed works and mitigation and management strategies.

4.00 HERITAGE SIGNIFICANCE ASSESSMENT

4.01 CRITERIA

The NSW Heritage Branch, NSW Department of Planning, has defined a set of criteria and methodology for the assessment of cultural heritage significance for items and places, where these do not include Aboriginal heritage from the pre-contact period (NSW Heritage Office & DUAP 1996, NSW Heritage Office 2000).

The assessments provided in this report follow the Heritage Branch, NSW Department of Planning, methodology. The following heritage assessment criteria are those set out for listing on the State Heritage Register. In many cases items will be significant under only one or two criteria.

⁴ Information provided by Hansen Bailey Pty Limited, Oct. 2010.

4.02 THE NSW STATE HERITAGE REGISTER

The State Heritage Register was established under Part 3A of the Heritage Act (as amended in 1999) for listing of items of environmental heritage which are of state heritage significance. Environmental heritage means those places, buildings, works, relics, moveable objects, and precincts, of state or local heritage significance (Section 4, Heritage Act).

An item will be considered to be of State (or local) heritage significance if, in the opinion of the Heritage Council of NSW, it meets one or more of the following criteria:

- 1) An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area);
- 2) An item has a 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 cultural or natural history of the local area);
- 3) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);
- 4) An item has a strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;
- 5) An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area);
- 6) An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area);
- 7) 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 a class of the local area's cultural or natural places; or cultural or natural environments).

An item is not to be excluded from the Register on the grounds that items with similar characteristics have already been listed on the Register. Only particularly complex items or places will be significant under all or many criteria. In using these criteria it is important to assess the values first, then the local or State context in which they may be significant. Different components of a place may make a different relative contribution to its heritage value. For example, loss of integrity or condition may diminish significance. In some cases it is constructive to note the relative contribution of an item or its components.

TABLE 1 - 'HERITAGE SIGNIFICANCE GRADING' - A GUIDE TO ASCRIBING RELATIVE VALUES.

Heritage Significance Criteria

Grading	Justification
'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) NSW Heritage Branch Department of Planning 2009 publication, <i>Assessing Significance for Historical Archaeological Sites and 'Relics'</i> .
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). NSW Heritage Branch Department of Planning 2009 publication, <i>Assessing Significance for Historical Archaeological Sites and 'Relics'</i> .

5.00 HISTORICAL OVERVIEW

The Aboriginal inhabitants of this region were the Kamilaroi people.⁵ ‘Boggabri’ is an Aboriginal word, and is said to mean a ‘place of many creeks’. The first European to explore the area around Boggabri was John Oxley, who crossed the Liverpool Plains in 1817 and had reached the Nandewar Range in 1818.⁶ In 1823 Alan Cunningham passed through the area.

The first settler in the area was George Clarke who was known as the ‘Barber’. Clarke was an escaped convict and by 1825, was living to the north of the current township of Boggabri. He assimilated with the local Aborigines, darkening his skin, undergoing initiation via scarring and taking two Aboriginal wives. He was eventually captured by police and gave a detailed account of his life in the area. He was subsequently hanged for his crimes. Barber’s Lagoon and Barber’s Pinnacle are two local landmarks that bear his name. One of Clarke’s stories related to his following a great river, the ‘Kindur’, to the sea. This river was supposedly beyond the Namoi.⁷ The Acting Governor, Sir Patrick Lindesay dispatched the Surveyor General, Major Thomas Mitchell, to see if the story were true.⁸

Mitchell left Sydney in 1831 and arrived at the Namoi late that year. There he located what was believed to be Clarke’s camp which was associated with a number of Aboriginal ‘gunyas’. Before venturing further down the Namoi, Mitchell spent some days exploring an area to the north-east. He describes cutting his way through scrub of forest oak and the description he gives is that of what is now known as Leard State Forest. He returned to the Namoi River after a few days and made camp near the river where he prepared for his journey downstream. Mitchell failed to find evidence to support Clarke’s claims of an inland sea. He returned to Sydney via Clarke’s camp passing through that area in late February 1832. The area had no European settlers when he passed through in 1831, however Mitchell met a ‘Mr Brown’ on his return trip. Brown, who had a station to the south, *Wallamoul* was following in Mitchell’s tracks, no doubt scouting for land suitable for settlement. Despite Governor Darling placing a geographic limit on the spread of settlement, it was impossible to keep settlers from going beyond the ‘Nineteen Counties – the Limits of Location’.

In the decade following Mitchell’s exploration of the area, favourable reports sparked a strong interest in the area. The first known squatter in the vicinity of the Project Boundary was Edward Cox who took up *Namoi Hut* in 1835. The original township had been established about 20kms to the south on the Namoi River. However severe flooding destroyed this settlement in the 1850s. The new site was that of *Namoi Hut*, around the confluence of the Namoi River and Cox’s Creek, an area that was not inundated during the floods.

By 1847, the number of squatters in the area had increased. Those recorded as having taken up land in the area included William Charles Wentworth at *Burbugate*; Sir John Jamieson at *Baan Baa*; Thomas Eather at *Muggarie*; H. Eather at *Henriendi*; Alfred Denison at *Melville Plains* and *Gullendaddy*; and John Cox at *Therrabri*, also noted as *Therribri*. These were exceptionally large land holdings, e.g. in 1866 *Gullendaddy* was 162,560 acres and *Namoi Hut* was about 70,000 acres. Thomas Mort held *Boggabrie Station* during the 1860s. However this property passed into the hands of Ebenezer Vickery in 1870. Development was aided by the intersection of major south and west overland routes at this point. The township of Boggabri, initially surveyed by C. Filde in 1859, was gazetted in August 1860. By 1866, the ‘... newly proclaimed township on Cox’s Creek within the

⁵ Smith, M. 2006, ‘The Kamilaroi Nation’, in *Boggabri – Our Heritage*, Journal of the Boggabri & Districts Historical Society Inc. Vol.1, No.1, pp 1-2.

⁶ Reed, A. W. 1969, *Place Names of New South Wales: Their Origins and Meanings*, Sydney.

⁷ Favenc, E., 2006 (republished). *The History of Australian Exploration from 1788 to 1888*, Echo Library, London, UK., p.66.

⁸ Boggabri Adult Education Committee (BAEC), 1957: 4.

electoral district of Liverpool Plains...’ had a population of 50 and good agricultural land on the banks of a creek’.⁹ It was suggested that the process of ‘free selection’ would increase the population.

Free selection began in 1861 with the passing of the *Crown Land Alienation Act* and the *Crown Lands Occupation Act*. These Acts were an attempt to open up the land and to introduce closer settlement. There was no immediate effect in the Boggabri area. However by 1878, the postal directory showed eleven squatters in the area and also had the names of 24 selectors. Selection broke up the large tracts of land originally controlled by the squatters, however various practices adopted by the wealthier landholders, including ‘dummying’ and ‘peacocking’, often enabled them maintain control over fertile areas of land. Further attempts at closer settlement were attempted in the 20th century following the wars under the *Returned Soldier Settlement Act 1916*. Crown Land was targeted for such settlement although land acquisition was also undertaken. Attempts often failed however the evidence of these activities remains both within the cadastral landscape and in the houses and sheds that are evident across the landscape.

5.01 ECONOMIC DEVELOPMENT

The original European settlers took up land to graze cattle and sheep and to grow crops after land clearing. Timber cut during this process was used for construction of yards and buildings and often, timber became a source of income and supplied early mills. Wool was an early important resource and the *Gullendaddy* woolshed is testament of those activities. Over 40,000 sheep were annually shorn in that shed during the 1860s.¹⁰ The reduction in size of these properties resulted in fewer sheep per property thus reducing the need for substantial shearing sheds.

