

Tallawarra Lands Concept Plan
Approval Modification

APPENDIX

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STATEMENT OF HERITAGE IMPACT



Tallawarra Lands, Northern and Central Precincts: Statement of Heritage Impact

DRAFT REPORT

Prepared for Cardno on behalf of Bridgehill

28 September 2017

Biosis offices

NEW SOUTH WALES

Newcastle

Phone: (02) 4911 4040

Email: newcastle@biosis.com.au

Sydney

Phone: (02) 9101 8700

Email: sydney@biosis.com.au

Wollongong

Phone: (02) 4201 1090

Email: wollongong@biosis.com.au

Albury

Phone: (02) 6069 9200

Email: albury@biosis.com.au

VICTORIA

Melbourne

Phone: (03) 8686 4800

Email: melbourne@biosis.com.au

Ballarat

Phone: (03) 5304 4250

Email: ballarat@biosis.com.au

Wangaratta

Phone: (03) 5718 6900

Email: wangaratta@biosis.com.au

Document information

Report to: Cardno on behalf of Bridgehill

Prepared by: Rebecca Morris
Alexander Beben

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Glossary

c.	Circa
CBD	Central Business District
CHL	Commonwealth Heritage List
DA	Development Application
DEE	Department of Environment and Energy
DP	Deposited Plan
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
Heritage Act	<i>Heritage Act 1977</i>
LEP	Local Environment Plan
NHL	National Heritage List
NSW	New South Wales
OEH	NSW Office of Environment and Heritage
SoHI	Statement of Heritage Impact
SHR	State Heritage Register
SHI	State Heritage Inventory
Study area	The area of impact for the proposed works

Summary

Biosis Pty Ltd was commissioned by Cardno on behalf of Bridgehill to undertake a historical heritage assessment of the Tallawarra Lands project located at Yallah, New South Wales (NSW) (Figure 1 and Figure 2), referred to as the 'study area' herein. This involves lodging a modification of the existing concept approval for the Northern and Central Precinct (MP 09_0131 MOD 1). The development of the Northern and Central Precincts will comprise both residential and industrial buildings. The modification to the concept approval seeks to increase the footprint and residential yield for the Northern and Central Precincts. The proposed development will be assessed in accordance with Part 5 of the *Environmental Planning and Assessment Act 1979 NSW*.

Heritage values

Heritage values identified within the study area include:

- Two locally significant heritage items adjacent to the study area including the Mount Brown Reserve, Military Bunker. The former alignment of the Illawarra Harbour and Land Corporation Railway is adjacent to the Northern Precinct, however whilst this item is listed elsewhere in Dapto, no physical remains associated with the alignment are located within or near the study area.
- The study area was identified as containing a potential heritage item in the form of TH1. This has subsequently been assessed as not possessing heritage significance.
- The study area contains three areas of suspected archaeological potential in TH2, TH3 and O'Briens Farm. This assessment has identified that these areas have a low level of archaeological potential and do not require further management.

Impact to heritage values

The proposed modification will have a minimal impact upon the historical heritage values associated with the study area. The project will result in an indirect aesthetic impact upon the significance of Mount Brown Reserve, specifically views to and from the item. The Northern Precinct is adjacent to the heritage item, with development within this location isolated to the northern slope, which will reduce the level of impact to views from the item. The Military Bunker is located within a heavily vegetated area and the proposed modification will have no impact to the item. The study area was identified to contain four sites, TH1, TH2, TH3 and O'Brien's Farm which have been assessed as not possessing any significance. The former alignment of the Illawarra Harbour and Land Corporation Railway does not have any associated physical elements and will not be impacted. Impacts to potential archaeological remains, if they are encountered can be managed through an unexpected finds procedure during construction works. The project has been assessed as being acceptable from a heritage perspective.

Legislation and policy

This assessment satisfies the European Heritage requirements associated with an Environmental Impact Statement (EIS) that will accompany a Section 75W Modification to Concept Approval MP09_0131. Secretary's Environmental Assessment Requirements (SEARs) were received for the modification on 23 January 2017. The requirements as they relate to this assessment are outlined in Table 1.

Table 1 SEARs relating to this assessment and response

SEARs Item	Response
<p>12. European Heritage and Aboriginal Cultural Heritage</p> <ul style="list-style-type: none"> Heritage Impact Assessment prepared in accordance with the NSW Heritage Manual which addresses the significance of, and provides an assessment of, the impact on the heritage significance of heritage items, landscape features and vegetation on the site and items in the vicinity; and Aboriginal Cultural Heritage Assessment in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011), and Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW). 	<p>This heritage assessment has been prepared in accordance with the NSW Heritage Manual 1996 and subsequent revisions. The assessment has assessed impact to adjacent heritage items along with identified heritage values within the study area including landscape features, built items and areas of archaeological potential. It has determined that the project is acceptable from a heritage standpoint.</p> <p>Aboriginal Cultural Heritage is considered as part of separate documentation.</p>

Recommendations

These recommendations have been formulated to respond to client requirements and the significance of the site. They are guided by the ICOMOS *Burra Charter* with the aim of doing as much as necessary to care for the place and make it useable and as little as possible to retain its cultural significance (Australia ICOMOS 2013)

Recommendation 1 Project may proceed with conditions

The project has been assessed as being acceptable from a heritage standpoint and may proceed, subject to the following recommendation.

Recommendation 2 Site induction and unexpected finds protocol

All construction workers should be subject to an induction which details the kinds of historical relics, structures or deposits which may be encountered during the construction works and what the process should be if unexpected archaeological remains are encountered.

At a minimum the induction should include visual media identifying what historical remains may be encountered. An on-call historical archaeologist with suitable experience should be nominated as part of the Construction Environmental Management Plan and their details should be included in the induction documentation.

If encountered, the archaeological remains will be assessed by the on-call archaeologist to determine whether the suspected find constitutes a relic under the *NSW Heritage Act 1977* and whether NSW Heritage Council should be notified.

1 Introduction

1.1 Project background

Biosis Pty Ltd was commissioned by Cardno on behalf of Bridgehill to undertake a historical heritage assessment of the Tallawarra Lands project located at Yallah, New South Wales (NSW) (Figure 1 and Figure 2), referred to as the 'study area' herein. This involves lodging a development application for the Northern Precinct and to modify the existing concept approval for the Northern and Central Precinct (MP 09_0131 MOD 1). The development of the Northern and Central Precincts will comprise both residential and industrial buildings. The modification to the concept approval seeks to increase the footprint and residential yield for the Northern and Central Precincts. The proposed development will be assessed in accordance with Part 5 of the *Environmental Planning and Assessment Act 1979 NSW*.

1.2 Location of the study area

The study area is located, within the suburb of Yallah, in the Wollongong Local Government Area (LGA), Parish of Calderwood, County of Camden (Figure 1). The Northern Precinct encompasses Lot 30 DP 1175058 and part Lot 31 DP 1175058 covering an area of 45.06 hectares. The Central Precinct encompasses lot 15 DP 1050255, lot 1 DP 1146409, lot 102 DP 716727, lot 1 DP 551658, lot 1 DP 543285, lot 7 DP 1049520 and lot 8 DP 1049520 and covers an area of 73.2 hectares.

1.3 Scope of assessment

This report was prepared in accordance with current heritage guidelines including *Assessing Heritage Significance*, *Assessing Significance for Historical Archaeological Sites and "Relics"* and the *Burra Charter*. NSW Heritage Office 2001; NSW Heritage Branch, Department of Planning 2009; Australia ICOMOS 2013 This report provides a heritage assessment to identify if any heritage items or relics exist within or in the vicinity of the study area. The heritage significance of these heritage items has been investigated and assessed in order to determine the most appropriate management strategy.

The following is a summary of the major objectives of the assessment:

- Identify and assess the heritage values associated with the study area. The assessment aims to achieve this objective through providing a brief summary of the principle historical influences that have contributed to creating the present day built environment of the study area using resources already available and some limited new research.
- Assess the impact of the proposed works on the cultural heritage significance of the study area.
- Identifying sites and features within the study area which are already recognised for their heritage value through statutory and non statutory heritage listings.
- Recommend measures to avoid or mitigate any negative impacts on the heritage significance of the study area.

1.4 Limitations

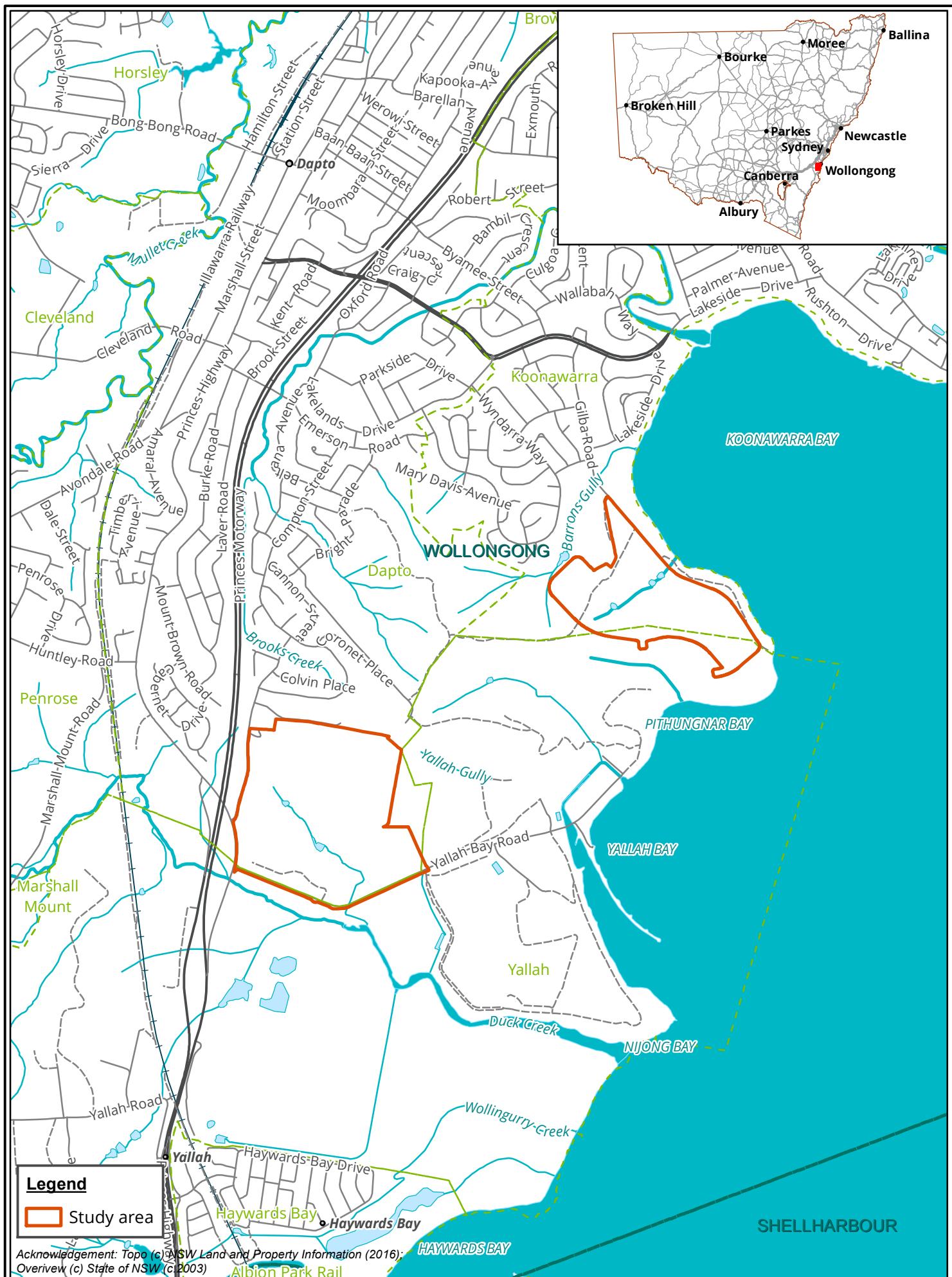
This report is based on historical research and field inspections. It is possible that further historical research or the emergence of new historical sources may support different interpretations of the evidence in this report.

