

ENVIRONMENTAL ASSESSMENT

Duralie Extension Project

APPENDIX K NON-ABORIGINAL HERITAGE ASSESSMENT



GLOUCESTER
COAL



ResourceStrategies

APPENDIX K

**DURALIE EXTENSION PROJECT
NON-ABORIGINAL HERITAGE ASSESSMENT**

A DRAFT REPORT FOR DURALIE COAL PTY LTD

**BY
HERITAGE MANAGEMENT CONSULTANTS PTY LTD**

2 NOVEMBER 2009

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K1 INTRODUCTION

K1.1 BACKGROUND

Duralie Coal Pty Ltd (DCPL) is proposing to extend the area of its open pit mining operations at Duralie Coal Mine (DCM), located approximately 10 kilometres (km) north of the village of Stroud in the Gloucester Valley of New South Wales (NSW). The proposed development is known as the Duralie Extension Project (the Project).

The main activities associated with the development of the Project would include:

- continued development of open pit mining operations at the DCM to facilitate a run-of-mine (ROM) coal production rate of up to approximately 3 million tonnes per annum, including:
 - extension of the existing approved open pit in the Weismantel Seam to the north-west (i.e. Weismantel Extension open pit) within Mining Lease (ML) 1427 and Mining Lease Application (MLA) 1; and
 - open pit mining operations in the Clareval Seam (i.e. Clareval North West open pit) within ML 1427 and MLA 1;
- ongoing exploration activities within existing exploration tenements;
- progressive backfilling of the open pits with waste rock as mining develops, and continued placement of waste rock in out-of-pit waste rock emplacements;
- increased ROM coal rail transport movements on the North Coast Railway between the DCM and Stratford Coal Mine in line with increased ROM coal production;
- continued disposal of excess water through irrigation (including development of new irrigation areas within ML 1427 and MLA 1);
- raising of the existing approved Auxiliary Dam No. 2 from relative level (RL) 81 metres (m) to approximately RL 100 m to provide significant additional on-site storage capacity to manage excess water on-site;
- progressive development of dewatering bores, pumps, dams, irrigation infrastructure and other water management equipment and structures;
- development of new haul roads and internal roads;
- upgrade of existing facilities and supporting infrastructure as required in line with increased ROM coal production;
- continued development of soil stockpiles, laydown areas and gravel/borrow pits;
- establishment of a permanent Coal Shaft Creek alignment adjacent to the existing DCM mining area;
- ongoing monitoring and rehabilitation; and
- other associated minor infrastructure, plant, equipment and activities.

The Project would extend the life of the current operations at the DCM by approximately nine years. A detailed description of the Project is provided in Section 2 in the Main Report of the Environmental Assessment (EA).

The Project regional location and general arrangement relative to the existing and approved DCM are shown on Figures K-1.1 and K-1.2.

K1.2 REPORT OBJECTIVES AND STRUCTURE

The Director-General's Environmental Assessment Requirements (EARs) for the Project indicate that non-Aboriginal heritage is a key issue for the EA. This report has been prepared to address the requirements of the EARs and assesses the potential non-Aboriginal heritage impacts of the Project.

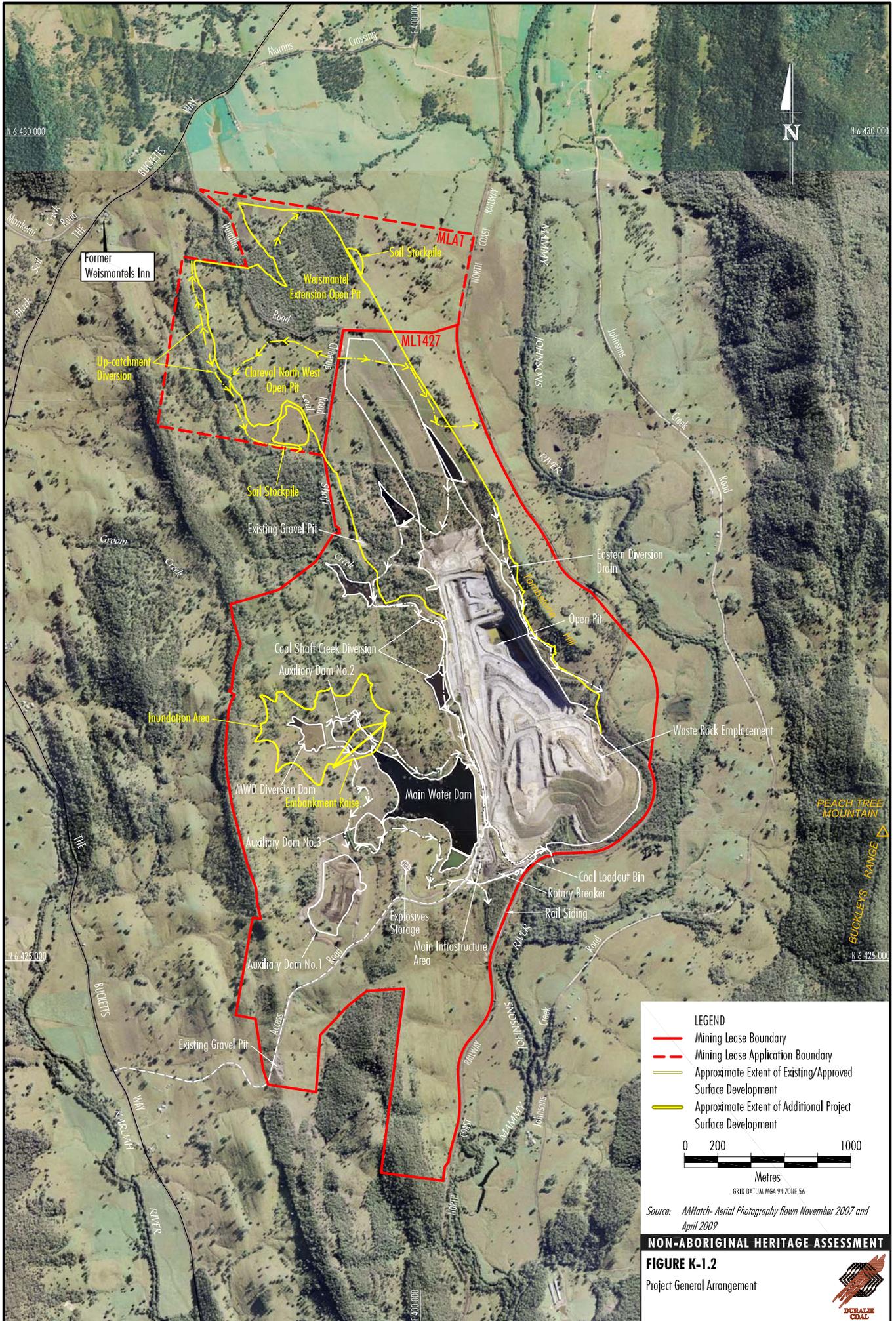
The NSW Heritage Council advocates that development proposals generally be accompanied by Statements of Heritage Impact (SOHI). SOHI typically address:

- why an item is of heritage significance;
- what impact the proposed works would have on that significance;
- what measures are proposed to mitigate negative impacts; and
- why more sympathetic solutions are not viable.

This report addresses the above requirements and is structured as follows:

- Section K2 outlines the historical context of non-Aboriginal occupation of the Project area.
- Section K3 provides a summary of relevant listings on existing heritage registers and related information to identify heritage items or places that might potentially be impacted by the Project.
- Section K4 describes the site inspection and review of the Former Weismantels Inn that is located near to and west of the Project.
- Section K5 provides an assessment of the potential impacts of the Project on non-Aboriginal heritage, and provides mitigation and management measures, where relevant.
- Section K6 lists the documents referenced in this report.