Crops were raised from the period of early settlement although much of the produce would have been for local consumption. The first commercial crops were planted around the 1890 and the area under cultivation increased over time. In 1907, 18,436 bushels of wheat were harvested in the Boggabri district and by 1939 this had increased to 1,804,073 bushels.¹¹ A flour mill began operations in 1910 and grain silos were opened at Boggabri in 1944. During the 20th century, intensive irrigation schemes were introduced in the area and cotton became a major income producer in this and surrounding areas. Logging has been carried out in the local forests since the time of settlement however it has never been a major industry in this area. Pilliga State Forest was the principal forest in the region although the Leard State Forest was dedicated as a forest reserve in 1878 (as mentioned above it was declared then as the Back Creek Forest Reserve). Native pine and ironbark was neither of sufficient quality nor quantity to attract major industry. The ‘Willowdale Mill’ operated for some years and locals often cut logs in the Leard State Forest to supplement their income.¹² Tobacco was grown on the Namoi River flats however minimal information is recorded of this activity.¹³ Rail transport was connected to Boggabri in 1882.

5.02 SUMMARY AND PREDICTIVE MODEL

While the Boggabri area is located in an area that has a significant and interesting rural history, there are no heritage items that were identified within the Project Boundary during the historical research. However, the local histories of the Project Boundary indicate that previously unidentified heritage items may be present in close proximity to the Project Boundary. Relics are protected under the Heritage Act and must be recorded and assessed prior to being disturbed, collected and/or destroyed.

Table 1 (below) contains a predictive model that highlights the nature of sites that may exist within the Project Boundary. It is based on the regional history and a preliminary study of former land-use and settlement patterns. This table highlights the potential for sites to occur within or adjacent to the Project Boundary. Historical and

⁹ *Balliere’s Gazetteer*, 1866.

¹⁰ *Journal of Boggabri Historical Society*, 2006: 9.

¹¹ *Journal of Boggabri Historical Society*, 2006: 6.

¹² Richard Eather, Boggabri Historical Society, *pers. comm.*, October 2010.

¹³ Judy Smart, Boggabri Historical Society *pers. comm.*, October 2010.



archival research has indicated that the Project Boundary was not a focus of settlement during the initial phases of regional occupation. The Project Boundary was incorporated within large properties whose head stations and homesteads lie beyond the Project Boundary. Later phases of closer settlement resulted in the erection of dwellings and attendant features (sheds and yards) on smaller properties as the large stations were selected in the process of 'closer settlement'. Heritage sites relate to the settlement of European landholders and the economic development of the grazing and agricultural lands from the second half of 19th century. The potential for heritage items to occur within the Project Boundary overall, was considered to be low. There was, however, potential for some significant heritage items to be present in close proximity, to the south-west of the Project Boundary.

5.03. TABLE 1. HERITAGE POTENTIAL WITHIN THE PROJECT BOUNDARY

Phase	Activity	Relic or site type	Assessed potential
Timber cutting	logging	stumps, tools, camps	low
	carting	tracks, tramways, bridges	low
	milling	plant, equipment, sawmills, housing, tools	low
Farming /Grazing	pastoralists	fencing, yards, housing, gardens, implements	low
	agriculture	fencing, sheds, housing, gardens, processing plants, implements	low
Transport	road	embankments, cuttings, tracks, bridges, culverts;	low
Social & Communal	schools; churches; cemeteries; post offices; police stations; halls; inns/hotels;	buildings & grounds	low

6.00 STATUTORY OBLIGATIONS

No items of heritage significance were located within the Project Boundary. Items of heritage significance were identified in proximity to the Project Boundary.

6.01 LEGISLATION - NATIONAL

A National heritage system was established in January 2004. Its main features include:

- A National Heritage List of places of national heritage significance;
- A Commonwealth Heritage List of heritage places owned or managed by the Commonwealth;
- The creation of the Australian Heritage Council – an independent expert body to advise the Minister on the listing and protection of heritage places; and
- Continued management of the Register of the National Estate.

National Heritage List:

The National Heritage List will record the natural, indigenous and historic places with outstanding heritage value to our nation. These places will have values or characteristics that have special meaning or all Australians. They will show important aspects of the history of the continent on which we live, and will reflect the diverse experience of its human occupation. The list may also include important places overseas such as Anzac Cove – subject to the agreement of the sovereign country in which they are located.

Places on the National Heritage List will be protected under Section 15B of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Commonwealth Heritage List:

The Commonwealth Heritage List will include places or groups of places that are in Commonwealth lands and waters or under the control of the Australian Government. Anyone, including the Minister and the Australian Heritage Council, can nominate a place to the Commonwealth Heritage List through a public nomination process. The Australian Heritage Council will assess nominations after receiving the Council's advice, the Minister will decide whether or not a place warrants listing using criteria prescribed in the Act and may invite public comments on the inclusion of the place in the Commonwealth Heritage List. It will then advise the Minister of its findings.

Register of the National Estate

The Register of the National Estate is a list of more than 13,000 heritage places around Australia that has been compiled by the former Australian Heritage Commission since 1976. It will continue as an evolving record of Australia's natural, cultural and indigenous heritage places that are worth keeping for the future. Members of the public can still nominate places to the Register. The Australian Heritage Council will then assess nominations and will list places meeting relevant criteria. It will maintain information about places on the Register in a publicly accessible database that will be used for public education and to promote heritage conservation in general. Places on the Register are protected under the EPBC Act by the same provisions that protect Commonwealth Heritage places.

6.02 NSW STATE HERITAGE

National Trust of NSW

The National Trust of Australia (NSW) is a Non-government Community Organisation which promotes the conservation of both the built and natural heritage (e.g. buildings, bushland, cemeteries, scenic landscapes, rare and endangered flora and fauna, and steam engines may all have heritage value). The Trust has approximately 30,000 members in NSW. Following its survey and assessment of the natural and cultural environment, the Trust maintains a Register of landscapes, townscape, buildings, industrial sites, cemeteries and other items or places which the Trust determines to have heritage significance and are worthy of conservation. Currently there are some 11,000 items listed on the Trust's Register. They are referred to as 'Classified' items. The Trust's

Register is intended to perform an advisory and educational role. The listing in the Register has no legal force. However, it is widely recognised as an authoritative statement of the heritage significance of a place. The Trust does not have any control over the development or demolition of the Classified Places or Items in its Register. While the National Trust Register does not provide any statutory obligations for protection of a site as such, the acknowledgment of a place being listed on the Register as a significant site lends weight to its heritage value. Also, the fact that the actual data for sites may be minimal does not diminish the significance of a place. In fact, many sites were listed with only basic data added, especially in the early developmental stages of the Register.

NSW Heritage Act (1977)

The purpose of the Heritage Act is to ensure that the heritage of NSW is adequately identified and conserved. In practice the Act has focused on items and places of non-indigenous heritage to avoid overlap with the NSW *National Parks & Wildlife Act, 1974*, which has primary responsibilities for nature conservation and the protection of Aboriginal objects and places in NSW. In recent years however, the Heritage Council has targeted these other areas, working with relevant State agencies such as the National Parks and Wildlife Service (NPWS) to identify gaps in the protection of Aboriginal and European heritage places.

The Heritage Amendment Act 1998 came into effect in April 1999. This Act instigated changes to the NSW heritage system, which were the result of a substantial review which commenced in 1992. A central feature of the amendments was the clarification and strengthening of shared responsibility for heritage management between Local Government Authorities, responsible for items of local heritage significance, and the NSW Heritage Council. The Heritage Council retained its consent powers for alterations to heritage items of State significance.

The *Heritage Act* is concerned with all aspects of conservation ranging from the most basic protection against damage and demolition, to restoration and enhancement. It recognises two levels of heritage significance, State significance and Local significance, across a broad range of values.

Some key provisions of the Act are:

- The establishment and functions of the Heritage Council (Part 2);
- Interim heritage orders (Part 3)
- The State Heritage Register (Part 3A);
- Heritage Agreements (Part 3B);
- The protection of archaeological deposits and relics (Part 6); and
- The management of State government owned and managed items (Part 8).

Generally this Act provides protection to items that have been identified, assessed and listed on various registers including State government Section 170 registers, LEPs and the State Heritage Register. The only 'blanket' protection provisions in the Act relate to the protection of archaeological deposits and relics greater than 50 years of age.

The Heritage Council of NSW:

The role of the Heritage Council is to provide the Minister for Planning with advice on a broad range of matters relating to the conservation of the heritage of NSW. It also has a role in promoting heritage conservation through research, seminars and publications. The membership of the Heritage Council is designed to reflect a broad range of interests and areas of expertise.

