Appendix D

Non-Aboriginal heritage technical paper
FINAL DRAFT

Statement of Heritage Impact

Hartley Valley Safety Upgrade
Non-Aboriginal Heritage

View to west with Billeaudene Grange on right and Log Cabin on left, eastern end of Little Hartley Heritage Conservation Area.

View to west, intersection of the highway with Coxs River Road, Harp of Erin and Ambermere are mostly obscured by trees.

View to east at Baaners Lane, western end of Little Hartley Heritage Conservation Area.

Report to

Sinclair Knight Merz

on behalf of

Roads and Maritime

October 2013
EXECUTIVE SUMMARY

HERITAGE ITEMS AND SITES
Roads and Maritime is proposing safety upgrades to the Great Western Highway within the Hartley Valley, from the base of the Mount Victoria Pass to the end of the River Lett Hill eastbound overtaking lane, 655 metres west of Jenolan Caves Road (about 7.8 kilometres). Hartley Valley includes two important heritage places and associated heritage items.

Little Hartley abuts the proposal and includes eight heritage items, with a string of 1830s former inns which line the highway at the foot of Mount Victoria. Little Hartley also includes a Heritage Conservation Area which incorporates five of these heritage items.

Further west is Hartley Historic Site which is listed on the State Heritage Register (SHR) and is owned by the NSW National Parks and Wildlife Service. While State significant items are located on the southern side of the highway there is also SHR-listed land, on the northern side of the highway. A rubbish dump associated with the Royal Hotel, Hartley may partially survive within the road corridor to the north of the highway.

THE PROPOSAL
The proposal is not considered a major upgrade, but rather a safety works upgrade. The key elements of the proposal include:

- Increasing the design speed of this section of the highway to 90 kilometres per hour; it is currently 80 kilometres per hour. (The design speed is the maximum speed at which a motor vehicle can be operated safely on the road in perfect conditions).
- Widening road from about two to six metres to provide 3.5 metre wide lanes, shoulders, and drainage.
- Upgrading about eight intersections by providing or extending dedicated right turn lanes and adjust vertical and horizontal alignment to tie in to the highway.
- Improving the road surface.
- Constructing about four retaining walls up to 7.5 metres high and up to 200 metres in length.
- Compound sites and stockpile sites along its length (locations to be confirmed during detailed design).

Little Hartley
The features of the proposed design in the village of Little Hartley include:

- Raising of the level of the highway approximately 180 mm to 200 mm.
- Reinstatement of access to property.
- The creation of a new road linking the Great Western Highway with Coxs River Road, passing through the property to the south of the Harp of Erin (which is also a proposed compound and stockpile site).
- Installation of safety barriers.

Hartley Historic Site
The features of the proposed design within the area of Hartley Historic Site:

- Installation of safety barriers.
- Cutting to the north and east of the Royal Hotel.
- Widening of shoulder and installation of a retaining wall on the northern side of the highway, immediately south of NPWS land (SHR listed).
- Guttering and a new access into Hartley Road (access to village).
POTENTIAL IMPACTS

Little Hartley
- The proposed safety works do not encroach into the curtilages of any of the heritage items.
- Safety barriers have been located to avoid potential visual and access impacts to the historic properties with the Little Hartley Heritage Conservation Area.
- The realignment of Coxs River Road involves some changes to levels but they are not considered to detract from the heritage values of the Conservation Area. The works at Ambermere Drive are also considered not to impact on the views of the Harp of Erin or Ambermere.

Hartley Historic Site
- Approximately 100 metres of steepened batter would form the southern edge of the highway below the Royal Hotel. This work is within the existing road reserve and does not encroach into the curtilage of the Royal Hotel. This batter will be visible within the landscape and the context of the Hartley.
- The widening of the northern side of the road is contained within the road reserve and does not extend into the adjacent National Parks and Wildlife Service (NPWS) and SHR-listed property. Potential visual impacts of this widening are limited as this side of the road is only visible to a house to the west. It is not visible from the historic site.
- The land on the northern side of the road, which was once part of the property of the Royal Hotel, is said by NPWS staff to contain remains of a rubbish dump associated with the operations of the hotel. This potential dump was assessed as being of local significance in the Preferred Route Corridor Report (2012) and may extend through the road reserve into the NPWS land. While no remains of the dump were visible during site inspection some of it may still survive, buried within the road reserve. There may be some impacts on this potential rubbish dump, if it survives within the road reserve.

RECOMMENDATIONS

Potential impacts are generally considered to be minor. A number of recommendations are outlined in the table below.

<table>
<thead>
<tr>
<th>Heritage Item/Issue</th>
<th>Recommendations</th>
<th>Visual</th>
<th>Archaeological</th>
<th>Vibration</th>
</tr>
</thead>
</table>
| Little Hartley Heritage Conservation Area (LHHCA) | ▪ Placement of safety barriers to be selected so as not to impede access to heritage places, notably Ambermere and Harp of Erin.  
▪ Regrassing of the eastern slope of realigned Coxs River Road is preferred to other treatments, so as to maintain the current visual qualities. | None | | See individual items below. |
| Rosedale, Little Hartley | ▪ Shifting of the wire safety barrier further east is preferred to prevent visual intrusion from frontage of the building.  
▪ Minimise clearing of trees to maintain setting.  
▪ Implement landscape character strategy to ensure appropriate design which can mitigate impacts. | None | | Within impact area. Implement vibration study mitigation strategies. |
<table>
<thead>
<tr>
<th>Heritage Item/Issue</th>
<th>Recommendations</th>
<th>Visual</th>
<th>Archaeological</th>
<th>Vibration</th>
</tr>
</thead>
</table>
| Nioka, Little Hartley | ▪ Face barrier with a natural material in order to reduce visual impact.  
▪ Minimise clearing of trees to maintain setting.  
▪ Implement landscape character strategy to ensure appropriate design which can mitigate impacts. | None | None | Within impact area. Implement vibration study mitigation strategies. |
| Billesdene Grange convict causeway, Little Hartley | ▪ Depending upon final design may require appropriate finishing of batter or retaining wall.  
▪ Implement landscape character strategy to ensure appropriate design which can mitigate impacts. | None | None | No impacts |
| Log Cabin Farm Shop, Little Hartley | ▪ No issues as an individual item but some appropriate treatment of the eastern slope of the batter of the realigned Coxs River Road to be consistent with the current visual quality. | None | None | At edge of zone |
| Vacant land (site of new Coxs River Road access), Little Hartley | ▪ Regrassing of the eastern slope of realigned Coxs River Road is preferred to other treatments, so as to maintain the current visual qualities.  
▪ Implement landscape character strategy to ensure appropriate design which can mitigate impacts. | None | None | No impacts |
| Harp of Erin, Little Hartley | See above for LHHCA | None | None | Within impact area. Implement vibration study mitigation strategies. |
| Ambermere, Little Hartley | See above for LHHCA.  
▪ Implement landscape character strategy to ensure appropriate design which can mitigate impacts. | None | None | Within impact area. Implement vibration study mitigation strategies. |
<p>| Meades Farm, Little Hartley | See above for LHHCA | None | None | Within impact area. Implement vibration study mitigation strategies. |
| Kerosene Cottage, Little Hartley | See above for LHHCA | None | None | Within impact area. Implement vibration study mitigation strategies. |
| Hartley generally | ▪ Use natural material (or natural appearing material) for facing of cutting on the southern side of the highway | None | None | Four buildings within impact area. Implement vibration study mitigation strategies. |</p>
<table>
<thead>
<tr>
<th>Heritage Item/Issue</th>
<th>Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Visual</strong></td>
</tr>
<tr>
<td></td>
<td>to reduce visual impact.</td>
</tr>
<tr>
<td>Royal Hotel, Hartley</td>
<td>None</td>
</tr>
<tr>
<td></td>
<td><strong>Archaeological</strong></td>
</tr>
<tr>
<td></td>
<td>None</td>
</tr>
</tbody>
</table>
| Cutting/possible retaining wall on northern side of Royal Hotel | ▪ Appropriate facing of cutting on the southern side of the highway with natural materials to reduce visual impact.  
▪ The proposed facing needs to be sympathetic to the historic context.  
▪ Implement landscape character strategy to ensure heritage-sensitive design for retaining wall (such as the use of natural appearing finishes) which can mitigate visual impacts. |
|                                   | None                                                                             |
| SHR land on the northern side of the GWH, Hartley | ▪ Appropriate facing of cutting on the northern side of the highway with natural materials to reduce visual impact. The proposed facing needs to be sympathetic to the historic context.  
▪ Implement landscape character strategy to ensure appropriate design using natural finishes.  
▪ Prior to construction install fencing and signage to ensure management of construction zone and that machinery and trucks do not enter into NPWS estate.  
▪ Testing/salvage of the area to ascertain the nature of any archaeological remains. This will require a S140 permit, as it involves the removal of archaeological remains of potential local significance.  
▪ Undertake salvage of remains of the rubbish dump in accordance with S140 approval and Research Design.  
▪ Write a S140 application and Research Design.  
▪ Undertaken consultation with Hartley Historic Site generally and to see if they are willing to take possession of any artefacts salvaged from the site, following cataloguing and any necessary conservation.  
▪ If the works are partially within the SHR boundary may also require a S60 approval |
|                                   | No impact                                                                       |

Undertake consultation with Hartley Historic Site to appropriately manage this issue.

Within impact area. Implement vibration study mitigation strategies.
<table>
<thead>
<tr>
<th>Heritage Item/Issue</th>
<th>Recommendations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Visual</td>
</tr>
<tr>
<td></td>
<td>Archaeological</td>
</tr>
<tr>
<td></td>
<td>Vibration</td>
</tr>
<tr>
<td>Unexpected archaeological finds</td>
<td>or S57(2) Exemption. Preference is to avoid the SHR area.</td>
</tr>
<tr>
<td></td>
<td>* Implement Roads and Maritime’s Unexpected Archaeological finds Procedure (RMS 2011).</td>
</tr>
</tbody>
</table>
Appendices

Appendix 1: Historical research from earlier reports
Appendix 2: Vibration plans in relation to heritage Items

Casey & Lowe

Statement of Heritage Impact, Non-Aboriginal Heritage

Hartley Valley Safety Upgrade
<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Purpose</th>
<th>Author</th>
<th>Approved</th>
</tr>
</thead>
<tbody>
<tr>
<td>Draft 1</td>
<td>19/7/2013</td>
<td>Draft review for SKM</td>
<td>MTC, JW, WMW</td>
<td>MTC</td>
</tr>
<tr>
<td>Draft 2</td>
<td>30/7/2013</td>
<td>Issue to Roads and Maritime</td>
<td>MTC</td>
<td>AKL</td>
</tr>
<tr>
<td>Final</td>
<td>9/10/2013</td>
<td>Issue to SKM &amp; Roads and Maritime</td>
<td>MTC</td>
<td>VC</td>
</tr>
</tbody>
</table>
1.0 Introduction

1.1 Background

The Katoomba to Lithgow Great Western Highway upgrade (previously known as the Mount Victoria to Lithgow Upgrade) is part of the NSW and Australian Governments’ commitment to improve road safety and accessibility to communities in the Blue Mountains and central west of NSW. Investigations for the upgrade started in May 2008 to determine the preferred route corridor. The preferred route alignment was announced in May 2010, followed by corridor investigations in 2011.

In July 2012, the NSW and Australian governments announced a $250 million revised investment program for the upgrade of the Great Western Highway between Katoomba and Lithgow. This decision addressed recommendations from an independent review of the proposed upgrades of the Great Western Highway west of Katoomba.

The revised package of upgrades will enhance safety outcomes and maximise benefits to the community by targeting specific deficiencies. Roads and Maritime Services (Roads and Maritime) will manage and deliver the following:

- Upgrading the highway at Forty Bends, east of Lithgow to three lanes on the current alignment ($120 million).
- A number of enhanced safety upgrades between Mount Victoria and Lithgow. These include Forty Bends, River Lett Hill, Hartley Valley and Mount Victoria Village Safety Upgrades ($83 million).
- Finalising the concept design and road boundaries for upgrading the highway from Mount Victoria to Lithgow and requesting councils to adopt these in their future planning.
- Using the remaining funds from the joint $250 million Australian and NSW government commitment for upgrades of the Great Western Highway between Katoomba and Mount Victoria.

The Forty Bends design and review of environmental factors (REF) were completed in April 2013. The design and REFs for the remaining safety upgrades are currently being prepared.

The purpose of this report is to address the impacts of the proposed safety upgrade in Hartley Valley on the non-Aboriginal heritage items previously identified. A series of heritage reports have previously been prepared which identify the heritage items within the general locality and the proposal site specifically. The corridor options report (2009) mapped heritage items, reviewed all inventory sheets, including items which were not identified in heritage studies in relation to the proposed corridors. Some preliminary survey work was undertaken at this time. Once the corridor was chosen, the preferred route corridor study (2012) involved a more detailed look at heritage items within the preferred route corridor and provided guidance for the concept design. Heritage items were inspected if there was likely to be an impact on the item. Opportunities and constraints were identified at this time. This report has adopted the recommendations arising from the preferred route corridor study and assessed heritage issues within the proposal site.

1.2 Proposal Description – Hartley Valley Safety Upgrade

Roads and Maritime proposes to upgrade a section of the highway through Hartley Valley in the Blue Mountains, New South Wales. This section extends about 7.8 kilometres between the base of
Mount Victoria Pass and the base of River Lett Hill (in this report, this is referred to as ‘the proposal’). Key features of the proposal are outlined in Table 1-1 and illustrated in Figure 1.1.

Table 1-1 Key elements of the proposal

<table>
<thead>
<tr>
<th>Key element</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design speed</td>
<td>Road geometry would be upgraded for a desirable design speed of 90 km/h (minimum 80 km/h).</td>
</tr>
</tbody>
</table>
| Road width          | Carriageway would be widened on both sides to enable:  
− Through lanes: 3.5 m wide.  
− Shoulders: Minimum 2 m wide (3 m wide adjacent to property accesses).  
− Kerb and gutter drains at cuttings, grades greater than 5 % and where drainage or safety measures are required: 1 m shallow V-shaped drains. |
| Overtaking lanes    | Existing downhill overtaking lane would be extended using line marking on existing pavement between chainage 27640 and chainage 27920.  
O Overtaking lane at Hartley Historic Site curve (chainages 26430-25940) would be shortened by 490 m to create an improved alignment in existing corridor while maintaining sufficient length in the overtaking lane.  
O Overtaking lane at Jenolan Caves Road would be shortened by 250 m (chainage 27150-27400) to reduce traffic movement at intersection. This would prevent vehicles turning right from crossing 2 lanes of traffic. |
| Intersection upgrades | Coxs River Road/Ambermere Road intersection  
− Dedicated right turn and left turn lanes into both roads from the highway.  
− Coxs River Road would be realigned about 55 m to the east to form a staggered intersection with Ambermere Road.  
− Both roads would be tied into highway using vertical levels.  
− Bus bays would be located on both sides of the highway.  
O Banners Lane intersection  
− Dedicated right turn and left turn lanes from the highway.  
− Bus bay would be located at intersection.  
O Browns Gap Road intersection  
− Dedicated right turn and left turn lanes from the highway.  
− Bus bay would be located at intersection.  
− Vertical alignment would be improved by cutting into the existing crest by 1.5 m to improve sight distance.  
O Mid Hartley Road intersection  
− Dedicated left turn lane from the highway.  
− Bus bay would be located at intersection  
− Tie into vertical levels of highway.  
O Carroll Drive Intersection  
− Extension of existing right turn lane from the highway.  
− Vertical levels of highway would be tied into.  
O Old Bathurst Road Intersection  
− Hartley Historic Site curve would be realigned.  
− Existing intersection would be shifted about 12 m to tie into realigned curve.  
O Kelly Road intersection  
− Existing vertical levels would be tied into by using about 1.2 m of fill.  
O Jenolan Caves Road intersection  
− Existing right turn and left turn lanes would be retained.  
− Traffic movements would be reduced by limiting westbound traffic to one lane until after intersection. |
<table>
<thead>
<tr>
<th>Key element</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length of right turn bay into</td>
<td>Length of right turn bay into Jenolan Caves Road would be increased.</td>
</tr>
<tr>
<td>Jenolan Caves Road would be</td>
<td>Vertical levels of highway would be tied into.</td>
</tr>
<tr>
<td>increased.</td>
<td>Widen shoulders in North-West side of intersection.</td>
</tr>
<tr>
<td>Vertical levels of highway</td>
<td></td>
</tr>
<tr>
<td>would be tied into.</td>
<td></td>
</tr>
<tr>
<td>Widen shoulders in North-West</td>
<td></td>
</tr>
<tr>
<td>side of intersection.</td>
<td></td>
</tr>
<tr>
<td>Retaining walls</td>
<td>Four retaining walls between 1.7 m and 7.5 m in height would be constructed to reduce environmental and property impacts at:</td>
</tr>
<tr>
<td></td>
<td>Chainage 25740 to chainage 25850.</td>
</tr>
<tr>
<td></td>
<td>Chainage 25917 to chainage 25970.</td>
</tr>
<tr>
<td></td>
<td>Chainage 26015 to chainage 26105.</td>
</tr>
<tr>
<td></td>
<td>Chainage 26300 to chainage 26500.</td>
</tr>
<tr>
<td></td>
<td>A possible retaining wall would be constructed at chainage 26130 to chainage 26220.</td>
</tr>
<tr>
<td>Property adjustments and</td>
<td>About 20 properties would be partially acquired.</td>
</tr>
<tr>
<td>acquisition</td>
<td>About 28 property accesses would be improved.</td>
</tr>
<tr>
<td></td>
<td>Utilities (power and telecommunications) would be adjusted as required.</td>
</tr>
<tr>
<td>Compound and stockpile sites</td>
<td>The main compound and stockpile site would be located at the Coxs River Road intersection.</td>
</tr>
<tr>
<td></td>
<td>Other compound/stockpile sites would be located at:</td>
</tr>
<tr>
<td></td>
<td>The base of the Mount Victoria Pass, adjacent to the eastbound lane.</td>
</tr>
<tr>
<td></td>
<td>Browns Gap Road intersection.</td>
</tr>
<tr>
<td></td>
<td>The base of River Lett Hill, adjacent to the westbound lane.</td>
</tr>
</tbody>
</table>

The proposal is situated in the Blue Mountains along the Great Western Highway, and lies within the Lithgow City Council local government area. The proposal passes through the villages of Little Hartley and Hartley Historic Site. The proposal site consists of predominantly very low density residential and farmland development, with low to medium sloping terrain on both sides of the Great Western Highway in the vicinity of Little Hartley village, and medium to steep terrain in the vicinity of Hartley Historic Site. Little Hartley does not have a particular focus or centre and instead consists of clusters of heritage and other buildings along the Great Western Highway and Coxs River Road.
FIGURE 1-1 | HARTLEY VALLEY SAFETY UPGRADE PROPOSAL

STATEMENT OF HERITAGE IMPACT - Hartley Valley Safety Upgrade, Non-Aboriginal Heritage

Legend

- **The proposal**
- **Existing highway**
- **Road**
- **Primary waterway**
- **Minor waterway**
- **Property boundary**

DATA SOURCES

- Roads and Maritime Services 2013
- LPMA 2010
- STREETWORKS 2001

Sinclair Knight Merz does not warrant that this document is definitive nor free of error and does not accept liability for any loss caused or arising from reliance upon information provided herein.
1.3 Purpose of this Report
This report addresses heritage items or archaeological sites within the study area and assesses the potential impact on those items by the proposed works. Chapter 2 outlines the legislative requirements relevant to this proposal. Chapter 3 provides a brief history of the proposal site. An overview of the site visit undertaken to assess the current condition of heritage items is included in Chapter 4. Chapter 5 includes a description and outlines the heritage significance of each item or site within the study area. Chapter 6 investigates the direct and indirect heritage impacts from the proposal on each item or site and their significance. The Statement of Heritage Impact (SOHI) is provided in Chapter 7 which includes a detailed analysis of the visual impacts in the study area at Little Hartley and Hartley. Chapter 8 has recommendations to mitigate impacts. While considerable historical information has been presented in previous reports it generally has not been repeated in this document, except for convenience purposes where it was considered essential to this proposal and it is included in Appendix 1.

This SoHI is part of the Review of Environmental Factors (REF) for the safety works in the Hartley Valley. The purpose of this study is:

- To identify all listed and potential heritage items associated with the proposal, and identify any associated statutory constraints.
- To undertake an assessment of the potential heritage impacts on heritage items, including visual and curtilage aspects, that may result from the construction and operation of the proposal.
- To recommend specific mitigation and management measures to minimise impacts from the proposal.

All stages of this work have involved ongoing interaction between the heritage consultants and the design team to avoid or reduce impacts where possible on the area’s heritage items and values.

1.4 Report Methodology
The heritage items discussed in this report were identified in the Non-Aboriginal Heritage Preferred Route Corridor Study for the Great Western Highway Upgrade (July 2012), and are reviewed as part of this report. The potential impacts from the proposal on heritage items, buildings and archaeological sites within Hartley Valley are limited. Consequently, the majority of items listed in Table 5.1 are not addressed in detail within this report as there are no direct or indirect heritage impacts. The heritage items discussed in detail are those located within or adjacent to the proposal site and which may potentially be impacted by the design. The location of heritage items and sites in relation to the proposal is discussed in Chapter 5. This report was prepared in accordance with the NSW Heritage Manual (1996), Assessing Heritage Significance (2001), Levels of Heritage Significance (2008) and Assessing Significance for Historical Archaeological Sites and Relics (2009) and other relevant Heritage Council and Heritage Branch Guidelines.

