APPENDIX L

Due Diligence Assessment





Due Diligence Assessment

For

Lots 100 and 101 DP 1157883, Downes Place, Jamberoo, NSW

For

Plannex Environmental Planning on behalf of Mr Geoffrey Downes

November 2012

This Document is © Ainsworth Heritage 2012 For more information contact matta@ainsworthheritage.com.au

Document Name	Downes Place Due Diligence			
Project No.	12–020			
Version/Date	Author/s	Reviewed	Reviewer	
Draft - 19-11-2012	MA	19-11-2012	JA	
Final - 26-11-2015	MA	26-11-2012	JA	

Table of Contents

1.0 I	ntroduction		
1.1	Background 3		
1.2	Due Diligence		
1.3	Standards and Legislation		
1.4	Project Location		
1.5	Project Site Description	5	
1.6	Study Aims	6	
1.7	Methodology	6	
1.8	Limitations	7	
1.9	Authorship and Acknowledgements	7	
2.0 9	Site Description and Background	9	
2.1	Aboriginal History	9	
2.1.1 The Local People		9	
2.1.2 The Stories of the Land		11	
2.1	.3 Material Culture	15	
2.1	.4 Interaction Between Aboriginal People and European Settlers	15	
2.2	European Use of the Site	17	
2.3	Recent Developments	20	
2.4	Current Site Condition and Description	21	
	·		
3.0 I	Determining Investigative Requirements	25	
3.1	Is the Activity Part State Significant?		
3.2	Is the Activity Exempt?		
3.3	Will Harm be Trivial of Negligible?		
3.4	Will the Activity Impact a Known Site or Place?		
3.5	Is the Activity Recognised as Low Impact?		
3.6	Is an Industry Specific Code to be Used?		
3.7	The Next Step		
4.0	Consultation	29	
5.0 I	Due Diligence Assessment		
5.1	Ground Disturbance and Marked Trees		
5.2	AHIMS Search		
5.3	Landscape Analysis		
5.4	Previous Reporting		
5.5	Site Survey		
5.5	•		
5.5			
5.5			
5.5	Avoiding Impact		
5.5			
5.4.2 Alternate Design options			
5.4.2 Alternate Design options			
5.4			
6.0	Conclusions	41	
7.0 I	National Parks and Wildlife Act	43	

8.0	Proceed With Caution Management Guide	45
8.1	Training and Communication	
8.2	On Site Monitoring	
8.3	Stop Work Procedure	
8.4	Illawarra LALC Response	
8.5	Sites Types for Unexpected Finds	
8.6	Additional LALC Management Requests	47
Bibl	iography	
Арр	endix 1: Consultation Correspondence	51
Арр	endix 2: Cultural Heritage Assessments for AHIP's and Community Cons	sultation 52

1.0 Introduction

1.1 Background

This Due Diligence Assessment was commissioned by Plannex Environmental Planning (Plannex) on behalf of Mr Geoffrey Downes (the proponent), to investigate the potential for the site at Lots 100 and 101 DP 1157883, Downes Place, Jamberoo, NSW, to contain items of Aboriginal heritage significance and if the proposed development will impact upon those items.

The report is based upon the requirements of the NSW Environmental Protection Agency (EPA) and the standards and Codes of Practice that guide such investigations in NSW.

Regulars

1.2 Due Diligence

The Due Diligence process is guided by Part 6 of the NSW *National Parks and Wildlife Act 1974* (NP&W Act), and is the first step for a proponent of development to undertake when determining if they will trigger the provisions of Part 6 during the development.

This first step is concerned with avoiding impact wherever possible through careful assessment and planning. By undertaking such action, both the development's potential as well as any heritage significance are both protected and undergo a mutually beneficial assessment.

The aim of the Due Diligence process is to determine if a development can proceed with caution, with the assessment concluding that impact can be avoided, or wether a more detailed assessment will be required to support an Aboriginal Heritage Impact Permit (AHIP) application for consent for the development to damage or destroy Aboriginal sites.

1.3 Standards and Legislation

This Due Diligence assessment is undertaken in accordance with the following standards and guidelines:

- Australia ICOMOS Burra Charter;
- EPA's Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW;
- EPA's Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW;
- EPA's Aboriginal Cultural Heritage Standards & Policies Kit;
- EPA's Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010;
- EPA's Draft Code of Practice for Archaeological Investigation in NSW;
- James Semple Kerr's The Conservation Plan;
- The NSW Heritage Branch's Conservation Management Documents; and
- The NSW Heritage Branch's Assessing Heritage Significance.

