



# Archaeological Assessment for Historical Burials

# ARCHAEOLOGICAL ASSESSMENT FOR HISTORICAL BURIALS. BYLONG COAL PROJECT.



Our Lady of the Sacred Heart, Upper Bylong, burials of Hugh Francis Cobrey (left)  
and Susan Alenia [Helena] Cecelia Cobrey (right).  
Photograph by Dr. Edward Higginbotham, 11 February 2014.

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**EDWARD HIGGINBOTHAM  
& ASSOCIATES PTY LTD.**

*Archaeology • History • & Heritage*

A.B.N. 79 072 316 968



Edward Higginbotham & Associates Pty Ltd. (02) 9716-5154.

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# ARCHAEOLOGICAL ASSESSMENT FOR HISTORICAL BURIALS.

## BYLONG COAL PROJECT.

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with  
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For  
Hansen Bailey, Singleton, NSW.

|              |                  |
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## EXECUTIVE SUMMARY.

This report was commissioned by Hansen Bailey on 11 June 2014.

The Bylong Coal Project (the Project) is owned by KEPCO Bylong Australia Pty Ltd (KEPCO), which holds Authorisations A 287 and A 342 over an area of approximately 10,300 ha at Bylong, NSW (Figure 1.1).

The purpose of this report is to identify historical burials within the study area, to assess their cultural significance and surviving condition, and to make recommendations for their management and conservation during the proposed development.

This report follows the procedures and recommendations of a procedures report for the archaeological investigation and exhumation of the cemetery, prepared by Edward Higginbotham and Associates Pty Ltd in March 2014.

The former Catholic Church of Our Lady of the Sacred Heart, Upper Bylong is located near the south-eastern corner of Lot 3, DP 1146893 (Figure 1.2). The address is 7668 Bylong Valley Way, Bylong, NSW 2849 and the alternative address is 486 Upper Bylong Road, Upper Bylong 2849. There are four marked graves within this cemetery with evidence suggesting a number of unmarked burials. Only one unmarked burial has been identified through research of the Death Registers for Rylestone and Mudgee.

Another burial has also been located by site survey at Renfrew Park, 255 Upper Bylong Road, Upper Bylong, NSW 2849, on land (now owned by KEPCO) near the railway on Lot 1, DP 1146893 (Figure 1.3).

There are no heritage listings on the State Heritage Register, State Heritage Inventory or on Schedule 5 Environmental heritage to Mid-Western Regional Council Local Environment Plan 2012 (the LEP) for the former Church of Our Lady of the Sacred Heart at Upper Bylong, nor for the burial on private land. The Church and Cemetery was classified by the National Trust of Australia (NSW) on 24 September 2003.

While noting that the Church and Cemetery of Our Lady of the Sacred Heart at Upper Bylong is not on Schedule 5 to the LEP, the site has been assessed as being of local significance. The other burial at Renfrew Park has not been assessed due to insufficient available historical documentation.

The Church and Cemetery of Our Lady of the Sacred Heart at Upper Bylong is located within the proposed Eastern Open Cut Mining Area.

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The burial enclosure at Renfrew Park is not proposed to be directly impacted by the Project since it is located to the north-west of the proposed mine infrastructure associated with the rail loop and underground mine infrastructure area (Figures 1.1 and 1.3).

The archaeological investigation and forensic analysis of the historical burials will provide information relating to a number of research themes. There are three main areas in which the site has the ability, through forensic anthropological investigation, to provide information not necessarily available through other means of inquiry:

- The range of skeletal variation.
- Information about the health, diet and lifestyle.
- Taphonomic information.

The questions asked of the site have the potential to both provide information about an individual in the past and the population to which that person belonged. The site also has the potential to answer questions about past burial practices. In addition it has the potential to provide information which may affect the general Australian population and particularly possible living descendants.

It should be noted that there are very few skeletal remains of Australians of European ancestry from all periods since settlement which are available for research. Thus the knowledge gained from this analysis would not be duplicating other research.

This report recommends detailed procedures for:

- The archaeological excavation of the marked and unmarked burials in the Cemetery at Upper Bylong.
- The preparation of a Burials Management Plan, including:
  - Community Liaison.
  - Procedures for relocation and reburial.
  - Applications for exhumation.
- The accidental discovery of human skeletal remains.



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## **1 INTRODUCTION.**

### **1.1 Background.**

This report was commissioned by Hansen Bailey on 11 June 2014.

The Bylong Coal Project (the Project) is owned by KEPCO Bylong Australia Pty Ltd (KEPCO), which comprises Authorisations (A) 287 and A 342 over an area of approximately 10,300 ha at Bylong, NSW (Figure 1.1). These mining authorisations were granted in 1982 and 1984 respectively. Since that time, periodic exploration programs have been conducted across each authorisation in accordance with the Mining Act 1992 (Mining Act). Phase 1 of KEPCO's Project Exploration Program commenced on 12th May 2011.

At the outset of this report, there were four known burials within the grounds of the former Catholic Church at Upper Bylong and another potential private burial on land (now owned by KEPCO) nearby.

### **1.2 Brief.**

The purpose of this report is to identify historical burials within the study area, to assess their cultural significance and surviving condition, and to make recommendations for their management and conservation during the proposed development.

The report follows the procedures and recommendations of a report prepared by Edward Higginbotham and Associates Pty Ltd in March 2014 outlining the process for the archaeological investigation and exhumation of the cemetery.<sup>1</sup>

### **1.3 Location of site.**

The former Catholic Church of Our Lady of the Sacred Heart, Upper Bylong is located near the south-eastern corner of Lot 3, DP 1146893 (Figure 1.2). The address is 7668 Bylong Valley Way, Bylong, NSW 2849 and the alternative address is 486 Upper Bylong Road, Upper Bylong 2849. There are four marked graves within this cemetery and a number of unmarked burials.

Another burial has also been located by site survey at Renfrew Park, 255 Upper Bylong Road, Upper Bylong, NSW 2849, on land (now owned by KEPCO) near the Sandy Hollow to Gulgong Railway on Lot 1, DP 1146893. (Figure 1.3).<sup>2</sup>

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<sup>1</sup> Edward Higginbotham and Associates Pty Ltd. Procedures for exhumation of burials. Bylong Coal Project. Hansen Bailey, Singleton, NSW. March 2014.

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#### **1.4 Heritage Listings.**

There are no heritage listings on the State Heritage Register, State Heritage Inventory or on Schedule 5 to Mid-Western Regional Council Local Environment Plan 2012 (the LEP) for the former Church of Our Lady of the Sacred Heart or the Cemetery at Upper Bylong, nor for the burial on private land.<sup>3</sup> The Church and Cemetery was "Classified" by the National Trust of Australia (NSW) on 24 September 2003.<sup>4</sup>

#### **1.5 Study methodology and limitations.**

This report has been prepared in accordance with the Heritage Office and Department of Urban Affairs and Planning *NSW Heritage Manual*, 1996 (as revised) as follows:

1. Historical research.
2. Site survey.
3. The assessment of the archaeological significance.
4. Recommendations for management and conservation.<sup>5</sup>

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<sup>2</sup> Research of Spatial Information Exchange (SIX) Maps website on 5 February 2014.

<http://maps.six.nsw.gov.au/>

Plan of the location of the grave received on 17 June 2014.

<sup>3</sup> Research of State Heritage Register and State Heritage Inventory on 5 February 2014.

<http://www.environment.nsw.gov.au/heritageapp/heritagesearch.aspx>

Research of Mid-Western Regional Council Local Environment Plan 2012 on 5 February 2014.

<http://www.legislation.nsw.gov.au/maintop/view/inforce/epi+374+2012+cd+0+N>

<sup>4</sup> AECOM Australia Pty Ltd. Bylong Coal Project: Historic Heritage Impact Assessment, Bylong NSW. Hansen Bailey Environmental Consultants. 2015: 25

<sup>5</sup> Heritage Office and Department of Urban Affairs and Planning. 1996. *NSW Heritage Manual*.

Heritage Office and Department of Urban Affairs and Planning. 1996 (revised 2002). *Statements of Heritage Impact*.

Heritage Office and Department of Urban Affairs and Planning. 1996 (revised 2002). *Conservation Management Documents*.

Heritage Office and Department of Urban Affairs and Planning. 1996. *Heritage Assessments*.

Heritage Office and Department of Urban Affairs and Planning. 1996.

*Archaeological assessment Guidelines*.

Australia ICOMOS Burra Charter, 1999, as amended.

NSW Heritage Office. *Assessing Heritage Significance. A NSW Heritage Manual Update*. 2000.

Heritage Branch, Department of Planning. *Assessing Significance for Historical Archaeological Sites and Relics*. 2009.

James Semple Kerr. *The Conservation Plan*. Australia ICOMOS, 2103

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Reference has also been made to the Heritage Office publication on Skeletal Remains, although some sections are now out of date.<sup>6</sup>

#### **1.5.1 Restricted access to Death Certificates.**

Dr. Terry Kass, historian, commenced research of all known burials at Upper Bylong on 13 June 2014. By 18 June 2014 it was established that the parish records of the Church at Upper Bylong did not survive in the archives of the Roman Catholic Diocese of Bathurst. A request to search the Registers of Death held by the Registrar General was commenced on 18 June 2014. Access to the Registers of Death is strictly regulated under Part 8 of the Births, Deaths & Marriages Registration Act 1995 (NSW).<sup>7</sup> Dr. Terry Kass commissioned Mr. Les Gould, research officer at the Registrar General on 5 August 2014 to research the Registers of Death for Rylestone and Mudgee to identify all marked and unmarked graves at Bylong in the Roman Catholic Cemetery and any other burials at Bylong, not in the Anglican or Roman Catholic Cemeteries. Only one unmarked burial has been identified through this research.

#### **1.5.2 Aboriginal burials.**

This report does not include the legislative framework for or consideration of Aboriginal burials. See survey of Aboriginal archaeological sites.<sup>8</sup>

#### **1.6 Author identification.**

This report was prepared by Dr. Edward Higginbotham. Historical research was completed by Dr. Terry Kass and forms Chapter 2 of this report, together with the Bibliography and Appendices 1, 2 and 3.

Dr. Denise Donlon prepared Chapter 4.2. Research Questions and Forensic Anthropological Evidence.

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<sup>6</sup> Anne Bickford, Denise Donlon and Siobhan Lavelle. *Skeletal Remains. Guidelines to the Management of Human Skeletal Remains under the Heritage Act, 1977*. NSW Heritage Office, 1998.

<sup>7</sup> NSW Government. Registry of Births Deaths & Marriages. Justice and Attorney General. *Access to Information. Policy Document*. PO06/1. Version 5. 6 November 2012.

<sup>8</sup> RPS Australia East Pty Ltd. Bylong Coal Project. Aboriginal Archaeology and Cultural Heritage Impact Assessment. Bylong Coal Project AACHIA - Mid Western Local Government Area. Hansen Bailey. Draft August 2014.

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1.7 Figures.

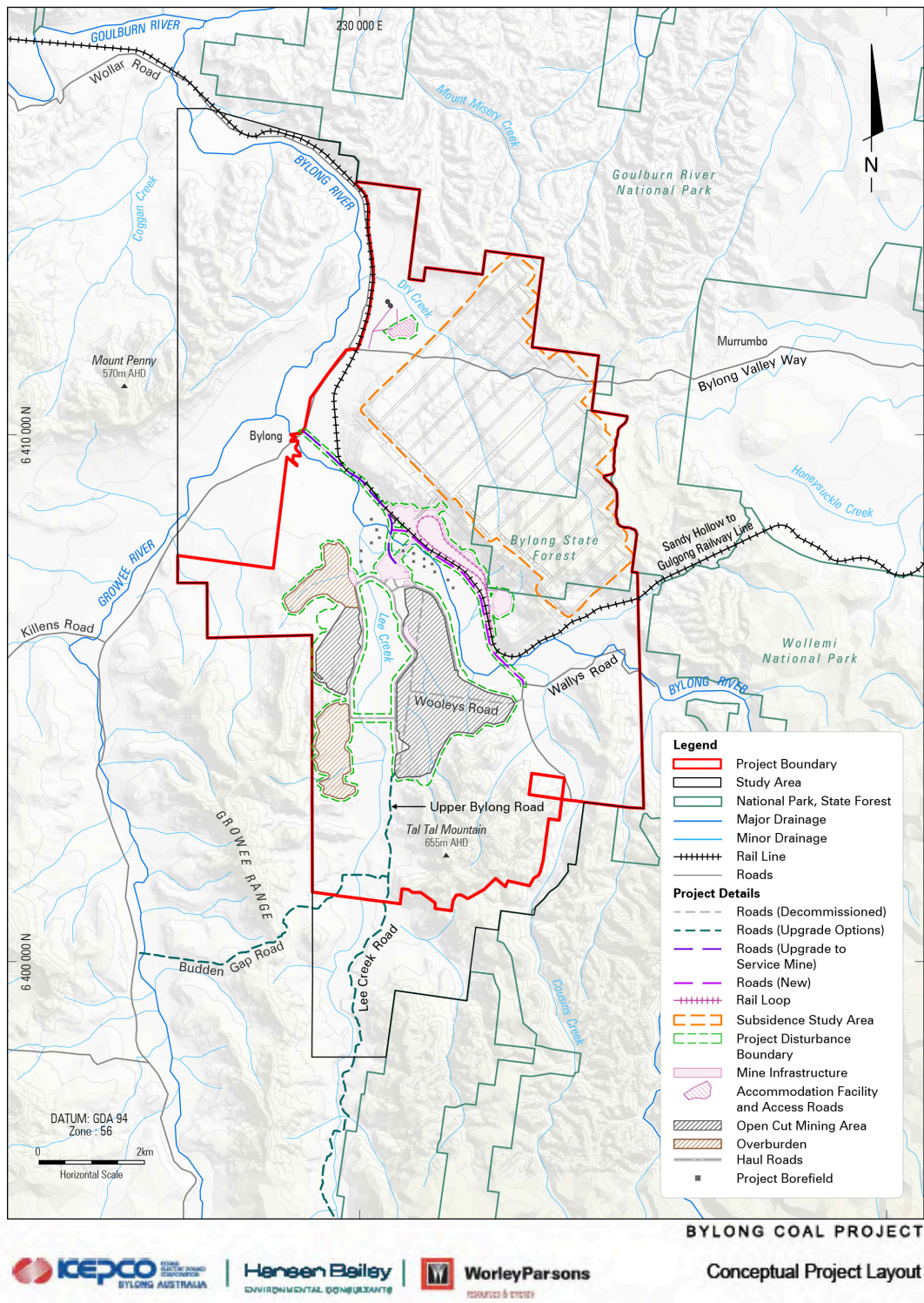


Figure 1.1. Plan showing the conceptual project layout of the Bylong Coal Project at Bylong, NSW.  
Source. Hansen Bayley.



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BYLONG COAL PROJECT



Bylong Church Location Plan

Figure 1.2. Plan showing the location of the former Church of Our Lady of the Sacred Heart, along the east boundary of Lot 3, DP 1146893, fronting Upper Bylong Road.  
Source. Hansen Bailey.



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Figure 1.3. Plan showing the location of the historical burial adjacent to the railway, on Lot 1, DP 1146893.  
Source. Hansen Bayley.

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## **2 HISTORICAL BACKGROUND.**

### **2.1 Introduction.**

The historical background for the Bylong Coal Project has been prepared by AECOM.<sup>9</sup>

The Our Lady of the Sacred Heart Roman Catholic Church at Upper Bylong was constructed in 1915 and continued in use until 2000.<sup>10</sup> The site was purchased by the Catholic Diocese in 1915. The diocese sold the site in 2008.<sup>11</sup>

There are four marked burials in the cemetery:

- John Gerald Burke died on 24 April 1932, aged 62 years.
- Hugh Francis Cobrey, born County Mayo, Ireland 1843, died 2 January 1929.
- Susan Alenia [Helena] Cecelia Cobrey, died 22 November 1946, aged 76 years.
- Ethel Kate Readford died 1 June 1937, aged 58 years.

Site survey has also established that there are a number of unmarked graves (see Chapter 3). Only one of these unmarked burials has been identified as Gerard William Campbell, died at birth on 12 January 1931 and buried on 13 January 1931.

Another burial has also been located by site survey at 255 Upper Bylong Road, Upper Bylong, NSW 2849, on Lot 1, DP 1146893.

Dr. Terry Kass, historian, has researched and written historical biographies of all those known as at the time of writing this report to be buried in the Cemetery at the Roman Catholic Church at Upper Bylong as well as other unmarked burials within the Bylong Coal Project.

### **2.2 Information relating to unmarked burials at the Cemetery at Upper Bylong.**

Dr. Terry Kass, historian, commenced research on 13 June 2014. By 18 June 2014 it was established that the parish records of the Church at Upper Bylong did not survive in the archives of the Roman Catholic Diocese of Bathurst. Alternative means of identifying unmarked burials therefore had to be investigated, namely through research of Registers of Death and by public notices seeking information on unmarked burials.

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<sup>9</sup> AECOM Australia Pty Ltd. Bylong Coal Project: Historic Heritage Impact Assessment, Bylong NSW. Hansen Bailey Environmental Consultants. 2015: 10-19.

<sup>10</sup> AECOM Australia Pty Ltd. Bylong Coal Project: Historic Heritage Impact Assessment, Bylong NSW. Hansen Bailey Environmental Consultants. 2015: 15.

<sup>11</sup> LPI. AE390587E Transfer.

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A request to search the Registers of Death held by the Registrar General was commenced on 18 June 2014. Access to the Registers of Death is strictly regulated under Part 8 of the Births, Deaths & Marriages Registration Act 1995 (NSW).<sup>12</sup> Dr. Terry Kass commissioned Mr. Les Gould, research officer at the Registrar General on 5 August 2014 to research the Registers of Death for Rylestone and Mudgee to identify all marked and unmarked graves at Bylong in the Roman Catholic Cemetery and any other burials at Bylong, not in the Anglican or Roman Catholic Cemeteries. Only one unmarked burial has been identified through this research (Appendix 1).

Public notices were placed in national, state and local newspapers in March 2015. No additional information has been forthcoming regarding unmarked burials (Appendix 3).

### 2.3 Biographies of individuals in marked burials.

The following historical biographies of the four marked burials in the cemetery at Upper Bylong have been researched and written up by Dr. Terry Kass, historian.

#### 2.3.1 John Gerald Burke died on 24 April 1932, aged 62 years.

By Dr. Terry Kass.

John Gerald Burke's father was David Burke and his mother was Mary Walsh according to his death certificate.<sup>13</sup>

According to the death certificate of his wife, John Gerald Burke married Margaret Neville / Nevell at Ballarat about 1894.<sup>14</sup> According to his own death certificate, he married her at Mirboo North, Victoria, about 1895.<sup>15</sup> Between 1896 and 1905, the births of their children were registered at Leongatha, Victoria.<sup>16</sup>

By 1913, he was residing at Bylong. On 15 March 1913, John Burke, of View Point, Bylong, wrote to the Department of Public Instruction regarding a teacher.<sup>17</sup> On 21 July 1913, a plan of **Portion 25, Parish Lee** measuring 301 acres 2 roods was

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<sup>12</sup> NSW Government. Registry of Births Deaths & Marriages. Justice and Attorney General. *Access to Information. Policy Document*. PO06/1. Version 5. 6 November 2012.

<sup>13</sup> BDM 32/9361

<sup>14</sup> Death Cert, Margaret Burke, BDM

<sup>15</sup> BDM 32/9361

<sup>16</sup> BDM certificates etc.

<sup>17</sup> 13/27616, NRS 3829 Education, School File, Bylong Upper, SRNSW 5/15220.5

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compiled from an earlier plan. It was later gazetted as **Settlement Purchase 14/3 'Farm C'** allotted to John Burke. It later became Settlement Purchase Lease 44/1.<sup>18</sup>

The 1913 Electoral Roll, for the Mudgee District, Bylong Polling Place included John Burke, Bylong, farmer, as well as his wife Margaret Burke, Bylong, domestic duties. Wise's 1914 Directory recorded him as John Burbie [Burke], Bylong, dairy farmer.<sup>19</sup>

John Burke took up **Settlement Purchase 1914/3 Rylstone** of 301 acres 2 roods at the rate of £5/16/0 per acre on 15 January 1914 (Figure 2.2). A mortgage was made to the Government Savings Bank. A notation on the Tenure Card showed the loan was £1,748/14/0 on 15 January 1914. An additional sum of £400 was loaned to him on 7 December 1923. The assessed value of the property was appraised on 31 July 1933. The transfer to Margaret and David Burke as the executors of his will was not recorded until 12 January 1945. The land later became **Settlement Purchase Lease 44/1**.<sup>20</sup>

John Burke took out an insurance policy with the Australian Mutual Provident Society on 19 November 1915.<sup>21</sup> Burke also added to his land holdings by purchasing land. On 5 April 1923, **portion 17 (160 acres) and 18 (320 acres) and portion 47 (80 acres), Parish Lee** was transferred to John Burke, in common with William Burke, (his brother) both graziers of Bylong.<sup>22</sup> In addition, land under Old System title was also purchased the same day. John Morrissey, formerly of St Kilda, Victoria but now of Singleton, NSW, grazier conveyed four parcels measuring 98 acres, 97 acres (**Portion VIII**), 97 acres (**Portion VII**) and 98 acres (**Portion VI**) to John Burke and William Burke, both of Bylong, graziers, for £2,340.<sup>23</sup> The purchase was covered by a mortgage to John Morrissey for £4,500.<sup>24</sup>

Burke was involved with the Roman Catholic Church from the time he arrived in Bylong. At the celebrations for the dedication and opening of the new church in September 1915, he gave the largest donation of £10. He also acted as an honorary secretary for that event.<sup>25</sup> A race meeting that was held at Wollar in June 1917 collecting funds for the Bylong church involved him as secretary.<sup>26</sup>

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<sup>18</sup> P.3615.2125, Crown Plan

<sup>19</sup> Wise, Directory, 1914, p 561

<sup>20</sup> Tenure Card, Sett Purch 14/3 Rylstone, NRS 18096, Consignment 5 Box 82

<sup>21</sup> NRS 13340, Deceased Estate File, John Burke, pre A 67488, SRNSW 20/1661

<sup>22</sup> CT 1430 f 188-90

<sup>23</sup> Old System Deed, No 406 Bk 1300

<sup>24</sup> Old System Deed, No 407 are you Bk 1300

<sup>25</sup> *Freeman's Journal*, 23 Sept 1915, p 34

<sup>26</sup> *Freeman's Journal*, 28 June 1917, p 13



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New Certificates of Title were issued to John Burke, grazier, Bylong in common with William Burke, grazier, Bylong for **Portion 17 Parish Lee and Portion 18 and Portion 47 Parish Lee** on 25 May 1923. All were mortgaged to the Bank of NSW on 5 April 1923. The property may have been worked jointly with his brother, William Burke, though in 1932, William Burke was living in Victoria.

A measure of the livestock held jointly was revealed on 12 March 1931, when they took out a stock mortgage on 900 sheep, 72 cattle and 11 horses, which was noted in a letter from the Bank of New South Wales dated 7 May 1932.<sup>27</sup>

Dairying continued to be a significant activity for them. On 6 August 1931, a Type 25 separator was bought from the Alfa-Laval Separator Company Ltd.<sup>28</sup> On 18 June 1932, after John Burke's death, a sum of £114/19/0 was still owed to A H McDonald & Co Pty Ltd, Richmond, Victoria, for an Imperial milking machine.<sup>29</sup>

John Burke signed his will on 23 March 1932. The witnesses were George Anthony Coyte, Rylstone, solicitor, and **Stanley N Readford**, station manager for H L Thompson, Sunnyside, esquire, Rylstone. Burke appointed his wife and son as executors and trustees. He gave a life estate to his wife and then the property would pass to his children in equal shares. He declared that a devise of 'about 950 acres included herein (not being that part of my land on which my residence is situated) is subject to my liability to the Bank of New South Wales and the debt of three thousand pounds owing by me to my brother William Burke of Ballarat Victoria and I declare that both these debts shall be payable in the first place out of the said 950 acres'. A sum of £1 per week was payable to his son John and all the land was to be let except the residence.<sup>30</sup>

On 12 August 1932, William Burke was still owed the principal sum of £2,800 plus interest of £45/3/0 on the contract for sale of 1 May 1930. He still held a half share in **Portions 6, 7, 8, 9, 17, 18 and 47**.<sup>31</sup>

John Gerald Burke died aged 62 on 24 April 1932.<sup>32</sup> He died of 'disseminated sclerosis'.<sup>33</sup> John Bennett Simpkins, undertaker, Kandos, certified that he saw the body on 25 April 1932 before burial.<sup>34</sup>

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<sup>27</sup> NRS 13340, Deceased Estate File, John Burke, pre A 67488, SRNSW 20/1661

<sup>28</sup> NRS 13340, Deceased Estate File, John Burke, pre A 67488, SRNSW 20/1661

<sup>29</sup> NRS 13340, Deceased Estate File, John Burke, pre A 67488, SRNSW 20/1661

<sup>30</sup> NRS 13660, Supreme Court, Probate Packet, John Burke, Series 4 No 182374, Consignment 14 Box 1237

<sup>31</sup> NRS 13340, Deceased Estate File, John Burke, pre A 67488, SRNSW 20/1661

<sup>32</sup> NRS 13340, Deceased Estate File, John Burke, pre A 67488, SRNSW 20/1661

<sup>33</sup> BDM 32/9361

<sup>34</sup> NRS 13660, Supreme Court, Probate Packet, John Burke, Series 4 No 182374, Consignment 14 Box 1237



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A valuation schedule of 10 May 1932 showed Burke's livestock as:

|   |          |
|---|----------|
| 4 pigs at £1/5/0                          | £5       |
| 76 Milking cows at £7/5/0                 | £551     |
| 1 aged bull                               | £1/10/0  |
| 1 young bull                              | £3       |
| 28 poddies at £1/10/0                     | £42      |
| 5 Springers at £4                         | £20      |
| 4 cows at £3                              | £12      |
| 3 young steers at £3                      | £9       |
| 33 poddies at £1/15/0                     | £57/15/0 |
| Total                                     | £696/5/0 |
| 9 sheep at 7/6                            | £3/7/6   |
| 1 draught horse (aged)                    | £12      |
| 1 draught horse (aged)                    | £15      |
| 1 draught horse (aged)                    | £20      |
| 1 very old draught horse                  | £5       |
| One aged hack                             | £3       |
| One light horse                           | £4       |
| PLANT                                     |          |
| 1 Saunders disc plough (old)              | £10      |
| 1 International engine and pump (old)     | £14      |
| 1 lucerne cultivator                      | £10      |
| 1 hay Rack (Clyde)                        | £15      |
| Car Morris Cowley                         | £30      |
| McCormack Deering lucerne mower           | £40      |
| Old wool press                            | £1       |
| Two stand Cooper overhead [shearing gear] | £60      |
| Imperial milking machine                  | £193     |
| Alfa Laval separator                      | £20      |
| 6 milk cans                               | £6       |
| Buckets                                   | £1       |
| Plough (McKay)                            | £10      |
| Massey Harris mower (out of Repair)       | £5       |
| Saw and spindle                           | £4       |
| Rake                                      | £1       |
| Very old wagon                            | £2       |
| 2 saddles                                 | £5       |

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|                                 |                           |
|---------------------------------|---------------------------|
| 4 collars & chains, cart saddle | £6                        |
| Tools and sundries              | £2                        |
| 4 lucerne seed stacks           | £50                       |
| Total                           | £1,251/12/6 <sup>35</sup> |

On 8 June 1932, Ewen Maxwell Dunn, auctioneer, of Church Street, Mudgee, made a valuation of '**Viewpoint**'. **Bylong**. The assets were recorded as:

Farm 3 301 acres 2 roods Settlement Purchase Dwelling 1 £570;  
Dwelling 2 £300; sheds, dairy £100.  
Other portions no buildings. Portion 6 98 acres freehold; Portion 7 97  
acres freehold; Portion 8 97 acres freehold; Portion 9 98 acres freehold;  
Portion 47 80 acres freehold; Portion 17 160 acres freehold; Portion 18  
320 acres freehold.<sup>36</sup>

A schedule of furniture was also drawn up on 20 August 1932.<sup>37</sup> The value of John Burke's estate was sworn at £12,020 on 24 June 1932.<sup>38</sup>

On 15 July 1932, the assets were listed as Real estate £10,064; livestock £763/12/6; Insurance policy £500 plus bonuses £203/18/0; plant £438; produce £50. Total £12,019/10/6 minus debts equals £2,260/8/0.<sup>39</sup>

The estate passed to Allan Burke, aged 12; Edward Burke, aged 20; Daniel Burke, aged 26; Maurice Burke, aged 28; David Burke, aged 36; John Burke, aged 31; Kathleen Burke, aged 32; and William Burke, aged 30.<sup>40</sup>

Probate was granted to Margaret and David Burke on 27 July 1932.<sup>41</sup> On 12 August 1932, Margaret Burke stated she was 52 years old.<sup>42</sup>

On 30 November 1932, the Land Titles Office recorded the Transmission of John Burke's share of **Portions 17 and 18 Parish Lee** to Margaret Burke, widow, Bylong,

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<sup>35</sup> NRS 13340, Deceased Estate File, John Burke, pre A 67488, SRNSW 20/1661

<sup>36</sup> NRS 13340, Deceased Estate File, John Burke, pre A 67488, SRNSW 20/1661

<sup>37</sup> NRS 13340, Deceased Estate File, John Burke, pre A 67488, SRNSW 20/1661

<sup>38</sup> NRS 13660, Supreme Court, Probate Packet, John Burke, Series 4 No 182374, Consignment 14 Box 1237

<sup>39</sup> NRS 13340, Deceased Estate File, John Burke, pre A 67488, SRNSW 20/1661

<sup>40</sup> NRS 13340, Deceased Estate File, John Burke, pre A 67488, SRNSW 20/1661

<sup>41</sup> NRS 13660, Supreme Court, Probate Packet, John Burke, Series 4 No 182374, Consignment 14 Box 1237

<sup>42</sup> NRS 13340, Deceased Estate File, John Burke, pre A 67488, SRNSW 20/1661

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and David Burke, Bylong, farm hand.<sup>43</sup> William Burke's share of **Portions 17 and 18** were transferred to Margaret Burke and David Burke on 2 May 1933. The outstanding mortgage was also discharged on 2 May 1933.<sup>44</sup>

On 5 August 1933, Mrs M Burke's address was recorded as **View Point, Bylong**.<sup>45</sup> As late as 1980, the family still held the property. On 27 January 1947, Edward Burke, **View Point, Bylong**, was the honorary secretary of the Bylong Hall Committee. He appears to have continued in that capacity until 1959.<sup>46</sup> When David Gerald Burke died on 15 June 1970, he still held the property '**View Point**' consisting of **Portion 87 and part of Portion 8 Parish Lee** (Figure 2.4).<sup>47</sup> On 11 January 1980, Daniel Neville Burke of '**View Point**', Bylong, son of John Gerald and Margaret Burke, died aged 73.<sup>48</sup>

**2.3.2 Hugh Francis Cobrey, born County Mayo, Ireland 1843, died 2 January 1929. Susan Alenia [Helena] Cecelia Cobrey, died 22 November 1946, aged 76 years.**

By Dr. Terry Kass.

Susan Cobrey's headstone gives her middle name as Alenia but all the documentation indicates it was Helena.

According to his tombstone, Hugh Francis Cobrey was born in County Mayo, Ireland in 1843. However, he gave his age as 46 years old in 1908 at the birth of his daughter Gerardine, which would place his date of birth as 1862.<sup>49</sup> No information has been located about when Hugh Francis Cobrey arrived in the colony. At his death, Hugh Francis Cobrey was stated to have lived in NSW for 45 years as well as 6 years in Queensland and 5 years in Victoria.<sup>50</sup> No information has been found about his years in Queensland.

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<sup>43</sup> C T 3456 f 240; 242

<sup>44</sup> C T 3456 f 240-3

<sup>45</sup> NRS 13660, Supreme Court, Probate Packet, John Burke, Series 4 No 182374, Consignment 14 Box 1237

<sup>46</sup> SRNSW NRS 15318, Hall file, Bylong, No 1746

<sup>47</sup> NRS 13660, Supreme Court, Probate Packet, David Gerald Burke, Series 4 No 710208, Consignment 61 Box 180

<sup>48</sup> B7/1/CD.12b Parish of Kandos now Sofala – Burials 16 May 1932 – 31 Dec 1980, Np 535

<sup>49</sup> BDM, Victoria, 1908/ 13034

<sup>50</sup> BDM 29/1488

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His wife, Susan Helena Cobrey later stated that she had been born on 9 September 1879.<sup>51</sup> She was born in North Melbourne.<sup>52</sup> Her father was William Cleary, librarian and her mother was Susan O'Callaghan.<sup>53</sup>

Hugh Francis Cobrey was living in the Deniliquin area by the 1890s. He was working as a commercial agent and an agent selling machinery, probably farm machinery. On 28 March 1896, lots 44 and 45, Section A DP 2425, Corcoran Street, Berrigan were transferred to Hugh Cobrey, commercial agent of Deniliquin. He mortgaged it to the Commercial Banking Company of Sydney Ltd on 25 August 1896. On 2 July 1907, he transferred it to his wife Susan Cobrey. She transferred part of lot 44 on 16 March 1911.<sup>54</sup> On 19 July 1911, she transferred the residue consisting of lot 45 and part of lot 44 to Willoughby Jermyn, Berrigan, Shire Clerk.<sup>55</sup>

On 8 April 1896, lot 13, Section 71, Albert Street, Town of Deniliquin, was transferred to Hugh Francis Cobrey, machine agent of Deniliquin. He transferred it the same day to George Tout junior, of Deniliquin, coachbuilder.<sup>56</sup> Part of lot 2 Section 44 Town of South Deniliquin was conveyed to Hugh Francis Cobrey, machine agent of Deniliquin, for £15 on 4 June 1896.<sup>57</sup> He sold it on 20 December 1900 for £25.<sup>58</sup> On 5 March 1897, the local press recorded that E J Gorman & Co had sold one allotment for H F Cobrey for £42/10/0.<sup>59</sup> It seems that they were living at Berrigan, probably in Corcoran Street.

