



Appendix M

Non-Aboriginal Heritage Assessment

DRAYTON EXTENSION

NON-ABORIGINAL HERITAGE ASSESSMENT

PREPARED BY

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December 2005

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ABBREVIATIONS

ACP	Additional conditional purchase
A.R.A.S	Archaeological Risk Assessment Services Pty Ltd
CL	Conditional lease
CP	Conditional purchase
Ph	Parish

DEFINITIONS

Building includes a part of a building, a structure or a part of a structure.

Conservation includes preservation, protection, maintenance, restoration and adaptation.

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

Item means a place, building, work, relic, movable object or precinct.

List means list on the State or Commonwealth Heritage Register

Local heritage significance has the meaning given in section 4A of the NSW Heritage Act 1977.

Relic means any deposit, object or material evidence: (a) which relates to the settlement of that area that comprises New South Wales, not being Aboriginal settlement, and (b) which is 50 or more years old.

SOURCES CONSULTED

Department of Lands
Heritage Office of NSW
Mitchell Library
Muswellbrook Local & Family Historical Society
National Trust of Australia (NSW)
Registrar General of Births, Deaths and Marriages
State Records

EXECUTIVE SUMMARY

This report details the findings of the Non-Aboriginal heritage assessment of the proposed extension to Drayton Mine (the Project). The assessment was conducted in August 2005 by Rob Tickle of Veritas Archaeology and History Service.

This study was conducted in accordance with relevant sections of the *Heritage Act 1977* and was comprised of both a desktop analysis, including a review of existing reports and a detailed field survey of the survey area (see **Figure 2**).

Within the survey area, Ramrod and Delpah were the two targeted areas surveyed as part of this assessment (see **Figure 2**). Five sites were located in the Delpah area. No other items of European heritage were identified within the survey area.

Sites 1 and 3 are of local significance with moderate value. It is recommended that there be no further action at these sites as they have been recorded. They do fall under the relics provision of the *Heritage Act 1977*, but it is believed that excavation would not add to the available evidence.

Site 2 has been determined to be of moderate importance and will be impacted by the Project. As such, approval will sought under Part 3A of the *Environmental Planning and Assessment Act 1979* to destroy this site.

Site 4 is less than 50 years old and was surveyed to make a record for the future and therefore no further action is recommended.

Site 5 is of local importance with high significance; it will not be impacted by mining, but requires a physical barrier around it to prevent accidental damage.

1. INTRODUCTION

1.1 PROJECT DESCRIPTION

Anglo Coal (Drayton Management) Pty Ltd (Drayton) currently undertakes open cut mining at the Drayton Coal Mine in the Hunter Valley area of New South Wales. It currently has development consent to mine up to 5.5 million tonnes per annum (Mtpa) of Run of Mine (ROM) coal until 2012.

Drayton is applying for a Project Approval to recover additional coal reserves within its current mining leases. Development of the Drayton Mine extension (the Project) will involve the following:

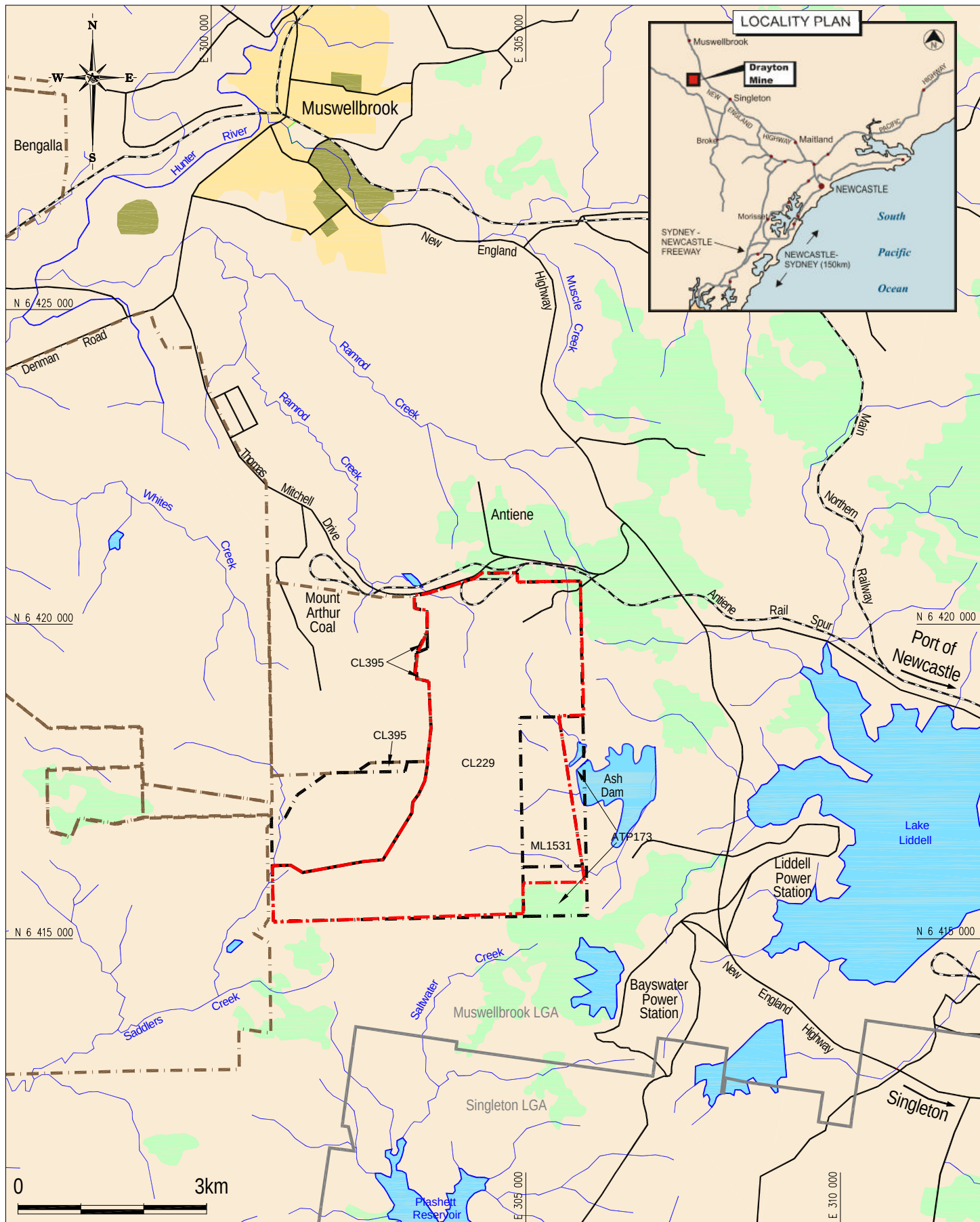
- An extension of mine from 2010 to 2017;
- An extension of the mine footprint, to uncover additional coal reserves with the current mining leases;
- An increase in maximum ROM coal production up to 8.0 Mtpa;
- Upgrade of the existing stockpile reclamation system and existing Coal Handling Plant (CHP); and;
- Modifications to Drayton's power reticulation and water management systems.

