



View towards an old farmhouse and outbuildings bordering the study area.

HISTORIC HERITAGE ASSESSMENT REPORT

PROPOSED REZONING AND SUBDIVISION – REDMOND PLACE, ORANGE

ORANGE LOCAL GOVERNMENT AREA, NSW

MAY 2024

Report prepared by
OzArk Environment & Heritage
for Landcom.



OzArk Environment & Heritage

145 Wingewarra St
(PO Box 2069)
Dubbo NSW 2830

Phone: (02) 6882 0118

Fax: (02) 6882 0630

enquiry@ozarkehm.com.au

www.ozarkehm.com.au

This page has intentionally been left blank.

DOCUMENT CONTROLS

Proponent	Landcom	
Document Description	Proposed Rezoning and Subdivision – Redmond Place, Orange	
File Location	OzArk Job No.	
Clients/Landcom/Redmond Place Orange/Heritage/Reports	4234	
Document Status: V3.0 DRAFT		Date: 8 May 2024
OzArk internal edits		V1.0 BD author 14/3/24 V1.1: BC edit 28/3/24
OzArk and client edits		V2.0 OzArk to client 2/4/24 V2.1 OzArk addresses client edits 24/4/24
Final document		V3.0 OzArk issues final report 8/5/24
Prepared for		Prepared by
Vanessa Pretila Senior Development Manager Landcom vpretila@landcom.nsw.gov.au		Dr. Bernadette Drabsch OzArk Environment & Heritage 145 Wingewarra Street (PO Box 2069) Dubbo NSW 2830 P: 02 6882 0118 bernie@ozarkehm.com.au
<p style="text-align: center;">COPYRIGHT</p> <p style="text-align: center;">© OzArk Environment & Heritage 2024 and © Landcom 2024</p> <p style="text-align: center;">All intellectual property and copyright reserved.</p> <p>Apart from any fair dealing for private study, research, criticism, or review, as permitted under the Copyright Act, 1968, no part of this report may be reproduced, transmitted, stored in a retrieval system, or adapted in any form or by any means (electronic, mechanical, photocopying, recording, or otherwise) without written permission.</p> <p style="text-align: center;">Enquiries should be addressed to OzArk Environment & Heritage.</p>		

Acknowledgement

OzArk acknowledge the traditional custodians of the area on which this assessment took place and pay respect to their beliefs, cultural heritage, and continuing connection with the land. We also acknowledge and pay respect to the post-contact experiences of Aboriginal people with attachment to the area and to the Elders, past and present, as the next generation of role models and vessels for memories, traditions, culture and hopes of local Aboriginal people.

ABBREVIATIONS AND GLOSSARY

DCCEEW (Cth)	Commonwealth Department of Climate Change, Energy, the Environment and Water. Department responsible for administering the EPBC Act
DCCEEW (NSW)	NSW Department of Climate Change, Energy, the Environment and Water. DCCEEW contains the Environment and Heritage Group which, in turn, contains Heritage NSW and AHIMS
DPE	Former NSW Department of Planning and Environment. The functions of DPE are undertaken by DCCEEW (NSW) and DPHI.
DPHI	NSW Department of Planning, Housing and Infrastructure. DPHI contains the Planning agency.
EIS	Environmental Impact Statement. A required document for major projects documenting all potential impacts to the environment, including heritage, that may arise due to the development.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> . Act that institutes a system of environmental planning and assessment for the State of New South Wales
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> . Commonwealth legislation that governs matters of national and world heritage significance
Heritage Act	<i>Heritage Act 1977</i> . Provides for the protection and conservation of historical places and objects or cultural heritage significance and the registration of such places and objects.
Heritage Council	The Heritage Council makes decisions about the care and protection of heritage places and items that have been identified as being significant to the people of NSW.
Heritage NSW	Government department tasked with ensuring compliance with the Heritage Act.
SEARs	Secretary's Environmental Assessment Requirements issued by DPHI.
SHR	State Heritage Register. A heritage list of places in NSW that are protected by NSW legislation such as the Heritage Act.

EXECUTIVE SUMMARY

OzArk Environment & Heritage (OzArk) has been engaged by Landcom (the proponent) to complete a *Historic Heritage Assessment Report* (HHAR) of a 24.2 hectare (ha) site located on the south-eastern fringe of Orange. The site is owned by Orange City Council and Landcom are taking the lead in preparing a planning proposal to amend the Orange Local Environment Plan 2011 (LEP) to rezone the study area for residential status (the proposal). The proposal is in the Orange City Council Local Government Area (LGA).

The key objectives of the project are:

- Supply – increase the supply of land to facilitate housing
- Diversity – promote housing diversity
- Affordability – increase the supply of land for affordable housing by delivering at least 20% of all residential dwellings for affordable housing
- Sustainability – develop a climate resilient, healthy and inclusive place, at the forefront of environmental and social sustainability.

The study area is located on the southeast fringe of Orange and lies on the southern side of Redmond Place, bounded by Bathurst Road / Mitchell Highway (on the northeast), Lone Pine Avenue (on the west) and Dairy Creek Road to the south. The study area is approximately 24.2 hectares in size, comprising three lots: Lot 1 DP153167 (154 Lone Pine Avenue), Lot 6 DP1031236 (3 Redmond Place), and Lot 200 DP1288388 (5255 Mitchell Highway).

The study area consists of gently sloping paddocks used for agricultural purposes. Within the study area remains a structure that previously housed an emergency services helicopter hangar. A feature of the eastern boundary is a line of poplar trees which Orange City Council wishes to retain and highlight due to their historical significance.

A search of the Heritage Council of NSW administered heritage databases and the Orange Local Environmental Plan (LEP) 2011 prior to the survey returned two records for historical heritage items that border the study area. These are item I113 'Orchard, Ruins of Original Cottage and 2 Wells' on Dairy Creek Road, Orange and item I355 a 'Storage Tank (remnant)' at 130 Line Pine Avenue, Orange. The 'Clearview' residence (item I61) is located 440 m to the south, 'Dairy Creek' dwelling (item I330) is located approximately 380 m east, and 'Chinaman's Bend Cemetery' (item I53) is approximately one kilometre east.

Three now-demolished groups of structures were located within the study area. However, the demolition of these structures is unlikely to have left any interpretable archaeological remains. Additionally, little documentation on the nature of the structures is available, and it is likely that they were vernacular residences and infrastructure (i.e. sheds) which would not possess significant heritage values.

The historic heritage assessment was undertaken by OzArk Archaeologist, Tenae Robertson on 13 February 2024.

Recommendations regarding the historic values within study area are as follows.

1. The Old Dairy building in Lot 200 DP1288388 has been assessed as having local heritage values. Due to the item's significance to the local community, the building and its immediate surrounds must be preserved. Should harm to the building be required, a Statement of Heritage Impact must be prepared.
2. The memorial gardens in the Gateway Park have social values for the local community and should be preserved.
3. The heritage curtilages of item I113 (Lot 2 DP1087281) and item I355 (Lot 7 DP793145) must not be harmed by the proposal. Should any impacts be planned within these Lots, a Statement of Heritage Impact must be prepared.
4. Consideration must be made to include appropriate plantings along the northern boundary of Lot 2 DP1087281 to act as a screen between item I113 and the proposal.
5. Following development consent of the proposal, the proposed work may proceed with caution with respect to historic heritage. If items of historic heritage significance are uncovered during the construction of the proposal (especially during topsoil stripping and ground works phases), then the *Unanticipated Finds Protocol* provided in **Appendix 1** must be enacted.
6. All staff and contractors involved in the proposed work should be made aware of the legislative protection requirements for all significant historic items. The locations of I113 (Lot 2 DP1087281) and item I355 (Lot 7 DP793145) should be shown on appropriate plans and marked as no-go areas.
7. All ground-disturbing works must be confined to the study area. Should works be required outside of the assessed area, then further archaeological assessment may be required.