LEGEND

- Mining Lease Boundary
- - - Mining Lease Application Boundary
- Approximate Extent of Existing/Approved Surface Development
- Approximate Extent of Additional Project Surface Development

0 200 1000
Metres
GRID DATUM: MGA 94 ZONE 56

Source: AAHatch- Aerial Photography flown November 2007 and April 2009

NON-ABORIGINAL HERITAGE ASSESSMENT

FIGURE K-1.2
Project General Arrangement



This assessment is based on both a desktop analysis of available documentation relating to the history and cultural heritage of the Project area and a site inspection. The main documentary sources used are local histories and maps in the National Library of Australia, and web-based information on heritage registers and local history. This report has been drafted in consideration of the relevant principles and articles contained in *The Burra Charter* (Australian branch of the International Council on Monuments and Sites [ICOMOS], 2000) and the *NSW Heritage Manual* (NSW Heritage Office and Department of Urban Affairs and Planning [DUAP], 1996).

K1.3 AUTHORSHIP

The research and assessment in this report has been undertaken by Dr Michael Pearson and Dr Jane Lennon of Heritage Management Consultants Pty Ltd.

K1.4 ACKNOWLEDGEMENTS

The input and assistance of the following people is acknowledged with thanks:

- Tony Dwyer, Manager Environment and Approvals, Duralie and Stratford Operations;
- John Trotter, Environmental Manager, DCPL; and
- Mara Barnes, NSW National Trust.

K2 HISTORICAL OVERVIEW

K2.1 THE AUSTRALIAN AGRICULTURAL COMPANY

The DCM area was part of a very large land grant held from the early nineteenth century by the Australian Agricultural Company (herein referred to as the AA Company). The AA Company was established in London in 1824 and, supported by an Act of Parliament and a Royal Charter and on the basis of a nominal £1 million pounds capital, in 1826 was granted one million acres in NSW on which to raise merino sheep. Surveyor John Oxley proposed that the AA Company take up half the land on the Liverpool Plains for sheep grazing, and the other half in the Manning River valley for cropping. An associated recommendation was that land be acquired in Port Stephens to use it as a port. After some uncertainty, the land finally chosen was in three blocks: 464,640 acres between Port Stephens and the Manning River (Port Stephens Estate), 249,600 acres on the Liverpool Plains west of Willow Tree (Warrah), and 313,298 acres at the Peel River south of Tamworth (Goonoo Goonoo). The AA Company was established in all three locations by the early 1830s.¹

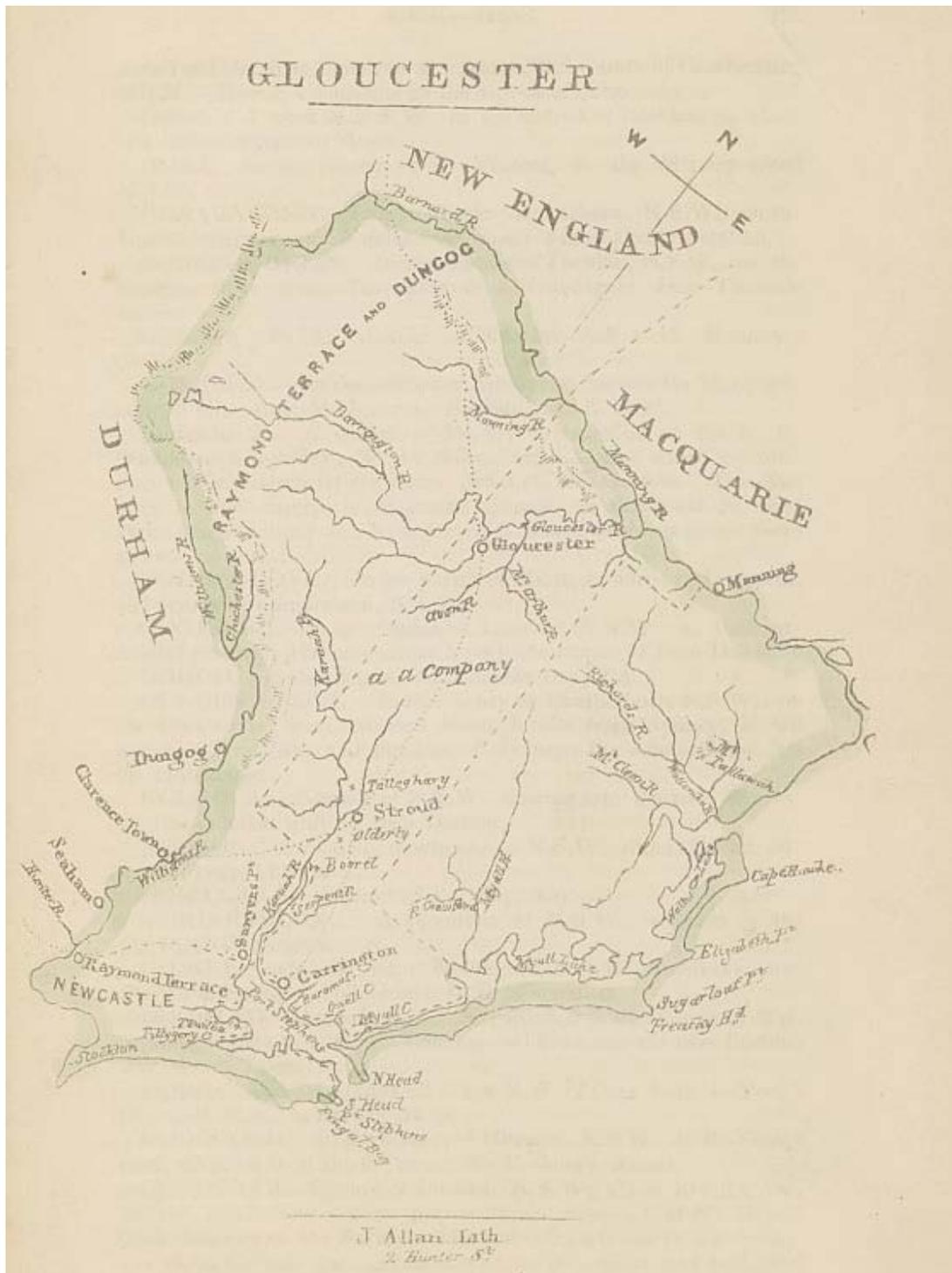
It is thought that the AA Company's inaugural superintendent, Robert Dawson, named Stroud as a townsite in 1826 after a town in the Cotswold country in England, because the land reminded him of the English countryside in that area. Stroud first developed as a sheep run outpost in 1827, and a small town was developed by Dawson's successor, the Arctic explorer Sir Edward Parry, who was the AA Company Superintendent from 1830 to 1834. Stroud House was built as the Commissioner's accommodation and the majority of the AA Company's convict labour force was based in Stroud by 1836.² The maximum number of convicts assigned to the AA Company was 464 convicts in 1837. The company also engaged approximately 100 free men throughout the 1830s³. The Wards River/Johnsons Creek area immediately to the north of the DCM area seems to have been grazed by the AA Company's sheep from around 1828.

A map of County Gloucester, 1848, showing the AA Company lease area is shown on Figure K-2.1, while Figure K-2.2 shows the approximate position of the Project area in relation to the AA Company lease area.

¹ Pemberton (1985: 1-2); Stroud & District Historical Society (N.D.); Birrell (1987: 39-43); Jack and Jeans (1996: 51-55).

