

# Appendix E

## Statement of Heritage Impact

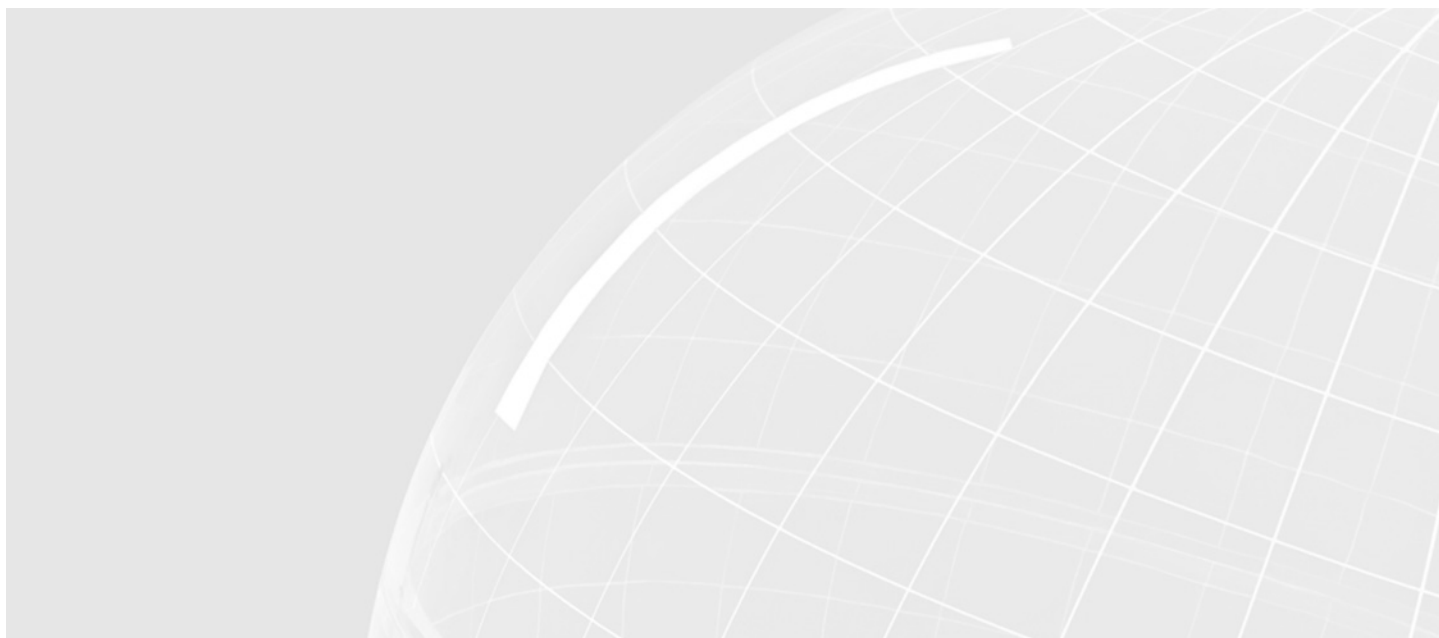
# **Great Western Highway Upgrade, Raglan**

Transport for NSW

## **Statement of Heritage Impact**

2 | Final

10 February 2020



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## Abbreviations and Acronyms

Bathurst Regional LEP	Bathurst Regional Local Environmental Plan 2014
CHL	Commonwealth Heritage List
EPBC Act	<i>Environment Protection and Biodiversity Act 1999</i>
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
Heritage Act	<i>Heritage Act 1977</i>
LEP	Local Environmental Plan
NHL	National Heritage List
NSW	New South Wales
RNE	Register of the National Estate
s170 Register Act	Heritage and Conservation Register maintained under section 170 of the Heritage Act
SHI	State Heritage Inventory
SHR	State Heritage Register

## Executive summary

Jacobs Group (Australia) Pty Ltd was commissioned by TfNSW to provide a heritage assessment of a proposed road safety upgrade of the Great Western Highway at Raglan, in western NSW. The safety works would involve widening of the Great Western Highway and would impact on the heritage curtilage of 'Violet Hill', a locally significant homestead built c1834 and listed on the *Bathurst Regional Local Environmental Plan 2014*.

The report has been prepared to satisfy the requirements of the *Heritage Act 1977* and follows the *Statements of Heritage Impact (SoHI)* guideline published by the (former) Department of Urban Affairs and Planning in 1996, revised in 2002. The report aims to assess the impact of the proposed road widening on the heritage significance of Violet Hill and any other heritage items nearby.

The results of the desktop assessment and site inspection confirm that the road widening would not directly impact on any former buildings or structures associated with Violet Hill, only a former timber gate post that is no longer in use. No significant views or vistas from the homestead towards the Great Western Highway and vice-versa were identified. Given the homestead is located more than 650 metres from the highway, it is highly unlikely that any changes to its heritage curtilage would impact on its heritage significance. Photographic archival recording of the timber gate post is recommended prior to the commencement of works.

## Important Note About This Report

The following assumptions and/or limitations apply to the provision of our services for this report:

- The sole purpose of this report is to satisfy Road and Maritime Service's requirements under the *Heritage Act 1977*
- Data about the location of the proposed works and the boundary of the subject site was derived from TfNSW supplied data
- This report must be read in full with no excerpts to be representative of the findings
- This report has been prepared exclusively for Jacobs' client and no liability is accepted for any use or reliance on the report by third parties.



# 1. Introduction

## 1.1 Background

Jacobs Group (Australia) Pty Ltd (Jacobs) was commissioned by Transport for NSW (TfNSW) (formerly Roads and Maritime) to prepare a heritage assessment of a proposed road safety upgrade of the Great Western Highway at Raglan, in western NSW, to inform a Review of Environmental Factors (REF). The safety works would involve widening about 3.7 kilometres of the Great Western Highway between Ashworth Drive, Kelso, and the eastbound overtaking lane that starts east of Ceramic Avenue, Raglan, from two lanes to dual carriageway (the proposal). The proposal would impact on the heritage curtilage of 'Violet Hill', a locally significant homestead built c1834 and listed on the Bathurst Regional Local Environmental Plan 2014 (Bathurst Regional LEP).

This report has been prepared to satisfy the requirements of the *Heritage Act 1977* (Heritage Act) and follows the *Statements of Heritage Impact* (SoHI) guideline published by the (former) Department of Urban Affairs and Planning in 1996, revised in 2002. The report aims to assess the potential impact of the proposal on the heritage significance of Violet Hill and any other heritage items identified during a field survey. It also aims to determine if further heritage or archaeological assessment would be required prior to the commencement of road works.

## 1.2 The proposal

TfNSW proposes to widen the existing two-lane section of Great Western Highway at Raglan, east of Bathurst, NSW (the proposal). About 3.7 kilometres of the Great Western Highway is proposed to be upgraded between about 385 metres east of Ceramic Avenue, Raglan and Ashworth Drive, Kelso.

After a recent upgrade of the Great Western Highway at Kelso, TfNSW propose to expand the existing two-lane section of highway at Raglan (located on the urban periphery of Bathurst) into dual carriageway. This is in line with the TfNSW primary driver to "deliver better connections for the central west". During peak travel periods such as weekends and holidays this stretch of highway is often congested, especially significant during pulse events like the Bathurst 1000. The objectives of the proposal are to significantly improve travel efficiency during these times and to enhance road safety for all road users.