1.4 Project Location

The site in question is located on Downes Place Jamberoo, with the northern portion of the site bounded by Drualla Road. The eastern border of the lot, covering 6,440 m2 is on Downes Place with the remainder adjoining other properties. The site is approximately 850 meters north-west of the Jamberoo town centre. The site itself lies within a landscape of rolling hills, within the valley of the Minnamurra River. The site sits along and on the northern side of a ridge which runs down to the river itself.



Figure 1: General Site Location



Figure 2: Specific Site Location (Google Earth).

1.5 Project Site Description

The proposed site development would see the existing 6,440 m2 lot broken up into seven 800m2 lots and the existing brick dwelling sitting on the remaining 1,040 m2 block. The site would undergo standard preparation for urban development sites, with later development seeing house sites cleared and built upon, with services connected as well.



Figure 3: Development Plan

1.6 Study Aims

The aim of this Due Diligence assessment is to determine if the proposed development can proceed with caution, or whether impact upon Aboriginal sites is unavoidable and need to be addressed through an AHIP application.

The assessment will determine the future steps regarding Aboriginal cultural heritage by using the methodology below.

1.7 Methodology

The following methodology was adapted from the EPA's *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (The Code) and will be followed throughout in guiding the assessment and assisting in determining the eventual recommendations. The steps to be undertaken are:

- Provide Site Background;
- Determine if the development is Part 3A, Except or of Negligible Impact;
- Determine if the development will impact a known site or place;
- Determine if the development is recognised as Low Impact;

Then, if necessary:

- Note any Consultation undertaken and its outcomes;
- Follow the Due Diligence Assessment Steps by:

- Assessing Ground Disturbance and Impact on Marked Trees;
- o Undertake an AHIMS Search;
- Undertake a Landscape Analysis;
- Determine if Impact can be Avoided;
- Examine Previous Reporting on the Area;

Then, if necessary:

• Conduct a Site Survey;

Then:

- Conclude wether it is Safe to Proceed with Caution or Apply for AHIP; and
- Determine Management Requirements for the Site.

1.8 Limitations

The current study did not go beyond the scope of a Due Diligence assessment, as outlined by The Code, except in consulting with the Local Aboriginal Land Council. Additionally, the site survey was designed to assess areas of higher potential and not cover every part of the site in detail. No sub-surface archaeological investigation was undertaken.

1.9 Authorship and Acknowledgements

The report was written by Cultural Heritage Specialist Matt Alexander of Ainsworth Heritage and the field survey was undertaken by Jon Kirby of the Illawarra LALC.

Assistance was received in compiling this report from:

• Sharralyn Robinson, Jon Kirby and Brad Bevis – Illawarra LALC.

Due Diligence Assessment for Downes Place, Jamberoo. Ainsworth Heritage.

2.0 Site Description and Background

2.1 Aboriginal History

2.1.1 The Local People

The local Aboriginal people of the Jamberoo region belong to the Wodi Wodi, a language group of inter-related tribes that stretches from the outskirts of Sydney to Shoalhaven in the south. Norman Tindale, in his 1974 map, identified the Wodi Wodi lands as shown below ¹. Additionally, the lands of the Tharawal (Dharawal), which are often identified with the Wodi Wodi today are shown to the north, with the Eora further north.

Navin noted that earlier research had identified the local language as Dharawal, with some of the modern Aboriginal groups of the region identifying as Elouera.² These three names, Wodi Wodi, Dharwal and Elouera match well with Tindale's map

Although Silcox noted that there was little available information on the Wodi Wodi language group, which he said stretched from Wollongong to the Shoalhaven and west to Moss Vale, he noted that seasonal movement for resource exploitation would have been the norm.³ However, additional research by later papers has provide a more detailed view of life in the Kiama/Jamberoo area.

Smith noted that the Wodi Wodi were a sub-tribe of the larger Dharawal, which was a language group that extended from the southern side of Botany Bay to Jervis Bay.⁴ Evidence from 1875 was used to support this theory, which also stated that a separate tribe was believed to have been located at Shellharbour, but that this group had been wiped out by the time additional research was undertaken in the 1960.⁵ Again this matches well with Tindale's research.