In summary, the potential heritage items and known heritage items were identified by employing a variety of methods:

- Review of previous reports undertaken for the Mount Victoria to Lithgow upgrade.
- Review of heritage items listed under Lithgow Local Environment Planning instruments and maps, including the Draft Lithgow City Council Local Environmental Plan (LEP) 2013 which is now on Exhibition, http://www.lithgow.com/lep/index.html. This review was undertaken on 2 July 2013.
- Review of State Heritage Inventory for State Heritage Register (SHR) items and other heritage items.
- Review of relevant S170 registers.
- Site visits and visual inspection by Mary Casey and Warwick Mayne-Wilson on 11 July 2013.
1.4.1 Previous Investigations and Non-Aboriginal Heritage Reports

The following background studies have been consulted and utilised as the basis for the preparation of this report:

1.4.1.1 Corridor Options report (September 2009)

As part of the corridor options report (September 2009), Casey & Lowe and Mayne-Wilson & Associates undertook extensive investigations addressing four different corridor options. The 2009 report provided extensive historical research and some preliminary fieldwork, as well as preliminary analysis of curtilages and historic vistas. Aspects of the 2009 report are utilised in this report but only the most relevant issues are addressed while other aspects of the 2009 report will be referred to rather than extracted. The 2009 report is available on-line at: http://www.rta.nsw.gov.au/roadprojects/projects/western_region/mt_victoria_lithgow/project_documents/reports.html.

1.4.1.2 Non-Aboriginal Heritage Preferred Route Corridor Study for the Great Western Highway Upgrade (June 2012).

To address the preferred route corridor, Casey & Lowe subsequently prepared Non-Aboriginal Heritage, Preferred Route Corridor Study, Great Western Highway Upgrade (July 2012). This report built on the previous 2009 report by providing more detail about heritage items within and adjacent to the preferred route corridor, which encompasses the study area subject to this SOHI. 

Surveys

Field survey was undertaken for critical parts of the preferred route corridor to inspect areas where there were potential impacts. Typically the surveys were to examine known heritage items, or inspect potential heritage items or archaeological sites. These were undertaken throughout the project at various times: 19 April 2011; 27 April 2011 and 10 May 2011.

1.4.2 Further investigations for this report

1.4.2.1 Desktop

The Draft Lithgow City LEP 2013 (Draft Lithgow City LEP) and proposed heritage items to be listed from the Land Use Strategy were reviewed on 2 July 2013 to include any new heritage items not previously identified. The Draft Lithgow City LEP has adopted the heritage items identified in the Land Use Strategy. These two documents will supersede the existing Lithgow City LEP 1994 which will be eventually be repealed. All heritage items identified in these documents which are adjacent to the study area are listed in Table 5.1, including the Lithgow City LEP 1994.

1.4.2.2 Survey

Casey & Lowe used previous reports and mapping undertaken of heritage items and sites for the preferred route corridor, as well as new mapping of heritage items and archaeological sites overlaid onto the proposal to determine which areas needed to be investigated in the field. Where the team had previously undertaken sufficient fieldwork these items or sites were not revisited, such as Little Hartley. The focus of fieldwork for this assessment was therefore on Hartley. This involved a review of impact on the road corridor in relation to the SHR areas of Hartley.

1.4.3 Overview of heritage curtilages

A search of the relevant heritage inventory sheets was made to ascertain whether there was any landscape or archaeological items within the grounds of the heritage places that may be adversely affected by the proposal.
The Lithgow City LEP 1994 had not identified curtilages for heritage items. The only curtilages were those provided for SHR items by the Heritage Council listing. In the 2009 reporting, Warwick Mayne-Wilson, working with Mary Casey, identified curtilages for each of the heritage properties. This mapping has formed the basis of all heritage assessment since that time for the Roads and Maritime projects along this route. These curtilages are considered to include the core areas of significance for the individual heritage items as well as their archaeological potential. These curtilages were identified using the Heritage Council *Heritage Curtilage* guidelines (1996).

Curtilages proposed before the publication of the Heritage Office manual *Heritage Curtilages* in 1996 were usually based on existing property boundaries, and not often on the basis of the important heritage (and archaeological) elements they were known to contain. On page 6 of the *Heritage Curtilages* manual, there is provision for the determination of reduced curtilages. It is noted that the Heritage Council has approved Development Applications which have proposed reduced curtilages for heritage-listed places in the past, e.g. for the subdivision of rural estates on the fringes of metropolitan Sydney. If an existing curtilage were based on property boundaries, a suggested curtilage based on heritage significance was identified and outlined in this and previous reports.

The Draft Lithgow City LEP, which was on exhibition until 8 August 2013, provided default curtilages (property boundaries) for LEP heritage items within the study area. These curtilages were identified subsequent to all major reporting for this project. No detailed plan of these draft curtilages is currently available. It is noted that default curtilages identified in 2009 as part of the Mount Victoria to Lithgow projects generally match the proposed curtilages of the Draft Lithgow City LEP.

### 1.4.4 Overview of the visual analysis of heritage items

For the previous reports, such as the *Non-Aboriginal Heritage Preferred Route Corridor Study, Great Western Highway Upgrade* (Casey & Lowe 2012), the approach taken was to photograph the visual catchments out from and toward each of the heritage items and places along the corridor route, and then analyse them. This included the extent to which the views outward from and to those places were important, or whether they were necessarily limited foreground views. A number of these photographs have been used in this report.

### 1.5 Authorship

This Statement of Heritage Impact was prepared by Dr Mary Casey, Director, and Jenny Winnett, Senior Archaeologist, Casey & Lowe. Warwick Mayne-Wilson, Mayne-Wilson & Associates, was responsible for the analysis and writing of visual and curtilage sections. Summary information in Chapter 3 is based on earlier reporting by historian Dr Ian Jack. Dr Jack also undertook additional historical research (Appendix 1). The report was reviewed by Tony Lowe, Director, Casey & Lowe Pty Ltd.

### 1.6 Acknowledgements

Vivira Cadungog, SKM  
Andrew Spinks, SKM  
Dane Hendry, Roads and Maritime Parkes  
Colin Hatswell, Roads and Maritime Lithgow  
Nina Kilpinen, Roads and Maritime Lithgow

### 1.7 Limitations

There were no particular constraints to producing this report. There was sufficient time and funding to complete this report to a quality standard.
1.8 Glossary

**Historical Archaeology (Non-Aboriginal/European)**
Historical Archaeology (in NSW) is the study of the physical remains of the past, in association with historical documents, since the British occupation of NSW in 1788. As well as identifying these remains the study of this material can help elucidate the processes, historical and otherwise, which have created our present surroundings. Historical archaeology includes an examination of how the late 18th and 19th-century arrivals lived and coped with a new and alien environment, what they ate, where and how they lived, the consumer items they used and their trade relations, and how gender and cultural groups interacted. The material remains studied include:

- Below ground archaeological sites: these contain relics which include building foundations, occupation deposits, rubbish pits, cesspits, wells, other features, and artefacts.
- Above ground archaeological sites: buildings, works, industrial structures and relics that are intact or ruined.
- Cultural landscapes: major foreshore reclamation
- Structures associated with maritime activities.

**Archaeological Potential**
Archaeological potential is defined as a site’s potential to contain archaeological relics which fall under the provisions of the Heritage Act 1977 (amended). This potential is identified through historical research and by judging whether current building or other activities have removed all evidence of known previous land use.

**Archaeological Investigation or Excavation**
The manual excavation of an archaeological site. This type of excavation on historic sites usually involves the stratigraphic excavation of open areas.

**Archaeological Monitoring**
Archaeological monitoring is recommended for those areas where the impact of the works is not considered to mean the destruction of significant archaeological fabric. Nevertheless the disturbance of features both suspected and unsuspected is possible. In order to provide for the proper assessment and recording of these features an archaeologist should inspect the works site at intervals they consider to be adequate and to be ‘at call’ in case the contractor uncovers remains that should be assessed by the archaeologist.

Monitoring is a regular archaeological practice used on many building and development sites.

**Research Design**
A set of questions which can be investigated using archaeological evidence and a methodology for addressing them. A research design is intended to ensure that archaeological investigations focus on genuine research needs. It is an important tool that ensures that when archaeological resources are destroyed by excavation, their information content can be preserved and can contribute to current and relevant knowledge.

**Research Potential**
The ability of archaeological evidence, through analysis and interpretation, to provide information about a site that could not be derived from any other source and which contributes to the archaeological significance of that site and its ‘relics’.¹

¹ Taken from the Assessing Significance for Historical Archaeological Sites and ‘Relics’, 2009:11.
Relic

Means any deposit, artefact, object or material evidence that:
(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
(b) is of State or local heritage significance.

(NSW Heritage Act 1977, Definitions, Part 1.4)

It was more recently further defined as:
Relevant case law and the general principles of statutory interpretation strongly indicate that a ‘relic’ is properly regarded as an object or chattel. A relic can, in some circumstances, become part of the land and be regarded as a fixture (a chattel that becomes permanently affixed to land).  

1.9 Abbreviations
C&L Casey & Lowe Pty Ltd
EIS Environmental Impact Statement
GWH Great Western Highway
LCC Lithgow City Council
LEP Local Environmental Plan
LHHCA Little Hartley Heritage Conservation Area
LPMA Land and Property Management Authority
MWA Mayne-Wilson Associates
ML, SLNSW Mitchell Library, State Library of New South Wales
NLA National Library of Australia
NSW New South Wales
OEH Office of Environment and Heritage
REF Review of Environmental Factors
RNE Register of the National Estate
SKM Sinclair Knight Merz
SHI State Heritage Inventory
SHR State Heritage Register
SIX Spatial Information Exchange
SOHI Statement of Heritage Impact
SRNSW State Records, New South Wales

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2.0 Legislative Requirements

2.1 Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) enhances the management and protection of Australia's heritage places. Any action that is likely to have a significant impact on the matters protected under the EPBC Act must be referred to the Commonwealth Environment Minister for consideration.

The Australian Heritage Database (AHD) includes the National Heritage List, which includes the natural, historic and Indigenous places that are of outstanding national heritage value to the Australian nation. The AHD also contains the Commonwealth Heritage List that comprises those places on Commonwealth lands and waters or under Australian Government control. Items on both of these lists are protected under the EPBC Act. There are no items in the proposal area that are listed on the National or Commonwealth Heritage Lists.

Although it has no specific statutory obligations, the Minister must give regard to information in the Register of the National Estate (RNE) kept under the Australian Heritage Council Act 2003 in making any decision under this Act to which the information is relevant. Four items in the study area are registered on the RNE.

2.2 NSW Heritage Act 1977

In NSW, the legal protection for items of local or State heritage significance is afforded by the Heritage Act 1977. Many items of State significance are listed on the State Heritage Register (SHR) and their inclusion on the register identifies them as possessing values that are important to the NSW community. Hartley Historic Site, which is immediately adjacent to the proposal site, is listed on the SHR (Figure 2.1).

2.2.1 Relics Provisions NSW Heritage Act, 1977

The main legislative requirement relating to archaeological remains or relics are the relic provisions of the Heritage Act 1977 (refer Division 9: Section 139. 140-146 – Relics Provisions – Excavation Permit).

According to Section 139:

1. A person must not disturb or excavate any land knowing or having reasonable cause to suspect that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed unless the disturbance or excavation is carried out in accordance with an excavation permit.
2. A person must not disturb or excavate any land on which the person has discovered or exposed a relic except in accordance with an excavation permit.
4. The Heritage Council may by order published in the Gazette create exceptions to this section, either unconditionally or subject to conditions, in respect of any of the following:
   a. any relic of a specified kind or description,
   b. any disturbance or excavation of a specified kind or description,
   c. any disturbance or excavation of land in a specified location or having specified features or attributes,
   d. any disturbance or excavation of land in respect of which an archaeological assessment approved by the Heritage Council indicates that there is little likelihood of there being any relics in the land.

A ‘relic’ is an item of ‘environmental heritage’ defined by the Heritage Act 1977 (amended) as:
Those places, buildings, works, relics, moveable objects, and precincts of State or local heritage significance.

It was more recently further defined as:

Relevant case law and the general principles of statutory interpretation strongly indicate that a ‘relic’ is properly regarded as an object or chattel. A relic can, in some circumstances, become part of the land and be regarded as a fixture (a chattel that becomes permanently affixed to land). A relic as further defined by the Act is:

..any deposit, object or material evidence -
(a) which relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement; and
(b) is of State or local heritage significance.

Any item identified as an historical archaeological site or relic cannot be impacted upon without an excavation permit. An excavation permit forms an approval from the Heritage Council for permission to ‘disturb’ a relic. An application for an excavation permit (Section 140) must be made to the Heritage Council of NSW (or its delegate) and it will take approximately six to eight weeks to be processed. The application for a permit must nominate a qualified archaeologist to manage the disturbance of the relics.

Exceptions
An application for a S139(4) Exception approval may be made where the impact is considered to be in accordance with the following categories:

(1A) An archaeological assessment, zoning plan or management plan has been prepared in accordance with Guidelines published by the Heritage Council of NSW which indicates that any relics in the land are unlikely to have State or local heritage significance.

(1B) The excavation or disturbance of land will have a minor impact on archaeological relics including the testing of land to verify the existence of relics without destroying or removing them.

(1C) 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.

2.2.2 Section 170 Registers
Under the NSW Heritage Act 1977 all government statutory authorities are required to maintain a S170 register which contains a list of heritage sites. According to Section 170:

(3) A government instrumentality shall establish and keep a register entitled the ‘Heritage and Conservation Register’.

(4) A government instrumentality shall enter in the register details of each item of the environmental heritage which is subject to an interim heritage order or listing on the State Heritage Register; or is listed in an environmental planning instrument under the Environmental Planning and Assessment Act 1979 as an item of environmental heritage, or could, in accordance with guidelines issued from time to time by the Heritage Council, be subject to an interim heritage order or listing on the State Heritage Register; and which in the case of a statutory body, is owned or occupied by the statutory body; or in the case of a Department head, is vested in or owned or occupied by, or subject to the control of, the appropriate minister or the Department.

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A state government agency has approval over any impacts on these items but they are required to inform the Heritage Branch of any changes to significant items, and provide 14 days notice.

All of the SHR-listed heritage items at the Hartley Historic Site are also listed on NPWS’s S170 register.

### 2.2.3 National Parks and Wildlife Act 1974 (NSW) No 80

The *National Parks and Wildlife Act 1974* (NP&WA) provides physical protection to Aboriginal objects and places. It also provides protection to heritage items within National Park estates, both built items and archaeological sites and relics. In the case of this report the relevant park estate is at Hartley Historic Site. The current proposal considered options which potentially impacted on the NPWS estate but these have been avoided as part of the proposal and are not included in the final design. The current design is immediately adjacent to Park estate.

**Division 3 National parks and historic sites**

#### 37 Revocation or compulsory acquisition of park or site

1. **Notwithstanding anything** in any Act:
   1. a) the reservation of lands as, or as part of, a national park or historic site shall not be revoked, or
   2. b) lands within a national park or historic site shall not be compulsorily acquired, except by an Act of Parliament.

(1A) Nothing in subsection (1) prevents the compulsory acquisition under this Act of lands within a national park or historic site if the reservation of the lands as, or as part of, the national park or historic site is not affected by the compulsory acquisition.

(2) Nothing in subsection (1) prevents the withdrawal of land from or the termination of any lease, licence or occupancy in accordance with the terms and conditions thereof.

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**Figure 2.1:** Plan showing the extent of the Hartley Historic Site.  

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2.3 State Environmental Planning Policy (Infrastructure) 2007 – REG 14
State Government instrumentalities are required to consult the respective local council for any work proposed to a heritage item of local significance. Clause 14 of the State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) sets the requirements for such activity. The subject clause has been provided below:

14 Consultation with councils-development with impacts on local heritage
(1) This clause applies to development carried out by or on behalf of a public authority if the development:
(a) is likely to have an impact that is not minor or inconsequential on a local heritage item (other than a local heritage item that is also a State heritage item) or a heritage conservation area, and
(b) is development that this Policy provides may be carried out without consent.
(2) A public authority, or a person acting on behalf of a public authority, must not carry out development to which this clause applies unless the authority or the person has:
(a) had an assessment of the impact prepared, and
(b) given written notice of the intention to carry out the development, with a copy of the assessment, to the council for the area in which the heritage item or heritage conservation area (or the relevant part of such an area) is located, and
(c) taken into consideration any response to the notice that is received from the council within 21 days after the notice is given.

Consultation with Lithgow City Council (LCC) was undertaken in accordance with Clause 13 of ISEPP, on 24 July 2013. Further consultation will occur with LCC on 11 October 2013 in accordance with Clause 14 of the ISEPP. Consultation is required as some works are within the draft Little Hartley Heritage Conservation Area and there may be indirect impacts on the items from vibrations. It is recommended that Roads and Maritime take into consideration any notice from LCC within 21 days from when the notice is provided.

2.4 Lithgow City Council Local Environmental Plan 1994
The planning system established by the Environmental Planning and Assessment Act 1979 includes LEPs and other provisions relating to development control. Five heritage items or areas listed on the Lithgow City LEP 1994 are adjacent to the study area (Table 5.1). Refer to Chapter 5 for more detail regarding each of these items.

The LCC is in the process of reviewing and updating the 1994 LEP which has only 91 heritage items. LCC has produced its Land Use Strategy 2010-2030 which was endorsed by LCC and has been sent to the Department of Planning and Infrastructure for approval. It has now been incorporated into the new Draft LEP 2013.

2.5 Draft Lithgow City Local Environmental Plan 2013
LCC has kindly provided this project with access to the inventory sheets produced for the draft LEP 2013 and which were used in this report. Four additional draft heritage items and the Little Hartley Heritage Conservation Area are within or adjacent to the study area as well as the five heritage items already listed in the 1994 LEP (Table 5.1).
Lithgow City Council has produced its Land Use Strategy which has been endorsed by LCC and has been sent to the Department of Planning and Infrastructure for approval. It has now been incorporated into the new Draft LEP 2013. The Land Use Strategy identified the new heritage items to be included in the LEP and the Little Hartley Heritage Conservation Area. Four new items and the Little Hartley Heritage Conservation Area were identified by the Land Use Study.

This report has reviewed the Draft LEP 2013 for amendments to the gazetted heritage items and mapping. A total of six heritage items from this Draft LEP are located adjacent to the study area as well as the Little Hartley Heritage Conservation Area (Figure 2.2, Table 5.1). Final mapping of the Draft LEP is not yet available.

![Figure 2.2: Little Hartley Heritage Conservation Area (C08 red) and the footprint of heritage items and default curtilages, shaded in brown.](image)

### 2.6 Hartley Historic Site Conservation Management Plan

The Hartley Historic Site Conservation Management Plan (2002) includes policy for Archaeological Management (Section 10.3). This Conservation Management Plan (CMP) does not identify archaeological potential or significance for the NPWS land to the north of the highway. It also notes that the archaeological potential of the Royal Hotel has been compromised.

While the road reserve, to the north of the highway, adjacent to Hartley contains potential remains associated with the Royal Hotel the only impacts from this proposal are within the road reserve and not within NPWS estate.
3.0 Historical Overview of the Hartley Valley

3.1 The Hartley Valley

Within months of white settlement at Sydney Cove in 1788, the colonists were aware that a major barrier lay to the west, just beyond the Hawkesbury-Nepean River. For the first Europeans, the Blue Mountains constituted the western edge of the Cumberland Plain. The building of the first road across the Mountains in 1814-15 by William Cox’s convicts and the unlocking of inland Australia was a necessary step in the transition from penal settlement to free colony.

Before 1788 Aboriginal people did not consider the Blue Mountains to be a divider, but more of a meeting place. They lay on the periphery of several language groups. For the Wiradjuri, the Gundungurra and the Darug people, the Mountains were a natural point of contact. One result was that there was widespread Aboriginal knowledge of how to reach the top of the mountains from the plains and valleys on all sides, including the west, and how to successfully cross the mountain.

The Blue Mountains are split in two by the gorge of the Grose River. From the hinterland of Sydney there proved to be only one viable corridor across the mountain ridges south of the Grose and another, less patronised, corridor north of the gorge. The southern route, now the Great Western Highway, had several narrow pinches along its ridge and the railway from the 1860s onwards had to share this minimal space. There were, and still remain, problems in ascending the eastern escarpment from the Hawkesbury-Nepean Valley onto both of the corridors, north and south of the Grose, while there are even greater challenges associated with the descent from both these routes to the Bathurst Plains.

Current attempts to find a route down from Mount Victoria, Mount York and the Darling Causeway are another stage in two centuries of experimentation. If a new descent is built, it would be the eighth since William Cox’s convicts descended Mount York late in 1814. These include Coxs Road (1814-15), Lawsons Long Alley (1822), Bells Line of Road (1823), Lockyer’s Road (1828), Mitchells Road (1830s), and Berghofers Pass (1814).

The various routes into Hartley Valley, whatever their deficiencies, brought population into the valley once the west was opened to settlement in the 1820s. As a result, Hartley Valley, with attractive grazing potential, was more densely populated in the early Victorian period than the Blue Mountains plateau above. The plateau became a holiday ground for city-folk, with a dozen village service centres, only after the western railway was fully functioning in the 1870s.

The late Victorian period brought major industrial development to the region in the form of the most successful and long-lived oil-shale plant in Australia. In the 20th century the impact of the motor car reinvigorated the Great Western Highway but also prompted the building of Berghofers Pass, the first alternative route to Mitchell’s Victoria Pass of 1832.

The broader area known as Hartley Valley is the earliest settled area beyond the Mountains. The result is a remarkable concentration of significant heritage items throughout the Hartley Valley.

3.2 Little Hartley

The completion of Coxs Road in 1815 did not initially bring much additional traffic to the west but as government policy encouraged western expansion and land grants were issued in increasing numbers in the 1820s, there was a perceived need for accommodation in Hartley Valley. However,

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4 Taken from I. Jack’s history in Casey & Lowe (2009) Phase 2 Corridor Options Historic Heritage, Mt Victoria to Lithgow. Report for SKM on behalf of the NSW RTA. September 2009.

5 Detailed historical background relating to this project is available in Appendix 1.
the establishment of inns was slow in the 1820s. Pierce Collits opened one of the first inns in Hartley Valley, the Golden Fleece, in 1823 where Lawsons Long Alley curved west to join Coxs Road. This remained the only service in Hartley Valley until Mitchell’s new highway in 1832. The hamlet of Little Hartley was essentially created by Thomas Mitchell’s new line of road down Victoria Pass but the process of granting parish portions along the road was slow. Four key figures in the development of the locality of Little Hartley were Pierce Collits, John Grant, Michael Flanagan and John William Berghofer. Little Hartley was fairly quiet in the late Victorian and Edwardian period but the coming of the motor car prompted the building of a bed-and-breakfast and dance hall in the early 1930s, followed by the Log Cabin, serving afternoon teas in an American-style context.