CONTENTS

ABBREVIATIONS AND GLOSSARY.....	IV
EXECUTIVE SUMMARY.....	V
1 INTRODUCTION	1
1.1 Preamble	1
1.2 Description of the proposal	1
1.3 The Planning Proposal.....	2
1.4 Study area	3
2 HERITAGE ASSESSMENT: INTRODUCTION.....	5
2.1 Relevant legislation.....	5
2.1.1 Commonwealth legislation	5
2.1.1.1 Environment Protection and Biodiversity Conservation Act 1999	5
2.1.2 State legislation	5
2.1.2.1 Environmental Planning and Assessment Act 1979	5
2.1.2.2 Planning Proposals - Rezoning.....	6
2.1.2.3 Heritage Act 1977	7
2.2 Historic heritage assessment objectives	7
2.3 Date of historic heritage assessment	8
2.4 OzArk involvement.....	8
2.5 Reporting	8
3 HISTORIC HERITAGE ASSESSMENT: BACKGROUND	9
3.1 Brief history of Orange	9
3.2 Local context.....	11
3.2.1 Historic background of the study area	11
3.2.1.1 Lone Pine 01.....	12
3.2.1.2 Mitchell 01	12
3.2.1.3 Mitchell 02	13
3.2.2 Gateway Park	13
3.2.2.1 The Old Dairy Building	13
3.2.2.2 Memorial gardens	13
3.2.3 Desktop database searches conducted	15
3.2.3.1 Item I113.....	17
3.2.3.2 Item I355.....	18
3.3 Survey methodology	19

3.4	Project constraints	19
4	RESULTS OF HISTORIC HERITAGE ASSESSMENT	21
4.1	Archaeological assessment	22
5	ASSESSMENT OF HISTORIC HERITAGE SIGNIFICANCE	24
5.1	Assessment of significance—general principles.....	24
5.2	Assessment of significance of historic items	25
5.2.1	Old Dairy building	25
5.2.2	Memorial gardens	26
5.2.3	Old Farmhouse	26
5.3	Discussion	26
5.4	Likely impacts to historic heritage from the proposal	26
6	MANAGEMENT AND MITIGATION: HISTORIC HERITAGE	28
6.1	General principles for the management of historic sites	28
7	RECOMMENDATIONS.....	29
	REFERENCES	30
	PLATES.....	31
	APPENDIX 1: UNANTICIPATED FINDS PROTOCOL	33

FIGURES

Figure 1-1: Map showing the location of the proposal.	2
Figure 1-2: Aerial showing the study area (OCULUS 2024).	4
Figure 3-1: Parish map of 1934 showing the land holders in relation to the study area.	11
Figure 3-2: 1970 aerial showing the study area.	12
Figure 3-3: Gateway Park features within the study area.	14
Figure 3-4: View of the Old Dairy building.	14
Figure 3-5: Items of local heritage listed on the Orange LEP close to study area.	16
Figure 3-6: Location of LEP listed items I113 and I355.	16
Figure 3-7: Item I113 'Orchard, Ruins of Original Cottage and two Wells.	18
Figure 3-8: Item I355 Storage tank (remnant) indicated by the arrow.	19
Figure 3-9: Pedestrian transects within the study area.	20
Figure 4-1: Views of the study area.	21
Figure 4-2: Aerial views of the demolished structures.	23

TABLES

Table 3-1: Historic heritage: desktop-database search results.	15
Table 5-1: Assessment of heritage significance – Old Dairy building.	25
Table 5-2: Historic heritage: assessment of significance.	26
Table 5-3: Historic heritage: impact assessment.	27

PLATES

Plate 1: View north across Lone Pine 01 to foreign soil and materials stockpiling area.	31
Plate 2: View east across Mitchell 01 toward the memorial gardens.	31
Plate 3: View south across Mitchell 02.	32

1 INTRODUCTION

1.1 PREAMBLE

OzArk Environment & Heritage (OzArk) has been engaged by Landcom (the proponent) to complete a *Historic Heritage Assessment Report* (HHAR) of a 24.2 hectare (ha) site located on the south-eastern fringe of Orange.. The study area is owned by Orange City Council and Landcom are taking the lead in preparing a planning proposal to amend the Orange Local Environment Plan 2011 (LEP) to rezone the study area for residential status (the proposal).

1.2 DESCRIPTION OF THE PROPOSAL

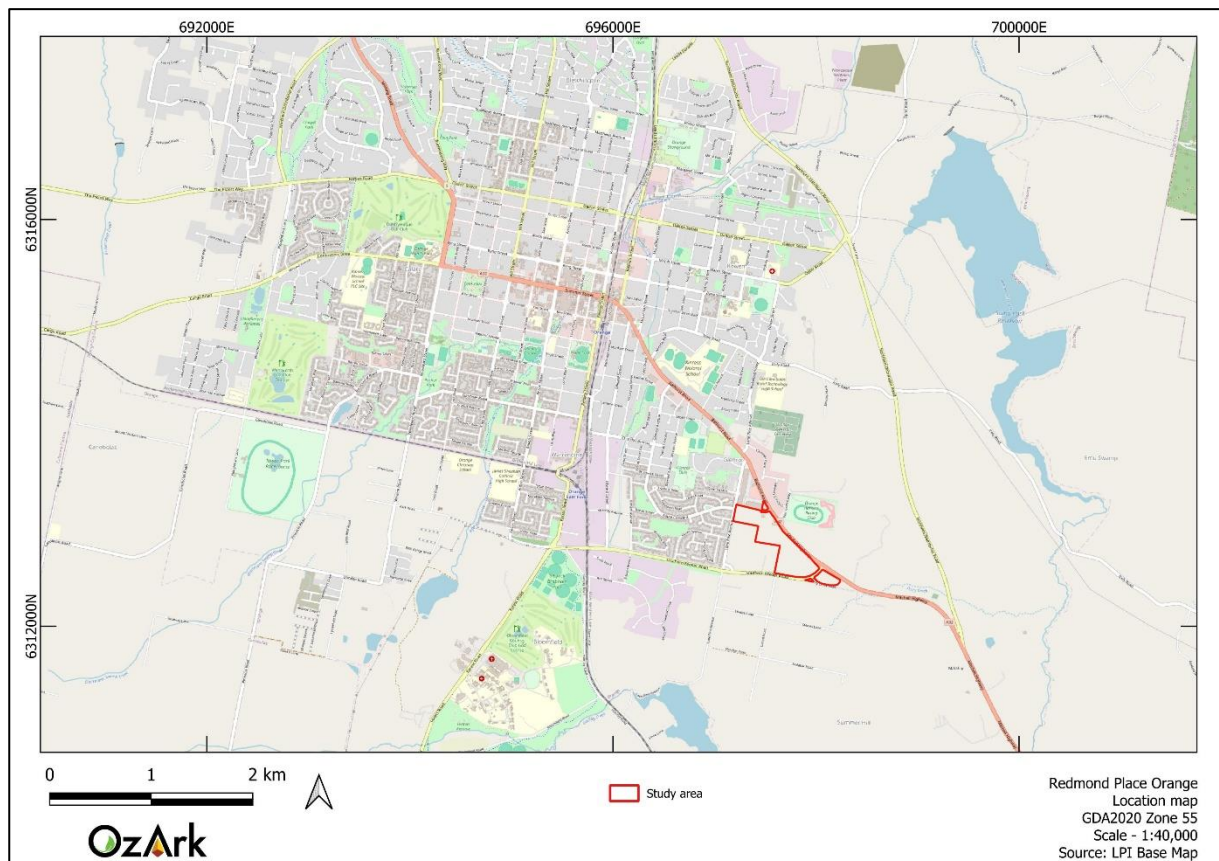
The study area has significant frontage along the Mitchell Highway and has the potential to be impacted by the proposed Redmond Place rezoning and subdivision. The proposal is in the Orange City Council Local Government Area (LGA) (**Figure 1-1**).

The key objectives of the project are:

- Supply – increase the supply of land to facilitate housing
- Diversity – promote housing diversity
- Affordability – increase the supply of land for affordable housing by delivering at least 20% of all residential dwellings for affordable housing
- Sustainability – develop a climate resilient, healthy and inclusive place, at the forefront of environmental and social sustainability.

The staging strategy for the project is to be determined and will need to take into consideration infrastructure availability, delivery timing, placemaking, and entry point to the area from Mitchell Highway.

The urban design approach for the project focuses on socio-economic activation, innovative sustainability solutions and urban vibrancy through place-making. The master plan for the future new community of Redmond Place will be based on a landscape-led approach to urban design, informed by the unique qualities of the site and Connecting with Country principles. A thorough community and stakeholder engagement process, including community workshops, a Walk on Country and indigenous stakeholder interviews, will also inform the urban design process.

Figure 1-1: Map showing the location of the proposal.

1.3 THE PLANNING PROPOSAL

The planning proposal is to amend Orange Local Environmental Plan 2011 to rezone the site to facilitate delivery of a residential precinct in accordance with a prepared Masterplan.

The objectives of the Masterplan are to:

- increase the supply of land to facilitate housing through the creation of lots to support a sustainable, innovative and affordable community.
- promote housing diversity through supporting a diverse mix of product, including houses and townhouses.
- increase the supply of land for affordable housing by delivering at least 20% of all residential dwellings for affordable housing managed by a community housing provider.
- develop a climate resilient, healthy and inclusive place, at the forefront of environmental and social sustainability.

The proposal is expected to comprise of approximately 330 homes across a range of dwelling types, including traditional detached homes, townhouses, terraces, and low-rise residential flats. In addition, new roads, open spaces, landscaping, and amenities will be constructed.

1.4 STUDY AREA

The study area is located on the southeast fringe of Orange, the largest city in the Central West Region. It is adjacent to the suburb of Glenroi, 4.4km from Orange City Centre and approximately 3.2km from Orange train station.

The study area has a significant frontage along Mitchell Highway (A32) which runs from east to west from the M4 Motorway in Greater Sydney connecting through Penrith, Katoomba, Bathurst to Orange.

The study area lies on the southern side of Redmond Place, bounded by Bathurst Road / Mitchell Highway (on the northeast), Lone Pine Avenue (on the west) and Dairy Creek Road to the south. It is surrounded by a mixture of land uses with low density residential to the west, retail and large format retail to the north, rural farmland to the south and east, as well as a kart racing track 250m north of the Mitchell highway.

The study area is approximately 24.2 Ha in size and is currently vacant, except for a structure that previously housed an emergency services helicopter hangar.