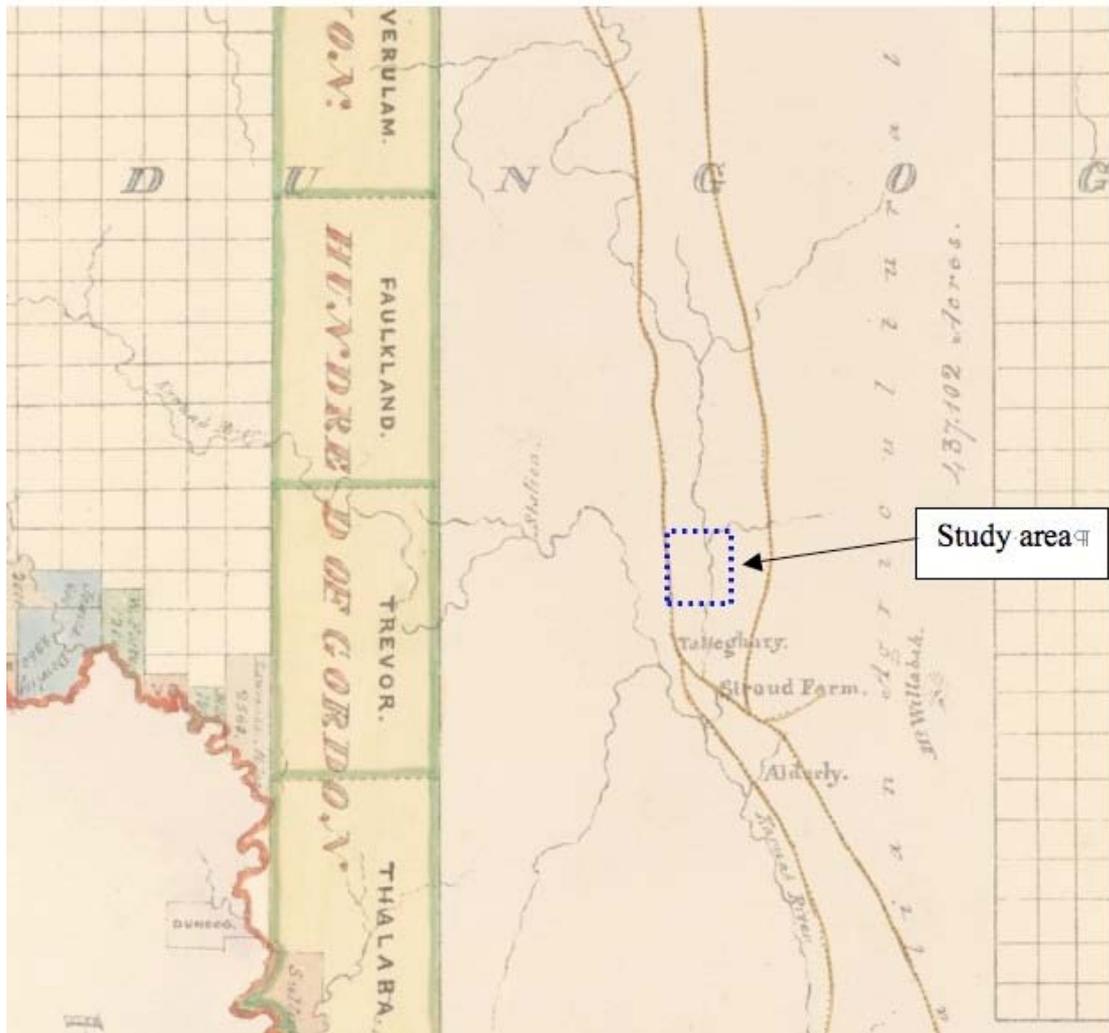
² Stroud & District Historical Society (n.d.).

³ Chadban (1970: 15).



Source: Wells (1848 facing p.18).

Figure K-2.1 Map of County Gloucester, 1848, Showing the AA Company Lease Area



Source: Baker (1846).

Figure K-2.2 Detail of the AA Company Lease Area in 1846, Showing the Approximate Position of the Project Area

The ending of convict assignment in 1838 together with the general economic difficulties in the 1840s, and the increasing realisation that the Port Stephens land was unsuited to sheep, resulted in major problems for the AA Company. The labour shortages during the gold rushes in the early 1850s compounded the problems. The number of sheep grazed by the company on the Port Stephens Estate had reached a maximum of 124,000 in 1834, and remained at over 100,000 until 1850. Sheep numbers dropped to nil by 1857 however, when it was finally concluded that sheep were not suited to the area. In response to these problems the AA Company was re-organized, with the company's sheep operations (including the Port Stephens sheep) being transferred to Warrah, and the northern part of the Port Stephens Estate being developed for cattle in the mid-1850s. Around Stroud, land was sold and leased for agricultural purposes from as early as 1849, and there was some timber getting in the district. In 1850, Stroud became the AA Company's headquarters in Australia. This role, however, was short-lived and the headquarters were relocated to Sydney in 1856, and Stroud was abandoned entirely by the company in 1873.⁴

⁴ Pemberton (1985); Stroud & District Historical Society (n.d.).

In an attempt to diversify the company's activities, Mr Odenheimar did a mineralogical survey of the Port Stephens Estate in 1855 and identified major coal deposits in the Johnsons Creek area. In 1858 four pits were sunk and although coal was found of excellent quality, it was thought to be too costly to extract from that location. A proposal to mine the area was again raised within the company in 1872, but again dropped.⁵ It is not clear from the documentation available whether this mining activity was on Coal Creek, south-west of Craven (approximately 12 km north of the DCM) or on Coal Shaft Creek which runs through ML 1427.

Mining was undertaken on Coal Shaft Creek between approximately 1930 and 1934, and fragmentary material from that mining enterprise has been recovered in relation to the current open pit mining activities at the DCM. Material recovered was photographed and donated to the local Stroud and District Historical Society. It is believed that the area mined in the 1930s has already been subject to open pit operations, and no further mining remains are expected to be found.⁶

K2.2 LAND SALES TO SMALL SETTLERS

The nature of the country at the time of the major changes to AA Company operations in the 1850s can be gauged from the journal of Edward Hamilton, Governor of the AA Company, who travelled through the DCM area in September 1858:

...started [from Stroud] for Gloucester, leaving the usual line of the road and passing through the lower part of Mammy Johnsons Creek to the Coal Creek. Almost the whole of the country, between Stroud and the Avon is exceedingly poor soil and too heavily timbered to be of any value whatever to a grazier. The ridges are uniformly bad, never fit for agriculture, and originally but ill fitted for, and now from the increase of timber saplings utterly unfit for pasture. To be compelled to run stock, whether sheep, horses or cattle on such a country could only result in disastrous consequences. On the lower portion of Mammy Johnsons Creek I saw no good land worth speaking of but I am told the valley opens out further up and that a considerable portion of good land may be set out in farms on some uniform plan.⁷

Hamilton ordered the splitting up and sale of lands through this district, leaving aside the land subject to a railway survey, and began by selling land along Mammy Johnsons Creek. Among the early buyers was Richard Weismantel, who had arrived in Australia with his wife Catherine from Germany in 1852, and on 26 September 1863 purchased 47 acres (19 hectares [ha], Lot 116 Parish of Grant) on Johnsons Creek at what is now called Weismantels, immediately north of the DCM. Weismantel had previously had a pre-emptive lease on the land, and although the date of this is unknown, he is identified as a tenant in 1861, and in 1862 he was growing vines on steep forested land.

⁵ Chadban (1970: 9).

⁶ Personal communication, John Trotter, DCPL.

⁷ Wards River – Johnsons Creek School Centenary Committee (1972: 13) NOTE on nomenclature: Mammy Johnsons Creek was originally called Telligerry River (1826), and was renamed Mammy Johnsons (or Johnstons) Creek about 1854 (reputedly because an Aboriginal women of that name drowned in it), and since 1971 the names Johnsons River, Mammy Johnsons Creek and Mammy Johnsons River all seem to be acceptable to the NSW Geographical Names Board.

