



# Tweed Valley Hospital

## Historical Heritage Assessment

**FINAL**

**Prepared for NSW Health Infrastructure**

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*Cover photograph: Section of stone wall located on the Project Site*

## Executive summary

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On the 13th June 2017, the NSW Government announced a proposal for a new greenfield Hospital development for the Tweed Valley community to address issues with the growing and changing population demographics in the Tweed Local Government Area (LGA). The proposed site (hereafter referred to as the Project Site) covers 23 ha on Lot 102 DP870722, situated at 771 Cudgen Road, Cudgen, Tweed LGA (Figure 1). The Project consists of:

- Delivery of a new Level 5 major referral hospital to provide the health services required to meet the needs of the growing population of the Tweed-Byron region, in conjunction with the other hospitals and community health centres across the region.
- Master planning for additional health, education, training and research facilities to support these health services, which will be developed with service partners over time. These areas will be used initially for construction site/ compound and at-grade car parking.
- Delivery of the supporting infrastructure required for the new hospital, including greenspace and other amenity spaces, campus roads and car parking, external road upgrades and connections, utilities connections, and other site infrastructure.
- Rezoning part of the site (currently RU1 Primary Production and R1 small area of R1 General Residential at eastern extent) to SP2 Infrastructure to permit and support development of the health facility.

A Master Plan has been prepared to define the proposed development footprint, inclusive of all internal roads, buildings, car parks, landscaping and ancillary sites required for the ongoing management of the proposed hospital

Niche Environment and Heritage was commissioned by NSW Health Infrastructure to undertake an assessment of the historical heritage values of the Project Area and the impacts on those values of the proposed development to support the rezoning and an SSD application.

The Project Site once formed part of a historically significant sugar plantation, established in 1875, then a major local dairy farm that was subdivided into smaller farms from 1916. The assessment has found that much of the evidence of that early development has vanished or been heavily altered, although its general historic agricultural usage still remains. Five dry-stone walls remain on the site which are very early features and probably built by South Sea Islanders, and have local historical, aesthetic and possibly social significance.

The major impacts will be in the re-zoning from rural to infrastructure and subsequent large-scale development, which will alter the Project Site's historical associations and understanding as agricultural land that has been in ongoing use for over 140 years. Two of the stone walls may have minor impacts due to new driveway construction, and one will have a major impact from construction of a carpark. Mature trees will also have to be removed and one of the potential archaeological areas will be impacted. However, the proposal is considered to be sympathetic overall to the heritage values of the Project Site given the necessity to build the hospital and the required scale of the development. Further mitigations are recommended, which are:

- Minimising or removing impacts to the stone walls through the design where possible,
- Archival recording all features to be remove,
- Stabilising and rebuilding one of the walls and representing any demolished sections of wall in new roadway surfaces,
- Managing archaeological evidence in accordance with best practice, and
- Interpreting the history of the Project Site in the new development.

## Glossary of terms and acronyms

Term / acronym	Definition
ASSI	Australian South Sea Islander
CHL	Commonwealth Heritage List
DPE	Department of Planning and Environment
EPBC Act	Commonwealth Environment Protection and Biodiversity Conservation Act 1999
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
HI	Health Infrastructure
LEP	Local Environment Plan
LGA	Local Government Area
OEH	Office of Environment & Heritage
NHL	National Heritage List
RNE	Register of the National Estate
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SHI	State Heritage Inventory
SHR	State Heritage Register
SSD	State Significant Development
TSA	TSA Management

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# 1. Introduction

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This report presents the findings of a Historical Heritage Assessment (HHA) of the proposed Tweed Valley Hospital Project Site. Niche Environment and Heritage (Niche) was commissioned by TSA Management (TSA) on behalf of NSW Health Infrastructure to produce the HHA report to inform the preparation of an Environmental Impact Statement (EIS) for the State Significant Development (SSD) under the NSW *State Environmental Planning Policy (State and Regional Development) 2011 (SEPP)*.

## 1.1 Project background

On the 13th June 2017, the NSW Government announced a proposal for a new greenfield Hospital development for the Tweed Valley community to address issues with the growing and changing population demographics in the Tweed Local Government Area (LGA). Following the announcement, a site selection process commenced and the preferred site was determined, with further site evaluation confirming the proposed site. A Master Plan has been prepared to define the proposed development footprint, inclusive of all internal roads, buildings, car parks, landscaping and ancillary sites required for the ongoing management of the proposed hospital.

## 1.2 Site location and description

The proposed site (hereafter referred to as the Project Site) covers 23 ha on Lot 102 DP870722, situated at 771 Cudgen Road, Cudgen, Tweed LGA (Figure 1). It is located immediately to the west of Kingscliff and approximately 1 km from the coastal foreshore and comprises an irregular shaped land parcel bound by Cudgen Road and Turnock Street to the south and east, agricultural land to the west, and an unnamed swamp and drainage line to the north. Cudgen Creek is situated 500m to the west of the site.

The Project Site is situated on a prominent position in the landscape with views to the north and west and comprised of an elevated and roughly level terrace that runs along the southern boundary adjacent to Cudgen Road (Figure 2). The terrace slopes unevenly down onto a low-lying wetland bordering a swamp and heavily vegetated drainage system to the north and west of 771 Cudgen Road. The most northern section of the Project Site is characterised by remnant sub-tropical rainforest.

## 1.3 Proposed works

The Project consists of:

- Delivery of a new Level 5 major referral hospital to provide the health services required to meet the needs of the growing population of the Tweed-Byron region, in conjunction with the other hospitals and community health centres across the region.
- Master planning for additional health, education, training and research facilities to support these health services, which will be developed with service partners over time. These areas will be used initially for construction site/ compound and at-grade car parking.
- Delivery of the supporting infrastructure required for the new hospital, including greenspace and other amenity spaces, campus roads and car parking, external road upgrades and connections, utilities connections, and other site infrastructure.

## 1.4 Aims and objectives

The aim of this assessment is to prepare a specialist study into the potential impacts of the Project on historical heritage items, places and landscapes associated with the Project Site.

The objective of the study is to satisfy SEARs for historical heritage as part of an EIS being prepared under Part 4 of the EP&A Act.