Key features of the proposal include:

- Realigning the highway up to 16 metres to the north of the existing highway
- Road widening up to 13 metres to provide:
  - Two eastbound lanes for the length of the proposal
  - Two westbound lanes west of Napoleon Street
  - One westbound lane east of Napoleon Street
  - Shoulders on both sides of the highway
  - A central variable width for the length of the proposal with occasional traffic barriers.
- A 2.5 metre wide shared path along the southern side of the highway between Eugenie Street and just west of Napoleon Street, where it crosses to the northern side of the highway and continues to Ashworth Drive
- Provision of a 5.5 metre wide verge between the shared path and the southern edge of the highway to allow for a second westbound lane east of Napoleon Street
- Re-using existing pavement material where the new highway overlies the existing highway
- Removing redundant highway pavement
- Raising the highway by up to one metre, with batters generally sloping at four to one

- Upgrading four intersections by providing or extending dedicated turn lanes at Napoleon, Locke, Nile Streets and Ceramic Avenue
- Upgrading the PJ Moodie Memorial Drive and Eugenie Street intersection with traffic signals and a light vehicle U-turn facility along Eugenie Street
- A widened median is provided at the Napoleon Street intersection to allow for future traffic signals
- Street lighting provided at:
  - PJ Moodie Memorial Drive and the Napoleon, Eugenie, Locke and Nile Streets intersections
  - Pedestrian crossings
  - Bus stops
  - The Bathurst Sheds access.
- Realignment of an unnamed tributary of Boyd Creek
- Tie-in works with existing pavements and highway levels at the eastern and western extents
- Driveway adjustment and upgrade where required for properties with direct access to the Great Western Highway
- Upgrading the at-grade access to Bathurst Sheds with the addition of a right-turn lane
- Relocation and/or adjustments of public utilities and street lighting
- Property acquisitions and adjustments
- Minor relocation and provision of widened shoulders at three bus stops
- Drainage infrastructure including:
  - Replacement and augmentation of existing pipe drainage systems
  - Extension of the existing five cell box culvert
  - Installation of new drainage (including kerb and guttering and table drains) in various locations
  - A flood detention basin on the northern side of the Great Western Highway opposite Nelson Street
- Ancillary works including safety barriers, signage, line marking and environmental protection work
- Landscaping and rehabilitation work
- Temporary ancillary facilities including site compounds and stockpile sites.

The extent of the proposed works is shown in Figure 1-1.

### 1.3 Study area

For the purposes of this assessment, a study area has been defined that includes a 30-metre buffer to the north of the current road corridor to ensure that all direct and indirect impacts to heritage items are considered. The extent of the study area is shown in Figure 1-1.

### 1.4 Limitations and assumptions

This report addresses the potential for historical (non-Aboriginal) heritage items and their values. It does not include an assessment of Aboriginal heritage objects, sites or places.

### 1.5 Authorship

This report was authored by:

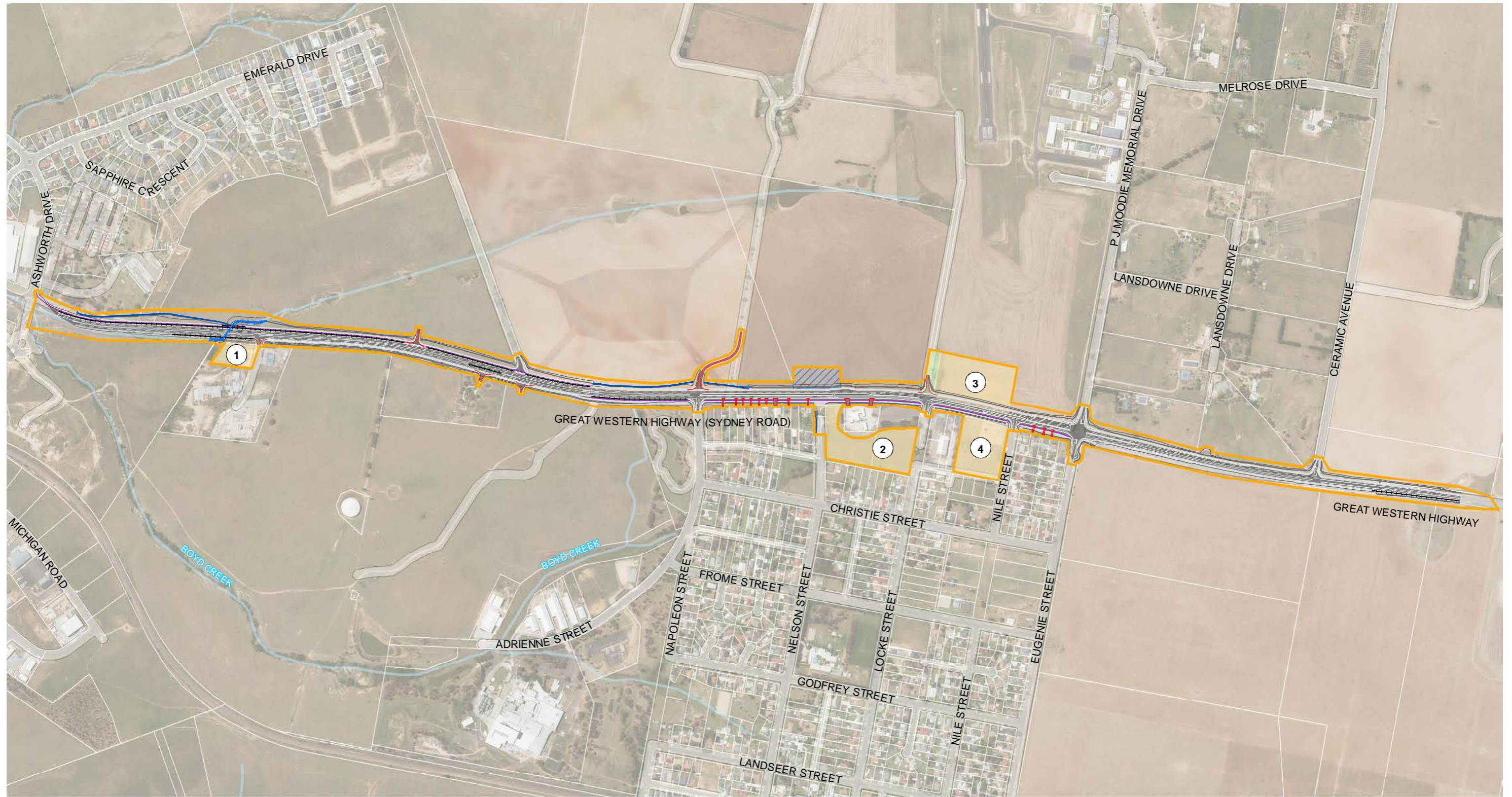
- Fiona Leslie (Principal Archaeologist, Jacobs). Fiona holds a Bachelor of Science and a Bachelor of Arts with Honours from the University of Sydney and has over 18 years of experience as a heritage consultant and archaeologist

- Deborah Farina (Senior Heritage Consultant, Jacobs). Deborah holds a Bachelor of Arts in archaeology and palaeoanthropology from the University of New England and has over 10 years of experience as an archaeologist.

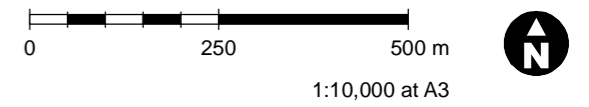
A technical review was undertaken by Clare Leever (Archaeologist, Jacobs).

Mapping was provided by Kahli Macnab (Senior Spatial Analyst, Jacobs).



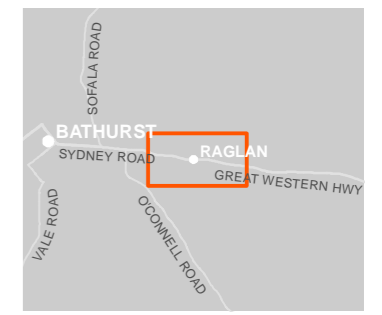


- |  |                   |                 |
|--|-------------------|-----------------|
| Proposal area                              | <b>Design</b>     | Kerb and gutter |
| Existing Roads and Maritime stockpile site | Batter slope      | Safety barrier  |
| Potential ancillary site/site number       | Table drain       | Driveway        |
| Proposed flood storage                     | Creek realignment | Shared path     |
| Waterway                                   |                   |                 |
| Alignment pavement                         |                   |                 |



**Data sources**

- Roads and Maritime Services 2019
- Jacobs 2019
- Aerometrex Dec 2018
- © Department Finance, Services and Innovation Oct 2018
- GDA94 MGA56



**Figure 1.1** Extent of the proposal and study area



## 2. Legislative context

This section provides an overview of the legislative context of the proposal with respect to non-Aboriginal heritage.

### 2.1 Environmental Planning & Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) provides the framework for environmental planning and assessment in NSW. It includes a requirement for impacts, or likely impacts, upon historical heritage to be assessed as part of a project's environmental approval, and for local plan-making authorities to prepare local environment plans (LEPs) and development control plans (DCPs) to provide guidance on the level of environmental assessment required.