Drayton is located approximately 13 kilometres (km) South of Muswellbrook and approximately 120 km North-west of Newcastle in New South Wales (see **Figure 1**).

1.2 BACKGROUND

Veritas Archaeology & History Service has been engaged by Drayton to conduct a Non-Aboriginal Heritage Assessment of the Project Area, targeting in particular areas that may be potentially impacted by the Project. The Project Area is located in the North, South and East of the existing Drayton mining leases (see **Figure 2**). These areas include; Delpah and Ramrod Creek (see **Figure 2**).

No sites were found in the Ramrod Creek area and as such, this report focuses on the Delpah area to the South-east area of the Project Area. The assessment involved conducting a survey to locate remaining heritage items, make a brief record, evaluate the importance of the evidence and advise on the impacts of the proposed mine on that evidence.



Legend

- EA Boundary
- Mining Leases
- Other Mining Leases
- Roads
- Railways
- Creeks
- Local Government Boundary

Hansen Bailey

ANGLO COAL

DRAYTON

Co-ordinate System: MGA Zone 56

DRAYTON MINE EXTENSION EA

Regional Location

Cad File: 01481K.dwg Date: 16.04.2007 Drawn: JD

Figure **1**

Parts of the Project Area were taken up in the 1830s and eventually formed part of the Edinglassie Estate. Initially sheep farming for wool was the main land use, but later it became an important cattle fattening area. Some areas of ironbark woodlands were exploited for timber. Since the 1980s, coal mining has been the dominant activity.

The Project will be a continuation of the existing mining operation that will have varying impacts on non-Aboriginal heritage within the area. The impacts which require consideration include:

- Open cut areas where the landscape will be totally impacted;
- Overburden dump areas;
- Water management area and associated piping and pumping equipment;
- Access roads within the Project Area;
- Storage areas for topsoil for revegetation; and
- Areas where no disturbance will take place.

1.3 PURPOSE OF REPORT

The purpose of this report is to:

- Conduct a survey to locate remaining non-Aboriginal heritage items within and adjoining the Project Area;
- Record, evaluate the evidence and determine the significance of the item; and
- Advise the Project management team on how the heritage items should be managed.

1.4 REPORT LAYOUT

The report is set out to provide information in the following order:

- Examination of current heritage listing, under both State and Commonwealth legislation (Section 2);
- Brief summary of the non-Aboriginal historical background in the Project Area (Section 3);
- Examination of the criteria for assessing significance and level of significance (Section 4);
- Description of the potential heritage items found during survey together with a summary of those items with significance (Section 5); and

- Examination of the impacts of the Project on significant heritage items and how the items may be managed (Section 6).

1.5 PERSONNEL

All field work, assessment and the compiling of this report was the action of Rob Tickle of Veritas Archaeology & History Service, PO Box 557, Muswellbrook, NSW, 2333.

1.6 ACKNOWLEDGEMENTS

Thanks to Pam Simpson of Drayton for passing on information concerning sites that she had observed.

2. HERITAGE LISTS

This report has been compiled in accordance with the following relevant acts:

- *Heritage Act 1977*; and
- *EP&A Act 1979*.

2.1 HERITAGE LISTS CHECKED

The following heritage lists were checked to identify any items of significance registered that would be located within five km of the Project Area:

- World Heritage;
- Commonwealth Heritage List (Australian Heritage Council);
- National Heritage List (Australian Heritage Council);
- Register of the National Estate (Australian Heritage Commission);
- National Trust of Australia (NSW);
- NSW State Heritage Register (Heritage Council of NSW);
- Hunter Regional Environmental Plan 1989; and
- Local Environmental Plan (LEP) for Muswellbrook Shire Council (1985).

2.2 HERITAGE ITEMS LISTED

No heritage-listed items were found to be within the Project Area as at the time of writing this report, therefore there are no statutory restrictions.

2.3 HERITAGE ITEMS NOT ON STATUTORY LISTS

As no heritage-listed items were found to be within the Project Area, any items or relics found within the boundaries of the Project Area will be managed under the NSW *Heritage Act (1977)*.

2.4 REVIEW OF PREVIOUS REPORTS AND EIS'S IN THE VICINITY OF PROJECT AREA

A review of previous reports and Environmental Impact Statements (EIS's) relevant to Drayton, found one source which related to the Project Area. This was the EIS by HLA-Envirosciences Pty Ltd for Drayton Coal Lease Renewal/Extension, 2002.

One item of non-Aboriginal heritage was located during the archaeological assessment for the Drayton Lease Renewal/Extension, 2002. This was Ayredale Road, part of which may have been on the alignment for Sir Thomas Mitchell's Line of Road from the 1830s.

The present study did not consider the Ayredale Road to have heritage significance. While it follows the alignment of public access on parish maps, no part of the original track survives. The present remains of the road have modern cuttings and an asphalt surface.

3. HISTORICAL BACKGROUND TO PROJECT AREA

The historical background to the Project Area has been compiled with the Australian historic themes¹ in mind. The use of these themes allows a uniform study to be compiled that provides links between other regional stories. They also allow the use of common standards to assist in the identification and evaluation of potential heritage places. The Australian Heritage Commission has developed a framework of nine theme groups which can be broken down into themes and sub-themes. Some sub-themes start to overlap, but they still allow areas to be studied in a uniform methodology. In this study, the following sub-themes have been found applicable to the Project Area:

3.1 ABORIGINAL CULTURE

The study of Aboriginal culture will be the subject of a separate study undertaken by A.R.A.S. Pty Ltd.

3.2 LAND TENURE, AGRICULTURE, PASTORALISM & FORESTRY

Land settlement in this area started in 1837, although unofficial use of the land may have been much earlier. Thomas Horton James purchased Portion 176, Ph Savoy, of 640 acres from the Crown in August 1837. T H James was a merchant who arrived in Sydney in 1824 per ‘Adrian’.² James was the owner of Carrington Park near Jerry’s Plains. He was an absentee landowner leaving the running of the estate to Robert Pringle. Robert Pringle arrived in the Colony in 1824 and had managed Carrington Park for about six years.³ During this period he built up his own flocks and acquired land on the Liverpool Plains. In 1836 he purchased a large portion of Carrington Park from his employer, TH James. In 1839 he purchased Portion 175, Co. Durham, Ph Savoy adding it to the land purchased from James. This became known as Pringle’s Station. In 1840, Pringle took out a mortgage on his estate for £2000. The early 1840s were a period of drought and economic depression. By 1848, Pringle was in financial difficulties and started to sell off parts of his estate. In November 1848, Sarah White of Edinglassie purchased Portion 175 for £160.⁴ James and Pringle used the area as a sheep run and this was to continue under Mrs White.

James White with his wife Sarah nee Crossman arrived in Sydney in 1826 as sheep overseer for the Australian Agricultural Company. He stayed with them for three years then took a position as sheep manager at Ravensworth, owned by Dr James Bowman. James White was at Ravensworth from 1829 to 1839, but during this period he was building up his own flocks and purchasing land. In 1831 he took up Bloomfield near Gundy. This was managed by his brother Edward. In 1839 James White purchased Edinglassie from George Forbes. James and his family were in residence at Edinglassie in the same year.