NSW State Heritage Register.

Amendments to the Heritage Act in 1998 established the State Heritage Register which includes all places previously protected by Permanent Conservation Orders (PCO's) and items identified as being of State

significance in heritage and conservation registers prepared by State Government instrumentalities. Sites or places which are found to have a State level of heritage significance should be formally identified to the Heritage Council and considered for inclusion on the NSW State Heritage Register or other Heritage or Conservation Registers.

Protection of Archaeological Relics and Deposits:

Section 139 of the Act specifically provides protection for any item classed as a relic. A relic is defined as "... any deposit, object or material evidence –

- a) which relates to the settlement of the area that comprises NSW, not being Aboriginal settlement; and
- b) which is 50 or more years old." (*Heritage Act 1977*, Part 1, Section 4).

Section 139 of the Act disallows disturbance of a relic unless in accordance with an 'excavation permit' from the Heritage Council. In practice, excavation permits are required only for relics that, according to their assessed heritage significance, warrant this form of documentation and control. Section 139(4) of the Act provides exceptions to be granted when an excavation permit is required. Standard exception #4 (Excavation, as amended 18 June 2004) is relevant to the present assessment (NSW Heritage Office 2004:12) and includes:

1. Excavation or disturbance of land of the kind specified below does not require approval under s.57(1) of the Act, provided that the Director is satisfied that the criteria in (a), (b) or (c) have been met and the person proposing to undertake the excavation or disturbance of land has received a notice advising that the Director is satisfied:

- a) where an archaeological assessment has been prepared in accordance with guidelines published by the Heritage Council of NSW which indicates that any relics in the land are unlikely to have state or local heritage significance; or
- b) where the excavation or disturbance of land will have a minor impact on archaeological relics; or
- c) where the excavation or disturbance of land involves only the removal of unstratified fill which has been deposited on the land;
- d) A person proposing to excavate or disturb land in the manner described in paragraph 1 must write to the Director and describe the proposed excavation or disturbance of land and set out why it satisfies the criteria set out in paragraph 1. If the Director is satisfied that the proposed development meets the criteria set out in paragraph (a), (b) or (c) the Director shall notify the applicant.

1. A person must not disturb or excavate any land knowing or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed unless the disturbance or excavation is carried out in accordance with an excavation permit.
2. A person must not disturb or excavate any land on which the person has discovered or exposed a relic except in accordance with an excavation permit.
3. This section does not apply to a relic that is subject to an interim heritage order made by the Minister or a listing on the State Heritage Register.
4. The Heritage Council may by order published in the Gazette create exceptions to this section, either unconditionally or subject to conditions, in respect of any of the following:
 - a) any relic of a specified kind or description,
 - b) any disturbance or excavation of a specified kind or description,
 - c) any disturbance or excavation of land in a specified location or having specified features or attributes,
 - d) any disturbance or excavation of land in respect of which an archaeological assessment approved by the Heritage Council indicates:
 - i. that there is little likelihood of there being any relics in the land, or
 - ii. that any relics in the land are unlikely to have State or local heritage significance.

Section 146 of the Act requires that the discovery of a previously unknown relic be reported to the Heritage Council within a reasonable time of its discovery.

Heritage and Conservation Registers:

Section 170 of the Act requires all State government instrumentalities to establish and maintain a Heritage and Conservation Register that lists items of environmental heritage. The register is to include items which are, or could potentially be, the subject of a conservation instrument, and which are owned, occupied or otherwise under the control of that instrumentality.

Environmental Planning and Assessment Act (1979):

The current project is governed by Part 3A of the EP&AA Act. The Act and its regulations, schedules and associated guidelines require that environmental impacts be considered in land use planning and decision-making. Environmental impacts include those to cultural heritage.

The Minister administering the EP&A Act may make various planning instruments such as LEPs (section 53). The Minister may direct a public authority such as a Local Council, to exercise certain actions within a specified time, including the preparation of draft LEPs and appropriate provisions to achieve the principles and aims of the Act (section 117).

These planning instruments may identify places and features of cultural heritage significance and define various statutory requirements regarding the potential development, modification and conservation of these items. In general, places of identified significance, or places requiring further assessment, are listed in various heritage schedules that may form part of a LEP.

These planning instruments may identify places and features of cultural heritage significance and define various statutory requirements regarding the potential development, modification and conservation of these items. In general, places of identified significance, or places requiring further assessment, are listed in various heritage schedules that may form part of a LEP. Listed heritage items are then protected from certain defined activities, normally including demolition, renovation, excavation, subdivision, and other forms of damage, unless consent has been gained from an identified consent authority.

In determining a Development Application (DA), a consent authority must take into consideration any of the following that are relevant to the subject application (section 79C(1) Matters for Consideration – general):

- The provisions of any environmental planning instrument;
- The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- The suitability of the site for the development;
- Any submissions made in accordance with the Act or the regulations; and
- The public interest.

The EP&A Act, as amended, provides for the listing of heritage items and conservation areas and for the protection of these items or areas through environmental planning instruments (like LEPs) at the local government and State planning levels. These statutory planning instruments usually contain provisions for the conservation of these items and areas as well as an assessment process to reduce the impacts of new development on the heritage significance of a place, building or conservation area.

The Project is one to which Part 3A of the EP&A Act applies and therefore exemptions for additional approvals under Section 75U apply. Relevant exemptions to non-Indigenous Heritage include:

"75U Approvals etc legislation that does not apply

(1) The following authorisations are not required for an approved project (and accordingly the provisions of any Act that prohibit an activity without such an authority do not apply):

This includes item (c):

(c) an approval under Part 4, or an excavation permit under section 139, of the Heritage Act 1977;

(2) Division 8 of Part 6 of the Heritage Act 1977 does not apply to prevent or interfere with the carrying out of an approved project."

"75V Approvals etc legislation that must be applied consistently

(1) An authorisation of the following kind cannot be refused if it is necessary for carrying out an approved project and is to be substantially consistent with the approval under this Part:

See part:

(c) a mining lease under the Mining Act 1992."

7.00 SITE INVESTIGATION

The Project Boundary is located entirely within Narrabri Shire which is an amalgamation of three Local Government areas: Namoi, Narrabri West and Narrabri. Discussions with Mr. Ian Kirk, Heritage Advisor for Narrabri Shire, revealed that a 'Heritage Study' was completed in Narrabri in 1986, although no copies of this document have been located or were available from the Narrabri Shire Council. Inquiries in that regard to the library of the Heritage Branch, NSW Department of Planning also proved negative. Further advice from Mr. Kirk indicates that most of the current heritage listings for the Shire are based on National Trust of Australia [NSW] lists and are centred around the Narrabri town centre. There are also a number of heritage items within the township of Boggabri listed in the Narrabri LEP.

7.01 PREVIOUS INVESTIGATIONS

No items were found to be heritage listed within the Project Boundary. A search of relevant heritage databases was conducted in August /September 2010. No items within the Project Boundary or within two kilometres of its boundaries were listed on any heritage registers.

7.02 PHYSICAL INSPECTION

The Project Boundary was inspected between 13th – 18th October. General survey was conducted by vehicle, traversing gazetted roads, tracks, Leard State Forest and private properties within the Project Boundary. Several areas documented in historical records held in Local and State repositories, or indicated through consultation with past and present occupants, have been examined. Table 2 summarises heritage items located during the survey.