Division 5.1 of the EP&A Act outlines the provisions for approval of activities, including the demolition of a building or work, and specifies the requirement for consideration of environmental impacts. Under Clause 5.5:

*'(1) For the purpose of attaining the objects of this Act relating to the protection and enhancement of the environment, a determining authority in its consideration of an activity shall, notwithstanding any other provisions of this Act or the provisions of any other Act or of any instrument made under this or any other Act, examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of that activity.'*

In the case of the proposal, preparation of a SoHI is required by TfNSW to determine the potential impact of the proposed road widening works on the heritage values of Violet Hill homestead and any other items of environmental heritage in accordance with the provisions of the EP&A Act.

### 2.2 Heritage Act 1977

The Heritage Act provides several mechanisms by which items and places of heritage significance are protected. The Heritage Act is designed to protect both listed heritage items, such as standing structures, and potential archaeological remains or relics. As outlined in the following subsections, different parts of the Heritage Act deal with these different situations.

#### 2.2.1 State Heritage Register

The Heritage Council of NSW maintains the State Heritage Register (SHR). Only those items which are of State heritage significance in NSW are listed on the SHR. Listing on the SHR controls activities such as alteration, damage, demolition and development. When an item is listed on the SHR, the approval of the Heritage Council of NSW is required for any major work, including the following:

- Demolishing the building or work
- Carrying out any development in relation to the land on which the building, work or relic is situated, the land that comprises the place, or land within the precinct
- Altering the building, work, relic or moveable object.

An application under section 60 of the Heritage Act must be made to the Heritage Council of NSW to carry out such activities.

In some circumstances a section 60 permit may not be required if works are undertaken in accordance with the Standard Exemptions for Works Requiring Heritage Council Approval (Heritage Council of NSW 2009). For example, Standard Exemption 7 covers works that would have little or no adverse impact on the heritage significance of the heritage item. An Exemption Notification Form (s57(2)) is required to be submitted to the NSW Heritage Division with appropriate supporting information (such as this SoHI).

### 2.2.2 Archaeological relics

Part 6 Division 9 of the Heritage Act protects archaeological 'relics' from being 'exposed, moved, damaged or destroyed' by the disturbance or excavation of land. This protection extends to the situation where a person has 'reasonable cause to suspect' that archaeological remains may be affected by the disturbance or excavation of the land. It applies to all land in NSW that is not included in the SHR. A 'relic' is defined in the Heritage Act as:

*Any deposit, artefact, object or material evidence which relates to the settlement of the area that comprises NSW, not being Aboriginal settlement, and is of State or local significance.*

Section 139 of the Act requires any person who knows, or has reasonable cause to suspect, that their proposed works will or is likely to expose or disturb a 'relic' to first obtain an Excavation Permit from the Heritage Council of NSW (pursuant to section 140), unless there is an applicable exception (pursuant to Section 139(4)). If there is an exception, an Excavation Permit Exception Notification Form must be submitted and endorsed by the Director of Heritage Branch for places not listed on the SHR.

In some circumstances a section 140 permit may not be required when excavating land in NSW. In accordance with the NSW Government Gazette (no 110, 5 September 2008) Schedule of Exceptions to subsections 139 (1) and (2) of the Heritage Act, made under subsection 139 (4):

*Excavation or disturbance of land of the kind specified below does not require an excavation permit under section 139 of the Heritage Act, provided that the Director-General is satisfied that [certain criteria] have been met and the person proposing to undertake the excavation or disturbance of land has received a notice advising that the Director-General is satisfied that:*

*(c) a statement describing the proposed excavation demonstrates that evidence relating to the history or nature of the site, such as its level of disturbance, indicates that the site has little or no archaeological research potential.*

An Excavation Permit Exception Notification Form is required to be submitted to the NSW Heritage Division with appropriate supporting information (such as this heritage assessment). If the Director of the Heritage Division is satisfied of the relevant matters relating to the proposal, a copy of the form will be endorsed by the Heritage Division and returned to the applicant.

Section 146 of the Act requires that any person who is aware or believes that they have discovered or located a relic must notify the Heritage Council of NSW of the location of the relic and other information required.

### 2.2.3 Works

The Heritage Act identifies 'works' as a category separate to relics. Although there is no formal definition, 'works' generally refer to past evidence of infrastructure which may even be buried, and so therefore 'archaeological' in nature and with the potential to provide information that contributes to our knowledge. Unlike a 'relic', exposure of a 'work' does not trigger reporting obligations under the Act. However, good environmental practice recognises the archaeological potential of such discoveries and the need to balance these against the requirements of development. Good heritage management practice includes a comprehensive Unexpected Finds Protocol to be implemented during construction.

### 2.2.4 Section 170 Heritage and Conservation Registers

Section 170 of the Heritage Act requires government agencies to identify, conserve and manage heritage assets owned, occupied or managed by that agency. Section 170 requires government agencies to keep a register of heritage items, which is called a Heritage and Conservation Register or more commonly, an 's170 Register'.

The Heritage Act obliges government agencies to maintain their assets with due diligence in accordance with State-Owned Heritage Management Principles approved by the Minister on the advice of the Heritage Council of NSW and notified by the Minister to government instrumentalities from time to time. Broad principles and guidelines for the management of State-owned heritage assets have been published by the NSW Heritage Office under section 170 of the Act.

## 2.3 Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) includes 'national heritage' as a matter of National Environmental Significance and protects listed places to the fullest extent under the Constitution. It also establishes the National Heritage List (NHL) and the Commonwealth Heritage List (CHL).

The following subsections provide a description of each of the heritage lists and the protection afforded places listed on them.

### 2.3.1 Commonwealth Heritage List

The CHL contains natural, Aboriginal and non-Aboriginal items of national, State and local heritage significance either located on Commonwealth land or owned by the Commonwealth. Any proposed actions on CHL places must be assessed for their impact on the heritage values of the place in accordance with *Actions on, or impacting upon, Commonwealth land, and actions by Commonwealth agencies (Significant Impact Guidelines 1.2)*. The guidelines require the proponent to carry out a self-assessment process to decide whether or not the action is likely to have a significant impact on the environment, including the heritage value of places. If an action is likely to have a significant impact an EPBC Act referral must be prepared and submitted to the Minister for approval.

### 2.3.2 National Heritage List

The NHL is a list of natural, Aboriginal and non-Aboriginal items of outstanding heritage value to Australia, including places overseas. Any proposed actions on NHL places must be assessed for their impact on the heritage values of the place in accordance with *Matters of National Environmental Significance (Significant Impact Guidelines 1.1)*. The guidelines require the proponent to carry out a self-assessment process to decide whether or not the action is likely to have a significant impact on a Matter of National Environmental Significance, including the national heritage value of places. If an action is likely to have a significant impact an EPBC Act referral must be prepared and submitted to the Minister for approval.

### 2.3.3 Register of the National Estate

The Register of the National Estate (RNE) was formerly compiled as a record of Australia's cultural and Aboriginal heritage places worth keeping for the future. The RNE was frozen on 19 February 2007, which means that no new places have been added or removed since that time. From February 2012 all references to the RNE were removed from the EPBC Act. The RNE is maintained on a non-statutory basis as a publicly available archive.

## 2.4 Heritage database searches

Heritage items and places are recorded on statutory and non-statutory registers held at the federal, State and local level, depending on their level of significance. Federally managed heritage includes the NHL and the CHL, both administered by the EPBC Act (refer to Section 2.3). Items on the NHL and CHL, as well as World Heritage items in Australia, are recorded on the Australian Heritage Database, currently administered by the Federal Department of Environment and Energy.

State heritage places and items are registered on the SHR, created by the Heritage Act (refer to Section 2.2.1). The SHR is a searchable online database that records all State heritage items and places and their curtilages. Associated with the SHR is the State Heritage Inventory (SHI), an online database that records some local heritage items and items owned by State statutory authorities. Section 170 of the Heritage Act requires all statutory authorities to advise the Heritage Council of NSW of their heritage assets for recording on the SHI.

Items of local heritage significance are recorded in LEPs for the relevant local government area.