¹ Australian Historic Themes, 2001, Australian Heritage Commission.

² State Records, Index to Colonial Secretary’s Letter.

³ W Allan Wood, *Dawn in the Valley*, Wentworth Books, Sydney, 1972, pp.279-280.

⁴ Department of Lands

In 1842, James White, aged 41 years died leaving his wife Sarah, with nine children under the age of 14 years. She had some assistance from Edward White, but her eldest son, James jnr took much of the burden. Sarah White continued to purchase land and add to the Edinglassie Estate.⁵ By 1885, Edinglassie was over 35,000 acres and still being added to.⁶

After the Robertson Land Act of 1861 it became possible for persons of low capital to select land that was held as leasehold. Richard Campion and William John Dickinson (son-in-law of Campion) selected a number of blocks in this area in the 1870s and 1880s, both eventually selling out to the White family. The White family were also active in selecting land in the area from 1860s to 1900. By 1900 they owned all the land from the Project Area to the Hunter River along Denman Road.

Initially the White Family ran sheep, with James Hutchinson and William Fenton employed as two shepherds in this area. In the 1880s there was a move to cattle, in particular Aberdeen-Angus. The White family owned a number of other stations in the North-West of NSW and Queensland. Edinglassie became the headquarters of this cattle empire with over 5000 head being fattened each year. For a number of years the family traded as Messrs White Bros and consisted of Messrs James, Bruce and Alan White, Miss Ruth White and Mrs Dutton.⁷

By the 1950s most members of the partnership had sold off their share of the estate. The celebrated fattening area known as the Pringles was sold by Ruth White in 1954. This area of 3500 acres was sold in six lots totalling £91,372.⁸

It is not known if the ironbark forested areas were commercially exploited for timber, but they certainly would have been used for fencing material by the selectors and Edinglassie.

3.3 ACCOMMODATION

Early accommodation in this area would consist of shepherds' huts constructed of round timber and sheets of bark. The site of one of these huts and the house site of Richard Campion has been found, however they are outside the Project Area. The only two accommodation sites relevant to the Project Area includes Site 1 which is a modern lean-to on a shed and Site 4 which is a 1950s house built after the last White property sale.

⁵ J White, *The White Family of Belltrees*, Seven Press, Sydney, 1981, pp. 27-35

⁶ Appendix 2, *Journal of the Legislative Assembly of NSW*, 1885.

⁷ Pamphlet on Edinglassie Aberdeen-Angus stud, nd

⁸ *Muswellbrook Chronicle*, Tuesday 29 June 1954, p.1

3.4 COMMUNICATION & TRANSPORT

Communication and transport were not well serviced in this area. In 1858, when James Hutchinson killed his wife, he did not go for help until the following day as he was afraid of becoming lost in the bush. The Thomas Mitchell Line Road was surveyed in the 1830s, but was never well used. Most traffic used a track to the East which later became the Northern Road and then the New England Highway.

3.5 MINING

Exploration for coal took place to the West of the Drayton Mining Lease in the 1950s & 60s when Goodsir Bros. started Bayswater Colliery. Drayton mine started in the early 1980's and since then there has been a number of new mining developments within the area.

3.6 PHASES OF LIFE - CEMETERIES

There is one possible burial site within the Project Area. This could be that of Catherine Hutchinson or Mary Ann Fenton. The burial of persons in this area emphasises how isolated the people were. It also shows the poverty of the early shepherds. The site is important for the heritage information as it could potentially provide valuable information on physical health and burial practices.

4. CRITERIA FOR ASSESSING SIGNIFICANCE & LEVELS OF SIGNIFICANCE. RELICS & SECTION 139 OF NSW HERITAGE ACT 1977 ARCHAEOLOGICAL POTENTIAL

In assessing the significance of Heritage items, the following must be considered: why and what level of significance; implications of relics and Section 139 of the *Heritage Act 1977* (NSW); and the archaeological potential within the Project Area.

4.1 ASSESSING SIGNIFICANCE

This report has used the guidelines set out by the NSW Heritage Office⁹ as a means of determining significance of items located in the Project Area. An item is considered to have significance if it meets one or more of the following criteria:

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

An item is not to be excluded from the Register or a local list on the grounds that similar items of similar characteristics exist elsewhere.

⁹ *Assessing Heritage Significance*, Part 2 of NSW Heritage Manual, NSW Heritage Office, Sydney, 2001

4.2 USING THE HERITAGE SIGNIFICANCE CRITERIA

Table 1. Inclusion and exclusion elements when assessing heritage significance

Guidelines for inclusion	Guidelines for Exclusion
Criterion (a)	
- shows evidence of significant human activity - is associated with significant activity or historical phase - maintains or shows the continuity of a historical process or activity	- has incidental or unsubstantiated connections with historically important activities or processes - provides evidence of activities or processes that are of dubious historical importance - has been so altered that it can no longer provide evidence of a particular association
Criterion (b)	
- shows evidence of a significant human occupation - is associated with a significant event, person or group of persons	- has incidental or unsubstantiated connections with historically important people or events - provides evidence of people or events that are of dubious historical importance - has been so altered that it no longer provides evidence of a particular association
Criterion (c)	
- shows or is associated with, creative or technical innovation or achievement - is the inspiration for a creative or technical innovation or achievement - is aesthetically distinctive - has landmark qualities - exemplifies a particular taste, style or technology	- is not a major work by an important designer or artist - has lost its design or technical integrity - its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded - has only a loose association with a creative or technical achievement
Criterion (d)	
- is important for its association with an identifiable group - is important to a community's sense of place	- is only important to the community for amenity reasons - is retained only in preference to a proposed alternative
Criterion (e)	
- has the potential to yield new or further substantial scientific and/or archaeological information - is an important benchmark or reference site or type - provides evidence of past human cultures that is unavailable elsewhere	- the knowledge gained would be irrelevant to research on science, human history or culture - has little archaeological or research potential - only contains information that is readily available from other resources or archaeological sites
Criterion (f)	
- provides evidence of a defunct custom, way of life or process - demonstrates a process, custom or human activity that is in danger of being lost - is the only example of its type - demonstrates designs or techniques of exceptional interest - shows rare evidence of a significant human activity important to a community	- is not rare - is numerous but under threat

4.3 LEVEL OF SIGNIFICANCE

When assessing the significance of an item, consideration has to be given to the level or grading of that significance.

Table 2. Grading for levels of significance¹⁰

Grading	Justification	Status
EXCEPTIONAL	Rare or outstanding element directly contributing to an item's local and State significance	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 fulfil criteria for local or State listing
INTRUSIVE	Damaging to the item's heritage significance	Does not fulfil criteria for local or State listing

4.4 THE LEVEL OF SIGNIFICANCE: STATE OR LOCAL

The final step in the assessment process is to determine if the item is of State or local significance. State significance means that the item is significant to the people of NSW, while local significance means significance within the local government area.