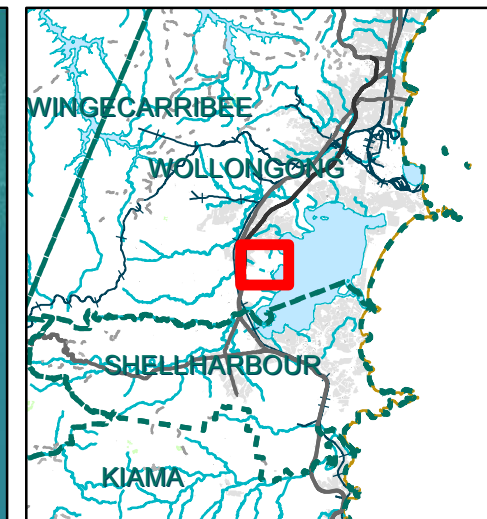
Although this report was undertaken to best archaeological practice and its conclusions are based on professional opinion, it does not warrant that there is no possibility that additional archaeological material will be located in subsequent works on the site. This is because limitations in historical documentation and archaeological methods make it difficult to accurately predict what is under the ground.

The significance assessment made in this report is a combination of both facts and interpretation of those facts in accordance with a standard set of assessment criteria. It is possible that another professional may interpret the historical facts and physical evidence in a different way.

1.5 Report authorship

This report has been authored by Rebecca Morris and Alexander Beben, Biosis Pty Ltd. The report is based upon prior Biosis reports prepared for the study area and incorporates research, text and site results formulated by the following authors: Wendy Thorpe, Pamala Kottaras, Peter Woodley and Jenni Lennox.





Legend


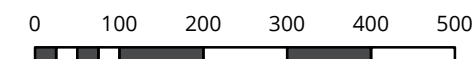
 Study area

Figure 2: Aerial overview of the study area



Metres
Scale: 1:9,000 @ A3
Coordinate System: GDA 1994 MGA Zone 56



Ballarat, Brisbane, Canberra, Melbourne,
Newcastle, Sydney, Wangaratta & Wollongong

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2 Heritage status and planning documents

This assessment will support a modification to the existing concept approval for the Northern and Central Precinct (MP 09_0131 MOD 1) under Part 5 of the *Environmental Planning and Assessment Act 1979 NSW*. In NSW cultural heritage is managed in a three-tiered system: national, state and local. Certain sites and items may require management under all three systems or only under one or two. The following discussion aims to outline the various levels of protection and approvals required to make changes to cultural heritage in the state.

2.1 Environmental Protection and Biodiversity Conservation Act 1999

The *Environmental Protection and Biodiversity Act 1999* (EPBC Act) is the national Act protecting the natural and cultural environment. The EPBC Act is administered by the Department of Environment and Energy (DEE). The EPBC Act establishes two heritage lists for the management of the natural and cultural environment:

- The National Heritage List (NHL) contains items listed on the NHL have been assessed to be of outstanding significance and define "critical moments in our development as a nation".¹
- The Commonwealth Heritage List (CHL) contains items listed on the CHL are natural and cultural heritage places that are on Commonwealth land, in Commonwealth waters or are owned or managed by the Commonwealth. A place or item on the CHL has been assessed as possessing "significant" heritage value.²

A search of the NHL and CHL did not yield any results associated with the study area.

2.2 NSW Heritage Act 1977

Heritage in NSW is principally protected by the *Heritage Act 1977* (Heritage Act) (as amended) which was passed for the purpose of conserving items of environmental heritage of NSW. Environmental heritage is broadly defined under Section 4 of the Heritage Act as consisting of the following items: "*those places, buildings, works, relics, moveable objects, and precincts, of State or Local heritage significance*". The Act is administered by the NSW Heritage Council, under delegation by the Heritage Division, Office of Environment and Heritage. The Heritage Act is designed to protect both known heritage items (such as standing structures) and items that may not be immediately obvious (such as potential archaeological remains or 'relics'). Different parts of the Heritage Act deal with different situations and types of heritage and the Act provides a number of mechanisms by which items and places of heritage significance may be protected.

¹ "About National Heritage" <http://www.environment.gov.au/heritage/about/national/index.html>

² "Commonwealth Heritage List Criteria"

<http://www.environment.gov.au/heritage/about/commonwealth/criteria.html>

2.2.1 State Heritage Register

Protection of items of State significance is by nomination and listing on the State Heritage Register (SHR) created under Part 3A of the NSW *Heritage Act*. The Register came into effect on 2 April 1999. The Register was established under the *Heritage Amendment Act* 1998. It replaces the earlier system of Permanent Conservation Orders as a means for protecting items with State significance.

A permit under Section 60 of the Heritage Act (NSW) is required for works on a site listed on the SHR, except for that work which complies with the conditions for exemptions to the requirement for obtaining a permit. Details of which minor works are exempted from the requirements to submit a Section 60 Application can be found in the Guideline "Standard Exemptions for Works requiring Heritage Council Approval". These exemptions came into force on 5 September 2008 and replace all previous exemptions.

There are no items or conservation areas listed on the SHR within the study area.

2.2.2 Archaeological relics

Section 139 of the Heritage Act protects archaeological 'relics' from being 'exposed, moved, damaged or destroyed' by the disturbance or excavation of land. This protection extends to the situation where a person has 'reasonable cause to suspect' that archaeological remains may be affected by the disturbance or excavation of the land. This section applies to all land in NSW that is not included on the State Heritage Register.

Amendments to the Heritage Act made in 2009 changed the definition of an archaeological 'relic' under the Act. A 'relic' is defined by the Heritage Act as:

"Any deposit, object or material evidence:

- (a) which relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and*
- (b) which is of State or Local significance"*

It should be noted that not all remains that would be considered archaeological are relics under the NSW Heritage Act. Advice given in the Archaeological Significance Assessment Guidelines is that a "relic" would be viewed as a chattel and it is stated that *"In practice, an important historical archaeological site will be likely to contain a range of different elements as vestiges and remnants of the past. Such sites will include 'relics' of significance in the form of deposits, artefacts, objects and usually also other material evidence from demolished buildings, works or former structures which provide evidence of prior occupations but may not be 'relics'."* NSW Heritage Branch, Department of Planning 2009, 7"

If a relic, including shipwrecks in NSW waters (that is rivers, harbours, lakes and enclosed bays) is located, the discoverer is required to notify the NSW Heritage Council.

Section 139 of the Heritage Act requires any person who knows or has reasonable cause to suspect that their proposed works will expose or disturb a 'relic' to first obtain an Excavation Permit from the Heritage Council of NSW (pursuant to Section 140 of the Act), unless there is an applicable exception (pursuant to Section 139(4)). Excavation permits are issued by the Heritage Council of NSW in accordance with sections 60 or 140 of the Heritage Act. It is an offence to disturb or excavate land to discover, expose or move a relic without obtaining a permit. Excavation permits are usually issued subject to a range of conditions. These conditions will relate to matters such as reporting requirements and artefact cataloguing, storage and curation.

Exceptions under Section 139(4) to the standard Section 140 process exist for applications that meet the appropriate criterion. An application is still required to be made. The Section 139(4) permit is an exception from the requirement to obtain a Section 140 permit and reflects the nature of the impact and the significance of the relics or potential relics being impacted upon.

If an exception has been granted and, during the course of the development, substantial intact archaeological relics of state or local significance, not identified in the archaeological assessment or statement required by this exception, are unexpectedly discovered during excavation, work must cease in the affected area and the Heritage Office must be notified in writing in accordance with section 146 of the Heritage Act. Depending on the nature of the discovery, additional assessment and, possibly, an excavation permit may be required prior to the recommencement of excavation in the affected area.

2.2.3 Section 170 Heritage and Conservation Registers

Section 170 of the *Heritage Act* requires that culturally significant items or places managed or owned by Government agencies are listed on departmental Heritage and Conservation Register. Information on these registers has been prepared in accordance with Heritage Division guidelines.

Statutory obligations for archaeological sites that are listed on a Section 170 Register include notification to the Heritage Council in addition to relic's provision obligations. There are no items within or adjacent to the study area that are entered on a State government instrumentality Section 170 Register.