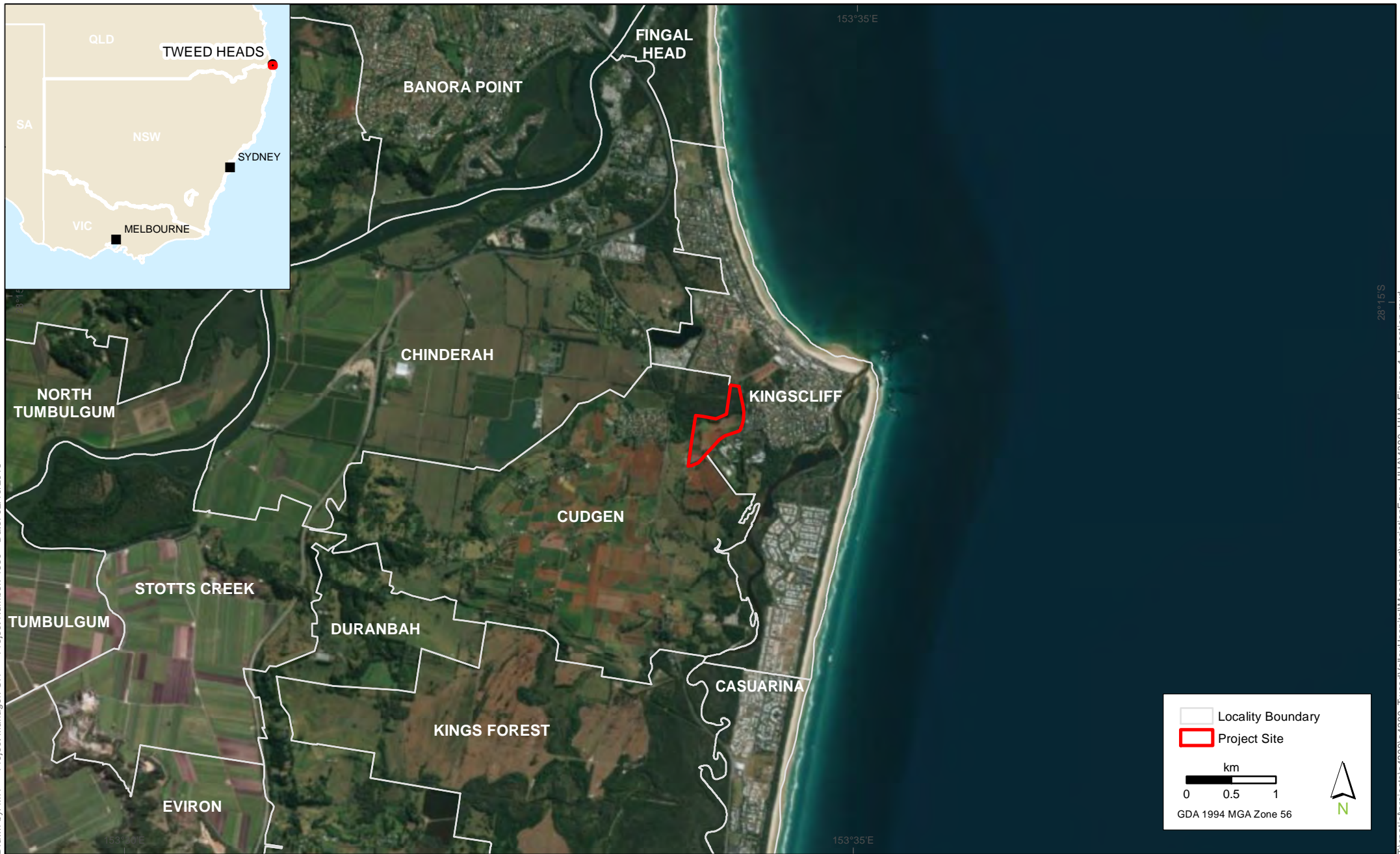
## **1.5 Project team**

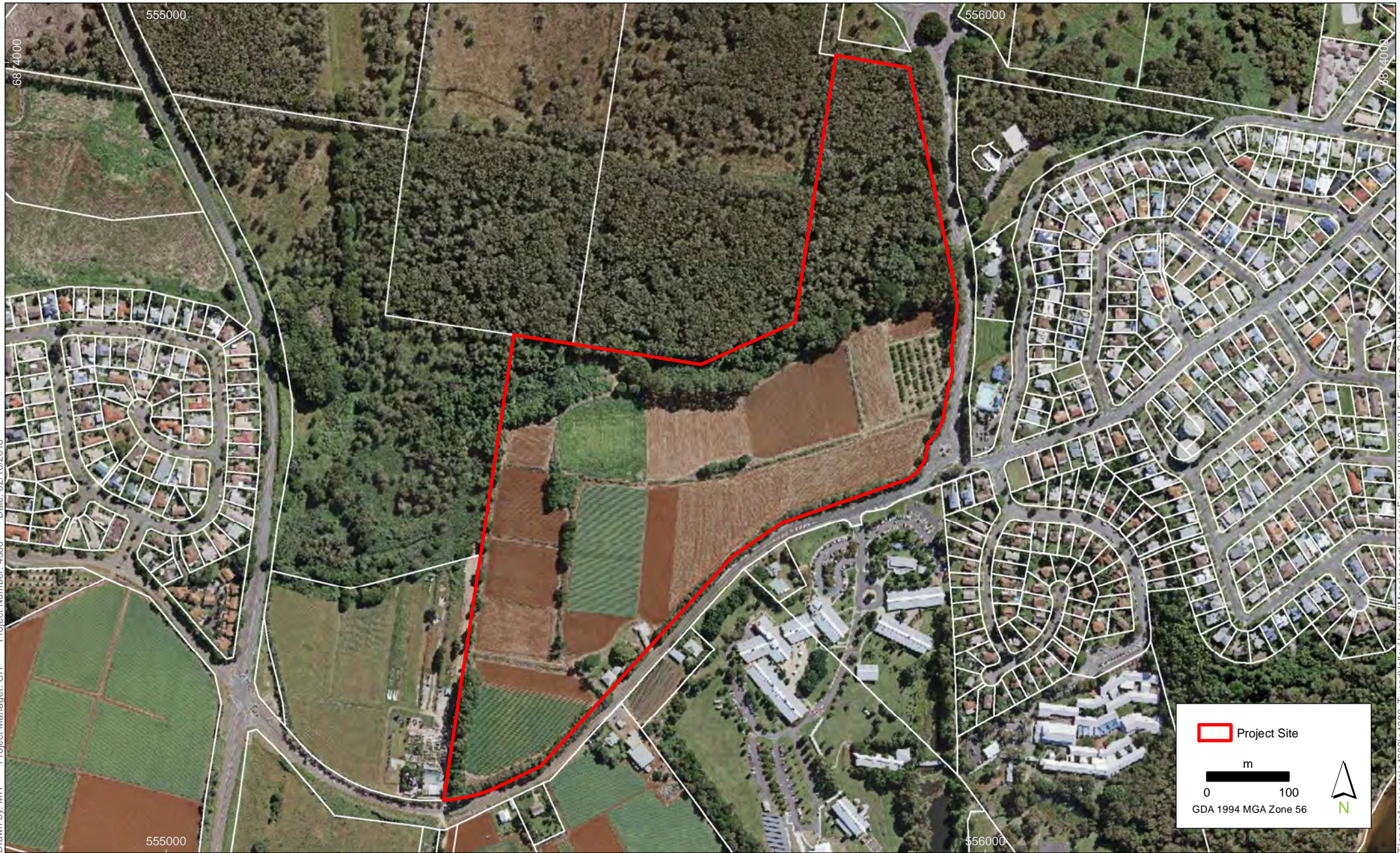
The Niche project team consisted of Dr Kevin Rains (Heritage Consultant, Niche) supported by Dr Xavier Carah (Heritage Consultant, Niche) and Clair Davey (Senior Heritage Consultant, Niche). The assessment was reviewed by Cameron Harvey (Regional Manager, Niche).

## **1.6 Limitations**

There were several important limitations to the assessment. These were:

- The historical research was confined to the few existing studies and land tenure records and newspaper articles readily available electronically. Primary research involving physical materials at archives and other repositories could not be undertaken.
- Historical aerial images to help understand the later use of the Project Site were requested from LPI but not available within the required timeframes of this report.
- No community consultation with the Australian South Sea Islander (ASSI) or other local community groups was undertaken to obtain oral evidence pertaining to the construction of the stone walls or other elements in the Project Site
- No consultation was conducted with the existing or past occupants of the Project Site. The assessment was based solely on public records and therefore could not capture individual family histories, or tenancy and informal land use arrangements.
- Dense vegetation growth in various parts of the site meant that not all areas could be examined in detail.





## 2. Statutory Context

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The following subsections present a summary of relevant Commonwealth, National and State legislation and associated local planning instruments, designed to protect and conserve significant historical heritage items and their values, as they relate to State Significant Developments (SSDs). The results of heritage register searches for historical heritage items located within, or in close proximity to, the Project Site are also summarised and presented in Section 2.3.

### 2.1 Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The EPBC Act is the Australian Government's central piece of environmental legislation. It provides a legal framework to protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places. Under the EPBC Act, protected heritage items of significance are listed on the National Heritage List (NHL) or the Commonwealth Heritage List (CHL). The NHL provides protection to places of cultural significance to the nation of Australia, while the CHL comprises natural, Aboriginal and historic heritage places owned and controlled by the Commonwealth. These lists can be searched via the Australian Heritage Database (<http://www.environment.gov.au/cgi-bin/ahdb/search.pl>), which also includes places in the World Heritage List and the Register of the National Estate (RNE) which was closed in 2007 but is maintained on a non-statutory basis as a publicly available archive and educational resource.

### 2.2 Environmental Planning and Assessment Act 1979

The EP&A Act establishes the framework for cultural heritage values to be formally assessed in the land use planning and development consent process in NSW. The EP&A Act requires that environmental impacts, including impacts on heritage items, are considered by planning authorities prior to land development. Under s117(2) a set of ministerial directions are provided, and for heritage conservation, Ministerial Direction 2.3 establishes the following:

#### **Objective**

*(1) The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.*

#### **Where this direction applies**

*(2) This direction applies to all relevant planning authorities.*

#### **When this direction applies**

*(3) This direction applies when a relevant planning authority prepares a planning proposal.*

#### **What a relevant planning authority must do if this direction applies**

*(4) A planning proposal must contain provisions that facilitate the conservation of:*

*(a) items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,*

*(b) Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and*

*(c) Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.*

### **Consistency**

*(5) A planning proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:*

*(a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or draft environmental planning instruments, legislation, or regulations that apply to the land, or*

*(b) the provisions of the planning proposal that are inconsistent are of minor significance.*

The Act also requires local governments to prepare planning instruments (such as Local Environmental Plans) in accordance with the principles of the legislation, to provide guidance on the level of environmental assessment required.

A specific assessment system has been created under Part 4, Division 4.1 of the EP&A Act, to consider projects classed as SSD. A range of development types, including hospital facilities, are considered to be SSD if they are over a certain size or located in a sensitive environmental area.

The Project is SSD and Development Consent is being sought from the Minister for Planning (or delegate).

### **2.2.1 Secretary's Environmental Assessment Requirements (Project Specific)**

Secretary's Environmental Assessment Requirements (SEARs) have been issued for the Project under clause 3, Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*. The SEARs outline the requirements for the Environmental Impact Statement (EIS) for the Project.

Specific to Heritage, the SEARs state that the EIS must include an assessment of the likely historic heritage (cultural and archaeological) impacts of the development, having regards to the Office of Environment and Heritage's (OEH's) requirements. For historic heritage, the OEH's requirements are as follows:

5. *The EIS must provide a heritage assessment including but not limited to an assessment of impacts to State and local heritage including conservation areas, natural heritage areas, places of Aboriginal heritage value, buildings, works, relics, gardens, landscapes, views, trees should be assessed. Where impacts to State or locally significant heritage items are identified, the assessment shall:*
  - a. *outline the proposed mitigation and management measures (including measures to avoid significant impacts and an evaluation of the effectiveness of the mitigation measures) generally consistent with the NSW Heritage Manual (1996),*
  - b. *be undertaken by a suitable qualified heritage consultant(s) (note: where archaeological excavations are proposed the relevant consultant must meet the NSW Heritage Council's Excavation Director criteria),*
  - c. *include a statement of heritage impact for all heritage items (including a significance assessment),*

- d. *consider impacts including, but not limited to, vibration, demolition, archaeological disturbance, altered historical arrangements and access, landscape and vistas, and architectural noise treatment (as relevant), and*
- e. *where potential archaeological impacts have been identified develop an appropriate archaeological assessment methodology, including research design, to guide physical archaeological test excavations (terrestrial and maritime as relevant) and include the results of these test excavations.*

This report is intended to fulfil the requirements listed above, where relevant.

## 2.3 Heritage Act 1977

The *Heritage Act 1977* is a statutory tool designed to conserve environmental heritage in NSW. It is used to regulate development impacts on the State's historical heritage assets. The Act defines a heritage item as *"a place, building, work, relic, moveable object or precinct"*. To assist with the management of the State's heritage assets, the Act distinguishes between items of local and State heritage significance. Items that are assessed as having State heritage significance can be listed on the NSW State Heritage Register (SHR).

Archaeological features and deposits are afforded statutory protection by the 'relics provisions' of the Act. A relic is defined as *"any deposit, artefact, object or material evidence that relates to the settlement of the area that comprises NSW, not being Aboriginal settlement, and is of State or local heritage significance"*. Land disturbance or excavation that will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed is prohibited under the provisions of the Act, unless carried out in accordance with an Excavation Permit pursuant to section 140, or an Archaeological Exception under section 139 of the Act.

Section 89J of the EP&A Act outlines legislation and approvals that do not apply to SSDs. Of relevance to heritage approvals, under s89J the following do not apply to SSDs:

- An approval under Part 4, or an excavation permit under s139 of the *Heritage Act 1977*.
- Division 8 of Part 6 of the *Heritage Act 1977*, which relates to controlling and restricting harm to buildings, works, relics and places not subject to interim heritage orders or State Heritage Register listing.

## 2.4 Local Planning Instruments

Local Environmental Plans (LEPs) are developed and maintained for each LGA. The LEP identifies Aboriginal and historical heritage items within the LGA. These items are subject to the planning controls and provisions set out in the EP&A Act and Clause 5.10 (Heritage Conservation) of each LEP. The Project Site is situated in the LGA of Tweed (Tweed 2014).

## 2.5 Heritage Register Searches

The following subsections present the results of Commonwealth, National, State and local heritage register searches for listed historical heritage items located within, or in close proximity to, the Project Site.

### 2.5.1 Commonwealth and National Heritage Registers

A search of Commonwealth and National heritage registers via the Australian Heritage Database was undertaken between 19 and 23 July 2018. There is a single listed item located within close proximity to the Project Site:

- Cudgen Burial Ground (ID 19489), Chinderah Road, Chinderah is a registered place on the Register of the National Estate and is located approximately 2.5km northwest of the Project Site within Lot

492 DP720407. This item is a burial ground for South Sea Islanders who were brought over as indentured labourers from the mid to late nineteenth century to work in the timber and sugar cane industries in the Tweed River region.

### 2.5.2 State Heritage Register

The NSW State Heritage Register (SHR) lists items that have been assessed as being of State heritage significance. Items listed on the SHR are granted protection under section 57 of the *Heritage Act 1977*.

- A search of the SHR was completed between 19 and 23 July 2018. There are no listed items of State heritage significance located within close proximity to the Project Site.

### 2.5.3 State Heritage and Conservation (s170) Registers

Under section 170 of the *Heritage Act 1977*, NSW government agencies are required to maintain a register of heritage assets under their control or ownership. Each government agency is responsible for ensuring that the items entered on its register under section 170 are maintained with due diligence in accordance with State Owned Heritage Management Principles. Items listed on a section 170 Heritage and Conservation Register are listed on the State Heritage Inventory (SHI).

- A search of the SHI was completed between 19 and 23 July 2018. There are no listed items of State heritage significance listed under section 170 located within close proximity to the Project Site.