Therefore, the Aboriginal people of the Jamberoo area can be assumed to have been part of the Wodi Wodi, who in turn were part of a larger association of Aboriginal people stretching from the Sydney area in the north to the Shoalhaven in the south.

¹ http://www.samuseum.sa.gov.au/page/default.asp?site=2&page=TIN_Tribal. Accessed 02/08/2010

² Navin, K. 2000. Elambra Estate, Gerringong, NSW. Archaeological Survey for Aboriginal Sites. Navin Officer Heritage Consultants Pty Ltd. ACT. p.8

³ Silcox, R. 1990. Archaeological Assessment Of Aboriginal And Historic Sites On The Proposed North Kiama By-Pass Between Dunmore And Bombo, Kiama, New South Wales. Report to CONNELL WAGNER NSW Pty Ltd. p.3

⁴ Smith, L and Navin, K. 2007. Kiama to Jerrara 33kV Feeder 7007 Cultural Heritage Assessment. Navin Officer Heritage Consultants Pty Ltd. ACT. p.14

⁵ Smith, L and Navin, K. 2007. Kiama to Jerrara 33kV Feeder 7007 Cultural Heritage Assessment. Navin Officer Heritage Consultants Pty Ltd. ACT. p.14



Figure 4: Extract from Tindale's 1974 map, showing his analysis of tribal boundaries on the NSW South Coast (South Australian Museum).

Although Silcox noted that the hinterland had seen much less research than the coastal sites of the area,⁶ much can be infeered from the existing data. Silcox also noted that most sites in the area were younger than 6,000 year old, however research at a midden at Bass Point and a rock shelter at Burrill Lake had been dated to 17,000 and 20,000 years old at their lowest levels, with coastal resource remains only present in the upper layers. Silcox noted that these sites would have been 20-30 km inland during the formation of the lower layers at that time, due to the much lower sea levels, which only reached their current height around 6,000 years ago.⁷

With regards to population levels, Williams noted that at the time of the first European arrival in the valley, there were five tribes inhabiting it, with a potential population density of 1.5 people per square kilometre. Population figures of 500-1000 for the area have been put forward, with the heavily forested valleys and rich coastal strip providing a large resource base for utilisation. Large numbers of Aboriginals were sighted on the coasts in the early days, with one battle at Fairy Meadow fought between Illawarra and Bong Bong groups having hundreds on each side.⁸ These early reports show that the population of the valley was substantial by Aboriginal standards.

Smith notes that the Illawarra area, below 100m elevation, would have been heavily forested in pre-contact time, with the actual forest type dependent on soil type and water

Due Diligence Assessment for Downes Place, Jamberoo. Ainsworth Heritage.

⁶ Silcox, R. 1990. Archaeological Assessment Of Aboriginal And Historic Sites On The Proposed North Kiama By-Pass Between Dunmore And Bombo, Kiama, New South Wales. Report to CONNELL WAGNER NSW Pty Ltd. p.2

⁷ Silcox, R. 1990. Archaeological Assessment Of Aboriginal And Historic Sites On The Proposed North Kiama By-Pass Between Dunmore And Bombo, Kiama, New South Wales. Report to CONNELL WAGNER NSW Pty Ltd. p.2

⁸ Wheeler, J. and Leslie, F. 2006. Princes Highway, South Kiama, Nsw Aboriginal Heritage Impact Assessment For Proposed Development Of An Onload & Offload Ramp. AHMS, Sydney. p.20

availability. Additionally, small stands of grass within the forests would become the base for many of the early settlers homesteads, being called meadows and named after the original European occupier, much like the native grasses of the Far North Coasts former Big Scrub.⁹ Aboriginal groups were known to maintain these areas in order to utilise them for the catching of game.



Figure 5: View from the Illawarra Range en route to Kiama, 1830. Hoddle, Robert in Wheeler, J. and Leslie, F. 2006. Princes Highway, South Kiama, Nsw Aboriginal Heritage Impact Assessment For Proposed Development Of An Onload & Offload Ramp. (National Library of Australia).

2.1.2 The Stories of the Land

The Kiama/Jamberoo area is notable for the information that is available regarding three of prominent Aboriginal people, known to the European settlers as King Mickey (1834-1906), Queen Rosie and Captain Brooks.