7.03 TABLE 2: SITES OF LOCAL HERITAGE SIGNIFICANCE LOCATED IN CLOSE PROXIMITY TO THE PROJECT BOUNDARY.

Item	Location (E/N)	Description
Velyama Homestead Site	30° 36'05.25" S 150° 05'00.37" E	Archaeological site of the former residence of Colonial artist, Blagden Chambers and family. Extensive exotic plants, native shrubs, fruit trees remain in the garden.
Velyama Shearing Shed	30° 36'40.46" S 150° 05'03.74" E	Extant shearing shed and shearing plant. Wool press c. 1904 and evidence of Wool bale mark. Wool wash and yards (recently demolished).
Velyama Burial Ground	30° 36'15.24" S 150° 04'52.31" E	Graves of Blagden Chambers and his family – enclosed with modern stock fence.
Warriahdool Hut	30° 31'54.98" S 150° 08'43.33" E	Corrugated iron and timber hut c.1940. Associated archaeological features of habitation: earth floors, pit toilets; collapsed stone fireplaces; and scattered artefact material c.1930 – 1950.
Therribri Homestead Site	30° 31'58.16" S 150° 07'17.23" E	Homestead site c.1897 (archaeological integrity destroyed); house removed; concrete tank and scattered bricks / timber remaining;

8.00 VELYAMA

Site investigations indicated that the property referred to as *Velyama* may have previously unidentified heritage potential. The property lies in proximity to the Project's proposed construction and operation of a rail spur, rail loop, associated load out facility and connection to the Werris Creek to Mungindi Railway Line.

8.01 SITE INSPECTION

Inspection of the property conducted in October 2010 was restricted due to vegetation growth. Site visibility varied from 0% to 70% depending upon location. Three (3) distinct components with the potential for significant heritage value were identified on the property. These are:

- Velyama Homestead Site and Gardens - *Therribri 8936-IV-N Topographic Map 1:25,000*: 30° 36'05.25" S; 150° 05'00.37" E; Portion 23, Parish of Therribri, County of Nandewar.
- Velyama Shearing Shed - *Therribri 8936-IV-N Topographic Map 1:25,000*: 30° 36'40.46" S; 150° 05'03.74" E; Portion 37, Parish of Therribri, County of Nandewar.
- Velyama Private Burial Ground - Marked as 'Graves' on the *Therribri 8936-IV-N Topographic Map 1:25,000*: 30° 36'15.24" S; 150° 04'52.31" E; Portion 51, Parish of Therribri, County of Nandewar.

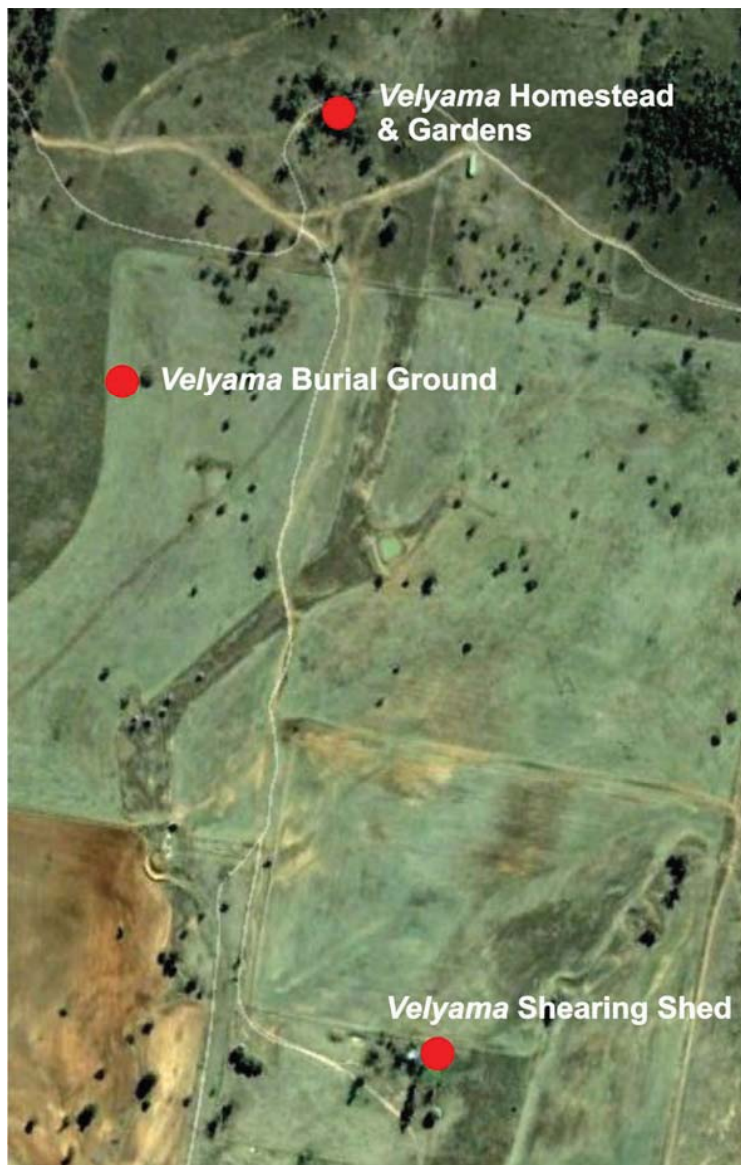


Figure 4: Sites of Heritage Significance on the Velyama property. [Google Earth image 2010].

8.02 VELYAMA HOMESTEAD SITE

The Velyama homestead was erected for the artist, Blagden Chambers, c.1904. The building was relocated to Gulgong, NSW, in 1980 where it has been restored. An image of the restored residence has been digitised and superimposed on a photograph of the now vacant site at *Velyama*, Boggabri. The purpose of the composite photograph is to provide a visual concept of the homestead site and the gardens where no historical photographs of the homestead in its original setting have been located.

Research revealed that *Velyama* represents an historical cultural landscape directly associated with the renowned colonial Australian artist, Blagden Chambers, and the place where he spent his last years in residence. The property is strongly associated with Chamber's life and his important artistic achievements. Although the *Velyama* homestead was removed to Gulgong, NSW in 1980, an exceptionally strong historical sense of place remains on the Boggabri property. This is evident in the homestead gardens established by Chambers and his family; the *Velyama* Shearing Shed, which is highly representative of those erected and operated by small land holders at the turn of the 19th century; and the *Velyama* Burial Ground. Blagden Chambers' lasting connection with the place is evident in the small cemetery where he and his family rest in peace.

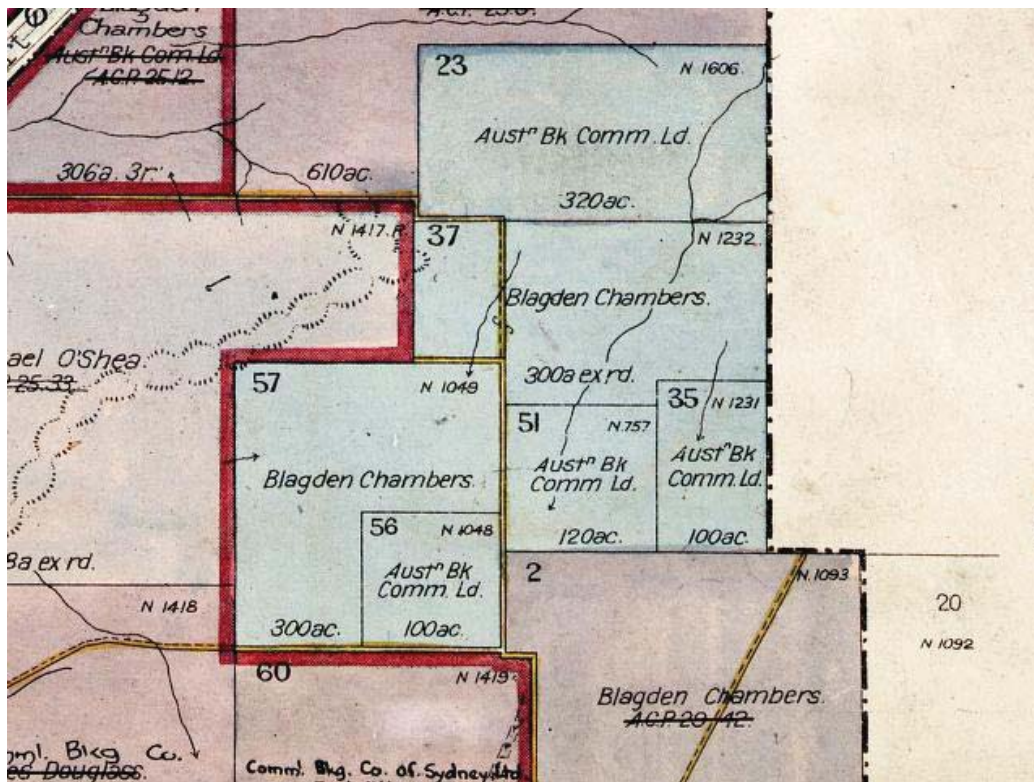


Figure 5: Segment of the Parish of Therribri, County of Nandewar map Department of Lands, NSW 1933, showing portions held by Blagden Chambers / Australian Bank of Commerce Ltd. 1933.