The study area comprises the following three lots:

- Lot 1 DP153167, 154 Lone Pine Avenue, Orange (4.10 ha)
- Lot 6 DP1031236, 3 Redmond Place, Orange (2.28 ha)
- Lot 200 DP1288388, 5255 Mitchell Highway, Orange. (17.85 ha)

The study area consists of gently sloping paddocks used for agricultural purposes. A feature of the eastern boundary is a line of poplar trees which Orange City Council wishes to retain and highlight due to their historical significance.

Figure 1-2: Aerial showing the study area (OCULUS 2024).



2 HERITAGE ASSESSMENT: INTRODUCTION

2.1 RELEVANT LEGISLATION

2.1.1 Commonwealth legislation

2.1.1.1 *Environment Protection and Biodiversity Conservation Act 1999*

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), administered by the Commonwealth Department of Climate Change, Energy, the Environment and Water provides a framework to protect nationally significant flora, fauna, ecological communities, and heritage places. The EPBC Act establishes both a National Heritage List and Commonwealth Heritage List of protected places. These lists may include Aboriginal cultural sites or sites in which Aboriginal people have interest. The assessment and permitting processes of the EPBC Act are triggered when a proposed activity or development could potentially have an impact on one of the matters of national environmental significance listed by the Act. Ministerial approval is required under the EPBC Act for proposals involving significant impacts to National/Commonwealth heritage places.

Applicability to the proposal

It is noted there are no Commonwealth or National heritage listed places within or near the study area, and as such, the heritage provisions of the EPBC Act do not apply.

2.1.2 State legislation

2.1.2.1 *Environmental Planning and Assessment Act 1979*

The *Environmental Planning and Assessment Act 1979* (EP&A Act) established requirements relating to land use and planning. The main part of the EP&A Act that relate to planning proposals is Part 3 (Planning Instruments). Division 3.4 Local Environmental Plans (LEPs) states:

3.33 Planning proposal authority to prepare explanation of and justification for proposed instrument—the planning proposal

(1) Before an environmental planning instrument is made under this Division, the planning proposal authority is required to prepare a document that explains the intended effect of the proposed instrument and sets out the justification for making the proposed instrument (the planning proposal).

(2) The planning proposal is to include the following—

- (a) a statement of the objectives or intended outcomes of the proposed instrument,*
- (b) an explanation of the provisions that are to be included in the proposed instrument,*

(c) the justification for those objectives, outcomes and provisions and the process for their implementation (including whether the proposed instrument will give effect to the local strategic planning statement of the council of the area and will comply with relevant directions under section 9.1),

(d) if maps are to be adopted by the proposed instrument, such as maps for proposed land use zones; heritage areas; flood prone land—a version of the maps containing sufficient detail to indicate the substantive effect of the proposed instrument,

(e) details of the community consultation that is to be undertaken before consideration is given to the making of the proposed instrument.

(3) The Planning Secretary may issue requirements with respect to the preparation of a planning proposal.

Applicability to the proposal

This HHAR forms part of the supporting information for the planning proposal. It includes details of a site inspection and assessment of impact to historic heritage.

2.1.2.2 Planning Proposals - Rezoning

Heritage assessment for planning proposals are required to demonstrate consistency with the Local Planning Directions (Section 9.1 under the EP&A Act), *Local Planning Directions* (NSW Department of Planning & Environment; now Department of Planning Housing, and Infrastructure [DPHI]), *Ministerial Direction 3.2, Heritage Conservation*, which requires planning proposals to address the conservation of heritage items as follows:

Direction 3.2

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

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

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

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

Applicability to the proposal

The *Local Planning Directions* (DPHI), *Ministerial Direction 3.2, Heritage Conservation* has been followed according to Direction 3.2 (1a) as the assessment considers items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area.

2.1.2.3 *Heritage Act 1977*

The *Heritage Act 1977* (Heritage Act) is applicable to the current assessment. This Act established the Heritage Council of NSW. The Heritage Council's role is to advise the government on the protection of heritage assets, make listing recommendations to the Minister in relation to the State Heritage Register (SHR), and assess/approve/decline proposals involving modification to heritage items or places listed on the SHR. Most proposals involving modification are assessed under Section 60 of the Heritage Act.

Automatic protection is afforded to 'relics', defined as 'any deposit or material evidence relating to the settlement of the area that comprised New South Wales, not being Aboriginal settlement, and which holds state or local significance' (note: formerly the Act protected any 'relic' that was more than 50 years old. Now the age determination has been dropped from the Act and relics are protected according to their heritage significance assessment rather than purely on their age). Excavation of land on which it is known or where there is reasonable cause to suspect that 'relics' will be exposed, moved, destroyed, discovered, or damaged is prohibited unless ordered under an excavation permit.

Applicability to the proposal

Items of local heritage significance that are normally listed in LEPs are also protected under the Heritage Act. There are two heritage items immediately adjacent to the study area listed in the Orange LEP 2011. These are the 'Orchard, Ruins of Original Cottage and 2 Wells' (item I113) and 'Storage Tank - remnant' (item I355). These items will be discussed further in **Section 3.2.3**.

2.2 HISTORIC HERITAGE ASSESSMENT OBJECTIVES

The current assessment will apply the Heritage Council's *Investigating Heritage Significance. A guide to identifying and examining heritage items in NSW* (Heritage Council 2021), *Assessing heritage significance Guidelines for assessing places and objects against the Heritage Council of NSW criteria* (DPE 2023), and the *Historical Archaeology Code of Practice* (Heritage Council 2006) in the completion of a historical heritage assessment, including field investigations, to meet the following objectives:

- Objective One:** To identify whether historical heritage items or areas are, or are likely to be, present within the study area
- Objective Two:** To assess the significance of any recorded historical heritage items or areas
- Objective Three:** Determine whether the proposal is likely to cause harm to recorded historical heritage items or areas
- Objective Four:** Provide management recommendations and options for mitigating impacts.

2.3 DATE OF HISTORIC HERITAGE ASSESSMENT

The field survey was undertaken on 13 February 2024.

2.4 OZARK INVOLVEMENT

The field survey was undertaken on 13 February 2024 by OzArk Archaeologist, Tenae Robertson.

2.5 REPORTING

The reporting component of the historic heritage assessment was undertaken by:

- Report author: Dr Bernadette Drabsch, Heritage Consultant, BA Ancient History [Hons], PhD University of Newcastle
- Reviewer: Ben Churcher (OzArk Principal Archaeologist).

3 HISTORIC HERITAGE ASSESSMENT: BACKGROUND

3.1 BRIEF HISTORY OF ORANGE

At the time of British settlement, the area surrounding Orange was inhabited by Aboriginal people of the Wiradjuri linguistic group. A pattern of small, independent groups, in regular contact with each other but moving separately for much of the year, seems to have been typical of the area, with elevated open landforms close to permanent water sources being the most attractive occupation areas (HTL Consulting 1986: 13).

In June 1813, Assistant Government Surveyor, George Evans saw what he described as ‘*high, distant mountains*’ as he was heading southwest from Bathurst, viewing the mountain range which includes, Mount Canobolas. By 1822, a temporary convict settlement of Blackman’s Swamp was established on Dairy Creek, near Chinaman’s Bend Cemetery (approximately one kilometre [km] east of the study area) by Captain Percy Simpson and named after Bathurst’s chief constable, John Blackman, before the group made their way to a permanent settlement north at Wellington. This government station became known as ‘Frederick’s Valley’ and was disbanded in the 1830s (HTL Consulting 1986: 19).

The assistant surveyor J.B. Richards marked the name of the locality of Orange for the first time when he was working on a survey of the Macquarie (Wambuul) River in 1829. Later that year, British settlers began to arrive in the district and the first settlement consisted of a few bark huts and W.E. Sampson and J. Moulder acquired the first land in the area. The land surrounding the study area underwent numerous name changes, from Blackman’s Swamp, Frederick’s Valley, and Summer Hill before Major Thomas Mitchell changed the area’s name to Orange in 1846, to honour Prince William of Orange, with whom he served during the Peninsular War in Spain. The first slab and bark courthouse was built in 1848 and by the mid-1850s the first brick building, John Peisley’s Store, was constructed. Orange was proclaimed a municipality in 1860 and continued to prosper due to its fertile agricultural lands, good water supply, and proximity to the goldfields at Ophir.

Of particular interest to this assessment is Frederick’s Valley Government Station, due to its proximity to the study area. The Orange Heritage Study (HTL Consulting 1986: 20, 25) states:

‘As a convenience, since Wellington and Bathurst lay 190 kilometres apart on a barely cleared track, an intermediate station was established by the government during the 1820s in the well-watered grazing country of Fredericks Valley, around Summer Hill Creek. The station’s few huts were located close to Chinaman’s Bend by Dairy Creek, a tributary of Summer Hill Creek (992 122): there was a very small garrison (only two soldiers in 1832) and presumably also a small number of convicts.