At Hawthorn, Victoria on 8 April 1899, Hugh Cobrey, commercial traveller, aged 46, born in Ireland, married Susan Helena Cleary, aged 36, who had been born in North Melbourne.<sup>60</sup>

The 1903-04 Electoral Roll for Deniliquin District, Tocumwal Division, listed Hugh Cobrey as living at Berrigan Township and employed as a travelling agent. From that time onwards there were a number of references to the couple and their activities at Berrigan in the local press. They were very active in the local Roman Catholic community.

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<sup>51</sup> NRS 13340, Deceased Estate File, Hugh Francis Cobrey, pre A 104029, SRNSW 20/2132

<sup>52</sup> BDM, Victoria, 1908/ 13034

<sup>53</sup> BDM 46/25513

<sup>54</sup> CT 1104 f 50

<sup>55</sup> CT 2144 f 153

<sup>56</sup> CT 9 f 211

<sup>57</sup> Old System Deed, No 299 Bk 582

<sup>58</sup> Old System Deed, No 845 Bk 678

<sup>59</sup> *Albury Banner & Wodonga Express*, 5 March 1897, p 4

<sup>60</sup> BDM, Victoria, 1908/ 13034

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H F Cobrey signed a memorial presented to Father J J Fogarty when he left Berrigan in August 1903.<sup>61</sup> At the twenty-fifth annual meeting of the Hibernian Catholic Benefit Society at Sydney Town Hall in March 1905, Bro Hugh Cobrey represented St Columba's, Berrigan.<sup>62</sup> When the silver jubilee of the ordination of Father Martin Vaughan was celebrated at Berrigan on 2 April 1908, H Cobrey gave one of the speeches.<sup>63</sup> From 13 to 22 March 1909, Mrs S Cobrey was in charge of the 'Convent Stall' at the Berrigan Bazaar.<sup>64</sup> In October 1910 Mr Cobrey offered a toast at the opening of the convent school at Berrigan.<sup>65</sup>

It was also noted that a meeting of the Berrigan Shire Council on 29 November 1909 was informed that Mr Cobrey had received no rate notice before he was summonsed to appear at court proceedings.<sup>66</sup>

On 2 July 1907, Hugh Cobrey transferred all his property to his wife Susan on account of his poor health.<sup>67</sup>

On 25 February 1908, their daughter Gerardine Susan Cobrey was born at 37 Page Street, Albert Park, Melbourne. The father was recorded as Hugh Cobrey, commercial traveller, aged 46, born in Ireland and the mother as Susan Helena Cobrey (nee Cleary), aged 36, born in North Melbourne. They had previously had the following children – Mary deceased, Kevin 7, and Veronica 3.<sup>68</sup>

It is uncertain when they left Berrigan, but the two parcels of land, which they held were sold on 16 March 1911 and 19 July 1911. The transfer on 19 July 1911, of the land in Corcoran Street, Berrigan, seems to have been the sale of their home.<sup>69</sup>

On 2 July 1912, Hugh Francis Cobrey selected a **Conditional Purchase on Portion 65 of 92 acres 2 roods, Parish Bylong** under Section 26 of the Crown Lands Act of 1884. He paid a deposit of £3/12/0 (Figure 2.6). The residence condition was 10 years. There was no notice of transfer until 23 April 1937 when the transfer to his widow Susan was recorded. It was later transferred to Kevin Stanislaus Cobrey on 2

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<sup>61</sup> *Freemans Journal*, 13 Aug 1903, p 17

<sup>62</sup> *Catholic Press*, 16 March 1905, p 22-3

<sup>63</sup> *Catholic Press*, 9 April 1908, p 13

<sup>64</sup> *Freemans Journal*, 22 April 1909, p 8

<sup>65</sup> *Freemans Journal*, 27 Oct 1910, p 10

<sup>66</sup> *Tocumwal Guardian & Finley Free Press*, 3 Dec 1909, p 2

<sup>67</sup> Letter Hugh Cobrey to Lands Dept, 13 May 1916, Lands Department, Closer Settlement Branch, Settlement Purchase File, No 6126, Cobrey, 10/12493

<sup>68</sup> BDM, Victoria, 1908/ 13034

<sup>69</sup> CT 2144 f 153



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July 1952 as the devisee of Susan.<sup>70</sup> No buildings or improvements were shown on the survey plan when it was surveyed on 2 June 1913.<sup>71</sup>

On 29 July 1912, Hugh Francis Cobrey drew up his will. The witnesses were **Reuben Saggars of Bylong, labourer, and Duncan McLennan of Bylong, labourer**. As for his property he left it 'All to my wife.'<sup>72</sup>

The 1913 Electoral Roll, for the Mudgee District, Bylong Polling Place, recorded Hugh Cobrey, Bylong, farmer, and Susan Cobrey, Bylong, domestic duties.

On 15 January 1914, Hugh Francis Cobrey took up **Settlement Purchase 1914/5 Rylstone of 333 acres 1 rood 10 perches in Parish Bylong** at the rate of £4 per acre. This was taken up under the Closer Settlement legislation. The land was Farm 5, which included **Portions 37, 38, 68, 39, 40 and 41** (Figure 2.6). He received an advance the same day of £1,333/5/0 from the Government Savings Bank. The 1915 payment instalment was postponed as well as 1916 and 1918, which were deferred to 31 December 1919. The debts were later paid in full. The land was appraised on 16 April 1937 to have a value of £1,333/5/0. The land later became **Settlement Purchase Lease 44/2**.<sup>73</sup> The Rylstone Settlement Purchase Register recorded Cobrey's address as '**Innisfail, Bylong**'. There were a number of deferred payments until 25 June 1937 when a Certificate of Conformity was issued.<sup>74</sup>

Wise's Directory of 1914 listed Hugh Cobrey, of Bylong, as a dairy farmer.<sup>75</sup>

A plan of **Portion 68, Parish Bylong** measuring 333 acres 1 rood 10 perches was compiled in March 1921 from earlier plans. It included parts of earlier portions. The land had been surrendered under the Closer Settlement Promotion Act 1910 and had been gazetted as **SP14/5 'Part Farm 5'** later allotted to Hugh Francis Cobrey.<sup>76</sup>

However, Hugh Cobrey had already held the land before it was resumed by the Department of Lands. Hugh F Cobrey, of **Innisfail, Bylong Creek**, wrote to the Lands Department on 18 June 1914 asking 'what became of my improvements which I made on this block of land before the Commissioners took it over under the Closer Settlement Promotion Act, they cost me over three hundred pounds. I gave

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<sup>70</sup> Tenure Card, CP 12/30 Rylstone, NRS 18096, Consignment 6 Box 159

<sup>71</sup> P.3613.2125, Crown Plan

<sup>72</sup> NRS 13660, Supreme Court, Probate Packet, Hugh Francis Cobrey, Series 4 No 214504, Consignment 16 Box 2539

<sup>73</sup> Tenure Card, Sett Purch 14/5 Rylstone, NRS 18096, Consignment 5 Box 82

<sup>74</sup> NRS 9276, Rylstone Crown land Agent, Settlement Purchase Register, 1914-29, 10/1240, SP 14/5

<sup>75</sup> Wise, Directory, 1914, p 561

<sup>76</sup> P.3836.2125, Crown Plan

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the Bank Manager Mr Durack definitely to understand that all the improvements were mine.' He complained of the cost of a man to value his improvements on the property, 'as it took most of my time falling apple box oak and scrub for the cattle, also pulling up water, after all my trouble I lost 18 hd of cattle and one draught horse since the Commissioners inspected the block.'<sup>77</sup>

A J Hare, the Undersecretary for Lands informed Cobrey on 21 August 1914 that his improvements when inspected were:

House etc  
Kitchen  
Dairy  
Well, 20 ft  
Garden fence  
3 Bails and yards  
13 chains netting fence  
5 chains netting fence  
42 chains fence 4 wires  
44 chains fence 4 wires  
11 chains fence 4 wires  
36 chains netting fence  
12 acres cleared  
218 acres ringbarked and scrubbed

The Crown valuation was £1333/5/0.<sup>78</sup>

Cobrey continued to seek some recognition of the efforts he had put into improvements before the land was take over by the Dept of Lands. In December 1914, Cobrey wrote to MLA W F Dunn claiming that the vendor [of the land] was paid for Cobrey's improvements. Cobrey stated that at that time he was cultivating maize and lucerne.<sup>79</sup>

District Surveyor R B Mackenzie reported in April 1916 that since Cobrey acquired the title to the land, he had cleared an additional 26 acres, netted five acres, sown lucerne and had two acres ploughed and sown with barley, as well as building calf yards and pig sties. Cobrey also planned to clear and fence more land, make additions to the house and improve the milking yards. His income was practically nil

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<sup>77</sup> Lands Department, Closer Settlement Branch, Settlement Purchase File, No 6126, Cobrey, 10/12493

<sup>78</sup> Lands Department, Closer Settlement Branch, Settlement Purchase File, No 6126, Cobrey, 10/12493

<sup>79</sup> Lands Department, Closer Settlement Branch, Settlement Purchase File, No 6126, Cobrey, 10/12493

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due to bad seasons. According to Cobrey's evidence, this land was bought from him. Nothing in the papers revealed what had happened to the one thousand pounds he should have received as purchase money. The name of J Morrissey was noted in the papers, but in the evidence Cobrey stated his wife had bought the land and transferred it to him.<sup>80</sup>

Later, on 13 May 1916, Cobrey wrote that, 'The land referred to was bought from the Hon John Morrissey on terms in the name of Susan Cobrey my wife, on account of my delicate state of health for many years. I made all my property to my wife in June 1907.'<sup>81</sup>

Hugh Francis Cobrey died aged 86 on 2 January 1929.<sup>82</sup> Bowel cancer was the cause of death.<sup>83</sup> On 4 August 1936, David Burke, farmer, of Bylong, stated he saw Hugh Francis Cobrey on 2 January 1929 and before he was buried on 3 January 1929.<sup>84</sup>

Susan Cobrey did not apply for probate at first. On 30 July 1936, she explained the delay in seeking probate since she thought it was hers since she was the sole beneficiary. It was not until she replied for re-appraisal of the property in February 1936 that she found she had to apply for probate.<sup>85</sup>

A valuation was made by David Burke, of Bylong, farmer and grazier, on 17 June 1936. David Burke stated he had been a farmer and grazier for over 20 years and had lived close to the property of Hugh Francis Cobrey and was friendly towards him up to his death. He based his valuation on information provided by the son and widow. The assets were:

#### Livestock

|   |           |
|---|-----------|
| 40 Dairy cows mixed ages and breeds £5 each             | £200      |
| 60 young cattle of mixed sexes, ages and breeds £1/10/0 | £90       |
| 4 draught horses £25 each                               | £100      |
| 3 light horses £7/10/0 each                             | £22/10/0  |
| Total   | £412/10/0 |

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<sup>80</sup> Lands Department, Closer Settlement Branch, Settlement Purchase File, No 6126, Cobrey, 10/12493

<sup>81</sup> Lands Department, Closer Settlement Branch, Settlement Purchase File, No 6126, Cobrey, 10/12493

<sup>82</sup> NRS 13340, Deceased Estate File, Hugh Francis Cobrey, pre A 104029, SRNSW 20/2132

<sup>83</sup> BDM 29/1488

<sup>84</sup> NRS 13660, Supreme Court, Probate Packet, Hugh Francis Cobrey, Series 4 No 214504, Consignment 16 Box 2539

<sup>85</sup> NRS 13660, Supreme Court, Probate Packet, Hugh Francis Cobrey, Series 4 No 214504, Consignment 16 Box 2539

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#### Equipment

|   |          |
|---|----------|
| 1 double disc plough good condition   | £15/10/0 |
| 1 single disc plough fair condition   | £5       |
| 2 sets of Harrows   | £10      |
| 1 old lucerne mower   | £7/10/0  |
| 1 farm wagon fair condition   | £10      |
| 1 old sulky   | £5       |
| Harness   | £15      |
| Sundries  | £10      |
| Dairy implements (including separator, milk and cream cans, buckets and other sundries all in a fair condition and working order) | £30      |
| Total   | £108     |

#### Land

|   |     |
|---|-----|
| Portions 37, 38 and 39 – 40 acres each                    |     |
| Well is on them – not in good repair and without fittings | £20 |

Portions 68 or 113 acres 1 roof 10 perches and portion 40 of 50 acres

Clearing etc

Lucerne on 30 acres

|  |                    |
|--|--------------------|
| Very old dwelling of wooden construction | £100               |
| Dairy buildings and yards                | £100               |
| Well, windmill and fittings              | £75. <sup>86</sup> |

30 July 1936

Assets: real estate £2241/17/6; livestock £412/10/0; farming equipment £108.

Total estate £2762/7/6 minus debts equals £1,344/11/9.<sup>87</sup>

On 24 August 1936, as part of the assessment of the death duties on Hugh Cobrey's estate, Susan Cobrey stated she was 50 years old and born on 9 September 1879.<sup>88</sup>

Another valuation was made by Norman Stewart Dunn, auctioneer and valuer, Church Street, Mudgee on 27 August 1936. He recorded the assets as:

<sup>86</sup> NRS 13340, Deceased Estate File, Hugh Francis Cobrey, pre A 104029, SRNSW 20/2132

<sup>87</sup> NRS 13340, Deceased Estate File, Hugh Francis Cobrey, pre A 104029, SRNSW 20/2132

<sup>88</sup> NRS 13340, Deceased Estate File, Hugh Francis Cobrey, pre A 104029, SRNSW 20/2132

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**Settlement Purchase No 14/5** of 333 acres, 1 rood, 10 perches, being portion numbers, **37, 38, 39, 40, 41, & 68, Parish of Bylong**, County of Phillip, Land District of Rylstone. This land consists of portion alluvial flats, balance sandstone slopes and ridges, running into high sandstone Bluffs, the high land being poor to fair grazing. Timber comprises Appletree, gum, and box. The property is reasonably well watered by Well & Windmill. A dry creek runs practically through the centre of the flats, which reduces their value.

The improvements consist of fencing boundary and subdivision, ringbarking and clearing, old dwelling, dairy & yards, and 30 acres established lucerne.

I value the 333 acres, 1 rood, 10 perches as follows:-

|  |              |
|--|--------------|
| Land, unimproved value                       | £1332        |
| Improvements, Fencing boundary & subdivision | £163         |
| Clearing                                     | £185         |
| 30 Acres established lucerne                 | £150         |
| Dwelling, very old                           | £100         |
| Dairy & Yards                                | £100         |
| Well, Windmill & Fittings                    | £75          |
| <b>TOTAL VALUE</b>                           | <b>£2105</b> |

**Conditional Purchase No 12/30. Parish Bylong**, County Phillip, is practically all high land, sandstone slopes and ridges, very poor grazing, small portion rung and cleared, balance unimproved, partly fenced, and not watered.

I value the 92 acres as follows:-

|                                  |                          |
|----------------------------------|--------------------------|
| Land, Unimproved value           | £92                      |
| Improvements, fencing & clearing | £23                      |
| <b>TOTAL VALUE</b>               | <b>£115<sup>89</sup></b> |

On 30 July 1936, the value of the property was sworn at £2,763.<sup>90</sup> Probate was granted to Susan Helena Cobrey on 10 August 1936.<sup>91</sup>

Previously, on 10 May 1930, their daughter, Gerardine Susan Cobrey married William McLeod Campbell. labourer, of Leadville, at the Roman Catholic Presbytery, Gulgong. <sup>92</sup> A premature male child named Gerard William Campbell was born to the couple on 12 January 1931, dying with 24 hours. He was buried in the Bylong Roman Catholic cemetery. <sup>93</sup>

<sup>89</sup> NRS 13340, Deceased Estate File, Hugh Francis Cobrey, pre A 104029, SRNSW 20/2132

<sup>90</sup> NRS 13660, Supreme Court, Probate Packet, Hugh Francis Cobrey, Series 4 No 214504, Consignment 16 Box 2539

<sup>91</sup> NRS 13660, Supreme Court, Probate Packet, Hugh Francis Cobrey, Series 4 No 214504, Consignment 16 Box 2539

<sup>92</sup> BDM 1930/6964

<sup>93</sup> BDM 2390/1931

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Susan Helena Cecilia Cobrey mortgaged **Settlement Purchase 14/5 Rylstone and CP 12/30** to the Bank of New South Wales on 12 July 1937.<sup>94</sup> Both mortgages were discharged on 16 April 1946.<sup>95</sup>

Following that, on 20 July 1939, she mortgaged **Settlement Purchase 14/5 Rylstone and CP12/30** to the Rural Bank for £438 to erect 1 ¾ miles of netting fencing and attaching netting to 1 ½ miles of existing fence and to purchase two horses with harness and 15 dairy cows.<sup>96</sup> The loan was discharged on 9 May 1946.<sup>97</sup>

On 3 June 1939, Kevin S Cobrey wrote to the Department of Education on behalf of his mother, Mrs S H Cobrey, **Innisfail, Bylong**, that she agreed to release a small piece of land rent free for a school until she left the property or the railway construction camp was disbanded. An accompanying plan showed this was part of **Portions 68 and 65**. In 1941, the school was moved to a site on **Portion 10** closer to the work camp.<sup>98</sup>

On 28 February 1947, the Commonwealth Bank advised that it held a mortgage over Conditional Purchase and Settlement Purchase Lease amounting to £1,200.<sup>99</sup>

On 26 March 1946, Susan Helena Cecilia Cobrey signed her will appointing her son, Kevin Stanislaus Cobrey as her executor. She left legacies of £100 to her daughter, Veronica Josephine Willis, wife of Sydney James Willis, and £100 to her daughter, Gererdine Susan Campbell, the wife of William McLeod Campbell, and £250 to her daughter, Sheila Terese Cobrey. The rest of the estate was left to Kevin Stanislaus Cobrey. The witnesses were Garry Spring, solicitor, Mudgee and Joyce Winter, his clerk.<sup>100</sup>

Susan Helena Cecelia Cobrey died at Rylstone on 22 November 1946.<sup>101</sup> She was aged 72.<sup>102</sup>

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<sup>94</sup> Old System Deed, No 111 Bk 1787; No 112 Bk 1787

<sup>95</sup> Old System Deed, No 410 Bk 1985; No 41 Bk 1985

<sup>96</sup> Old System Deed, No 590 Bk 1850

<sup>97</sup> Old System Deed, No 412 Bk 1985

<sup>98</sup> NRS 3829 Education, School File, Bylong Tunnel Upper, SRNSW 14/7364

<sup>99</sup> NRS 13340, Deceased Estate File, Susan Helena Cobrey, A 109988, SRNSW 20/3904

<sup>100</sup> NRS 13660, Supreme Court, Probate Packet, Susan Helena Cobrey, Series 4 No 326486, Consignment 27 Box 7903

<sup>101</sup> NRS 13660, Supreme Court, Probate Packet, Susan Helena Cobrey, Series 4 No 326486, Consignment 27 Box 7903; John B Simpkins, Kandos, funeral director

<sup>102</sup> NRS 13340, Deceased Estate File, Susan Helena Cobrey, A 109988, SRNSW 20/3904



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Her assets were sworn on 20 May 1947 at: real estate £2,125; livestock £205/10/0; cash in bank £35/8/7; farming equipment £98; other property £64/14/0. Total £2,528 minus debts £2,056/5/4 = £472/7/3.<sup>103</sup>

Debts due from her estate were £33/17/7 to Wollar Bakery; £16/4/10 to W H Woolley, The Marble Butchery, Church Street. Mudgee; £181/19/0 to Bylong Cash Store.<sup>104</sup>

A General Valuation Report was completed by J C Currie on the property 'Innisfail', **Bylong records** that:

"INNISFAIL" has an area of 428 acres 3 rds 10 pchs is contained in **Portions 88, 40, 37, 38, 39, 41 and 68, Parish of Bylong**, County Phillip, land district and Shire of Rylstone.

This property is situated about 4 miles east of the Bylong Post Office; this land comprises [sic] of sandy loam flats and steep mountain sides. About 61 acres has not been treated in any way and is in its natural state, the balance is well improved land including 150 acres that have been cultivated, a further 50 acres is ready for cultivation.

The property is enclosed by netting fence and has a netting subdivision fence. The deceased share of netting fence is 122 chains; 2 ¼ miles of 6 wire fence is used to subdivide the property into small paddocks.

The Residence is constructed of iron external walls lined with fibro cement. It contains 3 rooms and kitchen. Out buildings are not of much account and comprises old cart shed and cow bails, cow yards, also needs replacing. The dairy is small and constructed of concrete. The property is showing signs of drought and neglect, all lucerne has died out and rabbits are very numerous.

The deceased used this property as a dairy farm, and during the last five years worked it with the assistance of her daughter. Their approximate average gross income was £300 per annum.

To bring this place into full production a lot of work is needed, rabbits will have to be destroyed, fences put in order, cultivation paddocks resown, one well has fallen in [and] this will need to be replaced by another well.

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<sup>103</sup> NRS 13340, Deceased Estate File, Susan Helena Cobrey, A 109988, SRNSW 20/3904

<sup>104</sup> NRS 13340, Deceased Estate File, Susan Helena Cobrey, A 109988, SRNSW 20/3904

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|   |                       |
|---|-----------------------|
| U. C. V. on 425 acres   | 637                   |
| Timber treatment on 365 acres @ 20/-                                      | 365                   |
| Clearing 200 acres for plow @ 3/10/-                                      | 650                   |
| Fencing. Netting fence 123 chains @ 20/-                                  | 123                   |
| 2 ¼ miles wire fence @ £30  | 67                    |
| Residence   | 215                   |
| Dairy   | 38                    |
| Water. One well   | 30                    |
| One well valueless  | £2,125 <sup>105</sup> |
| J C Currie was the stock and station agent etc at Louee Street, Rylstone. | <sup>106</sup>        |

The valuation of livestock recorded it as:

20 cows aged seven years or pounds each  
Seven heifers aged 18 months at £3/10/0 each  
10 steers aged 18 months at £3/10/0 each  
20 poddies at £2 each  
One bull £4  
2 draught horses £10 total  
2 saddle horses £12 total  
Total livestock £205/10/0

Plant  
Sulky and harness £8/10/0  
Buzacott pumper £15  
Separator (old) £3  
Six cream cans £1/10/0  
Mower £10  
Rake £8  
Reaper £5  
Plough disc double furrow £12  
Harrows £1/10/0  
Wagon (old) £5  
Cultivator 6 feet £19  
Total £98<sup>107</sup>

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<sup>105</sup> NRS 13340, Deceased Estate File, Susan Helena Cobrey, A 109988, SRNSW 20/3904

<sup>106</sup> NRS 13340, Deceased Estate File, Susan Helena Cobrey, A 109988, SRNSW 20/3904

<sup>107</sup> NRS 13340, Deceased Estate File, Susan Helena Cobrey, A 109988, SRNSW 20/3904

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Probate was granted to Kevin Stanislaus Cobrey, **Innisfail, Bylong**, farmer and grazier, on 22 May 1947.<sup>108</sup> He later moved away from Bylong.

Marie Inez Cobrey, the daughter of Kevin Stanislaus Cobrey and Mary Pearl Cobrey, was born on 2 April 1944.<sup>109</sup> On 14 December 1960, Kevin Stanislaus Cobrey of Wootton, farmer, signed his will appointing Mary Pearl Cobrey, his wife and Marie Inez Cobrey, his daughter, as executors and trustees. The estate was left to his surviving children in equal shares.<sup>110</sup> Only Marie Inez Cobrey was named as his child in the documentation.

Kevin Stanislaus Cobrey of Wootton, farmer died at Bulahdelah, aged 61, on 7 February 1961.<sup>111</sup> Probate was granted on 5 July 1961 to Mary Pearl Cobrey, his widow and Marie Inez Cobrey, his daughter.<sup>112</sup>

### **2.3.3 Ethel Kate Readford died 1 June 1937, aged 58 years.**

By Dr. Terry Kass.

Ethel Kate Carr was born about 1878 to Edward Vernal Carr and his wife, Catherine McKenzie. Her father seems to have moved to Central Western NSW from Adelaide. Ethel married Albert Leopold Gorrick in 1898. Gorrick was an unfortunate choice for husband. On 7 May 1887, Albert Leopold Gorrick, of Burlington St, St Leonards, insurance agent, had been declared bankrupt with liabilities of £521/0/10 and assets of only £7/2/0.<sup>113</sup>

At the Insolvency Court in June 1887, Gorrick stated his mother was deceased and that he held a half share in some property. He had sold that interest to his brother-in-law, James Capper, for £1,000.<sup>114</sup> On 20 June 1894, the press reported the divorce of Ellen Hopwood Gorrick and Albert Leopold Gorrick.<sup>115</sup>

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<sup>108</sup> NRS 13660, Supreme Court, Probate Packet, Susan Helena Cobrey, Series 4 No 326486, Consignment 27 Box 7903

<sup>109</sup> Stat Dec, Mary Pearl Cobrey, 8 June 1961, NRS 13660, Supreme Court, Probate Packet, Kevin Stanislaus Cobrey, Series 4 No 525874, Consignment 41 Box 16664

<sup>110</sup> NRS 13660, Supreme Court, Probate Packet, Kevin Stanislaus Cobrey, Series 4 No 525874, Consignment 41 Box 16664

<sup>111</sup> NRS 13660, Supreme Court, Probate Packet, Kevin Stanislaus Cobrey, Series 4 No 525874, Consignment 41 Box 16664

<sup>112</sup> NRS 13660, Supreme Court, Probate Packet, Kevin Stanislaus Cobrey, Series 4 No 525874, Consignment 41 Box 16664

<sup>113</sup> *ATCJ*, 7 May 1887, p 949

<sup>114</sup> *SMH*, 16 June 1887, p 4

<sup>115</sup> *SMH*, 20 June 1894, p 3

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On 4 May 1898 Albert L Gorrick of Sydney married Ethel Kate Carr, the eldest daughter of E V Carr, Sunny Corner.<sup>116</sup> The marriage certificate recorded he was an insurance agent of Margaret Street, Sydney, and divorced. Ethel was listed as a gentlewoman and spinster of Woolloomooloo Street, Sydney. The ceremony was conducted with Congregational Church rites.<sup>117</sup> Three children were born to the couple – John Arnold in 1898, Nellie Adelaide in 1903 and Zelma Mary in 1904.

After a few years, Gorrick was squandering his money and not providing adequate support for Ethel and their children. On 27 December 1906, Albert Gorrick sent an apologetic letter to his father in law, E V Carr, promising to reform by staying away from drink and bad company. He assured him that 'Elvy' had been a wonderful wife and had put up with much from him.<sup>118</sup> Matters became worse. Albert Leopold Gorrick, of Eskbank and Lithgow, tobacconist, was bankrupted in August 1907.<sup>119</sup> At some stage he seems to have walked out on Kate, so that she was left to provide for their children alone.

On 10 April 1913, Ethel Kate Gorrick, of 'Remuera', Nicholson Street, Balmain, filed for divorce on the grounds of desertion. She stated she was a native of Lithgow and had the following children - John Arnold, aged 14, Zelma Mary, aged 8, both still living. Nellie Adelaide was deceased. She earned 16 shillings per week with board and residence. She had no other means and no property. She believed her husband is travelling in New South Wales, but did not know his address.<sup>120</sup> It seems that she may have been working as a servant. The 1912 Sands Directory recorded that 'Remuera', 8 Nicholson Street was occupied by Robert Pollock.<sup>121</sup> On 7 January 1914, the marriage of Ethel Kate and Albert Gorrick was decreed as dissolved. She was granted custody of her children.<sup>122</sup>

She married Stanley Neville Readford, station manager, at Rydal on 4 March 1914. She gave her occupation as pianist of Rydal.<sup>123</sup> In later years, her musical abilities were applied arranging concerts for the Bylong Roman Catholic Church. It seems she also passed on her ability on the piano to her daughters.

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<sup>116</sup> ATCJ, 21 May 1898, p 18

<sup>117</sup> NRS 13495, Supreme Court, Divorce Case Papers, No 160 of 1913 Gorrick v Gorrick, SRNSW 13/12779

<sup>118</sup> NRS 13495, Supreme Court, Divorce Case Papers, No 160 of 1913 Gorrick v Gorrick, SRNSW 13/12779

<sup>119</sup> *Evening News*, 19 Aug 1907, p 5

<sup>120</sup> NRS 13495, Supreme Court, Divorce Case Papers, No 160 of 1913 Gorrick v Gorrick, SRNSW 13/12779

<sup>121</sup> Sands, Directory, 1912, p 251

<sup>122</sup> NRS 13495, Supreme Court, Divorce Case Papers, No 160 of 1913 Gorrick v Gorrick, SRNSW 13/12779

<sup>123</sup> BDM 1914/2057

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Stanley Readford had been born in 1880, the son of James and Louisa Readford. His birth was registered at Rylstone. The Readford family had strong connections with the Bylong area. The first children born to them were the twins Mavis Carr Readford and Marie Carr Readford born in 1915 and both registered at Muswellbrook.<sup>124</sup> Ethel Carr Readford was born in 1916 and registered at St Leonards.<sup>125</sup>

Ethel was living in Sydney for a while. Her address was shown as 44 Burlington Street, North Sydney on 1 June 1916, when her son by her previous marriage, John Arnold Gorrick, enlisted for war. Later, her address was altered to Oakleigh, Kerrabee.<sup>126</sup> On 21 May 1916, John Arnold Gorrick stated that he was a station hand at **Oakleigh, Kerrabee**.<sup>127</sup> The 1917 Sands Pastoral Directory listed for the Mudgee Pastoral Protection District that E J Readford, at Ilford, possessed 9 horses, 3 cattle, 192 sheep and 770 acres.<sup>128</sup>

John Arnold Gorrick displayed some of the characteristics of his father. From 13 November 1916 to 6 February 1917, he was at Milson Island, recovering from gonorrhoea.<sup>129</sup> Finally, on 4 October 1917, Lance Corporal John Arnold Gorrick was killed in action in the field in Belgium about 6 weeks after arriving at his unit, the 35<sup>th</sup> Battalion.<sup>130</sup> On 3 November 1917 an attempt to trace his mother as next of kin at 38 Burlington St, North Sydney, failed. <sup>131</sup> She was eventually located at **Oakleigh, Kerrabee**. In October 1922, she received the memorial plaque and memorial scroll for her son.<sup>132</sup>

Her son was not her only loss during war. Her brother was also killed. On 20 September 1929, her mother Catherine Carr outlined how she had bought land in 1916 near Kandos for her son who was later killed on active service with the AIF.<sup>133</sup> The land was in Ilford Street, Kandos (lot 13 Sec 2 DP 8433).

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<sup>124</sup> BDM 1915/24533; 1915/24534

<sup>125</sup> BDM 1916/22475

<sup>126</sup> WW 1 Enlistment file John Arnold Gorrick, NAA, CRS B2455, SERN 7340

<sup>127</sup> WW 1 Enlistment file John Arnold Gorrick, NAA, CRS B2455, SERN 7340

<sup>128</sup> Sands, Directory, 1917, p 105c

<sup>129</sup> WW 1 Enlistment file John Arnold Gorrick, NAA, CRS B2455, SERN 7340

<sup>130</sup> WW 1 Enlistment file John Arnold Gorrick, NAA, CRS B2455, SERN 7340

<sup>131</sup> WW 1 Enlistment file John Arnold Gorrick, NAA, CRS B2455, SERN 7340

<sup>132</sup> WW 1 Enlistment file John Arnold Gorrick, NAA, CRS B2455, SERN 7340

<sup>133</sup> NRS 13340, Deceased Estate File, Edward Vernal Carr, pre A 43379, SRNSW 20/1372

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On 12 December 1927, her husband, S Readford, of 'Sunnyside', Bylong was the Secretary of the Bylong Public Hall.<sup>134</sup> In 1932, he was employed as the station manager for H L Thompson, **Sunnyside**, esquire, Rylstone. On 23 March 1932, he was one of the witnesses of the will of John Burke.<sup>135</sup>

A report of a concert in aid of the Bylong Catholic Church funds in January 1935 showed that Ethel was highly active in her church community. The programme was arranged by her and included a piano forte duet 'March' played by her daughters, Marie [sic] and Mavis Readford. Apart from her efforts organising the concert, a special mention was also made about her two daughters, 'the musical twins' of Bylong.<sup>136</sup>

Ethel Kate Readford died on 1 June 1937. She did not leave a will nor did she possess enough property to face death duties.

Stanley N Readford eventually died on 14 February 1957 at Port Macquarie. He was recorded as 'Late of Scone'.<sup>137</sup>

## **2.4 Biographies of individuals in unmarked burials.**

The following historical biography of the one unmarked burial that has been identified in the cemetery at Upper Bylong has been researched and written up by Dr. Terry Kass, historian.

### **2.4.1 Family of Gerald William Campbell, died 12 January 1931.**

By Dr. Terry Kass.

On 10 May 1930, Gerardine Susan Cobrey, the daughter of Hugh and Susan Cobrey married William McLeod Campbell, labourer of Leadville. On 12 January 1931, she gave birth to a male child, who was christened Gerald but he died shortly after birth, and was buried in the Roman Catholic Cemetery at Upper Bylong.

William McLeod Campbell was the son of Donald William Matheson McLeod Campbell. Donald Campbell married Pearly Rebecca Riley on 9 February 1905. The marriage was registered at Mudgee.<sup>138</sup>

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<sup>134</sup> 27/127199, NRS 3829 Education, School File, Bylong Upper, SRNSW 5/15220.5

<sup>135</sup> NRS 13660, Supreme Court, Probate Packet, John Burke, Series 4 No 182374, Consignment 14 Box 1237

<sup>136</sup> *Catholic Freeman's Journal*, 10 Jan 1935, p 38

<sup>137</sup> *SMH*, 15 Feb 1957

<sup>138</sup> Date of marriage from William's birth certificate BDM 1905/1856

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Their son, William McLeod Campbell was born at the Cricketer's Arms Hotel, Hargraves on 9 June 1905. At the time of the birth, his father was recorded as a 25 year old miner born at Mudgee. His mother Pearly Rebecca Riley, aged 20, had been born at Cloudy Bay near Mudgee. His father's address was given as Avisford near Mudgee.<sup>139</sup>

Later, other children were born to the couple. All their births were registered at Mudgee. They were George E registered in 1908, Pearle A registered in 1910 and Frederick James registered in 1913.<sup>140</sup>

William's father had given his residence as Avisford in 1905, but in 1930, William gave his father's place of birth as Windeyer. The town of Windeyer, in the Parish of Windeyer, County Wellington, was immediately adjacent to the Parish of Avisford, County Wellington. Both were areas of active gold mining about 1905, but activity seems to have declined over the next decade.