A photo shows the vineyard cut from thick forest. The North Coast Railway cut through the vineyard in 1910, and it was no longer cultivated.⁸

Another early land purchaser in 1867 was Deighton Taylor, who with his wife (the published letter-writer Rachel [nee Henning]), bought 150 acres (approximately 60.7 ha) called the 'Peach Trees' about 8 miles from Stroud.⁹ Peach Tree Mountain is immediately east of the DCM, and the property appears to have been on Mill Creek Road, east of the mountain and about 3 km east of the Project area. By the end of the 1860s, only 1,027 ha had been sold off, with sales limited to small mixed farmers.¹⁰

Sale of AA Company land remained slow during the 1870s, as expired grazing leases on Crown land elsewhere in the colony became available and were taken up in preference. While 1.8 million ha of NSW grazing land was taken up by settlers during that decade, the AA Company only sold 1,567 ha. Sales improved in the 1880s and 1890s, including the properties 'Cheer up' and 'Durally' which were auctioned by the AA Company in November 1899 and March 1900 respectively, with blocks varying in size from 21 acres to 433 acres which sold for between 14/6 and 30/- per acre. Dairying began on the freehold land bordering the AA Company's land in these decades, and slowly spread to the AA Company land as blocks were sold off. Three of the earliest purchasers of land for dairying in the district were Messrs Ashworth, Fry and Henderson, dairymen from Gippsland, Victoria.¹¹ 'Wards River Run', north of the Project area, was sold in about 1901.¹²

The peak in AA Company land sales was reached in 1902, when 126,000 ha were sold; 81,000 ha of that was in one sale of most of the northern section of the AA Company grant, to the Gloucester Estates Limited, at 12/6 per acre.¹³ Gloucester Estates Limited then started selling the former AA Company land to individual settlers, most of who took up dairying and cattle production. A creamery opened in Stroud in 1902, and another at Reidsdale Road, Stroud Road in 1904, called the 'Gloucester District Factory'. Mr Albert Dare ran a four house coach to bring cream from Gloucester and Barrington to the Stroud Road factory.¹⁴ Gloucester grew from being a very small hamlet to a township at this time.

The first dairying settlers faced the daunting task of clearing their blocks of forest and bush, much of which was pit-sawn for building houses and sheds. A commercial sawmill, Fenwick's, also opened in Stroud during the clearing phase. Another butter factory, the Avon and Barrington Butter Factory, was opened at Gloucester in 1905.

As settlers moved into the Gloucester and Mammy Johnsons River valleys, small hamlets sprang up. Clareval, about 1 km west of the Project area, developed as a rural locality along the Karuah River during the late nineteenth century. It consisted of several dwellings and a school but did not grow beyond that.

⁸ Weismantel Reunion Committee (1986: 29, 141, 169).

⁹ Wards River – Johnsons Creek School Centenary Committee (1972: 13, 29); Henning (1986).

¹⁰ Bairstow (2003: 359).

¹¹ Gloucester Cooperative Dairy Company Limited (1955: 4).

¹² Wards River – Johnsons Creek School Centenary Committee (1972: 13).

¹³ Bairstow (2003: 360, 364).

¹⁴ Stroud Sesqui Centenary Committee (1976); Stroud and District Historical Society (n.d.); Gloucester Cooperative Dairy Company Limited (1955: 3); Chadban (1970: 15).

The school operated variously as a provisional school and a half time school (where two schools shared one teacher who travelled between them) with Wards River between 1885 and 1917 but did not reach full public school status.¹⁵

The Weismantel family bought up other blocks in the area north and west of the Project area, including Lot 490, 26 acres (Parish Monkerai, now portions 15 and 16, the latter now owned by DCPL) where the Weismantels Inn was built on a block taken up by Andrew Weismantel (Richard and Catherine's son) in 1883. In 1882 when he married Barbara Paff, Andrew was listed as a wine seller, of Eleven Mile Station (11 miles from Stroud towards Gloucester), the name given to Lot 490 opposite the Monkerai Road turnoff. Weismantels Inn was built in 1889, and included a wine shop, post office and accommodation house. A butchery and bakery were also located there, and the inn was a changing post for coaches operating between Raymond Terrace, Gloucester and beyond. A strip of black soil land running through the property gave the area the alternate local name of 'Black Soil'. Andrew bought a number of additional lots in the area over the next decade, which border DCPL-owned land to the west. Andrew Weismantel supplied locals and the railway workers camps on the North Coast Railway, which were in existence from 1910 through to 1913 when the railway line opened.¹⁶

In 1906, George Deards was operating a store on a block also owned by Andrew Weismantel and adjoining the Weismantels Inn wine shop (and now also owned by DCPL). Andrew's sons Andrew and Jake supplied groceries, meat and bread with a horse-drawn van to the railway workers camps on the North Coast Railway. The wine shop and accommodation house, and the associated supply store, seem to have closed by around 1920, due to the loss of road traffic after the opening of the new railway. Andrew Junior's Colonial Wine License lapsed in 1921. The brothers continued to operate the extended property as a cattle run and then as a dairy until Andrew moved to Taree in 1927, and Jake's family carried on alone.¹⁷

The concentration of settlers and activities around the Weismantels, Wards River and Johnsons Creek localities warranted other services. Wards River was a small village focused on farming and timber milling, growing in size after the arrival of the railway line. Half-time schools were established at Wards River and Johnsons Creek in 1872. The Wards River school was established on William Newton's farm, and the Johnsons Creek school was established on land donated by the AA Company, located approximately 5.5 miles away. Eleven children were to attend the Wards River school and fourteen children at the Johnsons Creek school. Both became provisional schools in 1886, and Wards River became a public school in 1887, with 26 students. Johnsons Creek became a public school in 1888, with 20 students, and a new schoolhouse was erected on a block purchased from the AA Company. The Johnsons Creek school closed in 1964, whilst the Wards River school is no longer operating.¹⁸

¹⁵ Great Lakes Council (2007).

¹⁶ Weismantel Reunion Committee (1986: 30, 100).

¹⁷ Weismantel Reunion Committee (1986: 110-111).

¹⁸ Wards River – Johnsons Creek School Centenary Committee (1972:2-3).

Weismantels School was located on Lot 271, Parish Mokerai, which is the block north of the Weismantels Inn. The school opened in March 1898 and closed in November 1907, being a half-time school with Malvern for the first three years.¹⁹ After the closure, the closest school was 5 km away at Johnsons Creek.

Stroud Road developed north of Stroud at the point where the railway line reached the Karuah Valley. Although settlement had taken place decades earlier, Stroud Road was essentially created by the railway line and replaced Telegherry (approximately 2 km to the south) as the first locality/village north of Stroud.²⁰ In 1926, a new dairy factory was built at Stroud Road near the railway station, operating until the 1940s. Many dairy farms closed following the 1965 drought and the change to the system of bulk milk collection.

Construction of the DCM commenced in June 2002, with mining production commencing in March 2003.

¹⁹ Weismantel Reunion Committee (1986: 174); Department of School Education Library (NSW) (1993: 149).

²⁰ Great Lakes Council (2007).

K3 OTHER HERITAGE STUDIES AND LISTINGS

Previous heritage studies covering the Project area and surrounds have included the Great Lakes *Heritage Study 2007* (Great Lakes Council, 2007) and *The Stroud-Gloucester Valley & The Vale of Gloucester—A Heritage Landscape Under Threat*²¹.

The existence of heritage listed properties within the Project area has been reviewed by consideration of the following databases and data sources:

- the Australian Heritage Places Inventory of the Commonwealth Department of the Environment, Heritage, Water and the Arts;
- the NSW State Heritage Inventory;
- the Great Lakes *Heritage Study 2007* (Great Lakes Council, 2007); and
- the National Trust Register (to 1995) and supplement (to 1997) (paper copies), and emailed citation from the National Trust office.