### 2.4.1 World, national and Commonwealth heritage

A search of the Australian Heritage Database was undertaken on 8 April 2019. No items of world, national or Commonwealth heritage were within the study area.

#### **2.4.2 State heritage**

A search of the SHR was undertaken on 8 April 2019. No State significant heritage items are located within the study area.

#### **2.4.3 Section 170 Registers**

A search of the SHI for items registered under s170 of the Heritage Act was undertaken on 8 April 2019. No heritage items were identified within the study area.

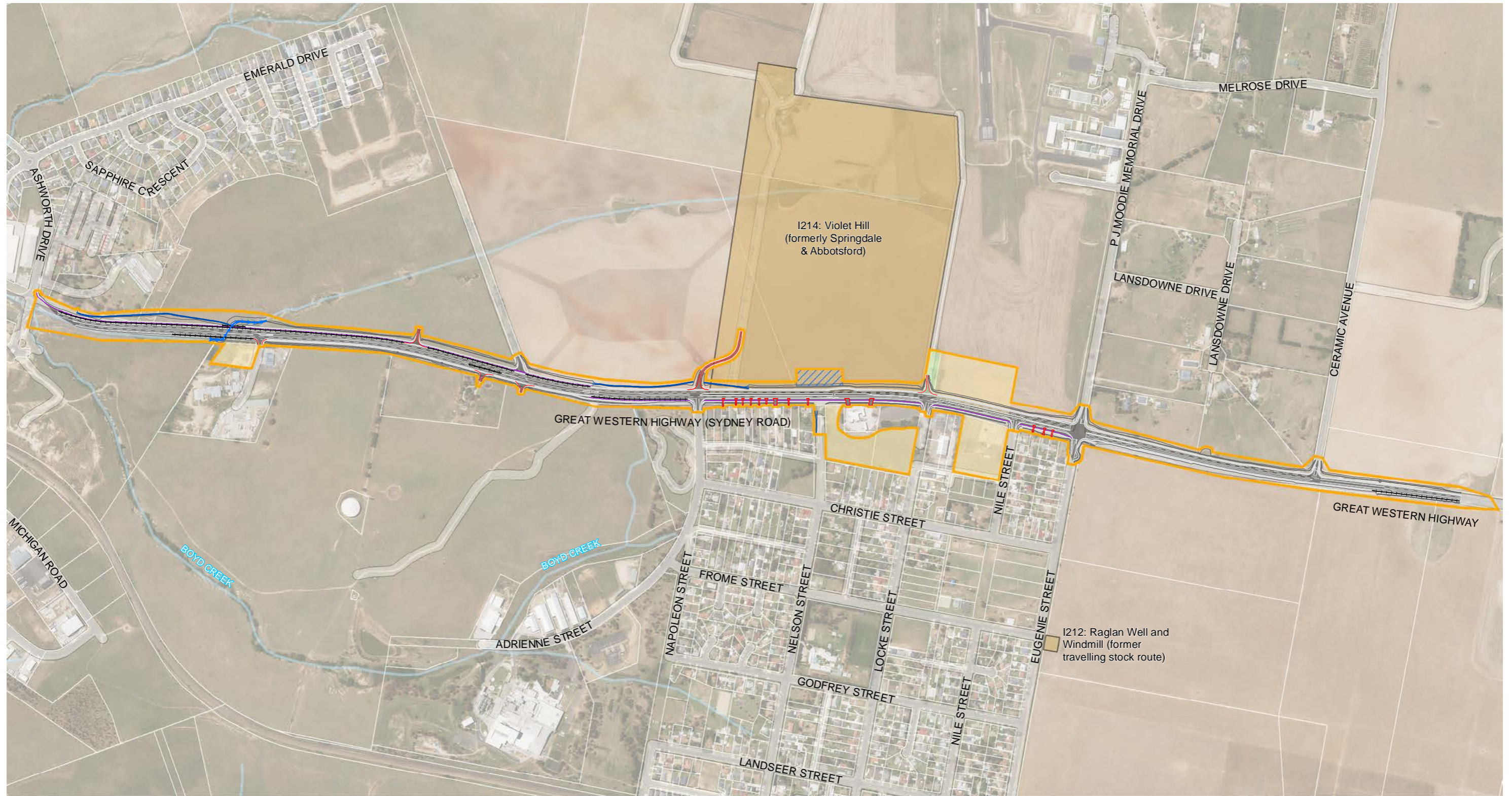
#### **2.4.4 Local heritage**

A search of Schedule 5 of the Bathurst Regional LEP was undertaken on 8 April 2019. One heritage item of local heritage significance is located within the study area:

- Violet Hill (former Springdale and Abbotsford), 5350 Great Western Highway, Raglan. Part Lot 104 DP1108551; Part Lots 39 and 70 DP755781.

The location of Violet Hill in relation to the study area is shown in Figure 2-1. A copy of the SHI listing for Violet Hill is included as Appendix A.



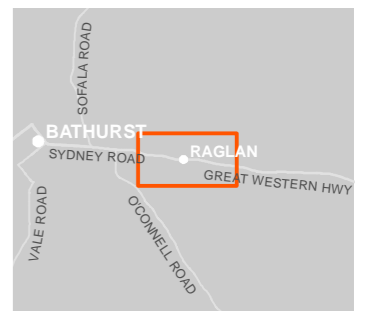


- |  |                   |                 |  |
|--|-------------------|-----------------|--|
| Proposal area                              | <b>Design</b>     | Kerb and gutter | Bathurst Local Environmental Plan 2014 |
| Existing Roads and Maritime stockpile site | Batter slope      | Safety barrier  | Item - General                         |
| Potential ancillary site                   | Table drain       | Driveway        |  |
| Proposed flood storage                     | Creek realignment | Shared path     |  |
| Waterway                                   |                   |                 |  |
| Alignment pavement                         |                   |                 |  |



**Data sources**

Roads and Maritime Services 2019  
 Jacobs 2019  
 Aerometrex Dec 2018  
 © Department Finance, Services and Innovation Oct 2018  
 GDA94 MGA56



**Figure 2-1** Non-Aboriginal heritage items near the study area



### 3. Historical context

Chapter 3 provides an historical context to the settlement of Bathurst and development of Raglan following colonial settlement of NSW in the early nineteenth century.

#### 3.1 Settlement of the Bathurst region

Settlement west of the Blue Mountains began following the explorations of Blaxland, Wentworth, and Lawson in 1813, reaching the Cox's River after three weeks. Encouraged by their reports of rich pastureland, Governor Lachlan Macquarie instructed surveyor George Evans to map the route from the Cox's River to the Macquarie River (Figure 3-1). Evans, with two free men and three convicts, reached the present location of Bathurst and reported:

*...the whole excellent good land, and the best Grass I have seen in any part of New South Wales; the hills are also covered with fine pasture .... It is in general the sweetest in an open Country*  
(Upton undated).

In 1814 William Cox was charged with the construction of the road surveyed by Evans, using convict labour. The road followed the Great Western Highway to Mount Victoria, then westward toward the Bathurst Plains (Figure 3-2). The 163-kilometres road was completed in less than six months, something reflected in the quality and durability of the road (Heritage Division 2015).