Figure 6: A digitised image of the *Velyama* homestead superimposed on a photographs of the now vacant site.



Figure 7: Demolished outbuilding on the site of the *Velyama* Homestead.



Figure 8: The rear verandah of the *Velyama* homestead prior to the relocation of the house in 1980.¹⁴



Figure 9. Photograph showing Joseph Chambers Snr., and Joseph Chambers Jnr.¹⁵

¹⁴ Photograph courtesy Helen and John Wood, Gulgong, NSW).*Pers comm.* October, 2010.

¹⁵ Photograph courtesy Richard Eather, 2010.



Figure 10: Location of the front fence and remains of gate – Velyama 2010.

8.03 BLAGDEN CHAMBERS (1846-1943)

Blagden Chambers was primarily a grazier. However, his cultural activities as a member of the Australian School of watercolourists and his contribution to art in western NSW, and Australia generally, must rank among the highest of his life's achievements. He died at 97 years of age on his property *Velyama* near Boggabri, NSW.¹⁶ Along with members of his family he is buried in the Burial Ground on *Velyama* approximately 250 metres south-west of the homestead that contained his art studio.

Blagden Chamber's Grandfather, Joseph Chambers (1815 – 1884), was born in Portsmouth, England on 1 January 1815. After migrating to Australia and studying law he was admitted as a Solicitor in NSW in 1842. In 1859, while living at Maitland and East Maitland he was elected as a Member of the NSW Legislative Assembly (MLA). Joseph resigned from the Legislative Assembly following his appointment as the Crown Prosecutor for the Western District in 1859. In 1862 he established a law practise in East Maitland. During the early 1880s ailing health forced him to cease his legal practise and he died on 16 July 1884.

Blagden Chambers was born in East Maitland, NSW, the second son of Joseph Chambers Jr. (1846 – 1943) and Mary (Maguire) Chambers (1850 - 1922).¹⁷ Both Joseph and Mary are buried at *Velyama*. When he had completed his education Blagden Chambers joined his father's legal practise as a clerk. He developed an interest in natural history and resigned from his father's legal business to pursue his evolving interest. This was to considerably influence his artistic endeavours. He took on a position at *Grove* station near Bundarra on the Northern Tablelands of NSW, where he met the son of the owner of the property, A. S. Darby. In company with Darby's son, he drove a flock of four thousand head of sheep to North Queensland seeking suitable land. In addition, their later efforts of droving cattle was hampered by confrontation with Aborigines particularly near the head of the Flinders River. Continued hostilities prompted Chambers and Darby's return to the Warrego River area and forced the sale of their land holdings.¹⁸

¹⁶ NSW, Births, Marriage and Death Records: 9640/1943.

¹⁷ NSW, Birth, Marriage and Records: V18462469 31A/1846.

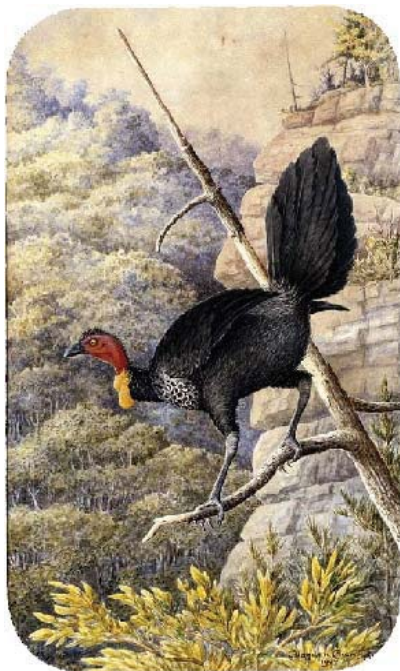
¹⁸ Chambers, B., 1988. *Black and White*, Methuen Australia, Richmond, Vic. (Previously published in serial form in *Country Life* (N.S.W.) between 1 June 1926 and 31 May 1927' – Foreword).

Chambers returned to the New England region to manage *Paradise Creek* station. In 1872, after eighteen months at *Paradise Creek*, he rejoined A. S. Darby at his Barraba property, *Mayvale*. Chambers worked at *Mayvale* until he relocated to Boggabri, c. 1904. There he selected land and named his property *Velyama*.¹⁹ Chambers excelled as an artist while residing at *Mayvale*. He obviously developed a deep emotional attachment to the property and arguably this is demonstrated his instigation of the word 'Velyama'. Included in the spelling of *Mayvale* are the letters that make up the word 'Velyama'. The table below shows the encryption.

1	2	3	4	5	6	7
M	A	Y	V	A	L	E
V	E	L	Y	A	M	A
4	5	6	3	5	1	2

Blagden Chambers – The Artist

While residing at *Mayvale* Blagden Chambers' expertise and reputation as a prominent Colonial artist became well recognised. His original artworks of flora, fauna and natural landscapes were presented with a high degree of technical achievement and were widely acclaimed by his peers, art collectors and the general public. The *Sydney Morning Herald* 13th February 1882 published an advertisement for a Chromo-Lithograph Supplement in nine colours titled 'WAR' from the prize drawing by 'Mr. Blagden Chambers, *Mayvale*, Barraba. Also the *Illustrated Sydney News* 22nd November 1882 presented in the Art Picture Supplement "Not Game" by the 'New Colonial Artist, Mr. Blagden Chambers'.



Chambers successfully pitted his works against renowned artists including Julian Rossi Ashton (later Sir Julian [1851-1942]), William Lister-Lister (1859-1943), Charles Edward Hern (1848-1849) and many other notaries in the art world of the era. As did many artists, he freely gave away many of his works. His paintings are held in public and private collections throughout Australia and overseas and his works continue to be listed in international art auctions. For example, the watercolour below titled *Scrub Turkey* was presented for auction by Christies in 2003. An extract from the catalogue read:
The contents of Bronte House, 9 December 2003, Sydney. Lot Description: Blagden Chambers (Australian School) Scrub Turkey, watercolour, signed and dated 1907, with label to reverse Gunnedah P A & H Association First Prize ... best Life Figure or Animal'. From the contents of Bronte House, 9 December 2003, Sydney.

Figure 11: Blagden Chambers' watercolour titled *Scrub Turkey*, dated 1907.

¹⁹ Jackson, D., (ed.) 2007. 'Chambers Blagden 1846 – 1943', *Boggabri - Our Heritage; The Journal of the Boggabri & District Historical Society Inc.*, Boggabri, NSW, Volume 1, No 2, p 22.

Many of Chambers' significant artworks were destroyed in fires at the Garden Palace Exhibition Building, Sydney Botanical Gardens, in September 1882 and later at an exhibition at Medlow Bath, Blue Mountains. His landscapes, seascapes and details of historical sites continue to be used for academic research and in heritage assessments, including by the NSW Heritage Office. While described as 'Blayden Chambers' in the 2001-2002 Heritage Office, NSW *Annual Report*, it is evident that the artist is Blagden Chambers.²⁰



Figure 12: 'Old Government House, Port Macquarie, NSW' by Blagden Chambers, c.1863 (Mitchell Library, State Library of NSW).

8.04 VELYAMA HOMESTEAD GARDEN

The Velyama homestead garden has been designed with a sense of balance, form and texture in the selection of plants and their settings. The garden was extensive, providing sustenance, beauty and natural remedies. It is evident that because of Blagden Chambers' interest in natural history, clearly illustrated in his paintings, the gardens were well structured. Native and introduced plants were intentionally planted within the confines of the homestead block. Many 'residue' introduced species form part of the archaeological remains of the homestead landscape and should be considered accordingly. A dichotomy exists however, in that while the introduced species are part of the archaeological integrity of the homestead site, without proper management, these have the potential to become feral / noxious plants. Management of these species should give consideration to their archaeological importance.