4.5 RELICS AND IMPLICATIONS OF SECTION 139

Under the *Heritage Act 1977*, relics are defined as:

***"Relic"** means any deposit, object or material evidence:*

- (a) which relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and*
- (b) which is 50 or more years old.*¹¹

Section 139 states;

“139 Excavation permit required in certain cases where

- (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,

¹⁰ *Assessing Heritage Significance*, Part 2 of NSW Heritage Manual, NSW Heritage Office, Sydney, 2001, p.11

¹¹ www.austlii.edu.au/databases.html#nsw

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.
- (5) This section does not prevent a person from disturbing or excavating land in which a historic shipwreck is situated in accordance with a historic shipwrecks permit in force in respect of that shipwreck.¹²

4.6 ASSESSING ARCHAEOLOGICAL POTENTIAL

Once the potential of a site has been determined, or it is suspected that a site has potential, then there are five possible actions:

- No further action;
- Archaeological monitoring;
- Test excavation;
- Archaeological excavation, and
- In situ conservation.

¹² op. cit.

4.6.1 NO FURTHER ACTION

A recommendation that no further action is necessary will be made if the archaeological assessment indicates that the subject site is either unlikely to contain archaeological features or is likely to contain archaeological features of little or no significance.

4.6.2 ARCHAEOLOGICAL MONITORING

Archaeological monitoring may be recommended where the predicted significance of features is unknown or low, or when a site is likely to have suffered a degree of disturbance.

4.6.3 TEST EXCAVATION

Archaeological assessment may conclude that potential archaeological resources on a site are unclear. Under those circumstances, test excavations may be recommended to clarify the potential of a site, to establish significance and to determine appropriate further action.

4.6.4 ARCHAEOLOGICAL EXCAVATION

Where a site is located within an area that will be disturbed and the site has significance, then an archaeological excavation will be required.

4.6.5 IN SITU CONSERVATION

An archaeological assessment may conclude that the most appropriate management action for archaeological remains is conservation in situ. This may be because the archaeological features are of such significance or research value that they warrant retention and conservation in the place in which they are found.¹³

¹³ *Archaeological Assessment Guidelines*, Heritage Office of NSW, 1996, pp 8-9

5. SURVEY OF THE PROJECT AREA

5.1 METHODOLOGY FOR LOCATION OF SITES

Three methods were used to locate sites within the Project Area:

- Review of previous documentation (eg: HLA EIS);
- Various editions of maps for the Parish of Savoy were examined to determine which portions were early selections. This was backed up with searches of land transfers with the Department of Lands; and
- The Project Area was then traversed by vehicle and foot to physically locate and evaluate items.

5.2 METHODOLOGY FOR DETERMINING SIGNIFICANCE

Each item was assessed following the steps set out below:

1. Step One: Did the item meet any of the seven areas of criteria for significance as set out in Section 4.1?
2. Step Two: The criteria for inclusion or exclusion were then considered, using them as guidelines in justifying the conclusions reached.
3. Step Three: The level of significance was then determined using the levels in the table in Section 4.3.
4. Step Four: Was the item significant at a State or Local level?
5. Step Five: Did the relic provisions of the Heritage Act apply to the site?
6. Step Six: If the relic provisions of the Act applied, were the relics to have State, Local or no heritage significance?
7. Step Seven: Did the site have archaeological potential, and if so, what action should be taken?

5.3 SURVEY RESULTS

A total of five sites were located within or in close proximity to the boundary of the Project Area (see **Figure 2**).

- Site 5 is of local importance with high significance;
- Sites 1, 2 and 3 are of moderate value, some of their fabric has been altered, but they do fulfil criteria for local listing; and
- Site 4 is of local significance with little or intrusive justification for rating it higher. It was recorded as evidence of its condition and what is visible in the landscape.

Table 2 provides the justification for the significance of each item, **Table 3** provides a summary of the survey result and **Figure 2** provides the location.

Table 3. Sites Identified in the Drayton Extension Project Area

	Place Name	Description	Significance	Summary Recommendation
1	Stock yard site. Portion 309, Ph Savoy	Selected by Richard Campion 1877. Some part may be from that era.	Local-moderate	Recorded. No further action
2	Stock yard site. Portion 114, Ph Savoy	Selected by Wm J Dickinson 1880. Site could date from 1890s when he was a butcher.	Local-moderate	Recorded. Approval to be sought under Part 3A of the EP&A Act to destroy site.
3	Stock yard site. Portion 311, Ph Savoy	Could have been a holding yard from when White's ran sheep. Much modified by more recent owners	Local-moderate	Recorded. No further action
4	House site Portion 311, Ph Savoy	Design and building material indicate a 1950s construction.	Local-intrusive	Recorded. No further action
5	Burial site. Portion 309, Ph Savoy	Area marked with irises	Local-high	In situ conservation. Will not be disturbed by mining. Fence area. Exhumation if part of area to be disturbed



Legend

- EA Boundary
- Proposed Mine Plan
- **SITE 2**
European Heritage Site



Co-ordinate System: MGA Zone 56 Aerial Date: Dec 2005

Hansen Bailey

DRAYTON MINE EXTENSION EA

European Heritage Sites

Cad File: 01516G.dwg

Date: 16.05.2007

Drawn: TB

Figure
2

6. POTENTIAL IMPACTS OF THE PROJECT ON HERITAGE ITEMS

The Project has direct impacts on only one site identified in this report (Site 2). All other sites lie outside the limits of proposed mining activity.

6.1 IMPACTS OF THE PROJECT

There are a number of impacts on heritage within the Project Area including:

- Only one site (Site 2) will be impacted by mining;
- Three sites (Sites 1, 2 and 3) are of local significance with moderate value. It is recommended that there be no further action at these sites as they have been recorded. They do fall under the relics provision of the Heritage Act, but it is believed that excavation would not add to the available evidence;
- One site (Site 4) is of local significance with intrusive value. It has been recorded to provide a record of what was there; and
- One site (Site 5) is of local significance with high value, but it is outside the proposed mining area.

6.2 RECOMMENDATIONS

- Site 2 has been photographed and a plan prepared for the site. This will ensure that a record is available for future research into local history;
- As such, approval will sought under Part 3A of the EP&A Act to destroy Site 2 as part of the Project.
- No site should be destroyed unless it will be impacted by mining. All sites should be considered an archaeological resource for the future;
- Site 5 is considered to have local high significance and requires a physical barrier around it to prevent accidental damage;
- Site 1 has a shed with living quarters which is less than 50 years old and does not form part of this report. The adjacent stockyards are of local moderate significance and are still in use today. The original parts of the stockyards must be retained and considered an archaeological resource for the future; and
- A copy of this report should be provided to Muswellbrook Local & Family History Society as a record of the sites and as an aid to future research.