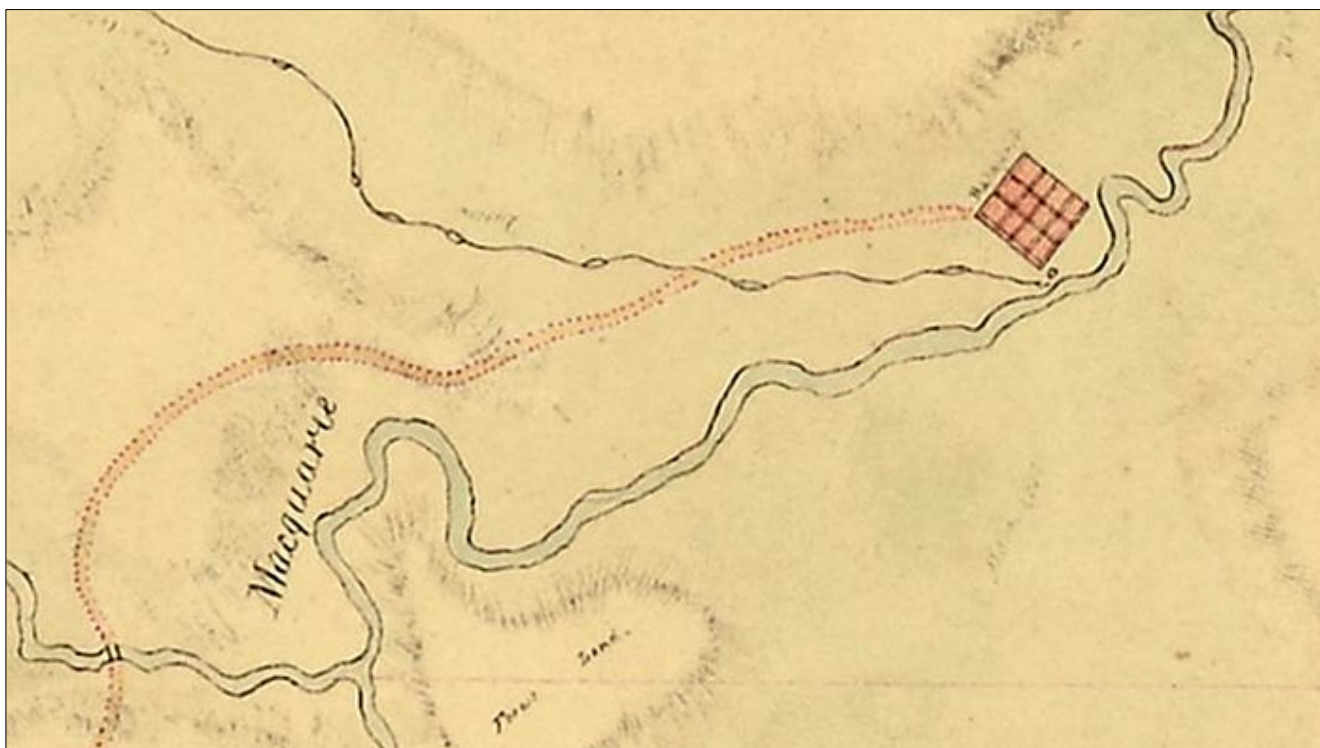


Figure 3-1: Detail of John Oxley's 1815 map, "Map of the Country Westward of the Nepean River", showing the location of the town of Bathurst

Courtesy: ABC Central West NSW, <http://www.abc.net.au/local/stories/2014/06/26/4033867.htm>, held by National Archives, UK



**Figure 3-2: Surviving portion of Cox's Road, Mount York**

Courtesy: Heritage Division, State Heritage Register Inventory Sheet, #01956

After the opening of Cox's Road, Governor Macquarie paid a visit to Bathurst travelling along the new road. The towns of Springwood, Blackheath, Mount York, Cox's Pass, Vale of Clywdd, Cox's River and Bathurst were all named by Macquarie on this journey, which commenced on 26 April 1815 and finished on 7 May 1815 (Upton undated). By 1821, there were 287 people living at Bathurst, including 38 women and children, 3,000 cattle and 27,000 sheep (Steele 1928:1).

In the 1830s, Surveyor-General Thomas Livingstone Mitchell was engaged to realign and improve the western road as Cox's Road, although serviceable, was described as a "rough cart road" (Heritage Division 2015), requiring early upgrade. Mitchell identified an alternate route from Victoria Pass, broadly following a ridge line out to Bathurst. Mitchell's alignment forms the bulk of what is now known as the Great Western Highway.

### 3.2 Settlement at Raglan

Raglan, named after Lord Raglan, was surveyed in 1856 as part of survey works for the railway. Raglan was originally the terminus of the western rail line, with travellers to Bathurst needing to alight here and travel the remainder of the journey (about seven kilometres) via coach. A contemporary visitor believed that the transport to Bathurst was so convenient that he did not see the sense in going to the expense of building a bridge over the Macquarie River to extend the line into Bathurst. The same visitor noted that:

*...the Raglan terminus is very prettily situated, and the hotel is being built hard by. Land thereabouts is fetching a great price, and a quarter acre close to the station having been sold the other day at the rate of over £800 an acre.*

(Viator 1873:16).

Raglan railway station operated as a terminus until the opening of the Bathurst railway station in 1876 (Figure 3-3). In 1890 the location of Raglan station was moved after a fatal accident caused by the incline of the track at the old location (The Bathurst Star 1890). The State heritage listed railway station at Raglan is the second station (Heritage Division 2005a).

The first building of the town was the Raglan Inn, constructed in 1862. The Bathurst Agricultural and Horticultural Society subsequently purchased land at Raglan and held its annual agricultural show there before moving it to Bathurst some years later (Heritage Division 2005b).



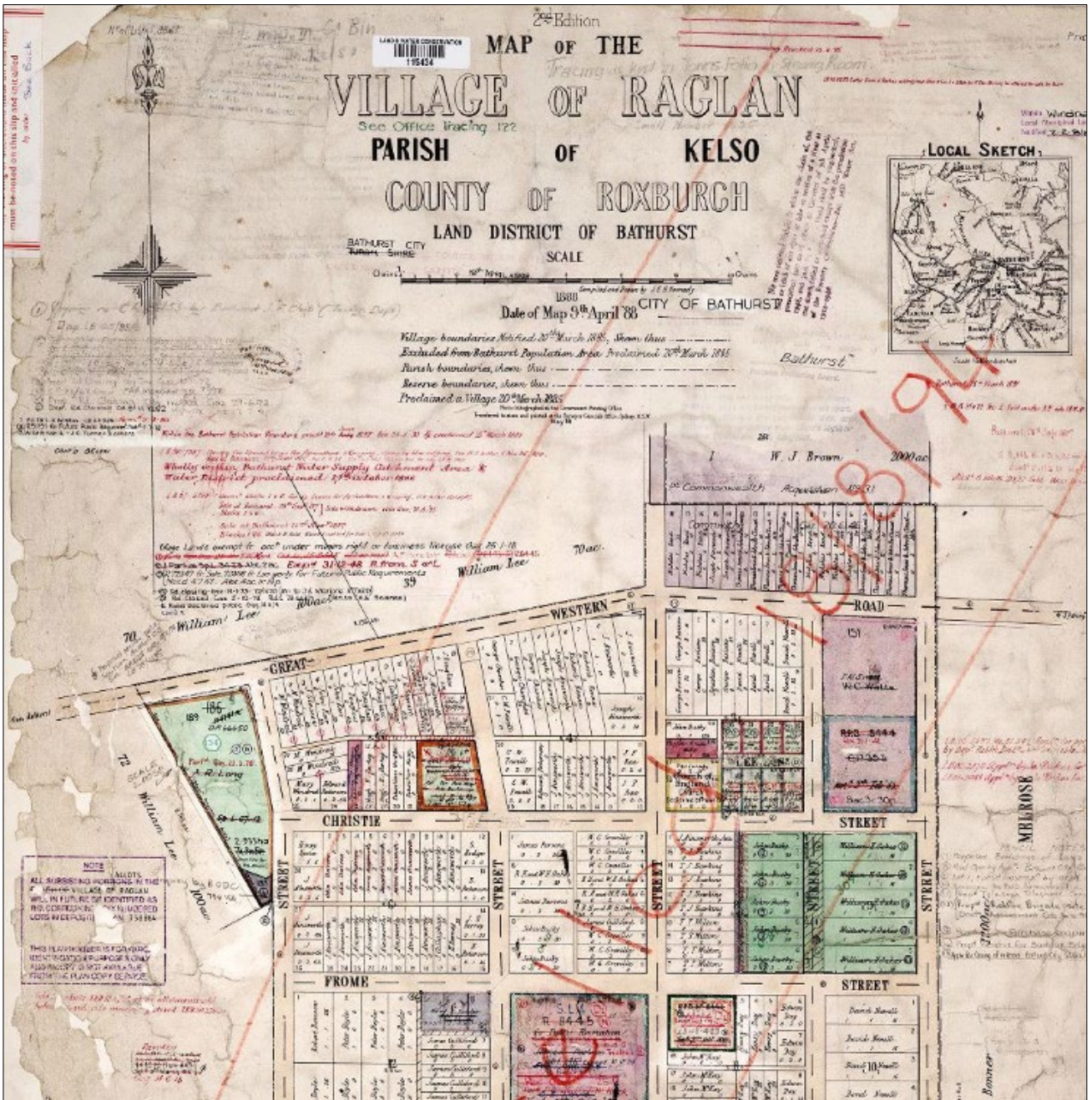


Figure 3-3: Detail of map of Raglan, as at April 1888, showing street layout and lots

Courtesy: Historical Land Records Viewer, CD PMAPOE02, File 11543401.jp2



### 3.3 Violet Hill (also known as Victoria Cottage, Springdale, Abbotsford, Trealorna Farm)

The first landowner of the Violet Hill property was John Richard Tindale, who came into possession of the property c1834 (Figure 3-4). Born in London, Tindale arrived in the colony as a free settler at the age of 11, after his father, John Poad 'William' Tindale had been transported for forgery. Tindale Senior was one of the convicts who constructed William Cox's road and was subsequently rewarded with emancipation and land grants in the Bathurst area.