Figure 3.1: The Great Western Highway at Little Hartley, taken from the west, in 1872. Mitchell Library, State Library of NSW, Holtermann photographs 1/17741.

The key heritage properties adjacent to the study area are:

- Rosedale
- Nioka
- Billesdene Grange (LHHCA)
- Harp of Erin (LHHCA)
- Ambermere (LHHCA)
- Meade’s Farm (LHHCA)
- Kerosene Cottage (LHHCA)

It is noted that some of the works extended into Ambermere but in an area outside the heritage curtilage identified in 2009. The design of the safety upgrade has avoided as much as possible any impacts within curtilages of known heritage items (Figure 5.1).

Detailed historical research is available for each of these properties in Casey & Lowe’s 2009 and 2012 reports and most are already listed on the State Heritage Inventory (SHI) as heritage items on the LCC LEP 1994 (Appendix 1). The Log Cabin or Lolly Shop is no longer included in the list of draft heritage items.

6 Collits, Pierce (1769?-1848), Australian Dictionary of Biography.
3.3 Hartley Historic Site

Hartley Historic Site is an important early village centred around the 1830s courthouse. The village was laid out in 1836 on both sides of the River Lett, arranged along the curves of Mitchell’s new road in a grid pattern, containing sixteen streets (Appendix 1, Figure 1.17). The courthouse was occupied in December 1837 and was the vital heart of Hartley. The township was gazetted at the beginning of 1838. The core of the historic site is the surviving key heritage buildings of the Courthouse (1837), Royal Hotel (1841), St Bernard’s Catholic church (1843) and Presbytery (1861), St John the Evangelist Anglican church (1839), as well as former inns Shamrock (1845) and Farmers (1846), the Finn residence of Bungarribee (1840), as well as Carney’s cottage (1881) and garage (1945), and Ivy cottage (1824). These are aligned along the original section of Mitchell’s road which descends through the village down to cross over the River Lett.

The land owned by NPWS within Hartley Historic Site is gazetted on the State Heritage Register (SHR) and is significant for:

...its close association with early settlement west of the Blue Mountains, for its role as an early government administrative centre and for it having been a wayside service centre over a lengthy period. The village has an extremely high level of intactness and it contains a rich range of building forms, materials and architectural styles. Having been recognised for many years as a place of historical importance, Hartley has significant social associations among the travelling public. Hartley contains good examples of the work of important colonial era architects, Mortimer Lewis and Edmund Blacket. Owing to the form, materials, styles and alignments of its various buildings and its rural setting above the River Lett, Hartley with its pervasive mid nineteenth century character has significant aesthetic qualities. 8

Most of the NPWS-owned land at Hartley is listed on the SHR and has State heritage significance. The heritage properties have their own individual curtilages but there is no separate site curtilage. A number of the heritage items in the village are also listed on the Draft Lithgow City LEP 2013. The heritage items located within the study area include the SHR-listed Royal Hotel and the vacant land on the north of the highway.

Figure 3.2: Hartley village in 1852, showing the courthouse on the left and St Bernard’s Catholic church on the right. G.C. Mundy, 1852.

The heritage items or potential archaeological sites associated with Hartley Historic Site within and adjacent to the study area are:

- The Royal Hotel

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- Land north of the Great Western Highway.
- Potential rubbish dump associated with the Royal Hotel.
4.0 Site Visit

4.1 Previous site visits
The heritage consultants working on this proposal have undertaken a series of site visits in association with the development of the corridor options, the concept design, the preferred route corridor report and the current proposal. These reports and surveys are listed in Section 1.4.1.

4.2 Site visit 2013
A site inspection of the Hartley Valley proposed safety upgrade was undertaken by Dr Mary Casey of Casey & Lowe and Warwick Mayne-Wilson, of Mayne-Wilson Associates on the Thursday 11 July 2013.

The purpose of the site inspection was to review the heritage items and to discuss the proposed design of the safety upgrade with the Roads and Maritime designer so as to refine the consultants understanding of the proposed impacts. The key heritage item inspected was Hartley Historic Site and the SHR-listed land on the northern side of the Great Western Highway, Hartley. As the heritage consultants working on this report have previously undertaken considerable research, analysis and fieldwork on various stages of this project we did not consider it necessary to visit other areas within the project other than understand the design at Hartley were the works are immediately adjacent to SHR-listed areas. A list of relevant heritage items is provided below.
5.0 Heritage Items

5.1 Heritage items, Hartley Valley
A list of heritage items and potential archaeological sites within and adjacent to the study area for the Hartley Valley Safety Upgrade are listed in Table 5.1 and illustrated in Figure 5.1. Seven listed or draft heritage items and one potential archaeological site are located within or immediately adjacent to the proposal site. These are:

- Little Hartley Heritage Conservation Area (LHHCA) on Draft Lithgow City LEP.
- Rosedale, which is immediately adjacent to the proposal.
- Nioka, which is immediately adjacent to the proposal.
- Ambermere, within default curtilage but outside of its key heritage curtilage.
- The SHR-listed land on the northern side of the Great Western Highway, Hartley.
- The curtilage of the Royal Hotel, Hartley.
- A potential rubbish dump associated with the Royal Hotel, Hartley, some parts of it may survive within the road corridor to the north of the highway.

These items are discussed in further detail in Section 5.4. Only heritage items and the archaeological sites within or adjacent to the proposal site, and potentially directly and/or indirectly impacted by the proposal will be further assessed in this report.

Three heritage items within the LHHCA would experience no direct impacts from the proposal. These items are Harp of Erin, Meades Farm and Kerosene Cottage. Accordingly, these will only be discussed within the context of the LHHCA. Five heritage items within Hartley Historic Site would experience no direct impacts from the proposal, and are not discussed further in this report. All of these items may, however, experience indirect impacts in the form of vibration during construction, and this has been discussed in Section 6.2.3.

5.2 Previous Heritage Assessment
The heritage items in the vicinity of the proposal site for the Hartley Valley safety upgrade are listed below (Table 5.1). These items were discussed in detail within the Non-Aboriginal Heritage, Preferred Route Corridor Study for the Great Western Highway Upgrade report for the Mount Victoria to Lithgow Alliance (Casey & Lowe 2012). Only those items/sites within or adjacent to the proposal site, and potentially directly and/or indirectly impacted by the proposal will be further assessed in this report.

5.3 Significance Assessment
A brief description and assessment of significance of each of the identified listed and potential heritage items is provided below. ‘Heritage significance’ is a term used to describe the inherent cultural and historical value of an item. Significance may be contained within the fabric of a building or other place, in its setting and its relationship with other nearby items. The main aim in assessing significance is to produce a succinct statement of significance, which summarises an item’s heritage values. The statement is the basis for policies and management structures that will affect the item’s future (NSW Heritage Branch 2001).

The NSW State Heritage Branch recommends assessment of heritage items in a number of situations, which include:

- Making decisions about whether to retain an item.
- Considering changes to an item.
- Preparing a heritage study.
- Preparing a conservation management plan.
• Considering an item for listing on the State Heritage Register or on the schedule of heritage items in a local environmental plan, or
• Preparing a statement of environmental effects or a heritage impact statement as part of the development and building approval process.

The nature of various heritage values and the degree of these values is appraised according to the following criteria.9

**Criterion (a): Historic Significance - (evolution)**

_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): Associative Significance – (association)**

_an item has strong or special association with the life or works of a person, or group of persons, or importance in NSW’s cultural or natural history (or the cultural or natural history of the local area);_

**Criterion (c): Aesthetic Significance - (scenic qualities / creative accomplishments)**

_an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the cultural or natural history of the local area);_

**Criterion (d): Social Significance - (contemporary community esteem)**

_an item has a strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons (or the cultural or natural history of the local area);_

**Criterion (e): Technical/Research Significance - (archaeological, educational, research potential and scientific values)**

_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): Rarity**

_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): Representativeness**

_an item is important in demonstrating the principal characteristics of a class of NSW’s cultural or natural places of cultural or natural environments (or the cultural or natural history of the local area)._

To be assessed as having heritage significance an item must:

• Meet at least one of the seven significance criteria.
• Retain the integrity of its key attributes.

Items may also be ranked according to their heritage significance as having:

• Local Significance.
• State Significance.

The levels of heritage significance used in this report are provided by Schedule 5 of the *Draft Lithgow City Council LEP 2013*. These identified levels are supported by inventory sheets and other reports, such as the *Hartley Historic Site Conservation Management Plan* and its listing of the SHR and the associated inventory sheet.10 Potential archaeological sites were assessed according to the

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10 Cserhalmi 2002
Heritage Branch 2009 guidelines. Only one additional potential archaeological site was identified in 2009, the rubbish dump associated with the Royal Hotel to the north of the highway. This potential rubbish dump possibly survives within the road reserve as well as the NPWS land.
STATEMENT OF HERITAGE IMPACT - Hartley Valley Safety Upgrade, Non-Aboriginal Heritage

Legend:
- Construction footprint (5 m buffer)
- Existing highway
- Heritage item
- Heritage Conservation Area
- Potential heritage item
- Heritage curtilage

Data Sources:
- Roads and Maritime Services 2011
- LPMA 2010
- STREETWORKS 2001
- SKM 2011, 2013

Sinclair Knight Merz does not warrant that this document is definitive nor free of error and does not accept liability for any loss caused or arising from reliance upon information provided herein.
Table 5.1: List of heritage items within the Hartley Valley and their relationship to the corridor. Most of the identified heritage items are outside the Safety Upgrade design area. Only those items identified as being within or adjacent to the zone of impact, as well as those which may experience direct and indirect impacts will be discussed further in this report. LEP = Local Environmental Plan, SHR = State Heritage Register, NT = National Trust, RNE = Register of the National Estate, Reg = Registered, Ind = Indicative.

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<td>Royal Hotel rubbish dump within SHR boundary may also survive within road corridor</td>
<td></td>
<td>Great Western Highway</td>
<td>Hartley</td>
<td>Local</td>
<td>1832</td>
<td>-</td>
<td>-</td>
<td>privat e</td>
<td>-</td>
<td>-</td>
<td>Yes</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Collits River Lett Inn – Archaeological site</td>
<td>-</td>
<td>Old Great Western Highway</td>
<td>Hartley</td>
<td>Not assessed</td>
<td>1832</td>
<td>-</td>
<td>-</td>
<td>privat e</td>
<td>-</td>
<td>No</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ruined Bridge over River Lett</td>
<td>-</td>
<td>Old Bathurst Road or Old Great Western Highway</td>
<td>Hartley</td>
<td>Not assessed</td>
<td>20th century?</td>
<td>-</td>
<td>-</td>
<td>No</td>
<td>No</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1960038</td>
<td>Eliza Rodd grave</td>
<td>200</td>
<td>off Jenolan Caves Road</td>
<td>Hartley</td>
<td>State</td>
<td>1831</td>
<td>1994</td>
<td>1840</td>
<td>yes</td>
<td>No</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
5.4 **Heritage Items within Hartley Valley Safety Works**
The following listed and draft heritage items and Little Hartley Heritage Conservation Area (LHHCA) were identified as being within or adjacent to the proposal site. The heritage items to be discussed are:

- Little Hartley Heritage Conservation Area, which includes a number of heritage items immediately adjacent to the proposed safety upgrade:
  - Billesdene Grange.
  - Log Cabin Farmhouse Village Shop (no longer listed by itself but within the LHHCA).
  - Harp of Erin (Williams Store).
  - Ambermere.
  - Meads Farm.
  - House (Kerosene cottage?).
- Rosedale and Nioka are heritage items in Little Hartley but are not included in the LHHCA.
- Hartley Historic site, items adjacent to the proposed works which includes the Royal Hotel

The proposal does not involve any impacts within the curtilages of individual heritage items, other than minor ones at Rosedale and Nioka, these items are not discussed separately.

5.4.1 **Archaeological Issues**
As most of the proposed works within the study area are within the existing road corridor, there are few archaeological issues. The survey of the Great Western Highway in 2011 along this part of the route identified very few archaeological issues within the existing road corridor. The main archaeological issue was:

- A rubbish dump associated with the Royal Hotel, Hartley, located in the road corridor and within the SHR land to the north of the highway.

There were no identified 19th-century culverts associated with the 1830s Mitchell Road within the study area.

5.5 **Little Hartley Heritage**

5.5.1 **Little Hartley Heritage Conservation Area and Heritage Items**
The Draft Lithgow City LEP identifies the Little Hartley Heritage Conservation Area as being of Local significance. The importance of the relationship of the heritage buildings to the road has been emphasised in this listing. In fact, it is the highway’s very existence which was the only *raison d’etre* for their presence. The buildings are all low-slung with long hip-roofs, and are edged with shrubs, small trees and fences, so they are not commanding visual elements within this conservation area.

Little Hartley is more of a geographical expression than a village or even a hamlet, being simply a series of discrete buildings (mostly old inns) spaced along the Great Western Highway (Figure 5.1, Figure 5.2). Not all of the inns have been included within the Little Hartley Heritage Conservation Area.
Figure 5.2: The Little Hartley Heritage Conservation Area is shaded in pink and Ambermere and Harp of Erin are indicated. Draft Lithgow City LEP 2013.

On the ground, Little Hartley comprises three former inns (converted into residences) plus a former servants’ cottage on the northern side of the highway, and along the southern side two former inns (including Rosedale and Nioka), an old tea-room (with bunkhouse) and a store with dwelling on the southern edge, all widely spaced in a rural setting. Unlike Hartley, this loose string of buildings is not located close to a river, there are no civic buildings, and no dominant landform to enclose them (Figure 5.3). Their purpose was to service travellers passing up or down the highway, although being clustered near the junction of two local roads, Ambermere Drive and Coxs River Road coming in respectively from the north and south, enabled them to service local farmers as well as the workers from Hartley Vale.
Figure 5.3: The centre of Little Hartley lies in the middle ground. Billesdene Grange (blue arrow), Log Cabin Farmhouse (red), Harp of Erin (yellow), Ambergere (white), and Meades Farm is just out of the picture. The existing Great Western Highway (indicated by the dashed white line) is scarcely visible. Ambergere Drive is in the right foreground, and Coxs River Road to the left of Harp of Erin.

None of the buildings, with the possible exception of Nioka, were sited to capture views, which in any case, have no interesting fore or middle grounds. Except for the views from Rosedale and Nioka, the escarpment is merely a purple line on the horizon. The focus of all buildings was on the highway itself, whose passing trade they were determined to capture. For this reason, the components of Little Hartley are experienced consecutively along a ‘gun-barrel’ type of roadway, but not as a village entity (Figure 5.4, Figure 5.5). The key elements of Little Hartley’s heritage landscape are captured in the Little Hartley Heritage Conservation Area (Figure 5.2).
The separation between the buildings does enable each to be registered visually, but their low-slung, single-storey shapes do not make a strong impression. Paul Davies’ *Draft Lithgow Heritage Development Control Plan (2010)* analysis states that the remnant and visually important eucalypts, particularly along the road edges, and the cultural plantings around historic houses and inns give the place its character. These, however, are not rare or distinctive elements.

In essence, this conservation area comprises a very low key and subtle little cluster of buildings, placed there to capture passing traffic not only along the Great Western Highway but also from the farming areas to the north and south. They are generously spaced and have farmlet grounds with scattered trees and plenty of grassed open spaces.

As the birds-eye view of the panorama of Little Hartley from Bardens Lookout (Figure 5.3) shows, highways and local roads are easily absorbed visually because of the sheer scale and grandeur of this landscape. Even from ground level, roads are not particularly intrusive, both because they are an integral part of a traveller’s landscape where inns and farmhouses adorn their edges, and because the undulating landform and curves of the roads reveal only segments at a time.

### 5.5.2 Harp of Erin

The Harp of Erin was built in 1839 and operated both as an inn and store and is considered to have State heritage significance. The statement of significance for the Harp of Erin identifies the following values:

- **Historic**: as the oldest inn and the longest operating store on the western road, the Harp of Erin has high significance, both for travellers and for the large rural catchment in the Hartley-Kanimbla area. **Social**: as a store and post-office for so long, the Harp of Erin had very high local social significance. As a very well-known landmark, under some threat from road development, it continues to have social significance. **Scientific**: the sequence of building on the site is poorly documented and the building itself offers the potential for detailed elucidation of change.

The Harp of Erin is on the southern side of the highway and faces another former inn, Ambermere (Figure 5.6). The Harp of Erin has a potential view to the north of Mount York in the distant background which is partly screened by vegetation (Figure 5.7, Figure 5.8).

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11 Draft inventory sheet, SHI No. 1960149, Lithgow Heritage Inventory
Figure 5.6: The heritage curtilages of the Harp of Erin and Ambermere within the Little Hartley Heritage Conservation Area and the proposal. SKM

Figure 5.7: Harp of Erin and store on the edge of the highway. MWA

Figure 5.8: Side view of Harp of Erin from Coxs River Road, looking west. MWA

Figure 5.9: Harp of Erin (right) at the junction of the highway (foreground) and Coxs River Road (centre).

Figure 5.10: Land to the south of the Harp of Erin property, looking west from Coxs River Road. MWA
5.5.3 Vacant land, southeastern corner of highway and Coxs River Road

This land is within the LHHCA and is directly affected by the realignment of Coxs River Road. It is to the southeast of the Harp of Erin and is the proposed site of the revised intersection arrangement between Coxs River Road and the Great Western Highway (Figure 5.11). Detailed historical research undertaken on this property by Dr Ian Jack, as part of the corridor report (2012), included in Appendix 1 of this report, identified that no buildings are known to have been built on this property nor are there any known historic uses other than grazing. Historical research was undertaken as there was a possibility that there was a potential archaeological site on this property. This research was undertaken to provide certainty about this property. As there was no known occupation of this land there is no archaeological potential and therefore no known heritage significance other than as part of the LHHCA.

Figure 5.11: The proposed link road allowing access to Coxs River Road from the highway, to the east of the Harp of Erin. The green highlighted space is vacant land on the corner of the highway and Coxs River Road.

5.5.4 Ambermere

Ambermere, formerly the Rose inn, is a State significant historic inn built in 1845 by Joseph Collits, son of Pierce Collits, immediately opposite the Harp of Erin (Figure 5.12, Figure 5.13). The location of these two inns opposite each other has created a pinch point on the existing highway (Figure 5.6). Its State heritage significance values are:

Historic: associated with the highly significant local family of Collits, this was a successful highway inn for 27 years (1846-73) with an important Cobb & Co. Aesthetic: the inn commands a fine aspect to the north and east and through its roadside plantings presents tantalising glimpses of a fine stone, low-slung building from the highway. Social: as a long-lived inn in the central
Victorian period, it had high local social significance as well as catering for travellers. Scientific: there is archaeological potential in the garden and in the sites of outbuildings.\textsuperscript{12}

5.5.5 **Meades Farm/Kerosene Cottage**

This early farmhouse inn, together with adjacent cottage (Kerosene cottage), was built in the 1850s with later additions and is considered to be of State heritage significance (Figure 5.14, Figure 5.15, Figure 5.16, Figure 5.17). It was turned into an inn in 1866 to service the oil shale workers from Hartley Vale. The statement of significance for Meades Farm is:

**Historic:** a rare early farmhouse inn with its outbuildings (particularly barn) in good repair. Its special association as an inn from 1866 to 1882 with the Hartley Vale oil-shale works from which the inn took its name, the Kerosene Hotel, distinguishes it from the other inns along the Hartley section of the Great Western Highway. **Aesthetic:** the main homestead, landscaping and gateposts are highly significant elements in the local cultural environment. The barn has much diminished heritage value since the recent alterations. **Social:** as an inn catering for oil-workers from the initially 'dry' village of Hartley Vale, the Kerosene Hotel had high social significance.

\textsuperscript{12} Lithgow State Heritage Inventory form, SHI 1960143.
locally in the 1860s and 1870s and continuing local significance thereafter as part of the Little Hartley group of distinguished buildings.\textsuperscript{13}

\textsuperscript{13} Lithgow State Heritage Inventory form, SHI 1960141.

Figure 5.14: Meades Farm, with substantial plantings in front. MWA

Figure 5.15: The frontage of Kerosene Cottage in the late 19th century. LEP inventory sheet.

Figure 5.16: Kerosene Cottage today, adjacent to Meades Farm. MWA
5.6 Heritage items in Little Hartley outside the Conservation Area

5.6.1 Rosedale

Rosedale is a State-significant former inn which was designed and built in 1839, adjacent to Mitchell’s line of the roadway at the foot of Victoria Pass. The statement of significance for Rosedale is:

**Historic:** Rosedale is an essential element in the development of the Great Western Highway in the 1830s and has a longer continuous licence than the other inns. It was operated by significant people (Cummings a Bathurst politician, Delaneys, prominent in the hospitality industry) and owned by Berghofer of Berghofer’s Pass and the first president of Blaxland Shire.

**Aesthetic:** it is the only early two-storeyed inn and its stonework and not quite symmetrical proportions are particularly pleasing. Nestling in a bushland setting still, it is the major built enhancement of the bottom of Victoria Pass.

**Social:** as inn and in the 1980s as holiday farm, Rosedale has maintained a social significance in the area.\(^{14}\)

It is on flat land and enjoys a very pleasant view northward across Butlers Creek dams and meadows to the Mount York escarpment (Figure 5.18). Although the significance of the former inn does not depend on the maintenance of this view, it does play a supporting role in indicating the close proximity of the escarpment, from which many 19th-century travellers would rest at the inn before moving on.