2.3 Environmental Planning and Assessment Act 1979

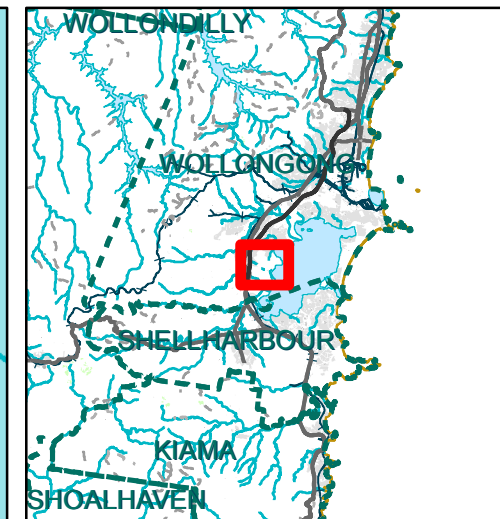
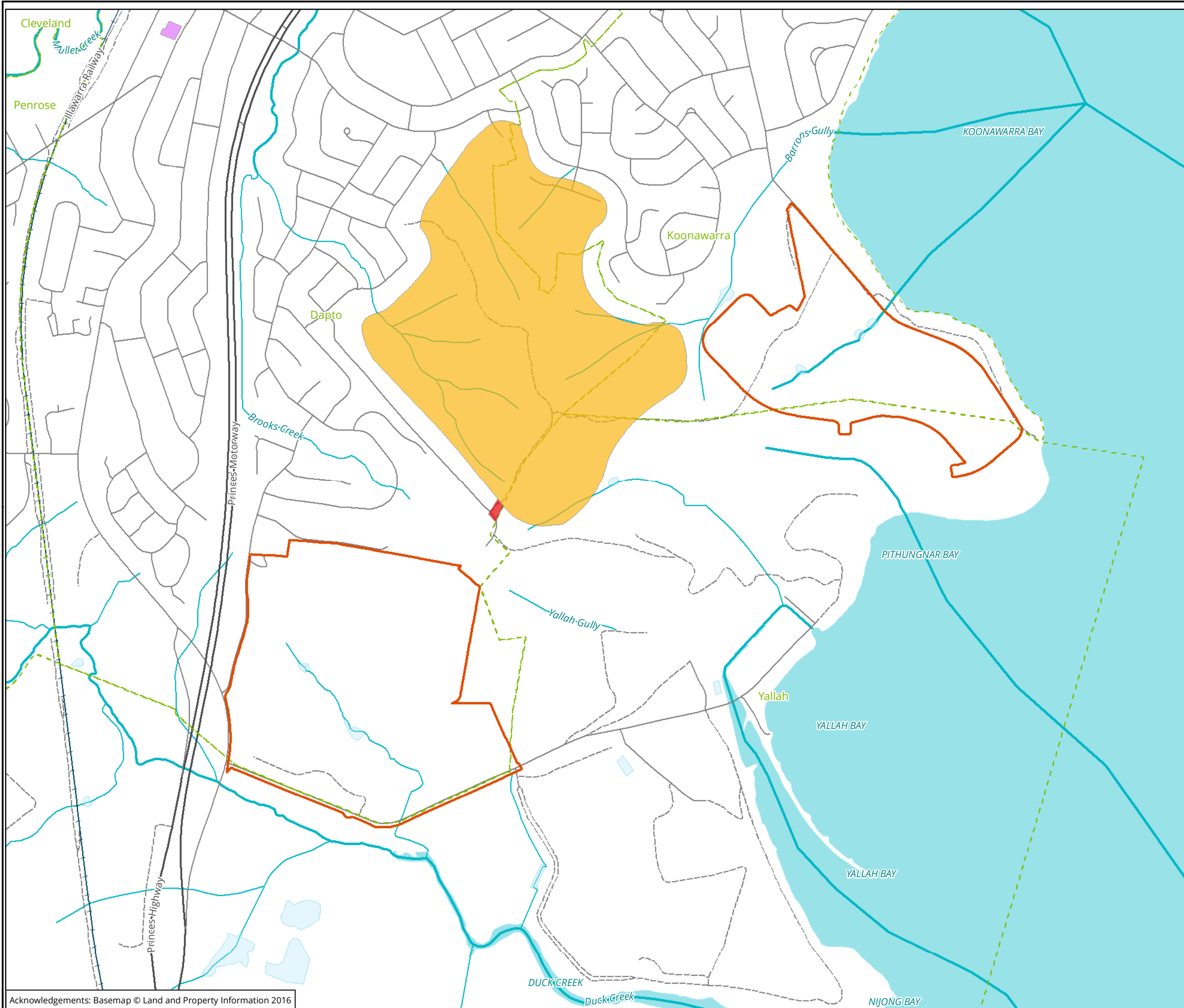
2.3.1 Local Environmental Plan

The Wollongong LEP 2009 contains schedules of heritage items that are managed by the controls in the instrument. As the project is being undertaken under Part 4 of the *EP&A Act*, council is responsible for approving controlled work via the development application system. Heritage items in the vicinity of the study area are identified in Figure 3.

The no items of heritage significance listed on the Wollongong LEP 2009 Schedule 5 within the study area.

The study area is situated within the vicinity of three heritage items of local significance:

- Military Bunker – Mt Brown Reserve (Item No. 61016), Bright Parade, Part Lot 4 DP223746. Local significance, approximately 200 metres north of the study area.
- Mt Brown Reserve (Item No. 6339), Koonawarra/ Dapto, Lot 4 DP223746; Lot 12 DP233464; Lot 109 DP1050302 and Lot 22 DP774118. Local significance, approximately 400 metres west of the study area.
- House (Item No. 6437), Princess Highway, Lot 1 DP156657. Local significance, approximately 1 kilometres south west of the study area.



Legend

Study area

LEP Heritage Items

- 61016, Military Bunker
- 6339, Mt Brown Reserve
- 6436, House "daisy Bank"

Figure 3: Location of heritage items within the study area and in the vicinity

0 130 260 390 520 650
Metres

Scale: 1:12,000 @ A3
Coordinate System: GDA 1994 MGA Zone 56



Ballarat, Brisbane, Canberra, Melbourne,
Newcastle, Sydney, Wangaratta & Wollongong

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3 Historical context

Historical research has been undertaken to identify the land use history of the study area, to isolate key phases in its history and to identify the location of any built heritage or archaeological resources which may be associated with the study area. The historical research places the history of the study area into the broader context of the Illawarra.

3.1 The Pre-Settlement Environment

The land on the western bank of Lake Illawarra is now recognised as an important environmental zone with a diverse range of landscape types including wetlands, saltmarsh, open forests and sub-tropical rainforest. It has a plentiful supply of water from the lake and several waterways. Before Europeans heavily impacted the region it was also noted then for the richness and variety of its natural resources. It was summarised by Alexander Harris in 1847 when he recalled the place from his time working there in the mid-1820s. He said of it:

"The Five Islands (by the aborigines much more euphoniously called Illa Warra) is a tract of New South Wales, a short distance south of Sydney on the sea coast and so-called from five small islands which lie a short distance off, immediately abreast of it. It may be described loosely as a plot of the richest soil, bounded on one side by the sea, and on the other by enormous masses of mountain, confusedly heaped together. These are either covered with dense dark forests or low bushy scrub, knee high or higher, with flats of swampy table-land, and gloomy ravines, into whose depths the eye cannot reach. The soil is excellent...Little crystal brooks of the coldest and purest water making their way out of mountain reservoirs above, traverse the ground at all seasons of the year in their passage to the sea".³

Contemporary surveys show that the land in the environs of the study area had much to make it attractive to early European settlers. To the north was a substantial waterway and there appears to have been a smaller one close to the site of TH1. Lake Illawarra provided the eastern boundary of the land. Governor Macquarie described the area encompassing the study area in 1822 as "chiefly open forest land of good quality, and well wooded and well-watered".⁴

3.2 Exploration and Cedar

Europeans first sighted the Illawarra district in 1770. James Cook named the headland of Port Kembla "Red Point" and also named Mount Kembla "Hat Hill". It was nearly a decade after the first settlement was made at Sydney Cove that the area to the south began to be explored and mapped. Bass and Flinders visited the area in 1796 when they entered Lake Illawarra. Reports from shipwreck survivors of the presence of coal in the area led to Bass being sent in 1797 to explore this resource. He identified a significant coal seam and, at the

³ Harris 1847:17

⁴ MacQuarie 1810:241

same time, named the Shoalhaven River. It would be nearly twenty years before the area became the focus of permanent settlement.

Before that time, though, the huge resources of timber and specifically cedar had attracted attention; cedar-getters were the first Europeans to exploit the area. One of the earliest reminiscences of this first period of European association was that of Obed West. Written in the 1880s the series of articles recalled Sydney and its districts during the 1820s and earlier. Of the work in the Illawarra he recalled that the cedar trade of the period was a very rough and hazardous undertaking. There was scarcely a road and most of the timber was shipped by open boat, which West described as being “anything but safe for ocean travel”.⁵ Many sank off the coast. West concluded that “the life of the cedar-getters although a free one...was eminently perilous”.⁶

The cedar-getters lived in makeshift shelters that would be abandoned when the men moved to new areas to cut timber. The pits dug to assist with the work were also temporary. The greatest impact this early period of European association had on the area was in changing the nature of the landscape. In time nearly all of the cedar from the area was cut down and the cedar-getters moved to the north coast and beyond to Queensland. They left behind a more open and park-like landscape than they found and it was this modified landscape that Governor Macquarie commented upon in his journal as he toured the district in the early 1820s.

Cedar getting continued in the Illawarra long after grants were made and estates developed and considerable friction developed between the residents and the timber-men. West stated that “the accusations of the settlers were of stealing cattle, pillage and depredations as well as being lawless people addicted to bushranging and having kept the district in a state of drunkenness and iniquity for years”.⁷ Eventually a military detachment was sent with a magistrate to restore law and order.

The other outcome of the work of these men, a consequence of the changes they had made to the pre-settlement environment, was that it made the area more accessible and the open pastures desirable for farming and grazing. In the drought of 1815 Charles Throsby sent his cattle to these lands and his success inspired others to acquire land in this new area.⁸

3.3 Settling the Illawarra

It was during the administration of Governor Macquarie that the land to the south of Sydney was formally alienated for European use. Named “Five Islands” from the most identifiable landmark off the coast⁹ it was part of a major push in all directions from the parent colony in Sydney both officially and by private endeavour. The principal attraction, apart from the fine cedar wood, was the grazing land. A report appeared in the Sydney Gazette of 1815 stating, “a considerable extent of fine grazing land is described by late travellers to be about the Five Islands to which, however, it would be thoroughly impracticable to convey cattle by land”.¹⁰ Later in the year Charles Throsby and his stockmen found a way to do just that and they are credited

⁵ West 1988:48

⁶ Ibid

⁷ Ibid; 49

⁸ Ibid; 50

⁹ West 1988:47

¹⁰ Sydney Gazette 18 March 1815

with being the first Europeans to establish a permanent presence in the Illawarra in 1815 although this amounted only to a stockman's hut and cattle yard. This was located in what is now Harbour Street in Wollongong.¹¹

Land grants in the area had been promised from 1814 if not earlier but it was not until 1816 that Surveyor General Oxley mapped the area around Lake Illawarra. The first five land grants in the Illawarra were all made on the same day January 24, 1817. These were 1300 acres granted to Richard Brooks named "Exmouth"; 1500 acres given to George Johnston that was named "Macquarie Gift"; 700 acres to Andrew Allen he called "Waterloo"; 1000 acres granted to Robert Jenkins he named "Berkeley" and 2200 acres named "Illawarra Farm" given to David Allen. The Northern Precinct is located within the south-eastern corner of Richard Brooks' grant of "Exmouth" (Figure 4 and Figure 5).