Bayley made mention of King Mickey in the following terms:

"Possibly one of the best regarded inhabitants was King Mickey of the aborigines. In 1855 the aboriginal encampment was noted as being at the flat near Minnamurra Bridge where existed 'a couple of rudely constructed huts made of old sacks and saplings. There are also same mia-mia's whilst dusky children of all shades of colour are roaming about the level grass sward.' Mickey was a noted runner in his youth and died at the camp in 1906, aged 72, being buried in Kiama cemetery. He was invested in 1886 by Archibald Campbell, ML.A., with

Due Diligence Assessment for Downes Place, Jamberoo. Ainsworth Heritage.

⁹ Smith, L and Navin, K. 2007. Kiama to Jerrara 33kV Feeder 7007 Cultural Heritage Assessment. Navin Officer Heritage Consultants Pty Ltd. ACT. p.11

a crescent-shaped brass plate inscribed "Mickey Johnston, King". For Queen Rosie in her old age the public erected and furnished a small cabin at Minnamurra in 1923."¹⁰

12

King Mickey is noted as having held a Corroboree in 1898, well after the major impacts on the local Aboriginal population had occurred, where 30 adult Aboriginals were watched by over 2,000 white spectators, likely adding to the local knowledge if him and his activities.¹¹



Figure 6: Mickey Johnson of the Kiama Tribe meeting with William Buthong (King Billy or Madbili) of the Shoalhaven Tribe. Both men are accompanied by their families (Samuel Cocks Collection, University of Wollongong Archives).

Another notable local Aboriginal man was known as Captain Brooks who led the way in seeking a viable path from Kiama to the Kangaroo Valley. He is said to have seen Cooks landing in Botany Bay and to have seen Bass's discovery of the Kiama blow hole, before dying alone in the 1850's after the rapid decline of his people.¹² Captain Brooks was also noted as one of the two identified men who stole much corn and twenty pigs in the mid-1830's but escaped reprisal, unlike many other local Aboriginals who were often terminally punished for such activities.¹³

The following quotes are taken from a summary of a meeting held in Kiama in 1869 regarding the European treatment of Aboriginals and provide and insight into the early life of the people of the district.

"In 1843, at Jamberoo, a young blackman informed me that he had been sentenced to have 50 spears thrown at him by the Shoalhaven tribe; that the tribes would meet on the

¹⁰ Bayley in Wheeler, J. and Leslie, F. 2006. Princes Highway, South Kiama, Nsw Aboriginal Heritage Impact Assessment For Proposed Development Of An Onload & Offload Ramp. AHMS, Sydney. p.18

¹¹ Wheeler, J. and Leslie, F. 2006. Princes Highway, South Kiama, Nsw Aboriginal Heritage Impact Assessment For Proposed Development Of An Onload & Offload Ramp. AHMS, Sydney. p.19

¹² Smith, L and Navin, K. 2007. Kiama to Jerrara 33kV Feeder 7007 Cultural Heritage Assessment. Navin Officer Heritage Consultants Pty Ltd. ACT. p.15 ¹³ Wheeler, J. and Leslie, F. 2006. Princes Highway, South Kiama, Nsw Aboriginal Heritage Impact Assessment For Proposed

Development Of An Onload & Offload Ramp. AHMS, Sydney. p.16

long beach for that purpose during the fishing season in the Crooked River, when there would be plenty of food for them; and that he was to work on for the blacksmith at Terry's station for covering his shield with a plate of iron. He did so. Several of the district went and witnessed the ordeal. The delinquent stood up to his knee in the water upon one foot and the other thrown out behind him. He turned every spear either over his head or to the right or left, but always presented an oblique surface of the shield so the spears glided past; time was marked while the spears were thrown."¹⁴

The quote below provides excellent detail as to the ceremonial practices of the wodi Wodi and mentions Captain Brooks as well:

"I came to Jamberoo in February of 1842; and in May following the blacks held a corroboree in what was then known as Wood's Forest, prior to engaging the Shoalhaven tribe in battle on the very long beach. The moon was near the full and the ground was evidently skillfully selected to give the greatest effect of light and shade. A clear portion was allotted to the performers..... About fifty women were seated under the trees fronting the ground and Captain Brooke, their poet stood behind them and chanted the words of the corroboree, while the women sang as he repeated the words; and Mangy the chief led in the different scenes. The old men and women and also the young women with children in their arms, and the children sat behind the orchestra; while the young girls just merging into womanhood glided like spirits of the forest in the shade. It was no dance but a skillfully got up presentation, consisting of four different scenes; between each scene the actors retired to the light of the fire at a considerable distance and repainted themselves. Of course I understood as much as I would of a drama announced in a foreign language. The blacks were then perfectly harmless. The dense brushes, the proximity to Sydney and the small areas occupied for agricultural purposes, had effected the blacks less than those of the squatting districts, although the whites were much more numerous...The black fought this battle next day. They met in single line at about sixty yards distance, and exchanged spears for some hours, every spear being turned by the shields, until Neddy, a Jamberoo black was speared in the thigh. Then one of the Shoalhaven blacks was speared through the shoulder, when they considered justice satisfied, and separated and formed camps to attend the wounded men."¹⁵