\(^{14}\) Lithgow State Heritage Inventory form, SHI 1960145.
5.6.2 Nioka

Nioka is a State-significant former inn built in 1856 to which a second storey was later added. The curtilage identified in 2009 and used for this report relates to the appropriate curtilage identified for the item (Figure 5.19). The view from Nioka is completely different from that at Rosedale (Figure 5.21). This former inn is located on a small hill, set back from the highway, and was built in a small cutting through the footslope of the hill. Although Nioka’s location on a hilltop and orientation to Mount York was apparently an important consideration to its original owners, this view has been almost completely obscured by dense plantings of pines and cypresses in the 20th century (Figure 5.21). This suggests that that view has not been considered important for half a century or more. Rather, privacy and a sense of enclosure in an otherwise broad, sweeping...
landscape, and/or protection from strong northerly sunlight, as well as road noise, seem to have been stronger motivations. The statement of significance for Nioka is:

**Historic:** An unexpectedly urban house in a setting above the Great Western Highway, Nioka has represented since c. 1880 a different style of hotel architecture from any inns in the area. Closely associated with its important neighbour, Rosedale, Nioka as an hotel, an angora stud and a private house, is an important element in the continuing importance of Mitchell’s highway in the late Victorian period and beyond. **Aesthetic:** a strikingly unexpected part of the roadscape. **Scientific:** it contains archaeological evidence for the 1856 single-storied inn. It also retains much of the original driveway looping off Mitchell’s Highway.\(^{15}\)

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15 Lithgow State Heritage Inventory form, SHI 1960146.
5.7 Heritage Items nearby to Hartley Historic Site

5.7.1 Hartley Historic Site

A number of the buildings at this site are listed as a group on the SHR (no. 992) and are considered to have State heritage significance (Figure 5.22). The SHR statement of significance identified the following elements of its significance:

Hartley is historically highly significant for its close association with early settlement west of the Blue Mountains, for its role as an early government administrative centre and for its having been a wayside service centre over a lengthy period. The village has an extremely high level of intactness and it contains a rich range of building forms, materials and architectural styles. Having been recognised for many years as a place of historical importance, Hartley has significant social associations among the travelling public. Hartley contains good examples of the work of important colonial era architects, Mortimer Lewis and Edmund Blacket. Owing to the form, materials, styles and alignments of its various buildings and its rural setting above the River Lett, Hartley with its pervasive mid nineteenth century character has significant aesthetic qualities.  

Historic Hartley village is unusually sited, because it is nestled into the lower slopes of a north-south ridge that prevents westward-travelling viewers from seeing it until they are virtually upon it (Figure 5.23, Figure 5.24). That ridge also foreshortens the horizon for persons looking around within the village or those viewing it when travelling eastward down River Lett Hill. The belt of pine trees along the spine of the ridge reinforces this marked sense of enclosure, so much so that some planners have proposed for the plantation to be removed.

Another unusual feature of the sighting of the village is that although it was located relatively close to the River Lett, which provides its water supply, but it has no clear visual linkage with the river. Like so many early towns and villages, the buildings turned their backs to the river. Neither the original entry road alignment nor the present one provides any opportunity to experience the river, nor to demonstrate that the river serves the town and is vital to its well-being. The old and more recent road bridges over the river are not visible from within the village, and do nothing to indicate an association between them.

Being a rural village, the buildings within it are loosely spaced, most with substantial yards around them, with setbacks of varying distances from the original highway (Figure 5.23). Walking through the village a visitor experiences the buildings serially, as an unfolding of disparate, unrelated elements, in terms of scale, materials, style, and function. There is little sense of a core of civic buildings, and cluster of dwellings. The feeling is quasi rural, as it is in Little Hartley.

It is only from the higher slopes of the River Lett Hill that this diverse collection of buildings can be comprehended as a village entity (Figure 5.23, Figure 5.25). Even that experience is a fleeting one, due to the relatively rapid decent down River Lett Hill in a motor vehicle. There is no opportunity to experience it as a pedestrian, because there are no separated verges or footpaths down this stretch of highway, which is steep with rugged, forested sides. Moreover, there are no lay-bys or public places on the River Lett Hill from which pedestrians could walk to and from the village. Given that Historic Hartley cannot be viewed or appreciated when approached from the east, the view from the west can be considered as unique. The maintenance of this view is an important consideration due to the proposed realignment of the highway up River Lett Hill.

Figure 5.22: Key properties of Hartley Historic Site which adjacent to the proposal, many of these are listed within the SHR (992). Vacant land to the north of the Great Western Highway which is on the SHR is also within the proposal site. The blue circle marks the potential location of a rubbish dump associated with the Royal Hotel. Part of this dump may be within the proposal.

Figure 5.23: View to east from River Lett Hill with Hartley in the middle ground. Note the belt of pine trees on the rise in the middle ground. C&L 2009.
The present highway (constructed in the 1970s) bisected a segment of land on the northern side of the original village, but this has had a negligible effect on its setting, as there are no substantive old buildings in this area. The northern ground falls away steeply to the riverbank and is not visible within Hartley village. The 1970s highway realignment reinforced the visual separation between the river and the village, even though the river’s importance as a source of fresh water remains vital.

Figure 5.24: The entry from the Great Western Highway into the Hartley. The back of the former Royal Hotel is visible at the centre of the image. The original road into the town is arrowed. MWA, 2009

Figure 5.25: View to the west near the Royal Hotel showing the modern highway, the entrance road into Hartley with the side of the Courthouse (white arrow) on the left. This shows the side of the Courthouse as being visible from the modern highway. The old highway is on the left with trees lining it. C&L 2011
5.7.2 SHR-listed land north of the Highway

According to the manager of the Hartley Historic Site, before the modern highway bypassed Hartley, much of this land was part of the rear yard of the Royal Hotel. It is believed that the rubbish from that hotel, and probably from the village itself, was dumped there because it was out of sight on the steep bank going down to the river. In the 20th century a Progress Hall and tennis court were built on part of the northern property but the hall was later removed to the village. The Conservation Management Plan (CMP) for Hartley identified the northern land as being part of the Police Paddock but does not mention the presence of any potential archaeological structures in this area (Figure 2.1). The CMP noted that:

The initial settlement at Hartley was centred around the courthouse, with a precinct developing that contained the pound and temporary police barracks. Land for a pound and police paddock were set aside at the same time as the finalisation of the site of the courthouse (in September 1836). The Mounted Police are reputed to have been accommodated in a Barracks at the rear of the courthouse. The Mounted Police were not under the control of the police magistrate, rather they were military officers.¹⁷

This suggests that the police were not accommodated within the property to the north of the highway. It may have been used for little more than grazing of police horses as well as a pound for stray or stolen horses or cattle requiring temporary accommodation. There is no evidence that the area contained any structures, except fencing. Further historical research included in Chapter 3 has indicated that there is no evidence for structures within this property associated with its use.

National Parks pumps water for the whole village from a former swimming hole in the River Lett. Bungaribee, a privately-owned house in the village, has its own pump taking water from the river. The block of vacant land to the north of the Great Western Highway appears to be have been acquired by NPWS to locate their pump station.

Figures 5.26: Detail from Plan for a Town at the River Lett, 1836. The entry road, soon renamed Bathurst Road, is indicated by the red arrow. Note the Police Paddock which straddles the river. It is the location of the land to the north of the modern highway (green outline indicates the modern property boundary). Survey of the proposed site for a town, Butler, 1836, AONSW AO Map 3102.

5.7.2.1 Archaeological Analysis

A walk-over of the northern area revealed remnant bitumen in places along the current access road (Figure 5.27, Figure 5.28, Figure 5.29). This may be the remains of a paved road or possibly the remains of the 20th-century tennis courts. The road running east-west through the site was established in 1972 and a concrete aggregate culvert is still present. The NPWS corrugated-iron pump shed is located on lower ground (Figure 5.27).

No indication of rubbish dumps from the Royal Hotel was evident during the site visit. It is likely that if any rubbish was dumped here it would have scattered to the north, due to the steep sloping nature of the site. This, combined with a covering of shrubby undergrowth, meant that it was difficult to determine if any remains exist to the present day. This area may contain extensive remains of a rubbish dump associated with the Royal Hotel’s use of this property and which would require detailed archaeological investigation as part of any road construction (Figure 5.22). If the dump survives within the northern land it is also possible it will survive within the 3.5 m to 6 m of road corridor to the north of the Royal Hotel. The northern road reserve was also once within the rear yard of the Royal Hotel.
5.7.2.2 Heritage Significance of the Potential Royal Hotel Rubbish Dump

There is potential for a rubbish dump known to survive within the Park’s land to the north. It is therefore possible that this rubbish dump may have extended into the northern road corridor near the Royal Hotel.

Previous research and site survey undertaken by Casey & Lowe for this and earlier reports concluded that the archaeological resource of a potential rubbish dump on this land would be associated with the operation of the Royal Hotel and residential uses of this building during the 19th and early 20th century (Section 5.7.3). The Hartley Historic Site CMP (2002) does not discuss the potential rubbish dump on the northern side of the highway.

Statement of Significance for the Rubbish Dump

This potential rubbish dump from the Royal Hotel, Hartley is associated with a significant 19th-century roadside hotel, and later manse, school and residence and is associated with an important regional government administrative centre Hartley. This dump may contain a range of artefacts, notably glass bottles and ceramics associated with serving of meals to travellers along the highway. However, there are many sites of inns and hotels along the line of the many roads and highways leading to and from Sydney. Due to the number of such sites, rubbish dumps and sites of inns are typically considered to be of representative and have local heritage significance. The archaeological analysis of the rubbish dump would be considered to be able to address research questions relating to tourism, consumerism and access to markets, and consumption at tourist and general traveller hotels. There may also be artefacts associated with the private uses of the hotel these artefacts would occur in smaller quantities. Therefore this property, despite its listing on the SHR, would appear to have local rather than State heritage significance. If the rubbish dump survives within the road reserve it would have local significance.

This Statement of significance is based on the Heritage Branch 2009 guidelines: Assessing Significance for Historical Archaeological Sites and ‘Relics’. It does not reach the State significance threshold as the dump is considered not to be able to address the significance identified in the Statement of Significance included in Section 5.7.1.
5.7.2.3 Management of the Hartley Archaeological Resource

The Hartley Historic Site Conservation Management Plan (2002) includes policy for Archaeological Management (Section 10.3). It is noted that this report was premised around the pre-2009 definition of relics and has not been updated to include current analysis of significance of relics. Also it is noted that it refers to the National Parks & Wildlife Act 1974 which protect ‘deposits, objects or, material evidence greater than 25 years’.

Policy 16 of the CMP identifies the following:

**Aim:** to ensure that archaeological investigations contribute to a wider understanding of the pattern of development of Hartley Historic Site.

*Policy 16.0.1*  
Seek an excavation permit and prepare an archaeological assessment for proposed soil disturbance in areas identified as having archaeological potential, in accordance with internal NPWS procedures.

*Policy 16.0.2*  
Review zones of archaeological potential in the light of new documentary evidence and future research.

*Policy 16.0.3*  
Maintain a base map indicating disturbed areas, excavated areas, service trenches and cut and fill. Update following building works.

*Policy 16.0.4*  
Ensure that archaeological investigations contribute to a wider understanding of the patterns of development of Hartley Historic site prior to, and during European occupations.

It is noted that as the CMP does not identify the potential archaeological remains of the Royal Hotel Rubbish dump they have not provided any specific guidance for NPWS land to the north of the highway.

5.7.3 Royal Hotel

The Royal Hotel was first licensed in 1841 as the Albion Hotel (Figure 5.22). It became the Royal Hotel in 1858 and was the booking office for coaches in the early 1860s. In the 1860s the hotel became the Anglican rectory but in 1879 it was once again a licensed premise.

5.7.3.1 Archaeological Analysis

The Royal Hotel was originally surrounded by a complex of buildings including stables, a teacher’s residence and school from the 1860s, with a forge, kitchen and servants’ quarters to the rear of the building. None of these buildings have survived to the present day and to date no mapping of the outbuildings or the later school building has found. Consequently the exact location of these structures is unknown. Much of the rear yard of the property has already been removed with the cutting for the current highway and any surviving archaeology therefore is possibly quite impacted.

No remains of outbuildings were visible during the site inspection, although this does not discount the possibility of the survival of subsurface remains to the north of the paling fence (Figure 5.30, Figure 5.31). It is highly likely that the remains of any outbuildings to the rear of the inn were

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20 Hartley Historic Site CMP 2002: 70.
removed during the highway upgrade in the 1970s. In addition, the slope of the land behind the building also appears to have been created at this time (to stabilise the sharp cut for the highway itself), which would also have removed subsurface archaeological remains. There is a possibility that the vacant land to the east of the Royal Hotel may contain deposits, structures or rubbish scatters, although oral tradition states that the rubbish from the hotel was dumped further to the north. The most likely location for potential archaeological remains on the southern side of the highway associated with the Royal Hotel are within its curtilage, at the rear of the hotel, but also they would have maintained some distance from the building itself. The specific location of these remains are unknown but they would be within the curtilage of the Royal Hotel.

While this part of the property, and any potential archaeological resource, has likely been severely disturbed by the 1970s highway upgrade, there is still some potential for deeper subsurface remains, such as a well, cistern or cesspit within the site curtilage.

![Vacant land east of the Royal Hotel, previously the location of gardens and a small shed. Note that the rear yard has been truncated by the current Great Western Highway to the north (right).](image-url)
5.7.3.2 Assessment of Heritage Significance

The Royal Hotel is listed on the SHR and on the Draft Lithgow City Council LEP 2013 and is of State heritage significance.

**Historic**: A significant roadside hotel which survived the 19th century through harnessing of a motorised tourist market. Its changes of use in 19th century (manse, school, residence) are also significant of the changes in Hartley. **Aesthetic**: despite alterations, the present renovations will make the strong visual impact of the dominant site’s stone building even stronger. **Social**: as an inn, manse, school and garage, the building has had for over 150 years a considerable social significance, enhanced now as part of Hartley Historic Site.\(^{21}\)

It is noted that this statement does not include an analysis for archaeological significance. The discussion of archaeological potential for the Royal Hotel within the CMP noted, ‘the vicinity of the Royal Hotel has been quite extensively disturbed as a result of the road works’.\(^{22}\) We agree with this assessment and consider that there is little potential for remains to survive to the north of the timber fence in Figure 5.30.

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\(^{21}\) Heritage inventories for Lithgow, provided by Lithgow City Council, written by Ian Jack et al.

\(^{22}\) Historic Hartley CMP2002: 168.
5.7.4 Draft Lithgow City Council LEP 2013 Mapping

The Draft Lithgow City LEP provided draft mapping for heritage items which includes the default property boundaries. A detail map showing Hartley has been included for reference (Figure 5.32). The Draft Lithgow City LEP has heritage items mapped to the northwest and to the south of the main group of heritage buildings near Hartley. Casey & Lowe interprets the items mapped as being an archaeological site called ‘Rosedale’ which appears to have been incorrectly mapped. The location of Rosedale identified on the LCC inventory sheet is 498 Brown Gap Road, Hartley. The original inventory sheet for this heritage property mentions its relationship with Blackman Creek. The Draft Lithgow City LEP mapped location for Rosedale (archaeological site) and Schedule 5 locates it at 498 Blackman Creek Road, Hartley Vale. It is noted that this site is to the west of the study area.

Bungarribee and the Anglican Church are both, part of Hartley but which is not owned by National Parks and Wildlife Service and therefore not included in the SHR listing. They appear to have been separately mapped using the default curtilage of the property boundaries. These heritage items are likely to be St John the Evangelist’s Anglican Church and Bungarribee. These two items are considerably outside the study area.

Figure 5.32: Draft Lithgow City LEP heritage mapping in the locality of Hartley. Draft Lithgow City LEP.
6.0 Impacts from the Proposal

6.1 The proposal
Roads and Maritime has identified that the proposed Hartley Valley safety upgrade will include the following works:

- Upgrade to the Coxs River Road and Ambermere Drive intersections, including the realignment of Coxs River Road.
- Upgrade to the Baaners Lane and Coxs River Road intersections to improve sight distance and provide dedicated turning lanes.
- Realignment of the Hartley Historic Site barrier curve and Old Bathurst Road intersection to provide a safer alignment.
- Upgrade of Jenolan Caves Road intersection.
- CH27640 to CH27920 eastbound formation widening to allow for the extension of the existing downhill overtaking lane.
- Adjustments to property accesses, as required.
- Property acquisition, as required.
- Adjustments to utilities (power and telecommunications) as required.
- Retaining structures to minimise environmental and property impacts, as required.

6.1.1 Little Hartley
The proposal includes the following key features within the village of Little Hartley (Figures 6.1 to 6.6):

- Raising of the level of the highway approximately 180 mm to 200 mm (Figure 6.1, Figure 6.2).
- Reinstatement of access to property (Figure 6.1, Figure 6.2).
- The creation of a new road linking the Great Western Highway with Coxs River Road, passing through the property to the south of the Harp of Erin (which is also a proposed compound and stockpile site).
- Installation of safety barriers (Figure 6.2).
- Front yards of the Harp of Erin, Ambermere, Meade’s Farm and Kerosene Cottage are immediately adjacent to the proposal (Figure 6.1).
- The proposal is partly within Ambermere owned land, but the construction footprint would not encroach on the curtilage (Figure 6.1).

6.1.2 Hartley Historic Site
The proposal includes the following key features in the vicinity of Hartley Historic Site (Figures 6.3, 6.4):

- Installation of safety barriers.
- Cutting to the north and east of the Royal Hotel, within the road reserve.
- Widening of shoulder and installation of a retaining wall around 7.5 metres high on the northern side of the highway, immediately south of NPWS land (SHR listed).
- Guttering and a new access into Hartley Road (access to village).
FIGURE 6.1 | THE PROPOSAL AT LITTLE HARTLEY, EASTERN END

STATEMENT OF HERITAGE IMPACT - Hartley Valley Safety Upgrade, Non-Aboriginal Heritage

LEGEND

- The proposal
- Construction footprint (5 m buffer)
- Retaining wall
- Possible retaining wall
- Proposed stockpile and compound site
- Proposed stockpile site
- Heritage item
- Heritage Conservation Area
- Potential heritage item
- Heritage curtilage

Sinclair Knight Merz does not warrant that this document is definitive nor free of error and does not accept liability for any loss caused or arising from reliance upon information provided herein.

DATA SOURCES
FIGURE 6.2 I THE PROPOSAL AT LITTLE HARTLEY, WESTERN END

STATEMENT OF HERITAGE IMPACT - Hartley Valley Safety Upgrade, Non-Aboriginal Heritage
FIGURE 6.3 I PROPOSAL WEST OF LITTLE HARTLEY

LEGEND
- The proposal
- Construction footprint (5 m buffer)
- Retaining wall
- Possible retaining wall
- Proposed stockpile and compound site
- Proposed stockpile site
- Heritage item
- Heritage Conservation Area
- Potential heritage item
- Heritage curtilage

STATEMENT OF HERITAGE IMPACT - Hartley Valley Safety Upgrade, Non-Aboriginal Heritage

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DATA SOURCES
FIGURE 6.4 THE PROPOSED DESIGN AT HARTLEY HISTORIC SITE

STATEMENT OF HERITAGE IMPACT - Hartley Valley Safety Upgrade, Non-Aboriginal Heritage

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DATA SOURCES
FIGURE 6.5 I THE PROPOSED DESIGN WEST OF HARTLEY

STATEMENT OF HERITAGE IMPACT - Hartley Valley Safety Upgrade, Non-Aboriginal Heritage

LEGEND
- The proposal
- Construction footprint (5 m buffer)
- Retaining wall
- Possible retaining wall
- Proposed stockpile and compound site
- Proposed stockpile site
- Heritage item
- Heritage Conservation Area
- Potential heritage item
- Heritage curtilage

DATA SOURCES

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SKM

6.2 Potential impacts from the proposal

In the following sections the potential curtilage and visual impacts of the proposed design are discussed separately from the potential impacts on archaeology. As outlined in Section 5:

None of the buildings, with the possible exception of Nioka, were sited to capture views, which in any case, have no interesting fore or middle grounds. Except for the views from Rosedale and Nioka, the escarpment is merely a purple line on the horizon.

For these reasons the following discussion does not address many visual issues as there are no important visual catchments from the former inns. The analysis therefore mostly addresses impacts on the settings and on the curtilages. Archaeological issues are restricted to parts of Hartley Historic Site. There are also comments on the vibration analysis.

6.2.1 Analysis of Curtilage and Visual Impacts in key Heritage Areas

Generally, the proposed works involve the extension of the highway width and/or shoulder which involves, mostly, the construction of batters with a larger footprint than the existing highway. Where possible this proposal has not involved land acquisition in relation to heritage items. Where heritage items line the highway the proposal generally avoids intruding into the front boundary or curtilage of individual heritage items. Where shoulders with steep battered slopes are proposed, either steel wires or W-beam safety barriers are included in the design (Figure 6.6, Figure 6.7). It should be noted that these barriers are modern and in the case of the W-beams, have the potential to be visually intrusive in a heritage setting or along the edge of a curtilage.

Figure 6.6: W-beam safety fencing. Roads and Maritime

Figure 6.7: Wire rope safety barrier. Roads and Maritime
6.2.1.1 Little Hartley

Discussion of Little Hartley begins at Rosedale in the east and goes to the western end of the Draft Little Hartley Heritage Conservation Area. The proposal in this area involves the increase of the batter to the east of Rosedale, with a four wire safety barrier on the outer edge of the shoulder (Figure 6.8). Roads and Maritime has identified that the batter needs to be more substantial because the highway crosses a swale and the fall of the land is deeper. The designers have ensured that the safety wires are not located directly in front of Rosedale, which could be visually intrusive to its outward visual catchment. It is recommended that the barriers are moved approximately 5m eastward to avoid that possibility.

The proposal batter is to the north of Rosedale’s curtilage but there are trees between the road and the curtilage which will involve some clearing. The battered slope (Figure 6.8) on the northern side would not be visible to travellers or from Rosedale itself. However, care will need to be taken to ensure that these elements on the southern side of the highway are carefully designed so as not to be intrusive when viewed from Rosedale’s front verandah. The clearing of vegetation should be minimised so as not to adversely affect the setting of Rosedale. A landscape strategy has been developed as part of the landscape character and visual impact assessment to mitigate potential visual impacts on Rosedale from the proposal (SMM, 2013).