The 1913 Electoral Roll included a man named 'Donald Campbell', who was listed as a labourer, living at Echo, under the Triambil Polling Place. He seems to have been an employee of the Suttor family of pastoralists, who held numerous parcels of land in Parish Triamble, County Wellington. A number of members of the Suttor family also lived at 'Echo'.<sup>141</sup> 'Echo' was the name of Suttor Brothers property there.

Donald William Matheson McLeod Campbell appears to have never owned any freehold property nor has any record been found that he occupied land under some form of lease from the Crown.<sup>142</sup> Donald Campbell appears to have been an unskilled labourer living as a tenant on the property of others.

His son, William McLeod Campbell, described as a labourer of Leadville, aged 24, married Gerardine Susan Cobrey at the Roman Catholic Presbytery, Gulgong on 10 May 1930. The marriage was registered at Gulgong. The witnesses were Claude Vincent Smith and William's mother, Pearl Rebecca Campbell.<sup>143</sup>

Gerardine and William lived at Bylong. The birth and death of a premature baby son occurred on 12 January 1931. He was christened Gerard William Campbell and was

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<sup>139</sup> Headstone Glen Innes General Cemetery

<sup>140</sup> BDM Index 5888/1908, 29037/1910, 7401/1913

<sup>141</sup> State Electoral Roll, District of Mudgee, Triambil Polling Place, 1913

<sup>142</sup> Old System and Torrens Indexes checked from 1900 to 1932 checked at LPI; In addition, NRS 8171, Lease Cards, 1904-39 (9/1818) checked for Donald William Campbell, but no entries found

<sup>143</sup> BDM 1930/6964

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buried on 13 January 1931 in the Roman Catholic Cemetery, Upper Bylong. His father, William McLeod Campbell, was described as a labourer of Bylong.<sup>144</sup>

The unavailability of Indexes to New South Wales births from 1914 onwards due to reasons of privacy makes the identification of further births to the couple difficult. Additionally, few people in rural communities announced the birth of children in the press, so that source of information has not identified further births to the couple. The birth dates of their children have been inferred from later information, such as wills and grave markers.

A son named Gregory was born about 1932. A son named John was born about 1936. The couple was still living at Bylong in 1936 when the Electoral roll listed them as Geraldine Campbell, of Innisfail, Bylong, home duties, and William McLeod Campbell, Bylong, labourer.<sup>145</sup> The 1937 Electoral roll gave the same information.<sup>146</sup> A daughter named Aileen was born about 1942. According to the 1943 Electoral roll, they were still living at Bylong, where William McLeod Campbell was still a labourer.<sup>147</sup> A daughter named Genevive was born about 1944.

Susan Helena Cecilia Cobrey left a legacy of £100 to her daughter, Gerardine Susan Campbell, the wife of William McLeod Campbell, in her will of 26 March 1946.<sup>148</sup> Susan died on 22 November 1946.

The family moved away from Bylong about this time. On 15 March 1947, lot 5 section 25, Village of Denman, between Paxton and Hyde Streets was transferred to William McLeod Campbell, of Rylstone, carpenter. It was mortgaged to the Rural Bank on 30 July 1947.<sup>149</sup> It is probable that the legacy of £100 enabled the couple to purchase this land. The purchase price of the land, which included a dwelling, was £350. The mortgage was for £280, so that the balance paid was £70, almost certainly paid from the legacy from the will.<sup>150</sup>

The 1949 Electoral roll showed that they were living at Denman. Gerardine Campbell's occupation was listed as home duties, whilst William worked as a carpenter.<sup>151</sup> They only remained in Denman for a few years. The 1954 Electoral roll showed them living at Leadville. Gerardine was still engaged in home duties, whilst

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<sup>144</sup> BDM 2390/1931

<sup>145</sup> Electoral Roll, Rylstone, Robertson Electorate, 1936

<sup>146</sup> Electoral Roll, Rylstone, Robertson Electorate, 1937, No 390-1

<sup>147</sup> Electoral Roll, Kandos, Robertson Electorate, 1943, No 267-8

<sup>148</sup> NRS 13660, Supreme Court, Probate Packet, Susan Helena Cobrey, Series 4 No 326486, Consignment 27 Box 7903

<sup>149</sup> C T 2440 f 171

<sup>150</sup> Dealings, D723471; D723472

<sup>151</sup> Electoral Roll, Muswellbrook, Robertson Electorate, 1949, 645, 655

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William had reverted to working as a labourer.<sup>152</sup> It is notable that Gerardine's sister, Sheila Cobrey, was also living at Leadville.<sup>153</sup>

On 16 July 1955, William Campbell transferred his Denman property to Alan William Wolfgang, farmer and grazier of Denman. The new owner discharged the mortgage to the Rural Bank on 5 August 1955.<sup>154</sup>

On 23 September 1955, William Campbell's younger brother, Frederick James Campbell, labourer of Dunedoo transferred lot 2 section 21, Yarrow Street, Dunedoo, to William McLeod Campbell, who was described as a station hand of Dunedoo. No mortgage was needed to purchase the property. The purchase price was £150.<sup>155</sup>

The 1958 Electoral roll showed they were living in Yarrow Street, Dunedoo. Gerardine was still listed as engaged in home duties and William McLeod Campbell was a labourer.<sup>156</sup> Gerardine's sister, Sheila Cobrey, was listed as a dairy farmer living in Bundella Street.<sup>157</sup>

A mere three years after its purchase, William McLeod Campbell transferred the Yarrow Street property by Campbell to Thomas Turner, pensioner of Dunedoo on 6 September 1958 for £200.<sup>158</sup> The family moved back to Denman.

The 1963 Electoral revealed them living in Ogilvie Street, Denman, with Gerardine engaged home duties and William working as a labourer.<sup>159</sup> The 1980 Electoral roll did not list Gerardine Susan Campbell but William McLeod Campbell was at Ogilvie Street, Denman, with no occupation.<sup>160</sup> They appear to have been living in the property as tenants. No purchase of land in Denman, or in any other location by William or Gerardine/ Geraldine Campbell was found.<sup>161</sup>

No mention of the family was found in the Catholic, Dubbo and Muswellbrook newspapers from 1948 to 1980, even when searching for Leadville or Denman. The

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<sup>152</sup> Electoral Roll, Rylstone, Robertson Electorate, 1954, Leadville Subdivision, 88, 97

<sup>153</sup> Electoral Roll, Rylstone, Robertson Electorate, 1954, Leadville Subdivision

<sup>154</sup> C T 2440 f 171

<sup>155</sup> C T 2519 f 238; Dealing G392867

<sup>156</sup> Electoral Roll, Rylstone, Robertson Electorate, 1958, Cobbora Subdivision, 174, 179

<sup>157</sup> Electoral Roll, Rylstone, Robertson Electorate, 1958, Cobbora Subdivision, 227

<sup>158</sup> C T 2519 f 238; Dealing H45678

<sup>159</sup> Electoral Roll, Rylstone, Robertson Electorate, 1963, Muswellbrook Subdivision, 863, 875

<sup>160</sup> Electoral Roll, Rylstone, Robertson Electorate, 1980, Muswellbrook Subdivision, 1259

<sup>161</sup> Search of Old System and Torrens Title indexes from 1955 to 1971

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School files for Denman, Dunedoo and Leadville, from the 1930s forwards were checked but there was no mention of William McLeod Campbell or his family.<sup>162</sup>

William McLeod Campbell died on 11 November 1982 and was buried at Glen Innes.<sup>163</sup> He left his widow Gerardine Susan Campbell of 153 Lang St Glen Innes. His sons were Gregory Campbell (50 years old) and John Campbell (46 years old). His daughters were Aileen Campbell (40 years old) and Genevive [sic] Campbell (38 years old). William McLeod Campbell left no will indicating he had insufficient assets for death duty.

## **2.5 Religion at Bylong, 1912 - 1954.**

By Dr. Terry Kass.

Bylong had been settled in the early nineteenth century, with pastoralism as a major activity for the area. Most of the established families, particularly the large pastoralists, were Anglicans. In the 1910s, a minor boom occurred. Closer settlement brought new farmers to the district, some of whom were Roman Catholic. Many of the new settlers were engaged in dairying, an industry which coincided with the establishment of a cheese factory. In 1912, James Gettens, a local landholder provided land for a school, which was constructed soon afterwards, the first permanent school in the area. The erection of the Roman Catholic Church in 1915 continued that trend.

In order to assess the inter-denominational relations within Bylong, a number of sources have been used to assess how the community functioned. Of particular interest are the relations between the Church of England and the Roman Catholic population. Within small communities, tensions can arise over the location of post offices, schools and halls. Most of the divisions regarding these facilities stem from the relative ease of access for different individuals and families. An examination of files relating to these facilities has not found any disputes that relate to religious belief.

Another local facility, which attracts the opposition or co-operation of families and individuals in any community, are churches or chapels. It appears there were only two churches, one Church of England and the other Roman Catholic. Events centred on churches are probably the best indicators of community friction or unity.

The earliest indication of religion affecting a public facility was the appeal by William Gettens, of Woodville, Bylong, on 9 October 1884 when he requested a lady teacher

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<sup>162</sup> School files, SRNSW, 5/15689.1, 5/16573.1, 14/7455, 14/7469, 14/7635

<sup>163</sup> Headstone Glen Innes General Cemetery; BDM 108749/1982

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of the Church of England persuasion to conduct the local school, since the parents and pupils were of that denomination.<sup>164</sup> The appeal for a teacher of a specific religion could be construed to indicate objection to those of alternative denominations. Alternately, it can also be viewed as a practical request ensuring that friction within the school and the community was minimised.

Provision of a school at Upper Bylong was facilitated in 1912 when James Gettens provided two acres from the land he owned for a school.<sup>165</sup> Little evidence has been found of religious antagonisms at the school.

The construction and opening of a Roman Catholic Church at Bylong in 1915 provided a religious and social focus for the Catholics of the area (Figure 2.11). If non-Catholic residents had any objections to Catholics, it could have been a focus for their antagonisms.

Due to its isolation, press reports about church activities at Bylong are few. Some references to activities regarding the Roman Catholic Church were located but none about the Anglican Church. Since Roman Catholics were not regarded as adherents of the dominant religion, namely Anglicanism, the tenor of their treatment by Anglicans should reveal the good deal about community unity or division.

The construction of a Roman Catholic Church at Bylong provided the clearest focus of how the community of Anglicans and Catholics interacted. On 15 August 1913, a plain and fancy dress ball was held at Bylong, to collect funds to build the Roman Catholic Church. The function was reported to be a great success financially and socially. Music was supplied by Mrs Smith, Messrs O Leighton, V Clue, E Henderson, H Martin, B Hair, and F Babbage, while Mr A Chitty (C of E) acted as master of ceremonies. Miss M Mara won the prize for the most attractive lady's fancy dress, whilst 'Mr Smith' won the gentleman's prize.<sup>166</sup> The religious adherence of the people named is uncertain about if later events are any indication, some of them at least, would have been Anglicans.

No pupils attended the Bylong public school on 14 November 1913 because a market and sports day was held at Bylong raising funds for the Church of England.<sup>167</sup> It is difficult to confirm if Catholics attended these events. However, given the small size of the community at Bylong, they probably did.

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<sup>164</sup> NRS 3829 Education, School File, Bylong, 1884-92, SRNSW 5/15220.3

<sup>165</sup> 12/70928, NRS 3829 Education, School File, Bylong Upper, SRNSW 5/15220.5

<sup>166</sup> *Freeman's Journal*, 28 Aug 1913, p 32

<sup>167</sup> Letter J McQuiggin, 14 Nov 1913, NRS 3829 Education, School File, Bylong Upper, SRNSW 5/15220.5



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A lengthy report about opening and blessing of the new church at Bylong appeared in the Roman Catholic newspaper, the *Freeman's Journal* of 23 September 1915. It reported great crowds of people were present from Rylstone and Wollar. Mr Howard, Rylstone, used his motor lorry to transport Rylstone people to the event. The combined choirs of Wollar and Rylstone provided the music whilst the ladies of Bylong provided 'a magnificent banquet'. When the Rev Father E P O'Donnell, delivered the address, 'he spoke of the beautiful spirit of charity that prevailed in the district between all sections of the community, a spirit to which, the gathering bore undeniable testimony'. The press report went on to state, 'He was delighted to see so many non-Catholic friends present and to note they had contributed substantially to the diminution of the church debt. He expressed his sincere gratitude to them, and the earnest hope that the kindly feeling which linked the various sections of the community together would continue to be a pledge of their future happiness in their social life.' Burke and Singer were named as the honorary secretaries, who had worked hard in arranging the event. Over £300 had been donated at the event, a figure that was described as 'a large sum considering the times that are prevailing'. Over half the debt incurred in building the church had already been paid. The list of contributors included both Anglicans and Catholics. They were named as John Burke (RC), £10; Hon John Morrissey (CE), £5 5s; Rev. Father O'Donnell (RC), £5; M Hayward, £3 3s; G Singer, £3, £2 2s each: G R W M'Donald, MLA (CE), E Nash, £1 1s each: Mrs E Nash, W F Dunn, MLA (CE), R Loneragan, J Fletcher, Mrs. J Fletcher, A Saxelby (CE), F Dunn (Rylstone), Mrs Carter, E Fountain, W H M'Kenna, A Daniels, £1 each: J Carroll, T P Carroll, H Daniels, Misses E, F, K, and D Egan, W Spradbrow (RC), J Spradbrow (RC), T Schneider, D M'Lellan, — Dunn, 10s 6d each, Mrs Doyle, J Pyne, — Goodman.<sup>168</sup>

Within a few years, the two conscription referenda had deeply divided Australian society. Due to the activities of archbishop Daniel Mannix in Victoria, deep divisions emerged between Protestants and Catholics. These divisions were most profound in the capital cities, where prominent religious leaders reviled those of the other side of the Protestant versus Catholic divide. Yet, it is notable that no evidence of such deep and bitter division was overtly seen at Bylong.

The *Freeman's Journal* of 25 January 1917 reported that a highly successful sports day, followed by a dance in the evening had been held at Bylong, to collect funds for the local church building fund. The brief press notice recorded that, 'The Catholics of the centre worked with enthusiasm, and with excellent result, to promote the success of the effort'. Significantly, 'they were generously and valiantly assisted by their non-Catholic friends'. A total of £53 was collected. Additionally it noted that, a 'thoroughly enjoyable day and evening' was spent. It would appear from this report that

<sup>168</sup> *Freeman's Journal*, 23 Sept 1915, p 34

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Protestants and Catholics happily intermingled competing in sports and then dancing together in the evening.<sup>169</sup>

Later that year, in June 1917, a very successful race meeting was held at Wollar to collect funds for the Bylong Catholic Church. It was a financial success. Though there was no specific mention of Protestant support at least some of the officials named were Protestant, such as the judge, A M'Ilree. Other officials were starter, Mr G W Mason; treasurer, Mr G Singer; and the secretaries were T Carroll and J Burke.<sup>170</sup>

An oblique suggestion that the Protestant and Catholic residents of Bylong may have attended events that appealed to all sections of the community occurred in 1919. Schoolteacher Mabel Mow requested permission on 31 March 1919 to hold a juvenile ball on the evening of 'Peace Day'. She stated that, 'Parents, all seem too busy in trying to manage their stock during these drougthy times to think of spending a day picnicking [sic] are all in favor [sic] of tea on the ground and a bonfire, and they think that a fancy dress juvenile dance in addition would be something new for the children'. Two local men, J Lanesbury and John Burke agreed to act as guarantors.<sup>171</sup>

On 21 November 1924, James Gettens, President of the Bylong Parents and Citizens Committee, drove the teacher Elizabeth C Smith and her pupils to Mudgee to see the schools exhibition. On the way back, his car ran into a deep rut and Miss Smith received 'a nasty knock' on the head. She applied for a few days leave. James Gettens (C of E) wrote a letter to the department explaining the circumstances and John Burke, JP (RC) wrote a letter confirming the circumstances, since the closest doctor was 35 miles away and she could not obtain a doctor's certificate.<sup>172</sup>

In 1925, a group of local residents approached the Department of Public Instruction to shift the school to a new site opposite the hall. The current school site was in the middle of a paddock about half a mile from the main road and was too small and congested for the number of pupils attending. John Burke of 'View Point' appears to have acted as a community spokesman writing a number of letters to the department on behalf of the community. James Gettens (C of E), owner of the old and new sites for the school was very co-operative offering the new site at no cost apart from the necessary administrative costs.<sup>173</sup>

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<sup>169</sup> *Freeman's Journal*, 25 Jan 1917, p 37

<sup>170</sup> *Freeman's Journal*, 28 June 1917, p 13

<sup>171</sup> 19/28085, NRS 3829 Education, School File, Bylong Upper, SRNSW 5/15220.5

<sup>172</sup> 24/95734, NRS 3829 Education, School File, Bylong Upper, SRNSW 5/15220.5

<sup>173</sup> Corres at 25/74208, NRS 3829 Education, School File, Bylong Upper, SRNSW 5/15220.5

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Some parents opposed shifting the school to a new site since there were no shade trees in the proposed new location and the current site was central. They suggested additions to the existing building. Signatories to their letter of 30 March 1925 included W Lacy ('overseer' C of E?), Henry Spradbrow (RC) and Paul Ribaux (RC?). The opposition did not stem from religious antagonism. Like the parents in many small communities, they were anxious to have facilities close to them.<sup>174</sup>

After a hiatus of many years, another report of a concert in aid of the Bylong Catholic Church funds appeared on 10 January 1935. It was reported to be more successful than the previous one about five years previously. On this occasion, it raised a balance of £16. Unfortunately, no report of the earlier concert could be located. An extensive list of names of participants was provided. Most of them can be recognised as members of the Catholic community. The programme was arranged by Mrs Readford and included the following: piano forte duet March, Misses Marie and Mavis Readford; nigger minstrels, Messrs H Fuller, F Nixon, M and T Burke, C Milton and D Turner, under the capable leadership of Mr T A Vivash; vocal solo, 'Cabin in the Pines,' Miss E Turner; nursery songs, Misses L and G Vivash, B and J Fuller, U Dawson, B and V Carter, M P Tracey, V Mitchell, A Riboux and F Turner; vocal duet, 'Old Spinning Wheel,' Misses D Vivash and E Turner; comic monologue, Mr Bert Fountain; girl's song, 'Alice Blue Gown,' Misses N Tracey, B and B Carter, J and B Fuller, L and G Vivash, V Mitchell and U Dawson piano duet, 'Come Sing to Me,' Misses M and M Readford; sketch by the Rylstone Dramatic Company, 'The Family Group' (Miss H Patterson, Miss D Taylor, Mrs J Masters, Mr W Underwood, Mr Bert Fountain); boys' song, 'Swinging Along to Bylong,' Masters P Tracey, J and J Fuller, M Vivash, B Turner, B Nixon, L Mitchell, A and F Easter, B Carter and A Burke; character chorus, 'Dreamy Hawaii,' Misses L Leader (mandolin), E Turner, D Vivash, M and M Readford, Messrs H Fuller, F Nixon, T Vivash, C Milton, M Burke and D Turner. It is notable that Mrs S Readford one of the people interred in the Roman Catholic cemetery was highly commended for her efforts in arranging the programme. A special mention was also made about her two daughters 'The musical twins' of Bylong, Misses M and M Readford.<sup>175</sup>

No further indication has been located about the religious denominations that co-existed at Bylong. No evidence has been located of any major religious division. All reports that referred to the Catholic and non-Catholic residents record interdenominational harmony. The deep divisions created by the conscription referenda of the war years do not seem to have had an impact at Bylong. Nevertheless, the paucity of evidence from the late 1920s onwards means that this can only be a provisional conclusion. It is possible that further evidence may appear

<sup>174</sup> 25/31719, NRS 3829 Education, School File, Bylong Upper, SRNSW 5/15220.5

<sup>175</sup> *Catholic Freeman's Journal*, 10 Jan 1935, p 38

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about interdenominational relations in the later period that might cause some adjustment to these conclusions.

Most of the established families in the area, particularly the large pastoralists, were Anglicans. The influx of new farmers in the 1910s leavened the population holding land with a number of Roman Catholics. Generally, the Irish, most of whom were Roman Catholic, worked as unskilled or semi-skilled employees of larger landholders. Current evidence of the relative socio-economic position of Anglicans and Catholics in the Bylong community is unclear, but there is little to no evidence for poor relations between the religious denominations.

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## 2.6 Maps and plans.



Figure 2.1. Parish of Lee, County of Phillip, Fourth Edition, 1920.

The Roman Catholic Church is located at the east side of Portion 80, 840 acres, granted to William Lee. The small settlement of Upper Bylong is located to the south of the Church (see detail below)

Source. Historical Land Records Viewer (HLRV).



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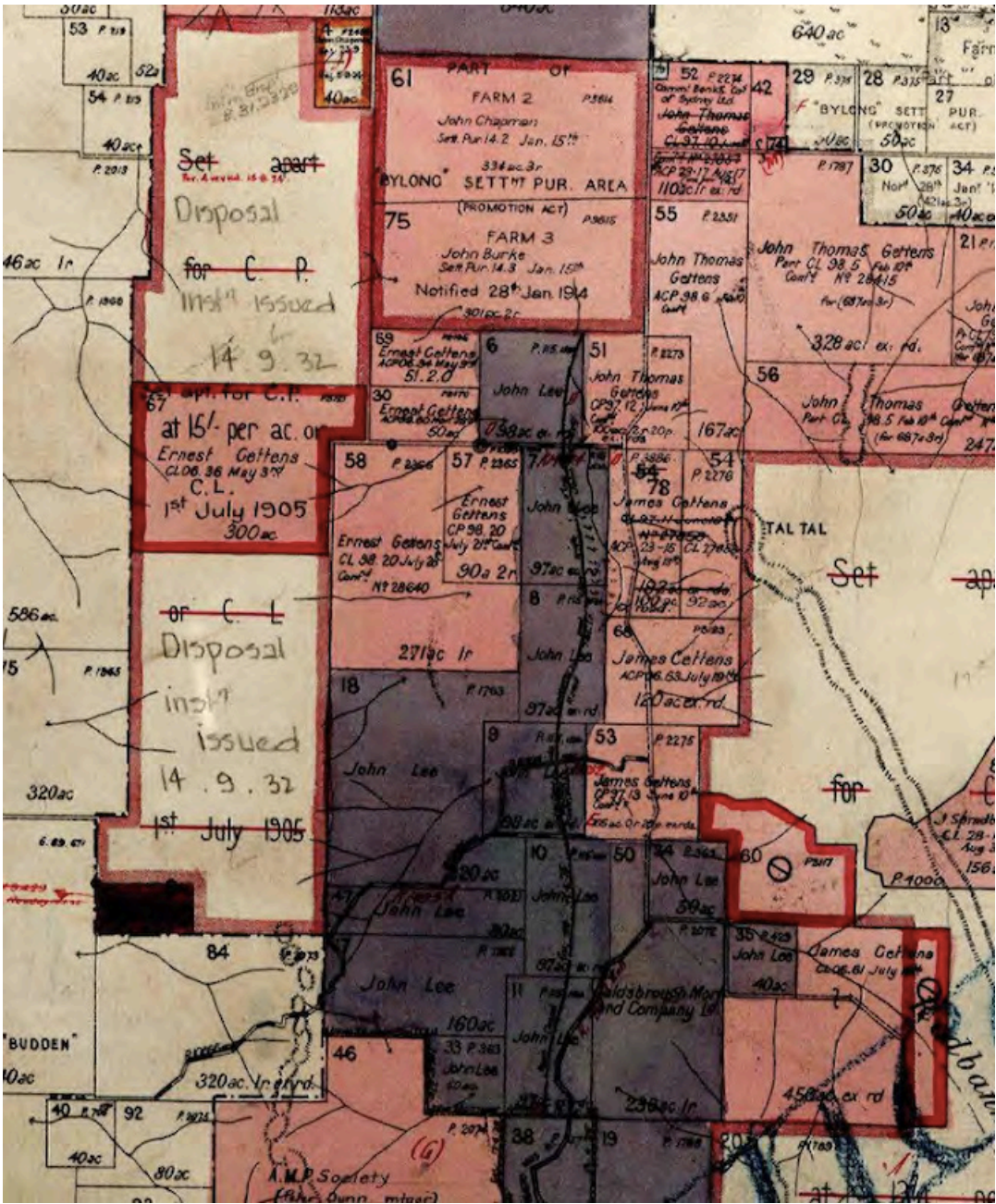


Figure 2.2. Parish of Lee, County of Phillip, Fourth Edition, 1920, detail.  
The public school at Upper Bylong is shown at the top of this detail (small grey coloured portion on east side of Upper Bylong Road). John Burke purchased Farm 3 on 15 January 1914 (Portion 75), just to the south of the Upper Bylong settlement.  
Source. Historical Land Records Viewer (HLRV).



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Figure 2.3. Parish of Lee, County of Phillip, Fifth Edition, 1932.  
Source. Historical Land Records Viewer (HLRV).



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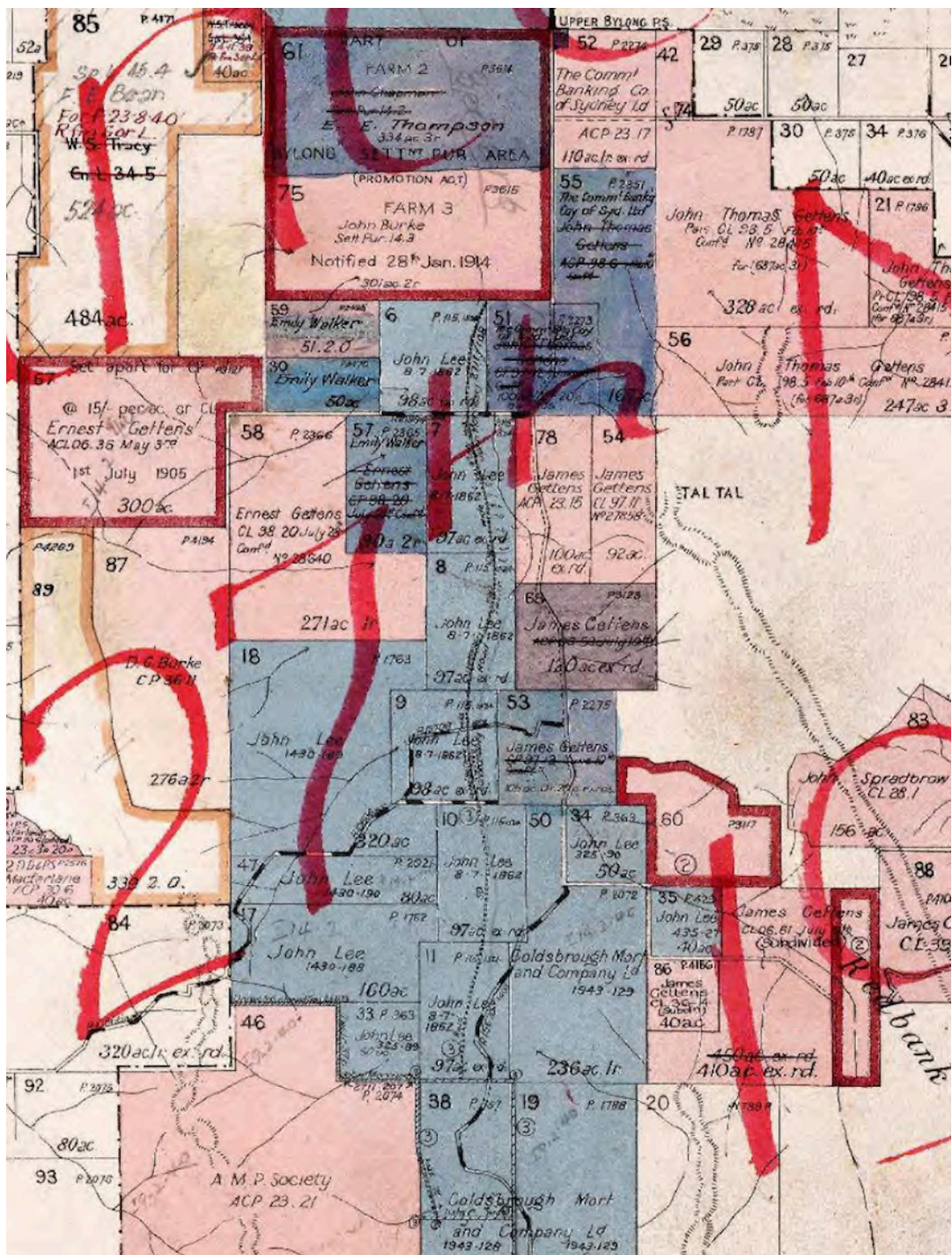


Figure 2.4. Parish of Lee, County of Phillip, Fifth Edition, 1932, detail. Upper Bylong Public School is shown at the top of this map. Portion 75, Farm 3, is located to the south of the village, while Portion 87, further to the south west is shown as purchased by David Gerald Burke. Portion 87 and 8 formed the remnant of View Point still held by D G Burke, when he died in 1970. Source. Historical Land Records Viewer (HLRV).



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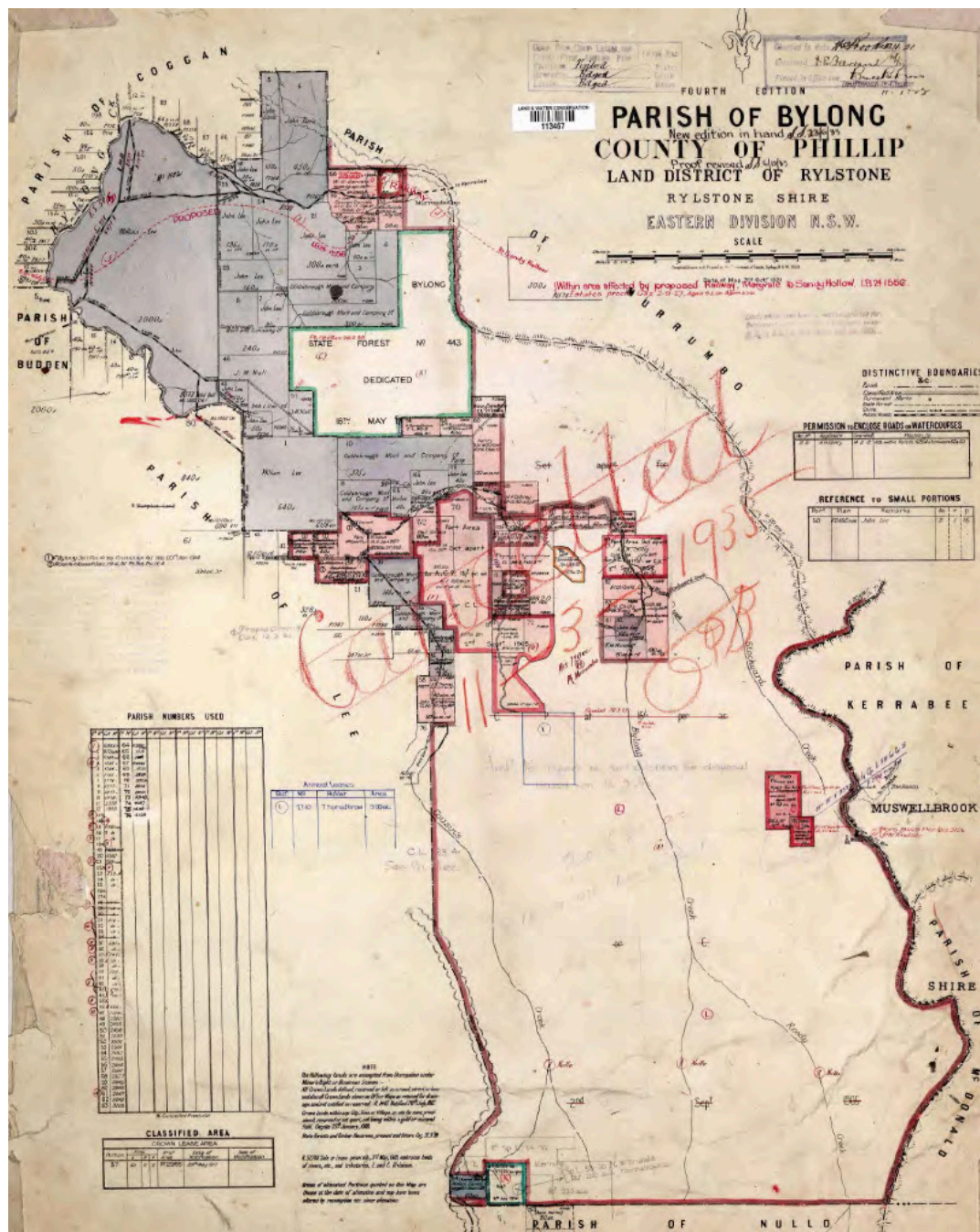


Figure 2.5. Parish of Bylong, County of Phillip, Fourth Edition, 1921. Upper Bylong Public School is shown just south of the boundary of Portion 1, at its south-west corner. Hugh Cobrey's farm holdings were located to the east of Upper Bylong. Source: Historical Land Records Viewer (HLRV).