Consideration of non-Aboriginal heritage values at the DCM was also undertaken as part of the Commission of Inquiry regarding the Duralie Coal Project in 1997. The Commission of Inquiry found there to be no heritage items within or potentially impacted by the proposal at that time.²²

The only building within the vicinity of the Project area on any heritage register or inventory is the Former Weismantels Inn, which is listed as being of regional significance in Schedule 2 of the *Great Lakes Local Environmental Plan* (LEP). In the Great Lakes *Heritage Study 2007* (Great Lakes Council, 2007) (Item We01)²³, this item's historical significance is described as *an important stopping point on the road to Gloucester and to Monkerai. Plank construction building in good condition*²⁴. The location of the Former Weismantels Inn relative to the Project is shown on Figure K-1.2. Further description and photographs of the Former Weismantels Inn are provided in Attachment KA.

The National Trust of Australia (NSW) registered the Vale of Gloucester Landscape Conservation Area in 1976, which encompasses the valley of the Avon River, Johnsons Creek, and Gloucester Rivers and includes Gloucester, Weismantels, Stroud Road and the Project area. The listing was revised and extended by the Landscape Conservation Committee of the National Trust of Australia (NSW) in 1981. The Trust's Register is intended to perform an advisory and educational role²⁵. The listing of a place in the Register, known as 'classification', has no statutory weight.

²¹ Smith (2009).

²² Commission of Inquiry for Environment and Planning (1997: 117).

²³ Great Lakes Council (2007).

²⁴ Great Lakes Council (2007).

²⁵ National Trust of Australia (NSW) (2009).

In part, the National Trust listing states:

... the Vale of Gloucester retains the character of the AA Coy's [Australian Agricultural Company's] run with the cleared and agriculturally used valley floor contrasting with the timbered hills to the west and east, most of which were outside the boundaries of the AA Coy's land Grant. This area is in some respects an historical landscape, important to the development of Australian agriculture and complimentary to the townscape of Stroud in evaluating the activities of the Australian Agricultural Company in the 19th century.

The Great Lakes *Heritage Study 2007* (Great Lakes Council, 2007) did not identify the landscape as having particular heritage values, and the Vale of Gloucester Landscape Conservation Area has not been listed in either the Gloucester or Great Lakes LEPs.

A smaller portion of the Vale of Gloucester Landscape Conservation Area was later nominated to the Register of the National Estate (RNE). This portion was referred to as the Vale of Gloucester and is currently included in the Australian Heritage Places Inventory as an indicative place, but had not been assessed by the time the RNE was effectively closed in 2004. Under amendments to the Commonwealth *Environment Protection and Biodiversity Conservation Act, 1999*, the RNE ceases to exist in 2012. The Vale of Gloucester has not been listed on either the National Heritage List or the NSW State Heritage Register. Regardless, the RNE nomination for the Vale of Gloucester has a southern boundary which extends only as far as Craven, and as such, does not encompass the Project area (contrary to the advice in Smith, 2009²⁶).

²⁶ Smith (2009: 7).

K4 SITE INSPECTION

Completion of background research and identification of potential heritage items that may have been of relevance to the Project did not identify any potential heritage items within the Project area. Notwithstanding, a site inspection was completed in October 2009 by Dr Jane Lennon to review the significance of a post/rail/wire fence located along a section of the northern boundary of the proposed MLA 1 (i.e. the proposed northern extent of the Project Clareval North West open pit) and to allow inspection of the Former Weismantels Inn that is located on company owned land to the west of the Project.

K5 ASSESSMENT OF THE POTENTIAL IMPACTS OF THE PROJECT ON NON-ABORIGINAL HERITAGE

K5.1 ASPECTS OF THE PROJECT THAT WOULD ENHANCE HERITAGE SIGNIFICANCE

There are no aspects of the Project that would enhance heritage values in the vicinity of the Project.

However, by undertaking this heritage assessment, a better understanding of local heritage has been obtained and this would be further enhanced by the proposed archival photographic recording of the Former Weismantels Inn (Section K5.3).

K5.2 ASPECTS OF THE PROJECT THAT COULD HAVE AN ADVERSE AFFECT ON HERITAGE SIGNIFICANCE

On the basis of the historical research, the interrogation of heritage registers, review of aerial photography, site inspection and consultation with relevant agencies/persons with local knowledge in regard to the presence of buildings or notable features, there does not appear to be any building or other feature of heritage significance within the Project area.

A section of post/rail/wire fence over 100 m long was identified along the northern boundary of the proposed MLA 1 to the west of and perpendicular to Durallie Road²⁷. No historical associations with the fence have been identified, and the fence itself does not appear to be rare or typologically valuable. The fence is likely to be impacted by Project ancillary works, given its proximity to the proposed open pit.

The Former Weismantels Inn

The Former Weismantels Inn is located some 600 m from the nearest boundary of the Project Clareval North West open pit, and would not be directly impacted by open pit mining operations.

Potential indirect impacts to the Former Weismantels Inn from mine blast vibration and airblast emissions have been considered in the Noise and Blasting Impact Assessment for the Project completed by Heggies Pty Ltd (2009) (Appendix C of the EA).

Appendix C of the EA indicates that the applicable blasting criteria to minimise the potential for building damage at the Former Weismantels Inn would be:

- airblast – 133 decibels (pkLinear); and
- blast vibration - 10 millimetres per second (mm/s) (peak vector sum [PVS]).

²⁷ Personal communication, Tony Dwyer, DCPL.

Appendix C of the EA indicates that compliance with the above airblast criteria would be achieved for the Project. If maximum sized blasts were used in the Clareval North West open pit it is likely that the applicable 10mm/s blast vibration criteria would be exceeded at the Former Weismantels Inn (Appendix C of the EA). However, compliance with the blast vibration criteria would be achieved with the implementation of suitable blast management measures (such as a reduction in the maximum instantaneous charge) when mining in close proximity to the building (Appendix C of the EA) (Section K5.3).

The Project open pit and waste rock emplacement extensions would not be visible from the Former Weismantels Inn due to the presence of an intervening ridge that runs approximately north-south between the Clareval North West open pit and the building, effectively screening views (Resource Strategies Pty Ltd, 2009) (Appendix O of the EA).

No significant impacts on the landscape setting of the Former Weismantels Inn or views from the Former Weismantels Inn are anticipated. With the implementation of suitable management measures, it is anticipated that the building could continue to be utilised as a residence.

Vale of Gloucester Landscape Conservation Area

The Vale of Gloucester Landscape Conservation Area has been considered by the National Trust to have cultural landscape value. There is only limited information in the National Trust citation, however, it is possible to indicate the general impact of the proposal on the basis of the stated values.

The National Trust citation suggests the landscape values of the registered area relate to its history, particularly the AA Company's occupation, and to the juxtaposition of cleared rural land in the valleys with wooded ranges flanking them. It also suggests that *any future proposals ... should be adequately investigated to ensure that such development will not detract from the essentially rural nature of the area and is harmoniously sited in respect to the more outstanding features of the landscape.*

The Project sits in the valley of Mammy Johnsons River between the intermediate Buckley's Range and the Linger and Die Range. The more distant ranges surrounding the mine form the Vale of Gloucester valley systems further to the east and west. Historically, the valley in the Project area appears to have been largely wooded during the AA Company period, and was only cleared for dairying in the late nineteenth and early twentieth centuries. It seems unlikely that the cultural landscape of the Project area could be claimed to reflect a historical landscape relating to the AA Company.

The Project open pit extensions would be on land that is currently a mixture of remnant or regrowth vegetation and open paddocks. The Project includes the backfilling of the open pits as mining progresses, leaving final voids at the final extent of mining. The backfilled waste rock emplacement would take the form of a ridge only slightly higher than the immediate surrounding area, and some 150 m lower than the flanking Buckley's Range and the Linger and Die Range on each side of the valley. The Project development area would also be progressively rehabilitated. The mixed wooded and grassed paddock mosaic of the Mammy Johnsons River valley would therefore remain post-mining.