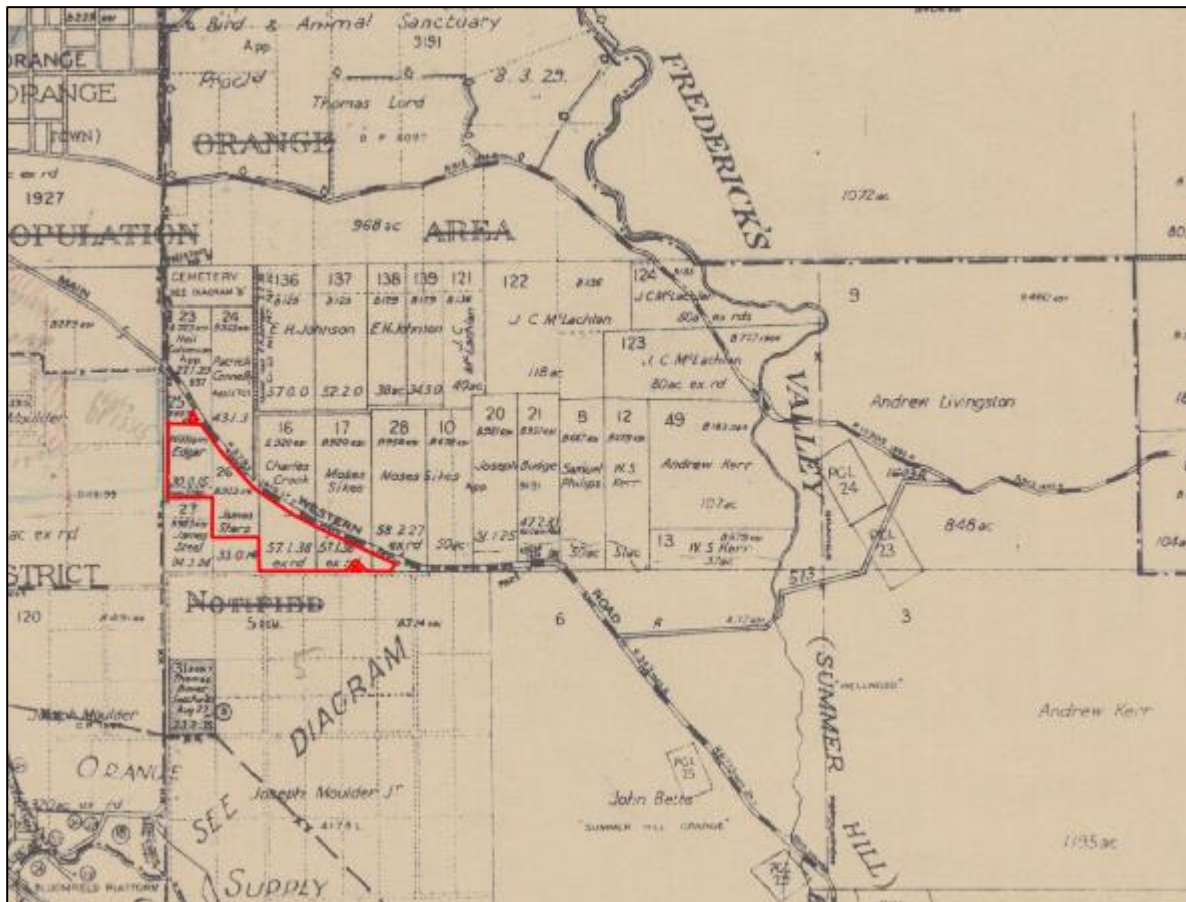
The modest facilities were welcomed by the early government surveyors as an alternative to their usual tents: James Richards' correspondence in March and April 1829, for example, is addressed from 'Huts, Frederick Valley'. Government cattle were run on the adjacent hills, over a wide area, and the old stockyard area near Chinaman's Bend cemetery was still in existence in 1842. The station itself was closed shortly after 1832, probably at the same time as Wellington Valley Station was handed over to missionaries.

Chinaman's Bend Cemetery... probably contains graves from the period of the government station. In 1841 'a few rude pales put up in an oblong square around the grave marked the spot where six individuals rest... No inscription records the names of these exiles from their country, and the passing reflections of the traveller are their only requiem.' The earliest stone in the cemetery commemorates Mary Gallimore who died late in 1841: the siting of the graveyard close to the huts of the stock station suggests strongly that it was dedicated before 1832 and that some at least of the six earliest burials belong to this early phase of Orange's development.

Assistant surveyor, J.B. Richards measured out Orange Reserve in 1829, which remained empty for some time and was gradually surrounded by substantial land-grants during the 1830s. The squares to the east, southeast and south were allotted to pioneer settler, Joseph Moulder in 1836 who established Bloomfield Farm. Crown grants of around 50 acres were made by 1845 in the vicinity of Dairy Creek and Chinaman's Bend and the study area is located across several of these holdings. (HTL Consulting 1986: 27). These properties remained in the same families for a considerable time with Parish maps recording the same names on each holding from 1884 to 1967 (**Figure 3-1**).

Two of these properties were held by pardoned convicts, Charles Crook and Moses Sykes. Charles Crook was a farmer's boy who was transported to Australia in 1826 for seven years as a convict, aged 18. He married Mary Ann Smith and was buried at Orange in 1883. Moses Sykes was a farm labourer who arrived in 1827 with sentence term of 99 years. He married fellow convict, Elizabeth James, who had arrived as a convict in 1830. A third property was owned by James Sharp, a wheelwright. The small allotments were chiefly used for grazing and agricultural purposes, particularly fruit growing. The modern name of the area, Chinaman's Bend, reflects the Chinese market gardeners who leased land in the area during the 1880–90s.

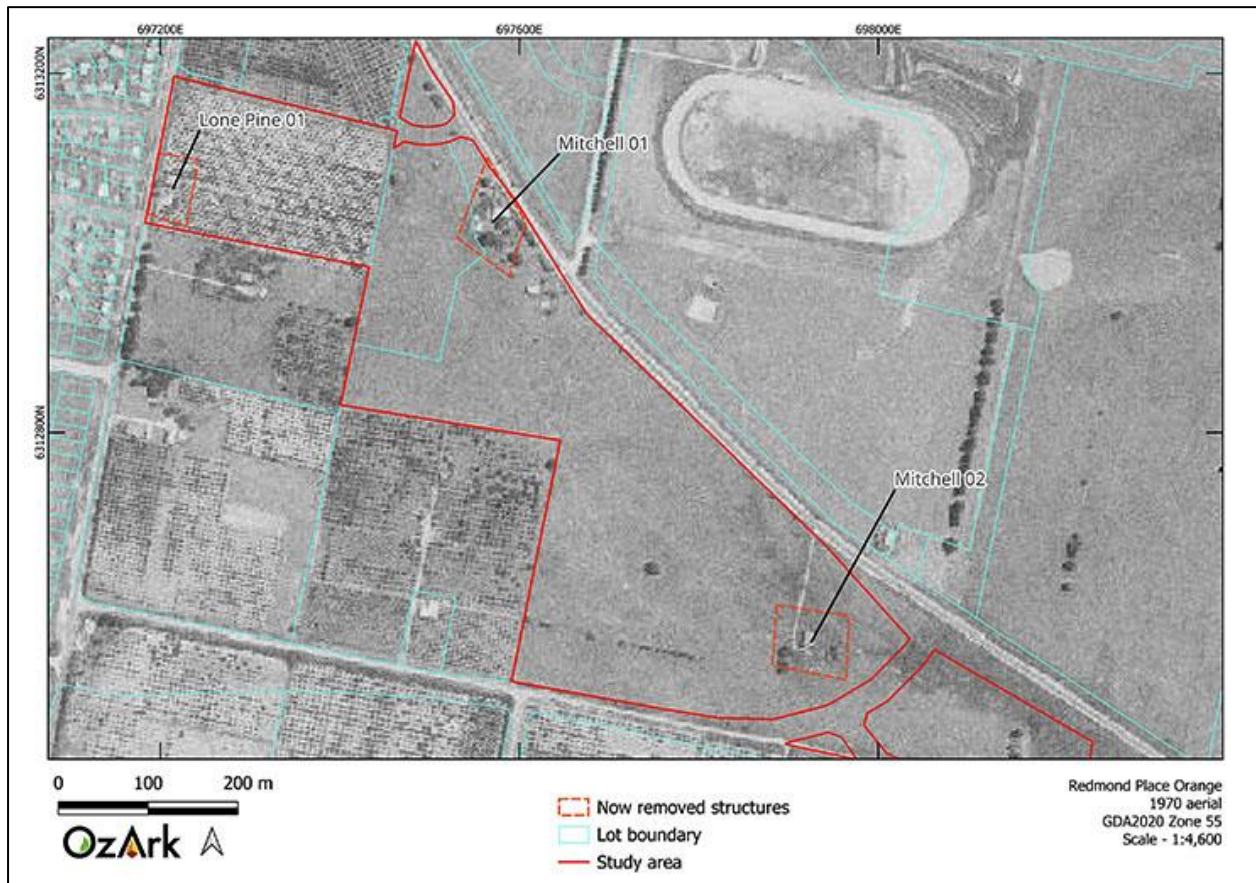
Figure 3-1: Parish map of 1934 showing the land holders in relation to the study area.



3.2 LOCAL CONTEXT

3.2.1 Historic background of the study area

Historic aerials indicate that three areas of structures existed prior to 1990. These areas include at least two structures in the western extent of Lot 1 DP153167 (Lone Pine 01), a group of structures in the north of Lot 2 DP1031236 (Mitchell 01), and a group of structures in the east of Lot 2 DP1031236 (Mitchell 02) (**Figure 3-2**).

