



# HISTORICAL HERITAGE REVIEW

Brimbin NSW

July 2013

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## Summary

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### Introduction

This report presents a preliminary desktop assessment and review of the historic heritage values of the area upon which a new town is proposed to be developed at Brimbin in the Greater Taree City Council Local Government Area. Niche Environment and Heritage has been commissioned by Roche Group Pty Ltd to conduct this desktop assessment and review in order to establish some baseline information about the historic heritage values of the proposed new town area.

### Methods

The desktop assessment involved a literature review of historical sources for the local area, an examination of state and local government heritage lists and prior heritage studies. This desktop assessment was supplemented by incidental in-field observations made of the Subject Area. The information derived from these sources was utilised to:

- ❑ Provide a summary and discussion of local and regional historical land-use and its material traces;
- ❑ Identify any items and areas of historic heritage and/or archaeological value;
- ❑ Provide preliminary advice as to the heritage values of items identified; and where applicable;
- ❑ Develop conservation strategies and impact amelioration measures for items and areas of identified historic heritage value.

### Findings

The following five key findings are made with respect to the historic heritage values of the Subject Area:

- ❑ It comprises a rural landscape that both reflects - and has the potential to contribute to our understanding of - the history of convict era settlement, pastoralism, agriculture and transport at local and state levels.
- ❑ There are no State Heritage Register or Inventory listings for items of historic heritage contained within this landscape; and there are no Schedule 5 listings for heritage items within this landscape on the Greater Taree City Council Local Environmental Plan (GTCC LEP).
- ❑ Two archaeological heritage items were identified in the Subject Area during a prior heritage study namely a convict era garrison well; and part of the 1860s construction of a road between Wingham and Port Macquarie
- ❑ The potential for the Subject Area to contain further convict and/or colonial era archaeological relics including building footings, wells, garden remnants, timber fencing and stockyards cannot be discounted. Preliminary observations made of timber fences and stockyards in the expected locale of Miss Isabella Mary Kelly's colonial era dwelling "Waterview" point to the possibility of archaeological relics of State Heritage Significance occurring within the Subject Area.

- In general the *in situ* occurrence of archaeological heritage items is expected to be adversely impacted by past and recent land use practices including cedar getting, hardwood forestry, ploughing and intensive contour farming.

### Recommendations

In light of the actual and probable occurrence of archaeological relics of local and/or state heritage significance within the Subject Area the following recommendations are made:

1. An archaeological relics management plan be prepared to guide the staged construction phases of the project. At a minimum this archaeological relics management plan should:
  - a. describe the ‘stop work’ protocols and/or risk minimisation strategies to be adopted in the event of the discovery of suspected archaeological relics;
  - b. describe the heritage significance and impact assessment procedures to be adopted in the event of the discovery of suspected archaeological relics; and
  - c. describe the impact mitigation and/or conservation protocols to be adopted for suspected archaeological relics determined to be of either local and/or state significance.
2. Consideration be given to the further documentation and recording of probable and actual surface archaeological relics within the Subject Area including the convict era garrison well and 1860s road portion (described in Attachment 2\_); and those fence and yards remnants of probable association with Miss Isabella Mary Kelly.
3. Where possible existing archaeological relics should be retained *in situ* especially where they already occur within currently proposed conservation zones.

In recognition of the fact that the Brimbin New Town site is part of a rural landscape of local and state heritage significance it is also recommended that:

4. Consideration be given to the possible inclusion of historic references within the development via such things as street names and themed installations within open space areas.

## 1 Introduction

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This report presents a preliminary desktop assessment and review of the historic heritage values of the area upon which a new town is proposed to be developed at Brimbin on the Mid North Coast of New South Wales. Niche Environment and Heritage has been commissioned by Roche Group Pty Ltd to conduct this desktop assessment and review in order to establish some baseline information about the historic heritage values of the proposed new town area. This baseline information is expected to be used to inform the *Brimbin Development Strategy and Structure Plan* and facilitate the preparation of the land use re-zoning application required for the new Town development.

### 1.1 Project Brief and Objectives

The objective of this preliminary historic heritage values assessment is to provide information that aids the development of the *Brimbin Development Strategy and Structure Plan*. The information provided is specifically targeted to:

- Provide a summary and discussion of local and regional historical land-use and its material traces;
- Identify any items and areas of historic heritage and/or archaeological value;
- Provide preliminary advice as to the heritage values of items identified; and where applicable;
- Develop conservation strategies and impact amelioration measures for items and areas of identified historic heritage value.

### 1.2 Project Personnel

This desktop assessment has been conducted by Dr Maria Cotter, Senior Geoarchaeologist with Niche Environment & Heritage. Jamie Reeves (Director and archaeologist) made field observations and reviewed the report.



## 2 The New Town of Brimbin

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### 2.1 Location

The Brimbin New Town site is an approximately 3,763 hectare, contiguous parcel of land located about 8 km to the north-east of Taree, NSW (Figure 1). It is situated on the coastal hills and floodplains of the lower Manning River and its tributaries. At its western margin it is bounded by the Dawson River and to the east its margin abuts the Lansdowne River and/or associated floodplain. The locality of Melinga and surrounding farmland lie at its northern margins, whilst to the south and southwest it is bounded by properties with frontage to Kundle Kundle Road and/or Brimbin Road. The subject Area is approximately 6km long on its east-west axis and has a maximum north-south axis of about 4 km, which is achieved in its western portion. The North Coast Railway line and Lansdowne Road loosely bisect the Subject Area in its central portion.

Lands within the Subject Area are currently zoned RU 1- Primary Production, RU 4- Rural Small Holdings and E2- Environmental Conservation pursuant to the *Greater Taree Local Environmental Plan 2010* (GTCC, 2010). In accord with this, existing land use in the area is primarily agricultural with most of the eastern and northern sections of the subject area being managed pasture used for grazing of cattle. Significant areas of unimproved native vegetation also occur, mostly in the west and south-western portions of the Subject Area

### 2.2 The Structure Plan

The new town of Brimbin is envisaged to be “a mixture of living and working areas that will lead to a healthy lifestyle for residents, workers and visitors” (Roche, 2010). Brimbin will ultimately accommodate a population of 22,000 people housed in approximately 8,000 dwellings to be developed over the next 30 years. It will also have a significant employment area. The current Draft Structure Plan (Figure 2) for the Brimbin new community includes:

- ❑ Approximately 789 hectares of residential land split between rural residential, low density, and medium density dwellings as well as seniors living in order to provide a range of allotment sizes. to facilitate a range of dwelling types to accommodate a mix of age and socio-economic groups.
- ❑ Approximately 118 hectares of employment land allocated for bulky goods retailing, warehouse and distribution, industrial, commercial offices and local business.
- ❑ Approximately 80 hectares of mixed use commercial and residential areas.
- ❑ A substantial portion of land (approximately 1,661 hectares) dedicated to achieving regional environmental conservation outcomes, in particular providing a key habitat corridor linking the Dawson River and the Brimbin Nature Reserve in the west with the Lansdowne River, Lansdowne Forest and Cattai wetlands to the east of the site, will be provided.

- ❑ Horticulture area for the intensive growing of plants (including protected cropping structures) to serve local and regional markets.
- ❑ Retail centre providing opportunities for local business, general retailing and community facilities.
- ❑ Recreation lake (existing lake to be augmented) providing public access to reserve and conservation areas.
- ❑ Recreational areas providing sporting fields, netball and tennis courts, health club, bowling greens, local club and hotel accommodation.
- ❑ Open space in the form of a high quality golf course, playing fields, neighbourhood parks and linear parks for passive recreation.
- ❑ Community and social infrastructure comprising of schools, library, and emergency services.
- ❑ Efficient and accessible network of roads including investigation of a new link to northern Taree, and the construction of the Cundletown By-Pass.