### 2.5.4 Local Environmental Plans

Heritage items are listed under Schedule 5 of each LEP. Searches of the Tweed Local Environmental Plan (LEP) 2014 were undertaken on 15 August 2018. There are four listed items of local heritage significance located within close proximity to the Project Site (see Figure 3):

- Chinderah Cemetery (LEP Listing No. 13), Tweed Coast Road, Chinderah is located approximately 3 km northwest of the Project Site within Lots 492 & 493 DP720407 and Lot 49 DP841783 and incorporates the Cudgen Burial Ground. This item is significant for its association with the South Sea Islanders who were brought to the area as indentured labour for sugar cane farming in the late C19th to early C20th.
- Cudgen Sugar Mill Remains (LEP Listing No. A2), Tweed Coast Road, located within Part Lot 3, DP 828298 resides to the immediate northwest of the Project Site. The remains of the mill are listed as having archaeological value due to its unique and significant status as the only fully developed plantation mill to be constructed using South Sea Islanders labour.
- Dry Stone Walls (LEP Listing No. 22), 463 and 501 Cudgen Road on Lots 7 and 8 DP812933 are situated approximately 2 km southwest of the Project Site. Historical evidence indicates that the property on which the walls reside was known to have been worked by South Sea Islanders with anecdotal evidence suggesting that the walls were constructed by the Islanders. The significance of the walls is twofold, firstly in recognising the history and connection of South Sea Islanders to the Tweed district and their representative value as some of the few remaining dry stone walls in the area.
- War Memorial Cenotaph and Public School Rolls (LEP Listing No. 23) 11 Collier Street, Cudgen is located approximately 800 m west of the Project Site, on Lot 1 DP407094 and Lot 71 DP755701. The item is listed as a war memorial.

Under Clause 5.10(2)(c) of the Tweed LEP 2014, development consent is required for “*disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed*”.



### 3. Historical Background

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The following section provides a brief overview of the historical context of the Project Site. The following sources and/or repositories were reviewed:

- Boileau (2004) *Tweed Shire Council Community Based Heritage Study Thematic History*, unpublished report for Tweed Shire Council.
- The National Library of Australia's TROVE online discovery service (<http://trove.nla.gov.au>);
- Monument Australia (<http://monumentaustralia.org.au/themes/culture/indigenous/display/107197-south-sea-islander-memorial>).
- NSW Department of Land and Property Information (LPI); and relevant and available previous studies and reports.

#### 3.1 Regional historical context

##### **1860-80s**

The Land Clearance Act 1861 allowed for the development of intensive agriculture in the Tweed floodplain. Vast tracts of land were wholly cleared of native vegetation and subsequently subdivided into plots for use by newly arrived Scottish and Irish immigrants.

The mid 1860s saw the establishment of the township of Chinderah (originally named Cudgen) and to the south, the satellite village of Cudgen Scrub, later to become Cudgen. Tweed Heads began to develop from 1870 onwards after a pilot station was opened there, and later the villages of Murwillumbah, Tumbulgum, Chinderah, Tyalgum and Uki became service centres.

The favourable red volcanic soils at Cudgen Scrub saw the development of large land holdings by prosperous independent producers including Henry Robert Cazala, William Julius, Henry and Hugh Clarke, and Michael Guilfoyle and his son, William (see Figure 2). The Guilfoyle family took up 600 acres in 1869 to establish a nursery for the experimentation of sugar cane, amongst other plants. With successful results, the Guilfoyle family commenced sugar cane farming at Cudgen. Julius arrived in the district in 1869 and took up land holdings near the mouth of the Tweed River. With previous experience in the West Indies sugar industry, Julius began growing sugar cane using about 200 indentured South Sea Islander workers who had completed their contracts in Queensland. Throughout the early sugar industry of Queensland and northern NSW indentured Melanesian workers, principally from the Solomon Islands and Vanuatu (then known as the New Hebrides) were used as a cheap labour force. These Islanders were hired to clear Julius' land by completely removing the stone from the fields which were then used to construct stone walls (Boileau 2004). Julius leased his land out in lots of 10 acres to Islanders, with the cane processed by the Islander workforce in the mill. In comparison with other plantation owners, Julius treated his Melanesian workers remarkably well, which established a dependable and loyal workforce. A small village was constructed on the property with the plantation becoming a well-known refuge for Islanders escaping harsh conditions elsewhere.

By the 1870s these various landowners were producing sugarcane on a large scale but with mixed success. The Guilfoyles initially struggled to raise sufficient capital to grow cane in commercial quantities and build a mill to process it. Similarly, other growers were having troubles accessing efficient milling, with the early mills being small and primitive, which led to the Colonial Refining Company (CSR) opening a large central mill at Condong in 1880 that began to process the cane of numerous growers. Cazala and Julius remained

independent, with Cazala building a small mill on his estate near Cudgen Creek in 1881 and Julius following the next year with a larger and more sophisticated plant at Cudgen that was also able to crush cane for both Cazala and the Guilfoyles.

In the late nineteenth century Cudgen was one of the busiest towns in the Tweed River region with timber cutters felling red cedar, black bean, cedar and teak from the Cudgen scrub. The South Sea Islanders formed a large proportion of these workers, with many other landholders besides Julius using them as labour. Across the district South Sea Islanders worked as labourers in cultivation and cutting sugar cane, the women stripped the cane for planting and worked with chipping hoes. The men also cleared land at Duranbah, Bungalore, Tumbulgum, Eungella, Terranora and other areas in the Tweed River Region and undertook drainage works in the sugar cane areas of Cudgen and Chinderah.

In 1882 the Victorian firm of John Robb and Co. began expanding into the area by buying land from Clarke and Guilfoyle. By 1884 Julius' plantation was known as the Cudgen Estate and was the main centre of local milling operations. By 1885 John Robb was noted as being the owner of the mill with Julius as a managing partner, so Julius may have sold part of the operation to Robb or the mill had from the start been established as a partnership with Robb.

In 1885 the local area was described:

*Cudgen, or Cudgen Scrub, as it is termed to distinguish it from the Government township of the same name on the 'river 1 ½ miles away, is composed of Messrs. Herselm and Vetter's store (and post office), an hotel belonging to the same firm, a police-station, Messrs. Brown Brothers' [sic] sugar mill, and three or four private dwellings. One of these is a prettily situated building, owned by Mr. Julius, managing partner of the mill; another constitutes the comfortable residence of Mr. Henry Clarke, and a third is occupied by Mr. J. McLennan, bookkeeper at the mill. Then, on an eminence a little way off, is Mr. H. Cazala's sugar mill and residence, which, together with the men's quarters of both mills, may also be included in the settlement. Mr. Henry Clarke, who has been 15 or 16 years in the district, owns about 500 acres, the most of which is let to sugar-planters. In leasing the scrub land he gives the right to cultivate free of charge for five years on condition that the land is thoroughly cleared. After that £1 per acre is charged as rent for five years longer. The average extent of each plantation is 30 acres. Very little except cane is grown, and the weed, being prolific the ground must be kept in active cultivation. Mr. Clarke intends cutting up more land in the vicinity for township allotments and also for sugar-growing. ('Country News', The Sydney Mail and New South Wales Advertiser, 7 November, 1885, p. 986).*

### 1890s

In 1892 Julius sold his plantation to John Robb and Co. who then built narrow gauge tram lines through the Cudgen cane fields and employed the Islander workforce to harvest the cane, transport it via the tram line and work in the mill. This private tramway also connected his Cudgen Estate with the wharf at Chinderah. John Robb was an entrepreneur and railway contractor who employed some 300 South Sea Islanders on the estate. Many of these Islanders had been indentured to John Robb in the construction of the Kuranda Railway in North Queensland, and Robb continued the tradition of good relations with the Melanesian workforce established by Julius.

In 1897 the Cudgen estate had a reported 1200 acres of cane, 10-12 miles of permanent iron tram track, two miles of portable track, 145 cane trucks, 55 sugar and coal trucks, and two locomotives ('On the Tweed River', *Australian Town and Country Journal* 18 September 1897: 30). In addition, the estate crushed cane from 300 acres of land owned or rented by neighbouring farmers. Cazala's mill was still in operation in

1889, but over time the small mills at Bilambil, Tumbulgum and Cudgen were replaced by the two large ones: the CSR mill at Condong and the Robb Mill at Cudgen. The industry was facilitated by the establishment of heavy rail, with the railway from Lismore reaching Murwillumbah in 1894 and the rail from Brisbane arriving at Tweed Heads in 1903.

The era of South Sea Islander labour, however, was drawing to a close. With Federation approaching, the White Australia was developed at a State and national level to keep Australia predominantly European (and in particular British) in culture and ethnic makeup. Restrictions were placed on the importation and use of non-European labour, and protections were introduced to reserve the sugar industry exclusively for white farmers. Under the Commonwealth's *Immigration Restriction Act 1901* and the associated *Pacific Islanders Act 1901*, the majority of South Sea Islanders were deported from Queensland and NSW and sent back to their home islands. The shortage of reliable and cheap labour, as well as poor management, a fall in sugar prices and other factors severely impacted the financial viability of many sugar growers, and the large plantations started to be broken up. Beginning in the 1900s the primary sector also diversified into dairying, banana growing and fishing.

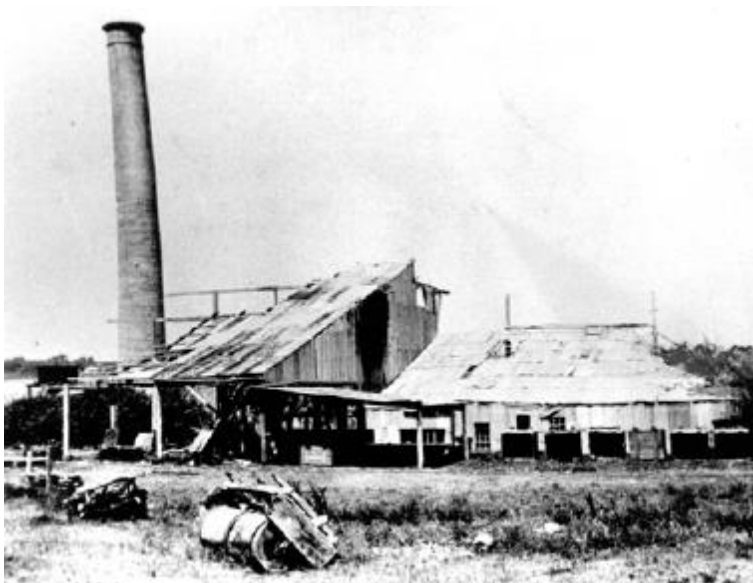
### **1910-1960s**

The Cudgen mill shut down in 1911 with the passing of Robb, and in 1912 the entire Cudgen Estate was sold to CSR. CSR subdivided the land and sold it to white farmers, displacing the South Sea Islander tenant farmers. With the closing of the Cudgen mill, all cane at Cudgen had to be taken by tram to the wharf at Chinderah and sent by punt to the Condong mill. The tramlines continued to be used by local farmers but the mill's plant was removed to the Condong mill and the mill itself eventually demolished in 1962.

Attitudes towards CSR's policy of buying up and subdividing the older plantations were mixed. The efficiency of centralisation was recognised, but there were also concerns over CSR's monopoly over the industry and potential exploitation of local, small-scale farmers heavily dependent on its business and infrastructure.