7. BIBLIOGRAPHY

Archaeological Assessment Guidelines, Heritage Office of NSW, Sydney, 1996

Assessing Heritage Significance, Part 2 of NSW Heritage Manual, NSW Heritage Office, Sydney, 2001

Australian Historic Themes, Australian Heritage Commission, 2001

Booklet on *Edinglassie*, held by Muswellbrook Local & Family History Society, nd

HLA EIS Vol. 1, Drayton Coal Lease/Extension, 2002

Rolls, Eric, *A Million Wild Acres*, Penguin, Melbourne, 1984

White, Judy, *The White Family of Belltrees*, Seven Press, Sydney, 1981

Wood, W Allan, *Dawn in the Valley*, Wentworth Books, Sydney, 1972

APPENDIX

Sites 1 to 5

SITE RECORDING FORM

CLIENT: Drayton		SITE NO. 1		RECORDER: RBT		DATE: 8 November 2005	
GPS:GDA 0304838-6415809				PHOTO: 1-10		PLAN: Yes	
Co.	Durham	Ph	Savoy	Portion	309	Allot/Sect.	
Original Owner		Richard Campion					
Present Owner		Part of Drayton Coal Lease					
SITE TYPE: Stockyards							
HISTORY: This block of 540 acres was taken up as a conditional purchase from the Crown by Richard Campion in 1877. Richard and his sons held a number of blocks in this area. In 1886, he sold this block to James Cobb White for £1350. In 1902, the land was converted to freehold in the name of Francis John White and James Cobb White. In 1909 this block along with other land in the area, was transferred to Ruth White. For a few years, it was leased by James Cobb White. In 1954, Ruth White had this area subdivided and it was sold at auction. Three of the blocks were purchased by Reginald Victor Green. In 1964, he subdivided the land into smaller lots. Purchaser of Allot 21 was the Bailey family¹⁴							
PHYSICAL DESCRIPTION (include exotic plants): Cactus and aloevera were present at the site. Site contains the remains of a set of stockyards, shed with living quarters alongside, cow bails and pig-sty. Parts of the stockyards appear to be very early. Holding yards are of two rail-morticed fences while the main part of the yard was three rails morticed fence. (P4) In one fence line, a gum tree has been utilised as a post and the tree has grown around the rails. (P8) Over time, sections of the yards have been modified by adding extra rails or sections have been allowed to deteriorate and collapse. The shed, cow bails and pigsty appear to date from the 1960s, probably after Greens 1964 subdivision.							
PHYSICAL CONDITION: Yards are in very poor condition with posts rotted off and many rails missing							
SIGNIFICANCE: Local importance with moderate value. Relic. Under the NSW Heritage Office guidelines the site meets: 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. (Campion & White family) Criterion C: an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW. (Construction method)							
MANAGEMENT: Site has been photographed and site plan prepared. Whilst the shed with living quarters does not form part of this report, the original components of the adjacent stockyards (whilst still being used) should be retained as they are considered an archaeological resource and should be protected.							

¹⁴ NSW Department of Lands.

PLAN

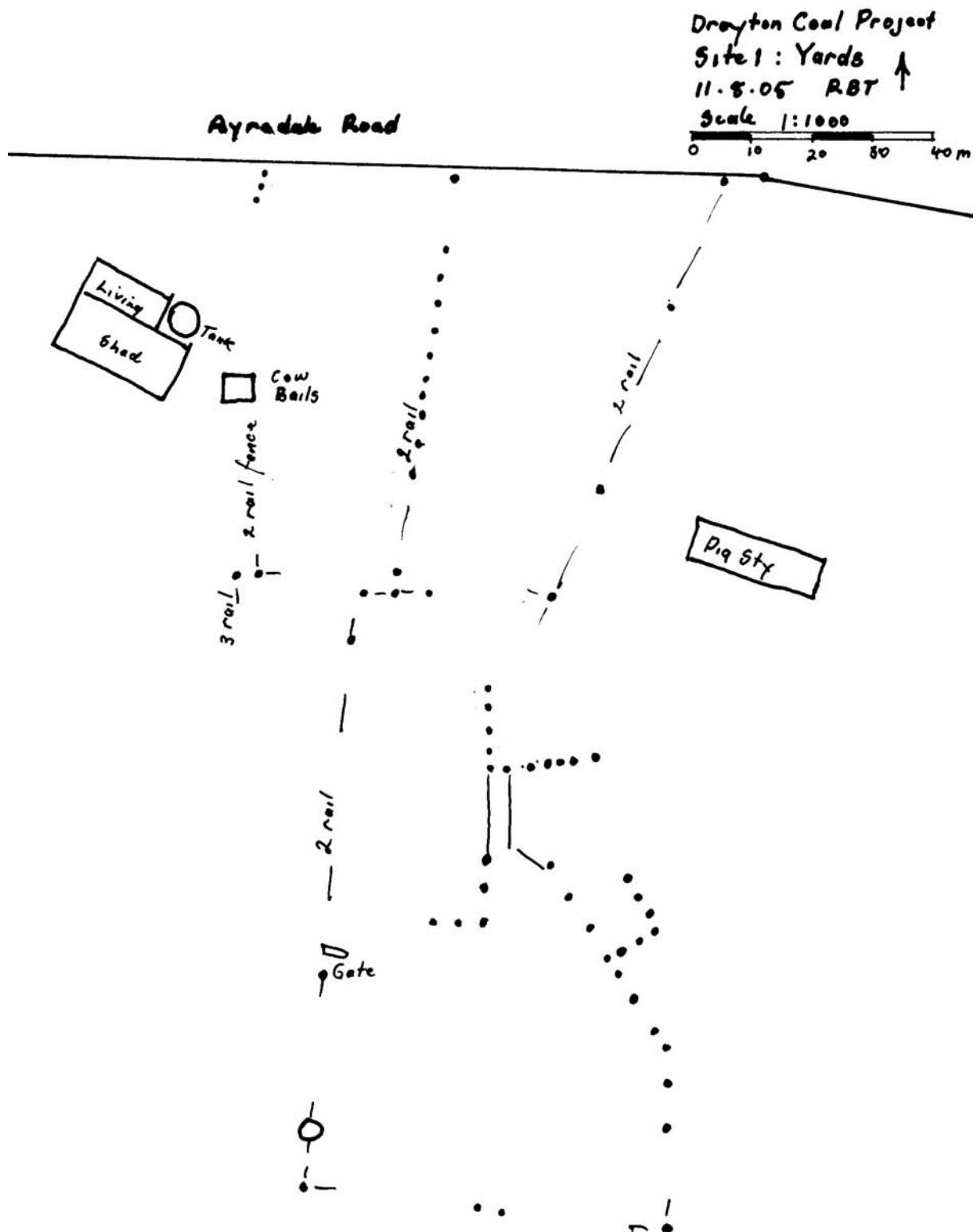


Figure 1. Plan of Site 1

PHOTOGRAPH

Photo 1 Shed and living quarters at Site 1. Part of post & rail fence in foreground. Ayredale Road on right.



Photo 2. Site 1, cow bails with part of two rail fence.



Photo 4. Site 1 Section of yards.



Photo 8. Site 1. Rails let into gum tree. Part of a large holding yard. Main yards in background.