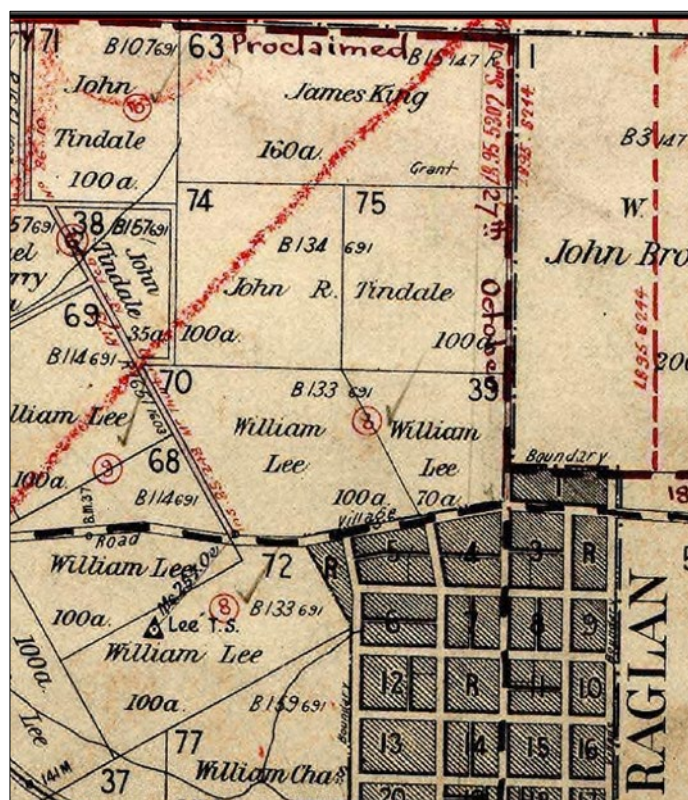


Figure 3-4: Detail of Parish of Kelso (c.1893), showing John Tindale's properties, north of the village of Raglan

Courtesy: Historical Land Records Viewer, CD PMAPOE13, File 11271401.jp2

Tindale (Junior) built his cottage, originally known as Victoria Cottage, c1826-1840 (Figure 3-5). It is described on the SHI as:

*Simple colonial Georgian house of stuccoed brick, shuttered sash & French windows. Terracotta tiled roof main roof, corrugated iron verandah on timber posts. Group cedar joinery six panelled internal doors. Along the front verandah the original French doors, central entry door with fanlight over and timber shutters still remain... at the rear of the house the original Kitchen wing stands with hipped roof, two storied interior and front verandah.*

(Heritage Division 2005b).

Tindale married Mary Wybrow at Bathurst in 1830 and appeared to stay in the Bathurst area until removing to Sydney in the early 1850s after the breakdown of the marriage. Prior to the move, John and Mary Tindale were prosperous enough to have had their portraits painted in 1841 by Maurice Felton, which both now hang in the National Portrait Gallery (Figure 3-6). Mary and their children remained on the farm and following Tindale Jnr's death in 1872, Victoria Farm and Cottage was bequeathed to his sons.



**Figure 3-5: Violet Hill**

Source: SHI, accessed 7 May 2019



**Figure 3-6: Mary and John Tindale Jr portraits, c1841 by Maurice Felton**

Courtesy: National Portrait Gallery, Canberra



Victoria Cottage appears to have stayed in the Tindale family until the 1880s, when it was purchased by Benjamin Cutler and his wife Martha (nee Abbott), who renamed it Abbotford (the fanlight over the front door contains this name) (Heritage Division 2005b). The property then remained in the Cutler family until at least the 1950s.

### 3.4 Analysis of historical aerial photograph

Historical aerial photographs dating from 1943 and 1959 (refer to Figure 3-7 to Figure 3-9) show the location of Violet Hill in relation to the study area. No former buildings or structures are shown within the study area itself, however, a line of trees is evident on the northern side of the highway from 1959, to the east and west of the homestead driveway entrance.

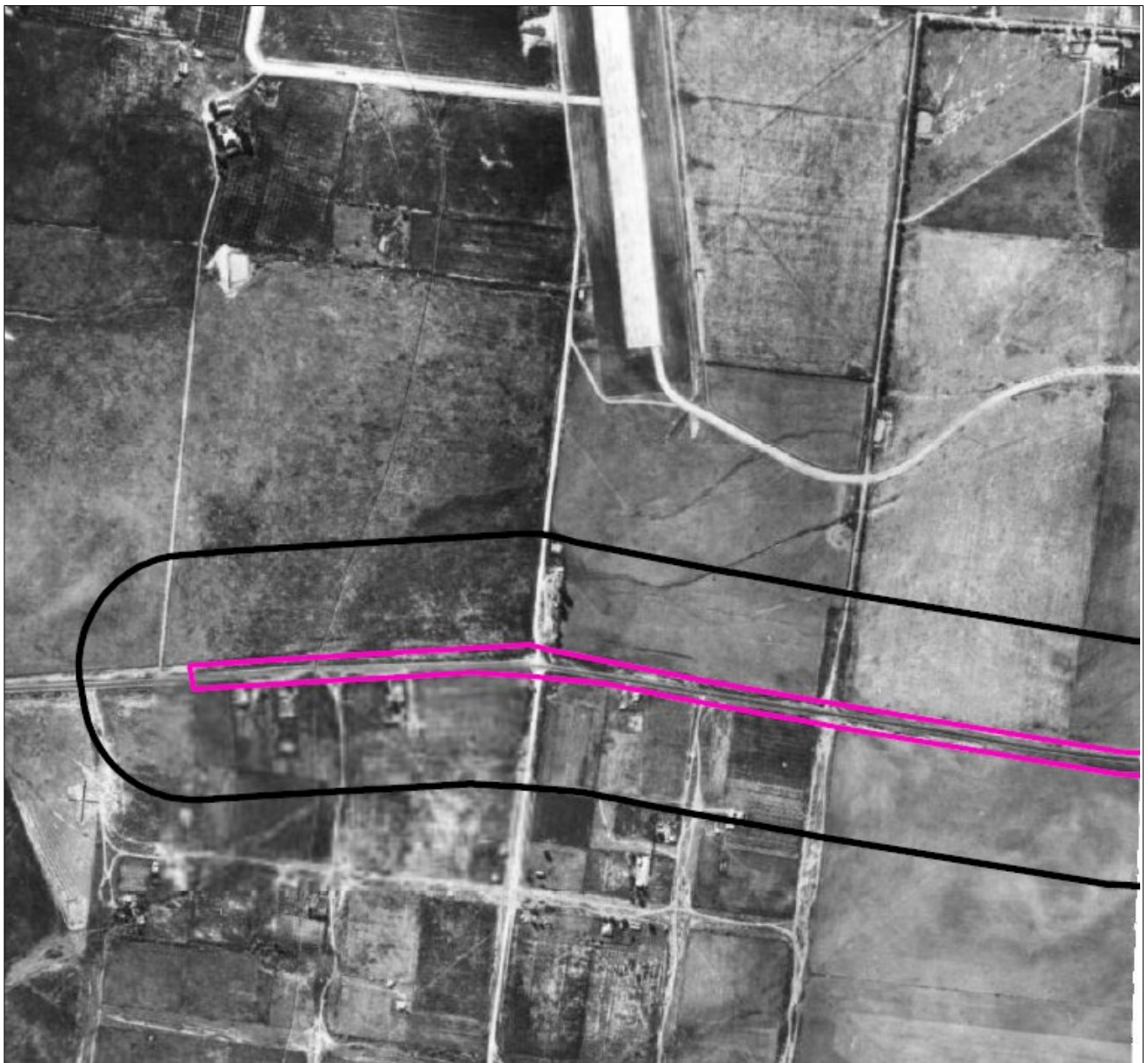


Figure 3-7: 1943 aerial photograph of the Great Western Highway showing an eastern portion of the study area, circled PINK.