**Figure 4. Map of the Cudgen area, 1913 (NSW Land Registry Office, Historical Lands Records Viewer, Parish of Cudgen, 1913, edition 7, sheet reference 1, CD PMAPGF09).**



**Plate 1. The Cudgen sugar mill (Boileau 2004 p. 107).**

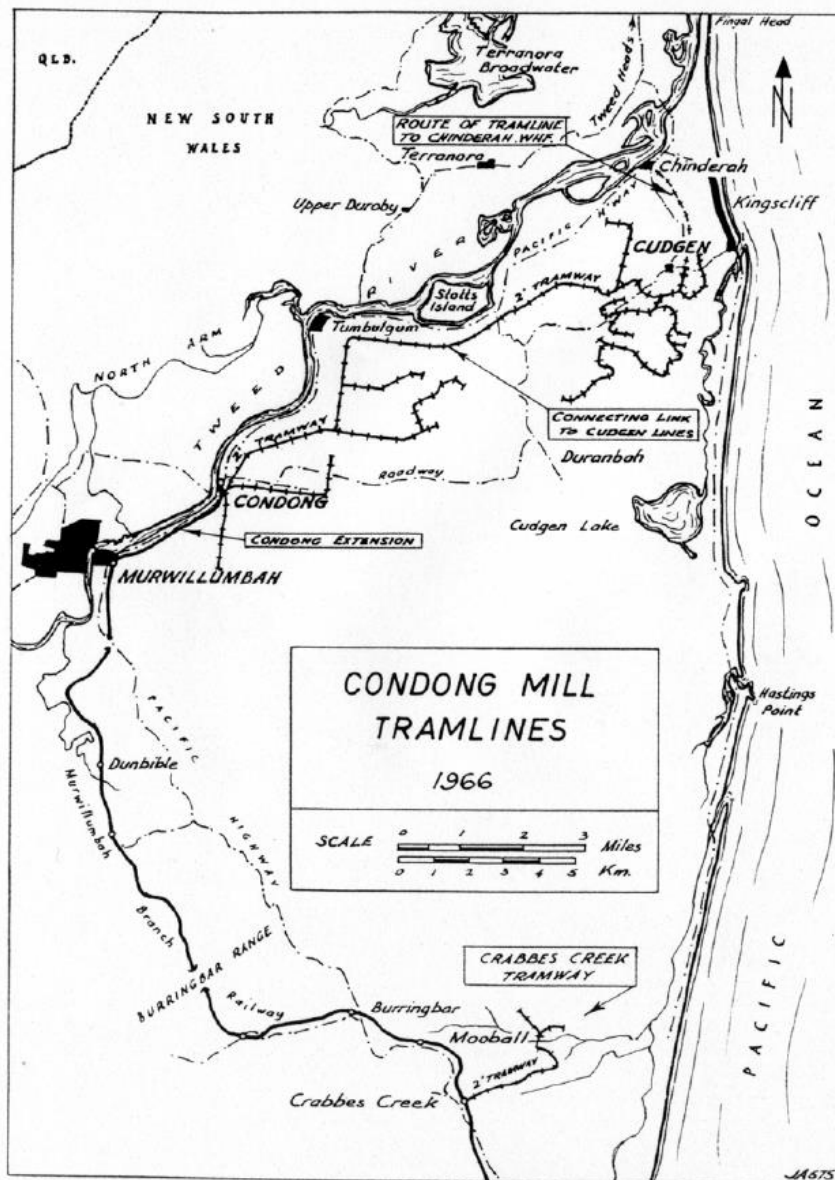


Figure 5. Map of the main tramlines to the Condong mill, 1966 (Boileau 2004 p. 108).

### 3.2 Land use history

The Project Site was originally the northern portion of a 150 acre block (Portion 5) first taken up as a grant purchased by conditional sale in 1875 by Henry Robert Cazala, with title granted in 1881 (NSW Certificate of Title Vol. 550 Folio 163), and part of a 271 acre block (Portion 179) originally purchased by William Warner Julius in 1889 (NSW Certificate of Title Vol 925 Vol. 26) (Figure 3-4). The bulk of Portion 179 was low-lying swamp and ti-tree forest. These blocks underwent a complex process of amalgamation and subdivision over the next one hundred years.

Portion 5 was part of a larger grouping of blocks obtained by Cazala to form his sugar plantation. His holdings extended to the east to include Portion 11, 203 and 204, and the south with Portion 35 and 40. Somewhere on one of these blocks, towards Cudgen Creek, he situated his sugar mill (b. 1881). West of his plantation was a 320 acre block (Portion 6) initially obtained by Samuel William Gray but which appears to have become part of Julius' holdings as it was on this property that he built the Cudgen sugar mill.

Cazala's plantation was one of the first in the district to produce sugar. It is unclear if he utilised a South Sea Islander workforce, although it is highly likely. As shown in Figures 3-4, the plantation, including Portion 5,

was bisected from east to west by a road reserve, now Cudgen Road, running from Murwillumbah to Kingscliff and Tweed Heads. Cazala maintained possession of Portion 5 until 1889 when the land, and presumably the other holdings, was transferred to Thomas Campbell, a grazier from Murwillumbah. It was sold to William George Collier, a Cudgen mill owner, in 1892, and then to Sydney brewers, John and Samuel Cornwell, in 1893 (Figure 5).

The Cornwell Brothers changed the farm from sugar to dairy, developing the largest dairy farm in the Tweed district ('Tweedy Dairy Farm', *Gympie Times and Mary River Mining Gazette*, 24 April 1909, p. 7). It ran a herd of 180 Holstein, Jersey and Shorthorn cattle on a mix of native and introduced pasture. The farm was at that stage of around 358 acres as it also included Portions 11, 203, 204 and 35, purchased off the English, Scottish and Australian Bank which had obtained them in 1904 (NSW Certificate of Title Vol. 2677 Folio 89) (Figure 5). It was divided into fifteen paddocks and was seen as a model of modern, intensive dairying practice. There were also 20 acres under cultivation producing maize, millet, sorghum, and sweet potato for consumption on the farm. Following the death of John Cornwell in 1905, the property was transferred in 1908 to his widow, Clara, brother, Samuel Cornwell, and George Phillips and Charles Robinson as tenants in common. During the period of Cornwell ownership the main road to Tweed Heads was re-aligned, with a new section of road, now Quigan Street, built through Portion V (shown in red in Fig. 7).

In 1916 CSR purchased the Cornwell estate, which remained a 358 acre holding excluding the existing road and a second road reserve (shown in red) which formed a new (and is now part of the current) Cudgen Road alignment. The estate land was extensively cleared of stones ('Cudgen', *Tweed Daily*, 2 August 1916, p. 2) and, as CSR had done earlier with Robb's Cudgen Estate, was subdivided and sold off over the next two decades as smaller blocks for cane and bananas, with the lots relevant to the Project Site being 45, 46, 46A, and 47 (Figure 6). Lots 45 and 46 contained an easement for a tramway.

During the CSR era cane growing underwent a resurgence in the Cudgen district with both permanent and temporary tramlines being used to move cane to the Condong mill. In 1928 CSR sold Lots 45 and 47 to John Wilson and in 1938 sold Lots 46 and 46A to Colin McPhail, although McPhail was likely already on the property as a tenant as in 1928 it was reported that he lost 11 acres of cane to a fire that narrowly missed spreading to Wilson's adjoining crop ('Cane burned', *Daily Examiner*, 19 December 1928, p. 2).

Colin McPhail had been a cane grower and resident at Cudgen for some years, and became a prominent member of the Cudgen Cane Growers Association and eventually president of the NSW Cane Growers Association. In 1938 he acquired Lots 26E, 45 and 47, creating a holding of about 95 acres (Figure 6). Lot 26E had been excised from the former Portion 179 granted to William Julius. At the time of these sales, an easement for a tramway was noted on the relevant plans and transfers (Figure 6)

Situated on the northern side of Cudgen Road, this farm continued to produce sugar cane and remained with McPhail in the configuration shown until 1957 when the land east of Cudgen Road was subdivided into residential allotments and sold off during the rest of the 1950s and into the 1960s (NSW Certificate of Title Vol. 4954 Folio 230) (Figure 7). The remainder of the farm stayed in Colin McPhail's hands until 1968 when it was transferred to his son, Donald McPhail, Cudgen farmer, and daughter, Jessie Buchanan, wife of Victor Buchanan, Murwillumbah farmer, as joint tenants. In 1974 the land was subdivided into two blocks, Lots 1 and 2 DP568845 (Figure 8), with Lot 2 being the subject site (NSW Certificate of Title Vol. 12429 Fol. 104). Lot 1 to the east eventually became Turnock Street, a disability services centre and public swimming pool.

The land ownership history described above indicates that the Project Site, except for part of its northern portion, was not directly linked to William Julius or John Robb as part of the Cudgen Estate, but rather

established by one of their contemporaries, Henry Cazala, who maintained his own sugar plantation and small mill. Cazala also utilised the neighbouring Cudgen mill and would have supplied cane to Julius and Robb. From 1893 to 1916 land was used primarily for dairying, but then was swallowed up by CSR as part of that company's strategy of subdivision of the plantations into smaller farms for white farmers, and was returned to sugar production in the hands of the McPhail family. At some stage the Project Site was incorporated into the district's tramline system, although it is unclear whether the tramway easement on the property related to the Cudgen Estate or the later CSR period, as the earliest reference to it in the title information only dates from 1928. The easement for the tramline was still shown on plans in 1974.

The last decades of the Project Site's history have not been researched of this report, but in August 2018 the farm was not producing sugarcane and instead was under cultivation for sweet potato.