Figure 3-2: 1970 aerial showing the study area.

3.2.1.1 Lone Pine 01

Lone Pine 01 appears to have consisted of two structures associated with the orchards which previously occupied this Lot. In 2007, a preliminary contamination investigation was undertaken (Envirowest 2007). The report states that an apple orchard existed over the Lot from 1910 until 1990, and areas of the Lot were still being utilised for apple orcharding in 2007. At the time of the Envirowest 2007 site walkover, the two historic structures were standing and were described as “an abandoned dwelling and steel shed”, the latter of which had likely been used for the storage and mixing of pesticides. Additionally, stockpiling of foreign soils and materials of unknown origin was located in the northern portion of Lot 1 DP153167 (Envirowest 2007). Between 2007 and 2010 the Lone Pine 01 structures were demolished and the Lot is now used for stock grazing (**Plate 1**). No other documentation regarding the types of structures formerly at Lot 1 DP153167 is available.

3.2.1.2 Mitchell 01

Historic aerials indicate that five structures were located in this area prior to 1990. The nature and use of these structures is unknown; however, they are likely to have been a residence and sheds. The aerials of the Lot throughout the past 50 years indicate that the land use of Lot 200 DP1288388 was largely grazing. This is supported by title deeds dating back to 1922 in which

most landowners' occupations are listed as 'farmer & grazier'. Due to the proximity of the Mitchell 01 structures to the remaining Old Dairy building, it is possible that these structures were associated.

The Mitchell 01 structures were removed between 1993 and 1998, prior to the widening of Mitchell Highway, the construction of Redmond Place, and the currently standing helicopter hanger (**Plate 2**). No documentation of the types of structures at Lot 200 DP1288388 is available.

3.2.1.3 Mitchell 02

Aerials of the Mitchell 02 area indicate that one structure was present in the eastern portion of Lot 200 DP1288388 prior to 1990, with vehicle access to the building from Mitchell Highway. The nature of the structure is unknown; however, it is likely to be a residence. Another structure was constructed near to the initial building between 1954 and 1974, and access from Dairy Creek Road added by 1984.

Title deeds indicate that this portion of the study area was owned by farmer James Sykes from 1903, with farming and grazing practices continued by later landowners until 1994 when ownership was transferred to the Council of the City of Orange (now Orange City Council).

A demolition application was made in 1996 to remove the Mitchell 02 structures, which stated that it was an old brick dwelling. The removal of the structures appears to have been undertaken between 1996 and 1998 (**Plate 3**).

3.2.2 Gateway Park

Gateway Park consists of memorial gardens, the Old Dairy building, and the planted Lombardy Poplar trees which line the entrance to the City of Orange from the east along Mitchell Highway (**Figure 3-3**). The Dairy Creek Wetland is located at the most eastern end of the Gateway Park.

3.2.2.1 The Old Dairy Building

The Old Dairy building is the only remaining structure within the study area which are visible in the 1989 aerial (see **Figure 4-2**). The dairy was constructed in the late 1930s or early 1940s and consists of a simple brick structure with an iron roof and concrete floors. In 2005 it was recommended that the building be retained, however, it has been reroofed and the glass windows and external doors have been removed (**Figure 3-4**). Three steel cattle silhouettes were later installed along the gravel path which leads to the building to contribute to the awareness of the area's historic agricultural roots.

3.2.2.2 Memorial gardens

The memorial gardens located between the poplars and the Mitchell Highway were established in 1995 to commemorate the 50th anniversary of the end of World War II (Andrews.Neil 2008). A

plaque is located within the gardens stating that the gardens are “*in appreciation of all who served and all who contributed to all the wars in all areas of conflict and at home*”.

Figure 3-3: Gateway Park features within the study area.

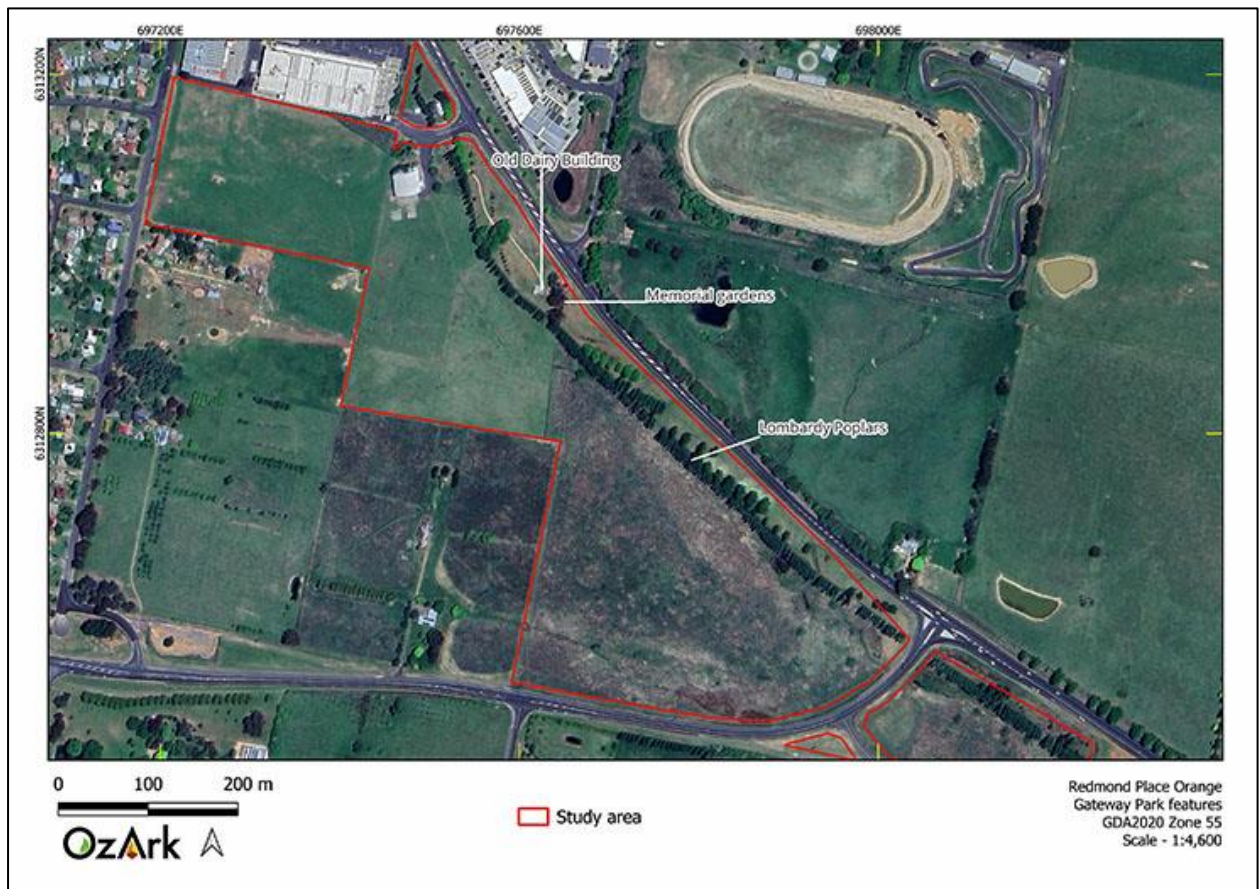


Figure 3-4: View of the Old Dairy building.



3.2.3 Desktop database searches conducted

A desktop search was conducted on the following databases to identify any potential previously recorded heritage within the study area. The results of this search are summarised in **Table 3-1**.

Table 3-1: Historic heritage: desktop-database search results.

Name of database searched	Date of search	Type of search	Comment
National and Commonwealth Heritage Listings	17/1/24	Orange LGA	No places listed on the National or Commonwealth databases are located within or near the study area.
State Heritage Listings	17/1/24	Orange LGA	No state listed items are located within or near the study area.
Local Environmental Plan (LEP)	17/1/24	Orange LEP 2011	No locally listed items are located within the study area. LEP item I113 and LEP item I355 border the southern portion of the study area.

A search of the Heritage Council of NSW administered heritage databases and the Orange LEP 2011 returned two records for historical heritage sites that are adjacent to or close to the study area. These are item I113 'Orchard, Ruins of Original Cottage and 2 Wells' on Dairy Creek Road, Orange and item I355 a 'Storage Tank (remnant)' at 130 Lone Pine Avenue, Orange. In addition, 'Clearview' House (item I61) is located 440 m to the south, 'Dairy Creek' dwelling (item I330) is located approximately 380 m east and 'Chinaman's Bend Cemetery' (item I53) is approximately one kilometre (km) east.

The listed heritage items' heritage curtilages include the entire Lot in which the heritage item is located. This does not mean, however, that the entire Lot has the same heritage values. In the case of item I113 'Orchard, Ruins of Original Cottage and 2 Wells', the heritage values are widespread but still confined to individual items rather than the entire Lot. While the former orchard is recognised in the listing, as it has been removed, the values associated with the orchard are intangible. In the case of item I355 a 'Storage Tank (remnant)', it is the storage tank and its immediate surrounds that have heritage values while other areas within the Lot will have low or no heritage values. The location of items I113 and I355 are shown on **Figure 3-6**.