¹¹ Dowd 1977:1

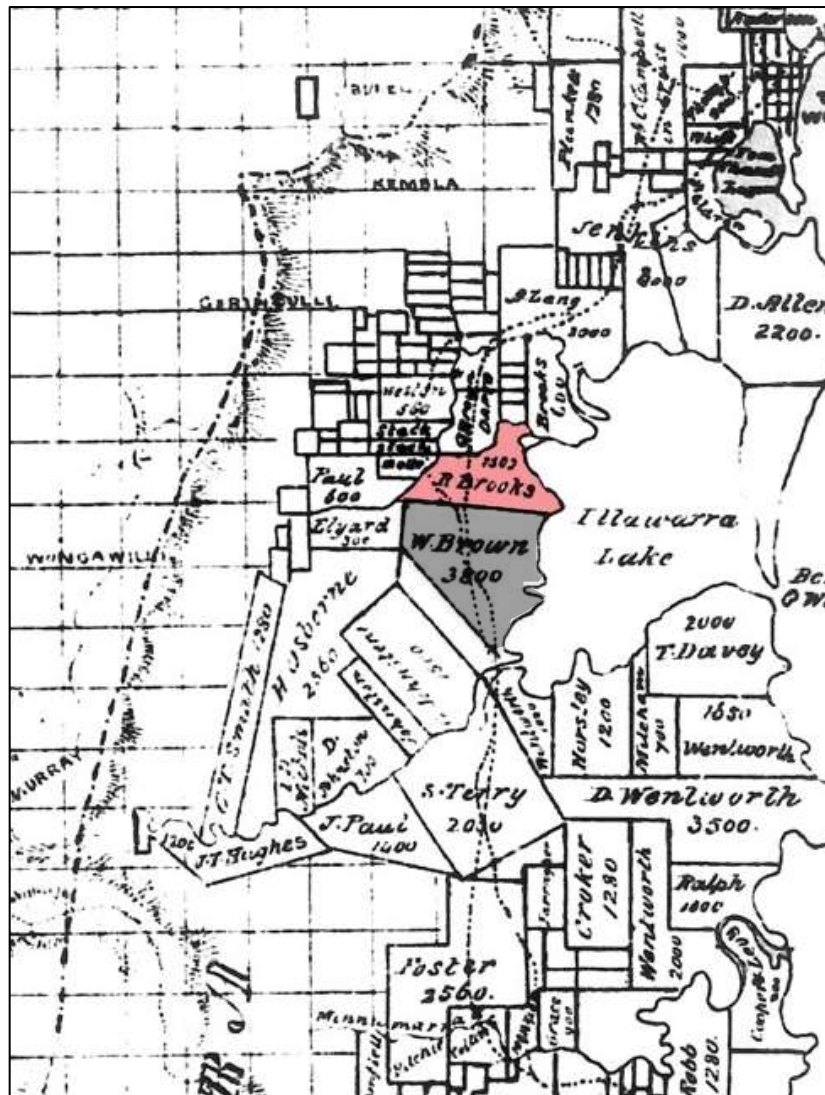


Figure 4 Detail of a count plan of 1843 showing the position of Richard Brooks and William Brownes grants (W. Baker; Map of the County of Camden 1843)

Figure 5 Detail of a parish map of showing the position of Richard Brooks and William Browns grants and those surrounding them c.1860 (Mitchell Library)

3.4 Richard Brooks (c. 1765 – 1833) and the *Exmouth* estate

Captain Richard Brooks' grant of 1300 acres (Portion 16 of the Parish of Calderwood) was made by Governor Macquarie in January 1817. The grant document stated that the estate was to be known as *Exmouth* and it was granted on the condition that 75 acres of land was to be cultivated within five years. The southern boundary of Brooks' grant ran in an approximate east-west direction from the southern side of Tallawarra Point towards the north side of Mount Brown, and then continued westwards beyond the boundaries of the study area. The grant stretched northwards to Brooks Creek and west to Mullet Creek. The bulk of Brooks' grant lay to the west of Koonawarra Bay (north of the study area) and only the Northern Precinct of the study area lies within its boundaries.

Captain Richard Brooks settled in NSW in 1814 but had captained a number of convict transports and trading vessels to the colony since 1802. In the aftermath of the 1808 “Rum Rebellion” against Governor Bligh, Brooks sided with the deposed governor. Brooks already had pastoral interests in the colony before 1814, acquiring Denham Court estate near Campbelltown in 1812. Upon arrival he concentrated his interests in Sydney before moving permanently to Denham Court in 1823. He died at the latter property in 1833.

Brooks, like the other recipients of the five Illawarra land grants of 1817, was an absentee landlord, continuing to reside in Sydney and then at Denham Court.¹² In evidence given to Commissioner Bigge in 1822 the Surveyor General stated that none of the original grantees resided on their lands but employed managers or stockmen to look after them¹³. Alexander Stewart recording his memories of the Illawarra as it had been in the later 1820s recorded that "Captain Brooks had an estate east of Mr Browns and a man was put in charge of his stock there".¹⁴

Local historians state that the names of the men in charge of the estate were John Neale and his assistant named Cream¹⁵ and this is confirmed by contemporary evidence. There were other men living on the estate as well, convicts assigned to Brooks. In 1822 one of the convict overseer's from the estate was indicted for the murder of an Aboriginal woman on the property. The report in the Sydney Gazette described how the man was awoken by the farm dogs barking and he and others went to investigate. The overseer, named Seth Hawker, was separated from the group and they heard a shot; Hawker claimed that he was unsure what he had hit. The report states that the group returned to "the dwelling" and Hawker and another man then "proceeded through the cornfield" and found the woman dead.¹⁶ John Neale, amongst others, was called upon to give evidence in the trial; the defendant was acquitted of the charges.

There are no contemporary surveys to locate the dwelling or the fields. One local historian stated in 1922 that Brooks had established a homestead on the western shore of Lake Illawarra¹⁷. It's a dubious story without any identifiable foundation. In 1822 Governor Macquarie mentioned that he had passed through Mr Brooks' property on his tour of the Illawarra¹⁸ but makes no mention of the improvements to the place. In 1847 Alexander Harris published his account of living and working in the colony in the later 1820s.¹⁹ He described a journey he made to the Illawarra to work on a farm erecting huts. The two most likely properties associated with his description are those of Richard Brooks or, to the south of Exmouth Farm, that of William Brown. The description of the property on the shores of Lake Illawarra and reached soon after crossing Mullet Creek with an inlet onto the lake matches Exmouth Farm.²⁰

Harris described the focus of the farm as being close to the inlet; here he (the owner) "had fixed his first huts, and, as the point of the hill altogether contained three or four acres, there was plenty of room for the new building as well as the old. At the most elevated spot he had about an acre and a half cleared and stumped for the reception of his new house. Thus it stood in a little hollow square, backed and flanked on each side by the forest and looking down from the front on the old farm buildings and the cultivated land".²¹

If this attribution with Exmouth Farm is correct it means that the focus of the farm is likely to have been well to the north of the study area; there is however, no means of corroborating this conclusion. There is a replica

¹² Dowd 1977

¹³ *Ibid*: 2

¹⁴ Stewart 1894:pt. 12

¹⁵ McDonald 1976:10

¹⁶ *Sydney Gazette* 14 June 1822

¹⁷ McCaffrey 1924:109

¹⁸ Lachlan Macquarie; *Journal of a Tour to the Cowpastures and Illawarra in January 1822*; 237

¹⁹ Harris 1847

²⁰ *Ibid*: 40

²¹ *Ibid*

stockman's hut that was built at the Illawarra Museum in 1979; it is claimed to have been made from timbers taken from the original homestead of Exmouth Farm in 1968.²²

Certainly by the later 1820s Richard Brooks was offering his land on clearing leases. This was a common practice in the area. The tenants lived on their leases for up to ten years, rent free, provided the land was cleared and brought into production. At the end of the lease the lessee could try and purchase his land. In 1829 Richard Brooks placed an advertisement in the Sydney Gazette for this purpose:

"Land to Let in the District of Illawarra: Farms of twenty-five acres each on a clearing lease for five years one fourth of each allotment to front the lake or fresh creek. The land is equal to any at Hunters River and a great advantage to these farms is that the possessors can be supplied with fresh fish at a very cheap rate. Application for particulars to Richard Brooks Esq, Denham Court Lower Minto".²³

It is likely that these leases were at least in part responsible for clearing the land that encompasses site TH1.

Richard Brooks died in 1833 but just before his death he acquired an additional 500 acres owned by George Brown. It was purchased for £125.²⁴ On Brooks' death his wife was bequeathed an income from his properties for her life or until she remarried; she died in 1835. The bequest was left in trust with four men Brooks described as his friends. His son Henry was left "my estate at the Five Islands called Exmouth Farm consisting of 1900 acres of land or thereabouts", this being the combined original grant of 1300 acres and the 500 acres purchased from Brown; the additional 100 acres presumably was encompassed within the "thereabouts" estimate of the will.²⁵

Henry Brooks, the eldest son, had already acquired land in the Illawarra. He was given a grant of 600 acres adjoining his father's land to the north, being Portion 17 of the Parish of Calderwood. He mortgaged his combined properties in 1834 for £500²⁶ and discharged this mortgage in July 1836.²⁷ In July 1836 a few weeks after discharging his mortgage Henry Brooks sold Exmouth Farm and the additional 500 acres purchased by his father in 1832 from George Brown. The new owner of the combined property was Henry Osborne having paid £900 for it, a sum that infers some considerable improvement to the place.²⁸

3.5 William Browne (1762 – 1833), Cornelius O'Brien (1796 – 1869) and the *Athanlin* estate

The Central Precinct is situated within part of an extensive land grant made in 1823 to William Browne by Governor Brisbane, Governor Macquarie's successor. Browne's grant, at 3,000 acres (Portion 15 of the Parish of Calderwood), was the largest ever made in the Illawarra region. The grant document stated that Browne's estate was to be called *Athanlin* and was granted on condition that Browne employ, accommodate and victual 30 transported convicts. At the same time William Brown was also granted 800 acres (Portion 51 of the

²² Illawarra Historical Society and Museum; on-line information

²³ *Sydney Gazette* 19 September 1829; 3

²⁴ Abstract of Title Henry Osborne; *Primary Application Packet 9336*

²⁵ The Will of Richard Brooks 26 August 1833; *Primary Application Packet 9336*

²⁶ Abstract of Title Henry Osborne; *Primary Application Packet 9336*

²⁷ *Ibid*

²⁸ Abstract of Title Henry Osborne; *Primary Application Packet 9336*

Parish of Calderwood) immediately to the south of *Athanlin*. A condition of this second grant was the employment of eight transported convicts. At a combined area of 3800 acres, Browne's estate was the largest in the Illawarra until later landholders began to amalgamate the earlier grants.