### **2.3 Likely development impacts**

Significant landscape modification of the Subject Area will occur if development is to proceed in the manner described in the *Brimbin Development Strategy and Structure Plan* (Roche, 2010). By necessity this landscape modification will be staged and continue over the life of the Project (Figure 2). Initial infrastructure development will require vegetation removal, land-levelling and filling; as well as sub-surface excavation for the insertion of road, stormwater, in-ground utility and sewerage services. More particularised development impacts will occur across the Subject Area as community-based health and education facilities; and residential, commercial, and industrial building stock are installed.



## 3 Statutory Contexts

### 3.1 The Heritage Act

The NSW Heritage Act, 1977 [the Act] has as its primary purpose the protection, conservation and management of the environmental heritage of NSW wherein environmental heritage is defined as being: “those places, buildings, works, relics, moveable objects and precincts of State or local heritage significance”. Under Section 4A of the Act State heritage significance is described as being significance to the State in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item. Likewise local significance is described as being significance to an area in relation to the historical scientific, cultural social, archaeological, architectural, natural or aesthetic value of the item.

As local and/or State significance is the key determinant of the value of an item of environmental heritage under the Act, the NSW Heritage Office of the Department of Planning has prepared the following guidance materials to assist in the assessment of significance:

- ❑ *Assessing Heritage Significance* (Heritage Office, 2001)
- ❑ *Levels of heritage significance* (Heritage Office, 2008)

Within these documents seven criteria are outlined by which significance is to be assessed. For each criterion the level of significance is assigned upon determination of whether the criterion described is important to the local area and/or to the State of New South Wales as a whole. The criteria are outlined below with emphasis being placed on the assessment of the *local significance* such that a heritage item would be determined to be locally significant if it matched one or more of these criteria.

- ❑ **Criterion a:** It is important in the course, or pattern, of the local area/ cultural or natural history - known as historic significance
- ❑ **Criterion b:** It has strong or special association with the life or works of a person or group of persons, of importance in the cultural or natural history of the local area - known as historic associations
- ❑ **Criterion c:** It is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area - known as aesthetic or technical significance
- ❑ **Criterion d:** It has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons - known as social significance
- ❑ **Criterion e:** It has potential to yield information that will contribute to an understanding of the area’s cultural or natural history - known as research potential or educational significance
- ❑ **Criterion f:** it possesses uncommon, rare or endangered aspects of the local area’s cultural or natural history - known as rarity

- Criterion g:** it is important in demonstrating the principal characteristics of a class of the local area's cultural or natural places or cultural or natural environments - known as representative significance.

In addition to these criteria thirty-five historical themes have been adopted by the Heritage Branch of the Department of Planning for heritage management purposes (see Attachment 1). These themes provide the historical framework for New South Wales and the context through which the State significance of an Item can be assessed (Heritage Office, 2001b).

Finally, it should be noted that the Part 6 'relics provisions' of the Act gives statutory protection to historic archaeological heritage within New South Wales. A 'relic' is defined by the Act as:

*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.*

All relics that satisfy these criteria are protected under s.139 of the Act, which makes it illegal to carry out 'disturbance or excavation [that] will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed' without an excavation permit, which can be applied for under s.140 of the Act.

### **3.2 Greater Taree Local Environmental Plan**

Clause 5.10 of the Greater Taree City Council Local Environmental Plan 2010 (Herein GTCC LEP 2010) is focused on Heritage Conservation. In accord with the Heritage Act, the objectives of clause 5.10 are:

- to conserve the environmental heritage of Greater Taree City, and
- to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views, and
- to conserve archaeological sites, and
- to conserve places of Aboriginal heritage significance.

Under the GTCC LEP 2010 development consent is required to:

- Demolish or move a heritage item or a building, work, relic or tree within a heritage conservation area,

- Alter a heritage item or a building, work, relic, tree or place within a heritage conservation area, including (in the case of a building) making changes to the detail, fabric, finish or appearance of its exterior,
- Disturb or excavate an archaeological site while 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,
- Disturb or excavate a heritage conservation area that is a place of Aboriginal heritage significance, on land to which a heritage item is located or that is within a heritage conservation area, and to
- Subdivide land on which a heritage item is located or that is within a heritage conservation area.

To ensure there is no departure from the appropriate assessment requirements for items of actual or potential local heritage significance this assessment has been prepared with consideration of the following sub clauses of the GTCC LEP 2010:

- Subclause 5.10 (4) Effect on heritage significance:** The consent authority must, before granting consent under this clause, consider the effect of the proposed development on the heritage significance of the heritage item or heritage conservation area concerned. This subclause applies regardless of whether a heritage impact statement is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).
- Subclause 5.10 (5) Heritage Impact Assessment:** The consent authority may, before granting consent to any development on land:
  - a) on which a heritage item is situated, or
  - b) within a heritage conservation area, or
  - c) within the vicinity of land referred to in paragraph a) of b),require a heritage impact statement to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.
- Subclause 5.10 (6) Heritage conservation management plans:** The consent authority may require, after considering the significance of a heritage item and the extent of change proposed to it, the submissions of a heritage conservation management plan before granting consent under this clause.
- Subclause 5.10 (7) Archaeological sites:** The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land

listed on the State Heritage register or to which an interim heritage order under the Heritage Act 1977 applies):

- a) notify the Heritage Council of its intention to grant consent, and
- b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

The criteria and regulatory mechanisms for assessing and conserving heritage items as established by the NSW Heritage Branch of the Department of Planning and the Greater Taree City Council, outlined above, are those considered and followed in this assessment as these provide the most appropriate framework within which to consider the potential historic heritage values of the Subject area.

## 4 History of Brimbin

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The historical information relating to the Brimbin area presented below has been mainly derived from secondary sources. A more detailed appraisal of the heritage values of the area is expected to be achieved if further attention was given to the investigation of primary historic source material in the State Archives. This is beyond the scope of this preliminary desktop assessment.

### 4.1 Pioneer Settlement

In 1827 Mr Jon Guilding was given permission to take up the first land grant on the north bank of the Manning River. The southern bank of the Manning River had previously been established as the limit of occupation when, in 1824, it became the northern boundary of the one million acre land grant given to the Australian Agricultural Company (Ramsland, 1987; Bairstow, 2003). Mr Guilding named his property 'Mooto' (later Molto) and it had frontage to Dickensons Creek. Immediately to the west of this land grant, Mr Guilding ran cattle on a run he named "Boondabah". In the census of 1828 it was reported that Guilding had cleared 500 acres of land, had 40 acres under cultivation and was grazing 400 head of cattle on the estate using the services of two free persons and eight assigned convicts (Birrell, 1987). However by October 1829 Mr Guilding was in debt and surrendered his land grant to repay it, leaving a stockman to oversee his neighbouring cattle run. In 1841 land encompassing this Boondabah run was granted to a Mr Lewis at which time it was referred to as Durhambah (Connors, 1985; Birrell, 1987). Some of the northern portion of the current Subject Area lies within the former Durhambah pastoral run (Collins, 2003).