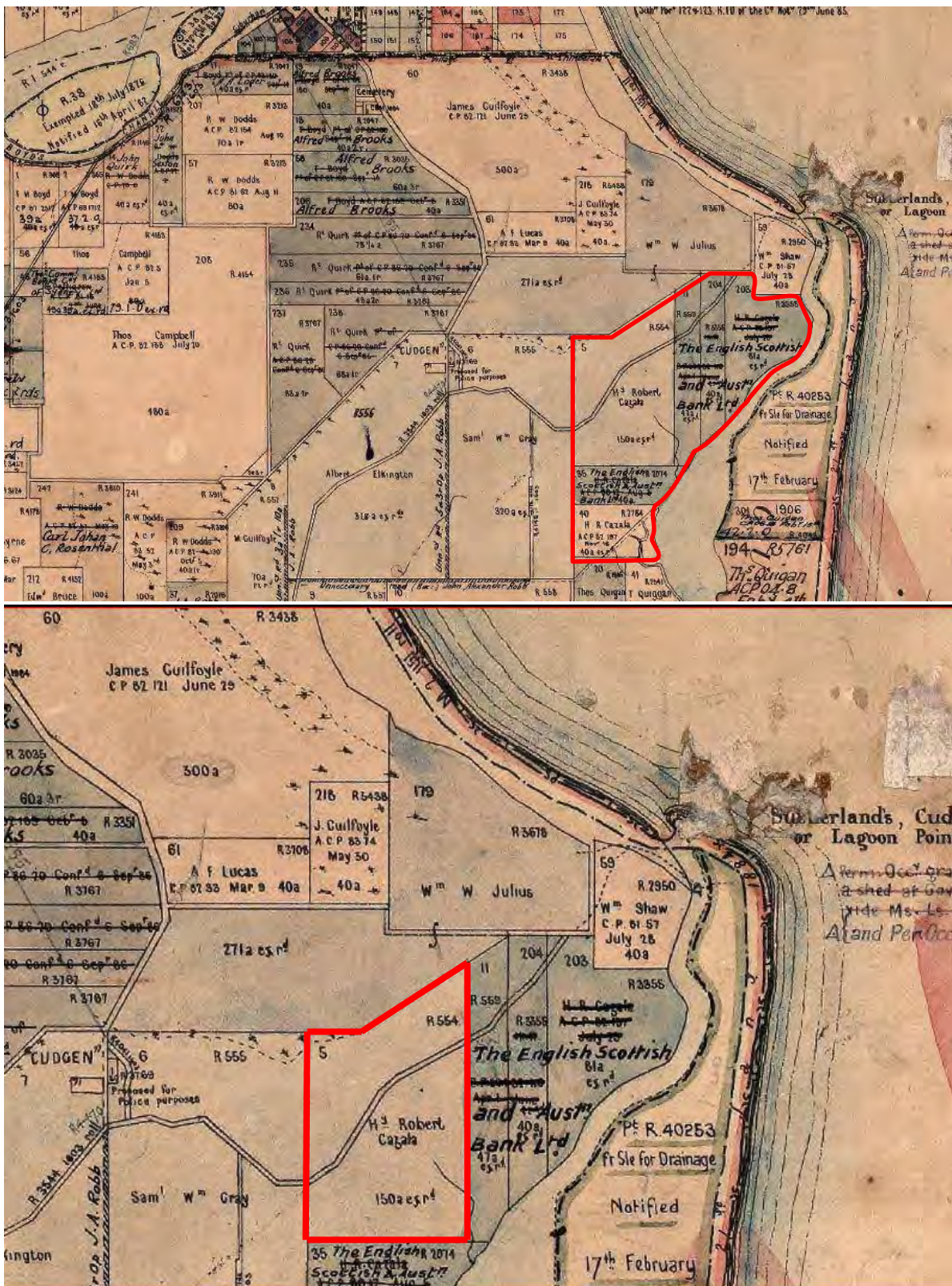


Figure 6. Map of the Cudgen area, undated, showing presumed boundary of Cazala's sugar plantation (top), and detail of Portion 5 (bottom) ((NSW Land Registry Office, Historical Lands Records Viewer, Parish of Cudgen, edition 4, sheet reference 1, CD PMAPGF09). Boundaries outlined in red.

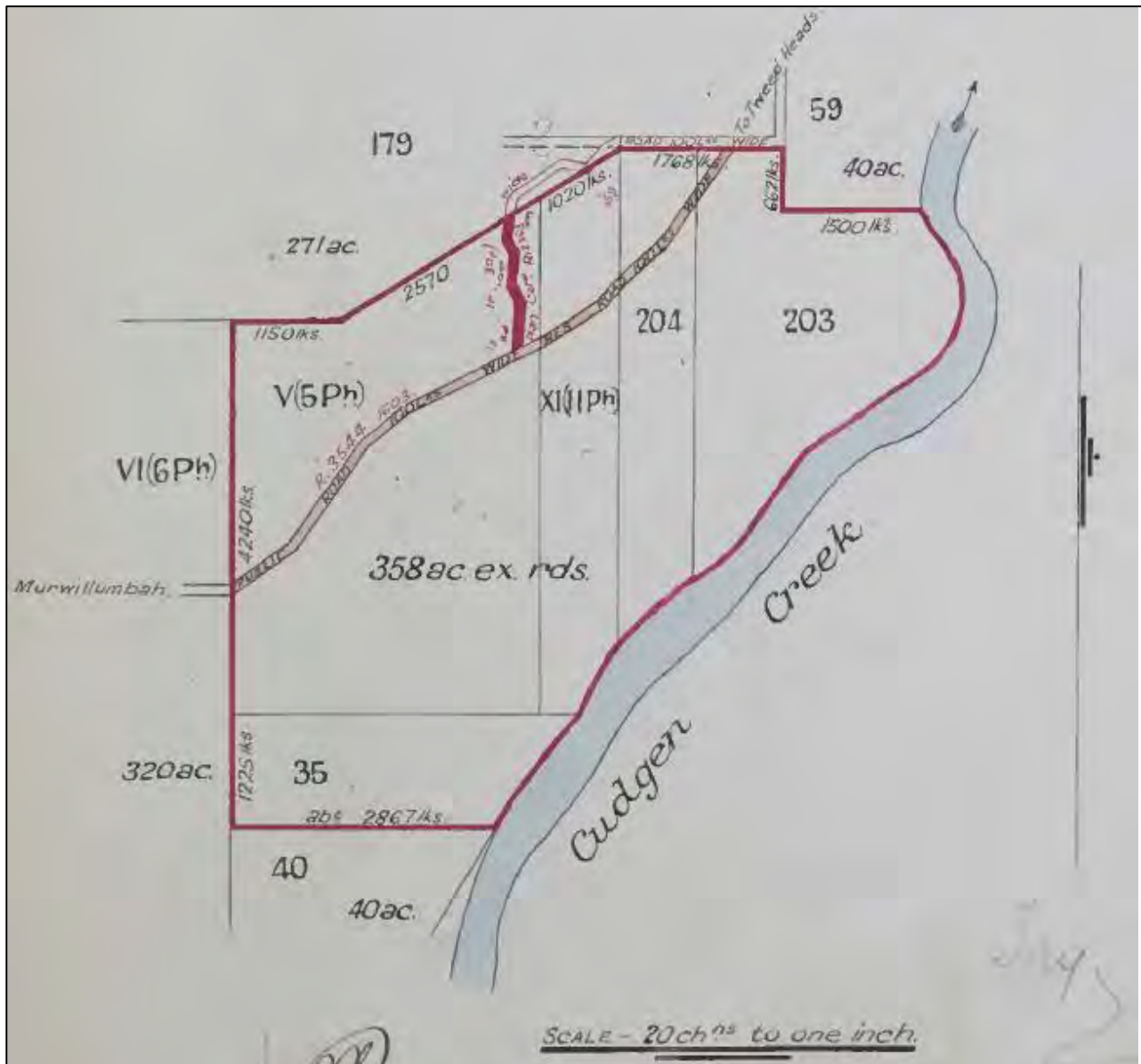


Figure 7. Map of blocks forming the Cornwell dairy farm, and later CSR subdivision (NSW Certificate of Title Vol. 2677 Folio 89).

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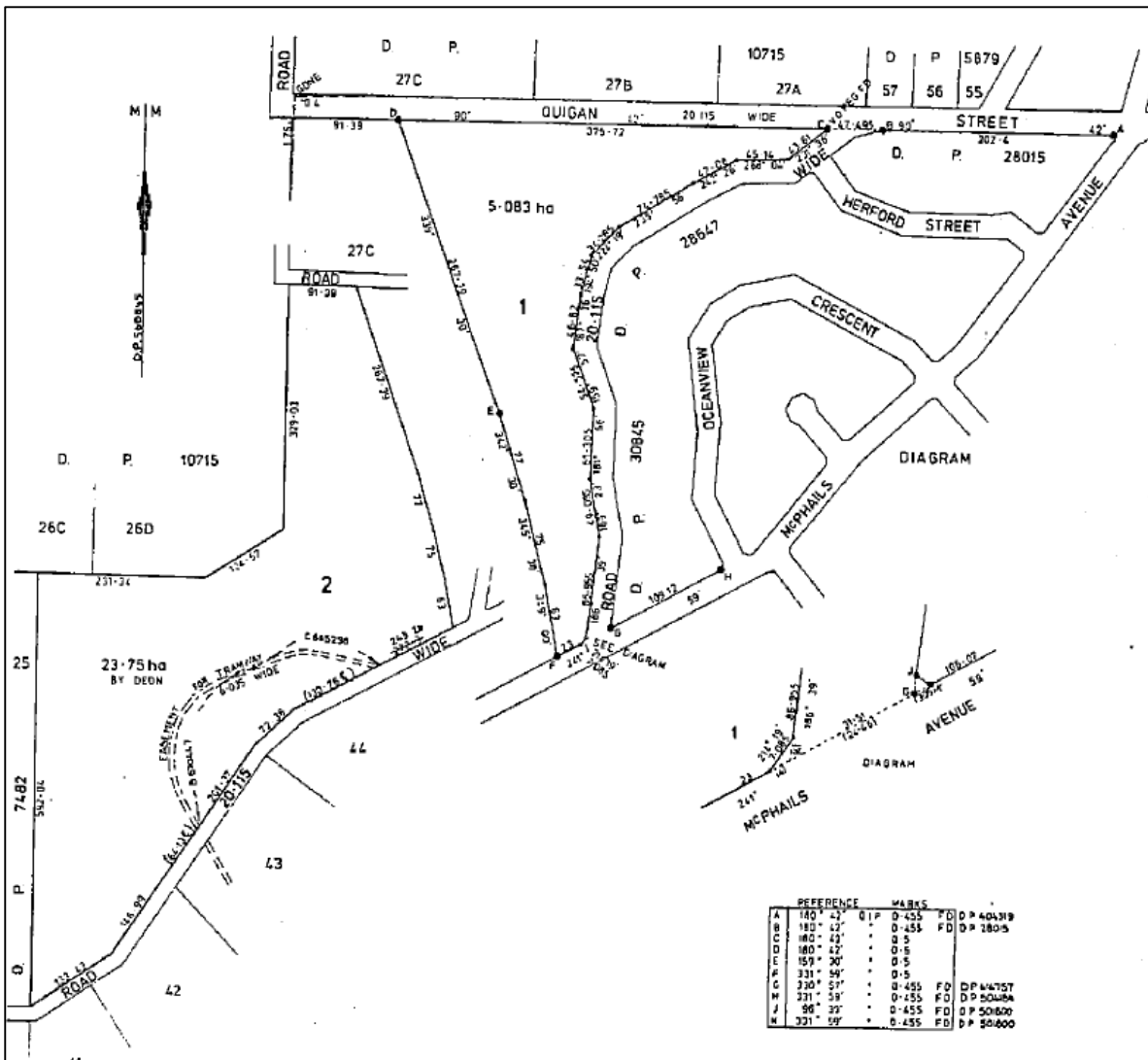


Figure 10. Map of Lots 1 and 2 DP568854, 1974 (NSW Certificate of Title Vol. 12429 Folio 104).

## 4. Previous Heritage Assessments

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A review of assessments held by the NSW Heritage Library, managed by OEH, indicated that few previous assessments of heritage are available for review around the Cudgen / Kingscliff areas or within Tweed LGA generally. The most relevant is Boileau (2004) who produced the *Tweed Shire Council Community Based Heritage Study Thematic History* for the Tweed Shire Council in September 2004. This study provides a detailed history of the region including the sugar industry, and identifies places of known or potential heritage significance. In Chapter 5, Harvesting the Sea and Land, the study identifies the sugar, banana and dairy industries as major historical sub-themes of the region and highlights the following heritage places close to the Project Site:

- Dry Stone Walls, Plantation Road, Cudgen.
- Togo's Hill and Mango Trees, Duranbah Road, Cudgen.
- Remains of Cudgen Sugar Mill, Chinderah Road, Cudgen.

No other assessments were located with relevant information to the Project Site.