The closest two items to the study area, I113 and I355, will be discussed below.

Figure 3-5: Items of local heritage listed on the Orange LEP close to study area.

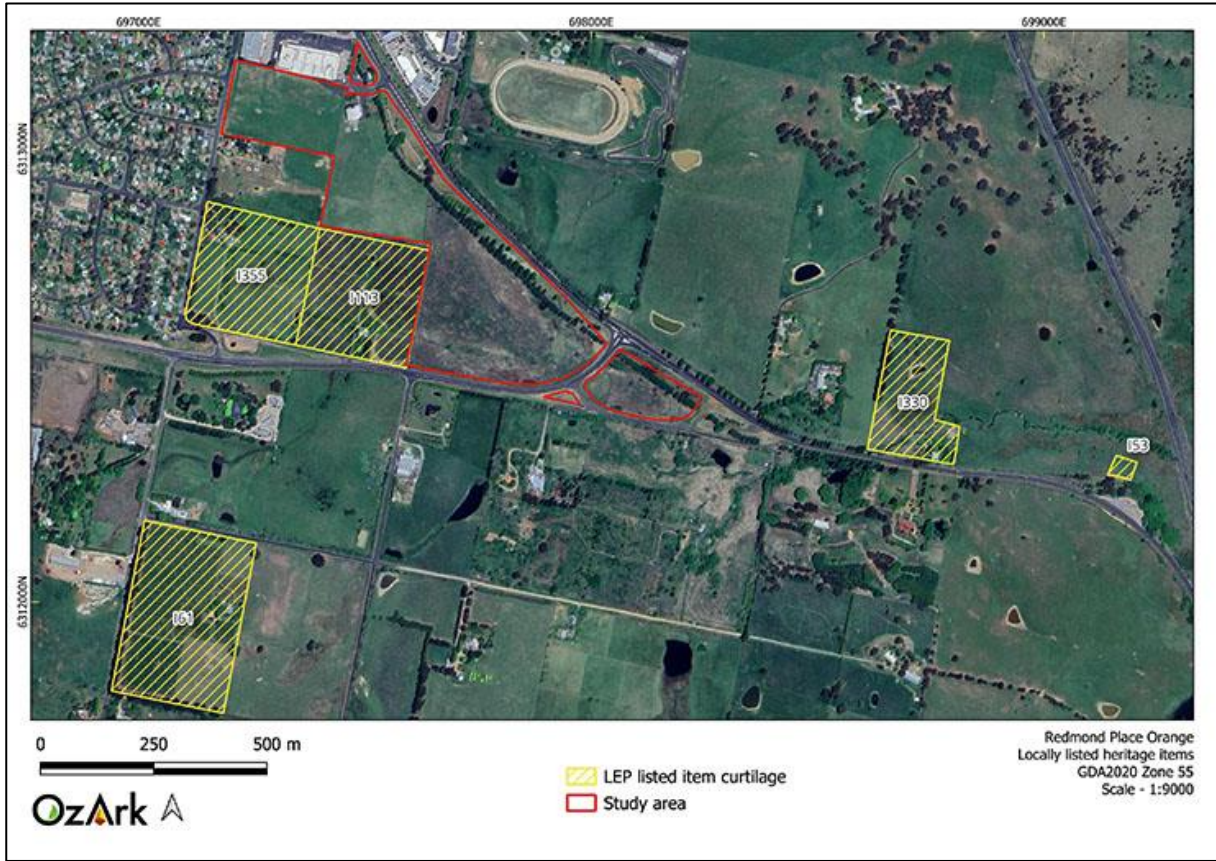


Figure 3-6: Location of LEP listed items I113 and I355.



3.2.3.1 *Item I113*

The State Heritage Inventory includes the following information on item I113, 'Orchard, Ruins of Original Cottage and 2 Wells' (**Figure 3-5**Error! Reference source not found.):

- The prominent and well-located site has local historical significance as a remnant house of Joseph Moulder and includes relics and a remnant orchard. It complements the rural setting and contributes as a heritage item
- The prominent site includes a former agricultural landscape with remnant orchard plantings, capable of interpretation
- The site contains archaeological potential and known relics
- Remnant of orchard of one of Orange's earliest settlers. Site also contains ruins, including two wells. The southern-most point of the curtilage is believed to contain Moulder's convict leg irons.

Joseph Moulder, the owner of the Orchard ruins, was transported to Australia in 1817 as an eighteen-year-old London born labourer, who stole a silk handkerchief, with a value of five shillings. By 1822 was assigned to work for James Blackman Junior in Bathurst for three years. After earning his ticket of leave, he was granted 1200 acres near the current site of Bloomfield where he made his home in 1842. Joseph was known for his orchards, wheat fields, and livestock, including horses. He accumulated considerable wealth by selling animals to the miners during the gold rush and was respected for his construction endeavours, building Endsleigh House in 1858, which remains one of Orange's oldest-standing houses. Moulder was present at the wedding of bushranger Ben Hall and that outlaw used the Moulder farm as a hiding place (*Central Western Daily* March 31, 2023).

The ruins of the original cottage that contributes to the heritage significance of item I113 is approximately 60 m from the study area. The view shown on Error! Reference source not found. h as the ruins to the left and a later shed and stockyard to the right and has been taken from the study area.

The item was not visited during the survey but was viewed from Dairy Creek Road and via aerial imagery (**Figure 3-7**). The Lot that contains the listing includes two older buildings and a newer residence in the south of the Lot. While the exact location of the ruins of the original cottage and the wells could not be discerned without a site visit, the precautionary principle was applied and it is assumed that the ruins are associated with the closest built item to the study area that can be observed in historical aerial imagery. This building is seen to the left in **Figure 3-7**Error! R eference source not found..

Figure 3-7: Item I113 'Orchard, Ruins of Original Cottage and two Wells.



3.2.3.2 *Item I355*

The State Heritage Inventory for the LEP listed item I355 (storage tank remnant) includes the following information (**Figure 3-5**):

- It is listed as a rare, rendered brick construction approximately 7 m in diameter and located on a high point in a semi-rural setting within the curtilage of an early orcharding area
- The structure is a rare example of a remnant structure used for water supply and possibly local irrigation
- The structure offers a rare opportunity to explore and research traditional building construction and materials and is very rare within Orange.

Item I355 is approximately 230 m west from the study area at its closest point. The item was not visited during the survey but was viewed from Lone Pine Avenue (**Figure 3-8**).

Figure 3-8: Item I355 Storage tank (remnant) indicated by the arrow.



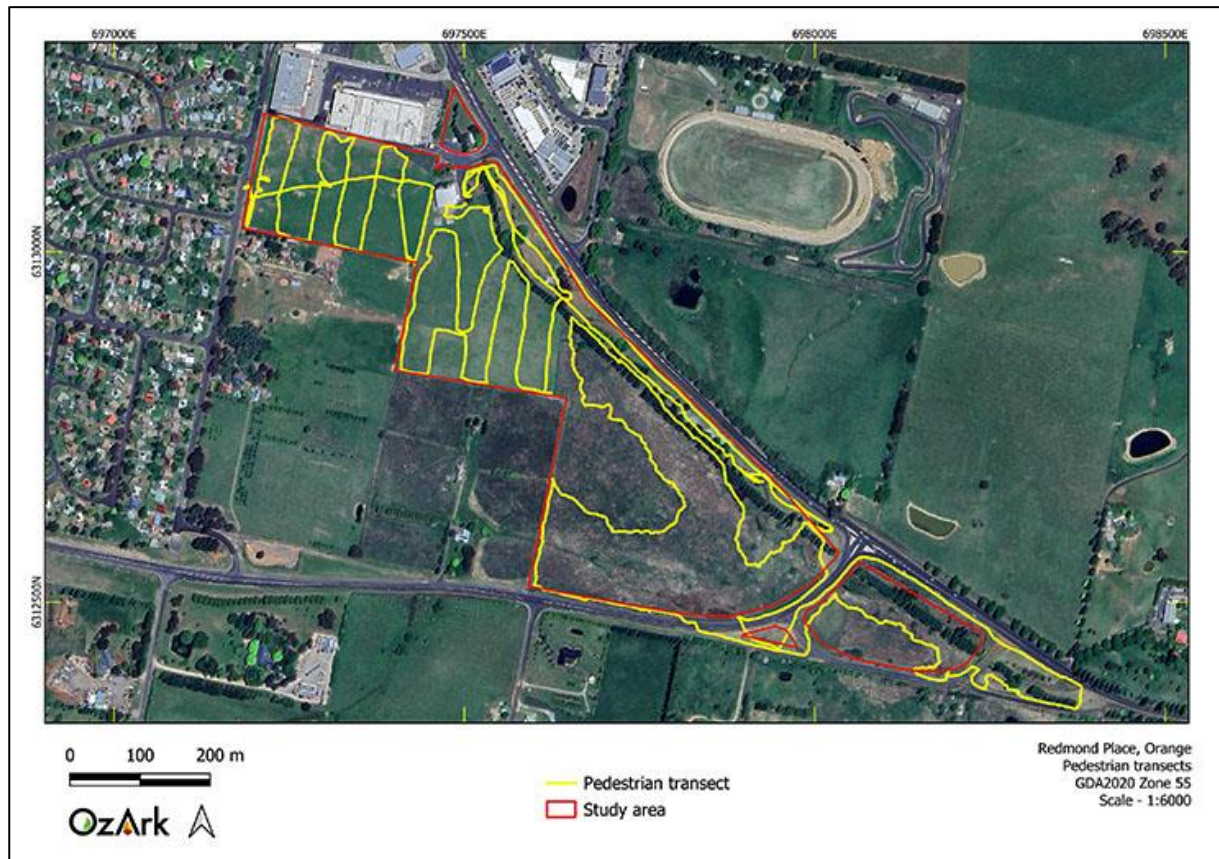
3.3 SURVEY METHODOLOGY

Standard archaeological field survey and recording methods were employed in this study (Burke & Smith 2004).