By 1830 Major A.C. Innes of Port Macquarie had occupied land to the west of Durhambah, adjoining the Dawson River, and established the "Braynbyn" cattle run (Birrell, 1987). The run was stocked with cattle that were brought overland from Innes' more substantial holdings at Port Macquarie (Connors, 1985). This overland route was first surveyed / blazed by Henry Dangar during his surveying efforts for the Australian Agricultural Company, and it came to be part of the route linking the Company lands at Gloucester and Stroud with the Port Macquarie penal settlement (Connors, 1985; Birrell, 1987; NPWS, 2005). Mr Ben Saville was one of the assigned convicts who first brought cattle overland to Brimbin from Innes' Port Macquarie property, and he continued to work on Brimbin during the late 1830s and early 1840s. Later he was granted a free pardon and is reported to have become the first settler of nearby Lansdowne (Connors, 1985).

Major Innes' early 'occupancy' of land on the Dawson River had no legal status. In 1836 however Innes became the first person to legally purchase land in the Manning River when he bought the 960 acres of "Braynbyn" (later known as Brimbin) (Birrell, 1987; Connors, 1985). Interestingly, when recording the reminiscences of pioneer settler Mr John Allan, regarding the local Aboriginal names for various places Fitzpatrick (1914:60) writes that "'Brimbin" was, correctly, "borembut" (a lot of stringybark trees)"

indicating that the property name was locally derived and reflects both the environmental and pre-colonial heritage of the area.

In the 1841 colonial census nine settlers and two assigned servants (likely including Ben Saville) were recorded as occupying the locality of 'Brymbyne' (Birrell, 1987: 75). These were employed clearing land, fencing and husbanding livestock (Connors, 1985). Like Brimbin, within the wider Manning Valley area during this pioneer pastoral phase, cattle rather than sheep were the primary livestock due to the high rainfall, a lack of shepherds, the presence of dingoes and the heavier vegetation (Heritage Office, 1996). For the area about Brimbin heavy vegetation was a particular obstacle such that Connors reports:

“By 1850 attempts at clearing the ever increasing regrowth of brush including wattle, paper bark and swamp oak, in conjunction with bad seasons of drought on the poor shallow soils that covered most of Brimbin, Durambah and adjoining land led to the almost complete desertion of the area. This allowed for the regrowth and establishment of a Eucalyptis forest that steadily became denser and taller than that which existed earlier” (Connors, 1985:41).

One settler did however persist in the area about Brimbin for sometime into the 1850s. Miss Isabella Mary Kelly, an independent settler of some means first leased and then purchased 43 acres of land on Brimbin Creek near where the colonial track from Stroud to Port Macquarie crossed the Dawson River, which she called “Waterview” (Birrell, 1987). Miss Kelly built a substantial house on “Waterview” and solid stockyards that reportedly stood for more than a century (Connors, 1985). At the time of her purchase “Waterview” was wild uncleared land and there were no settlers close by. Reportedly, Miss Kelly allowed her stock to roam freely beyond the boundaries of her 43 acres particularly into the disused partly cleared areas of Brimbin and Durambah to the west. Her property at Brimbin featured in a court case of some notoriety in the late 1850s (e.g. being reported in the *Sydney Morning Herald*, [6 April 1855, p4] & in the *South Australian Advertiser*, [February 4, 1863, p.3]) and later as result Miss Kelly abandoned her selections in the Manning River (Connors, 1985).

#### **4.2 Cedar getters and hardwood forestry**

The exploitation of Cedar (*Toona australis*) contained within ‘the brushes’ of the lower river banks of the Manning River and its tributaries provided the first major stimulus to the permanent European settlement of the district. Cedar was first cut from the Manning River by pioneer settlers such as Guilding and his contemporaries A.P. Onslow and William Wynter. Hence by March 1829 a stockpile of 30 000 feet of cut cedar and cedar logs from the ‘rich cedar brushes’ of the Manning valley was reported ready for shipment to Sydney (Birrell, 1987). Of these pioneer settlers William Wynter was the only one to become a long term resident of the area; and it appears that in part this was the result of his supplementation of his barely self-supporting farming enterprise with first cedar-getting and later the



building of ships to support the burgeoning cedar trade (Ramsland, 1987). Thus by 1833 when itinerant gangs of cedar getters moved north from the Hunter River to commence widespread exploitation of cedar along the Manning River William Wynter already had cedar gangs established in the area. Within a short time cedar getters' camps were located along both banks of the Manning River upstream from the entrance for some thirty-two to forty-eight kilometres (Birrell, 1987). Hence during the year of 1834 some 230 800 feet of cedar was shipped to Sydney from the Manning River.

The cedar cutters continued along the Manning into the 1850s but at this time exploitable cedar resources were becoming more difficult to obtain; and the attention of loggers and sawyers turned to the native hardwood timbers present in the forests of the Manning Valley. This is a pattern of forest exploitation repeated along the coastal rivers of northern New South Wales (e.g. Swain, 1912; Kass, 1989; Heritage Office, 1996)). By 1872 more than 1,500,000 feet of sawn hardwood timbers was being extracted from the Manning valley, and by 1907 the hardwood timber industry was recognised as the most important industry in the Manning valley employing a total of 1800 people and supporting 28 operational mills (Birrell, 1987; Ramsland, 1987; GTCC, 2006).

#### **4.3 Intensification of agricultural practices**

As the extract below indicates, by the 1850s the alluvial terraces of the lower Manning River floodplain—now cleared of exploitable cedar resources—were being subject to significant modification in order to secure the land for agriculture:

“The Cundle and Molto plains embrace an area of upwards of ten thousand acres of the richest alluvial soil. These plains are elevated from four to ten feet above high-water mark in the surrounding rivers, but along the margin of these rivers there is a bank of from six to thirteen feet in height, preventing the free egress of the water from the plains, and causing them to be in parts swampy.’ The plains may thus be likened to an immense plate, the river—bank corresponding to—the rim. Large drains are now being opened by the Company, through the banks at all available places, and corresponding drains are being dug throughout the length and breadth of the plains. If all goes well, a very few years will exhibit wheat and corn growing over this vast area of alluvial soil, which will present a prospect of fertility almost unequalled in any part of the world. The navvies at work here are a superior class, and behave themselves well. They live in tents on the plains near their work, and only visit the township to make markets on Saturday evenings”(Sydney Morning Herald, Tues. 5 February, 1856, p3).

The eastern, low lying margins of the Subject Area comprise part of the “Cundle and Molto Plains” referred to in the above extract. It is therefore likely that these areas were subject to and/or were affected by the drainage works that took place across this plain during the 1850s.

It is certain that between 1850 and 1860, 545 allotments totalling nearly 30,000 acres were taken up in the lower Manning Valley so that by 1860 most of the good alluvial land had been allocated (GTCC, 2006).

Situated within the fertile soils of the lower Manning floodplain these relatively closely settled small acreage farms initially grew wheat, maize and vegetables with wheat gradually being discarded in the 1860s because of increasing rust problems. In general these mixed farms were not prosperous and many operated barely above subsistence level. By the late 1860s fluctuating economic conditions, a decline in maize prices and a series of severe floods caused many farmers to experiment with other crops. Of these the most notable was sugar which was planted in 1866 with some moderate success such that a number of sugar mills were soon established. However a series of severe frosts in 1873 crippled the fledgling sugar industry within the Manning valley and only a few experimental sugar crops were ever subsequently planted. Other crops such as tobacco, cotton and grapes were also trialled but with little success.