SITE RECORDING FORM

CLIENT: Drayton		SITE NO. 2		RECORDER: RBT		DATE: 8 November 2005	
GPS:GDA 0305455-6416416				PHOTO 11-15		PLAN Yes	
Co.	Durham	Ph	Savoy	Portion	114	Allot/Sect.	
Original Owner		William John Dickinson					
Present Owner		Part of Drayton Coal Lease					
SITE TYPE: Stock yards							
HISTORY: Originally selected by William John Dickinson as a Conditional Purchase block in 1880. He also held other land in the area as conditional purchase or conditional lease. He gave his occupation as contractor, Muswellbrook. William John Dickinson was a son-in-law of Richard Campion, another landholder in the area. Some of the land was changed ownership between them. In 1895 this portion was owned by Richard Campion, which he sold back to William John Dickinson for £106/16/-. Dickinson then sold to James Cobb White. This portion along with others was transferred to Jessie White in 1909.¹⁵ Jessie White married Leslie Philip Dutton in the same year.¹⁶ Over the next 40 years Jessie Dutton slowly sold off parts of the land, some of the purchasers were Wallace, Parse, Reynolds, Gardiner, Sheppard, Haskin, Lawrie, and Sylvester. In 1958, the residue of her estate was vested in the Crown.¹⁷							
PHYSICAL DESCRIPTION (include exotic plants): Site contains ten posts which are the remains of a substantial set of cattle yards. The main posts are approximately 2.2 metres high (it is difficult to determine what the original height was as the posts have started to lean and material has been deposited there from a contour bank up hill) and had five split rails morticed into the posts. The gallows posts are four metres high. Forked trees were utilised to carry the cross beam. This part of the yards was set up for the slaughtering of cattle. The original size of the yards is difficult to determine as very little remains. There are posts some distance away, but it is unknown if they were originally part of the remaining section. It is not possible to determine who constructed the yards. The White family had the labour and resources, but it is unlikely as the site is some distance from the Edinglassie homestead site which is located on Denman Road. The most likely person was William John Dickinson, who, in 1894 gave his occupation as butcher in Muswellbrook.							
PHYSICAL CONDITION: The site is in very poor condition. Most of the posts have rotted away or been removed. The integrity of the site has been compromised by the construction of a contour bank to the north of the site.							
SIGNIFICANCE: Local importance with moderate value. Relic. Under the NSW Heritage Office guidelines the site meets: 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. (Campion & White family) Criterion C: an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW. (Construction method)							
MANAGEMENT: Site has been photographed and site plan prepared. No further action required other than an "Excavation Permit Exception Notification Form" should be submitted in accordance with the provisions of section 139(4) of the Heritage Act 1977.							

¹⁵ NSW Department of Lands

¹⁶ NSW Birth, Death & Marriage Records

¹⁷ Government Gazette 12 Dec 1958

PLAN

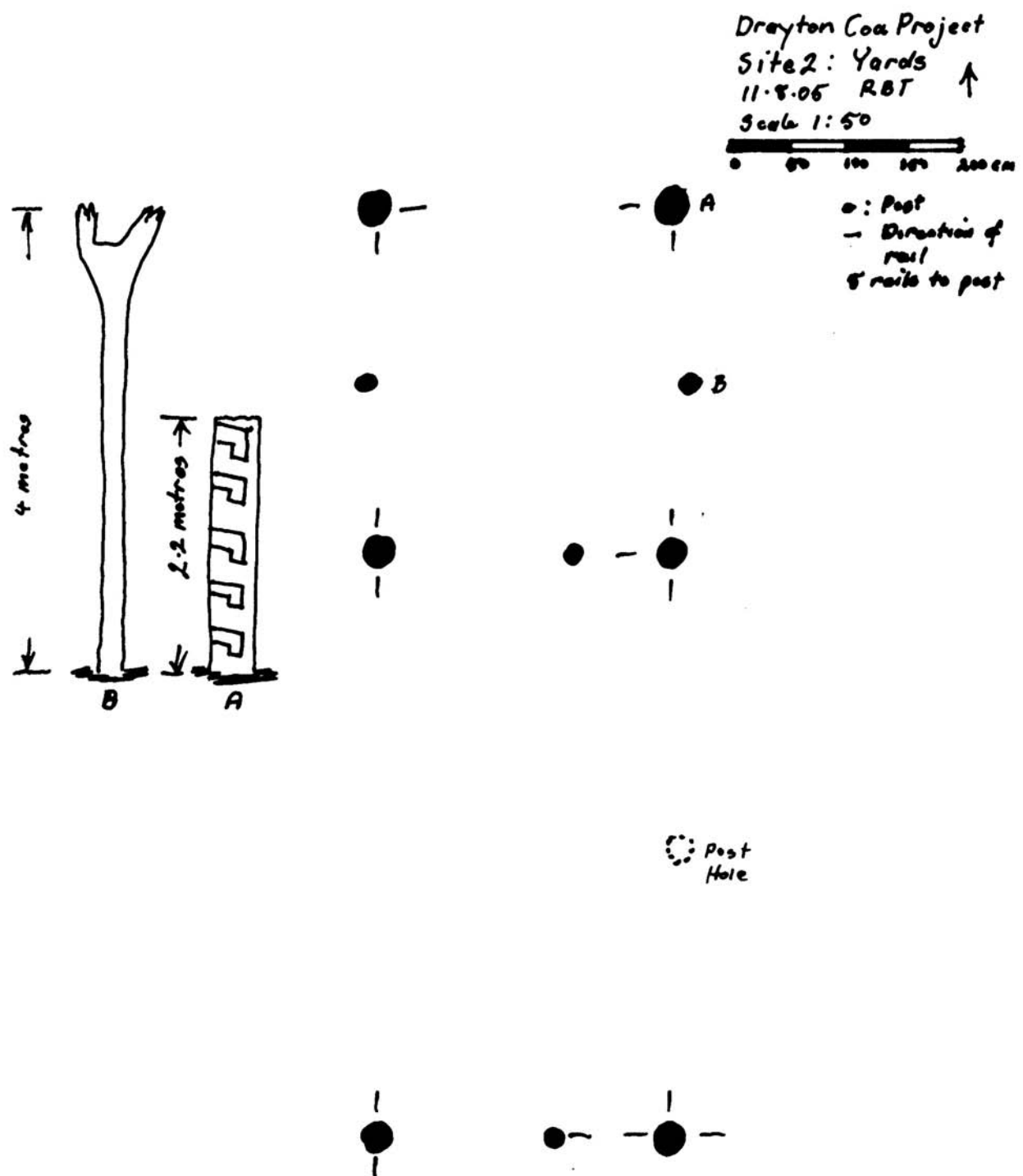


Figure 1. Plan of Site 2 showing position of posts and details of two posts

PHOTOGRAPHS

Photo 14. Shows remains of cattle yards. Slip rails were in posts on left. Centre posts were part of gallows for raising cattle after they had been slaughtered.