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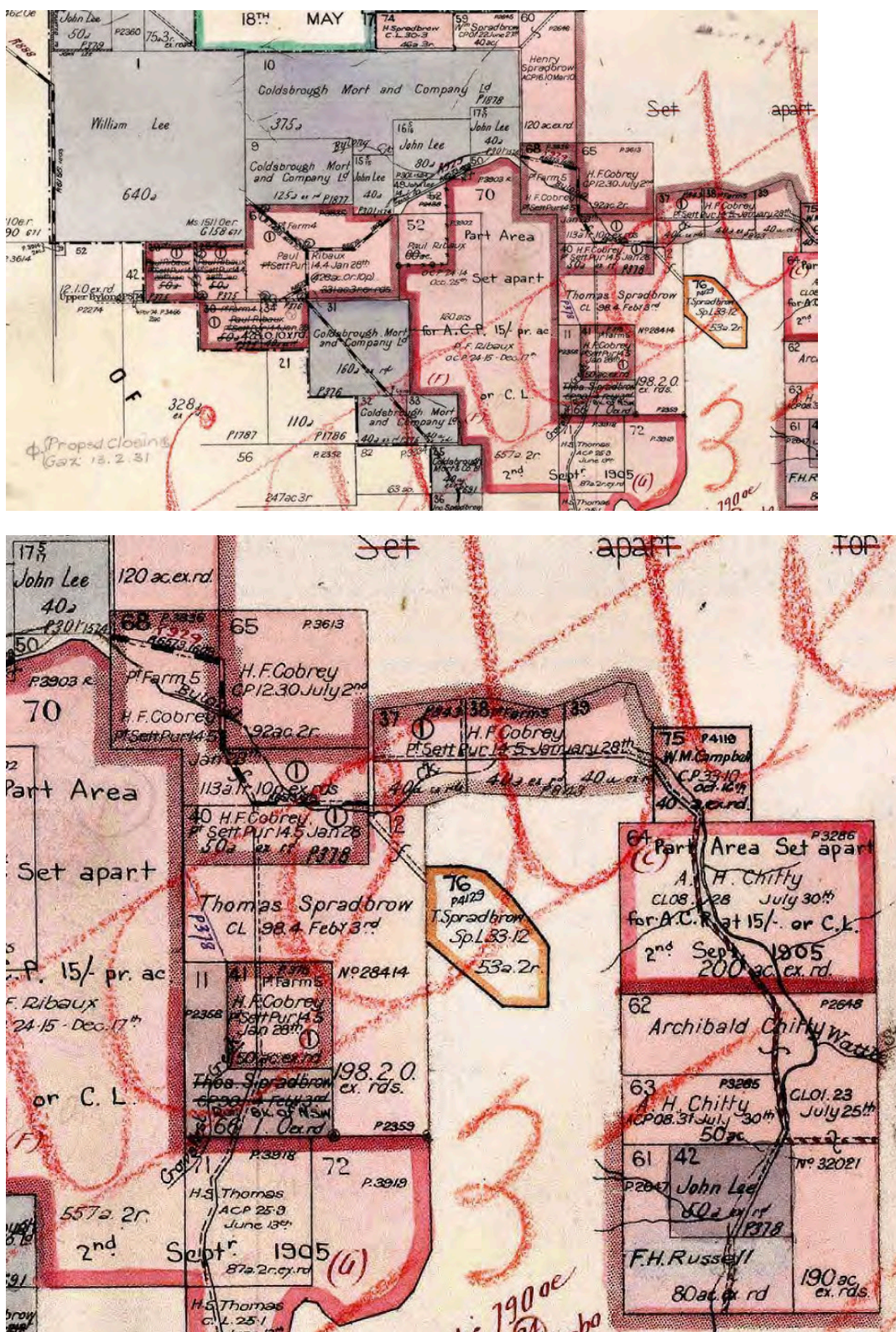


Figure 2.6. Parish of Bylong, County of Phillip, Fourth Edition, 1921, detail.  
Upper Bylong Public School is shown just south of the boundary of Portion 1, at its south-west corner. Hugh Cobrey's farm holdings were located to the east of Upper Bylong, including Portion 62  
Source. Historical Land Records Viewer (HLRV).



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Figure 2.7. Parish of Bylong, County of Phillip, Fifth Edition, 1933.  
Upper Bylong Public School is shown just south of the boundary of Portion 1, at its south-west corner. Hugh Cobrey's farm holdings were located to the east of Upper Bylong, including Portion 62.  
Source. Historical Land Records Viewer (HLRV).





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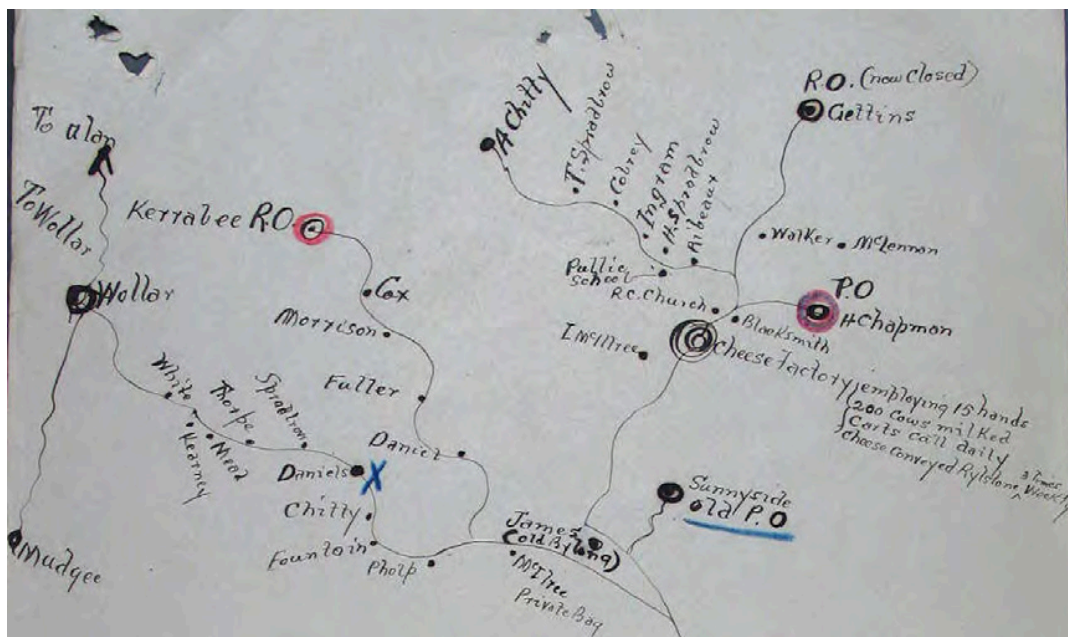


Figure 2.9. Post Office sketch plan of Bylong vicinity, 1915.

The sketch plan shows the post offices at Upper Bylong and Kerrabee (red ink). It also shows all the families living at Upper Bylong, together with the Roman Catholic Church, the public school, the blacksmith and the cheese factory. The old post office at Sunnyside is near present day Bylong (Old Bylong).

Kerrabee is 30 kms east of Bylong, on the road to Denman and Singleton. It was where Ethel Kate Readford lived in 1916 and 1917.

Households at Upper Bylong include:

Chitty, A  
Spradbrow, T  
Cobrey  
Ingram  
Spradbrow, H  
Ribeaux.  
Gettins  
Walker  
McLennan  
Chapman, H  
McIllree

Source. National Archives of Australia. SP32/1 Bylong Part 3. Bylong Post Office File [Box 133], p 35.

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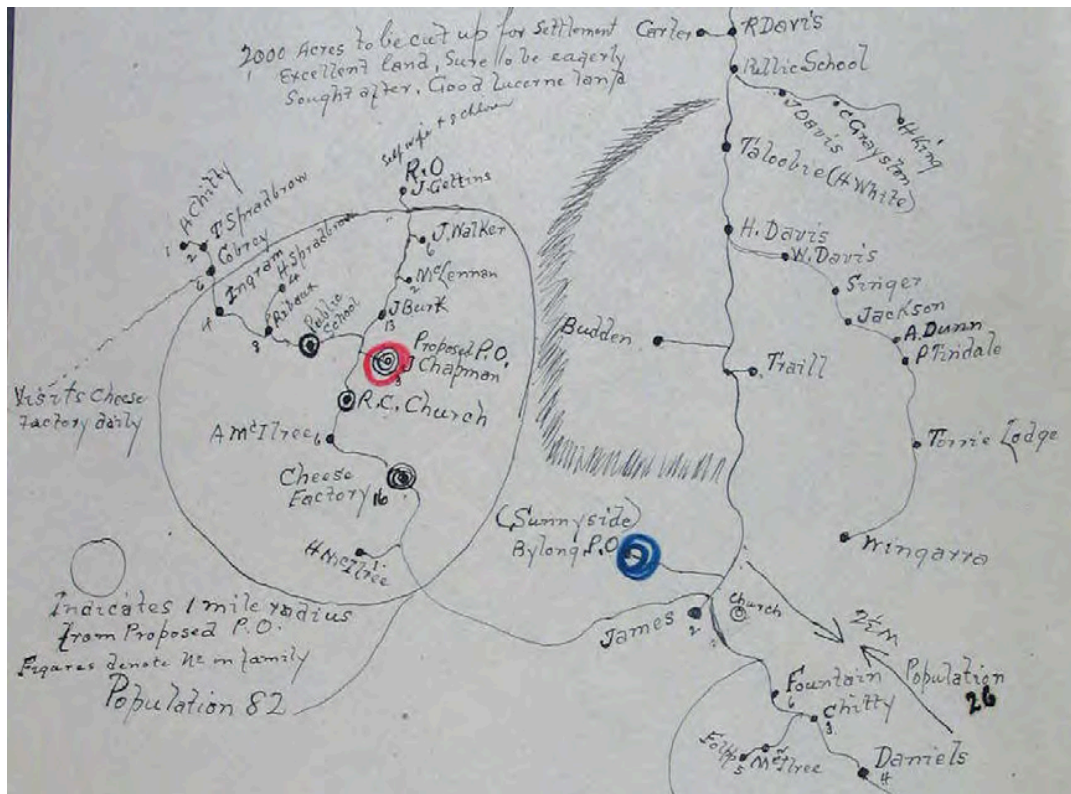


Figure 2.10. Post Office sketch plan of Bylong vicinity, 1915.

The sketch plan shows the proposed post office at Upper Bylong (red ink) and the post office at Bylong (blue ink). It reveals that there was a population of 82 at Upper Bylong, including 16 at the cheese factory.

The homes of Burke (13 persons) and Cobrey (6 persons) are included in this population count.

Households at Upper Bylong include:

Chitty, A  
Spradbrow, T  
Cobrey  
Ingram  
Spradbrow, H  
Ribeaux.  
Gettins, J  
Walker, J  
McLennan  
Burk, J  
Chapman, J  
McIlree, A  
McIlree, H

Source. National Archives of Australia. SP32/1 Bylong Part 3. Bylong Post Office File [Box 133], p 77.



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Figure 2.11. “Opening of the Catholic Church, Bylong, August 29, 1915”.  
Source. Bylong Valley, 1884-1984, Centenary of Education. Centenary Booklet Committee.  
Eyvonne Burke, Jean Gettens, Machele Spier and John Spier.

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### 3 SITE SURVEY.

#### 3.1 Introduction and description.

A site inspection of Our Lady of the Sacred Heart Church and Cemetery was completed on 11 February 2014.

The Church was recorded by AECOM as part of the Historic Heritage Impact Assessment completed for the EIS.<sup>176</sup>

Our Lady of the Sacred Heart Catholic Church is located on the western side of Upper Bylong Road in Upper Bylong.

The Catholic Church comprises a church building and associated graves located on a 4000 m<sup>2</sup> plot of land. Three mature camphor laurels trees are located on the western boundary at regular intervals, and five mature gum trees are found at the site – three along its western boundary, one on the northern and one on the southern boundary representing historical plantings.

**Our Lady of the Sacred Heart Catholic Church** – The church building is a simple Carpenter Gothic style church representative of vernacular timber rural churches in Australia. It occupies a floor area of approximately 8 x 10 m and features weatherboard cladding on a timber frame and a corrugated iron gabled roof. The main entrance door and the northern door are constructed of timber and shaped into an arch. Three timber lancet windows are spaced along the northern and southern sides of the building with one on the eastern and western sides respectively. Internally, the church features timber floor and pressed metal ceiling. It is understood that the pews, organ and other items were stripped from the church by locals when it closed down in 2000 (Anne Andrews pers. comm. 07 May 2014).

**Graves** – Four marked graves are located behind the church – two in the centre of the site, 30 m from the church and two in the southwest corner, 50 m from the church. Small twentieth century monuments mark the graves and are of low height and simple design. The graves feature the following family names and dates: Cobrey (1929); Burke (1932); Readford (1937); and Cobrey (1946). An additional unmarked grave is said to be located at the site. Local resident Lesley Mainwaring recalls a grave potentially associated with the name Lee years before (Cassie

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<sup>176</sup> AECOM Australia Pty Ltd. Bylong Coal Project: Historic Heritage Impact Assessment, Bylong NSW. Hansen Bailey Environmental Consultants. 2015: 55

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Jones pers. Comm., 07 May 2014).<sup>177</sup> The location of this potential grave is currently unknown.

### 3.2 Marked Graves.

There are four marked burials within the cemetery. In the centre of the cemetery is a pair of burials, namely:

- Ethel Kate Readford died 1 June 1937, aged 58 years (north side).
- John Gerald Burke died on 24 April 1932, aged 62 years.

At the south-west corner of the cemetery are the other two marked burials, namely:

- Hugh Francis Cobrey, born County Mayo, Ireland 1843, died 2 January 1929 (south side).
- Susan Alenia [Helena] Cecelia Cobrey, died 22 November 1946, aged 76 years.

The descriptions of the grave markers follows the terminology used by the National Trust of Australia (NSW).<sup>178</sup>

There is no surface indication of any other burial within the cemetery. However there is oral historical evidence for other burials and ground penetrating radar has been used to locate other unmarked graves (see below).<sup>179</sup>

#### 3.2.1 John Gerald Burke died on 24 April 1932, aged 62 years.

The inscription reads:

In Loving Memory of  
JOHN GERALD  
BURKE  
DIED 24<sup>TH</sup> APRIL 1932  
AGED 62 YEARS.  
R . I . P

Rectangular stone surround (black and white speckled granite?) with white marble plaque and lead letter inscription.

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<sup>177</sup> Dr. Terry Kass has researched the burial of Mr. John Lee, whose burial at Lithgow was reported in the Molong Express and Western District Advertiser for Sunday, 4 December 1909: 4.

<sup>178</sup> National Trust of Australia (NSW). Cemeteries. National Trust Policy Paper. May 1986.

<sup>179</sup> For oral historical evidence, see:

AECOM Australia Pty Ltd. Bylong Coal Project: Historic Heritage Impact Assessment, Bylong NSW. Hansen Bailey Environmental Consultants. 2015: 20.



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Also white marble footstone, with inscription of maker - T COLLIER MUDGE. Metal plaque overlaid indicating restoration by -

MACQUARIE VALLEY FUNERALS  
AND MONUMENTS  
PHONE (02) 6372 2231).

### **3.2.2 Hugh Francis Cobrey, born County Mayo, Ireland 1843, died 2 January 1929.**

The inscription on the Celtic cross reads:

Jesus, Mercy: Mary, Help:  
IHS [emblem - Greek script for JES[US]]

On base of cross, upper step:

Of your Charity pray  
[shamrock]  
for the Soul of

On base of cross, middle step:

HUGH FRANCIS COBREY  
BORN CO. MAYO, IRELAND 1846  
DIED AT BYLONG 1929

On base of cross, lower step:

"Requiescat in pace" [rest in peace]

White marble Celtic cross, with cast iron picket surround in good condition on concrete base. Makers plaque adjacent to east end of surround -

REYNOLDS.  
MUDGE.

### **3.2.3 Susan Alenia [Helena] Cecelia Cobrey, died 22 November 1946, aged 76 years.**

The inscription reads:

In Loving Memory of  
OUR DEAR MOTHER  
SUSAN ALENIA CECELIA COBREY  
WHO PASSED AWAY NOV. 22. 1946  
SADLY MISSED BY THE COBLEY FAMILY.

Stone surround with desk headstone and tablet in white marble and lead lettering.

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### 3.2.4 Ethel Kate Readford died 1 June 1937, aged 58 years.

The inscription reads:

In Loving Memory of  
MY BELOVED WIFE & OUR DEAR MOTHER  
ETHEL KATE READFORD  
DIED 1<sup>ST</sup> JUNE 1937  
[crucifix]  
MAY HER SOUL REST IN PEACE

A semicircular upright headstone on a rectangular stone surround. White marble plaque with lead letter inscription. Also white marble footstone, with inscription of maker - T COLLIER & SONS MUDGE. E.

### 3.3 Site survey of the Cemetery of the Roman Catholic Church, Upper Bylong, by ground penetrating radar.

A site inspection of Our Lady of the Sacred Heart Church and Cemetery on 11 February 2014 enabled the recording of the four marked burials. No surface indication of any other burials was apparent. To confirm the presence or absence of other unmarked burials, Suresearch was commissioned by the proponent to complete a ground penetrating radar survey on 9 April 2014.

Suresearch located the four marked burials (M 1-4) and up to eighteen disturbance areas potentially indicating graves (G 1-18), making a potential total of 22 burials within the cemetery (Figures 3.1 and 3.2).

The Suresearch results were listed as follows:

#### Estimated Depths and Lengths.

| Disturbance No | Depth mm | Length mm | Width mm |
|----------------|----------|-----------|----------|
| 1              | 2100     | 1190      | 700      |
| 2              | 1500     | 1175      | 950      |
| 3              | 1500     | 2000      | 950      |
| 4              | 2000     | 2350      | 1100     |
| 5              | 3000     | 2750      | 1000     |
| 6              | 2000     | 1950      | 650      |
| 7              | 3000     | 1000      | 800      |
| B              | 1500     | 1850      | 950      |
| 9              | 1500     | 650       | 650      |
| 10             | 2000     | 1140      | 950      |
| 11             | 1500     | 1150      | 650      |
| 12             | 2500     | 750       | 600      |

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| Disturbance No | Depth mm | Length mm | Width mm |
|----------------|----------|-----------|----------|
| 13             | 2500     | 1600      | 800      |
| 14             | 2000     | 1250      | 1100     |
| 15             | 2500     | 1100      | 800      |
| 16             | 1800     | 1750      | 800      |
| 17             | 1800     | 1900      | 900      |
| 18             | 2500     | 1400      | 1000     |

These results were considered to be unreliable on the grounds that Suresearch did not provide an accompanying report explaining the methodology used.

A second ground penetrating radar survey was commissioned as a sub-consultant to Edward Higginbotham and Associates Pty Ltd, namely GBG Australia. This company has extensive experience in graveyard surveys. The results of the survey by GBG Australia are presented in Appendix 5.<sup>180</sup>

The GBG Australia report concluded:

The Ground Penetrating Radar investigation at the Upper Bylong Cemetery has provided high resolution reflection images of the subsurface to a depth of 2 m. The collected GPR data was of reasonable quality enabling detailed analysis and identification features relating to potential unmarked graves.

There appears to be a consistent bedrock depth across the site of 0.7 m - 0.85 m below the surface. The GPR profiling clearly found zones or tree roots around existing trees and probably associated with trees previously removed from the cemetery. The time slices also clearly indicate linear features crossing the site consistent with buried utilities or trenches associated with the bore and use as a camp site.

From a combination of assessment of the 2D vertical reflection profiles slices and the 3D time slice images, GPR anomalies consistent with graves have been identified within the investigated area, along with some areas of disturbed ground that could not be categorically ruled out as grave locations. The target anomalies have been classified as 3 probable graves and 5 locations of disturbed ground. The depth to these targets varies from 0.5 m to 1 m. The co-ordinates of these anomalies have been provided and we recommend investigation of these by a shallow surface

<sup>180</sup> GBG Australia. Subsurface investigation using ground penetrating radar to locate unmarked graves, Upper Bylong Cemetery, Upper Bylong, New South Wales. Hansen Bailey 2014.

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scrape using a skid steer and bucket to a depth of 100 mm to see if there are any notable colour changes in the soil suggesting grave locations.<sup>181</sup>

In summary the GBG Australia survey found 3 possible unmarked graves and 5 areas of disturbance, some of which may be tree roots.

### **3.4 Other graves within the Bylong Coal Project.**

AECOM have conducted the site survey for historical sites within the Bylong Coal Project area.<sup>182</sup>

AECOM has identified another potential burial at Renfrew Park, on the north side of the railway at 255 Upper Bylong Road, Upper Bylong, NSW 2849, on Lot 1, DP 1146893 (Figure 1.3).

The grave site included a timber fenced burial enclosure with a stone marker, etched with R.I.P. Oral evidence suggests that it may be the grave of a rail construction worker (Plate 3.7).<sup>183</sup> It is not possible to state whether the site marks the burial of a human or animal, such as a horse or dog.

In order to identify the person potentially buried at this location, a search has been made at the Registrar General for Death Certificates recorded at Rylestone and Mudgee, relating to burials within the Bylong Coal Project. No burial has been identified.

### **3.5 pH soil values.**

The surviving condition of skeletal remains will be determined by the acidity or alkalinity of the soil.

The soil types and pH values near to the Upper Bylong Cemetery have been tested.<sup>184</sup> The soil type is described as a Subnatric Brown Sodosol (G15). The nearest soil test was taken at Site 270, but a similar soil at Site 104 has been laboratory tested. The field notes for Site 270 indicate a pH value ranging from 6.5 at

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<sup>181</sup> GBG Australia. Subsurface investigation using ground penetrating radar to locate unmarked graves, Upper Bylong Cemetery, Upper Bylong, New South Wales. Hansen Bailey 2014:7.

<sup>182</sup> AECOM Australia Pty Ltd. Bylong Coal Project: Historic Heritage Impact Assessment, Bylong NSW. Hansen Bailey Environmental Consultants. 2015.

<sup>183</sup> Email from Cassie Jones, Cockatoo Coal, dated 9 May 2014, forwarded by Nathan Cooper, Hansen Bailey.

<sup>184</sup> SLR Consulting Australia Pty Ltd. Bylong Coal Project. Soils Assessment and Site Verification. Hansen Bailey. Report Number Han01.005. 18 December 2013. See Appendix 5, p 80-81.

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the surface, through 6 at 30 and 60 cm depth and 7 at 90 cm depth. At Site 104 the soil was laboratory tested, indicating that the A1 Horizon was pH 6.3, the A2 Horizon was pH 5.6, the B2 Horizon was pH 6.1 and the BC Horizon of weathered bedrock was pH 6.1.

The results indicate that the various soil horizons range from neutral to slightly acidic. The slight acidity of the soil may cause the bone to be poorly preserved. Bone and teeth will begin to deteriorate in soils that have a pH value lower than 5.5.<sup>185</sup>

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<sup>185</sup> English Heritage. Environmental Archaeology. A guide to the Theory and Practice of Methods, from Sampling and Recovery to Post-excavation. Second Edition. August 2011. Table 2 and Figure 2, pages 5-6.

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### 3.6 Plans.

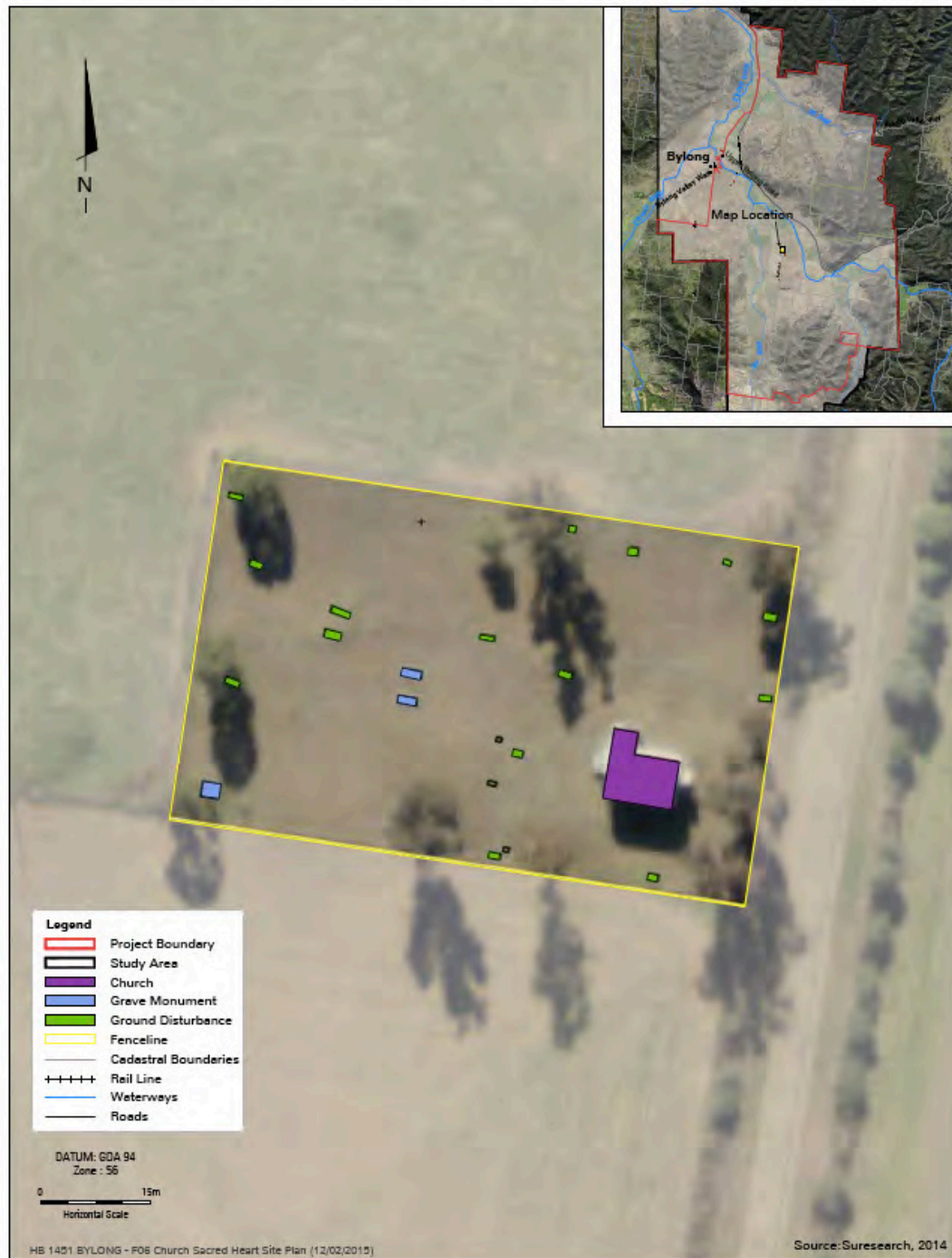


Figure 3.1. Site Plan of Our Lady of the Sacred Heart, Roman Catholic Church and Cemetery.  
The plan shows the four marked burials (blue) and the potential location of unmarked graves, located by ground penetrating radar survey by Suresearch, 9 April 2014.  
Source. Suresearch and Hansen Bayley.



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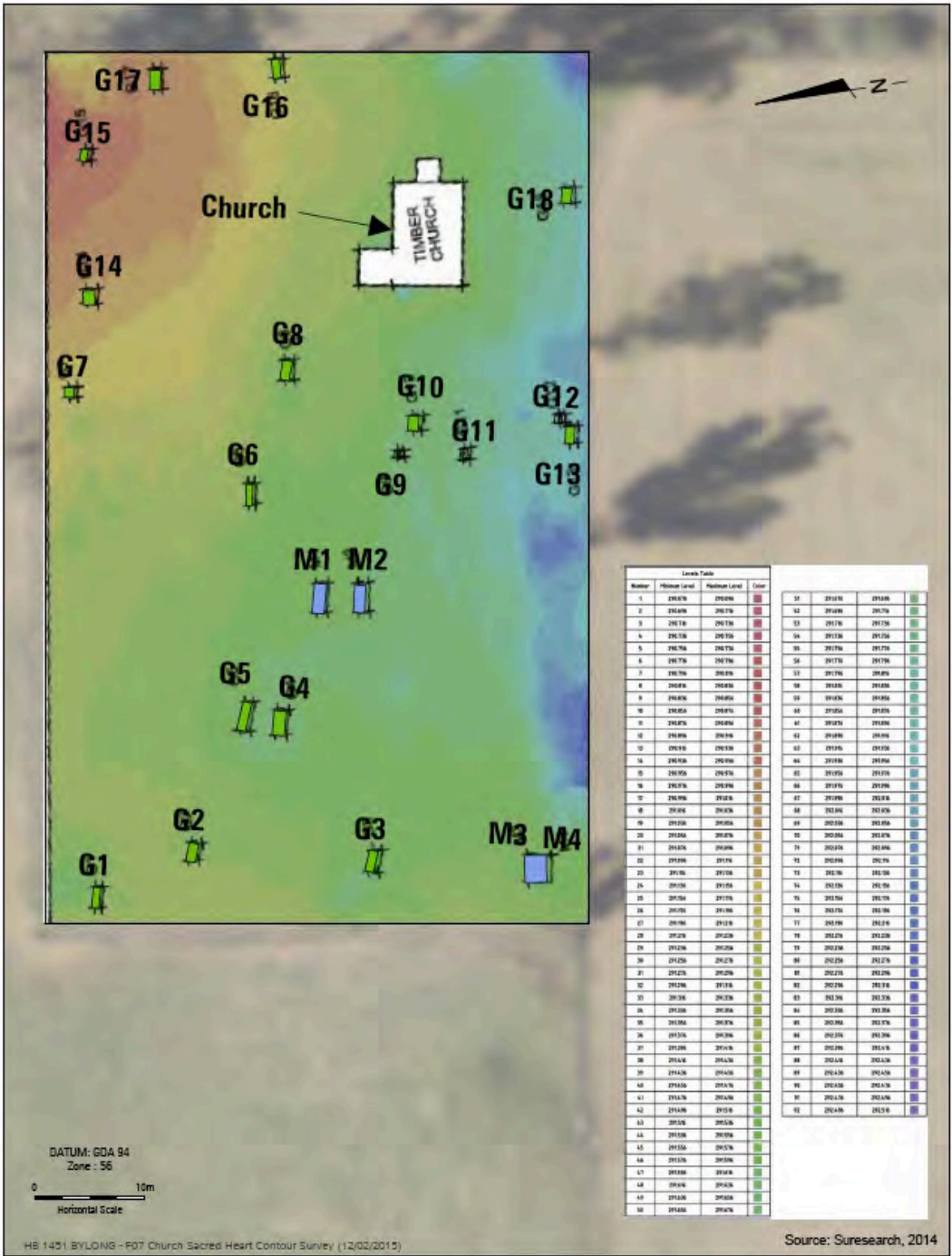


Figure 3.2. Contour Survey of Our Lady of the Sacred Heart, Roman Catholic Church and Cemetery.

The plan shows the four marked burials (M 1-4) and the potential location of unmarked graves (G 1-18), located by ground penetrating radar survey by Suresearch, 9 April 2014.

Source. Suresearch and Hansen Bayley.

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Figure 3.3. Site Plan of Our Lady of the Sacred Heart, Roman Catholic Church and Cemetery.

The plan shows the main features of the cemetery and the extent of ground penetrating radar survey. Three potential unmarked graves were located and 5 potential areas of disturbance, requiring further investigation.

Source. GBG Australia and Hansen Bayley.



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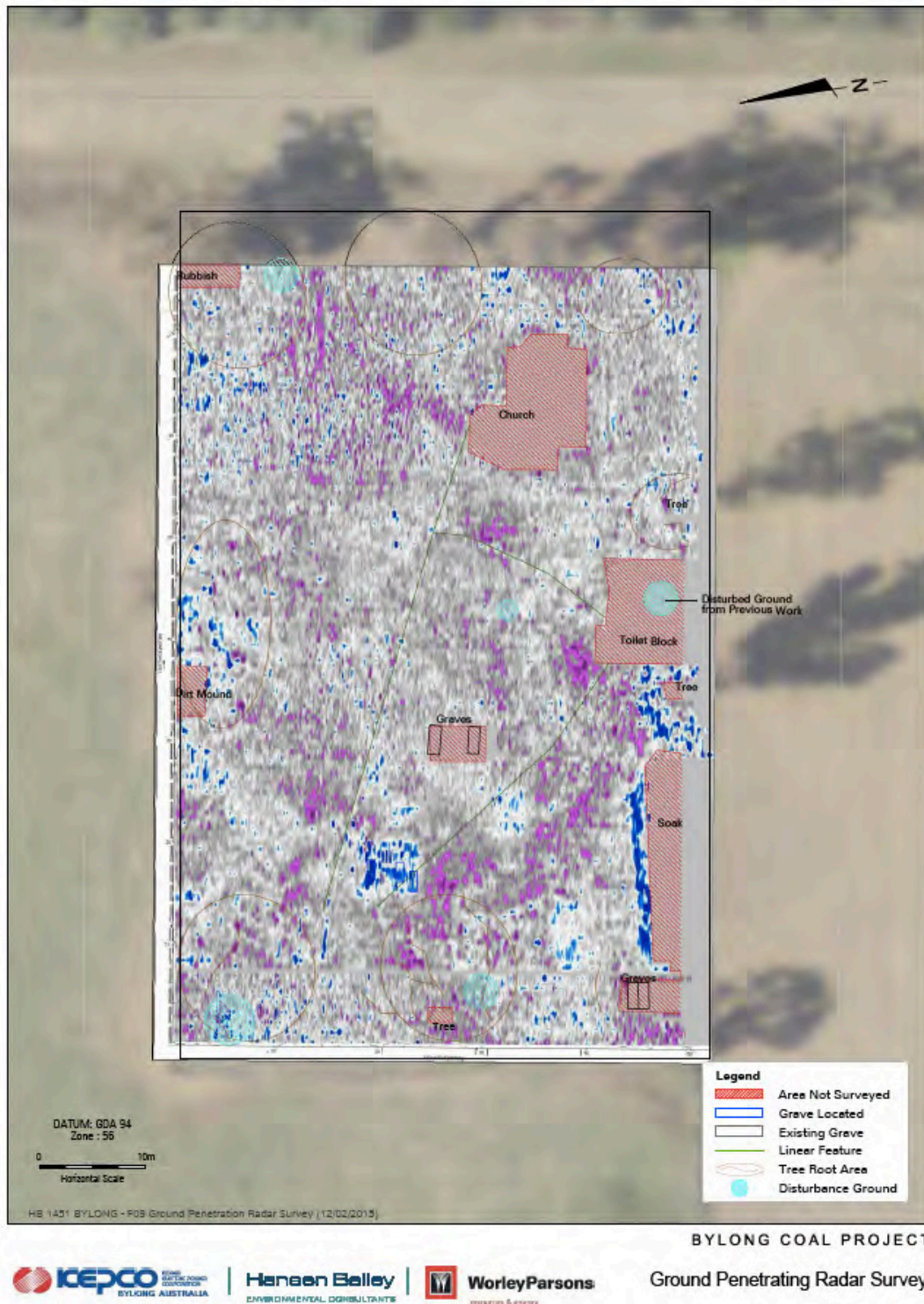


Figure 3.4. Ground Penetrating Radar Survey of Our Lady of the Sacred Heart, Roman Catholic Church and Cemetery.