![Figure 6.8: The proposal in relation to the curtilage at Rosedale. SKM](image)

At Nioka, about 100 meters to the west, the increase in the batter wall on the southern side, below Nioka, would not be visible from that house due to the presence of plantings along the northern curtilage, and would simply be a consolidation of the existing slope (Figure 6.9). The curtilage extends into the road reserve but because of the line of plantings there is considered to be no visual issues. The batter should be faced with as natural appearing materials as possible, since it would be within the setting of a heritage item, such as grass, rubble stone or earthen embankment. The proposal batter to the north of Nioka’s curtilage consists of trees between the road and the...
curtilage which will involve some clearing (Figure 6.9). The clearing of vegetation should be minimised so as not to adversely affect the setting of Nioka. A landscape strategy has been developed as part of the landscape character and visual impact assessment to mitigate potential visual impacts on Nioka from the proposal (SMM, 2013).

![Figure 6.9: Proposed increase in batter in front of Nioka is not within the identified heritage curtilage. SKM](image)

**Eastern End of Conservation Area**

The proposal would include a substantial embankment on the northern side of the highway, east of the convict-built causeway to Billesdene Grange (Figure 5.2, Figure 6.10). This embankment is proposed because of the extensive low-lying area adjacent to the northern side of the highway. Much of the widening of the batter footprint would avoid the property boundary and be only within the road reserve. However, a small footprint appears to spill over into the edge of that property but outside the identified curtilage (Figure 6.10). This may not occur or be necessary if a retaining wall were built. In either case, because of the extensive drainage ditch in this area the fill would only be enclosing this ditch and have no visual impact. It is noted that a four wire rope safety barrier (Figure 6.7) is planned to be located on the outer edge of the shoulder. This would not be visible from Billesdene Grange because of the intervening vegetation and very low lying area close to the highway. None of these works, other than the wire barrier, would be visible to travellers along the highway.
The next sector is that in the vicinity of the Log Cabin (or ‘Lolly Shop’) which is no longer to be listed as a heritage item but is within the Conservation Area (Figure 6.11). The highway needs to be widened at this sector to allow for an extra lane for turning into Ambermere Avenue a little further west (Figure 6.12). The plans show some increased batters on the far side of the highway (to the north) of the Log Cabin shop. These proposed works are not considered to be visually intrusive with the Conservation Area.
The Coxs River Road/Ambermere Drive intersection is where the most substantial changes will occur along this part of the highway. The main works proposed are the movement of the junction of Coxs River Road with the highway, some 50 metres to the east (Figure 6.12). This allows for more roadway space between the eastern boundary of the Harp of Erin and Coxs River Road, facilitating the viewing corridor for drivers when turning from it into the highway.

It is estimated that the proposed new alignment for Coxs River Road would be at grade, because the landform south of the highway is mostly at the same level. It does, however, fall slightly to the east, so a small batter is required which will raise the ground to the same as the final road level.

Figure 6.12 and Figure 6.14 show in more detail the actual extent of cut and fill that would be required to support the realignment of Coxs River Road. The fill required at the northern end, where the junction with the highway occurs, is necessary because of the fall of the land. The cut required at the southern end is needed because of a small ridge. These elements are indicated in the longitudinal section (Figure 6.14).

While the raising of the road in this area could change the nature of the Conservation Area these changes are considered to be quite minor. The change in height between the existing levels and design levels seldom exceeds one metre. Suitable provision has been made for access to the properties behind Harp of Erin, with minimum changes in levels and work. Figure 6.12 shows an new access road extending into the laneway behind the Harp of Erin. Once off the new raised line of road this new access lane quickly descends to the existing road height by the time it reaches the Harp of Erin property. It is recommended that the batter slope should simply be planted over with...
exactly the same species of grass as in the existing grassed field/paddock so as to blend in with the surrounding fields.

Figure 6.12: The proposed access into Ambermere Drive and the new alignment of Coxs River Road through vacant land and the stockpile and compound site. SKM

Figure 6.13: View to east from the highway at Coxs River Road, the Log Cabin is in the back ground, on the right. The location of the proposed new access for Coxs River Road will cut through the middle ground on the right. Google Streetview.
The poor visibility for drivers wishing to make a right-hand turn onto the highway from Coxs River Road is evident in Figure 6.15. Harp of Erin is at left foreground, Ambermere at distant right.

The Ambermere Drive Intersection is also at grade but the proposal would provide a small batter slope in the southeast corner of the grounds of Ambermere to widen the road and raise the ground level to meet the new road level so as to provide a left-hand turn for eastbound traffic into Ambermere Drive (Figure 6.12, Figure 6.16). This new batter will be entirely within the road corridor (Figure 6.12). Being low-lying, it would not be visually detracting when viewed from Ambermere, Harp of Erin or by east-bound travellers, particularly since it is well vegetated. There would be no removal or clearing of trees associated with this work.
Figure 6.15: Existing access into the highway from Cox River Road. The trees on the left obscure the Harp of Erin from the road. The Harp of Erin has no views in any direction out from the main house.

Figure 6.16: View to northeast, west of Ambermere Drive. Google Streetview

The new intersection is sufficiently distant from the Lolly Shop and Harp of Erin for it not to be visually disruptive, and the Ambermere Road intersection remains virtually unchanged. This is actually a visual improvement, as the further away the intersection is from Ambermere inn itself, and also Harp of Erin, the better. However, it is considered that people standing in front of either building, or looking through its doors and windows, would not notice the proposed new roadworks. There is also a mound right at the corner which would further diminish visibility of the new junction (Figure 6.16).

Immediately to the west is the one ‘pinch-point’ within the Little Hartley Heritage Conservation Area, and because of the closeness of the two heritage buildings to the highway, it has not been possible to undertake extensive modifications as part of the proposal. Roads and Maritime have taken care taken to ensure the front boundaries of both Ambermere and Harp of Erin are not adversely impacted, either physically or visually by not placing any new safety barriers within this area or by demolishing existing fencing or undertaking works in front of the former inns. This
approach maintains existing access to the front of these buildings. The existing car access into Ambermere would maintained.

Figure 6.17: The approximate location of the new batter slope is arrowed. The hedges would also help screen it.

Figure 6.18: View to northwest at intersection of Ambermere Drive and the highway. Google Streetview

Figure 6.12 shows the cramped spaces within which the designers must operate and avoid intruding onto the curtilages of the two heritage properties. Some provision has been made in front of Harp of Erin because this is virtually the only place where traveller parking has traditionally occurred and is still possible. There is no change to the existing conditions in this area other than a slight raising of the road. It is noted that no wire or W-shaped safety barriers are proposed in front of these heritage items, and it is important that this remains the case. However, wire safety barriers are proposed immediately west of them, where modest new batters are proposed because of the low-lying land on each side of the highway. Because these are modern elements within a Heritage Conservation Area, they should be used only where strictly necessary. While the safety barriers are a modern element introduced into the conservation area, they are designed to avoid the key heritage areas. These barriers are not considered to have any significant impact on the urban conservation area.

The final section of the Little Hartley Heritage Conservation Area is Kerosene Cottage and Meades Farm (Figure 6.19). Only minor batters are proposed and these would not be visually intrusive. There are currently no intrusions proposed for Meades Farm and Kerosene Cottage nor any safety
fencing in this area. There are no direct or visual impacts by the proposal within the curtilage of these two items.

Figure 6.19: Meades Farm and Kerosene Cottage. SKM

6.2.1.2 Hartley Historic Site

Southern side of highway at Hartley
The next major heritage precinct to be (marginally) affected by the road safety upgrade is the northern edge of the village of Hartley Historic Site. Realignment of the Hartley Village barrier curve and Old Bathurst Road intersection is proposed in order to reduce the sharpness of the curve and provide a safer alignment. Accompanying this will be a widening of the shoulder of the westbound lane, which at present is quite narrow (Figure 6.20 to Figure 6.28). The plan (Figure 6.29) and sections (Figure 6.30, Figure 6.31, Figure 6.32, Figure 6.33) show the extent of the proposed steepening of the batter slopes.
Figure 6.20: Beginning of the batter slope, eastern end. WMW

Figure 6.21: The batter slope adjacent to the northern boundary of the Royal Hotel (extreme right). WMW

Figure 6.22: General view of batter slope, looking west. WMW
Figure 6.23: View of the single, westbound lane and narrow shoulder. Google Streetview

Figure 6.24: Clay and stone surface of existing batter face. WMW

Figure 6.25: Sandstone boulders on crest of batter. WMW
Figure 6.26: Existing batter, with Royal Hotel at right, and St Johns Anglican Church at far left.

Figure 6.27: Section to the east of entrance to Hartley Historic Site showing the extensive filling to widen the shoulder and a retaining wall. The wall is approximately 5 metres from the NPWS property boundary and is about 7.5 metres high. Spackman Mossop Michaels.
Figure 6.28: Approximately 30 metres to the west of the section in Figure 6.29. The fill at this location is much smaller and the retaining wall is not yet at full height. Spackman Mossop Michaels.

Figure 6.29: Plan showing the location of the proposed batter slope with lines for the sections discussed below. SKM
Note that in order to avoid entering the curtilage and property boundary of the Royal Hotel, it has been necessary to steepen the slope of the batter (outlined in green in Figure 6.30 to Figure 6.33). By the time the carriageway reaches chainage 26260, there is no cut but there is some filling of the shoulder. However, this has had no effect on the property boundaries or any significant impact. What would, however, have a major visual impact is the cladding of the southern batter slope that runs for about 100 metres below the Royal Hotel. Given that Hartley Historic Site is on the SHR, it is most important that a cladding appropriate to its age and character be selected. A couple of possible examples are shown in Figure 6.34 and Figure 6.35. The appearance of natural materials should be achieved.
It needs to be borne in mind that of all the batter slopes and retaining walls in the Hartley Valley Safety Upgrade, this particular wall will be the most visible and prominent. Its appropriateness for preparing the visitor psychologically to enter a really old historic site will be judged and remarked upon by the hundreds of thousands of people who travel up and down the highway.

6.2.1.3 Extending the batter on northern side of the highway, toward River Lett valley

In order to be able to loosen the curve of the highway between the approach and entry to Hartley, it is necessary to extend the highway several metres northward (Figure 6.27, Figure 6.28, Figure 6.36). This necessitates the provision of a substantial amount of fill, because the slope down to the River Lett is quite steep. As a batter would need to extend into the NPWS land within the SHR curtilage, Roads and Maritime has chosen to combine the widening with a retaining wall to maintain the works within the road corridor. The total combined height of these, the retaining wall and the sloping batter, will be 5 to 6 metres at the highest point. There would also be a W-shaped metal safety barrier on the outer edge of the shoulder back at road level.

The cross-sections below (Figure 6.38 to Figure 6.43) indicate the extent of the fill and retaining wall required. The blue line indicates the existing ground level and the green line the proposed fill and batter slope at successive chainage sections from east to west. The numbers along the green batter line indicate the slope ratio, while the larger numbers to the right of the retaining wall indicate its distance from the property boundary. The distances from the property boundary is indicated on
the various sections below, it ranges from 1.09 metres, 2.76 metres, 3.56, 4.58 metres and 5.91 metres.

**Figure 6.36:** Plan showing location of the proposed retaining wall on the northern side of the highway. It is located with the road reserve. SKM

**Figure 6.37:** All the components to consider: Royal Hotel at far left, steepest section of slope, entry signs to Historic Hartley and the turnoff. WMW
Figure 6.38: Section A at chainage 26300

Figure 6.39: Section B at chainage 26340

Figure 6.40: Section C at chainage 26370

Figure 6.41: Section D at chainage 26400
Figure 6.42: Section E at chainage 26460

Figure 6.43: Section F at chainage 26490

Figure 6.44: Steep slopes down to River Lett but before possible rubbish dump for hotel.

Figure 6.45: Flat area opposite hotel which might have been part of original rubbish dump.
Figure 6.46: Fence line, possible property boundary, well down slope from the batter. WMW

Figure 6.47: Steepest part of existing slope, opposite turn-off to Historic Hartley. WMW

Figure 6.48: View looking west toward entry to northern side entry road. WMW
Figure 6.49: Poplars near western end of proposed retaining wall and batter. WMW

Figure 6.50: House on west side of entry road to north side and river flats. WMW

Figure 6.51: Junction of entry road to highway, just west of main entry to Hartley. WMW
Figure 6.52 and Figure 6.53 show the intersection of the entry road into the northern section of the SHR area at Hartley. As the new batter slope would commence at the far right side of each image, the non-heritage house in the centre of it would only have an oblique view of the proposed retaining wall, which would in any case be largely screened by existing vegetation. The safety barrier at right indicates what would be added to the outer edge of the new shoulder that would rest on the new batter. As it is a customary feature of the highway, it would not create a visual problem even though the SHR curtilage is present on either side of the highway at this sector.

In general terms, it should be apparent that because of the steep fall of the land down to the River Lett, the batter slope and retaining wall would not be visible while driving along the highway. Nor would it be visible from the village as their view to it would additionally be blocked by the W-safety barrier. Moreover, there are no heritage buildings on the northern side of the highway, and although the former rubbish tip of the Royal Hotel within the SHR boundary has some potential archaeological interest, it has no visual presence. Therefore the widening of the northern side of the road and the retaining wall is considered to have no impact on the State significance of Hartley Historic Site.
6.2.2 Archaeological Impacts, SHR-listed land on the northern side of the Great Western highway, Hartley

The archaeological potential for this property was listed in some detail in the 2009 Corridor Report. This property is listed on the SHR as part of the Hartley Historic Site and has the potential to contain archaeological remains of local significance. Identified archaeological remains located on the northern SHR property include:

- A 20th century road.
- A tennis court.
- Progress Hall (building moved from this site into the main group of Hartley buildings).
- A rubbish dump for the Royal Hotel, which was once on the northern side of the highway.
- Use by the mounted police in the 1830s and 1840s, activities probably limited to grazing.

The remains of the 20th century road, tennis court and progress hall are likely to be ephemeral and not likely to reach the local significance threshold. There were no known structures associated with the use of the land by the mounted police in this area and therefore any remains are likely to be ephemeral. The use of the land as a rubbish dump at the rear of the Royal Hotel building does present some archaeological issues. These remains are likely to be of local significance and therefore relics under the *NSW Heritage Act 1977*. The proposed construction of a retaining wall in the road reserve on the southern side of the property has the potential to uncover remains associated with this rubbish dump. The extent of the rubbish dump is unclear and would need to be established by archaeological testing and salvage. It is possible that the construction works will impact on these potential remains.

6.2.3 Noise and Vibration Impacts

The Noise Vibration report (Technical Paper 5) for this proposal has assessed the operation and construction noise and vibration. The potential vibration impacts are illustrated in figures in Appendix 2. These impacts are identified in Section 4 and are to be managed according to the management measures in Section 5 of Technical Paper 5.

The key issues identified in Technical Paper 5 were:

- That a building condition survey and vibration monitoring would be undertaken where residences are within about 50 metres of the works. This is relevant to all residences, not just heritage buildings.
- It is considered unlikely that there will be any structural damage to buildings but they need to be monitored as a precaution.
- Prepare a Construction Noise and Vibration Management Plan (CNVMP) to detail how the work is to be carried out to minimise the impact of noise and vibration from construction operations.

Heritage items within the 50 metre zone are:

- Rosedale
- Nioka
- Harp of Erin
- Ambermere
- Meades Farm
- Kerosene Cottage
- Hartley General Cemetery
- Five buildings at Hartley Historic Site:
  - St John the Evangelist’s
- Royal Hotel
- Old Tralee
- Former Post office
- The Court House (adjacent)

All these heritage items will require a dilapidation survey and monitoring as outlined in the vibration study.
### 7.0 Statement of Heritage Impact

#### 7.1 Summary of Proposed Heritage Impacts

Table 7.1: Heritage items and proposed impacts.

<table>
<thead>
<tr>
<th>Heritage Item</th>
<th>Proposed works</th>
<th>Visual/Curtilage/Setting</th>
<th>Archaeological</th>
<th>Vibration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Little Hartley Heritage Conservation Area (LHHCA)</td>
<td>Safety barriers, batters Realignment of Coxs River Road</td>
<td>Impacts at Coxs River Road are limited as visibility along this section of the road is reduced by extensive plantings. Height of new section of Coxs River Road is approximately 1 metre higher but is considered to have a minimal impact within the LHHCA.</td>
<td>No impacts</td>
<td>See below for individual building assessment</td>
</tr>
<tr>
<td>Rosedale, Little Hartley</td>
<td>Safety barriers to the east of frontage</td>
<td>Some impact on setting by tree removal and batters.</td>
<td>No impacts</td>
<td>Within impact area.</td>
</tr>
<tr>
<td>Nioka, Little Hartley</td>
<td>Increase of the batter on southern side of the GWH</td>
<td>Some impact on setting by tree removal and batters.</td>
<td>No impacts</td>
<td>Within impact area.</td>
</tr>
<tr>
<td>Billesdene Grange and convict causeway, Little Hartley</td>
<td>Increased batter/retaining wall to the east, works within road corridor</td>
<td>No impact on setting or curtilage</td>
<td>No impact</td>
<td>Outside vibration zone</td>
</tr>
<tr>
<td>Log Cabin Farm Shop, Little Hartley</td>
<td>Increased batters on the northern side of the GWH</td>
<td>No impact</td>
<td>No impact</td>
<td>At edge of zone</td>
</tr>
<tr>
<td>Vacant land (site of new Coxs River Road access), Little Hartley</td>
<td>New access to Coxs River Road. Construction site</td>
<td>Impacts at Coxs River Road are limited as visibility along this section of the road is restricted by extensive plantings. Height of new road is approximately 1 metre higher but is considered to have a minimal impact on the LHHCA. Should finish the eastern side of the batter with grass.</td>
<td>No impact</td>
<td>No impacts</td>
</tr>
<tr>
<td>Harp of Erin, Little Hartley</td>
<td>Minor raising of road</td>
<td>No impact</td>
<td>No impact</td>
<td>Within impact area.</td>
</tr>
<tr>
<td>Ambermere, Little Hartley</td>
<td>Minor raising of road, widening of highway to the east</td>
<td>Minor impact on setting</td>
<td>No impact</td>
<td>Within impact area.</td>
</tr>
<tr>
<td>Meades Farm, Little Hartley</td>
<td>Minor raising of road</td>
<td>No impact</td>
<td>No impact</td>
<td>Within impact area.</td>
</tr>
<tr>
<td>Kerosene Cottage, Little Hartley</td>
<td>Minor raising of road</td>
<td>No impact</td>
<td>No impact</td>
<td>Within impact area.</td>
</tr>
<tr>
<td>Hartley Historic Site and Royal Hotel</td>
<td>Some trimming of the existing slope to the east but not immediately</td>
<td>Appropriate treatment of the face of the southern cutting/battery/retaining wall with natural material</td>
<td>No impact</td>
<td>Five buildings within impact area.</td>
</tr>
<tr>
<td>Heritage Item</td>
<td>Proposed works</td>
<td>Conclusions</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>-----------------------------------------------------</td>
<td>----------------------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Visual/Curtilage/Setting</td>
<td>Archaeological</td>
<td>Vibration</td>
<td></td>
</tr>
<tr>
<td>SHR-listed land on the northern side of GWH, Hartley</td>
<td>adjacent to the hotel.</td>
<td>needed to minimise visual impacts.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Widening of shoulder, new retaining wall, construction.</td>
<td>Isolated location only visible from two nearby houses. No impact on State significance Hartley Historic Site.</td>
<td>Potential impact on Royal Hotel rubbish dump. These potential remains are likely to be of local significance and therefore relics under S140 of the NSW Heritage Act 1977.</td>
<td>No impact</td>
</tr>
</tbody>
</table>

7.2 Visual and Curtilage Analysis

Generally the design of the safety upgrade within Hartley Valley study area has avoided any major heritage constraints. The two key areas of heritage concern are Little Hartley and the southern section of the road near Hartley Historic Site.

7.2.1 Little Hartley

In the area of Little Hartley the design has avoided the identified curtilages of all the heritage items. Part of the proposal within Little Hartley is within the Little Hartley Heritage Conservation Area. There is a realignment of the Coxs River Road will involve raising the road by around 1 metre.

It is considered that the new raised intersection is sufficiently distant from the Lolly Shop and Harp of Erin for it not to be visually disruptive, and the Ambermere Road intersection remains virtually unchanged. This is actually a visual improvement, as the further away the intersection is from Ambermere inn itself, and also Harp of Erin, the better. However, it is considered that people standing in front of either building, or looking through its doors and windows, would not notice the proposed new roadworks. No one appears to use or visit the extreme southeast corner of the Ambermere yard in any case, as a lot of it is marshy. There is also a mound right at the corner which further diminishes visibility of the new junction (Figure 6.16).

Immediately to the west is the one ‘pinch-point’ within the Little Hartley Heritage Conservation Area. Roads and Maritime have taken care to ensure the front boundaries of both Ambermere and Harp of Erin are not adversely impacted, either physically or visually by not placing any new safety barriers within this area or by demolishing of existing fencing or undertaking works in front of the former inns.

7.2.2 Hartley Historic Site

The widening and adjusting of the line of the Great Western Highway below Hartley Historic Site has been undertaken within the existing road reserve. The key elements of the new design are:

- Steepening of the batter on the southern side of the Great Western Highway, to the north of Hartley, for approximately 100 metres.
- Widening of the northern side of the highway and either cutting a steep batter or building a substantial retaining wall to keep the batter approximately 4.5m to 5m distant from NPWS land.
7.2.2.1 Southern side of the highway
In order to avoid entering the curtilage and property boundary of the Royal Hotel, it has been necessary to steepen the slope of the batter (outlined in green in Figure 6.30 to Figure 6.33). By the time the carriageway reaches chainage 26260, there is no cut but there is some filling of the shoulder. However, this has had no effect on the property boundaries or any significant impact. What would, however, have a major visual impact is the cladding of the southern batter slope that runs for about 100 metres below the Royal Hotel. Given that Hartley Historic Site is on the SHR, it is most important that a cladding appropriate to its age and character be selected. A couple of possible examples are shown in Figure 6.34 and Figure 6.35.