The entire study area was assessed via pedestrian transects, and the adjacent LEP listed items item I113 and item 1355 were viewed at a distance from Dairy Creek Road (item I113) or from Lone Pine Avenue (item I355) (**Figure 3-9**).

3.4 PROJECT CONSTRAINTS

While the entire study area was accessible, the dense coverage of grass, particularly in the eastern paddocks associated with Mitchell 02, was a constraint to the survey. However, it was assessed that the ground cover would not have obscured significant built heritage features (**Figure 3-9**).

Figure 3-9: Pedestrian transects within the study area.

4 RESULTS OF HISTORIC HERITAGE ASSESSMENT

No items or features of historic heritage significance were recorded during the survey.

The study area consists of an undifferentiated flat to gently sloping plain that is generally disturbed from a long history of agricultural use, including former orchards (**Figure 4-1**, photo 2). As noted in **Section 3.4**, low ground surface visibility was common across the study area, but particularly so in the south where long weeds and grasses made survey difficult (**Figure 4-1**, photo 4). However, in other portions of the study area, there were sufficient exposures, and the short grass did not totally obscure the ground surface (**Figure 4-1**, photo 1 and 3). There were piles of materials and earth at various locations, probably associated with the removal of structures within the study area in the past.

The study area was able to be adequately surveyed, and while the low ground surface visibility may have obscured historic items, it is assessed that significant historic items would have been observable.

An old farmhouse structure was noted outside the study area within Lot 1 DP72811, south of Lone Pine 01. This is discussed further in **Section 5.2.3**.

Figure 4-1: Views of the study area.



1. View of Lot 1 DP153167 approximately at the location where the structures at Lone Pine 01 were once located.



2. Surface disturbances in Lot 1 DP153167 associated with the former orchard.



3. View of Lot 6 DP1031236 looking towards the Old Dairy building (beyond the poplars) and the former location of Mitchell 01.



4. View of Lot 200 DP1288388 at the former location of Mitchell 02.



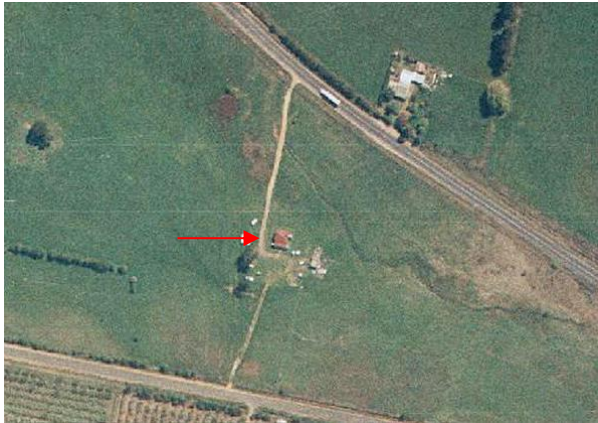



4.1 ARCHAEOLOGICAL ASSESSMENT

Historic aerials indicate that three now-demolished structures existed prior to 1989: Lone Pine 01, Mitchell 01, and Mitchell 02. During the inspection, no evidence of historic archaeological deposits were observed associated with the demolished structures (**Plate 1 to Plate 3**).

A stockpile of foreign material was noted in the west of Lot 200 DP1288388, which includes materials such as timber, brick, pipe, tyres, and concrete. This stockpile may be the result of the demolition of the pre-1990s structures within the Lot and therefore may contain materials of these structures, however, the stockpile is unlikely to contain interpretable archaeological remains.

While post-demolition inspection records are unavailable, and therefore the extent of the structural clearance within the study area cannot be absolutely confirmed, aerial views of the demolished structures provide no indication of remnant or intact deposits (**Figure 4-2**). Additionally, no available evidence indicates that the demolished structures held historic significance, and it is likely that the buildings were simple dwellings and infrastructure associated with farming practices, such as sheds. Therefore, should evidence of these remains be present, they are unlikely to be of significant value, and would certainly be highly disturbed and displaced.

Figure 4-2: Aerial views of the demolished structures.

	
<p>1. Mitchell 01 structures in 1989.</p>	<p>2. Mitchell 01 structures demolished in 2023 (blue arrow). The Old Dairy building remains in the south (red arrow).</p>
	
<p>3. Mitchell 02 structures 1989.</p>	<p>4. Mitchell 02 structures demolished 2023 (arrow).</p>
	
<p>5. Lone Pine 01 structures 1989.</p>	<p>6. Lone Pine 01 structures demolished 2023 (arrow).</p>

5 ASSESSMENT OF HISTORIC HERITAGE SIGNIFICANCE

5.1 ASSESSMENT OF SIGNIFICANCE—GENERAL PRINCIPLES

The current assessment will evaluate the heritage significance of the historic heritage sites identified within the study area in accordance with the NSW Heritage Office's publication *Assessing heritage significance Guidelines for assessing places and objects against the Heritage Council of NSW criteria* (DPE 2023). A historic heritage site must satisfy at minimum one of the following criteria to be assessed as having heritage significance:

Criterion (a): *An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)*

Criterion (b): *An item has a strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history 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 (or the local area)*

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

Criterion (e): *An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)*

Criterion (f): *An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)*

Criterion (g): *An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural or natural places; or cultural or natural environments).*

Significance assessments are carried out on the basis that decisions about the future of heritage items must be informed by an understanding of these items' heritage values. The *Australia ICOMOS Burra Charter* (Burra Charter 2013) recognises four categories of heritage value: historic, aesthetic, scientific, and social significance.

Items are categorised as having local or state level, or no significance. The level of significance is assessed in accordance with the geographical extent of the item's value. An item of state significance is one that is important to the people of NSW whilst an item of local significance is one that is principally important to the people of a specific LGA.

5.2 ASSESSMENT OF SIGNIFICANCE OF HISTORIC ITEMS

The only built item with potential heritage significance within the study area is the Old Dairy building. The guidelines for assessing heritage significance described in **Section 5.1**, will be applied to the Old Dairy building in **Section 5.2.1**.

In addition, the memorial gardens in the Gateway Park have social value to the Orange community, and while they do not contain significant historic heritage value (as the area does not contain graves), the memorial gardens are noted as having an intangible value to the local community.

The old farmhouse located in Lot 1 DP72811 is located outside of the study area and is unlikely to have any historic significance.

5.2.1 Old Dairy building

Table 5-1 assesses the Old Dairy building against the assessment criteria established in DPE 2023.

Table 5-1: Assessment of heritage significance – Old Dairy building.

Criterion	Comments	Significance
a	The item has limited features that can demonstrate the cultural heritage of the area	The item does not meet this criterion
b	The item has no known association with an important individual or group.	The item does not meet this criterion
c	The item has been restored with a new roof and the removal of doors and windows. While preserving the building, these alterations have diminished the aesthetic characteristics of the item. The item does not represent significant technical design.	The item does not meet this criterion
d	The item is valued by the community of Orange as a reminder of the dairy industry that has all but disappeared in the district. The item is in a gateway precinct and easily accessible.	Local
e	The item has very limited ability to yield further information on the history of the district, especially following its restoration that has removed any non-building features from the item.	The item does not meet this criterion
f	The item is representative of small, utilitarian brick buildings that are not rare in the district.	The item does not meet this criterion
g	The item is not representative of a class of cultural places (i.e. dairies) as its restoration has removed many of its defining features.	The item does not meet this criterion

Due to the social values the local community has towards the Old Dairy building, it is assessed that the item has local heritage values. While having local heritage values, it is noted that the item is not listed on the Orange LEP 2011 and therefore does not have automatic protection under the Heritage Act.

Table 5-2 details the assessed significance of recorded historic heritage item in accordance with the NSW Heritage Office guidelines and the *Burra Charter*.

Table 5-2: Historic heritage: assessment of significance.

Site name	Level of significance
Old Dairy building	Local

5.2.2 Memorial gardens

The Gateway Park where the Old Dairy building is located also contains memorial gardens honouring World War II veterans. While not holding heritage significance in themselves as the graves are not located in the Gateway Park, these memorials have social value to the community of Orange.

5.2.3 Old Farmhouse

The old farmhouse, located in the adjacent Lot 1 DP72811, is a vernacular weatherboarded structure with an iron-clad roof and brick chimney. It is an unremarkable structure and is in poor condition. The old farmhouse has been assessed as having no heritage values.

5.3 DISCUSSION

The Old Dairy building provides a link to the agricultural heritage of the area. While the building is not a unique structure, it is a representation of the dairy industry of the 1940s and allows visitors an understanding of the historic context of the region.