The following quote is an intriguing description of an Aboriginal camp and a detailed description of the dress of the local Aboriginal women, something not often encountered in such detail in the records:

"In 1843 I was returning from Wollongong and reaching Terry's River about sundown a whole tribe of blacks were camped on the banks, they had been engaged in mullet fishing and the banks were covered with fish. They had eaten their supper and were distributed in groups around a gunyah, in which sat a story teller.— the younger men and boys sitting close to him, the girls and young mothers outside them, but all the picture of perfect enjoyment; while the young women glided through the forest with a lightness and elasticity of motion as if gravity had no influence over them.

One girl, tall and light glided from amongst the trees towards me, singing like a syren of the river. Her dress was of an opossum cloak, the flesh side out, of one uniform light grey colour; the skins were squared, beautifully sewn together, and ornamented with delicate red lines and dots arranged in geometrical regularity. That cloak must have cost her more labour

¹⁴ <u>http://kiamalocalhistory.wordpress.com</u>. Accessed 25/09/2012.

¹⁵ http://kiamalocalhistory.wordpress.com. Accessed 25/09/2012.

than does the most superb dress of the European lady; her hair was divided in front and hung in regular and glossy ringlets on her back and shoulders; the cloak hung gracefully on her person over the left shoulder and under the right arm, which was exposed with her right shoulder. comparing her with her civilised sisters, she had not their intellectual expression, and was void of the expression of care regarding infringement on the rules of etiquette. But her ebony countenance bespoke the full enjoyment of pleasure, and her eyes sparkled from under her long eye lashes were full of benevolence.

She stood where the old krodgi was seated holding forth with Dr Ellis, then a boy, sitting at the feet evidently drinking in his discourse. At this time the tempers began to arrive amongst them was a neighbour of mine from Jamberoo, a man with the education and the address of a gentleman.

He made an illicit bargain with the father of the girl; but she being betrothed to a young blackfellow was faithful and disappeared.

I asked Mangle what was her name; he said "whitefellow call her Maggy." I asked what the blacks called her; He said "Morgana". I asked what Buta was in English; he told me it was the name of the clan of her tribe, and that they called the men Kumbo; and that Morgana meant a spring of water with the sun shining on it, or a clear sparkling spring.

Who I ask is the most barbarous, the uncivilised black or the white who would pollute the clear sparkling spring?"¹⁶

Contrary to popular sentiment at the time, the local Aboriginals displayed an openness and willingness to work with the Europeans, which was sadly seldom reciprocated.

"In 1845 when returning from Shoalhaven I was overtaken by a fearful thunderstorm and deluge of rain at the Little Meadow on the south boundary of the municipality; the tribe was camped there in a circular hut built with sheets of bark. They offered me shelter and I accepted; they took the saddle off my horse and hobbled him with stirrup leather. The women first covered their own persons, and then the men and all behaved with a propriety that the most fastidious could not find fault with, and with hospitality that astonished me. They were very much alarmed and said that Baiama was speaking.

I distinctly understood them to say that Baiama created all things; that the thunder was him speaking but he was never seen, that the woods and waters were full of wundas or spirits; that the greatest spirit of the wood was Yako, and the waters Bunyip; and at their sacred circles (one of them I saw near Good Dog), where they made the boys into men and the men into councillors, that the cobon wunda or arch fiend, who inspires the krodgis, appears to the krodgis in the form of a snake that he sometimes attacks and spears the moon which becomes covered with blood and dark, that they then cry to Baiama who dresses the wound and the moon shines again.

The only time I observed anything like prayer was when riding along the Minnamurra River. I saw old Nangle standing over the river on a nearly horizontal fishing; he suddenly screamed and called on Baiama. When I got to him there was a large and beautiful seal at the root of a tree and between him and the bank. The seal left at my approach. Nangle said that the seal was a wunda. I asked him Baiama would help him and he said that Baiama helped the blacks before the whites came."¹⁷

¹⁶ <u>http://kiamalocalhistory.wordpress.com</u>. Accessed 25/09/2012.