Photo 15. View of yards with contour bank in background



Photo 13. Shows arrangement for slip

SITE RECORDING FORM

CLIENT: Drayton		SITE NO. 3		RECORDER: RBT		DATE: 8 November 2005	
GPS:GDA 0305310-6415909				PHOTO: 16 -18		PLAN: Yes	
Co.	Durham	Ph	Savoy	Portion	311	Allot/Sect.	
Original Owner		Francis White					
Present Owner		Part of Drayton Coal Lease					
SITE TYPE: Stock yards							
HISTORY: The portion was selected by Francis White in 1880 though the land would have been used by Dickinson and Campion families prior to that date. Their selections surrounded Portion 311. This portion along with others was transferred to Jessie White in 1909.¹⁸ Jessie White married Leslie Philip Dutton in the same year.¹⁹ Over the next 40 years Jessie Dutton slowly sold off parts of the land, some of the purchasers were Wallace, Pearse, Reynolds, Gardiner, Sheppard, Haslin, Lawrie, and Sylvester. In 1958, the residue of her estate was vested in the Crown.²⁰							
PHYSICAL DESCRIPTION (include exotic plants): This set of stock yards were erected as sheep yards. The oldest portions were two rail morticed posts, which have been modified with other material. Places where the yards have fallen down have been replaced with plain wire and netting. There are the remains of a sheep race at the south eastern end. At the north western end a light gallows has been erected. One end utilises a tree for support. The remains of the yard around it are only suitable for sheep or small cattle. A ramp has been constructed for loading stock onto vehicles so this section is relatively modern.							
PHYSICAL CONDITION: The stock yards and gallows are in very poor condition. Many of the posts and rails have rotted away and are missing. Much of the structure has been replaced with more modern material.							
SIGNIFICANCE: Local importance with moderate value. Relic. Under the NSW Heritage Office guidelines the site meets: 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. (Campion & White family) Criterion C: an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW. (Construction method)							
MANAGEMENT: Site has been photographed and a plan prepared. Site to be considered archaeological resource and protected if not subject to mining.							