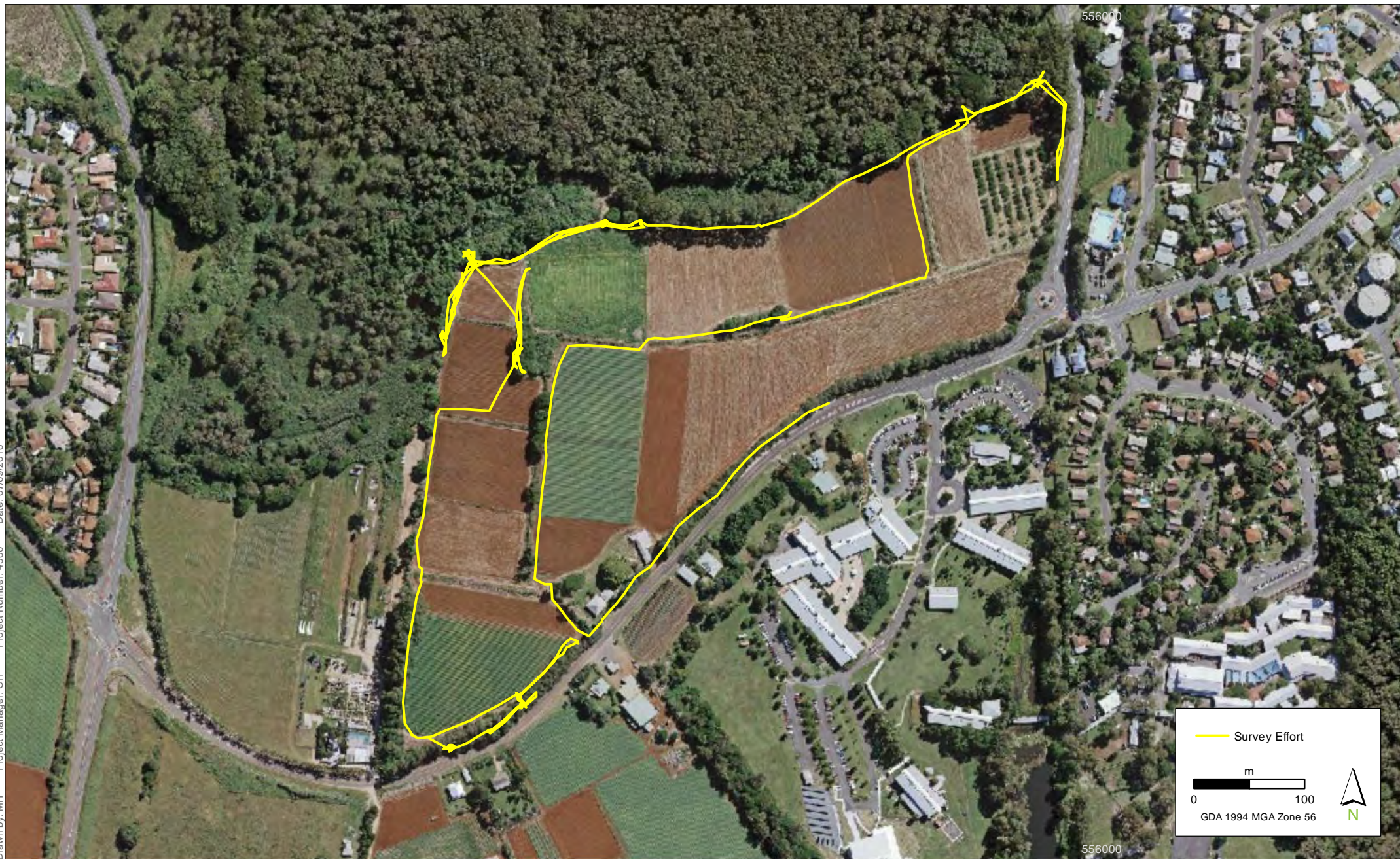
## 5. Field Survey

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The Project Site was inspected on the 2<sup>nd</sup> of August by Kevin Rains and Xavier Carah (Niche), and 7<sup>th</sup> September by Clair Davies (Niche). The site has been heavily modified by agricultural practices and continues to be used for agricultural activities.

### 5.1 Survey methodology

A targeted site survey was undertaken to determine the nature and extent of historic heritage present. The survey focused on the previously identified walls (Niche 2018), the house on Cudgen Road, and associated plantings. During the course of investigations it became clear that extent sections of dry stone wall were co-located with hedgerows. Therefore, all hedgerows were inspected during the survey. Outside of these areas the Project Site is heavily disturbed by agricultural activities.



## 5.2 Results

The majority of the historic heritage aspects identified during the survey were built structures, however, some archaeological potential does exist in discrete locations. These are described below and also illustrated at the end of this section in Figure 12.

### 5.2.1 Dry-stone walls

Five dry-stone walls were identified and recorded during the field survey. Three of these walls (Walls 1-3) had been previously identified by Niche (2018).

#### ***Wall 1 – Cudgen Road***

Wall 1 is a dry-stone wall approximately 64 m in length and is located adjacent to Cudgen Road, within the road reserve. The wall is constructed with large volcanic cobbles 3-5 courses high, with a rock rubble infill. The wall varies in width between 1-3 m. From the western end for around 20m the wall is low (single course) and partially collapsed. Between 20m and 34m the wall is in good condition and uniform in construction. Over the remaining 30 m of its extent the wall deteriorates and collapses in sections and is overtaken by ground cover. Vegetation and tree growth is intermingled with the wall along its extent. This relationship is both beneficial and deleterious, with tree roots holding together as well as tearing apart sections of the wall.



**Plate 2. Wall 1, view northeast.**

#### ***Wall 2 – retaining wall***

Wall 2 is an extensive wall which runs along much of the western and northern boundaries of Lot 102 DP870722. Wall 2 is inclusive of both Wall 2 and Wall 3 identified in Niche (2018a). Wall 2 is a very well-constructed dry-stone wall of 6-8 courses of large volcanic cobbles. The sections of wall examined were in excellent condition although the encroachment of vegetation was apparent, and at its eastern end its height reduces and it forms more of a rubble batter than an upright wall. Thick vegetation prevented the full extent and condition of the wall from being assessed during the survey, and it is likely to be more extensive than shown in this report. Sections of the wall have been impacted by later developments including track construction to the creek on the western side (i.e. the former Wall 3 [Niche 2018]). Wall 2 appears to be a retaining wall designed to protect the ploughed fields upslope from the erosion and flooding from the creek in the west and swamp to the north.



**Plate 3. Wall 2, northern boundary section, view southeast.**

### **Wall 3**

Wall 3 is a dry-stone wall of variable height located mid-slope on the western side of Lot 102 DP870722. The wall is oriented north-south within a row trees and runs for approximately 46 m. The wall varies in height and condition, however the majority of the wall is high (4-5 courses of volcanic cobbles) and well formed. This wall is overgrown with vegetation which prevented its full extent from being defined and contributes to its deterioration. Included in this vegetation is a very old macadamia tree.



**Plate 4. Wall 3, view east towards upper paddock.**

### **Wall 4**

Wall 4 is a dry-stone wall of 4-6 courses of large volcanic cobbles. This wall is approximately 60 m long and contained within a hedgerow mid-slope. This wall appears to act as a terrace, supporting the upslope fields, although it could also be the remains of a culvert or retaining wall associated with the tramway that was

roughly in this location. This wall is heavily concealed by the trees and vegetation of the hedgerow. It was only viewed and photographed from above as it was too difficult to access it from its base. This wall appears to be in good condition and remains in situ.



**Plate 5. Wall 4, view west from top of wall and terrace.**

### **Wall 5**

Wall 5 is a dry-stone retaining wall of approximately 63m, running roughly north-south on the eastern boundary of the Subject Site, adjacent to Turnock Street and retaining part of the road alignment. It is heavily overgrown by trees and other vegetation. It is unclear if Wall 5 is contemporaneous with the other dry-stone walls or a more modern structure, therefore requires further historical research to confirm its origins. Although it follows the alignment of Turnock Street, it possibly pre-dates the building of this road (which was post-1974), and may represent an earlier track, tramway or field that was subsequently utilised as a convenient new boundary line for when the Subject Site was subdivided in 1974. For the purposes of this report, however, it has been nominally classified as one of the significant stone wall features until further information is available.

### **5.2.2 House and associated structures**

Following a well-established pattern of sugar plantation arrangement (Rains, 2013), Cazala's sugar plantation would have contained a manager's or owner's residence as well as a variety of accommodation for workers and livestock, as well as the mill and associated industrial buildings. The historical evidence indicates that the mill was not within the Project Site but to the south towards Cudgen Creek. However, given its elevated position, the southern side of the Project Site could have been considered a favourable spot to place a residence. The site inspection, however, revealed no evidence of an early (c. 1870-80s) building, indicating that the plantation-era domestic structures were located elsewhere or have disappeared from the Project Site.

Stylistically the existing house is a circa 1890-1900 weatherboard cottage on low stumps with iron roof. Originally it had a front, bullnose verandah facing Cudgen Rd (Plate 6). Anecdotal evidence from the current occupier is that her family bought or moved onto the farm around 1916 and the house was present at that time. It therefore post-dates the heyday of the plantation system and most likely is linked to the period of ownership of the Cornwell family. It may or may not have been the principal family residence as there are

two houses of similar vintage situated on the southern side of Cudgen Road, within the former boundaries of Portion 5 and also potentially linked to the estate. Samuel Cornwell took out a mortgage in 1894 and 1905 and these may relate to the building of some of the houses (further research is required on adjacent properties to ascertain this for certain).

In the nature of many farmhouses, the building has been extensively modified in response to changing family needs. Almost all original features have been removed or obscured except for an internal wall with a fretwork arch, one door and some VJ walls and ceiling. The roof has been re-profiled and extended on all sides to create a wrap-around verandah that is now enclosed by Hardieplank and aluminium windows for extra living space. The original corrugated iron of the roof has been replaced with Colorbond sheeting.

Internally, all the original external walls have been opened up into this verandah space to make extra or larger rooms. The front entry hallway has been converted into a cupboard, with the front entry now at the back (northern side) of the building. The floors are either carpet, tiles (in bathroom) or polished wood. The polished wood is narrow hardwood planking, which is a circa 1950-60 feature overlaid on or replacing what originally would have been softwood boards.

These major alterations greatly diminish the house's heritage values.

On the eastern side of the house is a non-significant modern garage and a farm shed from the 1950s-70s. There is no longer any evidence of the tramway in-situ or the tramway easement. This was situated east of the existing shed.



**Plate 6. Image of the original house, ca. 1920s-50s, looking from the southeast (image supplied by property resident).**



**Plate 7. House as it is today, with garage to right, looking from southeast.**



**Plate 8. Rear of the house, now the main entry.**



**Plate 9. Interior of house showing main living room with VJ ceiling, wall and hallway arch.**



**Plate 10. Detail of fretwork hallway arch. Hallway is now enclosed by a cupboard, visible to rear.**



**Plate 11. Southwest bedroom showing opening into the now enclosed verandah.**



**Plate 12. Southeast bedroom showing an original door.**

### 5.2.3 Trees

Within the immediate house grounds there are three mature trees – two figs and one poinciana. One fig is on the northeast side of the house, and has a large, spreading form. The other fig and the poinciana are in the northwest side of the house. The second fig has a taller, more contained habitat, and may be growing out of another tree.

Owing to the high growth rate of trees in this area, supported by rich soil and high rainfall, these trees may not be very old (possibly 40-60 years). This assessment is based on their size but would need to be confirmed by a trained arborist and/or historical aerial photo analysis. Historic aerial images that could help indicate the age of the trees were sought from LPI but were not obtainable within the necessary timeframe.

Along the southern (Cudgen Road) boundary is a line of mature exotic pines (probably *Pinus radiata*) mixed with regrowth rainforest species such as tuckeroo (*Cupaniopsis anacardioides*) and macaranga (*Macaranga tanarius*). The pine trees probably date from the 1930s onwards when the McPhail family established the current farm boundaries.