¹⁷ http://kiamalocalhistory.wordpress.com. Accessed 25/09/2012.

This following quote is an outsiders appreciating look at the oral poetic traditions of the local people, something rarely discussed by the settlers:

"I tried to translate their poetry, but I misunderstood the genius of their language. It appeared to me to consist almost wholly as nouns. I now understand that the nouns by a slight change become most flexible verbs, and that the language is capable of expressing the nicest shades of thought. They were at loss to find an English verb to express the correct sentiment; and I concluded that that they were altogether deficient in them. The sentiments related to mainly war and love, but they seemed to possess a strong sense of the ridiculous and much wit different from the soft flowing humorous wit of the Irishman, and more resembling the ironic biting wit of the Scotchman. But every piece they concluded with a wail for the whites taking their country from them."¹⁸

2.1.3 Material Culture

Although records of the Wodi Wodi's matieral culture is limited, two sources provide some detail on what the day to day tools and resources of the local Aboriginal people were.

Williams summarised that the; "Material culture recorded included possum skin cloaks, headbands, hatchets, shields, spears and spear throwers, boomerangs, digging sticks, bark canoes, baskets, water containers, fishing lines and fish hooks made from shell. People adorned themselves with items such as kangaroo teeth, headbands, and pierced nose septums with bones set in them."¹⁹

Navin also noted that the material culture of the area was best represented by an Aboriginal market, held after a Coroboree.

"At this market complete sets of articles were traded. The items included fighting boomerangs (warangun), grass-tree spears (gummll), a shield for stopping spears (bemata), one for club fighting (millidu), one club (gujerung or bundi) and one spear-thrower (meara), one belt of possum-fur string (ngulia), four men's kilts (burrain), a bone nose-peg (gumbrun) and a set of corroboree ornaments. The women also engaged in barter, trading possum rugs, baskets, bags and digging sticks (tuali)."²⁰

As can be seen from even the short lists of materials above, the Wodi Wodi had access to a broad selection of tools with which they were able to access and utilise the broad base of resources available both the forested inland areas, the coastal and inland waterways and the coast itself.

2.1.4 Interaction Between Aboriginal People and European Settlers

Early contact in the Kiama area consisted of whaling and sealing parties coming ashore and often engaging in conflict with the local Aboriginals.²¹ This intermittent movement south was later followed by more organised and permanent settlement and would have a great impact upon the life of the Wodi Wodi.

Population estimates made for the Kiama region estimate that there were 500-1000 Aborigines in the are before white settlement, yet by 1836 only 79 were recorded in a

¹⁸ <u>http://kiamalocalhistory.wordpress.com</u>. Accessed 25/09/2012.

¹⁹ Williams, D. 1994. An Archaeological Survey Of Three Proposed Optus Communications Tower Compounds Near Kiama, South Coast, NSW. (A Report To Optus Communications). Williams Barber Archaeological Services. ACT. p.3

²⁰ Wheeler, J. and Leslie, F. 2006. Princes Highway, South Kiama, Nsw Aboriginal Heritage Impact Assessment For Proposed Development Of An Onload & Offload Ramp. AHMS, Sydney. p.21

²¹ Wheeler, J. and Leslie, F. 2006. Princes Highway, South Kiama, Nsw Aboriginal Heritage Impact Assessment For Proposed Development Of An Onload & Offload Ramp. AHMS, Sydney. p.15

census of Aboriginal people for the area, with the smallpox outbreaks of 1789 and 1830 being noted as large contributors to the decline.²²

The early sentiment of many of the first landowners in the area towards the Wodi Wodi was summed up in Kiama during a debate in 1869, where the following remark we recorded:

"The people of the earlier times in the colony were allowed to take unlawful means against the natives for destroying them and banishing them from their territories. They were regarded as infectious – injurious to the squatters, as the cattle strange to say would not graze where they could smell the scent of the aboriginal which is a remarkable instinct of animals."²³

William Burliss, who arrived at Kiama with his family early 1839, later reminisced about the local Aborigines living in the area in the early 1840s.