Given this context, the Project would not have an adverse affect on the stated historical features of the Vale of Gloucester Landscape Conservation Area as described in the National Trust listing. An assessment of the potential visual impacts of the Project is provided in the Visual Assessment (Appendix O of the EA).

Cumulative Impacts

On the basis of the information presented in the sections above, there would not appear to be any material cumulative impacts of the Project on non-Aboriginal heritage.

K5.3 MEASURES PROPOSED TO MITIGATE NEGATIVE IMPACTS

While not of particular heritage significance, the post/rail/wire fence on the northern boundary of the proposed MLA 1 should be allowed to remain as a landscape item, if practicable. Should operational requirements make the retention of all or part of the fence unfeasible, it should be photographically recorded and a brief description of the fence prepared. A copy of the recording and description could be lodged with the local Stroud and District Historical Society.

There are no identified direct Project impacts on the Former Weismantels Inn. Appendix C of the EA has considered potential indirect blasting impacts on the building and suitable blast management measures would be applied to meet applicable building blast vibration criteria. With the implementation of applicable blast management measures, the building is expected to remain in good condition.

Prior to blasting commencing in the Clareval North West open pit, it is recommended that an archival photographic recording of the Former Weismantels Inn be prepared to a suitable standard in accordance with applicable NSW Department of Planning – Heritage Branch standards for regionally significant heritage items.

When operational blasting is undertaken in the Clareval North West open pit, it is also recommended that monitoring of Project blast vibration emissions be undertaken at the Former Weismantels Inn to confirm compliance with applicable building blast vibration criteria.

K5.4 STATEMENT OF HERITAGE IMPACT

On the basis of the evidence available in this assessment, there are no identified buildings or features of non-Aboriginal heritage significance within the Project area.

The only non-Aboriginal heritage item of significance in the vicinity of the Project area is the Former Weismantels Inn, located approximately 600 m beyond the proposed open pit activities. On the basis of the blasting impact assessment completed for the Project (Appendix C of the EA), with the application of suitable blasting management measures, the expected Project impacts on the heritage values of the building have been assessed as being within the applicable building blast vibration criteria. Notwithstanding, archival photographic recording of the building would be undertaken prior to blasting commencing in the Clareval North West open pit. Blast monitoring would also be undertaken at the Former Weismantels Inn as a component of the Project's operational blast monitoring program.

It is considered that the Project is unlikely to have an adverse impact on the cultural landscape values stated in the National Trust registration of the Vale of Gloucester Landscape Conservation Area.

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ATTACHMENT KA

DESCRIPTION OF ITEMS OF HERITAGE SIGNIFICANCE OF RELEVANCE TO THE
PROJECT

The following citation is for the Former Weismantels Inn, listed as being of regional significance in Schedule 2 of the *Great Lakes Local Environmental Plan* (LEP). No other buildings on any heritage register or inventory were identified within the vicinity of the Duralie Extension Project (the Project) area.

FORMER WEISMANTELS INN

History

Family history suggests that the Weismantels built the inn in 1889 but they had been busy pioneers in the district following the first land sales of the Australian Agricultural Company (AA Company.). The following dates show key events impacting on the history of the inn complex.

- 1852 Richard Weismantel and his wife Catherine arrived in Australia from Germany.
- 1861 Weismantel is a tenant on land in Parish of Grant for which he had a pre-emptive lease.
- 1862 Weismantel was growing vines on steep forested land.
- 1863 26 September, Richard Weismantel purchased 47 acres (19 hectares [ha]), Lot 116, Parish of Grant) on Johnsons Creek at what is now called Weismantels, immediately north of the existing Duralie Coal Mine.
- 1870s Weismantel family bought other blocks to the north and west.
- 1882 Andrew Weismantel (Richard and Catherine's son) married Barbara Paff. Andrew was listed as a wine seller, of Eleven Mile Station (11 miles from Stroud towards Gloucester), the name given to Lot 490 opposite the Monkerai Road turnoff.
- 1883 Lot 490, 26 acres (Parish of Monkerai, now portions 15 and 16) taken up; it is possible that a building existed on-site from this time for the use of the wine seller.
- 1889 Weismantels Inn was built and included a wine shop, post office (licensed to Mrs Barbara Weismantel in 1884) and accommodation house functions. A butchery and bakery were also located there, and the inn was a changing post for coaches operating between Raymond Terrace, Gloucester and beyond. A strip of black soil land running through the property gave the area the alternate local name of 'Black Soil'.
- 1890s Andrew Weismantel bought a number of additional lots in the area and supplied locals and the railway workers camps on the North Coast Railway, which were in existence from 1910 through to 1913 when the railway line opened.¹
- 1906 George Deards was operating a store on a block also owned by Andrew Weismantel and adjoining the Weismantels Inn wine shop. Andrew's sons Andrew and Jake supplied groceries, meat and bread with a horse-drawn van to the railway workers camps on the North Coast Railway from their own bakery and slaughterhouse.
- 1912 Andrew and Jake operated a dairy.
- 1913 Post office function moved from Weismantels Inn because it was a licensed premises (wine shop) to Mr L. Ross's building.
- 1921 Andrew Junior's Colonial Wine License lapsed; the wine shop, accommodation house and associated supply store seem to have closed around 1920 due to the loss of road traffic after the new railway opened in 1921.

¹ Weismantel Reunion Committee (1986: 30, 100).

1920s Andrew and Jake continued to operate the extended property as a cattle run and then as a dairy until Andrew moved to Taree in 1927, and Jake's family carried on alone.²

1990s Property acquired by Duralie Coal Pty Ltd (DCPL) and leased to the Calhoon family who reside there.

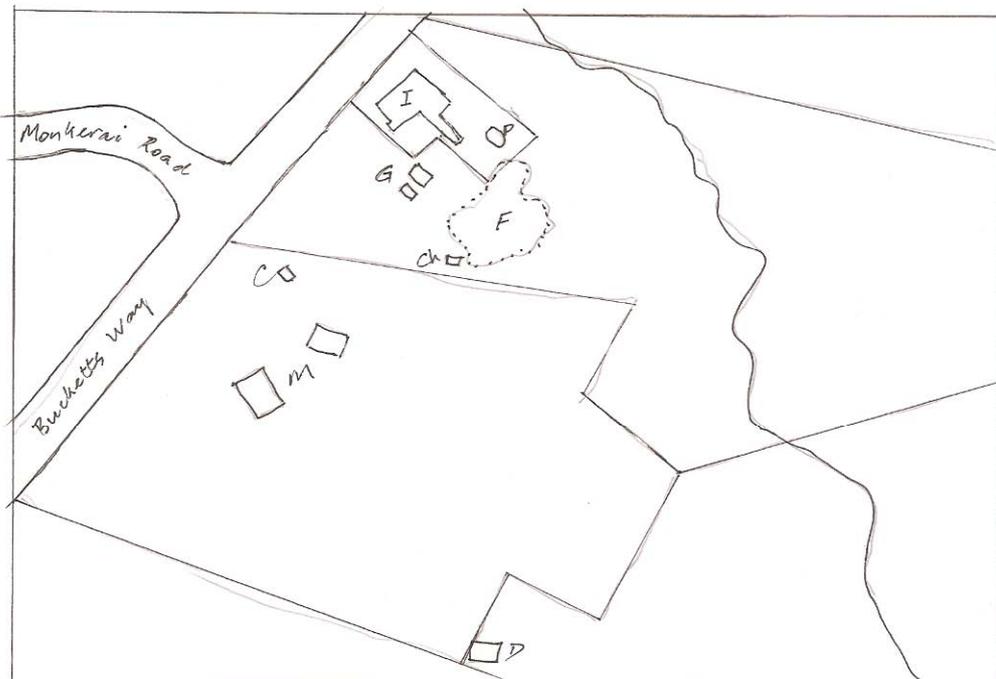
Physical Description

The Former Weismantels Inn complex is sited on rising ground to the south of an intermittent watercourse. The main building is fenced off from outbuildings and paddocks leading to a former dairy on the hilltop to the south.