Native and Introduced Plants

Both native and introduced plants are extant in the homestead garden at *Velyama*. The notes presented here are not intended to be a comprehensive or technical listing of species and comments are made on the basis of field recording and recognition only. Citrus trees and general flowering plants include Petunias, Jonquils, Phlox and Hoya and roses were noted.

²⁰ The Year in Review, 'Historical Archaeology: Port Macquarie's Government House', *Heritage Office Annual Report 2001-2002*, p. 25; Historical Archaeology: Plan to save Government House Site, *Quarterly Newsletter of the Heritage Office and Heritage Council of NSW*: Spring 2001 Vol. 8, No. 2.



Figure 13: *Velyama* Homestead Garden – 2010.

The Mojave Yucca is native to the South-western United States and Mexico. Native Americans have used *Schidigera* extract from Yucca for hundreds of years to treat a variety of dietary and medical disorders. Medicinal extracts from the Yucca contain Magnesium, Manganese, Phosphorus, Selenium, Silicon and vitamins A, B complex, and C. It was not unusual for persons of the era to rely upon herbal remedies especially when living in isolation.²¹



Figure 14: The Mojave Yucca at *Velyama*, 2010.

²¹ Duke, F. S. 1990. *A Field Guide to Medicinal Plants: Eastern and Central North America*. Houghton Mifflin Co., Boston, USA.

The *Agave americana* present in the front section of the garden is commonly called the Century Plant. The agave is a native from Mexico but has been collected or exported and cultivated worldwide as an ornamental plant. It has since naturalised in many regions of the world and grows wild in many part of Australia.²²



Figure 15: The *Agave americana* at Velyama homestead garden (photographed October 2010).



Figure 16: The Barrel Cactus at Velyama homestead garden (photographed October 2010).

The Barrel Cactus (*Lobivia Arachnatea*) is of the Cactaceae family. Barrel Cacti are classified into the two genera *Echinocactus* and *Ferocactus*. Both genera are native to both of which are found in the Southwest Desert of

²² Bickerton, D.C., 2006. 'Using herbicide to control century plant (*Agave americana*): Implications for management' in *15th Australian Weeds Conference Proceedings: managing weeds in a changing climate*, Edited by C. Preston, J.H. Watts and N.D. Crossman. Weed Management Society of SA Inc.

North America. The fruit is not recommended for eating. The ribs around the barrel are numerous, pronounced and the spines are long and grey in colour. Small yellow flowers blossom on the head of the plant.²³



Figure 17: Aloe Vera at Velyama homestead garden (photographed October 2010).

Aloe Vera is a native of the warm climates such as the Canary Islands. The sap, and ground up tissue have been used as a natural remedy since ancient times for the treatment of various skin conditions and treatment of burns. The extract from the plant is also used for internal disorders, aching joints and muscles.



Figure 18: Prickly Pear at Velyama homestead garden (photographed October 2010).

The prickly pear or paddle cactus (*Opuntia*) is also a genus of the *Cactaceae* family. The prickly pears are widely distributed throughout the Americas and north eastern Australia. However, the species is native to Mexico. This

²³ Borg, J., 1963. *Cacti: A Gardener's Handbook for Their Identification and Culture*, Blanford Press, London.

cactus is considered a noxious pest and attempts have been made in north NSW and Queensland to eradicate this species using biological controls. The fruit or pear from the plant may be eaten and is rich in vitamins.²⁴



Figure 19: Moonlight Cacti – Velyama 2010.

The Moonlight cacti of the genus *Selenicereus* is an epiphytic, lithophytic, and terrestrial cactus. It is commonly found in Central America, the Caribbean South America. The cactus produces plants with flat to angled stems and produces aerial roots. The plants nocturnal flowers are large cream to white and pollinated by moths and bats. Fruits bear numerous spines. Flowers, generally produced in abundance, are very fragrant.²⁵



Figure 20: The Silk Tree or Sleeping Tree, Velyama, 2010.

²⁴ Bailey, L.H., 1963. *Standard Cyclopaedia of Horticulture*, MacMillan Co., New York.

²⁵ Auld, B.A. and Medd R.W. 1992.. *Weeds. An illustrated botanical guide to the weeds of Australia*. Inkata Press, Melbourne.

8.05 VELYAMA SHEARING SHED

Graziers, shearers and shearing sheds played a pivotal role in the development of the Australian economy and culture. By 1907, Blagden Chambers had successfully established his wool growing enterprise on *Velyama* and was receiving good returns for quality wool offered at the Sydney Wool Sales.²⁶ Wool from the property continued to be sold in Sydney under the *Velyama* name until 1952, almost a decade after Chambers death.²⁷



Figure 21: *Velyama* Shearing Shed.



Figure 22: The *Velyama* Shearing Shed.

²⁶ *Sydney Morning Herald* 21 November 1907, p.9.

²⁷ *Sydney Morning Herald* 18 November 1952, p.7.



Figure 23: The Velyama Shearing Shed is substantially intact. Parts of the shearing plant, wool classing tables and other mechanical items have been removed to outside the shed.



Figure 24: Pens and chutes for sheep constructed of round log timber.

Artefacts / moveable heritage items have been removed from the Shearing Shed and lie adjacent to the entrance. These items have been manufactured by the R.A. Lister company, world-famous manufacturer of engines and agricultural implements, established at Dursley, England, in 1867. Robert Ashton Lister commenced selling and repairing farm implements and his company achieved success in 1888, manufacturing cream separators for dairy farms. Lister began manufacturing sheep shears in 1909 and at this time the company's first consignment of shears was shipped to Australia. Lister petrol engines to drive the shears were introduced in 1911 and Lister diesel engines were being exported to Australia by the 1920s. It is obvious by the artefacts present on the site that Chambers took advantage of the improvements in Lister's shearing technology.



Figure 25: An example of a Lister shearing plant in operation c.1910.



Figure 26: A section of the shearing plant from the *Velyama* Shearing Shed manufactured by R.A. Lister, Dursley, Gloucestershire, England.



Figure 27: Part of the shearing gear marked 'Lister England'. See the inset below showing this section of the shearing plant.

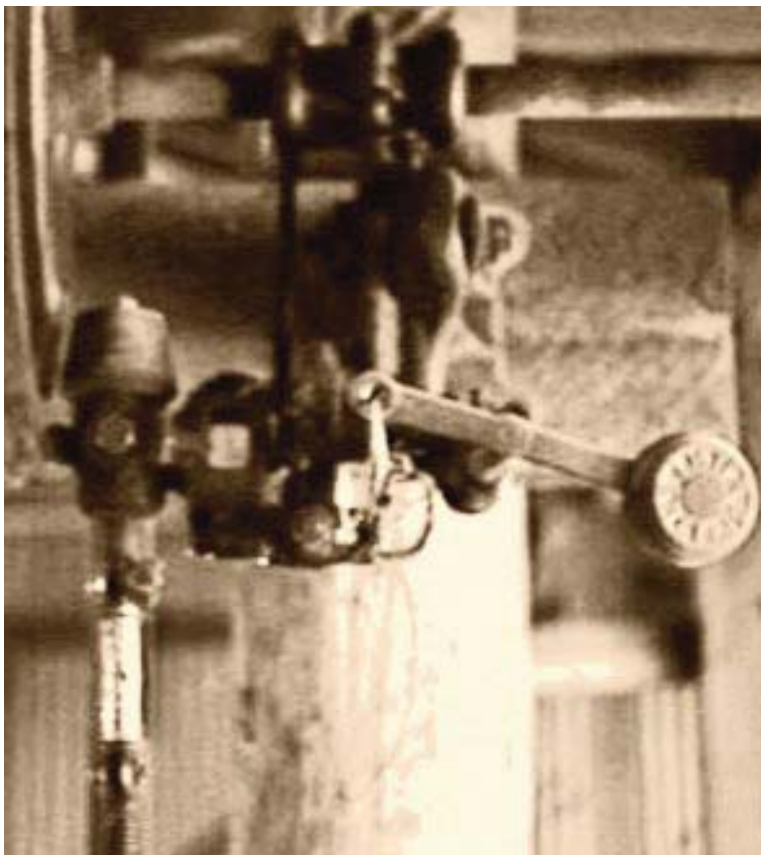


Figure 28: R.A. Lister shearing plant in use c.1910.