#### **4.4 20th Century European land use**

The land use in the area about Brimbin in the late 19<sup>th</sup> and early 20<sup>th</sup> century is not well documented, although the settlement pattern reflected today is believed to have been largely achieved by this time (GTCC, 2006). It is likely that as elsewhere on the Manning (including the property Durambah to the east), dairying came to have a role in the exploitation of the area (Birrell, 1987). During this movement towards dairying little overall change in land cover is expected, with the exception that as described above, regrowth of vegetation over areas cleared in the colonial period is likely. Interpretation of a series of historical aerial photographs obtained from the NSW Land and Property Management Authority (Figures 3 and 4) indicates that sometime in the late 1950s or early 1960s land clearing was renewed in the western sector of the Subject area, and that this increased substantially in the 1970s such that by 1979 much of the current plough, contour and dam features were in place.

#### **4.5 Controls on the historical record**

The examination of the historical contexts of the Subject Area points to the following controls on the nature and type of historic and archaeological items to be found within it:

- Remnants of cedar getting and hardwood logging could be expected adjacent to the Dawson River and/or in any stands of native forest.
  
- Convict and/or early pastoral era heritage items including building footings, wells, garden remnants, timber fencing and stockyards and early road fragments may occur within the subject area. The occurrence of these items is however expected to be limited by the fact that:

- a) Later intensive agricultural activities such as ploughing, ripping, scarifying and/or contour bank forming, wherever they have occurred, reduces the likelihood of finding surface heritage items in their original contexts. Importantly however the plough marks and contour banks are of themselves a manifestation of more recent land use; and
- b) Past land use disturbances, particularly vegetation clearance, ploughing and intensive contour farming also limits the potential for surface and sub-surface historic archaeological items ('relics') to occur in in-situ depositional contexts.

## 5 Review of Heritage Studies and Listings

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### 5.1 Heritage Registers

An online search of the NSW State Heritage Register was conducted on 23 May 2011. This search revealed that there are no heritage items, heritage conservation areas or archaeological sites listed on the State Heritage Register that occur within the Subject Area. This means that to date no item within the Subject Area has been identified to be of State Heritage Significance.

Likewise an online review of items, conservation areas and archaeological sites listed in Schedule 5 [Environmental Heritage] of the Greater Taree Local Environmental Plan 2010 (GTCC LEP) revealed that no such items were listed to occur within the Subject Area. This result was also in accord with the inspection made of the NSW Heritage Branch State Heritage Inventory on 23 May 2011 that revealed no items of local heritage significance were listed for the Subject Area.

### 5.2 Heritage Studies

The Greater Taree Council Local Government Area has been the subject of four Heritage Assessments that were staged over a 16 year period commencing in 1990 with the “*City of Taree Heritage Study*” (Suters Architects Snell, 1990). This first study was essentially an urban study addressing the heritage values of the main urban areas of Taree and Wingham, and also considering the main village areas of Tinonee, Cundletown and Coopernook. The second study, titled *The Lower Manning Heritage Study 2001 (also referred to as the Stage 1 Rural Heritage Study)* assessed the heritage values of the lower Manning River and its islands including Oxley, Mitchells and Cabbage Trees Islands (GTTC, 2006).

The third study, referred to as the *Greater Taree City Council Rural Heritage Study, Stage 2* (GTTC, 2003) covered the coastal plain north of the Manning River, and along its south bank as far south as the Old Bar Road. It extended westward to the Comboyne Road at Wingham and northward to the Shire boundary. It included the intensively settled parts of the lower valley such as Taree Estate, Glenthorne, Dumaresq Island, Kolodong and Jones Island; and extended into the valleys of the Lansdowne and Dawson Rivers and Killabakh Creek. It is this study that is of most relevance to the area about Brimbin. Within it two archaeological heritage items were identified whose occurrence coincides with the current Subject Area. The first is a well that reportedly formed part of a soldier’s garrison/outpost associated with the use of convict labour within the broader study area in its earliest settlement period. The second is a remnant of an historic road developed between Wingham and Port Macquarie in the 1860s which is now located at ‘Kate Kelly’s Crossing’ on the Dawson River. The study recommended that these two archaeological heritage items be included on the State Heritage Inventory and also recommended them for conservation as individual items in the normal manner by way of inclusion in the Local Environmental Plan. To date these items have not been included on either the State Heritage Inventory or listed in schedule 5 in the GTCC LEP (See Section 5.1). The descriptions and Statement of

significance provided in the Appendix to the study for each archaeological item are outlined in Attachment 2. The location of these items in relation to the Subject Area; and pioneer property boundaries is shown in Figure 5.

The final rural heritage study was completed in 2006 and was designed to present a geographical, historical and thematic overview of the heritage of the entire Greater Taree City Council Area (GTTC, 2006). It provides a useful synthesis of the thematic history of the LGA, and consequently has informed the assessment of the local significance of potential items of historic heritage value identified within the Subject Area.

## 6 Site Inspection

In early March 2011 Niche Environment and Heritage conducted a targeted Aboriginal archaeological survey of the Subject Area as part of a detailed Aboriginal cultural heritage assessment (Niche, 2011). During this survey some preliminary observations were made of items of potential historic heritage value. These items are briefly categorised and outlined below.

### Historic Heritage Item Type 1: Timber fence and yard remnants

In the south west portion of the subject area a number of timber fence and yard remnants were observed. These included split post and rail fences common in the area from the mid-to-late 19<sup>th</sup> century (Birrell, 1987) and rough sawn plank yards fixed with nails and/or wire to prepared posts and/or large trees. Further investigation is required but some of these remnants were considered consistent with the possible location of the dwelling and stockyards of the convict era settler Miss Isabella Mary Kelly.



Plate 1: Split post and rail fence remnants located within the southwest of the subject area.

### Historic Heritage Item Type 2: Evidence of historical timber getting

In the southwest and forested areas of the Subject Area numerous sawn tree stumps and old logging trails indicate wide-spread timber harvesting. The majority of stumps are of hardwood species and reflect the development of this industry within the Manning Valley from the 1850s. In keeping with this early development of native forestry axe marks on many of the tree stumps provide evidence of the pre-mechanised harvesting of timber within the area.





Plate 2: Some of the numerous tree stumps observed in the forested south west portion of the property that attest to the prior logging of this landscape. Many of these tree stumps are contained within areas nominated as conservation areas within the Brimbin Structure Plan.

### Historic Heritage Item Type 3: Agricultural Machinery

This disc plough was identified in a lightly timbered area in the southwest of the study area. An informal enquiry as to the likely age and make of this item was made to Mr Allan Thomas, former president of the Armidale Antique Machinery Club. He provided the following advice:

“I suspect strongly that the discs are “little giants” or some called them “baby giants”. They were made by Connor Shea and there were a few different models/sizes. I am guessing that yours could have been made around 1965, perhaps a little earlier. Connor Shea use that yellow paint on all their equipment as far as I know. The bar out the front indicates that it was “draw bar” pull. A good sized tractor or more often, a crawler e.g. caterpillar D4, is required to pull the bigger models. Baby giants were often used as the first cultivation after clearing or to plough in light regrowth before sowing to improved pasture.” In this context, the disc plough reflects the most recent agricultural phase of land use.



Plate 3: The disc plough left exposed to the weather at the edge of re-growth forest in the south west of the Subject Area.

### Historic Heritage Item Type 4: Agricultural earthworks - contour banks and dam infrastructure

Historical aerial photographs have revealed that significant landscape modification has occurred across the Subject Area from sometime in the late 1950s. In addition to items of agricultural machinery,

earthworks including contour banks and dam infrastructure attest to this move to a more intensive use of the landscape at this time.



Plate 4: Earthworks associated with the most recent agricultural phase in the Brimbin New Town Area.