William Browne (also known as "Merchant" Browne) arrived in NSW in April 1816 aboard the *Mary*. He was 54 at the time and had already built up a successful trading company based in India ("Browne and Turner") which traded with the Colony of NSW. While still living in India he acquired the *Abbotsbury* estate situated near Cabramatta in 1809 and later opened a large storehouse in Sydney in 1814. Upon arrival in Sydney Browne made his home there and did not take up residence at Abbotsbury until 1821. He never resided at *Athanlin*. Browne was a Director of the Bank of NSW from 1819 to 1822 and was appointed a magistrate in 1822. He died at Wollongong in October 1833 and is buried there.²⁹

The management of *Athanlin* was given to Browne's nephew Cornelius "Neil" O'Brien (1796-1869). Cornelius O'Brien along with his mother (Browne's sister) and two brothers arrived ahead of William Browne in 1815.³⁰ Though Browne's *Athanlin* grant was not issued until 1823, his land at Illawarra was already being grazed by 1820, and indeed overstocked.³¹ When in 1822 Governor Macquarie conducted a tour of the Illawarra, Cornelius O'Brien acted as his guide on the descent from Appin to Lake Illawarra and through the district.³²

Macquarie's tour took him to the western shores of Lake Illawarra where, on the 15th January 1822, he travelled from Tom Thumb's Lagoon south across Richard Brook's estate to William Browne's estate. Macquarie wrote:

Mr Brown's [sic] establishment [was] situated on the western bank of the lake ... the lands we travelled over from Mr Allan's [at Red Point] to Mr Brown's [sic] were chiefly open forest land of good quality and well wooded and watered. - Tuesday 15 January 1822³³

Macquarie, however, did not mention any buildings which might have been situated on the land. Though he spent the night at Browne's establishment Macquarie did not state whether his party camped on the land or whether they slept in a building on his estate. The term "establishment", which Macquarie used to describe William Browne's property, suggests that more than temporary accommodation existed at this time. However no information from this period has been recovered which would indicate the exact location or nature of any such establishment, or indeed whether, given the size of Browne's estate, it was situated within the boundaries of the study area. Macquarie's reference to Mr Browne's establishment being located on "the western bank of the lake" may perhaps suggest that the focus of activity at this time was towards the lake and therefore to the east of the Central precinct.

The year prior to Macquarie's tour, O'Brien investigated and cleared a new track between Appin and the Illawarra (O'Briens Road), which ascended the Illawarra escarpment between Mt Keira and Mt Kembla.³⁴ Macquarie's party used O'Brien's road on the return leg of their journey to the Illawarra.

²⁹ Illawarra Family History Group 1992:22-23; Binney 2005:79; Scott; McCaffrey 1924:95

³⁰ Scott; Binney 2005:79

³¹ McDonald 1976:12

³² Scott; Macquarie n.d.

³³ Macquarie n.d.

³⁴ McDonald 1966:37-38; Scott; McCaffrey 1924:95

As Cornelius O'Brien was already managing his uncle's interests in the Illawarra by 1821, it is likely that improvements of some kind were made on Browne's estate from the early 1820s onwards. While the historical research has so far not indicated the presence of a true homestead on *Athanlin*, the presence of an overseer and stockmen to run Browne's cattle herds, as well as convict labour required as a condition of Browne's grant, suggests that there would have at the least been stockyards and buildings, even if only rudimentary timber huts, on the land. However, no map, plan, drawing or description has so far been located to indicate where such improvements were situated, or whether any were situated within that part of the study area which falls within Browne's grant. Local historian F. McCaffrey, writing in 1922, stated that "the dwelling house and outbuildings that were erected by Mr William Browne for his overseer have long since disappeared."³⁵ However, it is not clear from this source whether McCaffrey had specific knowledge of such buildings or simply assumed that such buildings would have once been present. Much of McCaffrey's writing was based on anecdotal sources and his use of documentary sources is often unreliable.

While still managing his uncle's *Athanlin* estate, Cornelius O'Brien established properties of his own in the Illawarra at Five Islands and Bulli and a grant was made to him in 1833. Shortly afterwards he joined his brother Henry O'Brien on the latter's extensive estates in the Yass district. Cornelius O'Brien sold his Bulli property in 1836 thus ending the Browne family's connection with the Illawarra and the study area.

An 1862 crown plan for Yallah Bay Road indicates that when the road was surveyed the land within the Central Precinct had been cleared and is located partially within Andrew Thompson's grant. The road, which lead into Patrick Osbourne's grant formed a "lane leading to various small farms" indicating that the study area was settled during this time (see Figure 6).

³⁵ McCaffrey 1924:95

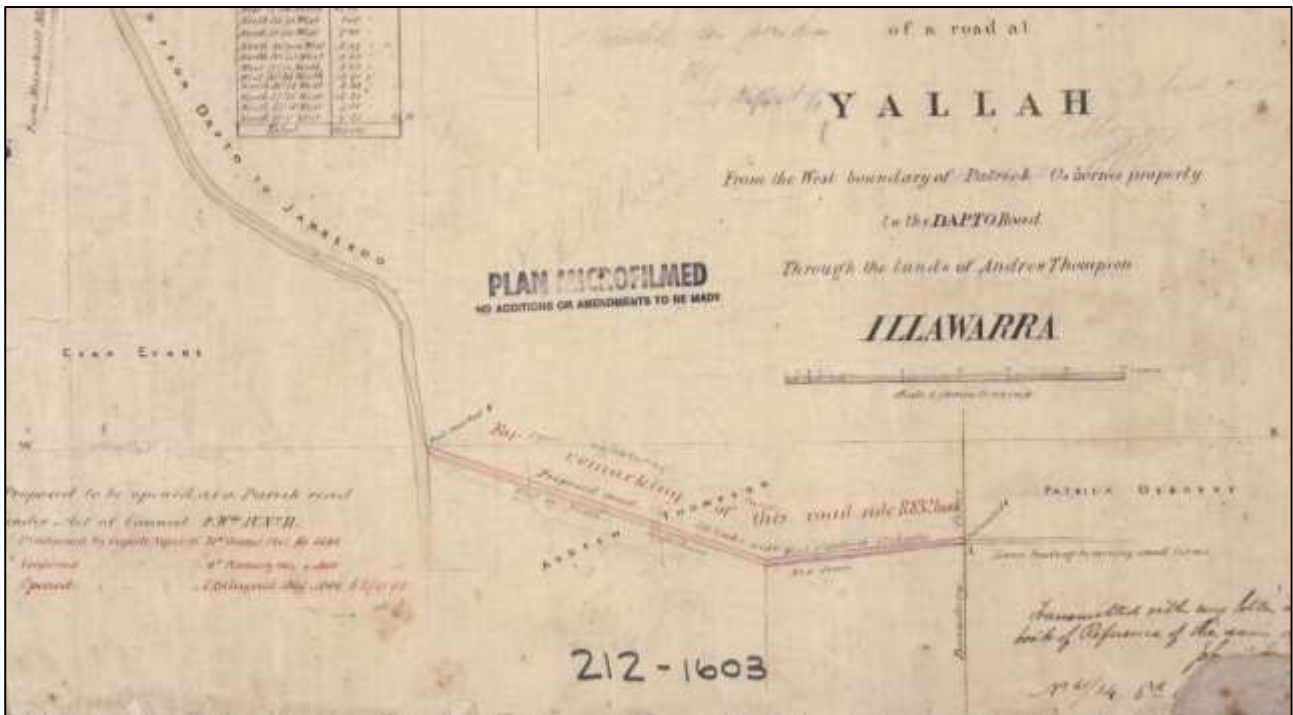


Figure 6 1862 Plan of a road at Yallah. From the West boundary of Parick Osbornes property to the Dapto Road through the Lands of Andrew Thompson. Map shows the formation of the road on the southern boundary of the Central Precinct (Source: NSW Department of Lands Crown Plan 212-1603).

3.6 Patrick and Henry Osborne and Lakelands: 1836 - 1896

Henry Osborne arrived in the colony in 1829 from Northern Ireland. In the same year he was granted 2560 acres of land in the Illawarra. He named his estate Marshall Mount. This was located south west of the Tallawarra lands in what is now Albion Park. Osborne was one of the few who actually lived on his estate; the homestead is still standing located a considerable distance from the study area.

Apart from Exmouth Farm and its additional 500 acres Osborne purchased several other properties to make him the biggest land-owner in the district. His estate extended from Mullet Creek in the north to the Macquarie Rivulet in the south and from Lake Illawarra in the east to the Illawarra escarpment in the west. There is very little evidence for how Osborne used these more distant parts of his accumulated estate but he does seem to have got round to renaming the former Exmouth Farm and the additional 500 acres; it became Lakelands.

Henry Osborne died in 1859 leaving an estate worth nearly £500,000.³⁶ His property was divided between his family members. In his will Henry Osborne left to his son Patrick Hill Osborne "1900 acres known as Lakelands

³⁶ McDonald 1976:18

and Brooks Point purchased by me from Henry Brooks".³⁷ In 1886 Patrick Hill Osborne made a statutory declaration regarding the Lakelands Estate. In this he declared; "since the 29 March 1859 upon which date my father the late Henry Osborne departed this life I have been continuously and now am in undisturbed possession of all that parcel of land containing 1900 acres more or less known as Lakelands and Brooks Point".³⁸ He also noted the several other properties that he inherited and stated, "I have always used and am now using the same lands and hereditaments for grazing purposes".³⁹

Patrick Hill Osborne sold his estate to a consortium in 1886 and the consortium mortgaged it in the same year.⁴⁰ The land was sold again and mortgaged and this was forfeited; the history of these transactions is outlined in the following section. In 1894 Henry Osborne Junior acquired the majority of Lakelands.⁴¹ It was Henry Osborne who put the estate under Torrens Title in the same year. The application described the composition of the amalgamated holdings as 2910 acres that included the following grants: 600 acres granted to Henry Brooks in 1833, 40 acres granted to Cornelius Wholahan in 1834, 60 acres granted to James Neale in 1835, 50 acres granted to John Morris in 1834, 100 acres to Henry Osborne in 1841, part of 1300 acres granted to Richard Brooks in 1817 and part of 3000 acres granted to William Brown in 1823 and part of 500 acres granted to George Brown in 1833⁴². The combined value of the property was £28,000⁴³ (Figure 7).