¹⁸ NSW Department of Lands

¹⁹ NSW Birth, Death & Marriage Records

²⁰ Government Gazette 12 Dec 1958

Drayton Coal Project
Site 3: Yards
11.8.05 RBT →
Scale 1:500

O = iron bank trees

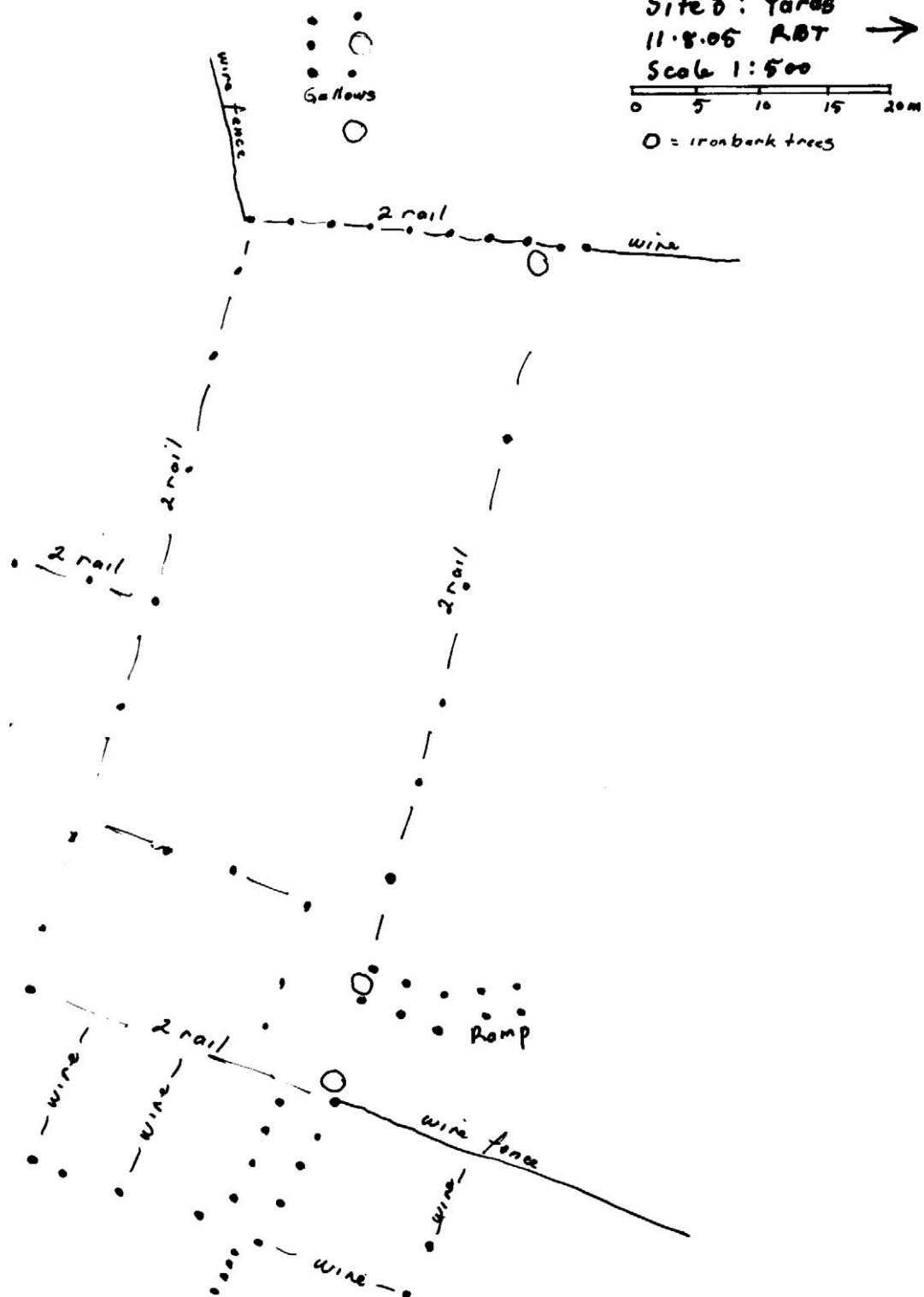


Figure 1. Plan of stock yards

PHOTOGRAPHS



Photo 16. End of yards with gallows



Photo 18. Part of two rail section of yards

SITE RECORDING FORM

CLIENT: Drayton		SITE NO. 4		RECORDER: RBT		DATE: 8 November 2005	
GPS:GDA 0305468-6415887				PHOTO: 19 to 21		PLAN: Yes	
Co.	Durham	Ph	Savoy	Portion	311	Allot/Sect.	
Original Owner		Francis White					
Present Owner		Part of Drayton Coal Lease					
SITE TYPE: House site							
HISTORY: The portion was selected by Francis White in 1880 though the land would have been used by Dickinson and Campion families prior to that date. Their selections surrounded Portion 311. This portion along with others was transferred to Jessie White in 1909.²¹ Jessie White married Leslie Philip Dutton in the same year.²² Over the next 40 years Jessie Dutton slowly sold off parts of the land, some of the purchasers were Wallace, Pearse, Reynolds, Gardiner, Sheppard, Haslin, Lawrie, and Sylvester. In 1958, the residue of her estate was vested in the Crown.²³ In 1954, when Ruth White was selling the Pringles Estate this portion was owned by J Fuller as noted on a sketch map of the area in the files of M M Hyndes Bailey & Co.							
PHYSICAL DESCRIPTION (include exotic plants): The site contains the remains of a weatherboard house, tanks, toilet and shed. Estimated date of construction in the mid 1950s. House sat on hardwood piers. Frame is of circular sawn hardwood. Chimney is constructed of dry pressed bricks. House is clad with hard wood weatherboards that are 75mm wide. House is lined with fibrous plaster board. Stove is a Simplex, R Gibson, maker, Newcastle. Roof clad with corrugated iron. Toilet has collapsed and only the piers of the shed remain.							
PHYSICAL CONDITION: House is in very poor condition. The front section of the house has been pushed sideways to salvage the piers. Chimney that would have been at the front of the house has been demolished. Exposed sections of the house have been damaged by rain. Hardwood material in the house has been damaged by termite activity.							
SIGNIFICANCE: Local importance of intrusive value.							
MANAGEMENT: 'Modern' house has been photographed and plan prepared. Has been recorded for local interest. No further action required.							

²¹ NSW Department of Lands

²² NSW Birth, Death & Marriage Records

²³ Government Gazette 12 Dec 1958

PLAN

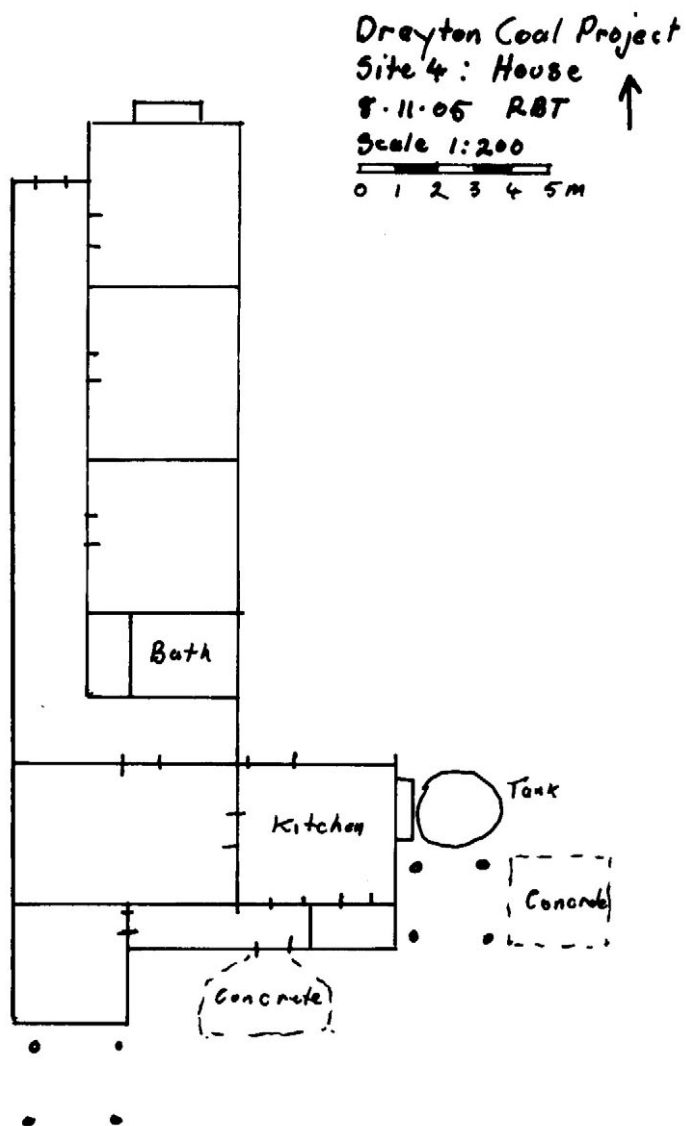


Figure 1. Site 4

PHOTOGRAPHS



Photo 19 Shows RH front of house



Photo 20 Shows front section of house off piers.



Photo 21 Back of house

SITE RECORDING FORM

CLIENT: Drayton		SITE NO. 5		RECORDER: RBT		DATE: 8 November 2005	
GPS:GDA 0304680-6415390				PHOTO: 22		PLAN: No	
Co.	Durham	Ph	Savoy	Portion	309	Allot/Sect.	
Original Owner		Richard Campion					
Present Owner		Part of Drayton Coal Lease					
SITE TYPE: Possible grave site							
HISTORY: This block of 540 acres was taken up as a conditional purchase from the Crown by Richard Campion in 1877. Richard and his sons held a number of blocks in this area. In 1886, he sold this block to James Cobb White for £1350. In 1902, the land was converted to freehold in the name of Francis John White and James Cobb White. In 1909 this block, along with other land in the area, was transferred to Ruth White. For a few years, it was leased by James Cobb White. In 1954, Ruth White had this area subdivided and it was sold at auction. Three of the blocks were purchased by Reginald Victor Green. In 1964, he subdivided the land into smaller lots. Purchaser of Allot 21 was the Bailey family²⁴ Prior to this land being selected by Richard Campion in 1877 it was leasehold from the Crown. The earliest Crown Grant in the area was to Thomas Horton James in 1837 followed by Robert Pringle in 1837. In 1848, Sarah White of Edinglassie purchased part of the estate of Robert Pringle including Portion 175 of 640 acres. In 1858, Catherine Hutchinson, wife of James Hutchinson was murdered by him in this area. He was a shepherd employed by James White jnr of Edinglassie. Her death certificate states that she was buried at Pringle's Paddock Station. One of the witnesses at her inquest was William Fenton, another shepherd employed by James White. In 1860, William Fenton buried his daughter (Mary Ann) at the same station. He was the undertaker and his wife was the witness to the burial.²⁵							
PHYSICAL DESCRIPTION (include exotic plants): There are two clumps of irises growing in the paddocks. One clump is on the south side of the conveyor belt and is outside the Drayton Coal Lease. The other is at the end of a former dam. There are no building remains in the vicinity of the irises therefore it is a high probability that the irises mark the grave sites.							
PHYSICAL CONDITION: The site on the Drayton Lease has possibly been damaged by the construction of the dam.							
SIGNIFICANCE: Local importance of high value. Under the NSW Heritage Office guidelines the site meets: Criterion D: an item has strong or special associations with a particular community or cultural group in NSW for social, cultural or spiritual reasons. Criterion E: an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history							
MANAGEMENT: Site to be fenced to prevent any further disturbance. If at some stage in the future there is a need to disturb the area, then ground penetrating radar could be used to narrow the search area. Exhumation of graves. Conditions for exhumation in Heritage Act 1977, Public Health Act 1991 and Public Health Regulations 1991 to be followed.							

²⁴ NSW Department of Lands.

²⁵ Death certificates of Catherine Hutchinson and Mary Ann Fenton.

PHOTOGRAPHS



Photo 22. Irises on Drayton Lease. Conveyor belt in background.