The original machine shears were powered by a fixed hand-crank linked to the hand piece by a shaft with only two universal joints, which afforded a very limited range of motion.

The Wool Press – *Velyama*.

The use of wool presses greatly influenced the productivity of the Australian pastoral industry. Prior to the development of mechanical presses, wool was baled by hand and spade-pressed into boxes. The introduction of efficient wool presses saved labour costs, increased the number of sheep that could be shorn and increased the value of wool at market. If wool was well-packed and pressed, it presented well in European markets and commanded an increased price. Pressing also decreased the cost of transport because shipping space was charged by volume rather than weight.

In the 1890s, Christian Koeretz, in business with Frederick Mason, designed and manufactured economic and efficient wool presses for small landholders. The presses occupied minimal floor space and could be operated by one person. By the 1930s approximately 12,000 small Koeretz Selectors' and Homestead Lessees' presses had been sold throughout Australia.

The wool press in the *Velyama* shearing shed is a Koertz full size wool press constructed from wooden planks with metal support hoops and a compression mechanism. The wool press has an upright square central barrel divided into three sections. The lower section has a swing out door and text stencilled onto the door. There is a large metal and wooden handle mounted onto the right side of the press.



Figure 29: Wool bale press, manufactured by Christian Koeretz, Waterloo, Sydney c.1900 in the *Velyama* woolshed. Note the wool bale mark on the pen gate.



Figure 30: The middle section of the C. Koerstz wool press bearing the manufacturer's mark.



Figure 31: Wool bale mark 'B C Velyama' – representing 'Blagden Chambers – Velyama'. Bale identification marks were required to be unique.



Figure 32: Chutes and holding yards at the *Velyama* Shearing Shed.



Figure 33: Remains of the plunge sheep dip. Demolition of structures adjacent to the *Velyama* Shearing Shed has occurred recently and remains piled up or pushed into a waterway at the rear of the shed.

8.06 VELYAMA BURIAL GROUND

Inspection of the *Velyama* property in October 2010 revealed that a private burial ground had been established to the south of the *Velyama* homestead. Graves of several members and relatives of the Chambers family, including the renowned artist, Blagden Chambers, are extant.



Figure 34: *Velyama* Burial Ground (photographed October 2010).



Figure 35: Looking south from the site of the *Velyama* homestead towards the Burial Ground (October 2010).

Location and Site Description

The burial ground, approximately 30 x 20 metres, is surrounded by a modern metal stock fence. The burial ground, marked as 'Graves' on the *Therribri 8936-IV-N Topographic Map 1:25,000*, is located at the following coordinates: 30° 36'15.24" S; 150° 04'52.31" E, south of the *Velyama* homestead site.

Site visibility was exceptionally restricted due to vegetation growth varying from 0% to 5%. The Burial Ground has become progressively isolated by the introduction of extensive grain growing activities on the property. Such activities have severely compromised the historical vista and setting. The Burial Ground is now completely surrounded by extensive grain growing paddocks. There is no access track.

Headstones and grave markers within the Burial Ground indicate that the earliest burial, that of John Hancock occurred in 1904.²⁸ Blagden Chambers and his first wife, Mary Ann Maguire, were married at Murrurundi, NSW in 1872. Their son, Joseph Blagden Chambers died on 11 January 1957. His mother, Mary Ann Maguire Chambers died on 20th April 1922, aged 72 years. Blagden Chambers remarried at Inverell in 1924, to Jessie White. A headstone notes her death on 15 August 1950. Chambers had predeceased her in 1943.



Figure 36: The grave of Joseph Blagden Chambers, son of Blagden Chambers and his wife Mary Ann Maguire Chambers.

²⁸ NSW Registry of Births, Deaths, Marriages, – Death Index, 8637/1904 Hancock, John, 85 Yrs, Boggabri NSW;



Figure 37: Violet Annie Chambers, daughter of Blagden Chambers and his wife Mary Ann Maguire Chambers, died 5th December 1961.



Figure 38: Headstone of John Hancock who died aged 84 years in July 1904.



Figure 39: Mary Ann Maguire, wife of Blagden Chambers, died 20th April 1922, aged 72 years.



Figure 40: The grave of Jessie White Chambers, second wife of Blagden Chambers, died 15th August 1950, aged 79 years. The headstone is damaged and broken fragments are evident on the grave floor.



Figure 41: The grave of Reginald William Rowley who died July 1975, aged 73 years .

Reginald William Rowley married the grand-daughter of Joseph Chambers. He was a retired pharmacist and the couple took over the *Velyama* property c.1970. Further details are not available at this time.

Death of Blagden Chambers

A death notice published in the *Sydney Morning Herald* 7th June 1943 states: 'Chambers, Blagden, of Velyama, Boggabri, loving father and husband of Joseph Chambers and Jessie Chambers, aged 97 years'.



Figure 42: The grave of Blagden Chambers at Velyama (photographed October 2010).

8.07 RECOMMENDED MANAGEMENT STRATEGIES – VELYAMA HERITAGE SITES

The Velyama complex of heritage sites is considered to be of local heritage significance. The following recommendations are made based on the assessed heritage significance of the property.

- The Velyama Homestead site, the Shearing Shed and the Burial Ground should be encompassed within a defined heritage curtilage to ensure the contextual relationship between all three sites, and aesthetic integrity of the place, is not further compromised;
- The historical and cultural fabric should remain to provide a physical and visual reminder of the presence of Blagden Chambers and his family;
- The Velyama cultural landscape should be managed to conserve its rural character. Any proposed development /use within close proximity should reflect this requirement.
- A Conservation Management Plan (CMP) should be prepared towards the preservation of the archaeological and cultural significance of the place. The CMP should be undertaken by a qualified archaeologist and cultural heritage management professional.

There has been minimal consideration for either the heritage significance or the historical ambiance of the Burial Ground. To ensure that the burial ground retains its place as a heritage significant item, there are works that should be implemented as a matter of priority to minimise further deterioration, loss or damage. These works would be identified as part of the CMP.

9.00 *Therribri* / *Therrabri* Homestead Site

The property known as the Old *Therribri* homestead site was originally part of the *Therribri* Run shown in the land listings following the introduction of the *Squatter's Act 1846*, as being occupied by John H. Cox with the name 'Therrabri'. Various spellings for the name are found in documents and historical references.

Oral history, compiled in 1957 by the 'Boggabri Historical Group' relates that the original homestead, occupied later in the 1930s by the Con McGee family, was in the vicinity of the property *Teston*. Further that there were three homesteads: 'one near the river', the 'residence occupied by McGee' and 'the existing homestead built by Mr. Jacques in 1897'. However, [in 1957], Mr. Harry Druce was able to provide information about the construction of the 'existing' homestead. It was stated that construction was undertaken by the Tamworth construction firm, Finlayson & Sims. This structure was later relocated to *Mardi Gras* station and was eventually destroyed by fire. The Historical Group [1957] were unable to establish the location of the homestead described as 'near the river'.

9.01 SITE LOCATION AND DESCRIPTION

The archaeological remains of the 1897 *Therribri* homestead are currently outside, although within proximity of, the Project Boundary at coordinates 30° 31'58.16" S; 150° 07'17.23" E; on the northern side of Back Creek. However, the site does serve as a reference and example of possible archaeological sites that may be encountered as the Project continues.



Figure 43: Site of the *Therribri* homestead c. 1897. [Google Earth image 2010].

An inspection was made of three locations within close proximity to the site of the 1897 *Therribri* homestead site. Archaeological visibility during the time of the inspection of the homestead site was considered to be less than 5% due to thick vegetation cover. The low visibility was also compounded by heavy rain during the inspection.

Some archaeological evidence remains on the homestead site to support and confirm European occupation. However, the only substantial remnant is a small concrete water tank. The tank was constructed using a slip forming process and a brass tap remains attached to the structure.



Figure 44: Concrete tank adjacent to the site of the homestead erected on the site in 1897.