The estate was leased to several tenants. In 1894 these were William O'Brien, Conrad Clifford, Joseph Clifford, the Hurley Brothers, D. Wilson, John Caldwell, John Hewitt, Mrs H. Jones and Harry Ellison.⁴⁴ It is clear from later evidence that William O'Brien was the tenant associated with the land now occupied by the Northern Precinct. O'Brien was certainly in occupation in 1894 when he was noted during the change in title but there is no evidence to show how long he had occupied the property before this date. He was certainly there in 1891 when he is listed in the Census of that year⁴⁵ but before that date, when Census records have been lost back to 1841, he cannot be traced. The list of tenants included in the primary application documentation noted that, with the exception of John Hewitt, they were all monthly tenants.⁴⁶

In 1895 Henry Osborne began to break up the estate and sell portions of it. A portion of the property was sold to the Camden Syndicate Ltd⁴⁷; subsequently this was sold to the Smelting Company of Australia.⁴⁸ This company processed ore from several places and from 1899 to 1905, the year of its closure, the works provided a huge incentive for local development⁴⁹. The remainder of the land was sold to the Illawarra Harbour and Land Corporation in 1895 and 1896⁵⁰ and a small portion was also sold to Patrick Hill Osborne⁵¹.

³⁷ Abstract of Title Henry Osborne: *Primary Application Packet 9336*

³⁸ Patrick Hill Osborne Statutory declaration 1 May 1886: *Primary Application Packet 9336*

³⁹ *Ibid*

⁴⁰ *Primary Application Packet 9336*

⁴¹ *Ibid*

⁴² LPI; Volume 1159 Folio 101

⁴³ Application of Henry Osborne for Torrens Title: *Primary Application Packet 9336*

⁴⁴ "Names of Tenants Lakelands Estate" undated: *Primary Application Packet 9336*

⁴⁵ 1891 Census District of Illawarra Sub-District of Camden; Book 10

⁴⁶ *Ibid*

⁴⁷ *Ibid* Dealing 240572

⁴⁸ "New Industries at Illawarra" *Sydney Morning Herald* 30 November 1895: 7

⁴⁹ McDonald 1976:75–90

⁵⁰ *Ibid* Dealing 240925

⁵¹ *Primary Application Packet 9336*

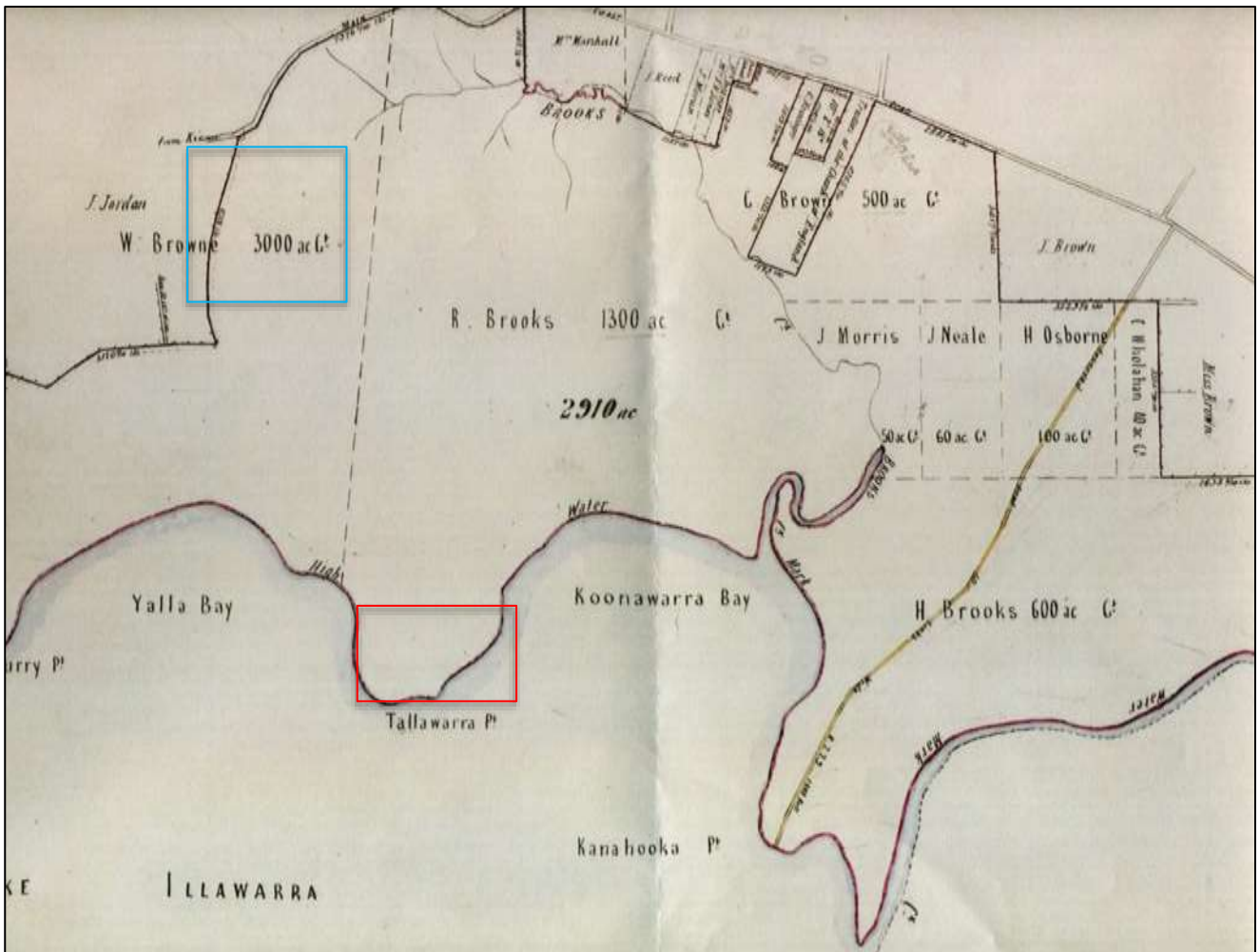


Figure 7 Plan showing the extent of Osborne's estate and the various grants that had been subsumed into it; the approximate locations of the Northern and Central Precincts are indicated by the red and blue rectangles respectively (LPI Volume 1159 Folio 101)

3.7 The Illawarra Lake Land Company and the Illawarra Harbour and Land Corporation: 1888 - 1934

The Illawarra Lake Land Corporation was formed by a syndicate in 1888 with a specific purpose. The memorandum of association stated that this was "the acquiring by purchase of an estate known as Lakelands situated at Dapto Illawarra... an area of about 2940 acres or thereabouts and otherwise the investing in Freehold

and Leasehold Properties with a view to reselling building on or farming or otherwise profitably utilising the same".⁵² An agreement was made on 28 September of that year⁵³ and it was incorporated by 1889.⁵⁴

In 1888 the company purchased for £700,000 the Lakelands Estate as well as several blocks of "coal land".⁵⁵ Almost immediately the company began to advertise its lands. It was described as a portion of the famous "grand estate" of Lakelands Estate, "rich farm lands" that were divided into town lots, suburban lots, water frontages and farm blocks.⁵⁶ Other advertisements described the rich soil and grazing lands, the unlimited water supply, the close position to the railway station.⁵⁷

The sale included a condition that the company pay any outstanding mortgages on the part of the vendors as part of the purchase price. This did not occur with respect to the Lakelands Estate and Patrick Hill Osborne, the mortgagee came back into possession of his part of the estate. The remainder of the estate was purchased from the mortgagee, the ESA bank by Henry Osborne.⁵⁸ The sale of the lands continued with advertisements appearing throughout 1892, "by order of the Mortgagee".⁵⁹

In 1894 Osborne sold his mortgage to the English Scottish and Australian Bank.⁶⁰ The company sold all its land to the Illawarra Harbour and Land Corporation in 1895.⁶¹ This same company had the rights to construct a harbour in Lake Illawarra to facilitate coal production and transportation.⁶² In 1897 the company constructed a railway line from the Dapto Smelting Works to Lake Illawarra that borders the Northern Precinct. The railway line was completed, however the scheme proved unsuccessful and the line was never used. The alignment of the railway is visible on Figure 9. It was noted at the time of sale that the intention of the company was to subdivide the property for settlement.⁶³ The company mortgaged the property in 1896⁶⁴ and again in 1897.⁶⁵ The estate was subdivided, lots were advertised and sales commenced⁶⁶ from that date.

The Northern Precinct is partially situated within Lots 8 and 9 of the Lakelands subdivision. The estate plan shows a single building "O'Brien's house" (TH1) (Figure 8). This is certainly the house formerly occupied by the tenant farmer William O'Brien. The Central Precinct forms part of Lot 1, no buildings are shown within the Central Precinct, with the southern portion of the Central Precinct forming part of "Jordan's Farm". "Jordan's Farm" appears to be part of what was previously Andrew Thompson's land. The lots had not been sold by 1904 when a plan for an auction of the "agricultural and dairy farms" was released to advertise the sale⁶⁷ (Figure 9)

⁵² Memorandum of Association The Illawarra Lake Land Company Ltd: *Primary Application Packet 9336*

⁵³ Statutory Declaration James Ambrose Thompson 20 November 1893: *Primary Application Packet 9336*

⁵⁴ Company Agreement 8 March 1889 and purchase of lands: *Primary Application Packet 9336*

⁵⁵ Ibid

⁵⁶ Preliminary Notice of Subdivision Sale of Lakelands Estate *Sydney Morning Herald* 7 January 1888: 17

⁵⁷ "At Last At Last The Lakelands Estate" *Sydney Morning Herald* 21 January 1888: 19

⁵⁸ Primary Application Packet 9336

⁵⁹ For example, Sale of Lakelands Estate *Sydney Morning Herald* 31 May 1892: 3

⁶⁰ Consent of Mortgagee to bringing land under Torrens Title 3 September 1894: *Primary Application Packet 9336*

⁶¹ LPI; Volume 1170 - 87

⁶² "New Industries at Lake Illawarra", *Sydney Morning Herald* 30 November 1895: 7

⁶³ Ibid

⁶⁴ LPI; Volume 1192-220 Dealing 257165

⁶⁵ LPI; Volume 1170 - 87: Dealing 240927, 24424

⁶⁶ LPI; Ibid

⁶⁷ ML Subdivision Plans Dapto Z T P D3/3



Figure 8 1948 aerial imagery with the O'Briens Hut location shown.