**Plate 13. Spreading fig tree on northeast side of house, view east.**



**Plate 14. Tall fig tree on northwest side of house, view west.**



**Plate 15. Poinciana, view north.**



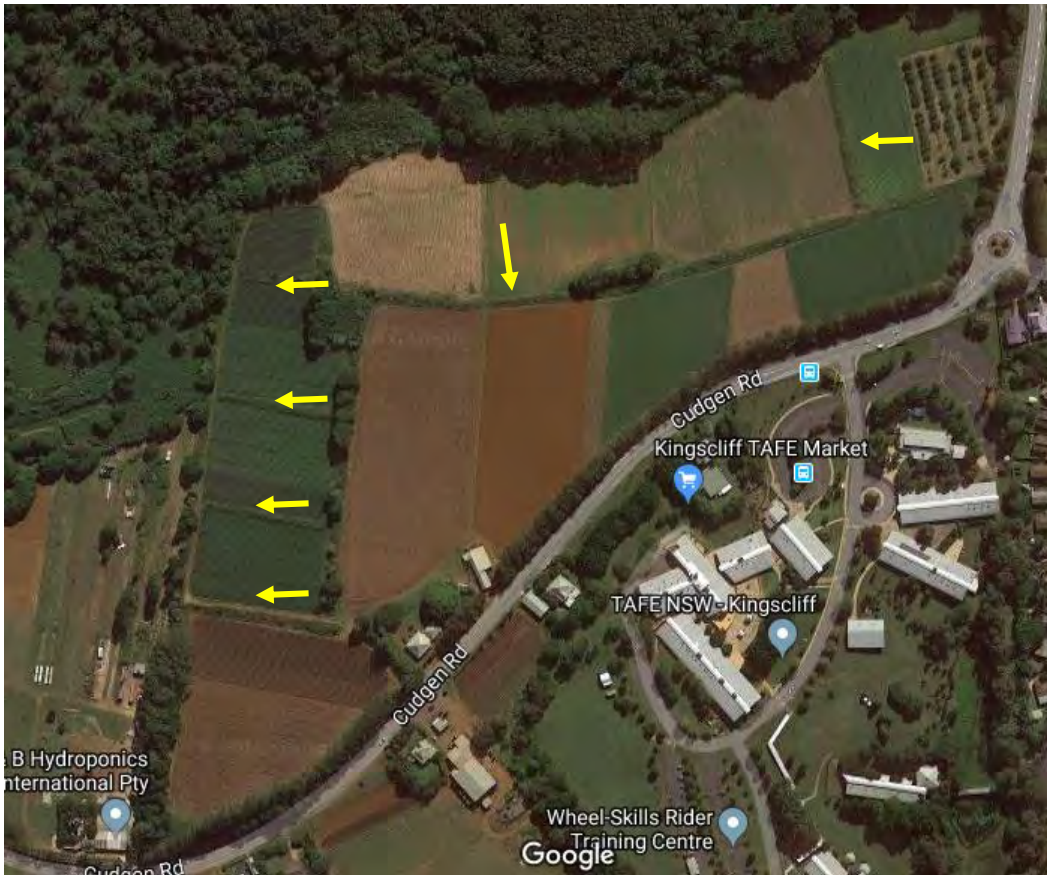
**Plate 16. Rear of house area, looking southeast showing the three trees.**



**Plate 17. Boundary planting of pine trees, looking east from across field.**

#### **5.2.4 Hedgerows**

The property is divided into individual paddocks by six major hedgerows formed by the collection and piling of boulders from the surrounding fields. These are becoming overgrown by grass, weeds and rainforest trees, but do not exhibit the same maturity of regrowth or level of weathering or lichen colonisation as the stone walls, suggesting they are of more recent origin.



**Plate 18. Aerial image of Project Site showing main rock hedgerows (yellow arrows) (Google Earth 2018).**



**Plate 19. Rock hedgerow, view east.**

### 5.2.5 Rubbish deposits

Across the site three rubbish deposits were identified. A small scatter of fragmented ceramics were identified amongst the volcanic cobbles of Wall 3. These ceramics were utilitarian 19<sup>th</sup> century or early 20<sup>th</sup> century domestic-ware. Two other, larger rubbished deposits were identified in the north-west corner of the site. These two rubbish deposits contained a range of material including evidence of the old tramway in the form of rail track, as well as other cast-iron, a Schultz Engineering and Manufacturing Co. ferrous metal container (post-1961) and demolition debris. Initial inspection indicated some of the material may be 19<sup>th</sup> or early 20<sup>th</sup> century, while other material is more recent.



**Plate 20. Ceramics at Wall 3.**



**Plate 21. Rubbish dump.**



**Plate 22. Rubbish dump including rail track and machinery**



## Survey Results

Tweed Valley Hospital - Historical Heritage

**FIGURE 12**

Imagery: (c) SixMaps 2018

## 6. Significance Assessment

The *NSW Heritage Manual*, prepared by the former NSW Heritage Office and Department of Urban Affairs and Planning, provides the framework for assessing significance in NSW. These guidelines incorporate the five aspects of cultural heritage value identified in the *Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 1999* (Burra Charter) into a framework currently accepted by the NSW Heritage Council.

The following table presents the significance assessments for the Project Site and the identified elements of the place.

**Table 1. Significance assessment**

Criterion	Significance
(a) An item is important in the course, or pattern, or NSW's cultural or natural history (or the cultural or natural history of the local area)	<p>The Project Site was once part of the early sugar plantation of Henry Robert Cazala, established in 1875 and one of the first land grants and sugar mills in the area, and then from 1893-1916 the important dairy farm run by the Cornwell family. It has been used for agricultural purposes since. However this significance is considered moderate for although the Subject Site's general use for agriculture continues, it no longer sustains either sugarcane production or dairying and therefore is no longer an example of these historically important local industries. Its broader historical context has also changed through the process of subdivision and urban development which has reduced the Subject Site to a remnant parcel of the original, far more extensive land holding, and situated it within a locale that is transitioning towards denser settlement. It is therefore not reflective of the full extent of the historic landscape, and has limited physical evidence of its significant early development, other than the dry-stone walls and ongoing use of the land for agricultural purposes.</p> <p><b><i>The Project Site is considered to have some local significance under this criterion.</i></b></p> <p>The dry-stone walls (1-5) are an early feature which provide evidence of the immense effort required to modify the landscape for crop production. Their aged condition and large scale suggests they were built as part of an intensive stabilisation scheme during the plantation period, or possibly the later Cornwell period, when the agricultural enterprise was at its height and there was sufficient capital and workforce to undertake such an endeavour. The dry-stone walls are likely to be associated with the use of South Sea Islander labour. Other large-scale dry-stone walls built by South Sea Islanders exist in the local area.</p> <p><b><i>The old stone walls (1-5) are considered to have local significance under this criterion.</i></b></p> <p>The rock hedgerows are not demonstrably early and most likely date to more recent agricultural activities.</p> <p><b><i>The hedgerows are not considered to have State or local significance under this criterion.</i></b></p>

Criterion	Significance
	<p>The house, although early, being erected around 1900, has been substantially altered and no longer provides significant evidence of its original use.</p> <p><b><i>The house is not considered to have State or local significance under this criterion.</i></b></p>
	<p>The mature trees, specifically the two figs, the poinciana and boundary of pine trees, do not appear to be extremely old.</p> <p><b><i>The mature trees are not considered to have State or local significance under this criterion.</i></b></p>
(b) An item has strong or special associations with the life or works of a person, or group of persons, of importance in the cultural or natural history of NSW (or the cultural and natural history of the local area)	<p>Although the Project Site has been identified through historical research as having an association with Henry Robert Cazala, an early pioneer of the sugar industry at Cudgen, and the Cornwell family, a prominent dairy family, that association is not strongly reflected in the existing fabric or land boundaries. Much of what is visible today relates to later land users and land reconfiguration.</p> <p><b><i>The Project Site as a whole is not considered to have State or local heritage significance under this criterion.</i></b></p>
	<p>The dry-stone walls (1-5) may have been built as part of Cazala's development of the plantation, or during the period of occupancy of the Cornwell family, but further research is required.</p> <p><b><i>The dry-stone walls may have local heritage significance under this criterion.</i></b></p>
(c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievements in NSW (or the local area)	<p>The dry-stone walls (1-5), as ruinous structures which continue to age, crumble and develop rainforest regrowth, have picturesque aesthetic qualities that evoke a sense of abandonment, decay and the past. The mature trees provide important local landmarks and vistas.</p> <p>The dry-stone walls 1-4 are among a number of stone walls built in the area with simple techniques and so do not demonstrate a high degree of creative or technical achievements.</p> <p><b><i>The dry-stone walls (1-5) and mature trees are considered to have local heritage significance (aesthetic) under this criterion.</i></b></p>
(d) An item has a strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.	<p>The dry-stone walls (1-5) are likely to have a special association with the Australian South Sea Islander community. Further consultation with the local community, however, is required to confirm its social heritage significance.</p> <p><b><i>The dry-stone walls (1-5) and the Project Site may have State or local heritage significance under this criterion.</i></b></p>

Criterion	Significance
(e) An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)	<p>The rubbish dumps within the Project Site have a high potential to contain archaeological relics associated with the use of the land from 1875 to the present. The house area itself also has potential to contain archaeological relics relating to domestic life on the farm, as well as remains associated with former outbuildings and ancillary structures, from around 1900.</p> <p><b><i>The rubbish dumps and house area are significant at a local level under this criterion.</i></b></p>
(f) An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area); and	<p>The dry-stone walls (1-5) and other identified elements of the Project Site are not considered have significance under this criterion.</p> <p><b><i>The Project Site is not considered to be of State or local significance under this criterion.</i></b></p>
(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 a class of the local area's) Cultural or natural places; or Cultural or natural environments.	<p>The Project Site's primary historical significance is its connection to the Cazala sugar plantation and the early sugar industry, and the Cornwell dairy farm. However, except for the dry-stone walls (1-5), the Project Site does not contain any original or particularly early features relating to this former use or class of place. Important features such as the tramway and tramway easement are no longer in evidence. The Project Site is primarily a small farm developed from the 1930s for sugar cane and other crops.</p> <p><b><i>The Project Site is not considered to be of State or local significance under this criterion</i></b></p>

## 6.1 Statement of Significance

The Project Site is part of one of the first land grants in the area and is associated with the initial development of the sugarcane and dairy industry in the area during the nineteenth and early twentieth century, and has been used for agricultures continuously since. It has moderate local historical significance on this basis, for while its use for general agriculture remains, specific links to the sugar and dairy industries, and the original more extensive plantation/farm landscape that it was once part of, have mostly disappeared through subdivision and boundary changes, a loss of physical evidence, change to agricultural activities and encroaching urban development.

The dry-stone walls (1-5) are the most important physical evidence of early activities, and likely date to that early phase of development when the Project Site was a large sugar plantation and then dairy farm, and were probably built with the use of South Sea Islander labour. They therefore have local historical significance and potential (pending community consultation) associative significance with the Australian South Sea Islander community and the life of the former plantation owner, Henry Robert Cazala, and the Cornwell family, who were prominent historical figures in the district.

The dry-stone walls and mature trees on the Project Site have individual aesthetic value and also contribute to the Project Site's overall aesthetic qualities. Wall 1, which is visible from Cudgen Road, provides aesthetic interest to that road and the frontage of the Project Site, while the mature trees have local landmark value and contribute to local vistas.

The garbage areas identified as well as the existing house area have potential to reveal archaeological relics relating to the early land use and occupancy, including the early tramway, and therefore have local significance.