The Ground Penetrating Radar results at 1,800 mm depth reveal the most convincing evidence for a group of three unmarked graves (blue coloured rectangle shape) towards the back (western part) of the cemetery.

Source. GBG Australia and Hansen Bayley.

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### 3.7 Photographs.



Plate 3.1. Our Lady of the Sacred Heart, Roman Catholic Church, Upper Bylong.

Photograph by Dr. Edward Higginbotham.

Plate 3.2. Cemetery, Roman Catholic Church, Upper Bylong. Burke and Readford graves (left and right: south and north)

Photograph by Dr. Edward Higginbotham.



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Plate 3.3. Cemetery, Roman Catholic Church, Upper Bylong. Ethel Kate Readford Grave. Photograph by Dr. Edward Higginbotham.



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Plate 3.4. Cemetery, Roman Catholic Church, Upper Bylong. John Gerald Burke Grave.  
Photograph by Dr. Edward Higginbotham.



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Plate 3.5. Cemetery, Roman Catholic Church, Upper Bylong. Hugh Francis Cobrey and Susan Alenia [Helena] Cecelia Cobrey graves (left and right: south and north). Photograph by Dr. Edward Higginbotham.



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Plate 3.6. Cemetery, Roman Catholic Church, Upper Bylong. Hugh Francis Cobrey grave with Celtic cross.  
Photograph by Dr. Edward Higginbotham.

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Plate 3.7. Timber fenced grave enclosure, with stone marker, etched with the letters R.I.P. Located on Renfrew Park, north of the railway (Figure 1.3). The person or animal buried here is not identified.

Photograph by Ms. Cassie Jones, WorleyParsons.



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## 4 RESEARCH THEMES IN HISTORICAL ARCHAEOLOGY

### 4.1 Research Questions.

The historical themes published by the Heritage Council of NSW in 2001 form a useful basis for the consideration of archaeological research themes.<sup>186</sup> The table of themes will be used as a template for formulating a set of research questions for both marked and unmarked or unidentified burials within the vicinity of the Bylong Coal Project.

The historical themes provide an encyclopaedic overview and assist both the historian and archaeologist to consider a wide range of questions.

| Australian Theme                                    | NSW Theme   | Archaeological Research Questions  |
|---|---|--|
| 1 Tracing the natural evolution of Australia,       | Environment - naturally evolved Local themes                          | What are the geology and soils associated with the burials in the Bylong Coal Project?                       |
| 2 Peopling Australia                                | Aboriginal cultures and interactions with other cultures Local themes | Not applicable.  |
| 2 Peopling Australia                                | Convict   | Not applicable.  |
| 2 Peopling Australia                                | Ethnic influences   | What is the ethnic mix indicated by the burials in the Bylong Coal Project?                                  |
| 2 Peopling Australia                                | Migration   | What do the biographies of the persons buried reveal about migration patterns, both national and interstate? |
| 3 Developing local, regional and national economies | Agriculture   | Not applicable, except through biographies.  |
| 3 Developing local, regional and national economies | Commerce  | Not applicable, except through biographies.  |
| 3 Developing local, regional and national economies | Communication   | Not applicable, except through biographies.  |
| 3 Developing local, regional and national economies | Environment - cultural landscape                                      | Not applicable, except through biographies.  |
| 3 Developing local, regional and national economies | Events  | Not applicable, except through biographies.  |
| 3 Developing local, regional and national economies | Exploration   | Not applicable   |

<sup>186</sup> Heritage Council of NSW. New South Wales Historical Themes, 2001.

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| <b>Australian Theme</b>                             | <b>NSW Theme</b>              | <b>Archaeological Research Questions</b>  |
|---|-------------------------------|---|
| 3 Developing local, regional and national economies | Fishing                       | Not applicable  |
| 3 Developing local, regional and national economies | Forestry                      | Not applicable  |
| 3 Developing local, regional and national economies | Health                        | What level of healthcare is demonstrated by the burials in the Bylong Coal Project?                                 |
| 3 Developing local, regional and national economies | Industry                      | Not applicable, except through biographies.   |
| 3 Developing local, regional and national economies | Mining                        | Not applicable  |
| 3 Developing local, regional and national economies | Pastoralism                   | Not applicable, except through biographies.   |
| 3 Developing local, regional and national economies | Science                       | Not applicable.   |
| 3 Developing local, regional and national economies | Technology                    | Not applicable  |
| 3 Developing local, regional and national economies | Transport                     | Not applicable  |
| 4 Building settlements, towns and cities            | Towns, suburbs and villages   | Not applicable, except through biographies.   |
| 4 Building settlements, towns and cities            | Land tenure                   | Not applicable, except through biographies.   |
| 4 Building settlements, towns and cities            | Utilities                     | Not applicable.   |
| 4 Building settlements, towns and cities            | Accommodation                 | Not applicable  |
| 5 Working   | Labour                        | Not applicable, except through biographies.   |
| 6 Educating   | Education                     | Not applicable, except through biographies.   |
| 7 Governing   | Defence                       | Not applicable  |
| 7 Governing   | Government and administration | Not applicable, except through biographies.<br><br>What were the legal requirements for the registrations of death? |

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| Australian Theme                       | NSW Theme           | Archaeological Research Questions  |
|--|---------------------|--|
| 7 Governing                            | Law and order       | Not applicable.  |
| 7 Governing                            | Welfare             | Not applicable.  |
| 8 Developing Australia's cultural life | Domestic life       | Not applicable   |
| 8 Developing Australia's cultural life | Creative endeavour  | Not applicable, except through biographies.  |
| 8 Developing Australia's cultural life | Leisure             | Not applicable, except through biographies.  |
| 8 Developing Australia's cultural life | Religion            | <p>What religious denominations and beliefs are demonstrated by burials within the Bylong Coal Project?</p> <p>The Roman Catholic Church clearly demonstrates one denomination within the community, but what religious denominations and beliefs are indicated by other burials?</p> <p>How does the church building reflect religious beliefs and the socio-economic status of Catholics in the local community?</p>   |
| 8 Developing Australia's cultural life | Social institutions | Not applicable, except through biographies.  |
| 8 Developing Australia's cultural life | Sport               | Not applicable, except through biographies.  |
| 9 Marking the phases of life           | Birth and Death     | <p>What evidence do the burials within the Bylong Coal Project reveal about:</p> <p>Preferences for inhumation or cremation.</p> <p>Grave marker types.</p> <p>Coffin types.</p> <p>Grave furniture and clothing.</p> <p>Ancestry, age, sex and stature of individuals and variation in the local population.</p> <p>Personal identification of the dead.</p> <p>Preservation of skeletal remains, due to soil pH values.</p> <p>Disturbance of burials, by animals, etc.</p> <p>Cause of death and trauma or injuries.</p> <p>Variation in socio-economic status.</p> |
| 9 Marking the phases of life           | Persons             | Not applicable, except through biographies.  |

The principal comparative sites for the burials within the Bylong Coal Project are the archaeological excavations of:

- Prince of Wales Project, 1995.<sup>187</sup>

<sup>187</sup> Godden Mackay & Austral Archaeology. POW Project 1995. Randwick Destitute Children's Asylum Cemetery. Archaeological Investigation. South East Area Health Service, Heritage Council of NSW and NSW Department of Health. December 1997.



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- Cadia Cemetery, 1997-1998.<sup>188</sup>
- Sydney Burial Ground, 2007.<sup>189</sup>

These are further discussed in the section below.

#### **4.2 Probable contribution of forensic anthropological evidence to Research Themes.**

By Dr. Denise Donlon.

The following methodology is designed to ensure that any excavation of a burial will contribute to current research problems and knowledge.

There are three main areas in which the site has the ability, through forensic anthropological investigation, to provide information not necessarily available through other means of inquiry:

- The range of skeletal variation in early Bylong settlers and more generally in late 19th century and early 20th century Australians of European ancestry,
- Information about the health, diet and lifestyle of early Bylong settlers;
- Taphonomic information. An examination of how the type of soil, pH, animal and plant activity affect the preservation of the skeleton, grave goods, grave furniture and clothing.

The questions asked of the site have the potential to both provide information about an individual in the past and the population to which that person belonged. The site also has the potential to answer questions about past burial practices. In addition it has the potential to provide information which may affect the general Australian population and particularly possible living descendants.

It should be noted that there are very few skeletal remains of Australians of European ancestry from all periods since settlement which are available for research. Thus the knowledge gained from this analysis would not be duplicating other research.

While few historic European cemeteries have been excavated in Australia, they have all contributed to research questions such as those outlined above. In New South Wales there have been three major excavations of historic cemeteries;

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<sup>188</sup> Edward Higginbotham and Associates Pty Ltd. Report on the excavation of the Cadia Cemetery, Cadia Road, Cadia, NSW, 1997-1998. Volumes 1 to 5. Cadia Holdings Pty Limited. 2002.

<sup>189</sup> Casey & Lowe Pty Ltd. Old Sydney Burial Ground, Peace Hall, Sydney Town Hall: results of archaeological testing. Report prepared for the City of Sydney Council. 2007.

The full excavation report does not appear to be available.

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- The Old Sydney Burial Ground.<sup>190</sup>
- The Destitute Children's Asylum at Randwick in Sydney.<sup>191</sup>
- Cadia Cemetery at Orange.<sup>192</sup>

#### 4.2.1 The range of skeletal variation in Australians of European ancestry

We have little information about the population parameters for ancestry, sexual dimorphism, age and stature for any Australian population of European ancestry. Such parameters can be very useful in assessing ancestry, sex, age and stature in unidentified skeletons. Information from the late 19<sup>th</sup> and early 20<sup>th</sup> centuries can be particularly useful in the identification of the remains of the war dead from World Wars I and II. Given recent developments in the discoveries of mass graves in France (e.g. Fromelles) and the establishment of Unrecovered War Graves - Army in Australia, this data may be of great value in the identification of war remains.

In 2008 and 2009 a salvage excavation of the Old Sydney Burial Ground, the first European cemetery in Australia, revealed 66 graves, 30 of which still contained skeletal remains and nine with teeth present.<sup>193</sup> Data on tooth size from the Old Sydney Burial Ground has allowed us to gain some idea of the range of variation in the first British settlers.<sup>194</sup> Until this study we have had almost no data on tooth size of the first European settlers to Australia. Tooth size was surprising small and could easily be used to eliminate the possibility of Aboriginal remains. While it is not

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<sup>190</sup> Birmingham, J. and Liston, C. 1976 *Old Sydney Burial Ground 1974, emergency excavation in the City of Sydney*, Studies in Historical Archaeology No. 5, Australian Society for Historical Archaeology, Sydney.

Lowe, A. and Mackay, R. 1992 'Old Sydney Burial Ground, *Australasian Historical Archaeology* 10:15-23.

Casey, M and Lowe, T. 2008 Peace Hall, Sydney Town Hall. Results of Archaeological Program. Interim report to City of Sydney Council.

Donlon, D. 2011 Report on examination of human skeletal remains from the Old Sydney Burial Ground, Sydney. Unpublished report written for Casey and Lowe, Archaeology and Heritage, Sydney.

<sup>191</sup> Godden Mackay & Austral Archaeology. POW Project 1995. Randwick Destitute Children's Asylum Cemetery. Archaeological Investigation. South East Area Health Service, Heritage Council of NSW and NSW Department of Health. December 1997.

<sup>192</sup> Edward Higginbotham and Associates Pty Ltd. Report on the excavation of the Cadia Cemetery, Cadia Road, Cadia, NSW, 1997-1998. Volumes 1 to 5. Cadia Holdings Pty Limited. 2002.

Lazer, E. 2001 Cadia Cemetery Skeletal report. Edward Higginbotham and Associates Pty Ltd. 2002 Report on the archaeological excavation of the Cadia Cemetery, Cadia Road, Cadia, NSW, 1997-1998, Volume 4, unpublished report for Cadia Holdings Pty Ltd.

<sup>193</sup> Casey, M and Lowe, T. 2008 Peace Hall, Sydney Town Hall. Results of Archaeological Program. Interim report to City of Sydney Council.

<sup>194</sup> Donlon, D. 2011 Report on examination of human skeletal remains from the Old Sydney Burial Ground, Sydney. Unpublished report written for Casey and Lowe, Archaeology and Heritage, Sydney.

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classified as variation, tooth wear is mentioned here as it is unknown for the early British settlers and is important in historical forensic cases in order that such early settlers can be eliminated from possible Aboriginal remains.

The Destitute Children's Asylum at Randwick in Sydney consisted of remains of 65 children.<sup>195</sup> Such cemeteries are very rare as are collections of children's skeletons, making this a very significant cemetery. The excavation of the Destitute Children's Asylum at Randwick in Sydney and the Cadia Cemetery at Orange have contributed to our knowledge of late 19<sup>th</sup> century and early 20<sup>th</sup> century juvenile dental health and overall health as well as stature and dental variation.<sup>196</sup> Archaeological and historical samples may be the best sources if data for devising and improving on methods of skeletal and dental age estimation of juveniles.

At Cadia data were recorded on remains from 109 burials on cranial, dental and postcranial non-metric traits which can be useful in population studies and in helping identify individuals, family groups and sometimes ancestry.<sup>197</sup> These data have provided a database of such variation in a late 19<sup>th</sup> and early 20<sup>th</sup> century Australian population of European ancestry.

#### 4.2.2 Health, diet and lifestyle

Some aspects of general health of the Bylong settlers may be examined by analysis of stature, pathological changes to the bones and the condition of the teeth and adjacent bone. The diet can also give us an indication of health. The development of the bones and certain types of wear on the teeth can throw light on lifestyle.

The condition of the skeletal remains at the Old Sydney Burial Ground was extremely poor, so little was able to be determined of their general health. Any information comes from the dentition.<sup>198</sup> Teeth survived in ten individuals. Dental decay was rare. There are a number of possible reasons for this. One is that these people had a diet low in sugars and refined carbohydrates. Another possibility is that they died at a

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<sup>195</sup> Godden Mackay & Austral Archaeology. POW Project 1995. Randwick Destitute Children's Asylum Cemetery. Archaeological Investigation. South East Area Health Service, Heritage Council of NSW and NSW Department of Health. December 1997.

<sup>196</sup> Edward Higginbotham and Associates Pty Ltd. Report on the excavation of the Cadia Cemetery, Cadia Road, Cadia, NSW, 1997-1998. Volumes 1 to 5. Cadia Holdings Pty Limited. 2002.

<sup>197</sup> Lazer, E. 2001 Cadia Cemetery Skeletal report. Edward Higginbotham and Associates Pty Ltd. 2002 Report on the archaeological excavation of the Cadia Cemetery, Cadia Road, Cadia, NSW, 1997-1998, Volume 4, unpublished report for Cadia Holdings Pty Ltd.

<sup>198</sup> Donlon, D. 2011 Report on examination of human skeletal remains from the Old Sydney Burial Ground, Sydney. Unpublished report written for Casey and Lowe, Archaeology and Heritage, Sydney.

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young age before there was much chance for decay. The presence of dental enamel hypoplasia indicated that these individuals suffered from either malnutrition or a severe infectious disease during their childhood or a sudden disruption to the diet. The degree of wear ranged from mild to moderate with very few showing severe wear. Again this may have been because these people died at a young age or it may be because the diet was not particularly coarse. One individual had what appeared to be clay pipe-stem wear on the anterior teeth. The same individual had brown staining on many teeth which may be the result of smoking or chewing tobacco.

At the Destitute Children's Asylum at Randwick site, the frequencies of stress indicators such as dental enamel hypoplasia and porotic hyperostosis occurrence suggest the children were subjected to some kind of physiological stress or disease at very young ages (0-3 years), probably due to weaning and probably before many arrived at the asylum.<sup>199</sup> These results are consistent with the evidence from skeletal measurements which showed a clear retardation of skeletal growth and small stature. The results are also consistent with the historical evidence which suggests the diet in the asylum was adequate and probably an improvement for many. These latter results support the view that the children from the POW Destitute Children's Asylum were undernourished and/or suffering from poor health.

Analysis of the skeletal remains at the Cadia site suggest these people had adequate diets and were in good health during the period that bones was growing.<sup>200</sup> For example there were few changes associated with iron deficiency anaemia or parasitic loads. Analysis of the teeth suggested a high rate of teeth decay with substantial tooth loss during life as well as loss of adjacent alveolar bone. There was evidence of clay pipe smoking. The development of muscle attachments on bones suggest these people led an active lifestyle. There was evidence of old fractures, particularly on male skeletons.

#### 4.2.3 Taphonomic information

Taphonomy refers to postmortem changes that have occurred to the skeleton and teeth repeat?. Information collected would include the effect the type of soil and pH have on the preservation of the bones, grave goods, grave furniture and clothing. In addition animals and plants can cause changes in the bones which may be confused

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<sup>199</sup> Godden Mackay & Austral Archaeology. POW Project 1995. Randwick Destitute Children's Asylum Cemetery. Archaeological Investigation. South East Area Health Service, Heritage Council of NSW and NSW Department of Health. December 1997.

<sup>200</sup> Lazer, E. 2001 Cadia Cemetery Skeletal report. Edward Higginbotham and Associates Pty Ltd. 2002 Report on the archaeological excavation of the Cadia Cemetery, Cadia Road, Cadia, NSW, 1997-1998, Volume 4, unpublished report for Cadia Holdings Pty Ltd.

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with pathology. All such changes are also vital to forensic anthropologists when assessing the post mortem interval/time since death of a skeleton.

At the Old Sydney Burial Ground the pattern of survival rates suggests a number of possibilities for the fate of the skeletons when they were supposedly exhumed in the mid 19<sup>th</sup> century.<sup>201</sup> The poor survival rate for skulls (<20%) suggests some skulls may have been collected during that exhumation as they would have been expected to survive as long as the shafts of the long bones. The presence of shafts of the larger long bones suggests that the postcranial skeletons were not collected at all. Teeth survived in ten individuals out of the thirty with skeletons. The pH over the site averaged 6 to 6.5 which is slightly acidic and therefore not good for preservation.

At the Destitute Children's Asylum at Randwick site, while it may appear that the survival of the bones was quite good overall, many bones could not be measured, nor pathology recorded because of poor preservation and/or distortion.<sup>202</sup> The pH ranged between 3 and 5.6 which is quite acidic. There did not appear to be any association between pH and degree of preservation however there was an association between root activity and poor preservation. The deposit consisted of dark sandy topsoil, gradually becoming paler with depth down to a hardened sandy layer known as "coffee rock".

At Cadia the preservation of the skeletons ranged from very poor (often infant burials) to well preserved.<sup>203</sup>

#### **4.2.4 Gaps in our knowledge and how these will be addressed in this investigation**

The discussion above has highlighted the valuable information that can be obtained from the analysis of skeletal remains from various periods of settlement. There are however gaps in our knowledge particularly in the area of the range of variation in parameters which anthropologists use to help identify unknown human remains as well as our understanding of the health, diet and lifestyle of Australians in the past. This is partly because those cemeteries which have been excavated have yielded remains in poor or varied degrees of preservation and one contained only juvenile

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<sup>201</sup> Donlon, D. 2011 Report on examination of human skeletal remains from the Old Sydney Burial Ground, Sydney. Unpublished report written for Casey and Lowe, Archaeology and Heritage, Sydney.

<sup>202</sup> Godden Mackay & Austral Archaeology. POW Project 1995. Randwick Destitute Children's Asylum Cemetery. Archaeological Investigation. South East Area Health Service, Heritage Council of NSW and NSW Department of Health. December 1997.

<sup>203</sup> Lazer, E. 2001 Cadia Cemetery Skeletal report. Edward Higginbotham and Associates Pty Ltd. 2002 Report on the archaeological excavation of the Cadia Cemetery, Cadia Road, Cadia, NSW, 1997-1998, Volume 4, unpublished report for Cadia Holdings Pty Ltd.

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skeletons. Another important issue is that few of the skeletons which have been excavated have been identified. On the other hand some of the remains from Bylong Valley are identified by their headstones. Identified skeletons with biological data such as sex and age are very valuable. They allow us to add to our knowledge of the range of skeletal variation in early Bylong settlers and more generally in late 19<sup>th</sup> century and early 20<sup>th</sup> century Australians of European ancestry. They also allow us to better understand the health and lifestyle of Australians in this time period. An understanding the taphonomic factors of historic burials can greatly assist forensic anthropologists in establishing post-mortem interval of unidentified skeletons. Unlike the USA, Australia has very few collections of Australians of European origin for reasons related to its youth and the policy not to repatriate the dead from World Wars I and II to Australia. The Bylong Valley skeletons, while few, should add valuable knowledge to our understanding of Australia's past.



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## 5 CULTURAL SIGNIFICANCE.

### 5.1 Current assessment criteria.

In this chapter the cultural significance of the subject site is assessed according to standard criteria.

The State Heritage Register and the State Heritage Inventory were established under Part 3A of the Heritage Act (as amended in 1998) for listing of items of environmental heritage.<sup>204</sup> The State Heritage Register list items, which are of state heritage significance, while the State Heritage Inventory includes items of local heritage significance.<sup>205</sup> A number of items listed on the State Heritage Inventory are also of state heritage significance.

To be assessed for listing on the State Heritage Register (state significance) or State Heritage Inventory (local significance) an item will, in the opinion of the Heritage Council of NSW, meet one or more of the following criteria.<sup>206</sup>

Criterion a. An item is important in the course, or pattern, of NSW's cultural or natural history or

An item is important in the course, or pattern, of the local area's cultural or natural history;

| Guidelines for Inclusion  | Guidelines for Exclusion   |
|---|--|
| <ul style="list-style-type: none"> <li>• shows evidence of a significant human activity.</li> <li>• is associated with a significant activity or historical phase.</li> <li>• maintains or shows the continuity of a historical process or activity.</li> </ul> | <ul style="list-style-type: none"> <li>• has incidental or unsubstantiated connections with historically important activities or processes.</li> <li>• provides evidence of activities or processes that are of dubious historical importance.</li> <li>• has been so altered that it can no longer provide evidence of a particular association.</li> </ul> |

Criterion b. An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history, or

<sup>204</sup> **environmental heritage** means those places, buildings, works, relics, moveable objects, and precincts, of state or local heritage significance (section 4, *Heritage Act, 1977*).

<sup>205</sup> **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(1), *Heritage Act, 1977*).

<sup>206</sup> Guidelines for the application of these criteria have now been prepared by the NSW Heritage Office. See inclusion and exclusion guidelines in: NSW Heritage Office. 2000. Assessing Heritage Significance. A NSW Heritage Manual Update.

See also:

Heritage Office and Department of Urban Affairs and Planning. 1996. Heritage Assessments. pp. 4-7.

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An item has strong or special association with the life or works of a person, or group of persons, of importance in the cultural or natural history of the local area;

| Guidelines for Inclusion   | Guidelines for Exclusion   |
|--|--|
| <ul style="list-style-type: none"> <li>• shows evidence of significant human occupation.</li> <li>• is associated with a significant event, person or group of persons.</li> </ul> | <ul style="list-style-type: none"> <li>• has incidental or unsubstantiated connections with historically important people or events.</li> <li>• provides evidence of people or events that are of dubious historical importance.</li> <li>• has been so altered that it can no longer provide evidence of a particular association.</li> </ul> |

Criterion c. An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW, or  
An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area;

| Guidelines for Inclusion  | Guidelines for Exclusion   |
|---|--|
| <ul style="list-style-type: none"> <li>• shows or is associated with creative or technical innovation or achievement.</li> <li>• is the inspiration for a creative or technical innovation or achievement.</li> <li>• is aesthetically distinctive.</li> <li>• has landmark qualities.</li> <li>• exemplifies a particular taste, style or technology.</li> </ul> | <ul style="list-style-type: none"> <li>• is not a major work by an important designer or artist.</li> <li>• has lost its design or technical integrity.</li> <li>• its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded.</li> <li>• has only a loose association with a creative or technical achievement.</li> </ul> |

Criterion d. An item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons, or  
An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons;

| Guidelines for Inclusion   | Guidelines for Exclusion   |
|--|--|
| <ul style="list-style-type: none"> <li>• is important for its associations with an identifiable group.</li> <li>• is important to a community's sense of place.</li> </ul> | <ul style="list-style-type: none"> <li>• is only important to the community for amenity reasons.</li> <li>• is retained only in preference to a proposed alternative.</li> </ul> |

Criterion e. An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history, or  
An item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history;

| Guidelines for Inclusion  | Guidelines for Exclusion  |
|---|---|
| <ul style="list-style-type: none"> <li>• has the potential to yield new or further substantial scientific and/or archaeological information.</li> <li>• is an important benchmark or reference of its type.</li> <li>• provides evidence of past human cultures that is unavailable elsewhere.</li> </ul> | <ul style="list-style-type: none"> <li>• only contains information that is readily available from other resources or archaeological sites.</li> <li>• the knowledge gained would be irrelevant to research on science, human history or culture.</li> <li>• has little archaeological or research potential.</li> </ul> |

Criterion f. An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history, or

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An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history;

| Guidelines for Inclusion  | Guidelines for Exclusion  |
|---|---|
| <ul style="list-style-type: none"> <li>• provides evidence of a defunct custom, way of life or process.</li> <li>• demonstrates a process, custom or other human activity that is in danger of being lost.</li> <li>• shows unusually accurate evidence of a significant human activity.</li> <li>• is the only example of its type.</li> <li>• demonstrates designs or techniques of exceptional interest.</li> <li>• shows rare evidence of a significant human activity important to a community.</li> </ul> | <ul style="list-style-type: none"> <li>• is not rare.</li> <li>• is numerous but under threat.</li> </ul> |

Criterion g. An item is important in demonstrating the principal characteristics of a class of NSW's

cultural or natural places; or

cultural or natural environments, or

An item is important in demonstrating the principal characteristics of a class of the local area's

cultural or natural places; or

cultural or natural environments.

| Guidelines for Inclusion   | Guidelines for Exclusion  |
|--|---|
| <ul style="list-style-type: none"> <li>• is a fine example of its type.</li> <li>• has the principal characteristics of an important class or group of items.</li> <li>• has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity.</li> <li>• is a significant variation to a class of items.</li> <li>• is a part of a group which collectively illustrates a representative type.</li> <li>• is outstanding because of its integrity or the esteem in which it is held.</li> </ul> | <ul style="list-style-type: none"> <li>• is a poor example of its type.</li> <li>• does not include or has lost the range of characteristics of a type.</li> <li>• does not represent well the characteristics that make up a significant variation of a type.</li> </ul> |

An item is not to be excluded from the Register or Inventory on the ground that items with similar characteristics have already been listed on the Register or Inventory.

In criteria a to g, where an item is deemed to be of local significance, the words "local area" should be substituted for "NSW".

## 5.2 Grading of significance.

The NSW Heritage Manual describes the methodology for grading of significance for items within a place. This has been further described in "Assessing Heritage Significance", published by the NSW Heritage Office in 2000.<sup>207</sup> Additional

<sup>207</sup> NSW Heritage Office. 2000. Assessing Heritage Significance. A NSW Heritage Manual Update.

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information for the grading of significance is also provided in “Assessing Significance for Historical Archaeological Sites and Relics”, published by the Heritage Branch, Department of Planning in 2009.<sup>208</sup>

| Grading     | Justification  | Status   |
|-------------|--|--|
| Exceptional | Rare or outstanding item of local or state significance.<br>High degree of intactness.<br>Item can be interpreted relatively easily.     | Fulfil criteria for local or state listing.          |
| High        | High degree of original fabric.<br>Demonstrates key element of the item's significance.<br>Alterations do not detract from significance. | Fulfil criteria for local or state listing.          |
| Moderate    | Altered or modified elements.<br>Elements with little heritage value, but which contribute to the overall significance of the item.      | Fulfil criteria for local or state listing.          |
| Little      | Alterations detract from significance.<br>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. |

### 5.3 Archaeological significance.

The term ‘archaeological significance’ was defined in the 1980s as the extent to which a site may contribute knowledge, not available from other sources, to current themes in historical archaeology and related disciplines.<sup>209</sup> ‘Archaeological significance’ is included in Criterion E of the current criteria for assessment.

It is clear that the determination of archaeological significance is closely related and, in fact, dependent upon the development of current research themes in historical archaeology.

<sup>208</sup> Heritage Branch, Department of Planning. 2009. Assessing Significance for Historical Archaeological Sites and Relics.

<sup>209</sup> This definition is based upon the following references; A. Bickford, & S. Sullivan, ‘Assessing the research significance of historic sites’, in S. Sullivan, & S. Bowdler, *Site survey and significance assessment in Australian archaeology*, Dept. of Prehistory, Research School of Pacific Studies, ANU, Canberra, 1984, pp. 19-26.; S. Sullivan, & S. Bowdler, *Site survey and significance assessment in Australian archaeology*, Dept. of Prehistory, Research School of Pacific Studies, ANU, Canberra, 1984, passim.



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The consideration of archaeological significance is further discussed in “Assessing Significance for Historical Archaeological Sites and Relics.”<sup>210</sup> These guidelines indicate that it is necessary for archaeological sites to be assessed using more than one significance criterion. They also provide advice on other values, including:

- intactness, or physical condition.
- lifeways, referring to J. S. Kerr’s well known phrase, the “ability to demonstrate” a way of life, custom, etc.<sup>211</sup>
- the challenge of potential (surviving condition), namely the difficulties associated with assessing the intactness of a site that is below ground and not visible.
- Changes in significance, namely the possible differences in assessment of significance before and after archaeological investigation.
- Multiple heritage values.

The guidelines also provide assistance with assessing the historical criteria for archaeological sites and relics.

#### **5.4 Assessment of significance for the Roman Catholic Church and Cemetery at Upper Bylong.**

The following assessment of significance was prepared by AECOM.<sup>212</sup> Specific aspects of significance relating to the burials are located in the rows beneath each criterion.

|   |   |
|---|---|
| <b>Criterion A</b> – Historic Value<br><i>an item is important in the course, or pattern, of NSW’s cultural or natural history</i>  | Our Lady of the Sacred Heart Catholic Church is of local significance as an important item in the local area’s cultural history. Our Lady of the Sacred Heart Catholic Church is the only Catholic church in the area and was a focal point for social activities for much of the twentieth century. It is representative of a Carpenter Gothic Revival Church style church in a rural setting. |
| <b>Criterion B</b> – Associated with a NSW identity<br><i>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</i> | Our Lady of the Sacred Heart Catholic Church is not of local or state significance for its association with the life or works of a person, or group of persons, of importance in the history of the local area.   |

<sup>210</sup> Heritage Branch, Department of Planning. 2009. Assessing Significance for Historical Archaeological Sites and Relics.

<sup>211</sup> James Semple Kerr. The Conservation Plan. Australia ICOMOS, 2103, passim. The concept of the “ability to demonstrate” was developed by J S Kerr from the first edition of the Conservation Plan in 1982.

<sup>212</sup> AECOM Australia Pty Ltd. Bylong Coal Project: Historic Heritage Impact Assessment, Bylong NSW. Hansen Bailey Environmental Consultants. 2015: 56.

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|   |  |
|---|--|
| <b>Criterion C</b> – Technical Achievement<br><i>an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW</i>   | Our Lady of the Sacred Heart Catholic Church is not of significance as an item of important aesthetic characteristics or for demonstrating a high degree of technical achievement in the local area.   |
|   | Additional note - The surviving headstones indicate a range of monumental masonry, principally derived from workshops in Mudgee. The coffins and grave furnishings may reveal aspects of traditional technology, styles and fashions. The cemetery is of local significance for this criterion.  |
| <b>Criterion D</b> – Social Value<br><i>an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons</i>  | Our Lady of the Sacred Heart Catholic Church is of local significance for its association with a group in the local area for social reasons. The church was a focal point of social activities in the past. In addition, relatives of local residents are buried at the site.  |
| <b>Criterion E</b> – Contributory Value<br><i>an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history</i>  | Our Lady of the Sacred Heart Catholic Church is of local significance for contributory value as it has the potential to yield information that will contribute to the area's cultural history. Potential archaeological deposit may be associated with burials within the church grounds that may contribute information about the lives of people buried there. |
|   | Additional note - the cemetery and burials may contribute to a number of research themes in historical archaeology, see Chapter 4.   |
| <b>Criterion F</b> – Rarity<br><i>an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history</i>   | Our Lady of the Sacred Heart Catholic Church is not of local or state significance for its rarity.   |
| <b>Criterion G</b> - Representativeness<br><i>an item is important in demonstrating the principal characteristics of a class of NSW's</i><br><i>- cultural or natural places; or</i><br><i>- cultural or natural environments</i> | Our Lady of the Sacred Heart Catholic Church is of local significance as a fine example of an early Carpenter Gothic Revival Church in a rural setting from the early twentieth century.   |
|   | Additional note - the cemetery and burials are of local significance and are typical of a small rural church and community.  |
| <b>Integrity</b>  | The church is in good condition.   |

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### **5.5 Statement of significance for the Roman Catholic Church and Cemetery at Upper Bylong.**

The following statement of significance was prepared by AECOM.<sup>213</sup>

The former Our Lady of the Sacred Heart Catholic Church is considered to be of local historical, social, contributory and representative significance. It is the only Catholic Church in the area and was a focal point for local social activity from 1915 to its closure in 2000. There are four known burials of local residents, from the 1930s and 1940s, in its cemetery, with distant relatives of the deceased still residing in the local area. In addition, three unmarked graves and five areas of disturbance, some of which may be tree roots, were identified during the use of Ground Penetrating Radar (GPR) at the site (Edward Higginbotham & Associates Pty Ltd, 2015) The land was sold by the Diocese in 2008 into non ecclesiastical ownership. The former church building is representative of the Carpenter Gothic Revival vernacular which was popular in the late nineteenth and early twentieth centuries in Australia. There is potential for subsurface archaeological deposits to be associated with the building and associated graves which could reveal additional information about its construction, use and the people buried there.