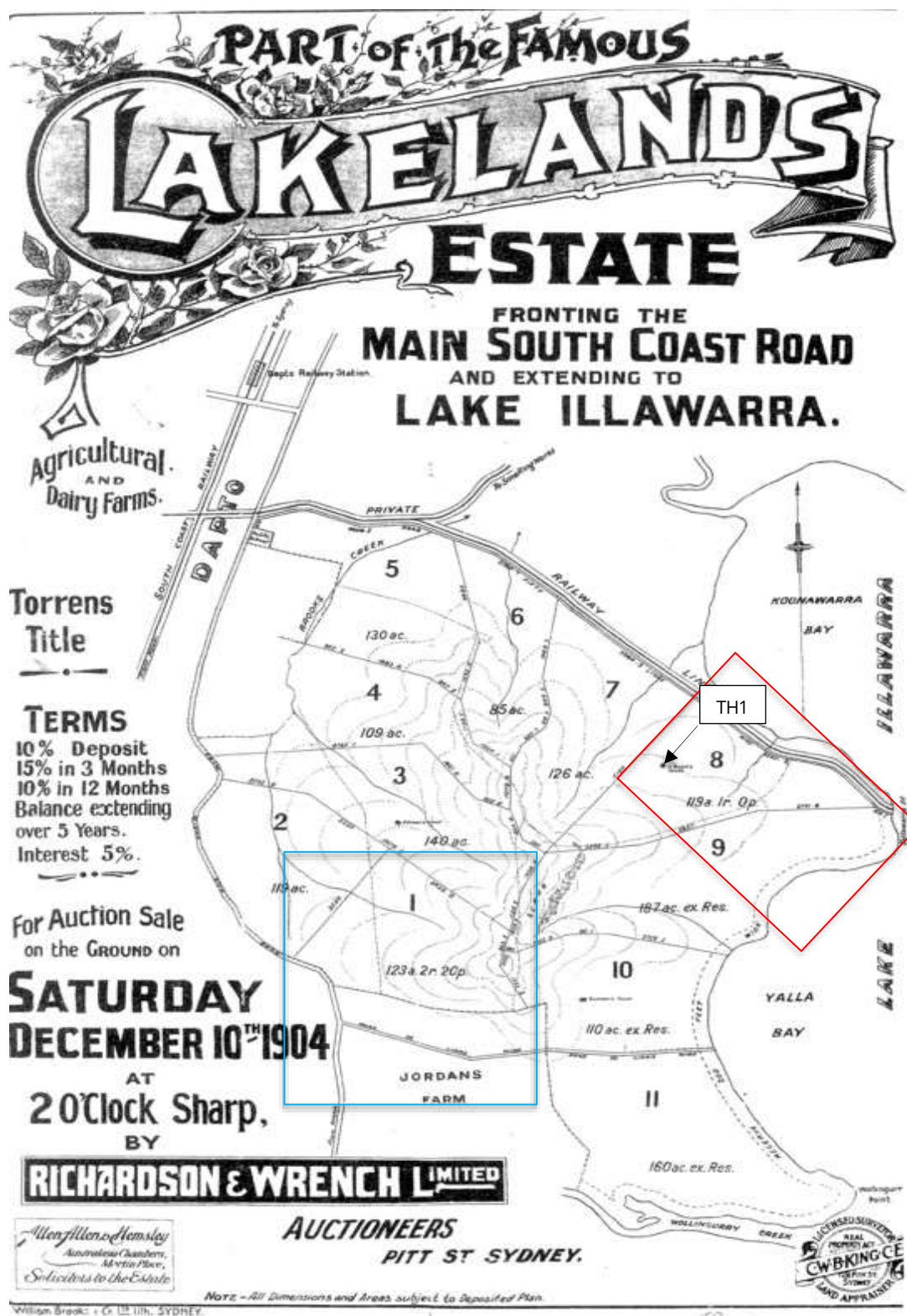


Figure 9 1904 Subdivision plan showing part of the Lakeland's Estate for sale at auction; the approximate locations of the Northern and Central Precincts are denoted by red and blue rectangles respectively (ML Dapto Subdivision Plans ZTP D:3/3).

3.8 Agriculture (1906 -1963)

There is limited information on the transaction history associated with Lot 1 within the Central Precinct as the property remained within the Old Title System until recently. However, Jordans Farm eventually became owned by the Brown family, who for over a hundred years were one of the principal dairying families in the Illawarra. The Brown Family began their association with the study area in 1906 when they established the Wollingurri dairy farm and jersey stud at Yallah.⁶⁸ A. Cousins, writing in 1948, described Wollingurri as a “neglected property” comprising three paddocks stretching over 296 acres, which was subsequently improved by the Browns into “a valuable property with many paddocks, well cultivated, well grassed, and capable of supporting four families – a model farm with a model herd”.⁶⁹

According to information sourced from a member of the Brown family: “Four new houses were built on these properties and another was modernised and three new dairies were also built and so the ‘Wollingurri Stud’ was born”.⁷⁰ The historical research conducted for this report could not locate any reference to property titles for the area of land occupied by the Brown family between William Browne’s 1823 grant and a mortgage made in 1912. The 1912 mortgage was taken out by the three Brown brothers, Thomas William (1857-1952), William George (1860-1953), and Albert Cole (1872-1954), for 3,000 pounds. The properties mortgaged are described as Lots 1, 2 and 8 of “Yallah Estate”. The mortgage mentions buildings, outbuildings, and fences, but does not provide a plan or specific details as to the location of any of these improvements. The mortgage document does not contain any reference to previous or succeeding land titles, nor could any subdivision plan or formal reference to a “Yallah Estate Subdivision” be located.

In 1936, Albert Cole Brown moved to Exeter. Wollingurri was divided into two properties, run by Clive Brown and Wilfred Brown (sons of Thomas Brown and William Brown respectively). Clive Brown is said to have taken over “Wollingurri Stud” while Wilfred established another Jersey Stud called “Sherbrooke”.⁷¹ Whether “Sherbrooke” was situated on land which was formerly part of Wollingurri (and therefore within the study area) is not made clear. The “Wollingurri Stud” continued after the resumption of land for Tallawarra Power Station until it was moved to Camden in 1964.⁷² Orthophoto maps from the mid-1970s provide the names by which some of the properties within and adjacent to the study area were known. *Wollingurri* is the name given to the group of buildings adjacent to the bend in Duck Creek to the south east of the Central Precinct of the study area.

No archival evidence has been found to indicate that anyone purchased or used the land in Lot 8 until a little over 129 acres were sold in 1934 to James Fowler a farmer of Dapto.⁷³ He mortgaged the property to the ESA Bank in the same year⁷⁴; it was discharged in 1947.⁷⁵ He was notified of the pending resumption on the land by the Electricity Commission of NSW in 1954.⁷⁶ He continued to reside there and in 1960 he subdivided the

⁶⁸ Van Boeschoten 1988

⁶⁹ Cousins 1948b:111–112

⁷⁰ Van Boeschoten 1988

⁷¹ Van Boeschoten 1988

⁷² Van Boeschoten 1988

⁷³ LPI; Volume 4630-183

⁷⁴ Ibid

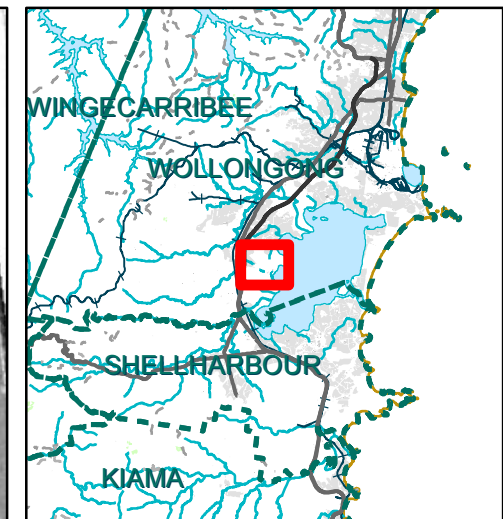
⁷⁵ Ibid

⁷⁶ Ibid


property with the eastern half being acquired by James King.⁷⁷ Site TH1 was within Fowler's land. The land was resumed in 1964. There is no evidence to indicate what use Fowler was making of this land although an aerial photograph of the area in 1949 shows the land to be divided into paddocks or fields; Fowler was certainly farming it. In the Australian Electoral Rolls of 1935 he is listed as a dairyman of Lake View.⁷⁸ Two structures (TH2 and TH3) are located to the north of the Yallah Bay Road within the Central Precinct of the study area on the 1949 and 1993 aerial imagery (Figure 10 and Figure 11). These structures appear to have been demolished during the late 20th century although vegetation lined access tracks to the structures from the Pacific Highway remains visible on current aerial imagery.

⁷⁷ Ibid

⁷⁸ Australian Electoral Rolls 1903 – 1954: on line search James Fowler



Legend

 Study area

**Figure 10: 1949
aerial imagery with
the study area
shown**

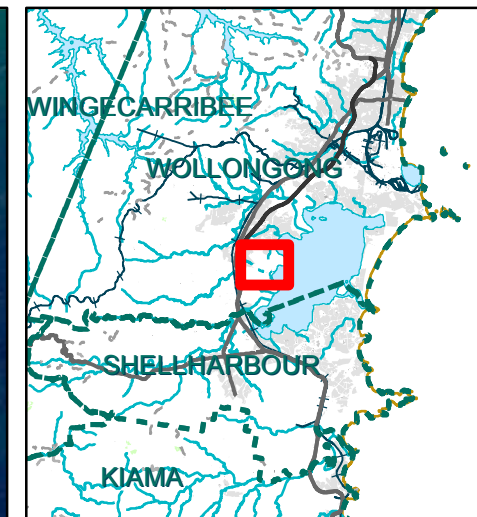
0 90 180 270 360 450
Metres

Scale: 1:9,000 @ A3
Coordinate System: GDA 1994 MGA Zone 56



Biosis Pty Ltd
Ballarat, Brisbane, Canberra, Melbourne,
Newcastle, Sydney, Wangaratta & Wollongong

Matter: 24090
Date: 12 July 2017,
Checked by: RAM, Drawn by: LH, Last edited by: lharley
Location: P:\24000s\24090\Mapping\
24090_SOHI_F3_1949aerials



Legend

Study area

**Figure 11: 1993
aerial imagery with
the study area
shown**

0 100 200 300 400 500
Metres

Scale: 1:9,000 @ A3
Coordinate System: GDA 1994 MGA Zone 56



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Newcastle, Sydney, Wangaratta & Wollongong

Matter: 24090
Date: 12 July 2017
Checked by: RAM, Drawn by: LH, Last edited by: lharley
Location: P:\24000s\24090\Mapping\24090_SOHI_F4_1993aerials

3.9 Tallawarra Power Station (1954 – present)

Electrical power was introduced to Australia by private enterprise in the later years of the nineteenth century; the first power station was built in Sydney in 1888. In the following year the NSW Department of Railways began to investigate the use of electricity to drive transport systems. The Department established a large power station at Ultimo in 1897. The first municipal street lighting was provided by Sydney City Council using a new power station built at Pyrmont. The first power produced there was in 1904. By the end of the 1930s New South Wales was supplied by four major organizations, several regional networks and in remote areas, small independent stations.

One of the major organisations was the NSW Department of Public Works that operated through its Southern Electricity Supply section. It used one steam-powered station at Port Kembla and a hydro-electrical plant at Burrinjuck Dam. A second station was constructed at the Wyangala Dam. This system supplied thirty-seven council areas over the south and west of the state.⁷⁹ By the end of the Second World War over 84% of the state had been connected with the electricity supply.