Note: Violet Hill homestead to the north of the study area



Figure 3-8: 1959 aerial photograph of the Great Western Highway showing the eastern half of the study area, circled PINK

Note: The line of trees continues to the west, along the northern side of the highway

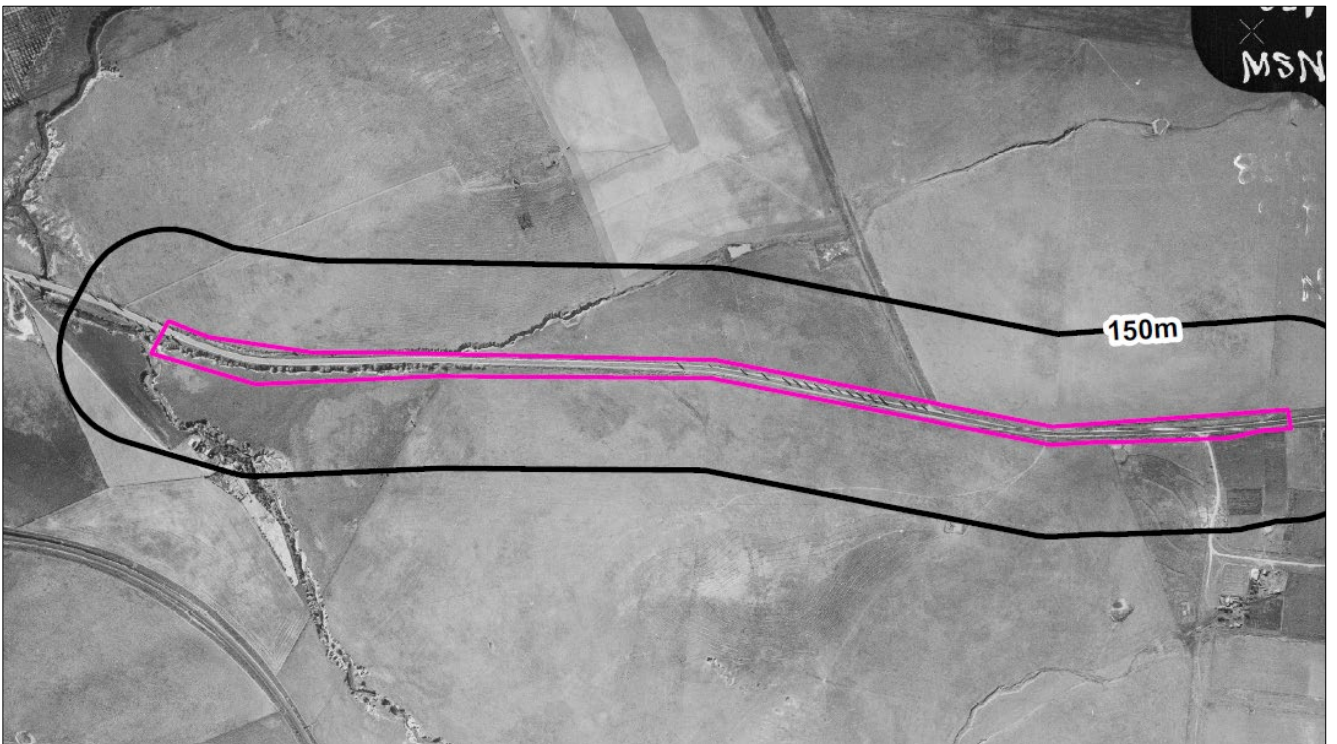


Figure 3-9: 1959 aerial photograph of the Great Western Highway showing the western half of the study area, circled PINK

Note: The line of trees continues to the west, along the northern side of the highway



### **3.5 Conclusion**

A review of historical plans, heritage listings and historical aerial photographs confirms that the locally significant Violet Hill homestead is located to the north of the study area, with a small portion of its curtilage situated within the study area. The property originally known as 'Victoria Cottage' was built by John Richard Tindale in c1836 and was later known as 'Springdale', 'Abbotsford', and 'Trealorna Farm'. John Richard Tindale was the son of John Poad 'William' Tindale, one of 30 convicts who accompanied William Cox during construction of the first road over the Blue Mountains. The property was retained by the Tindale family until the late 19<sup>th</sup> or early 20<sup>th</sup> century and no other former historical buildings or structures are evident from historical aerial photographs within the study area. However, aerials show that a line of trees was planted between 1943 and 1959 along the Great Western Highway.

## 4. Site inspection

Chapter 4 provides details of a site inspection of the non-Aboriginal heritage of the study area carried out for the purposes of this report.

### 4.1 Timing and personnel

A visual inspection of the study area was carried out by Jacobs' Principal Heritage Consultant, Fiona Leslie, on 15 April 2019. The aim of the inspection was to confirm the location of the homestead in relation to the study area and assess any potential impact on significant views and vistas. The survey also aimed to confirm the presence or absence of any additional heritage items, including potential historical archaeological relics.

### 4.2 Results

The survey commenced at the driveway entrance to Violet Hill and confirmed that the current brick gateposts and fencing are mid-to-late twentieth century additions to the property (refer to Figure 4-1). Only one historical feature was noted near the driveway, a timber post that appears to have formed part of an earlier gate (refer to Figure 4-2). The timber post was observed to be machine cut and featured a metal bolt hinge at its base – likely dating to the early twentieth century.

Further inspection of the driveway looking towards Violet Hill confirmed that the homestead was only just visible from the Great Western Highway (refer to Figure 4-3). Similarly, from the front porch of the homestead there are only distant views of the Great Western Highway and lines of poplar trees (refer to Figures 4-4 and 4-5).

Further survey along the alignment of the road corridor confirmed the absence of any additional heritage items or historical archaeological relics.



Figure 4-1: Driveway entrance to Violet Hill; note the modern brick gateposts



**Figure 4-2: Earlier timber gatepost noted near the Violet Hill entrance**



**Figure 4-3: View towards Violet Hill homestead from the property entrance, facing north**





**Figure 4-4: Violet Hill, facing north east**



**Figure 4-5: View from the front porch of Violet Hill homestead towards the Great Western Highway, facing south**

### **4.3 Summary**

Visual inspection has confirmed that the only potential heritage items, or features, located within the study area include a former timber gate post near the entrance to Violet Hill. No significant views or vistas from Violet Hill towards the Great Western Highway and vice-versa were identified during the visual inspection.

## 5. Significance assessment

The principles of the *Burra Charter* indicate that before any impact can be assessed, a thorough understanding of an item's heritage significance must be undertaken. Chapter 5 provides significance assessments of heritage items within the study area using the NSW State Heritage Significance Criteria.

### 5.1 Significance assessment

As noted in the publication *Assessing Heritage Significance* (NSW Heritage Office 2001:4), the purpose of assessing an item's heritage significance is to itemise an item's heritage values in the form of a Statement of Heritage Significance. This is then used as a basis for assessing impact on the significance of a heritage item. In addition to the NSW heritage significance criteria, the integrity and intactness of an item is also considered.

A significance assessment (including its integrity and intactness) and a statement of significance has been prepared for each item potentially impacted by the proposal. Where there are existing significance assessments for listed items, these have been noted and reproduced.

#### 5.1.1 Violet Hill

Table 5.1 below reproduces the significance assessment for Violet Hill included in the SHI listing (refer to Appendix A). It can be assumed that the former timber gate post is a contributory element that forms part of the locally significant homestead.