5.4 LIKELY IMPACTS TO HISTORIC HERITAGE FROM THE PROPOSAL

The Gateway Park, including the Old Dairy building, will remain as a landscape feature within the subdivision. The retention of the poplars, memorial gardens, and the Old Dairy building will ensure that the only items identified as having heritage significance will be maintained in the landscape.

In assessing potential indirect harm to the listed items adjacent to the study area (item I113 [Lot 2 DP1087281] and item I355 [Lot 7 DP793145]), the nature of the items and their relationship to the study area was considered.

It was assessed that any feature associated with item I113 is located at least 60 m from the study area. As the associated orchard has been removed, the proposal will not impact views to or from the orchard. The other items included in the listing (ruins of original cottage and two wells) are also unlikely to be harmed by the proposal. While the subdivision and residential development will alter the current rural aspect of this area, it is considered that there is sufficient distance from the proposal so that the rural aesthetic can be maintained. The current options design for the proposal has an interface street along the closest boundary to item I113 with a 3 m landscape verge/strip along the boundary with planting to meet Asset Protection Zone requirements. If screening the proposal from item I113 is considered in the choice of plantings, this will assist in maintaining the rural aesthetics of item I113.

Item I355 is 230 m west from the study area at its closest point and will not be harmed by the proposal.

Table 5-3 details the anticipated impacts to historic heritage from the proposal.

Table 5-3: Historic heritage: impact assessment.

Site name	Will this site be impacted?
Old Dairy building	If the Gateway Park is incorporated as a landscape feature in the proposal, the item will not be harmed
I113	The features associated with I113 are considered to be sufficient distant to the proposal and will not be harmed.
I355	The water storage tank is over 200 m from the proposal and will not be harmed.

6 MANAGEMENT AND MITIGATION: HISTORIC HERITAGE

6.1 GENERAL PRINCIPLES FOR THE MANAGEMENT OF HISTORIC SITES

Appropriate management of heritage items is primarily determined based on their assessed significance as well as the likely impacts of the proposed development.

In terms of best practice and desired outcomes, avoiding impact to any historical item is a preferred outcome, however, where a historical site has been assessed as having no heritage value, impacts to these items does not require any legislated mitigation.

While the Gateway Park is located within the study area and has been acknowledged by Orange City Council as having historic significance, neither the wider park area nor the individual items (Old Dairy Building, memorial gardens, Lombardy polars) have been listed at local or state level.

It is understood that Orange City Council wishes to maintain and highlight Gateway Park due to its significance and current concept plans show this area as a landscape feature within the proposal. Therefore, no impacts have been identified to the line of Lombardy Poplar trees, the memorial gardens, or the Old Dairy building.

While no items of historical significance or archaeological potential have been identified, it is noted that the study area contained a number of structures prior to the 1990s that have since been demolished. These structures were residences and items such as sheds, and while their use may have generated archaeological deposits, it is assessed that any relics present are unlikely to be significant and that the act of demolition would have significantly imparted any archaeological deposits had they been present.

As such, apart from recommending that the landscaped Gateway Park and its included items are retained in the concept plans for the proposal, the only management recommendation is to consider plantings along the northern boundary of Lot 2 DP1087281 to act as a screen between item I113 and the proposal. Appropriate plantings, within the requirements of the Asset Protection Zone, will help maintain the rural aesthetic of item I113.

Other than the retention of the Gateway Park and the consideration of plantings, there are no further heritage management recommendations apart from stipulating that all workers engaged in the construction of the proposal (especially during the topsoil stripping phase) must have access to an unanticipated finds protocol to ensure that any new discoveries are appropriately managed.

7 RECOMMENDATIONS

The following recommendations are made based on the impacts associated with the proposal and regarding:

- Legal requirements under the terms of the Heritage Act
- Guidelines presented in the *Burra Charter*
- The findings of the current assessment
- The interests of the local community.

Recommendations regarding the historic values within study area are as follows.

1. The Old Dairy building in Lot 200 DP1288388 has been assessed as having local heritage values. Due to the item's significance to the local community, the building and its immediate surrounds must be preserved. Should harm to the building be required, a Statement of Heritage Impact must be prepared.
2. The memorial gardens in the Gateway Park have social values for the local community and should be preserved.
3. The heritage curtilages of item I113 (Lot 2 DP1087281) and item I355 (Lot 7 DP793145) must not be harmed by the proposal. Should any impacts be planned within these Lots, a Statement of Heritage Impact must be prepared.
4. Consideration must be made to include appropriate plantings along the northern boundary of Lot 2 DP1087281 to act as a screen between item I113 and the proposal.
5. Following development consent of the proposal, the proposed work may proceed with caution with respect to historic heritage. If items of historic heritage significance are uncovered during the construction of the proposal (especially during topsoil stripping and ground works phases), then the *Unanticipated Finds Protocol* provided in **Appendix 1** must be enacted.
6. All staff and contractors involved in the proposed work should be made aware of the legislative protection requirements for all significant historic items. The locations of I113 (Lot 2 DP1087281) and item I355 (Lot 7 DP793145) should be shown on appropriate plans and marked as no-go areas.
7. All ground-disturbing works must be confined to the study area. Should works be required outside of the assessed area, then further archaeological assessment may be required.

REFERENCES

- ABC News ABC Central West News, 6 November 2015. *Orange's oldest standing home, Endsleigh house: built by pardoned convict pioneer, Joseph Moulder, and retained by his descendants.*
<https://www.abc.net.au/news/2015-11-06/the-oldest-standing-home-in-orange-is-endsleigh-house/6918894>. Accessed 15/3/2024.
- Andrews.Neil 2008 Andrews.Neil Pty Ltd. 2008. *Orange Significant Landscapes: Gateway Park*. Report to Orange City Council.
<https://orangesignificantlandscapes.wordpress.com/2016/03/03/gateway-park/>. Accessed 18/3/2024.
- Burke & Smith 2004 Burke, H. and Smith, C. 2004. *The Archaeologist's Field Handbook*, Blackwell, Oxford.
- Burra Charter 2013 International Council on Monuments and Sites 2013. *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*.
- CWD 2023 Central Western Daily Newspaper. March 31, 2023
- DPE 2023 *Assessing heritage significance Guidelines for assessing places and objects against the Heritage Council of NSW criteria*.
- Envirowest 2007 Envirowest Consulting Pty Ltd. 2007. *Preliminary contamination investigation of Lot 1 DO153167, 154 Lone Pine Avenue, Orange*. Report for Landcom.
- Heritage Council 2006 *Historical Archaeology Code of Practice*. Heritage Council of New South Wales and the NSW Government Department of Planning.
- Heritage Council 2021 *Investigating Heritage Significance. A guide to identifying and examining heritage items in NSW*.
- HTL Consulting 1986 Hughes Trueman Ludlow Consulting 1986. *Orange Heritage Study. Volume 1*. Prepared for Orange City Council.
- NSW Heritage Office 2001 *Assessing heritage significance*. NSW Heritage Manual 2.
- NSW LRS NSW Land Registry Services. www.nswlrs.com.au
- SHI State Heritage Inventory. NSW Government.
www.hms.heritage.nsw.gov.au

PLATES



Plate 1: View north across Lone Pine 01 to foreign soil and materials stockpiling area.



Plate 2: View east across Mitchell 01 toward the memorial gardens.



Plate 3: View south across Mitchell 02.

APPENDIX 1: UNANTICIPATED FINDS PROTOCOL

A historic artefact is anything which is the result of past activity not related to the Aboriginal occupation of the area. This includes pottery, wood, glass, and metal objects as well as the built remains of structures, sometimes heavily ruined.

Heritage significance of historic items is assessed by suitably qualified specialists who place the item or site in context and determine its role in aiding the community's understanding of the local

area, or their wider role in being an exemplar of state or even national historic themes.

The following protocol should be followed if previously unrecorded or unanticipated historic objects are encountered:

1. All ground surface disturbance in the area of the finds should cease immediately, then:
 - a) The discoverer of the find(s) will notify machinery operators in the immediate vicinity of the find(s) so that work can be halted
 - b) The site supervisor will be informed of the find(s).
2. If finds are suspected to be human skeletal remains, then NSW Police must be contacted as a matter of priority.
3. If there is substantial doubt regarding the historic significance for the finds, then gain a qualified opinion from an archaeologist as soon as possible. This can circumvent proceeding further along the protocol for items which turn out not to be significant. If a quick opinion cannot be gained, or the identification is that the item is likely to be significant, then proceed to the next step.
4. Notify Heritage NSW as soon as practical on (02) 9873 8500 (heritagemailbox@environment.nsw.gov.au) providing any details of the historic find and its location.
5. If in the view of the heritage specialist or Heritage NSW that the finds appear not to be significant, work may recommence without further investigation. Keep a copy of all correspondence for future reference.
6. If in the view of the heritage specialist or Heritage NSW that the finds appear to be significant, facilitate the recording and assessment of the finds by a suitably qualified heritage specialist. Such a study should include the development of appropriate management strategies.
7. If the find(s) are determined to be significant historic items (i.e. of local or state significance), any re-commencement of ground surface disturbance may only resume following compliance with any legal requirements and gaining written approval from Heritage NSW.