#### Historic Heritage Item Type 5: Road & Rail Infrastructure

The Modern rail line (left) and road network (right) within the proposed Brimbin New Town area occur in the same alignment as the original late 19<sup>th</sup> century rail corridor and the original 1860 - 1890s road network. However most of this rail and road network has been subject to periodic improvement such that it generally does not contain items or remnants of historic importance. It is noted however that timber signal stations at nearby Melinga and Kundle Kundle have been recognised to have local historic importance; and timber bridges such as that which cross the Ghinni Ghinni Creek at Moto have been recognised as being of local significance (GTTC, 2003). In addition - and as described in Attachment 2 - parts of the road network contain remains from road construction activities conducted in the 1860s.



Plate 5: The Modern rail line (left) and road network (right) within the proposed Brimbin New Town area occur in the same alignment as the original late 19<sup>th</sup> century rail corridor and the original 1860 - 1890s road network.



## 7 Statement of Heritage Significance

The historical heritage significance of the Subject Area has not been previously assessed. The following statement of heritage significance is not based on a detailed historical archaeological survey but reflects the results of the desktop review and preliminary in field observations made of potential historic heritage items. It is also informed by the assessment of the heritage value of the two previously identified archaeological items (i.e. the garrison well; and the early road) within the subject area. The statement of significance focuses first on the broad cultural landscape; and then on individual or groups of heritage items observed and or likely to occur within this landscape. It should be noted that an assessment of the significance of the cultural landscape considers the landscape as a contiguous geographic area which the relationships between locations and features in the landscape provide a holistic and dynamic historical record (Cotter, et al., 2001; Moylan *et al.* 2009,). The dominant character of the assessment area today is that of a rural agricultural property, being largely cleared, modified, enclosed and fragmented, with pockets and fringing areas of remnant vegetation (Niche, 2011).

### Statement of Significance - the cultural landscape

The Subject Area is situated within a rural landscape that variously reflects pre-and-post European engagement with the local environment. In historic heritage terms it is a cultural landscape that reflects - and has the potential to contribute to our understanding of - the history of convict era settlement, pastoralism, agriculture and transport at local and state levels. The local and/or state heritage significance of this cultural landscape derives from the following key elements:

- ❑ Within its boundaries is included the original 1820s pastoral runs of ‘Braynbyn’ and ‘Durambah;
- ❑ Within its boundaries is included the original 960 acres of land purchased by Major Innes in 1836; and this is the first land to be formally purchased north of the Manning River;
- ❑ It is associated with important individuals in the exploration and colonial occupation of the local area and/or the State of New South Wales including Henry Dangar, Major Innes Miss Isabella Mary Kelly and the emancipated convict Ben Saville, the first settler of Lansdowne;
- ❑ It is documented to contain convict era relics associated with a soldier’s garrison (Attachment 2). Likewise the natural ford at the misnamed ‘Kate Kelly’s Crossing’ on the Dawson River appears to have been used as part of the first colonial era track between Stroud and Port Macquarie (Connors, 1985) although much of the currently observed historic relics at this location are associated with the later 1860s development of the permanent road between Wingham and Port Macquarie (Attachment 2);
- ❑ The alignment of roads remain consistent with those first introduced in the colonial period;
- ❑ The alignment of rail infrastructure remains consistent with the original 1900s rail route;

- Numerous tree stumps reflect the widespread exploitation of the native forests of the area and are at least indicative of the local importance of the hardwood timber industry in the late 19<sup>th</sup> century.

#### **Statement of Significance - convict era relics**

Where these occur within the Subject Area they are likely to be immediately of local significance since very few such items have been documented to occur within the Manning Valley (GTTC, 2003). Hence both the garrison well and the natural ford at Kate Kelly's crossing can be attributed this local significance. Where these convict era relics can be associated with the actions or activities of important individuals such as Major Innes and Miss Isabella Mary Kelly, and/or where they are in good condition or have the potential to contribute to historical themes they have the potential to be of state heritage significance. In this context the early timber fence and yards identified in this study and considered likely to derive from the occupation of 'Waterview' by Miss Isabella Mary Kelly are of potential state heritage significance.

#### **Statement of Significance - evidence of timber getting**

The numerous tree stumps that occur within the Subject Area attest to the widespread logging of the native forests of the lower Manning Valley in the mid to late 19<sup>th</sup> and early 20<sup>th</sup> centuries and in this context can be considered of local and representative significance only. This significance is however considered to be low as the tree stumps are common within this local area; and there are a number of more substantial historic heritage items associated with timber getting elsewhere in the lower Manning River (GTTC, 2003).

#### **Statement of Significance - agricultural machinery and associated earthworks**

The disc plough, contour banks and other earthworks noted within the Subject Area reflect the modern agricultural use of this landscape which from historic aerial photographs has been determined to commence at or about the late 1950s. Although perhaps in existence for some 50 to 60 years, due to the continuity of the agricultural enterprise that they represent or are associated with, the observed items of agricultural machinery, dam and other earthworks such as contour banks are not attributed any heritage significance.

#### **Statement of Significance - Road and rail infrastructure**

The current road and rail networks within the Subject Area obtain local heritage significance as they have retained the general alignment of the earliest road and rail routes. In addition, elements of the road network have been shown to consist of construction materials dating to the 1860s development of the first permanent route from Wingham to Port Macquarie (Attachment 2).

## 8 Discussion and Conclusions

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This desktop assessment of the historic heritage values of the Subject Area has determined that it comprises a rural landscape that both reflects - and has the potential to contribute to our understanding of - the history of convict era settlement, pastoralism, agriculture and transport at local and state levels. Nevertheless, there are no State Heritage Register or Inventory listings for items of historic heritage contained within this landscape; and there are no Schedule 5 listings for heritage items within this landscape on the Greater Taree City Council Local Environmental Plan (GTCC LEP). In this latter context it would seem that the two archaeological heritage items described at Attachment 2 (the garrison well and the 1860s road elements at “Kate Kelly’s Crossing”) and reported in the *Greater Taree City Council Rural Heritage Study, Stage 2* have been oversighted during the preparation of Schedule 5 of the GTCC LEP. Irrespective of this oversight the potential for the Subject Area to contain convict and/or colonial era archaeological relics including building footings, wells, garden remnants, timber fencing and stockyards cannot be discounted. In this regard preliminary observations made of timber fences and stockyards in the expected locale of Miss Isabel Mary Kelly’s colonial era dwelling “Waterview” point to the possibility of archaeological relics of State Heritage Significance occurring within the Subject Area. In general however the *in situ* occurrence of these items is expected to be adversely impacted by past and recent land use practices including cedar getting, hardwood forestry, ploughing and intensive contour farming.

## 9 Recommendations

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In light of the actual and probable occurrence of archaeological relics within the Subject Area and the Greater Taree City Council requirement for development consent to be sought where a development will or is likely to result in a relic being “*discovered, exposed, moved, damaged or destroyed*” the following recommendations are made:

1. An archaeological relics management plan be prepared to guide the staged construction phases of the project. At a minimum this archaeological relics management plan should:
  - a. describe the ‘stop work’ protocols and/or risk minimisation strategies to be adopted in the event of the discovery of suspected archaeological relics;
  - b. describe the heritage significance and impact assessment procedures to be adopted in the event of the discovery of suspected archaeological relics; and
  - c. describe the impact mitigation and/or conservation protocols to be adopted for suspected archaeological relics determined to be of either local and/or state significance.
2. Consideration be given to the further documentation and recording of probable and actual surface archaeological relics within the Subject Area including the convict era garrison well and 1860s road portion (described in Attachment 2\_); and those fence and yards remnants of probable association with Miss Isabella Mary Kelly.
3. Where possible existing archaeological relics should be retained *in situ* especially where they already occur within currently proposed conservation zones.