This statement of significance is expanded to include the cemetery and burials. By including the cemetery and burials the Roman Catholic Church is also aesthetic, scientific and representative significance. The surviving headstones indicate a range of monumental masonry, principally derived from workshops in Mudgee. The coffins and grave furnishings may reveal aspects of traditional technology, styles and fashions. The cemetery and burials may contribute to a number of research themes in historical archaeology (see Chapter 4) and are typical of a small rural church and community.

### **5.6 Statement of significance for other unmarked or unidentified burials within the Bylong Coal Project.**

There is insufficient documentation to provide a statement of significance for other unmarked or unidentified burials within the Bylong Coal Project.

A search has been made at the Registrar General for Death Certificates relating to burials within the Bylong Coal Project. None has been located outside the Cemetery at Upper Bylong.

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<sup>213</sup> AECOM Australia Pty Ltd. Bylong Coal Project: Historic Heritage Impact Assessment, Bylong NSW. Hansen Bailey Environmental Consultants. 2015: 56.

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The Death Certificates for unmarked burials are presented in Appendix 1.

#### **5.7 Summary of statement of significance.**

The statement of significance for the Roman Catholic Church and Cemetery at Upper Bylong indicates the site is of local significance.

| <b>Criterion</b>           | <b>Level</b> |
|----------------------------|--------------|
| a. Historical.             | Local        |
| b. Historical association. | None         |
| c. Aesthetic               | Local        |
| d. Social                  | Local        |
| e. Scientific              | Local        |
| f. Rarity.                 | None         |
| g. Representativeness.     | Local        |



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## **6 IMPACT OF PROPOSED DEVELOPMENT.**

The proposed development is described in the Historic Heritage Impact Assessment prepared by AECOM. The impact on items of heritage significance is also assessed in the above report.<sup>214</sup>

In summary the Roman Catholic Church and Cemetery at Upper Bylong is located within the proposed Eastern Open Cut Mining Area.

The burial enclosure at Renfrew Park (255 Upper Bylong Road, Upper Bylong, NSW 2849. Lot 1, DP 1146893) is not assessed in the AECOM report (Figure 1.3). It will not be impacted since it is located to the north-west of the proposed mine infrastructure associated with the rail loop and underground long-wall mining (Figures 1.1 and 1.3).

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<sup>214</sup> AECOM Australia Pty Ltd. Bylong Coal Project: Historic Heritage Impact Assessment, Bylong NSW. Hansen Bailey Environmental Consultants. 2015: 68-75

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## **7 LEGISLATIVE FRAMEWORK.**

The legislative framework is described in the Historic Heritage Impact Assessment prepared by AECOM.<sup>215</sup> The report describes the Commonwealth, state and local legislation or statutes, namely:

### **7.1 Commonwealth.**

Environment Protection and Biodiversity Conservation Act 1999.

### **7.2 New South Wales.**

Environmental Planning and Assessment Act 1979 (EP&A Act).

The Heritage Act 1977.

Mid-Western Regional Local Environmental Plan 2012.

### **7.3 Approval under the Environmental Planning and Assessment Act 1979 and the Public Health (Disposal of Bodies) Regulation 2002.**

For development, except State significant development (SSD), the archaeological investigation and exhumation of burials is regulated by permits under the Heritage Act, 1977, as amended, and the Public Health (Disposal of Bodies) Regulation 2002.

However the Project is State significant development (SSD). It is therefore managed under section 89C of the EP&A Act, as amended.

Section 89J of this legislation specifies that an excavation permit under section 139 of the Heritage Act is not required.

Instead, the assessment of significance and the procedures for archaeological investigation and / or exhumation are considered as part of the environmental impact statement (EIS), required under section 78A (8A) of the EP&A Act.

The provisions of the Public Health (Disposal of Bodies) Regulation 2012 are not removed under section 89J (1) of the EP&A Act. The exhumation of the burials will still require the relevant approval under this regulation.

### **7.4 Public Health (Disposal of Bodies) Regulation 2012.**

The procedures for obtaining permission for exhumation are described in the NSW Health Policy Directive for Exhumation of Human Remains.<sup>216</sup> This Policy Directive states:

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<sup>215</sup> AECOM Australia Pty Ltd. Bylong Coal Project: Historic Heritage Impact Assessment, Bylong NSW. Hansen Bailey Environmental Consultants. 2015: 8-9.

<sup>216</sup> NSW Health. Policy Directive. Exhumation of Human Remains. PD2013\_046. 5 December 2013.

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#### MANDATORY REQUIREMENTS

Under Clause 69 of the *Public Health Regulation 2012* a person must not exhume a body unless the exhumation of the remains has been approved by the Director-General.

An application for approval to exhume the remains of the body of a dead person may be made to the Director General by:

- An executor of the estate of the dead person
- The nearest surviving relative of the dead person
- If there is no such executor or relative available to make the application a person who, in the opinion of the Director-General, is a proper person may make the application.

An application is to be made in the approved form and it is to be accompanied by:

- A certified copy of the death certificate relating to the dead person
- A statutory declaration as to the relationship of the applicant to the dead person and the dead persons wishes, if any, regarding the disposal of his or her body
- An application fee.

Under Clause 71 of the *Public Health Regulation 2012* the Director-General may:

- Grant an approval to exhume the remains of a body
- Refuse the application.

Under Clause 72, an exhumation cannot take place without an authorised officer or a Ministry of Health staff member present. A person must not proceed with an exhumation if the authorised officer or Ministry of Health staff member who is present at the exhumation, orders the exhumation to stop.

Under Clause 78, if the applicant seeks to have the exhumed body cremated a separate application can be made for an exemption from providing the required cremation documentation, provided the body has been buried for longer than 10 years. The minimum 10 year period is strictly enforced. An application under this clause is to be accompanied by a fee of \$100.

Further details are provided in the Policy Directive.

#### 7.5 The Coroners Act 2009.

One of the objects of the NSW Coroners Act 2009 is “to enable coroners to investigate certain kinds of deaths or suspected deaths in order to determine the

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identities of the deceased persons, the times and dates of their deaths and the manner and cause of their deaths.”<sup>217</sup>

Other objects of the Act are “to provide for certain kinds of deaths or suspected deaths to be reported and to prevent death certificates being issued in relation to certain reportable deaths” and “to prohibit the disposal of human remains without appropriate authority.”<sup>218</sup>

The meaning of “reportable death” is defined in Section 6 of the Act.<sup>219</sup>

Where a death certificate has already been issued, it is unlikely the Coroner will be involved in the exhumation process.

Section 19 provides that there is no jurisdiction to hold an inquest concerning a death or suspected death if it occurred more than 100 years ago.<sup>220</sup>

Legal advice should be sought on the application of the Coroners Act, 2009 once all the relevant certificates of death have been obtained.

## **7.6 Aboriginal burials.**

This report does not include the legislative framework for or consideration of Aboriginal burials. See survey of Aboriginal archaeological sites.<sup>221</sup>

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<sup>217</sup> The Coroners Act 2009, Section 3(c).

<sup>218</sup> The Coroners Act 2009, Section 3(f-g).

<sup>219</sup> The Coroners Act 2009, Section 6.

<sup>220</sup> The Coroners Act 2009, Section 19.

<sup>221</sup> RPS Australia East Pty Ltd. Bylong Coal Project. Aboriginal Archaeology and Cultural Heritage Impact Assessment. Bylong Coal Project AACHIA - Mid Western Local Government Area. Hansen Bailey. Draft August 2014.



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## **8 MITIGATION OF IMPACTS.**

### **8.1 Requirements for conservation and archaeological investigation.**

This report has indicated that the Roman Catholic Church and Cemetery is located within the proposed open cut coal mine.

It has also found that the timber grave enclosure at Renfrew Park will be outside of an area of proposed mine infrastructure.

The Historic Heritage Impact Assessment prepared by AECOM has already made recommendations for Roman Catholic Church and Cemetery, as follows:<sup>222</sup>

- Archival recording (including scale drawing and photography) of church building, marked burials and historical plantings prior to and during demolition/removal/relocation is to be undertaken in accordance with Heritage Branch guidelines *How to Prepare Archival Records of Heritage Items* (1998) and *Photographic Recording of Heritage Items using Film or Digital Capture* (2006).
- Details for this procedure and additional management measures are provided in the Archaeological Assessment for Historical Burials (Edward Higginbotham & Associates Pty Ltd, 2015). This includes the procedure for the removal and relocation of exhumed remains.
- Rylstone Historical Society has expressed an interest in the potential donation and subsequent relocation of the Our Lady of the Sacred Heart Catholic Church building. KEPCO is investigating this option further and is currently consulting with the Rylstone Historical Society.

The remainder of this report will recommend the procedures that should be adopted in order to archaeologically investigate and exhume the burials in the former Catholic Cemetery, which is located within the Bylong Coal Project and the reburial of the remains at another location.

The procedures recommended for the archaeological investigation, exhumation and reburial of historical burials may be summarised below:

- Community Liaison,
- Procedures for relocation and reburial.
- Applications for exhumation.

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<sup>222</sup> AECOM Australia Pty Ltd. Bylong Coal Project: Historic Heritage Impact Assessment, Bylong NSW. Hansen Bailey Environmental Consultants. 2015: 78

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## **8.2 Community Liaison.**

The Death Certificates for the four marked burials and one unmarked burial at the Roman Catholic Church and Cemetery have been obtained and the historical biographies completed. Information regarding relatives and descendants is included in Appendix 2.

It is now appropriate to commence community liaison with relatives and descendants of the five known burials. See more detailed discussion below.

Community liaison is an important and sensitive aspect of the archaeological investigation and / or exhumation of the burials in the cemetery and on other land. It is recommended that the following procedures should be adopted:

- Obtain all relevant death certificates (See Appendix 1 for transcriptions of death certificates).
- Undertake family history research to determine relatives and descendants (See Appendix 2 for documentation regarding relatives and descendants).
- Insert public notices in national, state and local newspapers (See Appendix 3).
- Consultation with relatives and descendants regarding processes of archaeological excavation, exhumation and forensic analysis.
- Consultation with relatives and descendants regarding proposals for relocation and reburial.

DNA analysis is an important component of the analysis of unidentified or unmarked burials. The only other means of identifying unmarked burials is by comparison of forensic results with the information on the death certificates.

## **8.3 Procedures for relocation and reburial.**

At Cadia Cemetery it was decided that the skeletal remains should be reburied in a Garden of Remembrance.

The Garden of Remembrance was located within the property held by Cadia Holdings Pty Ltd and within the boundary of the Cadia Engine House, a heritage item listed on the State Heritage Register.

At Upper Bylong the arrangements for reburial and re-erection of the grave markers should be agreed by the various stakeholders: KEPCO, relatives and descendants, other community members, the Roman Catholic Church or other denominations and relevant consent authorities.

The location for forensic analysis and storage of skeletal material, prior to reburial, should also be agreed as part of these procedures. Care should be taken to ensure

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that the location for analysis and storage are convenient for the forensic anthropologist.

#### 8.4 Applications for exhumation.

The procedures for obtaining permission for exhumation are described in the NSW Health Policy Directive for Exhumation of Human Remains.<sup>223</sup>

##### MANDATORY REQUIREMENTS

Under Clause 69 of the *Public Health Regulation 2012* a person must not exhume a body unless the exhumation of the remains has been approved by the Director-General.

An application for approval to exhume the remains of the body of a dead person may be made to the Director General by:

- An executor of the estate of the dead person
- The nearest surviving relative of the dead person
- If there is no such executor or relative available to make the application a person who, in the opinion of the Director-General, is a proper person may make the application.

For the purposes of the NSW Health Policy Directive, the term “nearest surviving relative” means:

- (a) In relation to a still-born child a parent, or sibling at or above the age of 16 years, of the child
- (b) In relation to a dead person who is not a still-born child – the spouse or de facto partner of the dead person immediately before death, a parent of the dead person, a child at or above the age of 16 years of the dead person or any relative of the dead person who was residing with the dead person when he or she died.

Since the marked burials are dated from 1929 to 1946, it is possible that “nearest surviving relatives”, rather than executors, may be available to provide consent for exhumation.

An essential element of community liaison is therefore to ensure that the relevant person provides consent for exhumation, by signing the approved form.

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<sup>223</sup> NSW Health. Policy Directive. Exhumation of Human Remains. PD2013\_046. 5 December 2013.

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## 8.5 Burials Management Plan.

It is recommended that the following documentation should be prepared as a Burials Management Plan:

- Applications for Exhumation for each burial recorded in the Bylong Coal Project, signed by the appropriate person as Referred to in Clause 70 (1) (a), (b) or (c) of the *Public Health Regulation 2012*.
- Report on community liaison.
- Report on procedures for relocation and reburial.
- Location for forensic analysis and storage of skeletal material, prior to reburial.
- Recommendations for relocation and reburial.

The Burials Management Plan should also include the following documentation as appendices, when available:

- Procedures for archaeological investigation and forensic analysis, as approved under the EP&A Act.
- Conditions for approval for exhumation, under the Public Health (Disposal of Bodies) Regulation 2002.

## 8.6 Archaeological Excavation.

### 8.6.1 Processes of archaeological investigation.

This section describes the techniques of archaeological excavation that were employed for Cadia Cemetery in 1997 and 1998. It is recommended that these processes should be adopted for the Bylong Coal Project.

The investigation was divided into two stages, namely test excavation and then complete area excavation.

The main purpose of the test-excavation was to determine the surviving condition (archaeological potential) of the skeletal material, based on the excavation of Skeletons 001 and 002.<sup>224</sup> Although the cemetery had been assessed as state significant, nonetheless the condition of the skeletal material would determine the suitability for forensic analysis.

Having confirmed that the burials survived in a suitable condition for forensic analysis, the main excavation was planned for 1998.<sup>225</sup>

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<sup>224</sup> Edward Higginbotham and Associates Pty Ltd. Report on the test-excavation of the Cadia Cemetery, Cadia Road, Cadia, N.S.W. Newcrest Mining Limited, Cadia Project. 1997.

<sup>225</sup> Edward Higginbotham and Associates Pty Ltd. Report on the excavation of the Cadia Cemetery, Cadia Road, Cadia, NSW, 1997-1998. Volumes 1 to 5. Cadia Holdings Pty Limited. 2002.



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The two stage process is also suitable for the Upper Bylong Project. The pH values of the soils at Upper Bylong are slightly acidic and may affect the preservation of bone and teeth (see Chapter 3.5). Test excavation of two of the four marked graves is appropriate, after the removal of the gravestones by a monumental mason.

The main archaeological excavation should be completed in a number of stages.

- Archival recording and planning of the cemetery.
- Removal of gravestones by a monumental mason.
- The removal of topsoil to the interface with subsoil should be completed by mechanical excavation under the supervision of the excavation director (archaeologist). The area should include the location of all possible burials within the cemetery.
- Planning, recording and photography of all archaeological features to determine the location of all burials.
- Multi-denominational service prior to excavation of burials.
- Test-excavation of two out of the four marked burials.
- Assuming that the skeletal remains are in good condition, then -
- Manual excavation of burials using a staged process.
- Cleaning and packaging of all skeletal remains and other artifacts.
- Forensic analysis and report preparation.
- Archaeological report preparation.
- Relocation and reburial of skeletal remains, in accordance with Burials Management Plan.

### **8.6.2 Archival Recording.**

The photographic records of the archaeological investigation should be completed to the standards described in guidelines for archival photography.<sup>226</sup>

An archival recording of the church and cemetery should be prepared before changes to the place, showing the main building, plantings, grave markers and other items. The record should include photographs and a detailed plan.

### **8.6.3 Removal of gravestones.**

Monumental masonry and other grave markers should be dismantled under the supervision of a monumental mason. This monumental masonry and grave markers

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<sup>226</sup> Heritage Office NSW, *How to Prepare Archival records of Heritage Items* (1998) and *Guidelines for Photographic Recording of Heritage Sites, Buildings and Structures* (2001).

Laurie Greenup. *Photographic Recording of Heritage Items using film or digital capture. Heritage Information Series*. NSW Heritage Office, 2006.

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should be securely stored and reassembled over the burials at the chosen location, as will be described in the Burials Management Plan.

#### **8.6.4 Mechanical excavation.**

Once the gravestones have been removed by a monumental mason, the cemetery should be opened up as an archaeological site.

A mechanical excavator with a mud bucket should be used. A machine of 10-15 tonne is most suitable, with a mud bucket from 1 to 2 metres in width. The machine should be supervised by the excavation director (archaeologist).

The machine should strip topsoil to subsoil (clay in this case), leaving a smooth surface, clear of spoil. All of the cemetery should be cleared in this way, so that all potential graves are located.

All the grave cuts should then become visible as changes in soil type and should be planned, recorded and photographed.

The stripping of topsoil should not disturb the burials themselves, since they are usually at a minimum depth of 3 feet (0.9 metres). The topsoil is approximately 15 cms in depth (nearby Soil Survey Site 270), which should ensure that no burials are disturbed during machine excavation.

Naturally, if the topsoil is deeper and the soil types more difficult to differentiate, care should be taken to not excavate to a depth that may cause disturbance to burials.

The whole of the cemetery should be cleared in this way to ensure that all burials, marked and unmarked have been located.

#### **8.6.5 Religious service prior to excavation.**

At the completion of mechanical excavation and in advance of manual archaeological excavation, a multi denominational service should be held. The service should be held for the excavation team and the client. Relatives and descendants are not normally allowed to attend exhumations under the standard conditions for approval for exhumation, under the Public Health (Disposal of Bodies) Regulation 2012.

#### **8.6.6 Test-excavation.**

The pH values of the soils at Upper Bylong are slightly acidic and may affect the preservation of bone and teeth (see Chapter 3.5). Test excavation of two of the four

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marked graves should be completed to ensure the adequate survival of bone and teeth for forensic analysis.

If the burials survive in good condition, then the archaeological excavation should proceed to investigate and exhume all the remaining burials in the Upper Bylong Cemetery.

If the burials do not survive in good condition, then the archaeological investigation should still proceed, but with a level of forensic analysis deemed appropriate by the forensic anthropologist.

#### **8.6.7 Manual excavation of burials.**

Each burial should be excavated by hand in a multi-staged process, as previously used at Cadia Cemetery in 1997-1998. A copy of the checklist of stages for each burial is included in Appendix 4.

Stages 1-3 of this process should be completed directly after machine excavation.

At Cadia Cemetery it was found that the best way of providing access for excavation of the burials was by benching down beside each grave cut or group of graves, using a small mechanical excavator under archaeological supervision. The archaeologist could then manually excavate the burial by standing or crouching beside the grave cut.

This mechanical excavation was supervised by the excavation director (archaeologist). The machine was provided with a 1 metre wide mud bucket or bucket with teeth. The excavator removed natural soil beside the grave to the level of the base of the grave cut. The archaeologist could then manually remove the fill of the grave cut to the top of the coffin. Where the depth of the burial was clear, the machine was able to assist in the removal of the fill of the grave cut.

The remaining stages of excavation should be completed by hand (See Appendix 4).

Pollen sampling (Stages 6, 12 and 18) is not required. Pollen samples were taken at Cadia Cemetery, but were not used. The intention was to determine the season of burial, as indicated by the pollen, where there were unmarked graves. The season of burial could then be compared with the date of death on the death certificates for possible matches. This procedure is not recommended for the Bylong Coal Project. It is more appropriate that the burials should be compared with living relatives and descendants through DNA analysis.

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While the archaeologist excavating the burial was responsible for many of the stages of excavation, other specialists should be used for specific stages (for example, planner, photographer, etc).

The forensic archaeologist should be responsible for lifting each skeleton (Stage 16) and may also have input in several other stages.

#### **8.6.8 Cleaning and packaging of all skeletal remains and other artifacts.**

The forensic archaeologist should be responsible for the cleaning and packaging of each skeleton. The finds supervisor should be responsible for the cleaning and packaging of all other materials.

#### **8.6.9 Forensic analysis and report preparation.**

The forensic archaeologist should be responsible for the forensic analysis and report. The analysis may be undertaken off site, but the location for analysis should be identified in the Burials Management Plan following consultation.

The forensic archaeologist should also be responsible for the management of DNA sampling of each burial.

The forensic analysis should be completed in accordance with the standard guidelines.<sup>227</sup>

#### **8.6.10 Archaeological report preparation.**

The excavation director should be responsible for the preparation of the final archaeological excavation report, including the results of archaeological investigation and the forensic report.

#### **8.7 Accidental discovery of human skeletal remains.**

The following procedure should be adopted for the accidental discovery of human remains during the mining process. It is recommended that:

- All work should stop in the immediate vicinity of the burial.
- The area should be fenced off and protected from further disturbance.
- The Police should be notified immediately.

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<sup>227</sup> "Guidelines for Forensic Anthropology Practitioners" 2009. Drawn up by the Anthropology Scientific Working Group of the Medical Sciences Scientific Advisory Group to Senior Managers of Australian and New Zealand Forensic Laboratories (SMANZFL).



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- The burial should be assessed by the archaeologist (excavation director) and / or forensic anthropologist to determine its cultural significance.
- Appropriate procedures should be adopted for its exhumation, archaeological investigation and forensic analysis.
- The necessary approvals should be obtained prior to removal of the remains under the relevant legislation (including the NSW Heritage Act 1977; the Public Health (Disposal of Bodies) Regulation 2012; the Coroners Act 2009).

This report does not include the consideration of Aboriginal burials.

See also the following guidelines, *Skeletal Remains. Guidelines to the Management of Human Skeletal Remains under the Heritage Act, 1977*.<sup>228</sup>

### 8.8 Professional standards.

The ICOMOS Burra Charter is the guideline accepted by the heritage and archaeological profession as setting the standard for professional practice in this industry.<sup>229</sup>

Article 30 states that “competent direction and supervision should be maintained at all stages, and any changes should be implemented by people with appropriate knowledge and skills.”

The exhumation of burials is a sensitive issue for any community. For this reason persons with appropriate expertise should be responsible for each part of the process.

The excavation director (archaeologist) should be a full member of the Australian Association of Consulting Archaeologists Incorporated (AACAI) and should be experienced in the direction of excavations of human remains.<sup>230</sup>

The excavation team should comprise archaeologists, eligible for associate membership of the Australian Association of Consulting Archaeologists Incorporated (AACAI) and should also have previous experience in the excavation of human remains.

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<sup>228</sup> Anne Bickford, Denise Donlon and Siobhan Lavelle. *Skeletal Remains. Guidelines to the Management of Human Skeletal Remains under the Heritage Act, 1977*. NSW Heritage Office, 1998.

<sup>229</sup> The ICOMOS Burra Charter. 2013. Article 30.

<sup>230</sup> The website of the Australian Association of Consulting Archaeologists Incorporated (AACAI) has a list of full members with their relevant expertise. <http://www.aacai.com.au>

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The historical research should be undertaken by a professional historian, who is a member of the Professional Historians Association (NSW).<sup>231</sup>

The forensic anthropologist should be experienced in the archaeological excavation of burials and the forensic analysis of historical skeletal remains. He or she should also be experienced in the presentation of cases to the State Coroner.

The monumental mason should have experience in the conservation of historical grave markers.

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<sup>231</sup> Professional historians are represented by the Professional Historians Association NSW. A list of professional historians may be found on their website: <http://www.phansw.org.au/membership/our-members/>

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## **APPENDIX 1. DEATH REGISTRATION TRANSCRIPTIONS FOR BURIALS, BYLONG COAL PROJECT.**

**Four marked burials at Our Lady of the Sacred Heart Roman Catholic Church,  
Upper Bylong.**

Transcribed by Laurence Turtle, 7 August 2014.

### **John Gerald Burke**

|                          |  |
|--------------------------|--|
| REFERENCE                | D1932. 9361  |
| NAME                     | John Gerald Burke  |
| DATE OF DEATH            | 24th April 1932  |
| PLACE                    | View Point, Bylong, Rylstone Shire   |
| RANK OR<br>PROFESSION    | Farmer   |
| SEX AND AGE              | Male, 62 years   |
| CAUSE OF DEATH           | Disseminated sclerosis   |
| LENGTH OF ILLNESS        | 10 years   |
| CERTIFICATION            | Norman W Hansard (registered)  |
| DATE LAST SEEN           | 7th June 1931  |
| FATHER                   | David Burke  |
| OCCUPATION               | Farmer   |
| MOTHER                   | Mary Walsh   |
| INFORMANT                | Certified by Margaret Burke, widow, View Point, Bylong   |
| REGISTRATION             | BR Trueman, 29th April 1932, Rylstone  |
| DATE OF BURIAL           | 25th April 1932  |
| PLACE OF BURIAL          | Roman Catholic Cemetery, Upper Bylong  |
| UNDERTAKER               | John Barnett Simpkins  |
| MINISTER AND<br>RELIGION | T Brosnan, Roman Catholic  |
| WITNESSES                | T Spradbrow and CR Kerney  |
| PLACE OF BIRTH           | Ballarat, Victoria   |
| TIME IN AUST<br>COLONIES | No entry   |
| PLACE OF<br>MARRIAGE     | Mirboo North, Victoria   |
| AGE AT MARRIAGE          | 25 years   |
| NAME OF SPOUSE           | Margaret Neville   |
| CHILDREN OF<br>MARRIAGE  | David 36 years, Kathleen 34 years, John 33 years, William 31 years, Maurice 29 years, Daniel 26 years, Edward 19 years, Allan 12 years living, none deceased |

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|                                  |  |
|----------------------------------|--|
| OTHER<br>SUGGESTIONS OR<br>NOTES | Margin entry 33230/76. There were no further entries on this page for Bylong Cemetery. |
|----------------------------------|--|

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**Hugh Francis Cobrey**

|                            |  |
|----------------------------|--|
| REFERENCE                  | D1929. 1488.   |
| NAME                       | Hugh Francis Cobrey  |
| DATE OF DEATH              | 2nd January 1929   |
| PLACE                      | Innisfail, Bylong, Rylstone Shire  |
| RANK OR PROFESSION         | Farmer   |
| SEX AND AGE                | Male, 86 years   |
| CAUSE OF DEATH             | Carcinoma of rectum  |
| LENGTH OF ILLNESS          | 2 years  |
| CERTIFICATION              | Norman W Hansard (registered)  |
| DATE LAST SEEN             | 6th December 1928  |
| FATHER                     | Unknown  |
| OCCUPATION                 | Unknown  |
| MOTHER                     | Ford (given name not stated)   |
| INFORMANT                  | Kevin S Cobrey, son, Innisfail, Bylong   |
| REGISTRATION               | RC Hewitt, 2nd January 1929, Rylstone  |
| DATE OF BURIAL             | 3rd January 1929   |
| PLACE OF BURIAL            | Roman Catholic Cemetery, Bylong  |
| UNDERTAKER                 | Thomas A Vioash  |
| MINISTER AND RELIGION      | Michael Norman, Roman Catholic   |
| WITNESSES                  | David Burke and HJ Fuller  |
| PLACE OF BIRTH             | County Mayo, Ireland   |
| TIME IN AUST COLONIES      | 45 years in NSWales, 6 years in Queensland, 5 years in Victoria  |
| PLACE OF MARRIAGE          | Melbourne, Victoria  |
| AGE AT MARRIAGE            | 56 years   |
| NAME OF SPOUSE             | Susan Cleary   |
| CHILDREN OF MARRIAGE       | Kevin S 28 years, Veronica J 24 years, Geraldine 20 years, Sheila C 16 years living, 1 female deceased         |
| OTHER SUGGESTIONS OR NOTES | Margin notation: Not pensioner. There are no further entries for Bylong Cemetery on this page of the Register. |

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**Susan Helena Cobrey**

|                            |  |
|----------------------------|--|
| REFERENCE                  | D1929. 1488.   |
| NAME                       | Susan Helena Cobrey  |
| DATE OF DEATH              | 22nd November 1946   |
| PLACE                      | District Hospital, Rylstone, Rylstone Shire, NSW; late of Bylong, Rylstone Shire, NSW  |
| RANK OR PROFESSION         | No entry   |
| SEX AND AGE                | Female, 73 years   |
| CAUSE OF DEATH             | Chronic nephritis  |
| LENGTH OF ILLNESS          | 15 years   |
| CERTIFICATION              | EJG Howe (registered)  |
| DATE LAST SEEN             | 22nd November 1946   |
| FATHER                     | William Cleary   |
| OCCUPATION                 | Librarian  |
| MOTHER                     | Susan O'Callaghan  |
| INFORMANT                  | Certified by Kevin Cobrey, son, Innisfail, Bylong  |
| REGISTRATION               | AT Elvery, 4th December 1946, Rylstone   |
| DATE OF BURIAL             | 23rd November 1946   |
| PLACE OF BURIAL            | Roman Catholic Cemetery, Bylong, NSW   |
| UNDERTAKER                 | John B Simpkins  |
| MINISTER AND RELIGION      | J Scanlan, Roman Catholic  |
| WITNESSES                  | Paul F Ribaux and E Mitchell   |
| PLACE OF BIRTH             | North Melbourne, Victoria  |
| TIME IN AUST COLONIES      | No entry   |
| PLACE OF MARRIAGE          | Melbourne, Victoria  |
| AGE AT MARRIAGE            | 25 years   |
| NAME OF SPOUSE             | Hugh Francis Loftus Cobrey (widow)   |
| CHILDREN OF MARRIAGE       | Kevin S 46 years, Veronica J 40 years, Geraldine (sic) 36 years, Shelia 33 years living, none deceased   |
| OTHER SUGGESTIONS OR NOTES | The family name is entered as Cobrey in this Register even though the index says otherwise. There are no further burials for Bylong Cemetery listed on this page of the Register |

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**Ethel Kate Readford**

|                            |  |
|----------------------------|--|
| REFERENCE                  | D1937. 9568  |
| NAME                       | Ethel Kate Readford  |
| DATE OF DEATH              | 1st June 1937  |
| PLACE                      | Bylong, Shire of Rylstone  |
| RANK OR PROFESSION         | No entry   |
| SEX AND AGE                | Female, 58 years   |
| CAUSE OF DEATH             | (a) Cerebral haemorrhage due to (b) Chronic nephritis  |
| LENGTH OF ILLNESS          | No entry   |
| CERTIFICATION              | WW Cameron (registered)  |
| DATE LAST SEEN             | 18th February 1937   |
| FATHER                     | Edward Bernal Carr   |
| OCCUPATION                 | Hotel broker   |
| MOTHER                     | Catherine McKenzie   |
| INFORMANT                  | Certified by Stanley N Readford, widower, Sunnyside, Rylstone  |
| REGISTRATION               | W Richardson, 7th June 1937, Rylstone  |
| DATE OF BURIAL             | 2nd June 1937  |
| PLACE OF BURIAL            | Roman Catholic Cemetery, Bylong  |
| UNDERTAKER                 | Alfred A Robbins employed by John B Simpkins   |
| MINISTER AND RELIGION      | EJ Flanagan, Roman Catholic  |
| WITNESSES                  | David Burke and TA Foyster   |
| PLACE OF BIRTH             | Lithgow, NSW   |
| TIME IN AUST COLONIES      | No entry   |
| PLACE OF MARRIAGE          | 1st marriage: Not known; 2nd marriage: Not known   |
| AGE AT MARRIAGE            | 1st marriage: Not known; 2nd marriage: 34 years  |
| NAME OF SPOUSE             | 1st marriage: Albert Gorrick; 2nd marriage: Stanley Neville Readford   |
| CHILDREN OF MARRIAGE       | 1st marriage: Zelma M 32 years living, one male deceased; 2nd marriage: Mavis C 22 years, Mavis C 22 years (sic), Ethel C 21 years living, none deceased. <sup>232</sup> |
| OTHER SUGGESTIONS OR NOTES | None stated  |

<sup>232</sup> The transcript is incorrect and should read - Mavis C 22 years, Marie C 22 years.



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**Unmarked burial at Our Lady of the Sacred Heart Roman Catholic Church,  
Upper Bylong.**

**Gerard William Campbell**

|                            |   |
|----------------------------|---|
| REFERENCE                  | D1931. 2390   |
| NAME                       | Gerard William Campbell   |
| DATE OF DEATH              | 12th January 1931   |
| PLACE                      | Bylong, Rylstone Shire  |
| RANK OR PROFESSION         | No entry  |
| SEX AND AGE                | Male, 24 hours  |
| CAUSE OF DEATH             | Prematurity   |
| LENGTH OF ILLNESS          | No entry  |
| CERTIFICATION              | Inquest unnecessary, Robert John Cohen JP, deputy coroner, Mudgee |
| DATE LAST SEEN             | No entry  |
| FATHER                     | William McLeod Campbell   |
| OCCUPATION                 | Labourer  |
| MOTHER                     | Gerardine Cobrey  |
| INFORMANT                  | Certified by William McLeod Campbell, father, Bylong              |
| REGISTRATION               | BR Brennan, 21st January 1931, Rylstone                           |
| DATE OF BURIAL             | 13th January 1931   |
| PLACE OF BURIAL            | Roman Catholic Cemetery, Bylong                                   |
| UNDERTAKER                 | David Gerald Burke (acting)                                       |
| MINISTER AND RELIGION      | Kieran Coughlan, Roman Catholic                                   |
| WITNESSES                  | Susan Cobrey (only witness)                                       |
| PLACE OF BIRTH             | Bylong, NSW   |
| TIME IN AUST COLONIES      | No entry  |
| PLACE OF MARRIAGE          | No entry  |
| AGE AT MARRIAGE            | No entry  |
| NAME OF SPOUSE             | No entry  |
| CHILDREN OF MARRIAGE       | No entry  |
| OTHER SUGGESTIONS OR NOTES | The given name is clearly spelled Gerard in this Register         |

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## **APPENDIX 2. DOCUMENTATION OF RELATIVES AND DESCENDANTS.**

Dr. Terry Kass, historian, has researched the relatives and descendants of those buried at the Roman Catholic cemetery at Upper Bylong. The documentation is limited by the privacy regulations associated with the Registrar General's records relating to births, deaths and marriages.