7.2.2.2 Northern side of the highway
The widening of the northern shoulder and the retaining wall is considered to have a minor impact on views, only the adjacent house would have an oblique view of the proposed retaining wall, which would in any case be largely screened by existing vegetation. The safety barrier to be built at the top of the slope is also considered not to be visually intrusive.

In general terms, because of the steep fall of the land down to the River Lett, the batter slope and retaining wall would not be visible while driving along the highway. Nor would it be visible from Hartley Historic Site as their view to it would additionally be blocked by the W-safety barrier. Moreover, there are no heritage buildings on this northern side of the highway, and although the former rubbish tip of the Royal Hotel within the SHR boundary has some potential archaeological interest, it has no visual presence.

7.3 Archaeological Analysis
As this assessment has indicated, the proposed works will have no significant impacts within Hartley Valley. The study area does not enter the curtilages of any of the heritage items as identified during earlier phases of this project. The main issue is the impact of the widening of the northern shoulder and the new retaining wall and their construction on the potential Royal Hotel rubbish dumps within the SHR-listed NPWS land at Hartley.

7.3.1 Little Hartley Heritage Conservation Area
The Conservation Area is of local significance and has the potential to contain archaeological remains with historical, social, technical/research, rare and representative significance, representing the growth of Little Hartley as a burgeoning township that acted as a link between Sydney and farmlands in the west of NSW. However, it is believed that the study area has no potential to contain archaeological remains, as it is within the frontages of heritage properties, and in many instances within what would have originally been the alignment of the road west from Sydney. The proposed works will therefore have limited impacts.

7.3.2 The Royal Hotel, Hartley
The Royal Hotel is located within the State significant Hartley Historic Site. The hotel was surrounded by a complex of buildings including stables, a forge, a kitchen and servants quarters to the rear of the building. None of these buildings currently survive but may be present as subsurface remains within the rear parts of the property. Such archaeological remains associated with the building may be of potential State significance. Due to the 1970s works it is considered unlikely that such remains survived and therefore it is considered that there is little or no potential to find such remains.

It has been proposed that a retaining wall measuring up to 5 metre in height be constructed outside the Park’s property boundary, on the southern side of the Great Western Highway. This area has
already been extensively disturbed by the modern highway alignment cutting at the rear of the property. It is unlikely that in situ archaeological remains are preserved in this area.

7.3.3 SHR-listed land on the northern side of the Great Western highway, Hartley
This property, while being listed on the SHR as part of the Hartley Historic Site, has the potential to contain archaeological remains of local significance. Identified archaeological remains located on the northern SHR property include:

- A 20th century road.
- A tennis court.
- Progress Hall (building moved into the main group of Hartley buildings).
- A rubbish dump for the Royal Hotel, which was once on the northern side of the highway.
- Use by the mounted police in the 1830s and 1840s.

The remains of the 20th century road, tennis court and progress hall are likely to be ephemeral and not likely to reach the local significance threshold.

The use of the land as a rubbish dump at the rear of the Royal Hotel building does present some archaeological issues. These remains are likely to be of local significance and therefore relics under the NSW Heritage Act 1977. The proposed construction of a retaining wall in the road reserve on the southern side of the property has the potential to uncover remains associated with this rubbish dump.

7.4 Construction Impacts
There are four separate proposed stockpile or stockpiles/compound sites (Figure 6.1 to 6.6). Three of these sites are not near heritage items or areas of significance.

- At the eastern end at the foot of the Mount Victoria Pass is an existing stockpile site (Figure 6.1).
- There is a proposed stockpile site at the corner of the Browns Gap Road and highway intersection (Figure 6.2).
- Third proposed stockpile site to the west of the River Lett and more than 1 km west of Hartley Historic Site (Figure 6.3).

None of these sites are considered to have any heritage values.

The fourth proposed stockpile and compound site is located on the vacant site at the intersection of Coxs River Road and the highway (Figure 5.11, Figure 6.1, Figure 6.2). This vacant land has been assessed as having no heritage significance.
8.0 Recommendations

8.1 Recommendations
The following recommendations are based on the identified proposed impacts (Chapter 6) and the Statement of Heritage Impact (Chapter 7).

Table 8.1: Recommendations to manage impacts arising from the safety upgrade.

<table>
<thead>
<tr>
<th>Heritage Item / Issue</th>
<th>Visual</th>
<th>Archaeological</th>
<th>Vibration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Little Hartley Heritage Conservation Area (LHHCA)</td>
<td>Placement of safety barriers to be located so as not to impede access to heritage places, notably Ambermere and Harp of Erin.</td>
<td>None</td>
<td>See individual items</td>
</tr>
<tr>
<td>Rosedale, Little Hartley</td>
<td>Shifting of the wire safety barrier further east to prevent visual intrusion from frontage of the building.</td>
<td>None</td>
<td>Within impact area. Implement vibration study mitigation strategies.</td>
</tr>
<tr>
<td>Nioka, Little Hartley</td>
<td>Face barrier with a natural material in order to reduce visual impact.</td>
<td>None</td>
<td>Within impact area. Implement vibration study mitigation strategies.</td>
</tr>
<tr>
<td>Billesdene Grange convict causeway, Little Hartley</td>
<td>Depending upon final design may require appropriate finishing of batter or retaining wall.</td>
<td>None</td>
<td>No impacts</td>
</tr>
<tr>
<td>Log Cabin Farm Shop, Little Hartley</td>
<td>No issues as an individual item but some appropriate treatment of the eastern slope of the batter of the realigned Coxs River Road to be consistent with the current visual quality.</td>
<td>None</td>
<td>At edge of zone</td>
</tr>
<tr>
<td>Vacant land (site of new Coxs River Road access), Little Hartley</td>
<td>Regrassing of the eastern slope of realigned Coxs River Road is preferable to maintain the current visual qualities.</td>
<td>None</td>
<td>No impact</td>
</tr>
<tr>
<td>Heritage Item / Issue</td>
<td>Recommendations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Visual</strong></td>
<td><strong>Archaeological</strong></td>
<td><strong>Vibration</strong></td>
</tr>
<tr>
<td></td>
<td>strategy to ensure appropriate design which can mitigate impacts.</td>
<td>None</td>
<td>Within impact area. Implement vibration study mitigation strategies.</td>
</tr>
<tr>
<td>Harp of Erin, Little Hartley</td>
<td>See above for LHHCA</td>
<td>None</td>
<td>Within impact area. Implement vibration study mitigation strategies.</td>
</tr>
<tr>
<td>Ambermere, Little Hartley</td>
<td>See above for LHHCA.</td>
<td>None</td>
<td>Within impact area. Implement vibration study mitigation strategies.</td>
</tr>
<tr>
<td></td>
<td>▪ Implement landscape character strategy to ensure appropriate design which can mitigate impacts.</td>
<td>None</td>
<td>Within impact area. Implement vibration study mitigation strategies.</td>
</tr>
<tr>
<td>Meades Farm, Little Hartley</td>
<td>See above for LHHCA</td>
<td>None</td>
<td>Within impact area. Implement vibration study mitigation strategies.</td>
</tr>
<tr>
<td>Kerosene Cottage, Little Hartley</td>
<td>See above for LHHCA</td>
<td>None</td>
<td>Within impact area. Implement vibration study mitigation strategies.</td>
</tr>
<tr>
<td>Hartley generally</td>
<td>▪ Use natural material (or natural appearing material) for facing of cutting on the southern side of the highway to reduce visual impact.</td>
<td>None</td>
<td>Five buildings within impact area. Implement vibration study mitigation strategies. Undertake consultation with Hartley Historic Site to appropriately manage this issue.</td>
</tr>
<tr>
<td>Royal Hotel, Hartley</td>
<td>None</td>
<td>None</td>
<td>Within impact area. Implement vibration study mitigation strategies.</td>
</tr>
<tr>
<td>Cutting/possible retaining wall on northern side of Royal Hotel</td>
<td>▪ Appropriate facing of cutting on the southern side of the highway. ▪ The proposed facing needs to be sympathetic to the historic context. ▪ Implement landscape character strategy to ensure heritage-sensitive design for retaining wall (such as the use of natural appearing finishes) which can mitigate visual impacts.</td>
<td>None</td>
<td>N/A</td>
</tr>
<tr>
<td>SHR land on the northern side of</td>
<td>▪ Appropriate facing of cutting on the northern side of the</td>
<td>▪ Testing/salvage of the area to ascertain the</td>
<td>No impact</td>
</tr>
<tr>
<td>Heritage Item / Issue</td>
<td>Recommendations</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td>-----------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>the GWH, Hartley</td>
<td>Visual</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| highway. The proposed facing needs to be sympathetic to the historic context.  
  - Implement landscape character strategy to ensure appropriate design using natural finishes.  
  - Prior to construction install fencing and signage to ensure management of construction zone and that machinery and trucks do not enter into NPWS estate. | Archaeological  
  - nature of any archaeological remains. This will require a S140 permit, as it involves the removal of archaeological remains of potential local significance.  
  - Undertake salvage of remains of the rubbish dump in accordance with S140 approval and Research Design.  
  - Write a S140 application and Research Design.  
  - Undertake consultation with Hartley Historic Site generally and to see if they are willing to take possession of any artefacts salvaged from the site, following cataloguing and any necessary conservation.  
  - If the works are partially within the SHR boundary may also require a S60 approval or S57(2) Exemption. Preference is to avoid the SHR area. | Vibration |
| Unexpected archaeological finds |    |
|    |    |
|    |    |
|    | Implement Roads and Maritime’s Unexpected Archaeological finds Procedure (RMS 2011). |
9.0 Bibliography

9.1 Bibliography


Casey & Lowe September 2009, *Phase 2 Corridor Options, Historic Heritage, Mt Victoria to Lithgow*. Report for SKM on behalf of the NSW RTA.


Casey & Lowe 2012a *Non-Aboriginal Heritage, Preferred Route Corridor Study, Great Western Highway Upgrade*, for Mount Victoria to Lithgow Alliance, July 2012.


Davies, P. 2010 *Lithgow City Council Development Control Plan*, Lithgow City Council.


Rosen, S. 2006b, “That Den of Infamy, the No. 2 Stockade Cox’s River”, An historical investigation into the construction, in the 1830s, of the Western Road from Mt Victoria to Bathurst by a convict workforce, unpublished PhD thesis for the University of Western Sydney.
Appendices
Appendix 1: Historical research from earlier reports
Appendix 2: Vibration plans in relation to heritage Items
Appendix 1: Historical Research from Earlier Reports

History taken from:
Casey & Lowe, Non-Aboriginal Heritage Preferred Route Corridor Study, Great Western highway Upgrade, report to the Mount Victoria to Lithgow Alliance, July 2012.

1.0 Historical Background to the Little Hartley and Hartley

1.1 History of Little Hartley

1.1.1 Little Hartley, its inns and stores\(^1\)

The completion of Coxs Road in 1815 did not instantly bring much traffic to the west but as government policy towards western expansion mellowed and land grants were issued in increasing numbers in the 1820s, there was a perceived need for an accommodation house with a liquor licence in Hartley Valley. However, the establishment of inns was slow in the 1820s. Pierce Collits opened one of the first inns in Hartley Valley, the Golden Fleece, in 1823 where Lawsons Long Alley curved west to join Coxs Road.\(^2\) This remained the only service in Hartley Valley until Mitchell's new highway in 1832.

The hamlet of Little Hartley was essentially created by Thomas Mitchell’s new line of road down Victoria Pass but the process of granting parish portions along the road was protracted. The area under review extends from the intersection of the new Western Road with Coxs River Road running through portion 33 and includes portions 144 and 95 (Figure 1.2). Four key figures in the development of the locality of Little Hartley were Pierce Collits, John Grant, Michael Flanagan and John William Berghofer.

![Figure 1.1: The Great Western Highway at Little Hartley, taken from the west, in 1872. Source: Mitchell Library, State Library of NSW, Holtermann photographs 1/17741.](image)

\(^{1}\) I. Jack’s history in Casey & Lowe 2009.

\(^{2}\) Collits, Pierce (1769?-1848)', Australian Dictionary of Biography.
Pierce Collits had arrived on the *Minorca* in 1801 after being convicted of receiving stolen goods. His wife, Mary, arrived at the same time as a free settler and was granted land at Evan on the Nepean River, where she was joined by her husband.\(^3\) In May 1811 Collits received his conditional pardon and in 1821 was granted permission to move west, into the interior. He established himself in the Vale of Clwydd and constructed The Golden Fleece inn, at the foot of Mount York. Collits also ran sheep and cattle on the 200 acres of land he was granted in the area in 1825. In 1830 Sir Ralph Darling, who had praised The Golden Fleece inn in 1829, ordered Collits another 150 acres of land and appointed him deputy-postmaster.

The success of The Golden Fleece was threatened by the creation of Thomas Mitchell’s new road through the Victoria Pass. In response to this Collits applied for a grant near the intended line of Mitchell’s road, hoping that a surveyed village would cluster round his new Royal Garter Inn (Billesdene Grange, Table 3.1). However, Little Hartley did not become a nucleated village, but a hamlet instead, with houses spread out along a single street, the Great Western Highway (Figure 1.1). The Royal Garter did not lie directly on the new line of road and immediately faced competition from the Harp of Erin, opened by Michael Flanagan in 1832 as a store as well as a public house. The western end of the Harp of Erin today is the oldest continuously occupied store over the mountains, with the store closing only in the 1960s.

The two portions on the Western Road to the west of The Harp of Erin, portions 95 and 144 (Figure 1.2), were not officially occupied until 7 July 1858\(^4\). After a land-sale at Hartley on 18 March 1858, John Grant senior, purchased the two lots, totalling 66 acres and in 1861 he also bought the 35 acres to the south, portion 105 (Figure 1.2, \(5\)). These two portions are immediately west to the Harp of Erin and are cut through by the preferred route corridor.

\(^3\) *Australian Dictionary of Biography*, Pierce Collits (1769 – 1848)

\(^4\) This is the land immediately to the west of the Harp of Erin through which the bypass would cross.

\(^5\) *LPMA*, C138.1507, 1857; Hartley parish map annotations.
John Grant is a particularly interesting example of rehabilitation under Governor Macquarie. He came from a difficult background. Grant was an Irish Catholic convict, convicted of attempted murder and transported for life in 1810. His family life in Ireland had been unsettled: his sister was executed there for murder in 1810 and his brother Jeremiah, a well-known highwayman, was also executed in Ireland in 1816.

John, however, worked hard in Australia. He prospered in the service of William Redfern and was given a ticket-of-leave by Macquarie in 1817 and a pardon in 1820. In 1814 John Grant had married another Irish convict, Jane O’Brien, and established a family. His first land purchase was 60 acres in the Minto district in 1821 and then, because of his connection with Redfern, moved over the Mountains, establishing Moyne farm in Kanimbla Valley in 1822-1823 where he prospered. After his wife’s death in 1826, he expanded his interests further west, on the Lachlan and Belubula Rivers, establishing a major station near the site of the later town of Canowindra. He expanded in the 1830s along the Lachlan, grazed the site of Cowra and squatted on what became a major run, called Merriganowry. Grant maintained a substantial presence both on Coxs River and on the Lachlan.6

Moyne farm was reached by a track branching off Coxs Road and its successor routes within Hartley Valley. It is noticeable that on the earliest survey of Mitchell’s proposed line of road, made by surveyor Larmer in July 1832, part of this track is shown at right angles to the new road alignment, and labelled “To Grant’s” (Figure 1.3).7

Figure 1.3: The track ‘To Grant’s’ shown on Larmer’s survey of roads in Hartley Valley on 27 July 1821. State Records NSW, Map 5024.

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7 State Records NSW, Map 5024.
Coxs River Road was aligned through Michael Flanagan’s Harp of Erin property, and the Grant family of Moyne of course knew the Flanagan’s. The two Irish Catholic families became intimately linked when Rose Flanagan, Michael’s sister, married John Grant’s eldest child, Jeremiah, in 1836, when Jeremiah was 21. Jeremiah and his bride went off to the Lachlan to manage John Grant’s properties there and produced seven children between 1837 and 1853.\(^8\)

Michael Flanagan’s brother, William, married Jeremiah Grant’s young sister, Elenor, about 1836 and in the 1840s, when John Grant had moved to Lowther Park nearby, Elenor and William Flanagan lived at Moyne farm.\(^9\)

Michael Flanagan also left for the Lachlan area around 1836 and seems to have left portion 33 in the care of John Grant (Figure 1.5).\(^10\) When the grant of the Harp of Erin property was finally registered in 1839, it is likely that John Grant was in control. Grant purchased Lowther Park, on what is now Jenolan Caves Road, around this time.\(^11\)

Grant commuted between his Hartley properties, Moyne and Lowther Park, and his Lachlan runs. He continued to invest in land, but it is not known why he obtained the two portions adjacent to the Harp of Erin in 1858 and portion 105 adjacent three years later, although this was an obviously desirable consolidation of land on the Western Road.

John Grant died in 1866 and his estate was distributed according to his will. The Grant family transferred portion 144 to an Elizabeth Lewington in 1873 and in 1878-1879 transferred portions 95 and 105 to her husband, William Lewington. The Lewingtons at this time ran the store on portion 33, the former Harp of Erin, so the effective consolidation of the four portions was resumed.\(^12\)

After the death of William Lewington, the store and position of postmaster was taken over by a Henry Williams. The other three portions of the property were reconsolidated in the hands of John William Berghofer, a prominent German settler in the area, who was President of the first local Shire Council and the creator of Berghofer’s Pass (refer to Section 3.2.5).\(^13\)

In 1919 Berghofer transferred the whole bundle of three portions as an entity to Mary Baaner, a member of the family who had taken over Bonnie Blink in Baaners Lane in 1916 and were successful apple orchardists. On Mary’s death in 1929, it passed to Oliver Alexander Baaner, who in 1934 sold the combined property to Eveline May Mathews, the wife of a garage proprietor in Mount Victoria. Mrs Mathews converted the title to Torrens in 1937.\(^14\)

There is no evidence of buildings being constructed on any of the three portions 95, 105 and 144 and there is no evidence about their use. It was likely associated with the use of the Harp of Erin and may have been limited to cattle grazing.

Other rival hostelries in Little Hartley in the 1830s were short lived with the notable exception of the Victoria Inn (Rosedale), opened in 1839 and intermittently licensed until 1893. The Victoria Inn, a gracious Georgian two-storey house built in ashlar, still impresses travellers as they come towards Little Hartley after descending Victoria Pass. In the 1840s it had competition within the hamlet from the Rose Inn, now Ambermere, built by a son of Pierce Collits, and facing the Harp of Erin across

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\(^12\) State Records NSW, Primary Application form, 6/10366, 33151.
\(^14\) State Records NSW, Primary Application form, 6/10366, 33151.
Mitchell’s highway. Rivalry for the coaching contract was intense when coaches ran regularly to Bathurst and the Rose benefited from this in the 1860s.

The establishment of the oil-shale works in Hartley Vale in 1865 brought a new population to the area. There were no licensed premises in the company town at Hartley Vale, so in 1866 the Kerosene Hotel (Meades Farm) opened in Little Hartley (Figure 6.2). The building is thought to have been built by Hugh Beattie as a farm house c. 1856-57. It may have been leased by c.1860 to John Lewis Meads. It became a tradition that on each pay-day at the Hartley Vale oil works, the men would march behind their brass band across country to the Kerosene Hotel. But all this ended when the Comet Inn was built in Hartley Vale village in 1879 and the Kerosene Hotel reverted to being a farmhouse in 1882 and is still known as Meads Farm today.\(^{15}\)

Little Hartley was fairly somnolent in the late Victorian and Edwardian period but the coming of the motor car prompted the building of a bed-and-breakfast and dance hall in the early 1930s, followed by the Log Cabin, serving afternoon teas in an American-style context. Under the name of Cockatoo Cabin, this café still flourishes.

![Figure 1.4: The buildings on Little Hartley along Mitchells Pass.](image-url)

\(^{15}\) Siobhan Lavelle with R. Ian Jack, ‘Historical Archaeological and Heritage Assessment: Upgrading of the Great Western Highway, Little Hartley, NSW’, report to Musecape Pty Ltd, April 1999, 5-8. LCC, Heritage Inventory, Meades Farm
1.1.2 Rosedale

The history of the land on which Rosedale was constructed is complicated. Rosedale, then the Victoria Inn, and its separate kitchen and stable was built in 1839 by William Cummings Snr on land he had purchased two years earlier. However, it is possible that two inns built by Pierce Collits were also located on or near this site, prior to the construction of Rosedale. The first of these possible inns was “The Rising Sun”. This was licensed by his daughter Amelia and her husband John Skene, an ex-convict overseer on the Victoria Pass. This became The Bridge inn, licensed in 1836 and run by Sophia Collit, the eldest daughter of Pierce, with her husband Thomas Rawsthorne. The Bridge was a great source of trouble to police magistrate Day (housed at the Royal Garter). The Bench books include a case where the magistrate himself discovered two of his convict servants returning home drunk from the inn. In 1837 the licence for The Bridge inn was not renewed. The second Collits Inn that may have been located on the site was The Kings Arms. This was operated by Sophia Collit/Rawsthorne after the death of her husband. It is possible that this operated from the same building as The Bridge, or replaced The Bridge. In the deposition of a Patrick O’Connor in a hearing of 17 August 1838 there is a reference to ‘Rawsthorne’s Public House at the foot of Mount Victoria’.

16 Lithgow Heritage Inventory sheet, Rosedale, SHI no. 1960145.
In 1839 William Cummings Snr located his Victoria Inn, now Rosedale, at the foot of the Victoria Pass. A Holtermann image from 1872 shows this strategic location (Figure 1.6). When William Cummings died in 1848 the Victoria Inn was inherited by his son, William. From 1866 to 1869 the licence to the inn was held by John Lewis Meads of Mead’s farm. It was then purchased by Charles McPhillamy, a magistrate from Bathurst. McPhillamy used the building as a private residence until 1876 when Meads purchased the house and restored the licence, holding it until his death in 1878. At this point a Nicholas Delaney took over the licence. He transferred it to Nioka, the property next door. By 1892 the property was sold to J W Berghofer, who named the building Rosenthal. Due to anti German sentiment during WWI the property was renamed Rosedale. Berghofer’s widow lived in the property until her death in 1940 when it was bought and renovated. After 1967 the property was run as the Dale Poll Hereford Stud.