In recognition of the fact that the Brimbin New Town site is part of a rural landscape of local and state heritage significance it is also recommended that:

4. Consideration be given to the possible inclusion of historic references within the development via such things as street names and themed installations within open space areas.



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## Figures

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**Figure 1: Location Map**

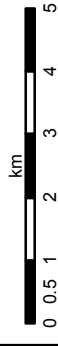
**1051 Brimbin Historical**

Drawn by: RJ

Project Mgr: JR

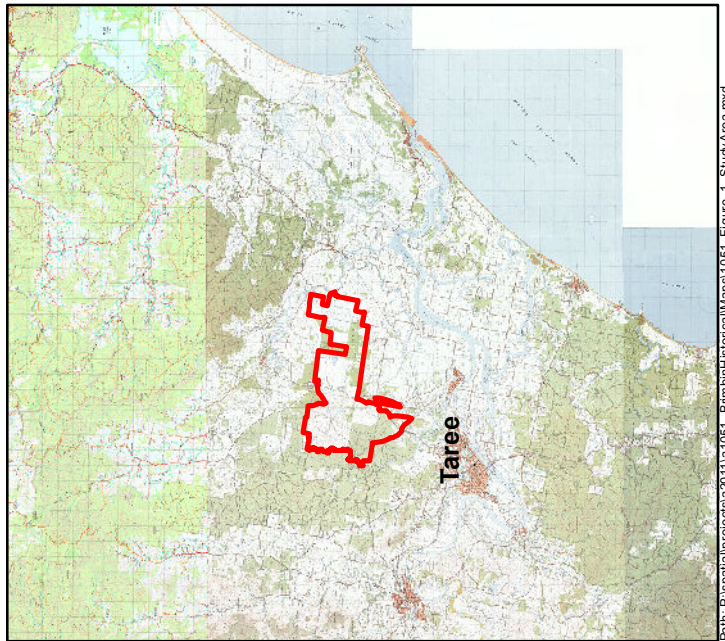
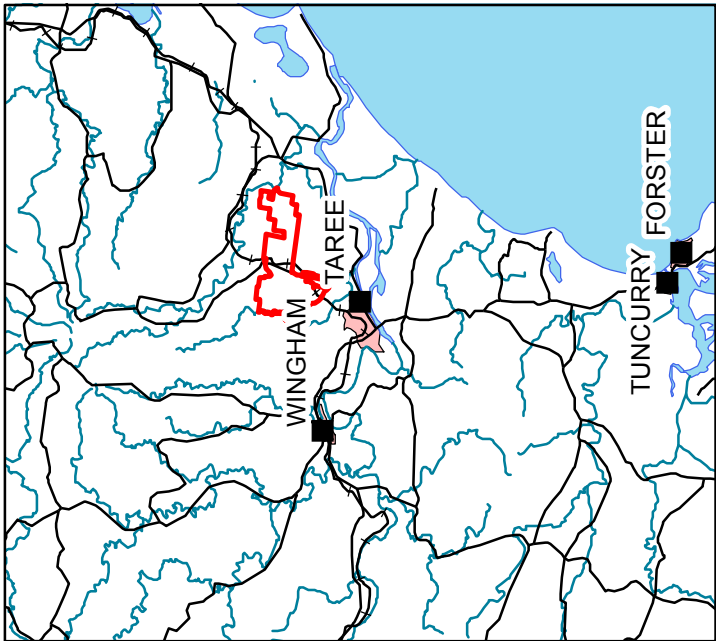
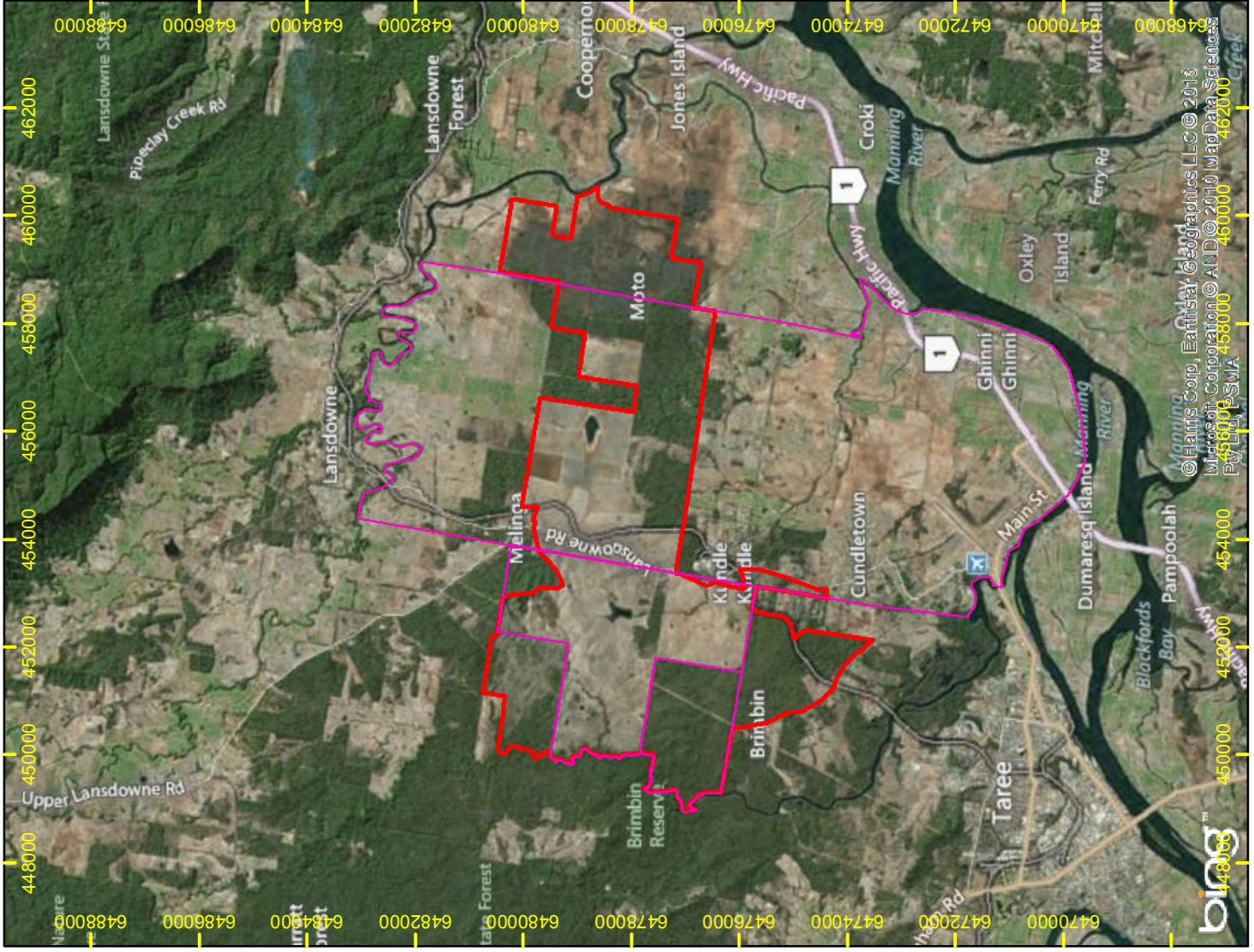
Date: 24/05/2013