### **Four marked burials at Our Lady of the Sacred Heart Roman Catholic Church, Upper Bylong.**

#### **John Gerald Burke**

| <b>Date</b>  | <b>Name of descendant</b>        | <b>Address</b>        | <b>Relationship to person in cemetery</b> | <b>Female – married name</b> |
|--------------|----------------------------------|-----------------------|---|------------------------------|
| 15 June 1970 | Mary Burke<br>(40 years old)     |                       | Granddaughter                             |                              |
| 15 June 1970 | Margaret Burke (38 years old)    |                       | Granddaughter                             |                              |
| 15 June 1970 | Anne Burke<br>(36 years old)     |                       | Granddaughter                             |                              |
| 15 June 1970 | John Robert Burke (33 years old) | Springvale, Cudgegong | Grandson                                  |                              |
| 27 July 1989 | Terence Burke                    |                       | Grandson                                  |                              |
| 27 July 1989 | Leonie Burke                     |                       | Granddaughter                             |                              |
| 5 April 1994 | Rosemary Burke                   |                       | Granddaughter                             |                              |
| 5 April 1994 | Michael Burke                    |                       | Grandson                                  |                              |
| 5 April 1994 | Catherine Burke                  |                       | Granddaughter                             |                              |
| 5 April 1994 | Margaret Burke                   |                       | Granddaughter                             |                              |
| 5 April 1994 | Christine Burke                  |                       | Granddaughter                             |                              |
| 5 April 1994 | James Burke                      |                       | Grandson                                  |                              |
| 5 April 1994 | Timothy Burke                    |                       | Grandson                                  |                              |
| 5 April 1994 | Patrick Burke                    |                       | Grandson                                  |                              |
| 5 April 1994 | Mary Burke                       |                       | Granddaughter                             |                              |
| 5 April 1994 | Edward Burke                     |                       | Grandson                                  |                              |

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**Hugh Francis Cobrey / Susan Helena Cecelia Cobrey**

| Date             | Name of descendant                     | Address                    | Relationship to person in cemetery | Female – married name              |
|------------------|--|----------------------------|------------------------------------|------------------------------------|
| 22 November 1946 | Sheila Cobrey                          |                            | Daughter                           |                                    |
| 5 July 1961      | Marie Inez Cobrey                      | Wootton                    | Granddaughter                      |                                    |
| 3 December 1982  | Gererdine/Geraldine Susan              | 153 Lang St<br>Glen Innes  | Daughter                           | Gererdine/Geraldine Susan Campbell |
| 3 December 1982  | Gregory Campbell (50 years old)        |                            | Grandson                           |                                    |
| 3 December 1982  | John Campbell (46 years old)           |                            | Grandson                           |                                    |
| 3 December 1982  | Aileen Campbell (40 years old)         |                            | Granddaughter                      |                                    |
| 3 December 1982  | Genevive [sic] Campbell (38 years old) |                            | Granddaughter                      |                                    |
| 6 November 1980  | Veronica Josephine                     | 185 Lang St<br>Glen Innes  | Daughter                           | Veronica Josephine Willis          |
| 6 November 1980  | Peter Willis (50 years old)            | 142 West Ave<br>Glen Innes | Grandson                           |                                    |
| 6 November 1980  | Kathleen Willis (46 years old)         |                            | Granddaughter                      |                                    |
| 6 November 1980  | Hughie Willis (41 years old)           |                            | Grandson                           |                                    |
| 6                | Richard Willis (38                     |                            | Grandson                           |                                    |

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| <b>Date</b>     | <b>Name of descendant</b>  | <b>Address</b> | <b>Relationship to person in cemetery</b> | <b>Female – married name</b> |
|-----------------|----------------------------|----------------|---|------------------------------|
| November 1980   | years old)                 |                |   |                              |
| 6 November 1980 | Rose Willis (34 years old) |                | Granddaughter                             |                              |

**Ethel Kate Readford.**

| <b>Date</b> | <b>Name of descendant</b>          | <b>Address</b> | <b>Relationship to person in cemetery</b> | <b>Female – married name</b> |
|-------------|------------------------------------|----------------|---|------------------------------|
| 1 June 1937 | Zelma Gorrick (32 years old)       |                | Daughter                                  |                              |
| 1 June 1937 | Mavis Carr Readford (22 years old) |                | Daughter                                  | Mavis Carr Mead (1941)       |
| 1 June 1937 | Ethel Carr Readford (21 years old) |                | Daughter                                  | Ethel Carr Large (1940)      |

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**Unmarked burial at Our Lady of the Sacred Heart Roman Catholic Church,  
Upper Bylong.**

**Gerard William Campbell**

See Hugh Francis Cobrey / Susan Helena Cecelia Cobrey



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### APPENDIX 3. PUBLIC NOTICES.

Public notices were inserted in national, state and local newspapers in March 2015, with the following wording.

**Upper Bylong Roman Catholic Cemetery, Upper Bylong Road, Upper Bylong, NSW.**

**Proposed exhumation and relocation.**

The present owners of the former Church and Cemetery of Our Lady of the Sacred Heart at Upper Bylong intend to exhume and relocate all the burials from this cemetery. Exhumations will be completed with due care and reverence and will be reburied at Bylong or at another location to be specified.

Known burials include:

John Gerald BURKE, d 1932;  
Gerald William CAMPBELL d. 1931;  
Hugh Francis COBREY, d. 1929;  
Susan Helena Cecelia COBREY, d. 1945;  
Ethel Kate READFORD, d. 1937.

Anyone with knowledge of any unmarked burials is encouraged to come forward. Relatives and descendants are invited to contact the present owners to register their interest in the exhumation and relocation of burials.

For further information please contact  
Dr. Edward Higginbotham  
Edward Higginbotham & Associates Pty Ltd.  
PO Box 97, HABERFIELD, NSW 2045.  
Phone: 02 9716-5154.  
Email: drtedh@bigpond.com

The newspaper coverage is described below:

|                                    |                        |                    |
|------------------------------------|------------------------|--------------------|
| The Australian                     | Wednesday and Friday   | 18 & 20 March 2015 |
| The SMH                            | Wednesday and Saturday | 18 & 21 March 2015 |
| Mudgee Guardian                    | Fridays                | 20 & 27 March 2015 |
| Mudgee Weekly                      | Wednesday              | 25 March 2015      |
| Muswellbrook Chronicle             | Fridays                | 20 & 27 March 2015 |
| Hunter Valley News                 | Wednesdays             | 18 & 25 March 2015 |
| Western Advocate - Bathurst region | Saturdays              | 14 & 21 March 2015 |
| Western Times - Bathurst region    | Thursdays              | 19 & 26 March 2015 |

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To date the responses to the public notices have not revealed the identity of any unmarked burials.

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#### **APPENDIX 4. PROCEDURES FOR THE MANUAL ARCHAEOLOGICAL EXCAVATION OF BURIALS.**

The following procedure was used during the archaeological excavation of burials at Cadia Cemetery in 1997-1998.

| <b>Stage</b> | <b>Description</b>   |
|--------------|--|
| 1            | Grave cut reveal.  |
| 2            | Photograph grave cut.  |
| 3            | Plan grave cut (1:20).   |
| 4            | Record grave cut. Record soil types.                                       |
| 5            | Coffin reveal.   |
| 6            | Pollen sample at coffin reveal - use new context number.                   |
| 7            | Photograph coffin.*  |
| 8            | Plan coffin (1:5).*  |
| 9            | Record coffin.*  |
| 10           | Coffin timber sample.*   |
| 11           | Skeleton reveal.   |
| 12           | Pollen sample at skeleton reveal - use new context number.                 |
| 13.          | Photograph skeleton.**   |
| 14           | Plan skeleton (1:5).**   |
| 15           | Record skeleton.**   |
| 16           | Lift skeleton.   |
| 17           | Lift coffin.*  |
| 18           | Pollen sample below coffin - use new context number.                       |
| 19           | Photograph empty grave cut.  |
| 20           | Check for other burials in same cut - if present, use new skeleton number. |
| 21           | Enter context list into Master Context Catalogue.                          |

- Coffin furniture should be recorded, planned and photographed at Stages 7-10 and 17.
- \*\* Grave goods should be recorded, planned and photographed at Stages 13-15.

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**APPENDIX 5. GROUND PENETRATING RADAR SURVEY OF THE ROMAN CATHOLIC CEMETERY, UPPER BYLONG.**

GBG Australia. Subsurface investigation using ground penetrating radar to locate unmarked graves, Upper Bylong Cemetery, Upper Bylong, New South Wales. Hansen Bailey 2014.



18 Fennell Street,  
North Parramatta,  
NSW. 2151.  
Tel: (02) 9890 2122. Fax: (02) 9890 2922.  
E-Mail: [simon@gbgoz.com.au](mailto:simon@gbgoz.com.au).

A.B.N. 77 009 550 869.

14<sup>th</sup> July 2014

Ref No: GBGA1711 rev 1 (Final)

**Attention: Nathan Cooper**

*Senior Environmental Scientist*

**Hanson Bailey**

6/127-129 John Street,  
Singleton, NSW 2330

**SUBSURFACE INVESTIGATION USING GROUND PENETRATING RADAR TO  
LOCATE UNMARKED GRAVES, UPPER BYLONG CEMETERY, UPPER  
BYLONG. NEW SOUTH WALES.**

**1. INTRODUCTION**

GBG Australia Pty Ltd (GBG) undertook a shallow geophysical investigation using Ground Penetrating Radar (GPR) at the Upper Bylong Cemetery in Upper Bylong, NSW on the 26<sup>th</sup> and 27<sup>th</sup> June 2014. This report discusses the methodology used to collect the data and the analysis as well as the interpretation. The results have been set out in a series of plan views of the site in drawing numbers GBGA1711-01 to 10 attached to this report.

The investigation was commissioned by Dr. Edward Higginbotham of Higginbotham & Associates Pty Ltd (Consulting Archaeologist) on behalf of Hansen Bailey. Hansen Bailey has subsequently been commissioned by Cockatoo Coal Limited on behalf of KEPCO Bylong Australia Pty Ltd (KEPCO) who own the Bylong Coal Project.

The geophysical investigations were undertaken in order to assess whether there are more burial sites located within the cemetery than there are current monuments. This is being undertaken as part of the environmental and heritage audit of the site proposed for the Bylong Coal Project.

**2. BACKGROUND**

The Upper Bylong Cemetery is located in the village of Upper Bylong in the Upper Bylong Valley North East of Mudgee in what is ostensibly the upper Hunter Valley region. The area surveyed was approximately 3200 m<sup>2</sup>. An aerial photograph showing the cemetery and the investigated area is given overleaf (Figure 1). Within the cemetery there are four monument graves and a wood church building.

The cemetery property was sold some time ago to a private individual who set it up as a caravan site for workers undertaking the nearby rail track upgrade. As part of the works



undertaken on the site, water bore and power facilities were established along with a toilet block and soak away.

The cemetery is within the footprint of a proposed open cut coal mine and as such there is a requirement to assess the site for unmarked graves that may be present along with the 4 known grave sites. This is in order to satisfy heritage and environmental requirements as well as to pre plan required exhumations for the site. As we understand it; there is limited information available from local parish records concerning burials. A previous GPR investigation undertaken by others over the site located a number of possible grave sites. However, these locations were only marked up on site and surveyed in. No record of the GPR data was kept or analysed post data collection for reporting purposes.



Figure 1: Photograph of the Upper Bylong Cemetery Site. Known graves highlighted with arrow.



Figure 2: Photos of four monument graves on the survey site.

### 3. SURVEY LOGISTICS

The GPR data was collected as a series of longitudinal profiles from North to South perpendicular to the East to West orientation of the known burials (based on the four known grave positions). Some sections along the profile lines were not scanned due to the presence of obstructions such as trees, grave monuments, the soak away, toilet block, rubbish, dirt piles, and the church building. The extent of the survey area and profile locations is shown in an attached drawing GBGA1711-01.

The GPR profiles were collected at close line spacing typically at 0.5 m intervals. Closely spaced GPR profile lines provide a high degree of subsurface target resolution and ensure that a number of profile lines cross cut any grave present. This enables the ruling out of point source anomalies (such as rock floaters) as potential targets of interest. Closely spaced profile lines also enabled the generation of three dimensional blocks of the subsurface reflection data providing enhanced visualisation of the GPR data set for interpretation purposes.

Field notes including the offset position and the start and end chainages of the GPR profile lines were taken. DGPS Co-ordinate locations were recorded for the zero datum for the profiles and for any obstructions to profiling such as existing graves, trees, rubbish the soak and related toilet block etc. These positions have been used to set out the investigation profiles onto the drawings in ACAD. On-site quality control of the data was achieved in real-time by viewing profiles during acquisition. The profiles were recorded digitally for offsite processing, analysis and interpretation at the GBG Parramatta office.

The collected GPR data was analysed as two dimensional profiles and as a three dimensional data sets. A 3D block was created for the investigation area, which can be sliced and viewed along any plane in the X, Y or Z axes. Time slices providing a plan view of subsurface reflections at particular depths were generated and have been interpreted.

For this investigation human burials are anticipated to be imaged as higher amplitude elongated anomalies in the GPR time-slices. We would expect some order to the layout of the graves. In general, within colonial cemeteries graves are set out in rows and are normally in an East – West or North – South orientation. The existing graves within this cemetery are orientated East – West.

As a starting point for data collection and analysis we would normally look at the responses collected near to or at marked graves on the site. Unfortunately the known graves on this site are the monumental type where the actual grave shaft is covered by a surface monument. This meant that no usable information could be collected over these graves for comparison purposes. We therefore had to fall back onto our experience from previous similar grave yards and assess the recorded responses based on this.

Although time-slices can be an efficient method to view the subsurface, it does require good quality data with a high signal to noise ratio. GPR profiles with multiple subsurface reflectors caused by naturally occurring objects such as “rock floaters” and tree roots, or complicated subsurface layering can result in cluttered time-slices. These are often hard to interpret with the lower amplitude response of graves being masked by high amplitude clutter from spurious reflections. For this reason potential targets of interest identified during the three dimensional analysis of the dataset were cross referenced with the corresponding two dimensional profiles to verify the target's significance.

#### 4. RESULTS AND DISCUSSION

The results of the GPR investigation have been plotted in the attached plan view drawings GBGA1711-02 to 10 at a scale of 1:250. The drawings contain the time slice depth images from the 3D data cube at the following depths:

- GBGA1711-02 – 100mm depth
- GBGA1711-03 – 300mm depth
- GBGA1711-04 – 500mm depth
- GBGA1711-05 – 600mm depth
- GBGA1711-06 – 700mm depth
- GBGA1711-07 – 900mm depth
- GBGA1711-08 – 1200mm depth
- GBGA1711-09 – 1500mm depth
- GBGA1711-10 – 1800mm depth

These slices have been chosen out of slices taken at 100mm intervals from 0 (surface) to 2m depth. They have been chosen and provided as the best examples from the collected data set to show the subsurface variation over the site and highlight the targets chosen. Examples of 2D slices from specific areas or to show particular features have also been used within this report. The amplitude setting for each of the time slices is identical within the processing. It is the recorded reflection response that varies and these have been assessed and interpreted.

Two primary levels of reporting have been used to categorise subsurface anomalies identified in this investigation. These are:

- Probable grave location (outlined in blue) – High degree of confidence in the target based on recorded response, target size, amplitude, and depth. Typically high amplitude disturbance in the near surface from the grave trench or soil depression, occasionally direct evidence of coffin or possible void around body with a broad hyperbolic response at depth.
- Area of disturbed ground (plotted in Cyan hatch and border) – indications of ground disturbance over an area generally larger than grave plot. Often with areas believed to contain tree roots and with multiple near surface hyperbolic and sub horizontal reflectors. Lower degree of confidence in target.

##### 4.1 Site Overview

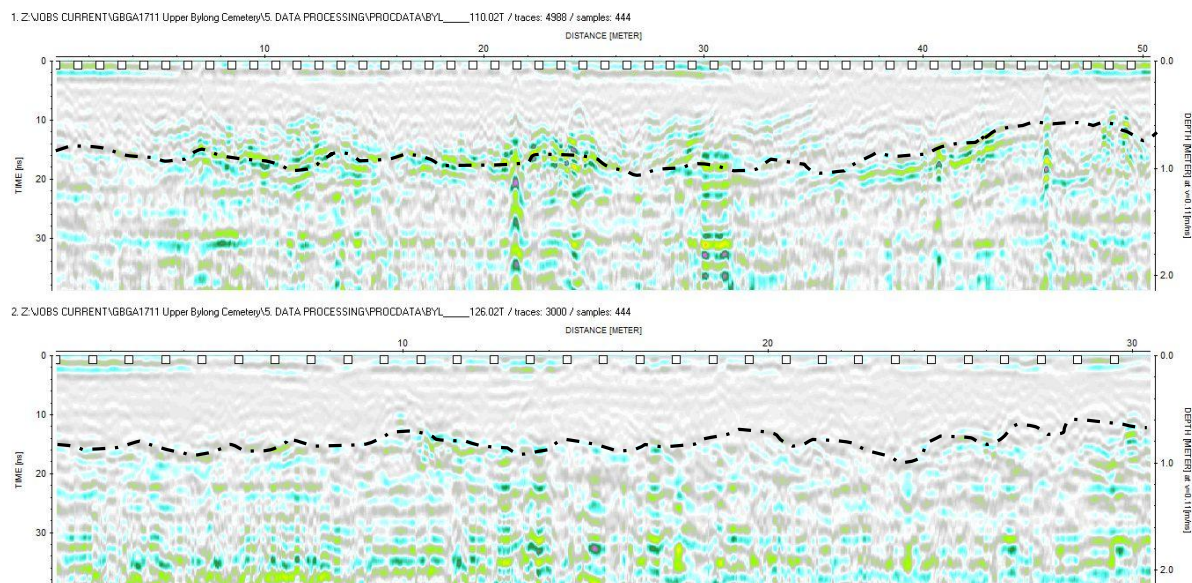
The subsurface imaging in time slices shows the site has had a significant amount of traffic over it in recent times with both the 0mm time slice and the 100mm time slice showing linear features associated with near surface compacted earth probably as a result of the use as a caravan park for the rail track workers.

There are also a considerable amount of tree roots located around the trees in the cemetery and possibly some old root systems relating to previously removed trees. The profiling also



clearly defined the power / water trenches across the site associated with the bore and the toilet block / church.

Anecdotal evidence provided on site from the exploration team suggested that the bedrock under the cemetery was fairly shallow to the surface. The collected GPR profiles appear to confirm these comments with the data in figure 3 below indicating a reflective response from a flat to slightly sloping bedrock profile approximately 700mm – 850mm below surface. This may also explain the lack of marked burials on the site.

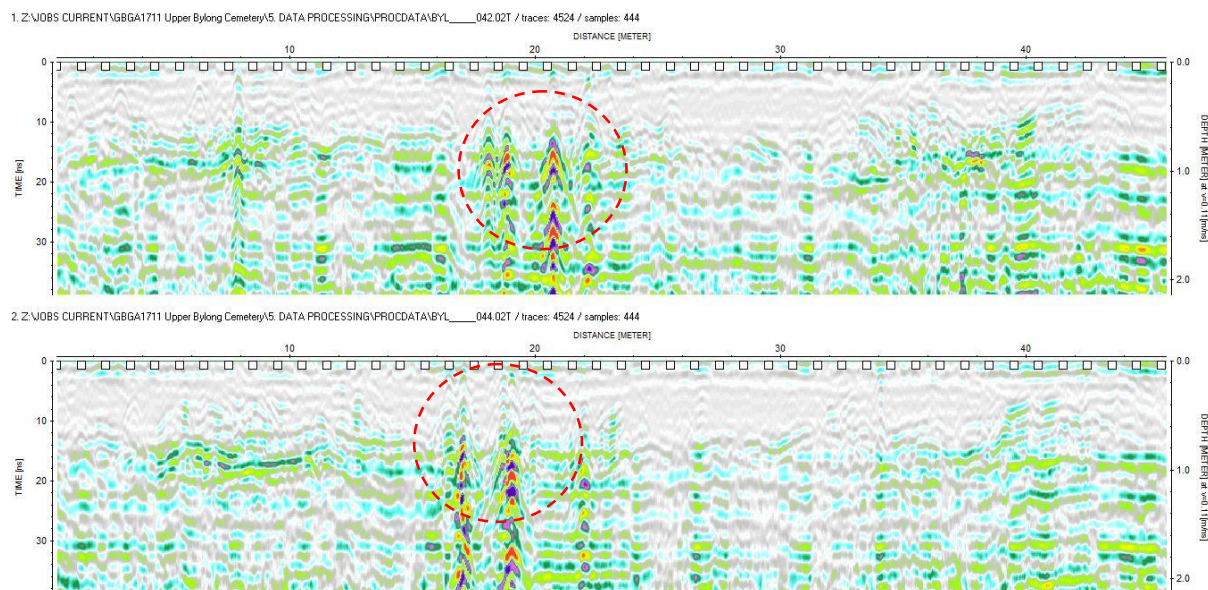


**Figure 3:** 2D profiles from profile line 110 & 126 across the site from North to South

It may be noted in the two profiles above in figure 3 that the reflection response is quite different from the top profile at line 110 to the bottom profile at line 126 (these are marked in red on the drawing GBGA1711-01). It is believed that this is due to a change in the subsurface lithology to a less defined boundary between the bedrock and soil above possibly indicative of a more weathered boundary and / or heavier clay content in the soils.

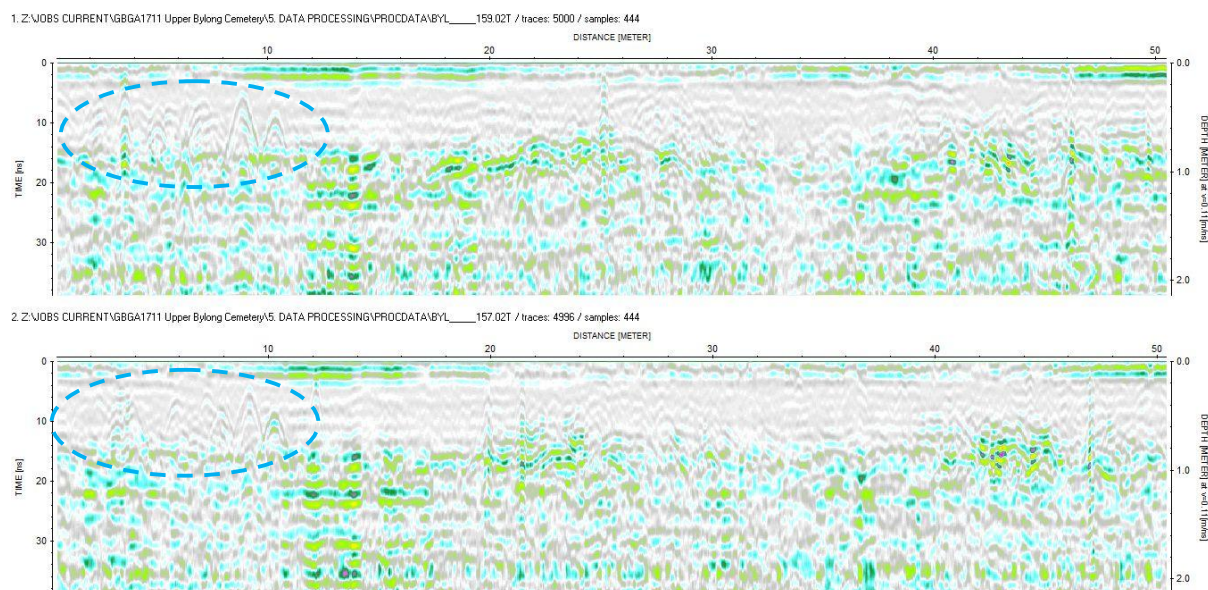
## 4.2 Unmarked Graves

Within the collected data set there has been very little clear evidence of unmarked graves / burials. Only one area has produced reflections consistent with what we would expect from grave shafts / possibly coffins. The locations of these targets are outlined with blue rectangles. The reflections in the time slice only really stand out in the deeper sections at 900mm. However, within the 2D sections (L42 & L44) provided in figure 4 overleaf, the reflections are quite strong and appear confined to an extent conforming to a grave. These reflections marked are in the same locality as previously picked up and marked by others.



**Figure 4:** probable grave locations targets marked in the red dashed circle, these two profiles are 1m apart. The amplitude of the hyperbolic reflections is quite high compared to the surrounding material indicative of a major change in the electrical properties of the ground possibly from a void/casket

Elsewhere across the site there are a number of areas marked as disturbed ground. These areas have multiple subsurface reflections some of which conform to what would be expected from a grave site but always inconsistent in extent or depth and generally within a marked area of tree root influence. These areas have been highlighted in Cyan hatch and an example of the responses recorded is provided in figure 5 below. These two profiles (L157 & 159) are from the Eastern end of the grave yard where there are a number of major gum trees.



**Figure 5:** location of disturbed ground probable tree root influence marked in blue dashed ellipse.

The locations of the probable graves and disturbed areas are given as Co-ordinates in the table below in degrees decimal minutes. The locations are the centre points of the target areas. The target locations are quite close and confined in an area of approximately 4m x



3m. The extent and orientation of the targets conform to what we would expect for a grave in this site and this may suggest a family group. However, it was also noted that the targets are also quite close to the water bore construction and may be the result of material buried after the construction. As such we recommend further physical investigation in this location by scraping off the surface material to a depth of 100mm to assess the location for possible grave shafts.

**Probable Unmarked Graves located**

| Latitude     | Longitude    |
|--------------|--------------|
| 32° 26.726'S | 150° 8.376'E |
| 32° 26.728'S | 150° 8.376'E |
| 32° 26.728'S | 150° 8.375'E |

**Disturbed ground**

| Latitude     | Longitude    |
|--------------|--------------|
| 32° 26.717'S | 150° 8.368'E |
| 32° 26.730'S | 150° 8.366'E |
| 32° 26.736'S | 150° 8.389'E |
| 32° 26.744'S | 150° 8.388'E |
| 32° 26.728'S | 150° 8.413'E |

A KML file for the above locations is also provided with this report and drawings.

## CONCLUSIONS

The GPR investigation at the Upper Bylong Cemetery has provided high resolution reflection images of the subsurface to a depth of 2m. The collected GPR data was of reasonable quality enabling detailed analysis and identification features relating to potential unmarked graves.

There appears to be a consistent bedrock depth across the site of between 0.7m – 0.85m below the surface. The GPR profiling clearly found zones or tree roots around existing trees and probably associated with trees previously removed from the cemetery. The time slices also clearly indicate linear features crossing the site consistent with buried utilities or trenches associated with the bore and use as a camp site.

From a combination of assessment of the 2D vertical reflection profiles slices and the 3D time slice images, GPR anomalies consistent with graves have been identified within the investigated area. Along with some areas of disturbed ground that could not be categorically ruled out as grave locations. The target anomalies have been classified as 3 probable graves and 5 locations of disturbed ground. The depth to these targets varies from 0.5m to 1m. The co-ordinates of these anomalies have been provided and we recommend investigation of these by a shallow surface scrape using a skid steer and bucket to a depth of 100 mm to see if there are any notable colour changes in the soil suggesting grave locations.

**DISCLAIMER:** Although every effort has been made to accurately locate and plot the location of any unmarked graves on site, GBG Australia cannot guarantee that all grave locations have been interpreted. This information should be used in conjunction with any additional data available associated with the work site.

I hope that this report provides you with the information required by your brief. If you require clarification on any points arising from this investigation please contact me.

**For and on behalf of**

**GBG AUSTRALIA PTY LTD**



**SIMON WILLIAMS**







**DIRECTOR / PRINCIPAL GEOPHYSICIST**

**Attachments: Drawings – GBGA1711-01 to GBGA1711-10**

# GROUND PENETRATING RADAR SURVEY



## Legend

-  AREA NOT SURVEYED
-  GRAVE LOCATED
-  GPR PROFILE
-  LINEAR FEATURE
-  TREE ROOT AREA
-  DISTURBED GROUND (SEE REPORT)

## Disclaimer:

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 LOCATION OF GPR FILES (SEE REPORT)



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CLIENT: HANSEN BAILEY/COCKATOO COAL

TITLE: UPPER BYLONG CEMETERY UNMARKED GRAVE INVESTIGATION

DRAWN: T.N

PROJECT MANAGER: S.W

CADFILE: GBGA1711

SCALE: 1:250

DATE: 8/07/2014

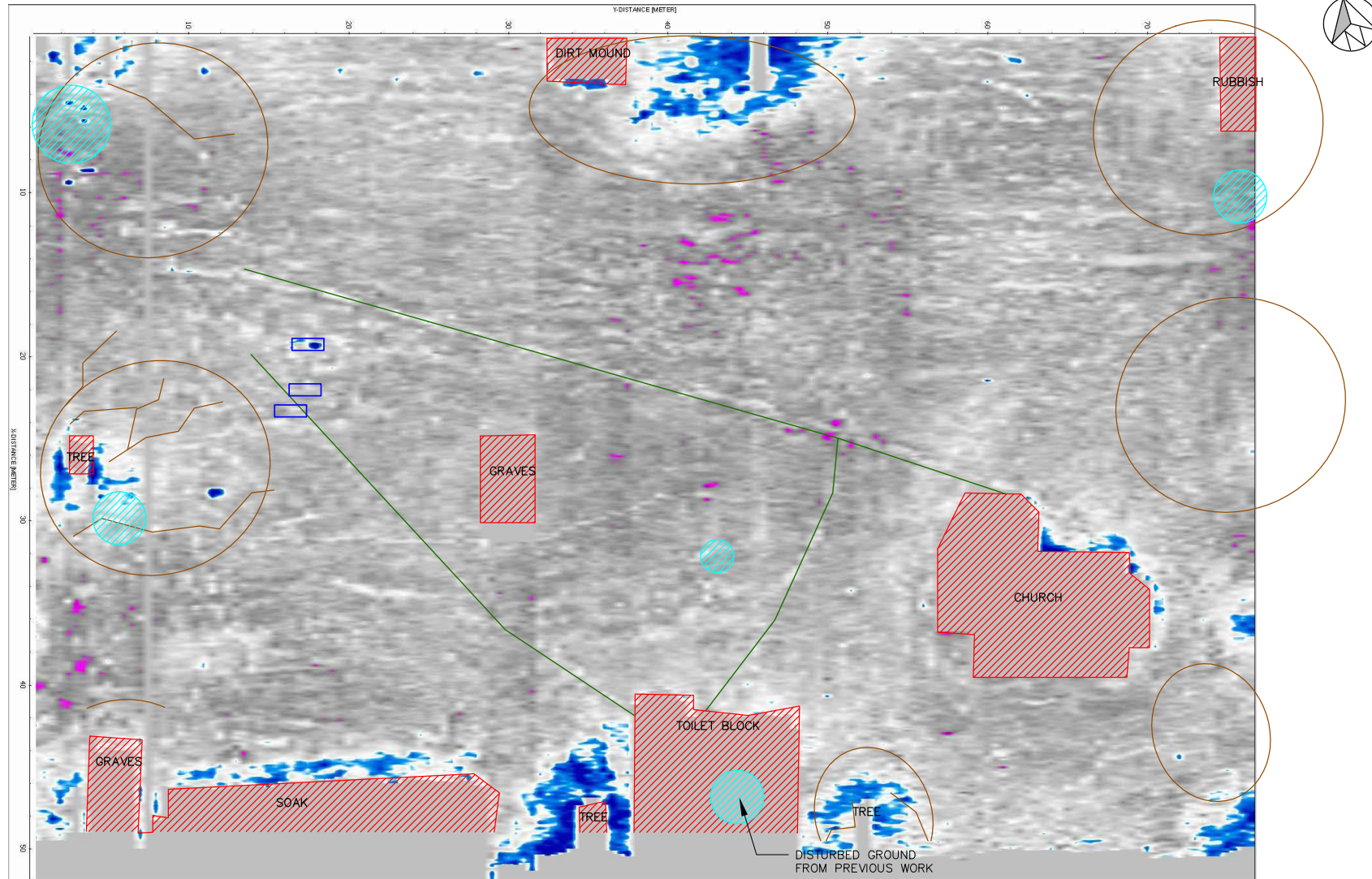
DRG No: GBGA1711-01

0 2.5 5 7.5 10 12.5m

REV:

A3

# GROUND PENETRATING RADAR SURVEY SLICE AT 100mm



| Legend |                                 |
|--------|---------------------------------|
|        | AREA NOT SURVEYED               |
|        | GRAVE LOCATED                   |
|        | EXISTING GRAVE                  |
|        | LINEAR FEATURE                  |
|        | TREE ROOT AREA                  |
|        | DISTURBANCE GROUND (SEE REPORT) |