Figure 45: Remnant clay bricks lie scatted on the site of the 1897 *Therrabri* homestead site.



Figure 46: Fragments of dinner plates bearing the brown transferware of a Doulton Burslem design c.1891, are scattered over the *Therribri* homestead site. The pattern features Australian native flowers, Wattle blossoms and foliage and the other 'Native Fuchsia' flowers and leaves.

The design of this dinnerware was inspired by Louis Bilton who was at the Doulton factory from 1892 to 1912 and trained under the former Sevres artist, William Mussill, a gifted painter of flowers and birds. After leaving Stoke-on-Trent, Bilton spent a few years in Australia painting watercolours of Australian flora for the publication, *The Picturesque Atlas*. He went to Doulton in 1892, taking with him a portfolio of Australian flowers, wattle, waratah, wild fuchsia, desert pea, flannel flower, bottle brush, etc. His works were displayed at the 1893 Chicago Exhibition and examples of his original work are in collections throughout Australia and New Zealand. The use of this Doulton dinnerware is indicative of a relatively prosperous household with middle to upper class social structure.



Figure 47: Fragments of blue/grey glazed stoneware bearing a white floral pattern scattered on the site.

At a site on the flat on the north side of Back Creek approximately 500 metres from the 1897 homestead site there is evidence of a recent contained fire. Artefacts that may have been of diagnostic value are present within the charred remains. It is evident that the burnt artefacts are not in their original context and therefore have minimal or no heritage or archaeological value.



Figure 48: Evidence of a recent fire in which timber sections, nails, a drill bit and other artefactual material including glass and ironstone dinnerware fragments was observed.

The 'Sawmill' Site

The site referred to by the owner as the 'sawmill' site is rumoured to be associated with the construction of the *Therrabri* homestead. An inspection of the location near the entrance to the property was undertaken. Subsequent analysis of the type of drawn wire nails used in the construction, the style of construction and the method for sawing the timbers would support the structure to be of the mid 1940s – to 1950. The term 'sawmill' in an industrial sense as applied to the site is misleading. The site was possibly only used for breaking down of small logs for construction of stock yards or sheds.



Figure 49: Structure referred to by a resident as the 'sawmill site' near sheds at the entrance to the property.

9.02 RECOMMENDED MANAGEMENT STRATEGIES – *Therrabri* SITES

While the remains of the site identified as the old *Therrabri* homestead are considered of local heritage significance, it should be recognised that artefacts have been removed from the location and stored off site. Cultural material has been removed from the site thereby destroying the archaeological integrity. This material now has minimal or no diagnostic value.

Archaeological material of diagnostic value may remain on this site. However, such material may only be accessible by excavation. Consideration to the potential for such material should be given in any future proposed works in the area.

10.00 WARRIAHDOOL HUT SITE

The archaeological remains within the Warriahdool hut site were inspected and noted. This location is outside the Project Boundary. The site serves as an example of archaeological sites that may be encountered as the Project continues.



Figure 50: Warriahdool hut site and associated archaeological remains shown located to the north of Back Creek.

10.01 SITE LOCATION AND DESCRIPTION

The site referred to as 'Warriahdool Hut' is located on the property Warriahdool on the northern side of Back Creek at coordinates: 30° 31'54.98" S 150° 08'43.33" E. Archaeological remains of local heritage significance are extant at this location. The remains comprise:

- An extant hut – weatherboard and corrugated iron c.1940.
- Fireplace and compressed earth floor associated with a small hut;
- Cultural material 1900 -1940 associated with the sites; and
- Water courses for water collection;

The extant remains are best described and illustrated in the accompanying photographs and the brief descriptions below. These archaeological remains are possibly from a stockman's camp / overseer's hut c.1900–c.1940. The extant hut is c.1940.

The extant wooden /corrugated iron hut, approximately 4 m x 5 m, has been used for habitation rather than storage. A fireplace is attached to the shed, a broken table is present and the remains of domestic food tins are evident on the ground beside the structure. The rusted remains of several other larger tin containers are also present surrounding the hut. These tins may have contained fuel / kerosene. A preliminary examination of the folded joints used in the construction of the tins would support the time of the manufacture to be in the 1940s. In close proximity to the extant hut are areas of compressed earth considered to be former hut sites. The sawing and the routing of the chamfer boards, the roofing iron and the general construction of the shed indicates a time frame of the mid to late 1940s.



Figure 51: The *Warriahdool* hut – front elevation.



Figure 52: The rear elevation of the *Warriahdool* 'hut'.



Figure 53: Photograph showing the context of the *Warriahdool* hut in relation to Back Creek to the south.



Figure 54: Interior of the *Warriahdool* hut shows evidence of basic accommodation.



Figure 55: Fireplace constructed of round logs and galvanised iron – *Warriahdool* hut, October 2010.



Figure 56: Looking south towards Back Creek with the *Warriahdool* hut in the background. Evidence of several former pit toilets is shown in the foreground.



Figure 57: Remains of a collapsed stone fireplace. The compressed earth floor [below] associated with the fireplace approximately 200 metres north of the existing hut.



Figure 58: Compressed earth floor of a former hut.

10.02 RECOMMENDED MANAGEMENT STRATEGIES – WARRIAHDOOL HERITAGE SITES

The remains of the sites identified on *Warriahdool* are considered of local heritage significance. Further detailed assessment, archaeological recording and interpretation should be conducted if disturbance of this location is proposed in the future.

11.00 MITIGATION AND MANAGEMENT STRATEGIES

No items of heritage significance were identified within the Project Boundary. Heritage items have been identified in the proximity of the Project Boundary. However, it is understood that these items will not be directly impacted upon by the proposed works.²⁹

The property of *Velyama*, outside of, and to the south-west of the Project Boundary, features a complex of three (3) locally significant heritage sites. As outlined in Section 4.1.2, the *Heritage Act 1977* provides the legislative framework for protecting and maintaining the historic heritage of NSW. The Act is concerned with all aspects of the protection and conservation of environmental heritage, including buildings, works, places or relics that are over fifty years of age and are of historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance to the State of NSW (but not being related to Aboriginal settlement).

Section 4(1) of the Act defines a 'relic' as 'any deposit, object or material evidence relating to the settlement of the area that comprises NSW, not being Aboriginal settlement and which is fifty or more years old'.

11.01 UNIDENTIFIED HERITAGE ITEMS

It is possible that previously unidentified sites or relics of heritage significance could be located within the Project Boundary. The predictive model outlined in this report highlights the potential of some of those items. Section 146 of the Act requires that the discovery of a previously unknown relic be reported to the Heritage Council of NSW within a reasonable time of its discovery. As such, there is a need for personnel involved in the planning and development of the proposed works to be made aware of:

- the location and nature of known items of heritage significance;
- measures to minimise impact on known items;
- the potential of the existence of previously unknown heritage items;
- the nature of such items;
- protection afforded these items by the *Heritage Act 1977*; and
- appropriate action if any items of potential heritage value are located.

²⁹ Hansen Bailey Pty Limited, Oct /Nov. 2010.

12.00 CONCLUSIONS AND RECOMMENDATIONS

In consideration of the results of the survey of the area of the Project Bounday, historical research and investigation documented above, the following conclusions and recommendations are presented.

12.01 CONCLUSIONS

It is concluded:

- that no heritage significant items have been located or identified within the Project Boundary;
- that proposed works in proximity to heritage significant sites identified may proceed (subject to approval by the consent authority).

12.02 RECOMMENDATIONS

It is recommended that:

- Mitigation and management strategies as set out in this report are implemented;
- All employees and contractors associated with development works should be made aware of the nature of potential heritage evidence, including the definition of a relic, the provisions of the *Heritage Act 1977* and subsequent amendments and when to request the assistance of a qualified archaeologist and other issues, as relevant.

Future proposals may impact upon sites of local heritage significance [particularly the heritage sites identified on the property referred to as *Velyama*]. Consideration to the heritage qualities of this site should be given in future planning. Specific mitigative measures may be designed to minimise potential adverse impacts and should be incorporated, in the case of the sites on *Velyama*, into a CMP.

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*Additional items are referenced in Footnotes.

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