## 7. Heritage Impact Assessment

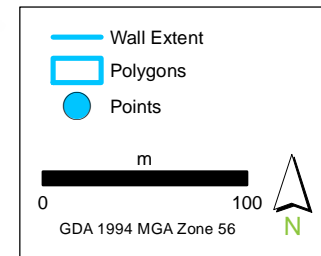
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The following section assesses the potential impacts of the Project (see Section 1.3 of this report) on the Project Site and identified heritage elements.

### 7.1 Masterplan review

Following review of the masterplan for the Project Site, the following specific impacts to historic heritage elements have been identified:

- Wall 1 – the current Masterplan positions the western end of Wall 1 hard on the eastern side of the emergency vehicle entry from Cudgen Road. Although in principle there should be no impact, final detailed design and construction requirements for the driveway entry may necessitate the need for an encroachment of 1-2m.
- Wall 2 and 5 – these walls are outside of the current footprint. They are located in an area which may be subject to vegetation management/clearance. The impact of these activities on heritage needs to be considered as part of the vegetation management plan.
- Wall 3 – this wall is mostly outside the current footprint. However the northern end of the wall could potentially be clipped by an internal road.
- Wall 4 – this wall will be completely impacted by the construction of the public carpark to the east of the hospital.
- House – the house will be removed during Preliminary works on the site.
- Trees – pine trees on the southern boundary will be removed, mostly along the main frontage to the hospital, but there are also a small number requiring removal to the east and west where there are proposed vehicle entrances. Of the three mature trees within the existing house area, the Poinciana and western fig will need to be removed for a carpark road. The east fig will be retained and incorporated in the new design.
- Rubbish deposits – these deposits are outside of the current footprint, however may need to be removed during general site improvement
- Hedgerows – most of the hedgerows will be impacted by the proposed development



## 7.2 Potential Impacts

The Heritage Council guidelines for preparing Statements of Heritage Impacts (SOHIs) pose a range of questions for consideration when assessing impacts for development. Relevant considerations are addressed in the following table.

**Table 2. Impact assessment – Project Site**

Proposed change	Consideration	Response
Change of use	Has the advice of a heritage consultant or structural engineer been sought? Has the consultant's advice been implemented? If not, why not?	Yes, and the advice has helped inform the development of a Masterplan for the proposed development
	Does the existing use contribute to the significance of the heritage item?	Yes, the current use of the land for agricultural purposes continues the Project Site's historic association with early agricultural development
	Why does the use need to be changed?	The change of use is necessary to meet a community need for a new hospital
	What changes to the fabric or site are required as a result of the change of use?	The changes to the fabric or site will include rezoning of a portion of the site and development of the existing fields for hospital buildings, car parks, ancillary structures and new landscaping.

Proposed change	Consideration	Response
<b>Demolition of building or structure</b>	Have all options for retention and adaptive re-use been explored?	<p>Yes. An emergency driveway is necessary for the hospital, and this is to be situated at the western end of Wall 1. Due to engineering and road design requirements, partial demolition of dry-stone Wall 1, of a length of 1-2m, may be necessary to create the new emergency driveway entrance. Engineering advice has determined that the driveway cannot be shifted further west to remove risk completely.</p> <p>Wall 3 may be impacted by the proposed ring road around the northern side of the hospital.</p> <p>Total demolition of dry-stone Wall 4 is likely in order to create a car park.</p> <p>Preliminary works will include removal of the existing house site, which is considered of low heritage significance.</p> <p>These facilities of the hospital are considered necessary and the design minimises impact overall to the heritage elements of the Project Site</p>
	Can all of the significant elements of the heritage item be kept and any new development be located elsewhere on the site?	<p>No. However, the majority of the significant elements will not be impacted, with dry-stone walls 2 and 5 being outside the impact zone, and only a small portion of Wall 1 and 3 potentially being impacted. The affected section of Wall 1 is already highly degraded and so the impact on its heritage values will be minimal.</p>
<b>Tree removal</b>	Does the tree contribute to the heritage significance of the item or landscape?	<p>The proposal requires the removal of mature pine trees along the southern project boundary and two other mature trees which have local aesthetic significance – the fig and Poinciana on the northwest side of the existing house. These trees make a low to moderate contribution to the overall heritage significance of the Project Site</p>

Proposed change	Consideration	Response
	Why is the tree being removed?	The trees are to be removed as part of overall site landscape planning, to create necessary car parks and achieve a functional Masterplan.
Other	Is the development on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?	The Project Site contains areas of potentially significant archaeological deposits. Only one, the existing house area, will be impacted by the development. This area is required for car parks roads and landscape buffer plantings. The archaeological potential of the site is considered moderate at a local level

### 7.3 Statement of Heritage Impact

The Heritage Council guidelines for preparing Statements of Heritage Impacts (SOHIs) have outlined three specific issues regarding the impact of a development on a heritage item. These issues have been considered and addressed in the following table.

**Table 3. Statement of Heritage Impact**

<b>Aspects of the proposal that respect or enhance the heritage significance of the item.</b>	The proposed development will preserve the existing curtilage of the place and one of the mature figs, and have no or minimal impact on four of the five dry-stone walls (1-3, 5). The retained fig tree will be enhanced as a feature within a landscape buffer.
<b>Aspects of the proposal that could detrimentally impact on heritage significance.</b>	<p>The change of use of part of the Project Site will have a detrimental impact on its historical association with locally significant farming activities that have been ongoing since 1875. This association has been diminished however by later changes to and around the Subject Site and is considered moderate at a local level.</p> <p>Under the current Masterplan, the proposed development will result in the removal of the mature Poinciana and second fig tree removal of the boundary pine trees, and the removal of dry-stone Wall 4.</p> <p>There is the potential for demolition of a small portion of the western section of dry-stone Wall 1 and northern section of dry-stone Wall 3. However, in the case of Wall 1, this impact is considered minimal as the integrity of the western end has been greatly diminished by its collapse and loss of its fabric; it is visible only as a low, degraded alignment of surface rubble. The integrity of the northern end of Wall 3 could not be ascertained due to dense grass cover.</p> <p>The removal of the existing house site will result in the removal of this structure considered to be of low heritage significance.</p>

	<p>The proposal will result in disturbance to potential archaeological relics within the existing house area, and change the historic and aesthetic character of the Project Site from agricultural to built infrastructure (hospital).</p>
<p><b>Have sympathetic solutions been considered and discounted?</b></p>	<p>In siting a hospital within the Project Site it is not possible to mitigate the change in its character from farm to community services. However the hospital is deemed vital community infrastructure while the character of the broader area is already evolving towards denser residential living and service provision.</p> <p>The proposed Masterplan for the development minimises impact on most of the significant individual elements of the Project Site, the dry-stone walls, by keeping development away from the most extensive of the walls, Wall 2, as well as Wall 5, and potentially impacts only a small, degraded portion of Wall 1 and a small section of Wall 3. It also retains one of the three mature trees near the existing house.</p> <p>Overall, the layout provides the most practical and cost effective solution while keeping the bulk of residential development away from the bulk of the heritage elements.</p>

## 8. Conclusions and Recommendations

### 8.1 Conclusions

- The Project Site once formed part of a historically significant sugar plantation, established 1875, and then major local dairy farm that was subdivided into smaller farms from 1916. Much of the physical evidence of that early development has vanished or been heavily altered, including the early farmhouse which has been extensively modified where its heritage values are now minimal. However ongoing use of the land for agriculture continues an important historical association. That association, however, is considered diminished by the previous subdivisions, changes to agricultural practice, and recent surrounding development that have occurred, reducing the Subject Site to a remnant of that original wider rural landscape.
- The most significant items on the site are the five dry-stone walls which are very early features and probably built by South Sea Islanders.
- The land has been used for agricultural purposes for over 140 years. The Project will result in a change of use from rural to infrastructure with subsequent large-scale development, altering the historical use of the land.
- The proposal is considered to be sympathetic overall to the heritage values of the Project Site as it does not adversely impact the curtilage and has minor or no impacts to four of the five dry-stone walls.
- Three of the stone walls will or may be impacted to some degree by the proposed works. These walls are not classified as 'relics' under the *Heritage Act 1977*, but 'works', and therefore do not invoke any requirements for management of relics as per that Act.
- The historic rubbish dumps located in this assessment are not within the immediate impact area for the hospital works. There remains some potential for these dumps to retain early and possibly locally significant relics associated with the use of the land for sugar and early dairying activities.

### 8.2 Recommendations

Following the heritage and impact assessments outlined above, a range of measures are recommended to mitigate any impacts to the identified heritage values of the Project Site. These are:

- **Wall 1.** This is currently not impacted, however due to Preliminary Works requirements, final engineering and road design requirements, and construction activities, it may be necessary to demolish 1-2m of the western end for the construction of an emergency vehicle entry. The integrity of this part of the wall is greatly diminished by structural collapse and removal of fabric, and so the impact is considered minimal. Engineering advice has determined that the entry cannot be shifted further west. An archival recording of the wall and the affected portion should be prepared before any alterations occur. It's former alignment can also be represented in a variation of the colour or surface treatment of the road. In addition, to offset the impact of demolition and obtain a positive community outcome, it is recommended that recording and reconstructing the remainder of the wall be undertaken to ensure its stabilisation and preservation for future generations, and appropriate interpretive signage be installed. This could be done in conjunction with engagement with the ASSI and wider community.
- **Wall 2 and 5.** Although these features sit outside the impact zone, future vegetation management might have a detrimental impact. Therefore it is recommended that heritage considerations be incorporated into a vegetation management plan. Avoid removing trees and vegetation which may be supporting the walls.
- **Wall 3.** This feature also sits mostly outside the impact zone, but could potentially be clipped at its northern end by an internal road. It may also be inadvertently damaged by machinery during construction of the hospital or through later vegetation and site management. If possible, impact should be avoided through a redesign of the road that shifts it further north to avoid the wall. The wall should be temporarily barricaded during construction works and considered in future management policies. If impacts are unavoidable, the features should have an archival recorded prepared prior to

commencement of works, and consideration be given to representing the demolished section within the new surfacing of the road

- **Wall 4.** This feature currently sits within a proposed car park and therefore is likely to be demolished. Consideration should be given to retaining it and incorporating it into the design of the car park to avoid impacts. If this is not possible, an archival recording of the feature should be prepared before demolition (include photographs, scale drawings, and surveying).
- **Archaeological deposits.** These are principally the rubbish areas and house area where there is potential for materials relating to the early occupation and use of the Project Site. Such relics may be of local heritage significance. The house area will be directly impacted by the development while the rubbish deposits, although outside of the current footprint, may need to be removed during general site improvement works. Given the project's status as a SSD, permits to excavate or remove such relics would not be required under Section 139[1] of the Heritage Act 1977 as such approvals are exempted under SSD. However, however it is recommended that should such relics be located during ground disturbance works, that they be managed appropriately and in accordance with best practice. A process for managing the discovery of any relics should be included in any environmental or other plans for the Project works.
- **Hedgerows.** These are not of heritage significance but remain items of interest reflecting the later development of the Project Site. An archival recording of the hedgerows should be prepared prior to impacting works.
- **Interpretation.** The presence of stone walls likely associated with the sugar industry and South Sea Islander labourers in that industry presents an opportunity for these aspects of the region's history to be interpreted. Those walls that will be retained in the development area should be included in an interpretation plan and/or strategy for the hospital precinct.

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