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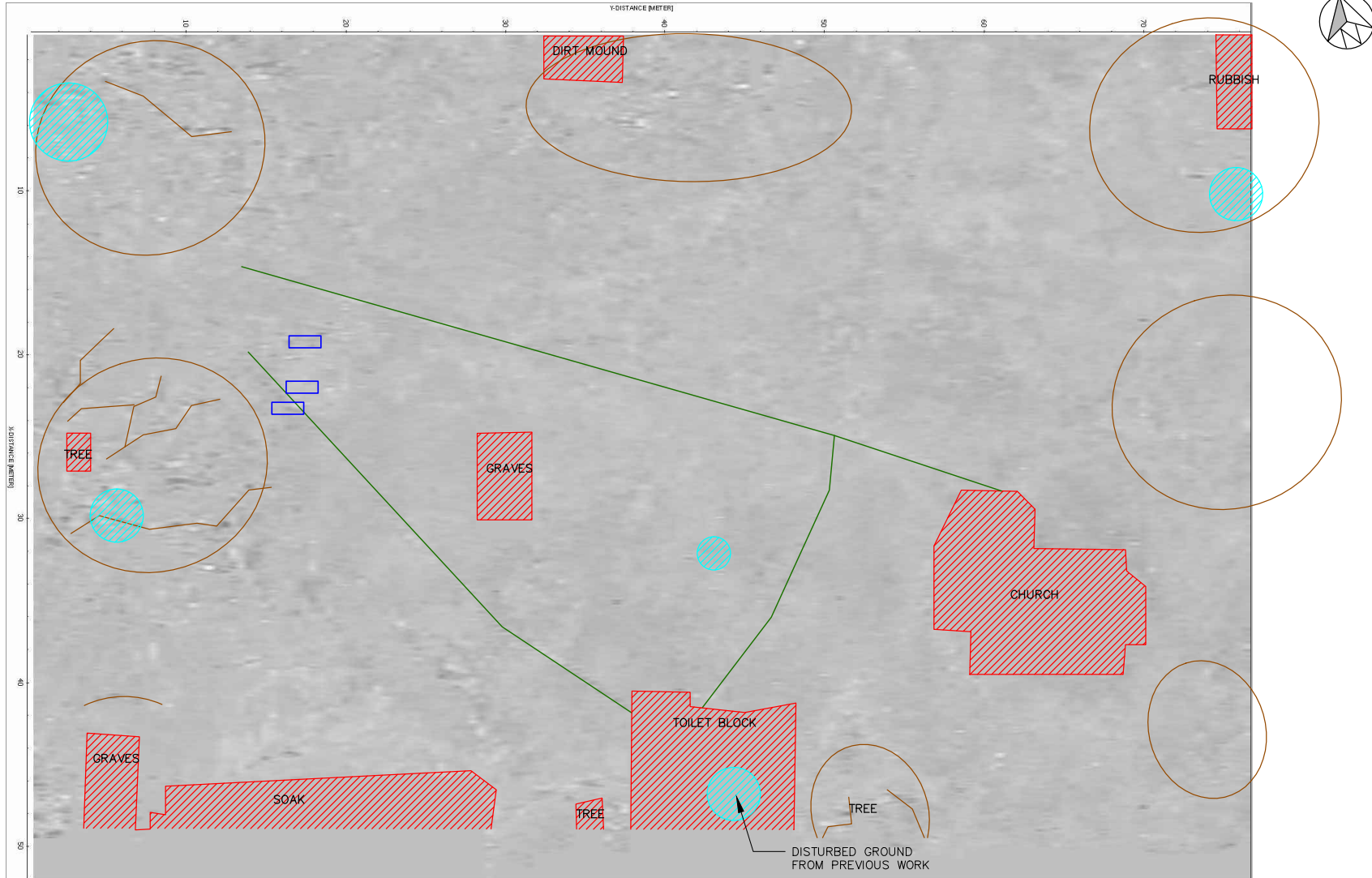
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| DRAWN: T.N  | PROJECT MANAGER: S.W | CADFILE: GBGA1711   |
| SCALE: 1:250  | DATE: 8/07/2014      | DRG No: GBGA1711-02 |
| 0 2.5 5 7.5 10 12.5m                                      |                      | REV: A3             |



# GROUND PENETRATING RADAR SURVEY SLICE AT 300mm



## Legend

-  AREA NOT SURVEYED
-  GRAVE LOCATED
-  EXISTING GRAVE
-  LINEAR FEATURE
-  TREE ROOT AREA
-  DISTURBANCE GROUND (SEE REPORT)

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TITLE: UPPER BYLONG CEMETERY UNMARKED GRAVE INVESTIGATION

DRAWN: T.N PROJECT MANAGER: S.W CADFILE: GBGA1711

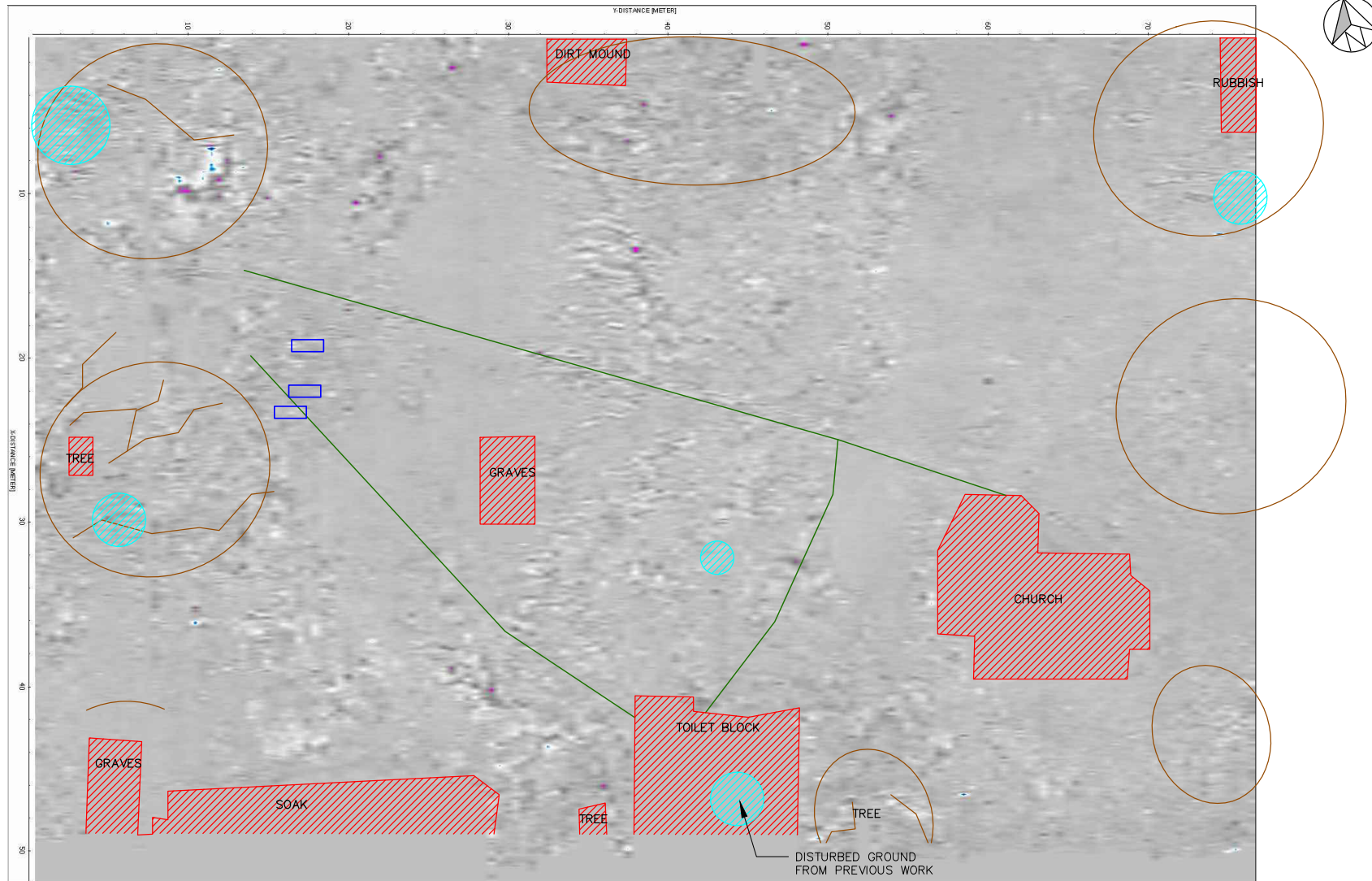
SCALE: 1:250 DATE: 8/07/2014 DRG No: GBGA1711-03

0 2.5 5 7.5 10 12.5m







REV: A3



GROUND PENETRATING RADAR SURVEY SLICE AT 500mm



### Legend

-  AREA NOT SURVEYED  
 GRAVE LOCATED  
 EXISTING GRAVE  
 LINEAR FEATURE  
 TREE ROOT AREA  
 DISTURBANCE GROUND (SEE REPORT)

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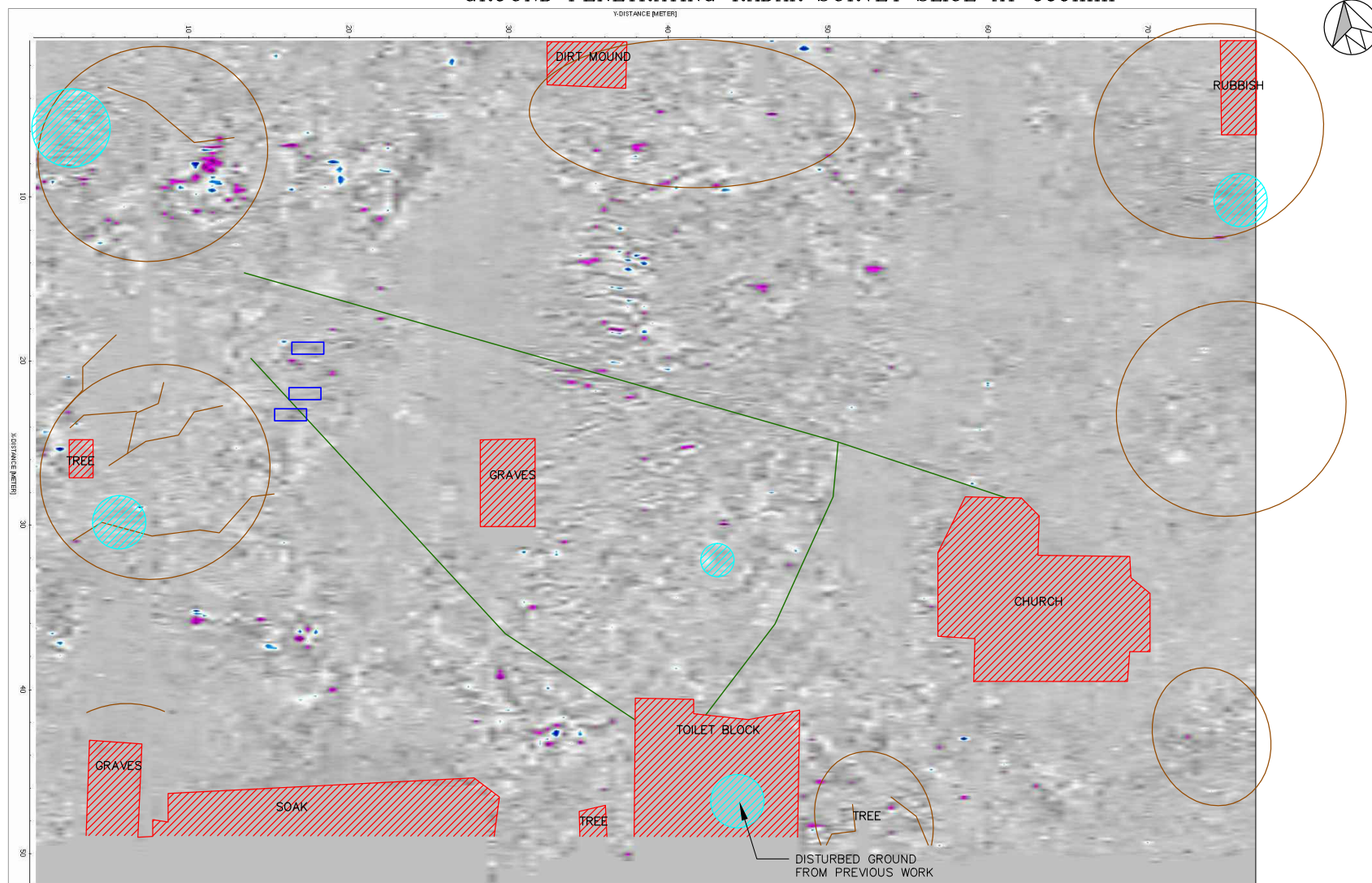
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| SCALE: 1: 250 | DATE: 8/07/2014      | DRG No: GBGA1711-04 |







0 2.5 5 7.5 10 12.5m

|      |    |
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| REV: | A3 |
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| A3 |
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# GROUND PENETRATING RADAR SURVEY SLICE AT 600mm



| Legend   |                               |
|--|-------------------------------|
|  | AREA NOT SURVEYED             |
|  | GRAVE LOCATED                 |
|  | EXISTING GRAVE                |
|  | LINEAR FEATURE                |
|  | TREE ROOT AREA                |
|  | DISTURBED GROUND (SEE REPORT) |

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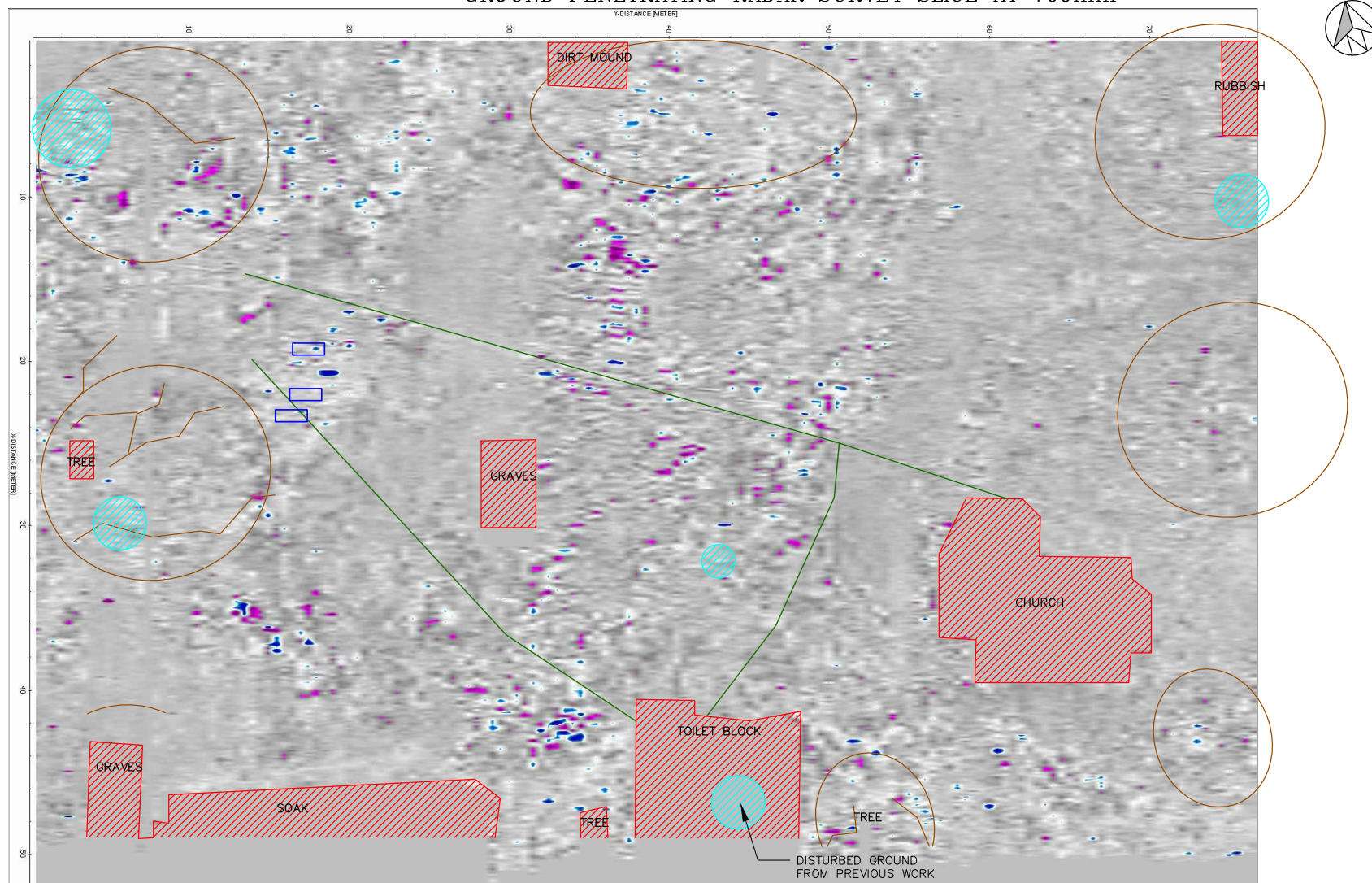
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| DRAWN: T.N  | PROJECT MANAGER: S.W | CADFILE: GBGA1711   |    |
| SCALE: 1:250  | DATE: 8/07/2014      | DRG No: GBGA1711-05 |    |
| 0 2.5 5 7.5 10 12.5m                                      |                      | REV:                | A3 |



## GROUND PENETRATING RADAR SURVEY SLICE AT 700mm



### Legend

-  AREA NOT SURVEYED  
 GRAVE LOCATED  
 EXISTING GRAVE  
 LINEAR FEATURE  
 TREE ROOT AREA  
 DISTURBANCE GROUND (SEE REPORT)

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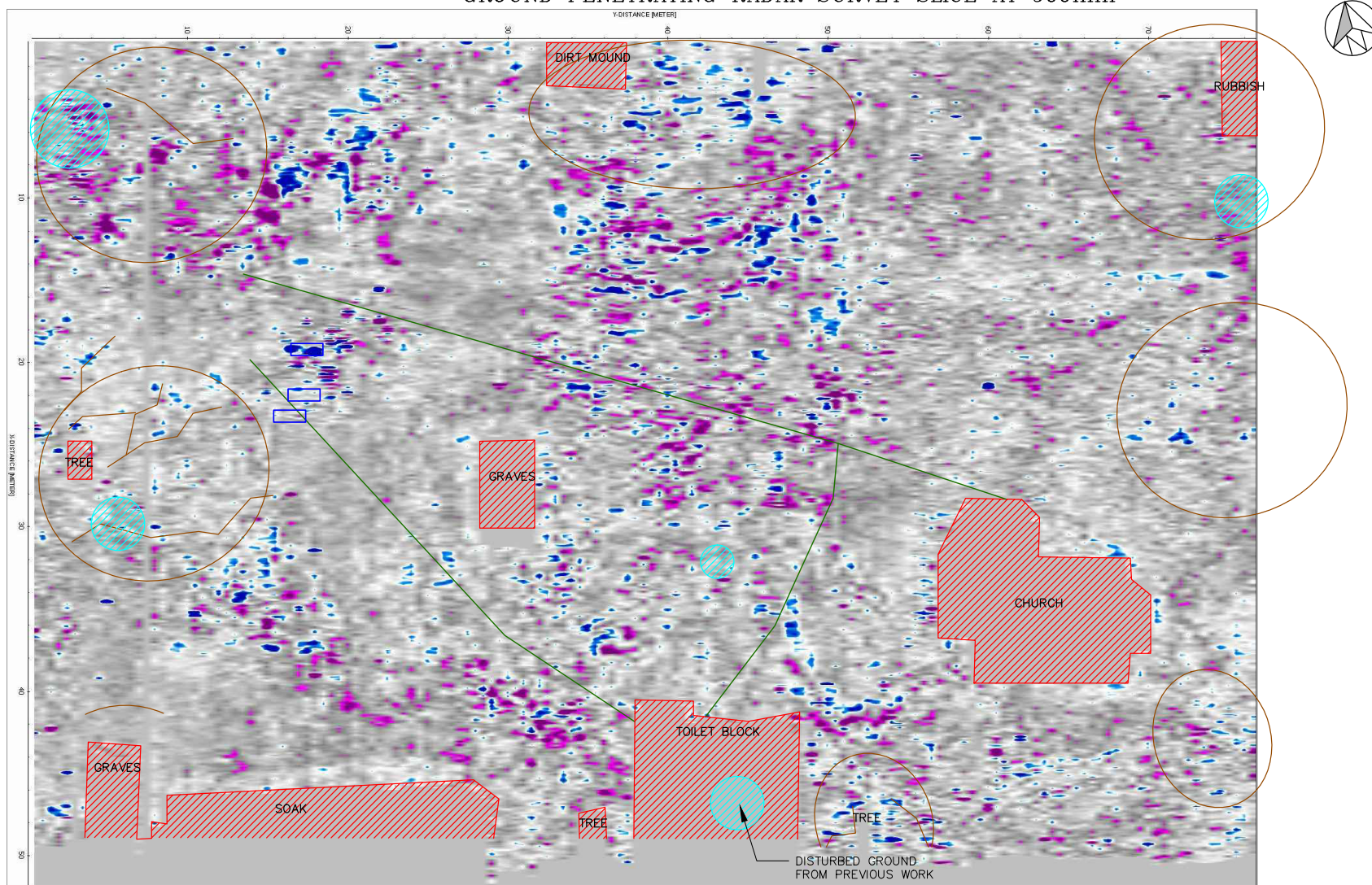
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|   |     |   |     |    |       |
|---|-----|---|-----|----|-------|
| 0 | 2.5 | 5 | 7.5 | 10 | 12.5m |
|---|-----|---|-----|----|-------|







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|------|----|
| REV: | A3 |
|------|----|

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|--|----|
|  | A3 |
|--|----|

GROUND PENETRATING RADAR SURVEY SLICE AT 900mm



### Legend

-  AREA NOT SURVEYED  
 GRAVE LOCATED  
 EXISTING GRAVE  
 LINEAR FEATURE  
 TREE ROOT AREA  
 DISTURBANCE GROUND (SEE REPORT)

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| DRAWN: T.N |
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| PROJECT MANAGER: S.W |
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| CADFILE: GBGA1711 |
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SCALE: 1: 250

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| DATE: 8/07/2014 |
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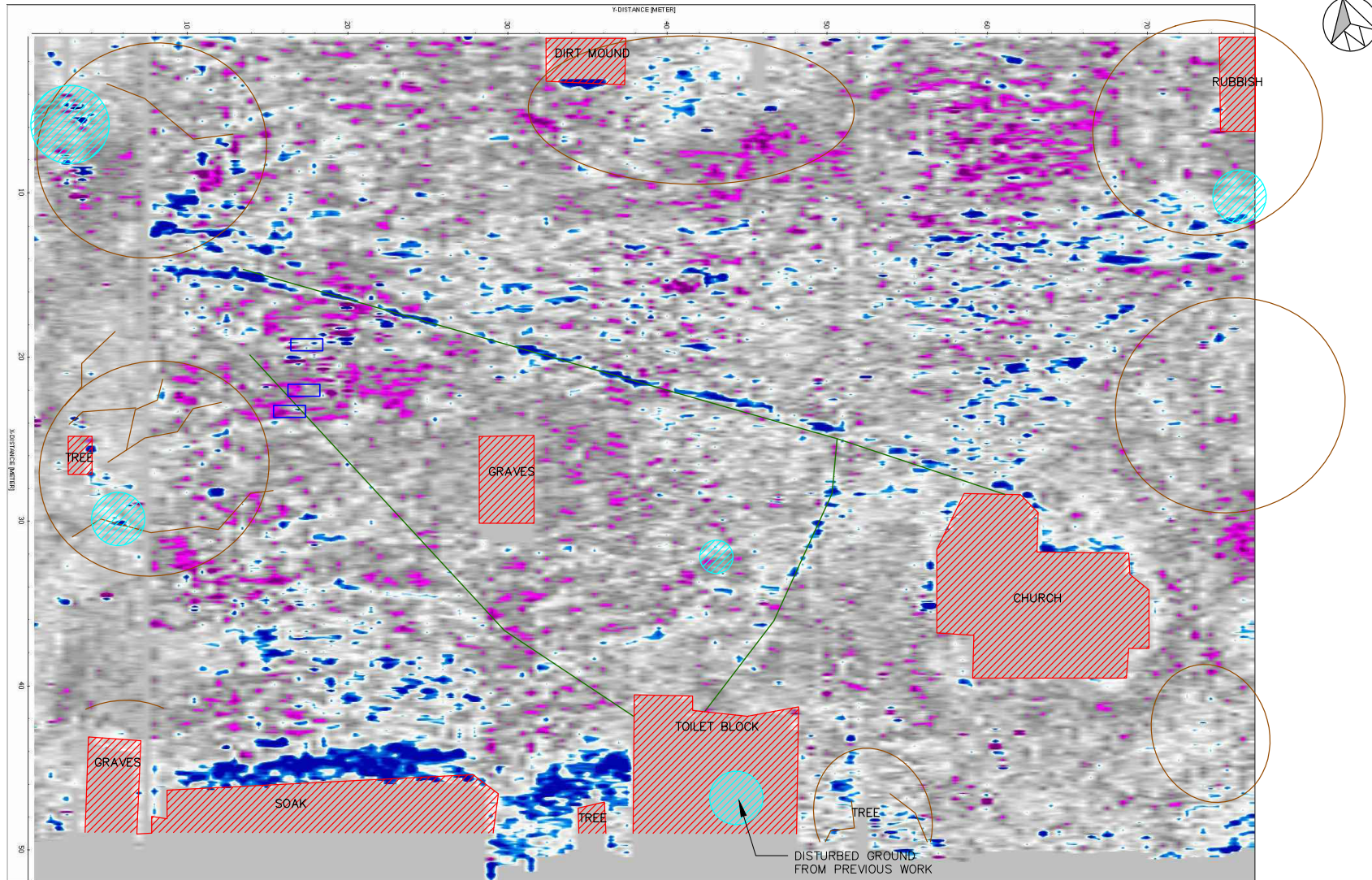
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|------|--|
| REV: |  |
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|    |
|----|
| A3 |
|----|




# GROUND PENETRATING RADAR SURVEY SLICE AT 1200mm



| Legend   |                                 |
|--|---------------------------------|
|  | AREA NOT SURVEYED               |
|  | GRAVE LOCATED                   |
|  | EXISTING GRAVE                  |
|  | LINEAR FEATURE                  |
|  | TREE ROOT AREA                  |
|  | DISTURBANCE GROUND (SEE REPORT) |

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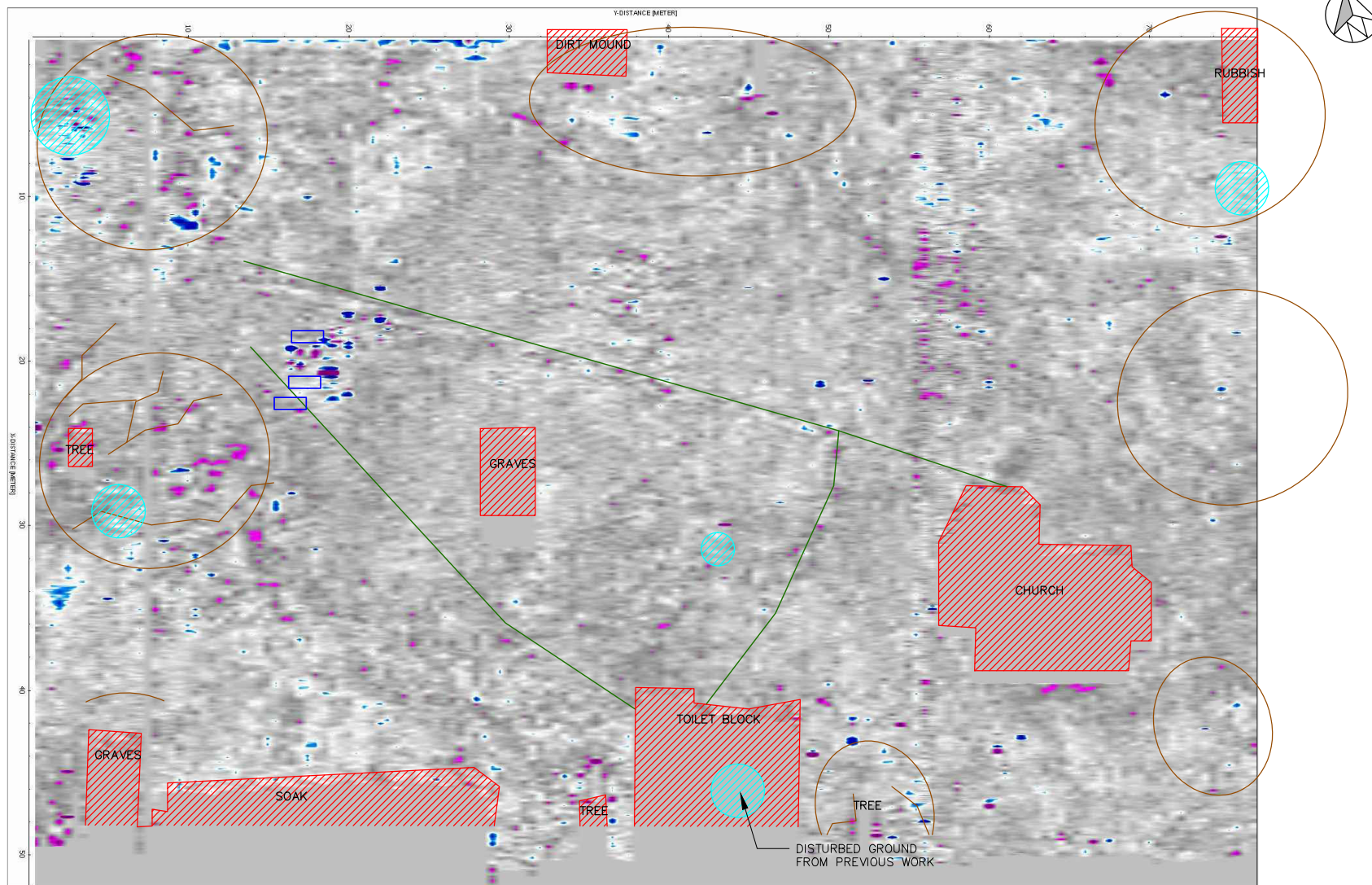
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| DRAWN: T.N  | PROJECT MANAGER: S.W |
| SCALE: 1:250  | DATE: 8/07/2014      |
| 0 2.5 5 7.5 10 12.5m                                      |                      |
| REV:  | A3                   |



# GROUND PENETRATING RADAR SURVEY SLICE AT 1500mm



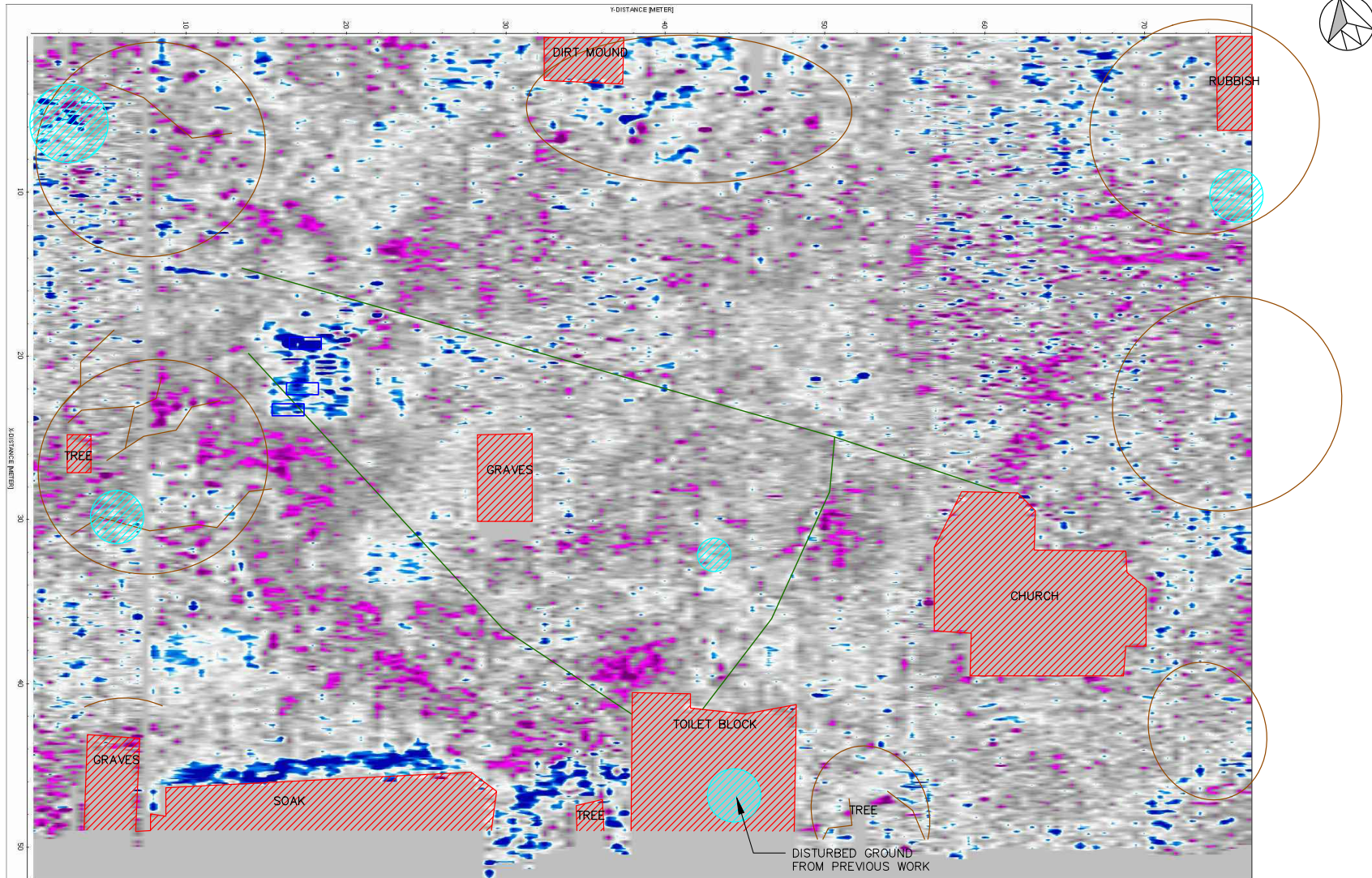
| Legend   |                                 |
|--|---------------------------------|
|  | AREA NOT SURVEYED               |
|  | GRAVE LOCATED                   |
|  | EXISTING GRAVE                  |
|  | LINEAR FEATURE                  |
|  | TREE ROOT AREA                  |
|  | DISTURBANCE GROUND (SEE REPORT) |







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| DRAWN: T.N  | PROJECT MANAGER: S.W | CADFILE: GBGA1711   |
| SCALE: 1: 250   | DATE: 8/07/2014      | DRG No: GBGA1711-09 |
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# GROUND PENETRATING RADAR SURVEY SLICE AT 1800mm



| Legend   |                                 |
|--|---------------------------------|
|  | AREA NOT SURVEYED               |
|  | GRAVE LOCATED                   |
|  | EXISTING GRAVE                  |
|  | LINEAR FEATURE                  |
|  | TREE ROOT AREA                  |
|  | DISTURBANCE GROUND (SEE REPORT) |

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| CLIENT: HANSEN BAILEY/COCKATOO COAL                       |                      |                     |
| TITLE: UPPER BYLONG CEMETERY UNMARKED GRAVE INVESTIGATION |                      |                     |
| DRAWN: T.N  | PROJECT MANAGER: S.W | CADFILE: GBGA1711   |
| SCALE: 1:250  | DATE: 8/07/2014      | DRG No: GBGA1711-10 |
| 0 2.5 5 7.5 10 12.5m                                      | REV:                 | A3                  |