Figure 1.6: View of the Victoria Inn/Rosedale looking towards the Victoria Pass. The former entry to The Farriers Arms/Nioka is located in the right foreground Source Mitchell Library, State Library of NSW, Government Printing Office 1-05515.

1.1.3 Nioka – Section of old road

Nioka is a mid to late 19th century inn building on the line of Mitchells Road and is representative of an ongoing relationship between public buildings and the road into the late 1800s. Nioka is located on the Great Western Highway, west of Rosedale (the Victoria Inn) and south of Billesdene Grange with its convict stone causeway (Figure 1.4).

The lower storey of the current Nioka property was opened as an inn in 1856 by James Bergin as the Farriers Arms Inn. Bergin remained the licensee of the inn until 1868. The upper storey is

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20 Lithgow Heritage Inventory sheet, Rosedale, SHI no. 1960145.
21 Lithgow Heritage Inventory sheet, Rosedale, SHI no. 1960145.
22 Lithgow Heritage Inventory sheet, Rosedale, SHI no. 1960145.
probably an 1880s addition constructed by the then licensee Nicholas Delaney.\textsuperscript{24} The building remained in use as an inn until 1904 when it was bought as a private residence.

The Farriers Arms was originally accessed from Mitchells Road west of the Victoria Inn or present day Rosedale (Figure 1.6). This access road sloped upwards above the level of the highway (which also sloped upwards at this point). The highway upgrades in the last 50 years have lowered the level of the road considerably and eliminated much of the original grade. The top part of the original entry road is still visible within the current road corridor.\textsuperscript{25} Remnants of a former road alignment can be seen to the west of Nioka (Figure 1.7). It is possible this is the remains of the original entry and exit loop south of the highway.\textsuperscript{26}

![Figure 1.7: Remnant section of road alignment west of Nioka. C&L 2011.](image)

1.1.4 Billesdene Grange

The current Billesdene Grange building, originally known as the Royal Garter Inn, was built by Pierce Collits around 1831-32. Collits had already been running The Golden Fleece Inn (Settlers Arms) at the foot of Mount York, on the old road, since 1823. During the late 1820s alternative descents of Mount York were being discussed and in 1827 Mitchell endorsed a route originally proposed by Hamilton Hume.\textsuperscript{27} This route would isolate Collits’ Golden Fleece Inn considerably. Mitchell asked


\textsuperscript{25} Lavelle and Jack 1999: 7.

\textsuperscript{26} These conclusions also reached by Lavelle and Jack 1999: 7.

\textsuperscript{27} Rosen, S. “That Den of Infamy, the No.2 Stockade Cox’s River” – An historical investigation into the construction, in the 1830s, of the Western Road from Mt Victoria to Bathurst by a convict workforce, unpublished PhD Thesis, University of Western Sydney, 2006.
Pierce Collits petitioned the governor for a grant of land on the new line of road near the village reserve at the foot of Mount Victoria. On the 1 July 1830 he obtained the licence for an inn under the sign of “The Royal Garter”. He was granted 200 acres adjoining the village reserve and he built The Royal Garter Inn on the south eastern boundary of this grant in 1832, between a hill and low lying land along which Collits expected Mitchell to lay his new road. Unfortunately, Mitchell’s road followed high ground around the shoulder of the ridge, approximately 150 metres from Collits’ Inn. A stone causeway was constructed to link the property with Mitchell’s line of road.

Due to its distance from the main road, increasing competition from new inns being located more favourably in the area, and the movement of the proposed village of Hartley further to the west, the Royal Garter was not particularly successful. From 1836 to 1839 the building was instead leased to the first police magistrates in the Vale of Clywd. The inn housed the Court of Petty Sessions, Police Station and Lockup until the construction of the new Hartley Court House in 1837. In 1870 Pierce Collits’ son, Joseph, inherited the property and leased it to the police magistrate at Hartley, a Thomas Henry Neale, who renamed the property Billesdene Grange. Neale purchased 7 acres of the property including the house in 1877.

During the 1920s the property was owned by James and Alfred Harris who partially cleared it to establish the first Harris Brothers Billesdene Grange apple orchards. In 1930 James Harris (the sole owner since 1926) planted the poplars along the highway boundary. An apple cool store was also constructed during this period. Oral history suggests that this was the first apple coolroom outside Sydney.

In 1946 the kitchen block and servants’ quarters were demolished. In 1965 the Department of Main Roads (DMR) resumed land from the property. This included the roadside shop and several rows of trees from the apple orchard. Part of the stone causeway was also removed at this time and the stones used to widen the causeway further to the west. The DMR constructed a new brick shop in 1966 to replace that which was resumed. It is alleged to be a replica of the earlier structure. The property is currently owned and occupied by Marcia Osterberg-Olsen.

1.1.5 Log Cabin Farmhouse Village Shop

The Log Cabin Farmhouse Village Shop was built in 1937. Local oral tradition does not indicate that an earlier building stood in this location but that does not rule out this possibility. The colonial section of the complex is poorly documented, although there are references to its use as a dance hall in the 1930s and as a shale workers’ barracks.

Right from the beginning the property was intended to be a site of interest for tourists and passing motorists, and built in the style of an American vernacular log cabin. Since then extensions have been added and the interior considerably altered. The property is still in use as a restaurant/shop.

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29 Osterberg-Olsen, M., pers. comm., 19 April, 2011.
30 Billesdene Grange, Lithgow Heritage Inventory Sheet, SHI no. 1960144.
32 Lavelle 1999: 25.
34 Osterberg-Olsen, M. pers. comm. 19 April, 2011.
35 Log Cabin Farmhouse Village Shop Lithgow Heritage Inventory Sheet SHI no. 1960147.
1.1.6 Harp of Erin

The 100 acres of portion 33 were surveyed in 1832 for Michael Flanagan, a young Irishman whose parents had come free to New South Wales (Figure 1.8). The grant was not finalised until 27 July 1839, although Flanagan had opened the Harp of Erin there in 1832 and had in fact left the district around 1836.

It is unlikely that this structure was substantial. Flanagan held the licence to the inn for the next three years. It continued to function as an inn until 1857 when it was acquired by George Jarvis who converted it into a general store and post office. It is likely that the additional buildings to the east were constructed during this period, as shown in Figure 1.9.

Figure 1.8: Portion 33, Parish of Hartley, surveyed in 1832 for Michael Flanagan, LPMA, C19.691.

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36 H.C. Dalziell, ‘Some Early History of the Area between Hartley and Bathurst’, Blue Mountains Historical Society, 5-6; LPMA, C19.691, 1832.
37 Lithgow Heritage Inventory, SHI no. 1960149
When Jarvis died in 1867 his wife, Elizabeth, inherited the property. She remarried William Lewington in 1870. Elizabeth and William died in 1878 and 1882 respectively and Henry Williams took over the position of postmaster until his death in 1922. The Williams family moved their ‘Balmain Store’ from Hartley Vale when the shale mines closed and rebuilt it on the site of the inn, probably replacing the earlier wattle and daub part of the structure.\(^{38}\) The store was in operation until the 1960s. A photograph taken in 1967 shows the changes that had been made to the buildings since the late 1800s (Figure 1.10). In more recent years this part of the building has been used as a real estate office and a gallery.

1.1.7 Ambermere

Ambermere was constructed in the 1840s by Pierce Collits’ son, Joseph (Table 3.1). The building was called the Rose Inn and was constructed to take advantage of the increasing traffic through the region after the construction of Mitchell’s road (Figure 1.11). Its position immediately opposite the Harp of Erin, constructed in the 1830s, put it in competition for the passing trade. Joseph held the licence for the Rose Inn between 1846 and 1848. A number of individuals held the licence from 1848 to 1873 when the property was purchased by T.H. Neale, the Hartley police magistrate. Throughout the 1860s the inn held the valuable contract with Cobb & Co. whose coaches ran through the region twice a week.

Figure 1.11: The Rose Inn, modern Ambermere, Little Hartley, taken by the American & Australasian Photographic Company 1870–1875. Source: ML Home & Away 38734.

1.1.8 Meades Farm

Meades Farm is an historic inn which was once a farm (Figure 5.2). It is listed on the Lithgow LEP in 1856 portion 40 in Hartley parish which was granted to Hugh Beattie. Beattie quickly acquired other land-grants adjacent to the 40 hectares (100a) of portion 40: he had built up by 1858 a consolidated farm of 70 hectares (176a), comprising portions 40, 59, 75, 76. It is likely that the core of the present house was built by Beattie as a farm homestead around 1856-57. John Lewis Meads arrived in the colony from England just at this time. It is not known when he came to Little Hartley but since the property has long been known as Meads Farm, it seems likely that he was leasing the property from Beattie by c. 1860 and running it as a farm. In 1865 the oil-shale mines and processing plant opened in Hartley Vale, manufacturing kerosene, among other oil products. The farmhouse was

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39 Lithgow Heritage Inventory, Ambermere SHI NO. 1960143
40 Lithgow Heritage Inventory, Ambermere SHI NO. 1960143
41 Lithgow Heritage Inventory, Ambermere SHI NO. 1960143
converted and almost certainly extended to its present form as the Kerosene Hotel in 1866. The first licensee was John Martin, succeeded in 1871 for two years by J L Meads himself. Thereafter Samuel Ward (a liddleton farmer) held the license from 1873 until his death in 1882. In the meantime, Meads had died in 1878.  

1.1.9 Summary of Little Hartley Inns

<table>
<thead>
<tr>
<th>Inn name</th>
<th>Date established</th>
<th>Builder</th>
<th>Current name of site</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Royal Garter Inn</td>
<td>1831/2</td>
<td>Pierce Collits</td>
<td>Billesdene Grange</td>
<td>159 metres off from Mitchell’s line of road. Pierce Collits constructed this Inn after his Golden Fleece was isolated by a new road. He petitioned the governor for a grant of land on the new line of road near the village reserve at the foot of Mount Victoria. On the 1 July 1830 he obtained the licence for an inn under the sign of “The Royal Garter”. Unfortunately Mitchell’s new road would isolate this Inn also, and a 150m long road and causeway had to be constructed to link the Inn with the new road. The Inn was never particularly successful.</td>
</tr>
<tr>
<td>The Harp of Erin</td>
<td>1832</td>
<td>Michael Flanagan</td>
<td>The Harp of Erin</td>
<td>The 100 acres of portion 33 were surveyed in 1832 for Michael Flanagan, a young Irishman whose parents had come free to New South Wales (Figure 1.8). The grant was not finalised until 27 July 1839, although Flanagan had opened the Harp of Erin there in 1832 and had in fact left the district by 1839. The Harp of Erin was converted to a general store and post office in 1857 under George Jarvis.</td>
</tr>
<tr>
<td>The Rising Sun</td>
<td>1835</td>
<td>Amelia Collits and John Skene</td>
<td>Site of Rosedale (?)</td>
<td>Unnamed and unlicensed inn on land without legal title. This was probably made of wattle and daub and timber slabs. No remains are known. “Folklore locates it below and on the same side of the highway as the stockade not far from a corduroy (log) bridge over a creek”. Pierce’s eldest daughter Sophia then applied to have the same building licensed under the sign of “The Bridge”.</td>
</tr>
<tr>
<td>The Bridge Inn</td>
<td>1836</td>
<td>Thomas Rawsthorne and Sophia Collits</td>
<td>Site of Rosedale (?)</td>
<td>Licence not renewed in 1837. This was a great source of trouble to Police Magistrate Day (housed at the Royal Garter). The Bench books include a case where the magistrate himself discovered two of his convict servants returning home drunk from The Bridge.</td>
</tr>
<tr>
<td>The Kings Arms</td>
<td>1838</td>
<td>Sophia Rawsthorne</td>
<td>Site of Rosedale (?)</td>
<td>After Sophia was widowed she remained the licensee. In the deposition of Patrick O’Connor in a hearing of 17 August 1838 there is a reference to “Rawsthorne's Public House at the foot of Mount Victoria”. It is possible this operated from the same building as The Bridge.</td>
</tr>
<tr>
<td>The Mount Victoria Inn</td>
<td>1839–1870</td>
<td>William Cummings(?)</td>
<td>Rosedale</td>
<td>In 1839 William Cummings Snr located his Victoria Inn, now Rosedale, at the foot of the Mount Victoria Inn.</td>
</tr>
</tbody>
</table>

42 Extract form The Lithgow Heritage, SHI 1960141 Inventory
43 H.C. Dalziell, ‘Some Early History of the Area between Hartley and Bathurst’, Blue Mountains Historical Society, 5-6; LPMA, C19.691, 1832.
44 Pers. comm. Marcia Osterberg-Olsen
45 Pers. comm. Marcia Osterberg-Olsen
<table>
<thead>
<tr>
<th>Inn name</th>
<th>Date established</th>
<th>Builder</th>
<th>Current name of site</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Rose Inn</td>
<td>1845</td>
<td>Joseph Collits</td>
<td>Ambermere</td>
<td>Joseph held the licence for the Rose Inn between 1846 and 1848. A number of individuals held the licence from 1848 to 1873 when the property was purchased by T.H. Neale, the Hartley police magistrate. Throughout the 1860s the inn held the valuable contract with Cobb &amp; Co. whose coaches ran through the region twice a week.</td>
</tr>
<tr>
<td>The Farriers Arms</td>
<td>1856</td>
<td>James Bergin</td>
<td>Lower storey of Nioka</td>
<td>The lower storey of the current Nioka property was opened as an inn in 1856 by James Bergin as the Farriers Arms Inn. Bergin remained the licensee of the inn until 1868. The licence for The Mount Victoria Inn (Rosedale site) was transferred to this building, believed to be the lower storey of Nioka, around 1878. The upper storey is probably an 1880s addition constructed by the then licensee Nicholas Delaney. The building remained in use as an inn until 1904 when it was bought as a private residence.</td>
</tr>
<tr>
<td>The Kerosene Inn</td>
<td>1866</td>
<td>John Martin</td>
<td>Meades Farm</td>
<td>This portion of land (portion 40) was bought by Hugh Beattie around 1844, residential. Then bought by George and Elizabeth Jarvis (Harp of Erin) before 1867 when he died. Turned into the Kerosene Inn in 1866 under publican John Martin. The property was then leased to John Lewis Meads, licensee from 1871 to 1873. In 1878 Elizabeth Jarvis died, at some point before this she had sold portion 40 to Thomas Stephenson Rowntree (Balmain sea captain). By 1882 (3 years after the opening of the Comet Inn in Hartley Vale) the Kerosene Inn closed (presumably due to the lack of trade now that the rival inn had opened right next to the shale works).</td>
</tr>
</tbody>
</table>

46 Lithgow Heritage Inventory sheet, Rosedale, SHI no. 1960145.  
47 Lithgow Heritage Inventory sheet, Rosedale, SHI no. 1960145.  
48 Lithgow Heritage Inventory, Ambermere SHI NO. 1960143  
1.2 Portions 95, 105 and 144, parish of Hartley, County Cook

1.2.1 John Grant and Little Hartley
The hamlet of Little Hartley was created by Thomas Mitchell’s new line of road down Victoria Pass, but the process of granting parish portions along the road was protracted. The area under review extends from the intersection of the new Western Road with Coxs River Road running through portion 33 and includes portions 144 and 95 (Figure 1.12).

Figure 1.12: Portions of land in Little Hartley. Parish map of Hartley, county Cook, 2nd ed. 1888. PMLA, PMap, OE06 11260701.

The 100 acres of portion 33 were surveyed in 1832 for Michael Flanagan, a young Irishman whose parents had come free to New South Wales (Figure 1.13). The grant was not finalised until 27 July

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51 This section contains additional research to understand the potential archaeological issues for the new alignment of Coxs River Road.
52 H.C. Dalziell, ‘Some Early History of the Area between Hartley and Bathurst’, Blue Mountains Historical Society, 5-6; LPMA, C19.691, 1832.
1839, although Flanagan had opened the Harp of Erin there in 1832 and had in fact left the district by 1839.

Figure 1.13: Portion 33, parish of Hartley, surveyed in 1832 for Michael Flanagan, LPMA, C19.691.

The two adjacent portions on the Western Road to the west of Flanagan’s land, portions 95 and 144, were not officially occupied until 7 July 1858. After a land-sale at Hartley on 18 March 1858, John Grant, senior, purchased the two lots, totalling 66 acres and in 1861 he also bought the 35 acres to the south, portion 105 (Figure 1.14).\textsuperscript{53}

\textsuperscript{53} LPMA, C138.1507, 1857; Hartley parish map annotations.
Figure 1.14: Little Hartley, portions 95, 144, 105. LPMA, C138.1507, 1857.

John Grant is a particularly interesting example of rehabilitation under Governor Macquarie. He came from a difficult background. Grant was an Irish Catholic convict, convicted of attempted murder and transported for life in 1810. His family life in Ireland had been singularly unsettled: his sister was executed there for a quite separate murder in 1810 and his brother Jeremiah, a well-known highwayman, was also executed in Ireland in 1816.

John, however, worked hard in Australia. He prospered in the service of William Redfern and was given a ticket-of-leave by Macquarie in 1817 and a pardon in 1820. In 1814 John Grant had married another Irish convict, Jane O’Brien, in 1814 and established a family. His first land purchase was 60 acres in the Minto district in 1821 and then, because of his connection with Redfern, moved over the Mountains, establishing Moyne farm in Kanimbla Valley in 1822-1823. He prospered. After his wife’s death in 1826, he expanded his interests further west, on the Lachlan and Belubula Rivers,
establishing a major station near the site of the later town of Canowindra. He expanded in the 1830s along the Lachlan, grazed the site of Cowra and squatted on what became a major run, called Merriganowry. Grant maintained a substantial presence both on Coxs River and on the Lachlan.\textsuperscript{54}

Moyne farm was reached by a track branching off Coxs Road and its successor routes within Hartley Valley. It is noticeable that on the the earliest survey of Mitchell’s proposed line of road, made by surveyor Larmer in July 1832, part of this track is shown at right angles to the new road alignment, and labelled ‘To Grant’s’ (Figure 1.15).\textsuperscript{55}

When Michael Flanagan’s grant was surveyed in 1832, Coxs River Road was already in existence, leaving the Western Road to the east of Flanagan’s grant and curving southwards around the contours within his 100 acres (Figure 1.13).\textsuperscript{56}

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{image}
\caption{Figure 1.15: The track ‘To Grant’s’ shown on Larmer’s survey of roads in Hartley Valley on 27 July 1821. State Records NSW, Map 5024.}
\end{figure}

\textsuperscript{54} The information about John Grant’s life comes from Jacqueline Grant, \textit{Providence: the Life and Times of John Grant (1792-1866)}, author, Bathurst 1994.
\textsuperscript{55} State Records NSW, Map 5024.
\textsuperscript{56} LPMA, C19.691, 1832.
Coxs River Road ran through Michael Flanagan’s Harp of Erin property, and the Grant family of Moyne of course knew the Flanagans. The two Irish Catholic families became intimately linked. Rose Flanagan, Michael’s sister, married John Grant’s eldest child, Jeremiah, in 1836, when Jeremiah was 21. Jeremiah and his bride went off to the Lachlan to manage John Grant’s properties there and produced seven children between 1837 and 1853.  

Michael Flanagan’s brother, William, married Jeremiah Grant’s young sister, Elenor, about 1836 and in the 1840s, when John Grant had moved to Lowther Park nearby, Elenor and William Flanagan lived at Moyne farm.

Michael Flanagan also left for the Lachlan area around 1836 and seems to have left portion 33 in the care of John Grant. When the grant of the Harp of Erin property was finally registered in 1839, it is likely that John Grant was in control. This was also the time that Grant purchased Lowther Park on what is now Jenolan Caves Road.

Grant commuted between his Hartley properties, Moyne and Lowther Park, and his Lachlan runs. He continued to invest in land, but it is not known why he obtained the two portions adjacent to the Harp of Erin in 1858 and portion 105 adjacent three years later, although this was an obviously desirable consolidation of land on the Western Road.

John Grant died in 1866 and his estate was distributed according to his will. The Grant family transferred portion 144 to Elizabeth Lewington in 1873 and in 1878-1879 transferred portions 95 and 105 to her husband, William Lewington. The Lewingtons at this time ran the store on portion 33, the former Harp of Erin, so the effective consolidation of the four portions was resumed.

After the death of William Lewington, the properties separated and the store on portion 33 remained separate under the Williams family. The other three portions were, however, reconsolidated in the hands of John William Berghofer by 1905. Berghofer was a prominent German settler in the area, who was President of the first local Shire Council and the creator of Berghofer’s Pass.

In 1919 Berghofer transferred the whole bundle of three portions as an entity to Many Baaner, a member of the family who had taken over Bonnie Blink in Baaners Lane in 1916 and were successful apple orchardists. On Mary’s death in 1929, it passed to Oliver Alexander Baaner, who in 1934 sold the combined property to Eveline May Mathews, the wife of a garage proprietor in Mount Victoria. Mrs Mathews converted the title to Torrens in 1937.

There is no evidence of buildings being constructed on any of the three portions 95, 105 and 144 and there is no evidence about their use.

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57 Grant, Providence, 115, 174.
58 Grant, Providence, 160, 174.
59 Grant, Providence, 130.
60 Grant, Providence, 141.
61 State Records NSW, Primary Application form, 6/10366, 33151.
63 State Records NSW, Primary Application form, 6/10366, 33151.
1.3 History of the Hartley Historic Site

1.3.1 Hartley Historic Site Overview

Hartley Village is located four kilometres to the northwest of Little Hartley along the Great Western Highway. The land surrounding the point where Mitchell’s Road crossed the River Lett was originally set aside as Crown Reserve for agricultural purposes as early as 1823. In 1830, 640 acres were set aside for the creation of a village. Law and order over the mountains had been a military responsibility until 1834 when the government in Sydney decided to create a police district with a courthouse near the new bridge across the River Lett, replacing the No. 2 Stockade at Coxs River, which was being wound down. Even before the survey of the new village was completed in 1836, tenders for a stone courthouse had been sought to a design by the Colonial Architect, Mortimer Lewis. The courthouse was occupied in December 1837 and was the vital heart of Hartley. The village was laid out initially in 1836 on both sides of the River Lett arranged along the curves of Mitchell’s new road in an ambitious grid pattern, containing sixteen streets (Figure 1.16). It was gazetted at the beginning of 1838.