Table 5-1: Violet Hill – significance assessment

NSW Heritage Criterion	Assessment
SHR Criteria a) an item is important in the course, or pattern, of NSW's cultural or natural history  [Historical significance]	-
SHR Criteria 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  [Associative significance]	Originally called Victoria Cottage this house it is believed was built for John Tindale. Later named Trealorna farm. Later the Cutler family: Benjamin Richard and Martha Cutler, came to live here.
SHR Criteria c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW  [Aesthetic significance]	Simple colonial Georgian house of stuccoed brick, shuttered sash and French windows with some interesting additions of side battlement rooms added the late 1880s.
SHR Criteria d) an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons  [Social significance]	-
SHR Criteria e) an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history  [Research potential]	Detailed research of the house history would be valuable.

NSW Heritage Criterion	Assessment
SHR Criteria f) an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history  [Rarity]	-
SHR Criteria g) an item is important in demonstrating the principal characteristics of a class of NSW's <ul style="list-style-type: none"> <li>• cultural or natural places</li> <li>• cultural or natural environments.</li> </ul> [Representativeness]	-
Integrity/Intactness	Main house has been altered and extended over time, most especially (visually) with the terra cotta roof tiles, but this could be changed back at some time. Rear wing more intact.

### Statement of significance

The statement of significance from the SHI listing is reproduced below:

*Significant large settlers homestead and originally a simple colonial Georgian house of stuccoed brick, shuttered sash & French windows. Some interesting additions of side battlement rooms added the late 1880s. The house was probably built for John Tindale. Later the Cutler family: Benjamin Richard and Martha Cutler, came to live here.*

## **6. Impact assessment**

### **6.1 Potential impacts**

The proposed road widening works would have a direct impact on the former timber gate post at the entrance to Violet Hill. Despite the direct impact on the heritage curtilage of Violet Hill, the proposed works would not directly impact on the homestead and would have no impact on any significant views or vistas. The Great Western Highway is located more than 650 metres to the south of the homestead.



## 7. Conclusions and recommendations

The proposed road widening of the Great Western Highway at Raglan would directly impact the heritage curtilage of Violet Hill but would not impact on the homestead, significant views or vistas or its heritage significance. The only heritage items, or features, that would be impacted include a former timber gate post at the entrance to Violet Hill.

The following recommendations are made to minimise the impact of the works on these heritage items:

- Prior to the commencement of works, a photographic archival record of the timber gate post should be prepared by a suitably qualified heritage consultant in accordance with *Photographic Recording of Heritage Items Using Film or Digital Capture* (Heritage Office, 2006)
- If historical archaeological relics not anticipated by this assessment (including human skeletal remains, or suspected human remains) are found during excavation, the Roads and Maritime (2015) *Standard Management Procedure: Unexpected Heritage Items* should be followed.

## References

Heritage Division 2005a *Raglan Railway Station Group*. Sydney: NSW Government.

Heritage Division 2005b *Violet Hill*. Sydney: NSW Government.

Heritage Division 2015 *Cox's Road and Early Deviations - Mount York, Cox's Pass Precinct*. Sydney: NSW Government.

Steele, W.A. 1928 Historic Bathurst: Transactions Leading to the Establishment of town 1815-1833. *National Advocate*.

The Bathurst Star 1890 Raglan Railway Station: Precaution Against Accidents. *The Bathurst Star*.

Upton, S. undated *Westward Ho! Crossing the Blue Mountains*: NSW State Archives.

Viator 1873 From Rydal to Raglan. *Australian Town and Country Journal*.

## Appendix A – Copy of SHI Listing for Violet Hill



[Home](#) > [Topics](#) > [Heritage places and items](#) > [Search for heritage](#)

# Violet Hill

## Item details

<b>Name of item:</b>	Violet Hill
<b>Other name/s:</b>	Springdale, Abbotsford, Victoria Cottage,
<b>Type of item:</b>	Built
<b>Group/Collection:</b>	Residential buildings (private)
<b>Category:</b>	Homestead building
<b>Location:</b>	Lat: S 33.24.937 Long: E 149.38.760
<b>Primary address:</b>	5350 Great Western Highway, Raglan, NSW 2795
<b>Parish:</b>	Kelso
<b>County:</b>	Roxburgh
<b>Local govt. area:</b>	Bathurst Regional

**All addresses**

Street Address	Suburb/town	LGA	Parish	County	Type
5350 Great Western Highway	Raglan	Bathurst Regional	Kelso	Roxburgh	Primary Address

**Statement of significance:**

Significant large settlers homestead and originally a simple colonial Georgian house of stuccoed brick, shuttered sash & French windows. Some interesting additions of side battlement rooms added the late 1880s.

The house was probably built for John Tindale. Later the Cutler family: Benjamin Richard and Martha Cutler, came to live here.

**Date significance updated:** 11 Jul 06

*Note: The State Heritage Inventory provides information about heritage items listed by local and State government agencies. The State Heritage Inventory is continually being updated by local and State agencies as new information becomes available. Read the [OEH copyright and disclaimer](#).*

**Description****Construction years:**

1826-1840

**Physical description:**

Simple colonial georgian house of stuccoed brick, shuttered sash & french windows. Terracotta. tiled roof main roof , corrugated iron verandah on timber posts. Group cedar joinery six panelled internal doors. Along the front verandah the original french doors , central entry door with fanlight over and timber shutters still remain. The name in the fanlight is 'Abbotford" . The paving of the verandah is a concrete topping over purposely

made local brick pavers each about 150mm x160mm x 35mm thick. At the rear of the house the original Kitchen wing stands with hipped roof , two storied interior and front verandah. Small casement windows.

**Physical condition and/or Archaeological potential:**

Good.

**Date condition updated:**07 Mar 06

**Current use:** Residential

**Former use:** Residential

## History

**Historical notes:** Located on an original grant, Lot 74, of John R. Tindale.

Originally called Victoria Cottage this house it is believed was built for John Tindale. It was later named Trealorna farm. Later the Cutler family came to live here Benjamin Richard and Martha Cutler. They added the side battlement rooms in the late 1880s. Today only one of these remain having been removed in the first half of the 20th C. Present owners grandfather , married an Abbot, who had lived at Abbotsford at Dungog. So it was the Dungog house that this house was then named after. The cutlers later sold thh house and the present later generation of Cutler family bought the house again in the 1950s.

At this time the Kitchen wing was a separate wing at the rear of the house. The house was then extended to accommodate the kitchen in the main house. During this time the roof was tiled.

## Historic themes

Australian theme (abbrev)	New South Wales theme	Local theme
3. Economy-Developing local, regional and national economies	Pastoralism-Activities associated with the breeding, raising, processing and distribution of livestock for human use	Pastoral Homestead-
9. Phases of Life-Marking the phases of life	Persons-Activities of, and associations with, identifiable individuals, families and communal groups	Cutler family-

## Assessment of significance

### SHR Criteria b)

[Associative significance]

Originally called Victoria Cottage this house it is believed was built for John Tindale. Later named Trealorna farm. Later the Cutler family : Benjamin Richard and Martha Cutler, came to live here.

### SHR Criteria c)

[Aesthetic significance]

Simple colonial Georgian house of stuccoed brick, shuttered sash and French windows with some interesting additions of side battlement rooms added the late 1880s.

### SHR Criteria e)


[Research potential]

Detailed research of the house history would be valuable.

### Integrity/Intactness:

Main house has been altered and extended over time, most especially (visually) with the terra cotta roof tiles, but this could be changed back at some time. Rear wing more intact.

### Assessment criteria:

Items are assessed against the  **State Heritage Register (SHR) Criteria** to determine the level of significance. Refer to the Listings below for the level of statutory protection.

## Listings

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Violet Hill (former Springdale & Abbotsford)	214	19 Nov 14		
Heritage study					

## Study details

Title	Year	Number	Author	Inspected by	Guidelines used
Bathurst Regional Council Heritage Review	2005	F/N 51	Hickson in assoc. with Bathurst Regional Council	Hickson & Croft	Y e s
Bathurst City Council Heritage Study	1990	A767	Hughes Trueman Ludlow	Hughes Trueman Ludlow	N o

## References, internet links & images

None



Note: internet links may be to web pages, documents or images.

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