"It is quite natural that in the early days one would see and come in contact with the aboriginals or, more plainly speaking, the native blacks, who frequented the various haunts of the Illawarra district. It would appear that the then dense scrub which existed between Kiama and Gerringong was a great resort for them, having all the natural facilities of a romantic and hunting character. Now, it would seem that the temporary housing we got at Wean; Creek, under the hospitalih; and kindness of Mr. James Lang, was a place near their camping ground. They had several, but it afterward that this spot was their principal resort. They would come there and stay three or Jour weeks at a stretch"²⁴

"Even the aboriginals paid as much, or more, respect for their dead than some Europeans did. They picked a soft, sandy spot - they did not believe in much hard work, consequently the sandy spot was their choice. One could always tell where they buried their dead by the great heap of timber they laid over the graves. A favoured spot was near the cemetery."²⁵In the late Nineteenth Century, the remaining Aborigines of the region were confined to camps closer to the coast, although none of these were actual church of government run missions, instead they were Aboriginal camps in areas where the local people could attempt to continue their traditional way of life.²⁶

Following the NSW Government's draining of the Terragong Swamp in the 1890's, an aboriginal Reserve was set up on the flood plains on the banks of the Minnamurra River. Rosie Russel (Queen Rosie), born in 1840 and dying in 1933, was said to have lived at the mission, amongst many other places in her long life in the Illawarra.²⁷

Despite the severe decline in the local Aboriginal population, a debate was held in 1869, chaired by the Mayor, Mr Marks, at the Courthouse by the Kiama School of Arts on the topic "Has the British Government done justice to the Aboriginals of New South Wales?"

This debate can be considered to be quite enlightened by the standards of the time, but despite the discussion, no real change in the lifestyles and outlook of the Aboriginal people of the valley was made, resulting in a historical curiosity, that provide some interesting information on early contact.²⁸

²² Wheeler, J. and Leslie, F. 2006. Princes Highway, South Kiama, Nsw Aboriginal Heritage Impact Assessment For Proposed Development Of An Onload & Offload Ramp. AHMS, Sydney. p.15

²³ <u>http://kiamalocalhistory.wordpress.com</u>. Accessed 25/09/2012.

²⁴ Bayliss in Wheeler, J. and Leslie, F. 2006. Princes Highway, South Kiama, Nsw Aboriginal Heritage Impact Assessment For Proposed Development Of An Onload & Offload Ramp. AHMS, Sydney. p.17

²⁵ Bayliss in Wheeler, J. and Leslie, F. 2006. Princes Highway, South Kiama, Nsw Aboriginal Heritage Impact Assessment For Proposed Development Of An Onload & Offload Ramp. AHMS, Sydney. p.18

²⁶ Smith, L and Navin, K. 2007. Kiama to Jerrara 33kV Feeder 7007 Cultural Heritage Assessment. Navin Officer Heritage Consultants Pty Ltd. ACT. p.15

²⁷ Smith, L and Navin, K. 2007. Kiama to Jerrara 33kV Feeder 7007 Cultural Heritage Assessment. Navin Officer Heritage Consultants Pty Ltd. ACT. p.15

²⁸ <u>http://kiamalocalhistory.wordpress.com</u>. Accessed 25/09/2012.

2.2 European Use of the Site

The first European who was recorded as having been to the Jamberoo/Kiama area was George Bass, in December 1797, when he entered Kiama Harbour, though Cook noted the area during his voyage and believed he saw campfires. The first white settlers were the Cedar getters, represented initially by David Smith, who built the first residence in Kiama in 1832.²⁹

Further inland, Jamberoo was settled in the 1820's, at a time when the immediate area was still thickly forested and difficult to access. Initially the Cedar getters came up the Minamurra River (known then as the Kangaroo River). The ongoing clearing of the land allowed grazing and dairying to flourish, with the dairy industry becoming a cornerstone of the valley's prosperity.³⁰

Although the cedar getters were coming into the Jamberoo Valley early as 1810, it would not be until the 1820's that real development in the valley began. Jamberoo was able to grow quickly due to its prime location on the rail route from Sydney to Nowra and from the Southern Highlands to the south coast.³¹

Michael Hyam, using his land grant created the private village of Jamberoo, which would became Jamberoo itself over the following years. By the 1830's, Jamberoo was well established with a pub, stores, blacksmith shop, tannery, boot makers and a race course. Hyam sold his property in 1846 to Robert Owen, with the land eventually broken up into smaller lots and sold off.³²