FORMER WEISMANTEL'S INN COMPLEX

Sketch Plan

October 2009



- I Inn**
- P Pool**
- F Fig tree**
- D Dairy**
- M Machinery sheds**
- C Cream shed**
- Ch Chickens**



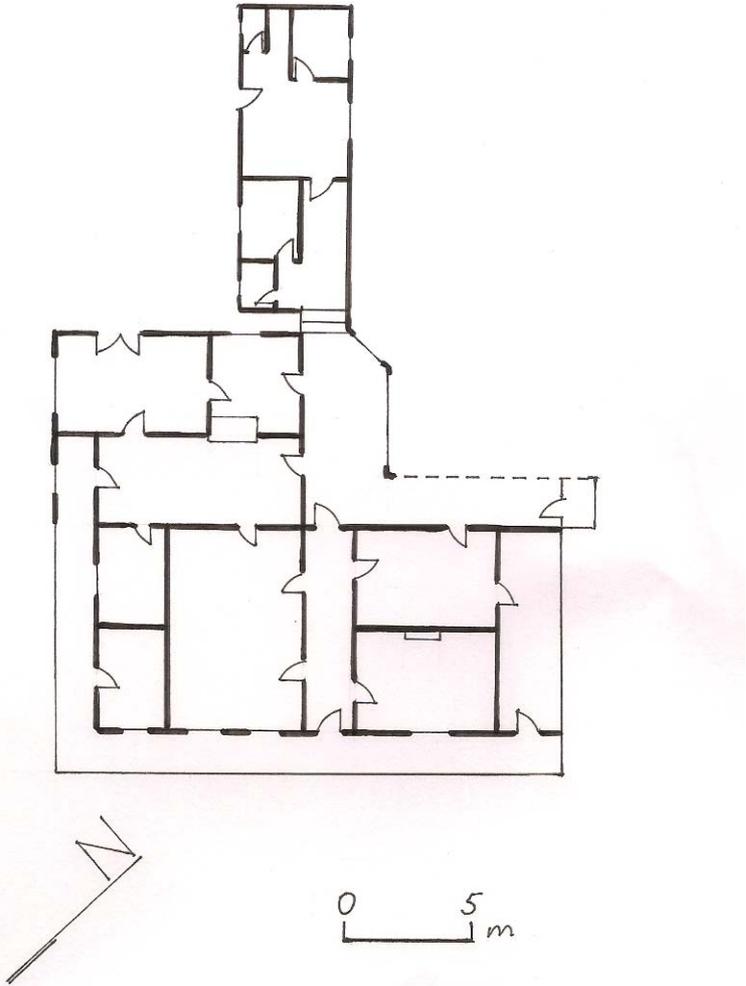
0 100 m (approx)

² Weismantel Reunion Committee (1986: 110-111).

The single storey building is comprised of three sections and is roughly L-shaped. The original building is currently of nine main rooms with verandahs across the front/north-western side (bullnose verandah), along the northern eastern side (skillion) and part way along the south-eastern side (skillion).

FORMER WEISMANTEL'S INN

October 2009



The building faces north-west towards The Bucketts Way and has a grassed area between the building and front fence (Plate KA-1).



Plate KA-1: Former Weismantels Inn – Facing north-west towards The Bucketts Way

To the rear, a detached former kitchen (Plate KA-2) has now been incorporated into the overall structure under a shared roof and with two concrete steps leading up to it from the main south-east/north-west running verandah now enclosed with louvre windows (Plate KA-3).



Plate KA-2: View north-east showing former detached kitchen building



Plate KA-3: Louvred verandah looking east up steps to incorporated buildings

It contains a toilet and bathroom and has a timber eastern wall and leads into another gabled building now functioning as a laundry with an additional toilet and shower room; this section has an eastern external wall of timber slabs. The whole building is roofed in corrugated galvanised iron on a gable plan (Plates KA-4 and KA-5).

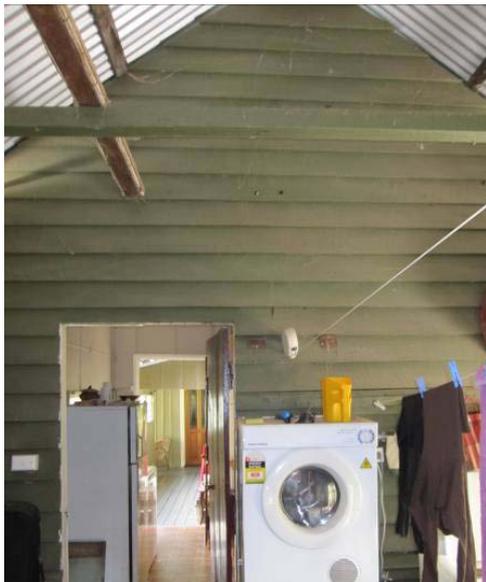


Plate KA-4: Looking north-west from laundry along southern verandah



Plate KA-5: Looking south-east through laundry to end slab wall

The former detached kitchen (Plate KA-2) shows no evidence of a bakery style oven (a function described in the 1900s), although the current kitchen (shown as pantry in 1986) has a huge fireplace (approximately 2 metres [m] by 1 m) originally serving both the kitchen and the living room to the west, where the hearth has now been reduced to hold a wood heater (Plate KA-6).



Plate KA-6: Living room opening onto louvred verandah - new wood heater on far left

Beyond the building is a fenced yard rising to the east, with blooming roses forming a scented southern garden edge (Plate KA-7).



Plate KA-7: Fenced garden to the east of the building



Plate KA-8: Fence along eastern garden edge

The fence along the eastern boundary is old post/rail/wire and beyond it is a very large Moreton Bay fig tree shading the fowl shed (Plate KA-8).

A new brick floored patio runs the length of the incorporated buildings and is entered via the dining room at the eastern end of the main building or through the laundry (Plate KA-9). A fence along the northern edge of this patio secures an above ground pool and an orchard of thickly leaved trees which made photographic recording difficult.



Plate KA-9: New patio – looking north-west

On the southern side of the building is dense shrubbery and then a large yard with rotary clothes line (Plate KA-10), garages (Plate KA-11) and a poultry shed in a truncated slab building (Plates KA-12 and KA-13). The yard is also fenced to the south and a road leads uphill to a modern dairy (Plate KA-14) (not inspected), while modern sheds are located in the paddock closer to the main road.



Plate KA-10: Yard with clothes line – looking south-east towards garages



Plate KA-11: Garages – looking north



Plate KA-12: Slab building used as fowl shed



Plate KA-13: Interior of fowl shed



Plate KA-14: Dairy

The 1986 history of the Weismantel family contains an unscaled sketch of the building layout for the 'Eleven Mile Station at Black Soil' (p.109); in the subsequent 23 years the building has been altered and now houses a family with seven children so it is difficult to read the interior layout in relation to its original uses (Plate KA-15).