The success of the village depended on increased use of the highway. Ireland and Richards had already opened their coach service to Bathurst in 1833 and John Perry of Mount Victoria opened his rival service in 1834. In 1836 Ireland and Reilly replaced Ireland and Richards, and new competition was offered by the Bathurst Conveyancing Company. The opening of the courthouse was the critical factor in allowing Hartley to replace Little Hartley as the first major transport hub over the Mountains in the 1840s. As a result the Albion (later the Royal) Hotel opened in 1841 in rivalry to the Coach and Horses on Pierce Collits’ land close to the bridge.

Figure 1.16: Plan of Hartley village, 1836, showing the site of the court-house, the developed sections around Victoria Street and Windsor Street and the proposed site for the Anglican church across the river. Source: State Records NSW, Map 3103.

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64 Based largely on I. Jack’s history in Casey & Lowe 2009.
The service community which formed had a distinctive Irish-Catholic flavour. John and Mary Finn from County Kerry and their children dominated the village allotments in the 1840s and 1850s, running a general store and post office. In conjunction with the Catholic Grants of Moyne Farm, the earliest established farm over the Mountains, the Finns succeeded in raising the money for a Catholic church in the main village, built between 1842 and 1848.\textsuperscript{71}

A small community grew in the 1840s and their buildings are today represented by Bungarribee, Ivy Cottage, the Shamrock Inn and Farmers Inn. A well-travelled visitor described the village in 1852 as:

“Altogether a very romantic-looking village, in a situation which would bear comparison with some of those charming spots which the traveller finds among the Swiss Alps...At present it cannot boast of many inhabitants, nor are its streets easily defined, but it is increasing steadily. It possesses several remarkably clean and comfortable inns, and the houses are well built.”\textsuperscript{72}

Viewed from the top of River Lett Hill today, this environmental charm is still visible (Figure 1.18). Colonel Mundy’s sketch of the same year, 1852, captures the atmosphere of early Hartley well (Figure 1.19).

O. Cserhalmi and Partners suggest that the development of Hartley followed the pattern of rural ‘selections’ with many families occupying their grants prior to formalisation of ownership.\textsuperscript{73} They would have been housed in temporary slab and bark buildings, only constructing more substantial buildings after purchase. It is likely that many of these structures then became outbuildings which only survive in the archaeological record.\textsuperscript{74} Early sketches of the town show these slab outbuildings (Figure 1.18).

The gold-rush to the Bathurst and Mudgee areas in the 1850s brought increased traffic on the main road and more call for the services of Hartley. These needs were largely supplied by members of the Finn family, who were innkeepers, storekeepers, constables and pharmacists over the years up to the 1870s. Despite the dominant Catholic identity of the village, an Anglican church was built by Edmund Blacket in 1857 to serve the surrounding farming community. However, the railway bypassed Hartley Valley entirely in the 1860s and the establishment of a major oil-industry in Hartley Vale also in the 1860s arrested growth. The grid-plan village of the surveyors’ plans (Figure 1.16, Figure 1.17) did not eventuate and Hartley, whatever its aspirations, in fact resembles the hamlet of Little Hartley in its outcome. Hartley is distinguished by its public buildings, but they do not lie at the planned core of a nucleated settlement. Windsor Street, the main east-west street of the original plan, was never successfully sub-divided and Virginia Street farther south was notional (Figure 1.20).

\textsuperscript{71} W.A. Cuneo, Hunters of God: a Brief History of St Bernard’s Church, Hartley, 1838-1939, 2\textsuperscript{nd} ed., Leura, 1983; S.M. Ingham, Enterprising Migrants: an Irish Family in Australia, Melbourne 1975, 58-70.
\textsuperscript{72} S. Mossman and T. Banister, Australia Visited and Revisited: a Narrative of Recent and Old Experiences in Victoria and New South Wales, London 1854, reprinted Ure Smith, Sydney 1974, 219.
\textsuperscript{73} O. Cserhalmi & Partners, 2002, 53.
\textsuperscript{74} O. Cserhalmi & Partners, 2002, 53.
Figure 1.17: Plan for Town at the River Lett (1836). Source AONSW AO Map 3102.

Figure 1.18: Hartley on the Bathurst Road, New South Wales (1852), sketched by George French Angas. Source NLA online pic-an2854461-v.
With the coming of the motor car, traffic increased on the highway and Corney’s garage opened in the village in the 1940s. During this time depression housing also existed in Hartley. A NPWS ranger that grew up in Hartley recalls that his father constructed a house using flattened metal drums from the road works where he was employed.\footnote{Pers.comm. Steve Ring, NPWS.} But in general Hartley stagnated in the 20th century, retaining an almost exclusively Victorian aspect. The stagnation was confirmed by the rerouting of the Great Western Highway to the east of the village, crossing the River Lett on a new bridge before tackling Mitchell’s River Lett Hill.

The heritage values of Hartley village were acknowledged when almost the entire village became Hartley Historic Site under the NPWS. National Parks, now part of the OEH, owns eleven 19th century buildings within Hartley, including the courthouse and a woolshed, as well as four later buildings. Patrick Finn’s 1850s house, now called Bungarribee, and the Anglican church, remain in private ownership within the village.
1.3.2 The Royal Hotel

The current Royal Hotel was constructed in 1834 by Pierce Collits and licensed under the sign of The Royal Garter. Collits erected the building on 3 acres of land granted to him in the proposed township of Big Hartley on the River Lett. In 1836 to 1840 the establishment was being operated by Thomas Morris, the husband of Pierces’ daughter Sophia.76 There are some issues regarding other inns in Hartley around this time. No other inn buildings are known and it has been suggested that other inns licensed in the area were operating out of the building constructed by Collits. For example, in 1838 an establishment called The Rivulet Inn was put up for sale. The description of the floor plan of the building is very similar to that of the current Royal Hotel building. The Albion Inn, licensed in Hartley around 1843 by a John Tait, is another possibility. Again, the building as described for sale in the Sydney Morning Herald in 1853 is very similar to the floor plan of the current Royal Hotel:

VALUABLE FREEHOLD PROPERTY

For sale, by private contract, that well known substantial stone building, known as the Albion Inn, Hartley. It is situated on the banks of the rivulet, and command a never failing supply of pure water, and situated on the direct road to Bathurst and the Turon. It is licensed and in full trade. The present proprietor, in consequence of a recent family bereavement, is about to retire from business.

THE HOUSE
Which is built of stone, measures 75 feet by 36, and contains three parlours, 4 bed-rooms, bar, and tap-room and double cellar, with a spacious verandah. The rooms are all lofty, being 11ft. from floor to ceiling, and well ventilated.

THE VERANDAH
Measures 80 ft. by 9 ft., flagged with freestone and ceiled, and is in every respect in character with the magnificent building to which it is attached.

CELLARS
Capable of storing 600 tons of goods

KITCHEN
A detached kitchen with servant’s apartment attached.

THE STABLES
Are in first-rate condition; one a nine-stalled stable, slabbed, weather-boarded, and flagged, with loft; also two out stables, 4 stalls each, shingled and sheds attached. There is also a blacksmith’s shop, with full complement of tools, and is under a rental of 25 pounds per year.

THE FURNITURE
Which is of superior description, and consists of everything requisite for a first-rate establishment, will be sold by public competition if not sold by private contract, previous to next transfer day. The premises will be ready for inspection from the 10th of August, and possession can be given next transfer day.
For further particulars apply to Mr. J. NAIRN, Albion Inn, Hartley.77

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77 Advertisement in *Sydney Morning Herald* 21 July 1853. Source: TROVE.
The Hartley Hotel was licensed from 1848-49 to James Nairn. There is no overlap of licenses and only one inn was operating at a time. Local folklore claims that the Hartley Hotel was first opened in Morris’ old inn by the River Lett (Collits’ grant of 1834 down near the river on the old road). This block of land was sold at Government auction in mid-1845 and lot 3 was purchased by William Dempsey, and lots 4 and 5 by Evan Morgan. They used the land to conduct their wheelwright and blacksmithing businesses (respectively). Following this, in March 1847 the three lots were sold to James Nairn, who took out mortgages on the property in 1848 and 49, presumably to construct the building which still occupies the site today. The lots were then sold as the Albion Inn in mid 1853 (as per advert SMH 21 July above). The Albion Inn was re-licensed under Jacob Myers Denis Mahony until 1857 when it was sold to George Jervis. It was sold for a substantial sum (2100 pounds) indicating that it was still operating as a hotel. From this point the history becomes unclear. It has been suggested that it was licensed as the Royal Inn from 1858-61 but no evidence has been sighted that confirms this, and Jervis did not licence the inn under his own name. The Royal was one of three hotels of this name listed in the NSW Gazetteer of 1866.

By 1868 the building was used as a private residence by the Church of England minister, Reverend R. H. Mayne. One of the outbuildings was used as a denominational school and teacher’s residence during this time (Figure 1.22). It was described as:

...at the Sydney entrance of the township... exactly opposite the Church of England, being in fact a separate part of a large house now rented and occupied by the Church of England Minister (Rev. R. H. Mayne) and given up by him for the purpose.

In 1869 it became the town’s first public school. However, by the following year this school was moved to another building in the town. Little is known of the use of the building from the late 1800s and it is likely it was used as a private residence.

![Figure 1.22: Detail of the Royal Hotel and its outbuildings (arrowed). During this period it was functioning as the Rectory for the Anglican Church and had just finished acting as the public school. From the panorama of Hartley, Holterman Collection c. 1871–75. Source: ML, SLNSW, Home & Away Still 39895.](image-url)

In 1895 a licence was issued to Robert McGarry under the name Royal Hotel. It is uncertain whether the licence was for this site or possibly for the Farmers Inn building. However, by 1914 Robert McGarry and his wife Janet had converted the building into McGarry’s Royal Motor House (prompted by the increasing popularity of travel by motor vehicle). The building was to provide petrol, accommodation and other travellers’ amenities. In 1922 the McGarrys took out a mortgage and it is likely that the majority of the repairs and additions to the building occurred around this time. After Robert McGarry’s death, from 1942 to the end of WWII, the property was run by his son-in-law Mr Luscombe. A new iron shed was built on the currently vacant northeastern side of the building. This has since been demolished and developed into a small garden shed with gardens. In 1969 the property was purchased by Blaxland Shire Council and in 1972 became part of the Hartley Historic Site. The garden shed and plots located on a plan of 1987 on the land to the east of the building are no longer extant.

1.3.3 Land north of current Highway, Hartley

This site is a block of land north of the current highway owned by NPWS which is listed on the State Heritage Register. The land slopes steeply to the north towards a small watercourse of the River Lett and is covered with regrowth. It is largely vacant, except for a small corrugated iron shed containing the NPWS water pump and a pump belonging to the residents of ‘Bungaribee’. According to NPWS ranger Steve Ring this land was the location of a Progress hall and tennis courts in the early 20th century.

Detail on the 1836 plan of the town at the River Lett (Hartley) indicates that this area was being used as the police paddock (Figure 1.23). Centres for enforcing law and order and catering for the needs of travellers were planned from the outset along the new line of road to the west chosen by Surveyor General Mitchell in 1830. One was envisaged from the outset at the proposed crossing of the River Lett. Although the village of Hartley was not laid out until 1836, approved until 1837 or gazetted until 1838, a grant of land within the future urban area was made to Pierce Collits in 1830 close to the proposed bridge over the Lett and he was licensed in the same year for his inn there, called the Royal Garter.

To maintain law and order a more central location than the stockade at the confluence of Coxs River and the River Lett was needed. In 1834 a new police district called the Vale of Clwydd was proposed, centred on a Court House to be built at the future village of Hartley. The first police magistrate for the new district was appointed early in 1836 and tenders for Hartley Court House were invited. The Court House was completed late in 1837 at the same time as the design of the village was approved.

The police paddock (A) within the town site was already in use in 1836, close to the south side of the river just east of the future Court House. The southern part of this paddock, lying between Mitchell’s road and the river, is shown faintly on the plan of the proposed layout of the village in September 1836 (Figure 1.23, Figure 1.24). The new grid plan was on a quite different alignment and cut across the existing police paddock (A), along with the pound (E) and the ‘Agricultural paddock’ (F) which adjoined it to the west. These features are shown in green on Figure 1.26.

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82 Brown and Green 1987: 42.
83 Brown and Green 1987: 3.
84 Ring, S. pers. comm. April 2011.
87 State Records NSW, Map 3102.
Soon after the building of the Court House, on which the original pound (E) intruded, the pound was relocated to the west. The first police paddock (A) was moved around so that it conformed to the new grid-plan and became a rectangular area (B) straddling the River Lett. It also included the notional northern extension of Dawson Street which was also planned to straddle the river (Figure 1.24).

Immediately to the east of this rectangular paddock, a large area (C), entirely on the south side of the river and following its bends, is shown on a different 1836 plan as already ‘Reserved for Police Paddock’ (Figure 1.25).88

By the end of the 1830s there were presumably two adjacent police paddocks, one of them, C, entirely on the south side of the Lett, the other, B, occupying not only the site of the earlier police paddock on the south side of the river but also occupying a slightly larger area on the north side.

Figure 1.23: The initial plan for Hartley village, 1836, incorporating existing features such as Collits’ inn, the first police paddock, the first pound and an agricultural paddock. State Records NSW, Map 3102.

88 State Records NSW, Map 3103.
Figure 1.24: Detail of Figure 3.34, showing all the police paddocks. State Records NSW, Map 3102.

Figure 1.25: The reserve for a police paddock shown on another plan for Hartley village drawn in 1836. The Court House is shown as commenced but on a larger site than shown on Map 3102 and the site of the new pound is not yet defined. The contours of the River Lett are much less accurate than on Map 3102. State Records NSW, Map 3103.
Figure 1.26: The police paddocks shown on the annotated 1836 plan of Hartley village (State Records 3102), overlaid by Ian Jack on the 1972 town plan (LPMA, PMap OE01 14871101). The River Lett is shown in blue and the curving black line at the foot is Mitchell’s road. The boundaries of features already existing in 1836 are shown in green, while the boundaries of three police paddocks which were added to the 1836 plan at a later date are shown in red. The letters denote:

A. The police paddock existing in 1836: only part of its boundaries is shown on the 1836 plan.
B. ‘Police Paddock now Patrol Station’, no date.
C. ‘Reserve for Police Paddock’, 1836.
D. The red line encloses the ‘Supposed Fence of new Police Paddock’, 1857.
E. The pound existing in 1836.
F. The ‘Agricultural paddock’ existing in 1836.

The final stage in providing grazing for police horses came in 1857. An addition of that date on the primary 1836 map shows the ‘Supposed Fence of new Police Paddock’, entirely on the north side of the Lett (Figure 1.27). This new fenceline (D) began opposite the new pound five allotments west of the courthouse and followed the half-moon bend in the river, curving back to the southeast to join the northeast fence of the police paddock B (Figure 1.26). An annotation recites an official letter of 14 May 1857 which allowed that ‘the Paddock as now enclosed can be occupied [for] police purposes until otherwise required’ (Figure 1.27).²⁹

²⁹ State Records NSW, Map 3102.
Figure 1.27: The 1857 annotation in red about the new police paddock. Detail from State Records NSW, Map 3102.

None of the contemporary plans shows any buildings on any of the police paddocks. Most of area D and that part of paddock B which lay north of the Lett, together with some land to the west extending to the bank of Finnigans Creek, was made into Recreation Area 68666 in the 20th century, but this reserve is now bisected by the realignment of the Great Western Highway (Figure 1.28).  

Local history states that the site is also the location of rubbish dumps associated with the Royal Hotel from 1890 to 1950, until the buildings were acquired by the NPWS in 1972. Before the construction of the modern road alignment, this piece of land was the backyard of the Royal Hotel. Previously the Royal Hotel was to the north of the Highway, now it is to the south. No dumps have been found within the village and it is possible that the town also used this locality for the dumping of rubbish. It is likely to contain bottles and other rubbish associated with the functioning of an early inn, such as smoking pipes, crockery, and animal bone.

The Holtermann photographs of the early 1870s show what appear to be substantial buildings to the rear of the Royal Hotel (Figure 1.22). While it is likely that any remains from these buildings were removed when the current highway cutting was constructed in the 1970s, the possibility exists that subsurface archaeological remains may be present to the north of the building (in the rear yard).  

90 Hartley town plan, 1972, LPMA, PMap OE01 14871101.
1.3.4 The Courthouse

Governor Bourke’s approval of the laying out of a village at the River Lett Bridge in 1836 was finalised with the construction of the courthouse in 1837. With large numbers of convicts in the area, the need for a judicial centre was recognised early and the first police magistrates in the Vale of Clywd were located at Collits’ Royal Garter Inn (Billesdene Grange). This also housed the Court of Petty Sessions, Police Station and Lockup until the construction of the new Hartley Courthouse. Eventually the administrative centre was moved to the village reserve at the River Lett crossing and in 1837 the new courthouse was constructed in the Old Colonial Greek architectural style under Colonial Architect Mortimer Lewis. A plan from 1837 (Figure 1.31) shows a small temporary courthouse located further to the south. Presumably this structure was used prior to the completion of the new courthouse, which was constructed of sandstone, probably sourced from a quarry near Bowenfels.

A traveller passing through the area in April, 1837, commented:

visited the New Court House, now erecting, which is of splendid character, and does infinite credit in its architectural beauty and design, to the builder. It is of fine cut stone, and is proceeding rapidly.

During its early phase of use the courthouse had multiple functions and housed the Clerk of the Bench, William Bohun with his family and servants. The constables also lived in the building, or in accommodations nearby. Figure 1.30 indicates the location of additional structures.

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91 O. Cserhalmi & Partners, 2002, 47.
93 Foster et al 1937: 15.
While the courthouse was a distinctive statement and acted as a motivation for buyers in the area, the town did not develop to the extent that was expected. Many travellers on the road to Bathurst commented on the distinctive building and it was the subject of numerous photographs and sketches (Figure 1.28).

Figure 1.29: The Courthouse, Hartley (1870-75). Source Mitchell Library, State Library of NSW, Holtermann photographs, Home and Away collection no. 38722.

Figure 1.30: Detail of Hartley Courthouse from Holtermann’s Panorama of c.1871-75. Source: ML Home & Away Still 39895.
Figure 1.31: Detail from a plan for a town on the River Lett (1836), showing the location of an earlier courthouse building (arrowed). Source: SRNSW AO Map 3102.

Figure 1.32 (below): Sketch of the Courthouse by Eirene Mort in 1937. Source Tracks Part III. NL R5147
During the 1920s and 1930s, typical depression-era housing was constructed in the vicinity of the courthouse. These would have been simple structures built in timber slabs and corrugated iron. A NPWS ranger that worked on the site recalls his father constructing their house from flattened metal drums taken from the road works.\textsuperscript{94}

\textsuperscript{94} Pers. comm., Manager of Hartley Historic Site NPWS ranger Steven Ring 27/04/2011.
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2.1 Bibliography

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APPENDIX 2: VIBRATION PLANS IN RELATION TO HERITAGE ITEMS
APPENDIX 2.1 | VIBRATION PLANS IN RELATION TO HERITAGE ITEMS

The proposal
Construction footprint (5 m buffer)
Retaining wall
Possible retaining wall
Proposed stockpile and compound site
Proposed stockpile site
Heritage item
Heritage Conservation Area
Potential heritage item
Heritage curtilage
Distance from potential vibration impact zone
10 m
30 m
50 m

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DATA SOURCES

STATEMENT OF HERITAGE IMPACT - Hartley Valley Safety Upgrade, Non-Aboriginal Heritage
APPENDIX 2.2 | VIBRATION PLANS IN RELATION TO HERITAGE ITEMS

STATEMENT OF HERITAGE IMPACT - Hartley Valley Safety Upgrade, Non-Aboriginal Heritage

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APPENDIX 2.3 | VIBRATION PLANS IN RELATION TO HERITAGE ITEMS

LEGEND
- The proposal
- Construction footprint (5 m buffer)
- Retaining wall
- Possible retaining wall
- Proposed stockpile and compound site
- Proposed stockpile site
- Heritage item
- Heritage Conservation Area
- Potential heritage item
- Heritage curtilage

Distance from potential vibration impact zone:
- 10 m
- 30 m
- 50 m

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DATA SOURCES

STATEMENT OF HERITAGE IMPACT - Hartley Valley Safety Upgrade, Non-Aboriginal Heritage
STATEMENT OF HERITAGE IMPACT - Hartley Valley Safety Upgrade, Non-Aboriginal Heritage
APPENDIX 2.5 | VIBRATION PLANS IN RELATION TO HERITAGE ITEMS

LEGEND
- The proposal
- Construction footprint (5 m buffer)
- Retaining wall
- Possible retaining wall
- Proposed stockpile and compound site
- Proposed stockpile site
- Heritage item
- Heritage Conservation Area
- Potential heritage item
- Heritage curtilage

Distance from potential vibration impact zone
- 10 m
- 30 m
- 50 m

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DATA SOURCES

STATEMENT OF HERITAGE IMPACT - Hartley Valley Safety Upgrade, Non-Aboriginal Heritage
LEGEND
- The proposal
- Construction footprint (5 m buffer)
- Retaining wall
- Possible retaining wall
- Proposed stockpile and compound site
- Proposed stockpile site
- Heritage item
- Heritage Conservation Area
- Potential heritage item
- Heritage curtilage

Distance from potential vibration impact zone
- 10 m
- 30 m
- 50 m

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STATEMENT OF HERITAGE IMPACT - Hartley Valley Safety Upgrade, Non-Aboriginal Heritage