By 1838 timber mills were built on the bank of the Minnamurra River, creating the village of Woodstock, but the collapse of the mills saw the village disappear, leaving only Jamberoo to continue as the valley's centre of inland population. Jamberoo was made a municipality in August 1859, but like many inland and lower populated coastal municipalities was amalgamated into its coastal neighbour, the Kiama Municipality, in 1954.³³

Although Dairy was the primary industry following the earlier cedar and other timber getting, many other agricultural industries were tried, such as grapes, sugar cane, hops, sorghum, corn, honey, cabbages, oats and rye were all produced here with varying levels of success and there were regular exports (on the steam ships) of eggs, bacon, wheat, poultry and butter.³⁴ In the 1870's the dairying industry of the valley was grown alongside that of the new industry of basalt (blue metal) quarrying, although the material is more correctly known as Latite.³⁵ Additionally, sand was also quarried and an ice factory was built.³⁶ The dairy industry was also well supported were four butter factories operating by the late 1800's.³⁷

However, once the Minnamurra River was bridged and the coastal rail route was built, servicing Kiama, Jamberoo went into decline as the coast became the focus for exporting from the valley and Kiama rose to be the more prominent of the valley's twp major settlements.³⁸

²⁹ http://kiama.com.au/pages/history/. Accessed 25/09/2012.

³⁰ http://kiama.com.au/pages/history/. Accessed 25/09/2012.

³¹ http://www.library.kiama.nsw.gov.au/. Accessed 25/09/2012.

³² http://www.library.kiama.nsw.gov.au/. Accessed 25/09/2012.

³³ http://www.library.kiama.nsw.gov.au/. Accessed 25/09/2012.

³⁴ http://www.library.kiama.nsw.gov.au/. Accessed 25/09/2012.

³⁵ http://kiama.com.au/pages/history/. Accessed 25/09/2012.

³⁶ http://www.library.kiama.nsw.gov.au/. Accessed 25/09/2012.

³⁷ http://www.library.kiama.nsw.gov.au/. Accessed 25/09/2012.

³⁸ http://www.library.kiama.nsw.gov.au/. Accessed 25/09/2012.



Figure 7: Site in 1892. The red box shows the approximate location of the site (Parish Map Preservation Project).



Figure 8: Site in 1897. The red box shows the approximate location of the site. Note that the Private Village of Jamberoo has been established (Parish Map Preservation Project).

18

Due Diligence Assessment for Downes Place, Jamberoo. Ainsworth Heritage.



Figure 9: Site in 1918. The red box shows the approximate location of the site (Parish Map Preservation Project).



Due Diligence Assessment for Downes Place, Jamberoo. Ainsworth Heritage.

Figure 10: Site in 1957. The red box shows the approximate location of the site (Parish Map Preservation Project).

2.3 Recent Developments

Aerial maps show that recent development in the immediate area has been limited over the past decade, with the proposed development the largest development expansion to the area in some years.



Figure 11: Site in 2006 (Google Earth).



Figure 12: Site in 2012. Note new development to the north and east (Google Earth)

2.4 Current Site Condition and Description

The site is a cleared, rural lot, with a brick dwelling located in the south-central portion of the site. A driveway and shed are located to the east of the dwelling and an in ground swimming pool to its south. The site is not currently used for agricultural purposes.

The site is primarily underlain by Latite and Trachytic tuff (compressed trachytic volcanic ash) both of which are from the suite of rocks known as the Gerringong Volcanics, which were laid down in the Permian, about 250-300 million years ago.

A 1982 paper from R.W.Young noted that the soils of the Jamberoo area are;

"Kraznozemic Soils of the Volcanics: Soils weathered on the volcanic rocks of the region have a high sesquioxide (iron/aluminium) content. They are found... on the latites (a rock similar to basalt) and sandstones composed of fragments of volcanic rock in the Kiama district. The soils are clayey, show only slight changes in texture down the profile, and are red to chocolate in colour because of the high sesquioxide content."³⁹

The LALC Sites Officer noted that the site was heavily vegetated and had much exposed country rock, mainly sandstone, silcrete, black quartz. There was also blue metal on the site, which had been brought in for drainage.



Figure 13: View south from Dualla Road/Downes Place intersection.

³⁹ Young, G.W. 1982. Soils of the Illawarra Region. University of Illawarra.



Figure 14: View across central ridge, looking west across Lot 44



Figure 15: Current dwelling on property.



Figure 16: Southern section of property, looking west across Lots 1 and 2.