Historical Properties  
Subject Area



Datum:  
GDA 1994 MGA Zone 56

Imagery:  
(c) 2010 Microsoft Corporation  
and its data suppliers



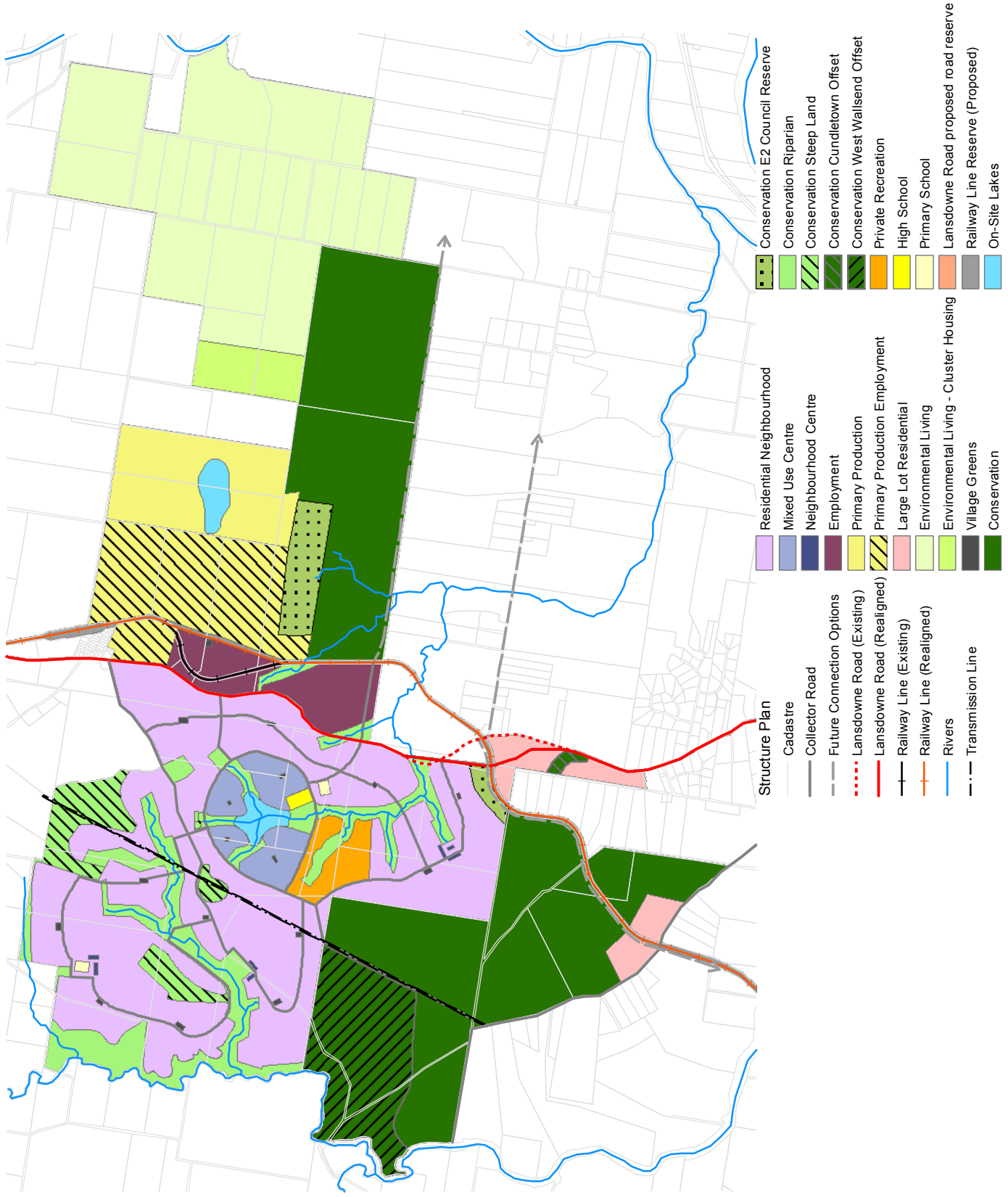
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**Figure 2: Draft  
Structure Plan  
22 May 2013**

**1051 Brimbin Historical**

Drawn by: RJ  
Project Mgr: JR  
Date: 15/07/2013





**Figure 3: Historical  
Airphoto Interpretation  
- A**

**1051 Brimbin Historical**

Drawn by: RJ

Project Mgr: JR

Date: 24/05/2013

Subject Area



Land cover change 1956 to 1969 for west and central portions of the Subject Area (AP Source: (a) Wingham NSW Run 278, E T1E 22.4.56 and (b) Wingham NSW Run3W 25.4.69).

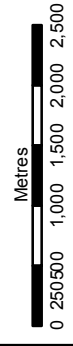


**Figure 4: Historical  
Airphoto Interpretation  
- B**

**1051 Brimbin Historical**

Drawn by: RJ  
Project Mgr: JR  
Date: 24/05/2013

 Subject Area



1979



Land cover change 1966 to 1979 for west and central portions of the Subject Area. (AP source: Wingham NSW Run 278, E TIE 22.4.56 and Wingham NSW RUN 3s 28.11.79).

1956





# Figure 5: Pioneer Heritage

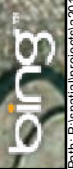
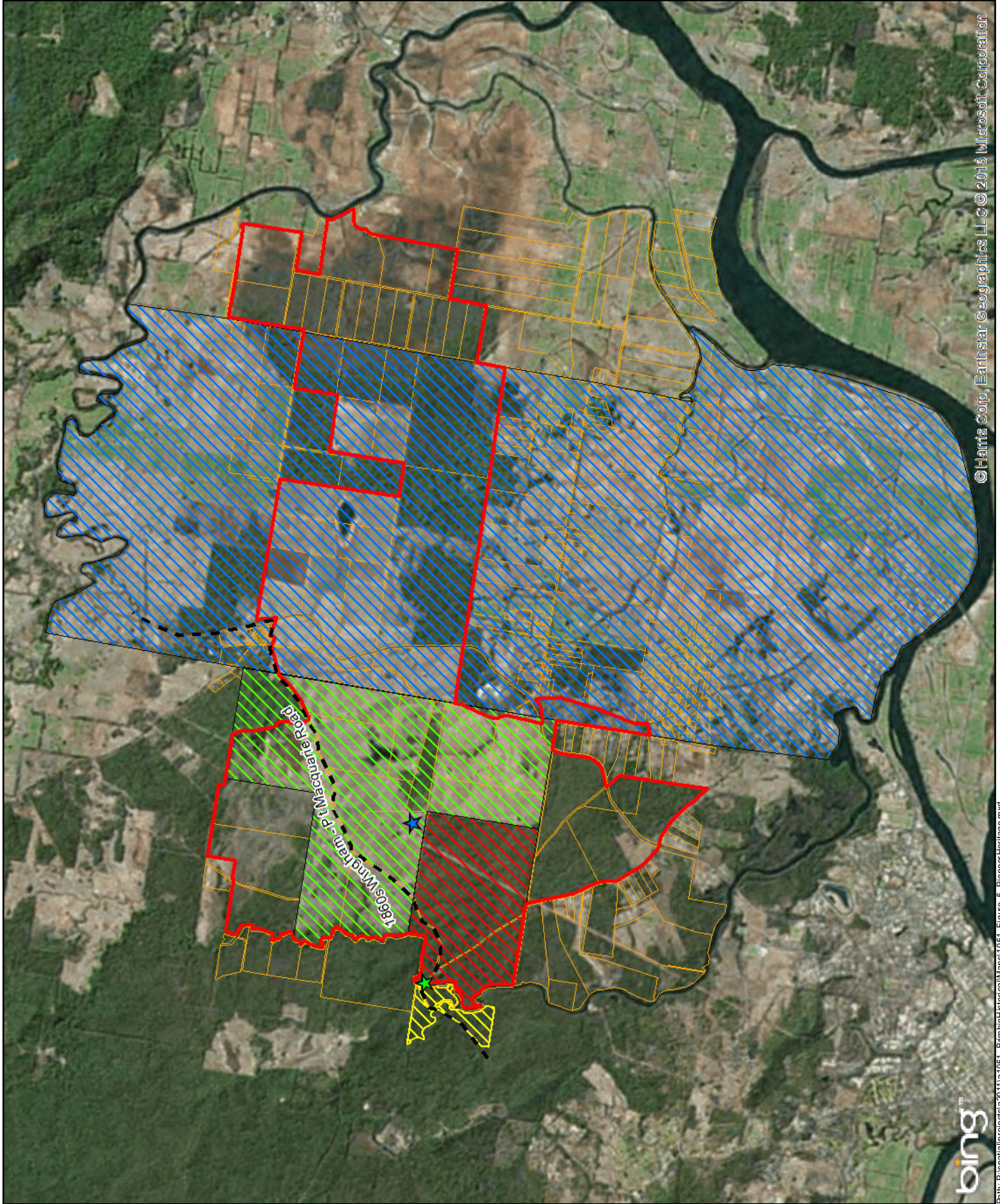
## 1051 Brimbin Historical