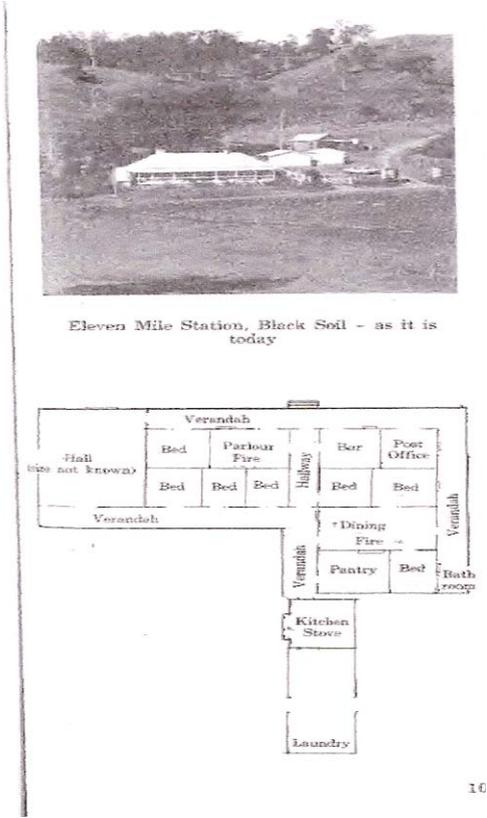


Plate KA-15: Former Weismantels Inn in 1986 publication, *A history of the Weismantel family*. Weismantel Reunion Committee, Krumbach, New South Wales (NSW), p.109

Internal walls have been removed to create larger spaces so that some rooms have more than one door leading into them (Plate KA-16).



Plate KA-16: Enlarged front room – former wine parlour

The post office room is at the front north-western corner and a letter slot still remains in the front external wall (Plate KA-17).



Plate KA-17: Front verandah showing original letter slot on north-west wall

This room is now a bedroom accessed from the northern verandah (Plate KA-18). A space under this room on the slope functioned as a cellar (Plate KA-19).



Plate KA-18: Northern verandah on the side of the main building.



Plate KA-19: Cellar space under original post office room - note new brick piers

The main entrance today is from the southern side of the main building via a picket gate (Plate KA-20) and onto the eastern verandah which has timber lattice down its eastern side. The main front door on the western verandah is only used by the family (Plate KA-21).



Plate KA-20: Main entrance from the southern side of the main building



Plate KA-21: Original front door on main western verandah

The wine parlour room has been extended by removal of the eastern wall to make one large bedroom (Plate KA-16). On the southern side of the main passage the parlour room with a cedar fireplace surround is now a bedroom (Plate KA-22). It adjoins another bedroom to the east (Plate KA-23), which opens into one long narrow bedroom with a door to the front verandah.



Plate KA-22: Original cedar fireplace surround, front bedroom.



Plate KA-23: Bedroom to the east opening into another.

The living room floor has been re-levelled so that the massive fireplace between it and the kitchen has now been infilled in part by a heater (Plate KA-6). The living room opens onto the northern verandah and into the dining room which has been extended to incorporate the end of the skillion-roofed northern verandah and a new wide window (Plates KA-24 and KA-25). This room opens to the east onto the patio which has a new floor of pavers.



Plate KA-24: Dining room opening into living room



Plate KA-25: Dining room extended into former northern verandah

The round timber stumps of the floor of the main building have been recently replaced with red brick piers to combat white ants³ (Plate KA-19).

The external walls are a mixture of round and milled timber framing and vertical sawn plank walls with battens over the joints between the planks. The internal walls are lined in plasterboard and much of the original joinery remains with some cedar doors and door surrounds and some hardwood plank doors.

Fencing around the building is complex and uses a variety of techniques. For example, the front fence is a 1920s arched wire/post/plate construction (Plate KA-26) whilst a post/rail/wire fence surrounds the main garden areas.



Plate KA-26: Front fence

³ Claudia Calhoon, pers. communication, 16 October 2009

The large yard to the south contains a timber slab building used as a fowl house. This building has been truncated on the western side where a swing is now located on part of its footing. This slab building is shown in the 1986 photo as are the fibro and timber walled garages with galvanised iron roofs. To the south of the main entry into the property, a milk or cream stand/shed is located close to the road boundary (Plate KA-27) and a raised area runs from the stand/shed south-east up hill towards the dairy.



Plate KA-27: Milk shed at front gate

Location

The Former Weismantels Inn complex is located on Lot 4, DP 803291, corner Weismantels Road and The Bucketts Way, opposite the Monkerai Road turnoff.

The MGA map reference for the Former Weismantels Inn is 398106 E 6429533 N. It is owned by DCPL.

Physical Condition

The building complex is in very good condition. Floor stumps have been replaced with brick piers and a new roof has been installed over the whole building complex. Internally all rooms had been recently been painted. New windows have also been inserted into the north-east end of the building.

A new patio has been constructed and extensive gardens laid out, re-using some post/rail/wire fencing as part of the landscaping. An above ground swimming pool had been installed to the north-east adjoining the orchard area.

The buildings in the southern yard and paddock beyond, while not inspected in detail, were in good condition and well maintained. The whole property has a well cared for appearance.

Heritage Assessment Criteria

The Former Weismantels Inn is listed as being of regional significance in Schedule 2 of the Great Lakes LEP. In the Great Lakes *Heritage Study 2007* (Great Lakes Council, 2007) (Item We01)⁴, this item's historical significance is described as “*an important stopping point on the road to Gloucester and to Monkerai. Plank construction building in good condition*”⁵.

In consideration of the NSW Heritage Office guidelines, local heritage items are those of significance to the local government area. A more detailed assessment follows.

Criterion A: an item is important in the course, or pattern, of NSW's cultural or natural history;

The Former Weismantels Inn complex is of regional importance in the pattern of European settlement of the Stroud area following breaking up the extensive holdings of the AA Company. and land sales for mixed farming along Johnsons Creek. It functioned as an inn servicing regional travellers along the main road to Gloucester as well as local residents making the location a commercial node from 1883 until the 1920s.

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;

The place is closely associated with the Weismantel family, one of the pioneer families of the local area.

Criterion C: an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW;

The buildings do not exhibit high aesthetic or technical importance.

Criterion D: an item has strong or special associations with a particular community or cultural group in NSW for social, cultural or spiritual reasons;

The Former Weismantels Inn complex is valued for its strong associations with the early settler families, who organised a family reunion and published a detailed family history in 1986.

Criterion E: an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history;

The inn building has a minor potential for providing new information of local interest through archaeological investigation of the structure, although the sub-floor areas have recently been altered by construction of brick piers.

Criterion F: an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history;

The inn building is uncommon as a residence showing multiple functions e.g. post office, wine shop and accommodation house.

⁴ Great Lakes Council (2007).

⁵ Great Lakes Council (2007).

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.

The inn complex is the most intact collection of early residential buildings with a commercial use in the local area. It is locally significant in demonstrating the growth and evolution of such buildings.

The dairy is not considered an important example of its class.

Statement of Significance

The Former Weismantels Inn complex is of regional importance in the pattern of European settlement of the Stroud area following breaking up the extensive holdings of the AA Company and land sales for mixed farming along Johnsons Creek. It functioned as an inn servicing regional travellers along the main road to Gloucester as well as local residents making the location a commercial node from 1883 until the 1920s.

The place is closely associated with the Weismantel family, one of the pioneer families of the local area, and closely associated with this family group who organised a family reunion and published a detailed family history in 1986.

The inn building has a minor potential for providing new information of local interest through archaeological investigation of the structure. It is uncommon as a residence showing multiple functions (i.e. post office, wine shop and accommodation house), and is the most intact collection of early residential buildings with a commercial use in the local area. It is locally significant in demonstrating the growth and evolution of such buildings.

Mitigation and Management

There are no identified direct Project impacts on the Former Weismantels Inn. Heggies Pty Ltd (Appendix C of the Environmental Assessment) considered potential indirect blasting impacts on the building and suitable blast management measures would be applied to meet applicable building blast vibration criteria. With the implementation of applicable blast management measures, the building is expected to remain in good condition.

Prior to blasting commencing in the Clareval North West open pit, it is recommended that an archival photographic recording of the Former Weismantels Inn be prepared to a suitable standard in accordance with applicable NSW Department of Planning – Heritage Branch standards for regionally significant heritage items.

When operational blasting is undertaken in the Clareval North West open pit, it is also recommended that monitoring of Project blast vibration emissions be undertaken at the Former Weismantels Inn to confirm compliance with applicable building blast vibration criteria.