Drawn by: RJ  
Project Mgr: JR  
Date: 24/05/2013

- Subject Area** [Red outline]
- Heritage Sites**
  - Garrison well [Blue star]
  - Historic road remnant [Green star]
- Road 1860** [Dashed line]
- Historical Properties**
  - Archibald Clunes Innes [Red diagonal lines]
  - Hart Davis [Blue diagonal lines]
  - M W Lewis [Green diagonal lines]
- Brimbin Nature Reserve** [Yellow diagonal lines]



Imagery:  
(c) 2010 Microsoft Corporation  
and its data suppliers





## Attachments

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### Attachment 1

#### NSW Historic Heritage Themes

## Historical Themes Relevant to New South Wales

<b>1. Aboriginal contact:</b> may include sites of conflict, resistance, interaction	<b>19. Technology</b>
<b>2. Convict</b>	<b>20. Science</b>
<b>3. Exploration</b>	<b>21. Government and administration:</b> includes maladministration
<b>4. Pastoralism</b>	<b>22. Law and Order:</b> includes protest
<b>5. Agriculture</b>	<b>23. Defence:</b> may include Aboriginal battle sites, war memorials
<b>6. Land tenure - Aboriginal and European:</b> may include subdivisions, fences, survey marks etc	<b>24. Housing</b>
<b>7. Mining:</b> may include gold, tine, gemstones, sand, shale, quarries etc	<b>25. Social institutions:</b> eg. CWA, Masonic, progress halls, schools of art
<b>8. Fishing:</b> includes whaling	<b>26. Cultural sites:</b> from low to high culture: significant for the creation or performance of art, music, literature, drama, film, etc
<b>9. Environment - natural or modified and shaped:</b> may include Aboriginal and European features, clearing, timber-getting, soil conservation, national parks and gardens, special plantings, preservation of open space.	<b>27. Leisure:</b> includes tourism, resorts
<b>10. Townships:</b> may include present, former or aborted settlements, streetscapes	<b>28. Sport:</b> includes sporting facilities, equipment, trophies
<b>11. Migration</b>	<b>29. Health:</b> includes hospitals, maternity hospitals
<b>12. Ethnic influences</b>	<b>30. Welfare:</b> e.g. charitable and self-help institutions
<b>13. Transport:</b> includes road, rail, water, air	<b>31. Religion</b> e.g. churches, convents, manses, mosques
<b>14. Communication:</b> includes printing, postal to modern media	<b>32. Education:</b> includes formal and informal, schools, mechanic institutes, secondary and tertiary educational institutions
<b>15. Utilities:</b> e.g. water sewerage, gas, electricity	<b>33. Death:</b> cemeteries, undertakers
<b>16. Industry</b>	<b>34. Events:</b> may include monuments, sites of special significance and social value
<b>17. Labour:</b> includes work practices and organised labour	<b>35. Persons:</b> may include individuals, families dynasties, birthplace, place of residence, women's sites
<b>18. Commerce:</b> includes banking & retailing	

**Attachment 2**

**Description and Statement of Significance of Archaeological heritage items previously  
identified within the subject area**

**(source: Greater Taree City Council Rural Heritage Study Stage 2)**

**Archaeological item 1: Former well/soldier's garrison/outpost Lansdowne (Item 18-09)  
(Map Grid Reference: Wingham 1:25000 Map Sheet 9334-2-N @ 451530 E 6477600 N)**

This appears to be the only remaining evidence in the study area from the first period of settlement when Port Macquarie was still a penal settlement and convict labour was used in the Manning Valley. The only other physical evidence in the Greater Taree area of comparable age is "Woodside House: built about 1843 although a slightly earlier claim is made for the burnt out shell of "Mondrook House; which has undergone two rebuilding programs.

1. Historical. The well's historic significance relates to its association with this early period of settlement, the large grazing properties that existed before the beginning of small holdings settlement and the use of convict labour at this time.

4. Technical research significance. The well has archaeological significance in regard to its construction methods and past use. A concrete tank was built over the well at a later date and then demolished and dumped in the well. This would need to be removed if investigations of the well's contents and construction are undertaken.

Themes

1. Peopling Australia, the role of convicts.

2. Developing economies; pastoralism, the early large scale pastoral use before small holding intensive agriculture and dairying became the major land uses in the lower and middle Manning Valley.

The item has potential State significance because of its convict construction.

**Archaeological Item 2: Remains of former road from Wingham to Port Macquarie (Item 18-10)  
(Map Grid Reference: Wingham 1: 25000 Map Sheet 9334-2-N @ 449230E 6477430 N)**

The original Wingham to Port Macquarie road ran from Wingham near the commencement of Youngs Road to Port Macquarie via Lansdowne and Langley Vale. It joined the present Pacific Highway north of Moorland near Forest Road. Some sections have been incorporated into later roads, some remain as four wheel drive tracks and some sections have been lost. The site illustrated is known as Kate Kelly's Crossing over the Dawson River. Sections of the road are still clearly discernible on the northern side of the Lansdowne-Cooperook Road near Langley Vale.

The Wingham to Port Macquarie road was built during the 1860s (and thus had no connection with convict labour) and was an important early road construction project at a time when permanent roads including ferry crossings and bridges, were linking the towns and villages with the Manning Valley and the nearby areas within the Mid North Coast Region. The absence of such roads was hampering the growth of settlement and trade.

The road provided an important all weather road to the northern parts of the Manning Valley and beyond to Port Macquarie. Many settlers found the easier lowland route through Ghinni Ghinni and Cooperook more convenient but this was untrafficable during wet weather so the higher road remained and important link.

NOTE. There is considerable dissatisfaction with the name 'Kate Kelly's Crossing' among local historians. The crossing draws its name from a believed association with the earlier settler Isabella Mary Kelly but has been distorted to Kate Kelly because of possible confusion with Kate, the sister of Ned Kelly. (The Kelly family had no association with regions this far from Victoria)

The item is historically significant because of its role in the early building programs and its contributions to settlement and trade at that time.

4. The road will have some research/technical significance (as yet undetermined) in regards to construction program and methods.

Themes. Developing local, regional and national economies; transport; roads.