The principal issue in the post-war years was the creation of new plant to meet the increasing demands for electricity from both residential and commercial users. The NSW Government established the Electricity Commission in 1945 to co-ordinate, regulate, improve and expand supply from the four major generating organisations. Three of these groups, including the Southern Electricity Supply, commissioned new generators at their existing stations. All looked at expanding their operations and the Southern Electricity Supply and the Railways Department determined that the best way to achieve this outcome was to create stations close to their basic needs, coal and water. The Railways Department chose a site at Lake Macquarie and the Southern Electricity Supply chose Tallawarra Point on Lake Illawarra.⁸⁰

By 1949 supply could not meet demand and an Emergency Electricity Commissioner was appointed and then the Electricity Commission with the task of increasing supply as soon as possible. It immediately acquired all the assets of several organizations including the Southern Electricity Supply. As well, four “package” power stations were purchased from the United States. These stations could be erected in a minimal amount of time. Three coal-field stations were built, one being at Tallawarra. It commenced operation in 1954.⁸¹

To build the station the Electricity Commission had to acquire the land and this included that occupied by the Northern and Central Precincts. The notice of resumption was given in 1954 but the land was not acquired until 1963⁸². Since its resumption the land was surplus to the active needs of the station. The house at TH1 has been tenanted throughout the later part of the twentieth century and remains so. It is currently used to agist horses and cattle and has been used as a riding school.

From the mid-1980s some of the plant at Tallawarra was assessed to be redundant and the output of the station in comparison to newer facilities was small and not efficient. It was proposed for closure in 1987 and finally ceased operation in 1988. In 1999 a combined cycle gas turbine power station was proposed by then owners Pacific Power but this plan did not come to fruition until 2006. It was carried out by the new owners of

⁷⁹ Godden Mackay Pty Ltd 1990:9–10

⁸⁰ Ibid; 11

⁸¹ Ibid; 12

⁸² LPI: Volume 4630-183

the site TXU later renamed TRUenergy which had purchased the site in 2003. The new station required less land than the original power station and unused land is now surplus and subject to the Part 3A development approval.

3.10 Summary of heritage values

The following heritage values have been identified as part of the historical context, these are summarised in Table 2.

Table 2 Summary of heritage values associated with the study area

Item No.	Description	Date	Location
TH1	Existing structures in the north west corner of the Northern Precinct visible from 1949 to present, most recently a riding school.	c.1949 – present	Northern Precinct
	“O’Brien’s House” identified present at least by 1916, appears to have been located 200 metres west of the present day structures and have been removed during the 1950s. Area is currently marked by a stand of trees.	c.1905 – c.1950	
TH2	Series of buildings near a large fig tree to the west of the site and adjacent to the Princes Highway. Likely to have been constructed following the 1905 formation of the Lakelands Estate.	c.1949 – c.1994	Central Precinct
TH3	Series of buildings slightly to the north of TH2. Likely to have been constructed following the 1905 formation of the Lakelands Estate.	c.1949 – c.1994	Central Precinct
Former Railway Alignment	Former alignment of the Illawarra Harbour & Land Corporation Railway that borders the Northern Precinct.	c.1897	Northern Precinct

3.11 Research themes

Contextual analysis is undertaken to place the history of a particular site within relevant historical contexts in order to gauge how typical or unique the history of a particular site actually is. This is usually ascertained by gaining an understanding of the history of a site in relation to the broad historical themes characterising Australia at the time. Such themes have been established by the Australian Heritage Commission and the NSW Heritage Office and are outlined in synoptic form in New South Wales Historical Themes.⁸³

There are 38 State Historical Themes, which have been developed for NSW, as well as nine National Historical Themes. These broader themes are usually referred to when developing sub-themes for a local area to ensure they complement the overall thematic framework for the broader region.

A review of the contextual history has identified two historical themes which relate to the occupational history of the study area. This is summarised in Table 3.

⁸³ NSW Heritage Council 2001

Table 3 Identified historical themes for the study area

Australian Theme	NSW Theme	Local Theme
3 Developing local, regional and national economies	Agriculture	Activities relating to the cultivation and rearing of plant and animal species, usually for commercial purposes, can include aquaculture.
	Accommodation	Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities.

4 Physical inspection

A physical inspection of the study area was undertaken on 29 June 2017, attended by Alexander Beben (Principal Archaeologist). The principal aims of the survey were to identify heritage values associated with the study area; this included any heritage items (Heritage items can be buildings, structures, places, relics or other works of historical, aesthetic, social, technical/research or natural heritage significance. 'Places' include conservation areas, sites, precincts, gardens, landscapes and areas of archaeological potential).

4.1 Landscape character assessment

The purpose of this section is to provide an analysis and description of the study area as part of a cultural landscape. The cultural landscape concept emphasises the landscape-scale of history and the connectivity between people, places and heritage items. It recognises the present landscape is the product of long-term and complex relationships between people and the environment. For the purposes of this report cultural landscapes are defined as: '... those areas which clearly represent or reflect the patterns of settlement or use of the landscape over a long time, as well as the evolution of cultural values, norms and attitudes toward the land.'⁸⁴

4.1.1 An overview of cultural landscapes

In order to fully understand the heritage significance of the study area it is necessary to consider the character of the landscape within which it is situated. The heritage value of a landscape may be related to its aesthetic, archaeological, historical, scientific, social, or architectural values, each or all of these values can - exist at any one time. The identification of these values is important in discussing the study area and its constituent elements heritage significance.

Three general landscape categories have been developed and applied by heritage organisations to assist in understanding different types of landscapes:⁸⁵

- **Designed landscapes:** Those that are created intentionally such as gardens, parks, garden suburbs, city landscapes, ornamental lakes, water storages and campuses.
- **Evolved landscapes:** Those that display an evolved land use in their form and features. They may be 'relict' such as former mining or rural landscapes. They may be 'continuing' such as modern active farms, vineyards, plantations or mines.
- **Associative cultural landscapes:** Those are landscape features that represent religious, artistic, sacred or other cultural associations to individuals or communities.

⁸⁴ Context P/L et al. 2002

⁸⁵ United Nations Educational, Scientific and Cultural Organisation 2012

4.1.2 The cultural landscape of the Northern and Central Precincts

The study area is located within an evolved landscape which has been cleared during the early to mid-19th century and adapted for the purpose of agriculture and dairying, an activity for which the property was associated with for much of its occupation. The cultural landscape associated with the Central and Northern Precincts can be divided into three landscape zones: the pastoral landscape, Mount Brown and the Lake Illawarra foreshore.

The dairying landscape associated with the study area dates to the mid-nineteenth century shift from wheat growing to dairying as the predominant industry within the area. The dairying landscape, like many others in the area consists of internal and external boundary formed by modified and natural vegetation, in particular Mount Brown. The surrounding landscape typifies the exploitation of every suitable portion of land for this purpose. The Northern and Central Precincts are situated on the lower slopes of Mount Brown which is a prominent landscape feature that forms a backdrop to the study area. Mount Brown provides significant elevated views across Lake Illawarra and the Escarpment (see Plate 1, Plate 3 and Plate 3). Prominent, landscape elements within the study area consist of Fig Trees, Coral Trees, dams and watering troughs which all would have formed functional components of local dairies. Around the locations of TH1, TH2 and TH3 the remains of gardens have been cultivated during the mid to late twentieth century which includes mature trees and plantings, which would have formed a formal backdrop to these building complexes.



Plate 1 Panorama with views to the south from the Northern Precinct with the pastoral landscape in the foreground, Lake Illawarra Foreshore and Mount Brown are in the background (Source: Biosis 2017).



Plate 2 Panorama with views to the west from the Northern Precinct with the pastoral landscape in the foreground, Mount Brown and the Escarpment in the background (Source: Biosis 2017).



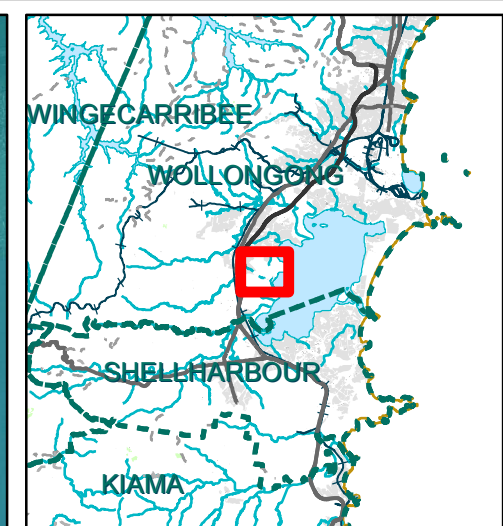
Plate 3 **Panorama from Mount Brown with views to the south and west from the Central Precinct with the pastoral landscape in the foreground overlooking the Lake Illawarra Foreshore and Escarpment (Source: Biosis 2016).**

4.2 Heritage items within or adjacent to the study area

The study area contains a range of built fabric. These can be summarised as building complexes (TH1, TH2 and TH3). Adjacent to the study area is the Mount Brown Reserve, Military Bunker and former rail alignment both of which are listed as items of local significance. The study area contains a range of landscape features including recent posts and fence lines, watering troughs and plantings which based upon their built form and historical research are likely to date from the early twentieth century and do not form significant elements of the site. Built fabric identified during the physical inspection is described in Table 4 and Figure 12

Table 4 Built fabric elements located within the study area

Name	Description
TH1	<p>Site TH1 stands in an evolved cultural landscape of open paddocks and fenced yards with some isolated stands of both indigenous and introduced trees and shrubs. The most substantial building is a weatherboard cottage. This was the subject of the issue raised in the Heritage Impact Assessment regarding a possible nineteenth century origin. This assessment has concluded that it is likely to have been a ready-cut kit home of an old design purchased and modified in 1934 for the new owner of the land. To the south is a dairy building also likely to have been built in 1934 or slightly later; it has been much modified. A third component of the original farm group is likely to be the stables built to the south of the dairy. A small weatherboard-clad shed to the west of the dairy might also have been part of the original farm group or an addition made slightly later in the 1930s. Apart from the dairy, which is in a fair condition, the cottage and other out-buildings are in poor condition. There is a large shed on the eastern side of the cottage that appears to be a later addition to the site.</p> <p>Around all of the main buildings and for some distance from them is a collection of poorly built tin clad sheds and some shipping containers used for storage. Tenants have added these since the 1980s. Apart from a water tank next to the house most of the landscaping features, the cement poured yard surfaces and drive have been added after the original construction of the house. There is no evidence anywhere around or under the cottage to suggest that this was the site of an earlier house or building.</p> <p>No aboveground physical remains associated with O'Brien's Farm are present on the surface.</p>
TH2	There are no aboveground physical remains associated with TH2 outside of remnant plantings, including a large Fig tree. The Fig tree has been identified as being significant to Aboriginal people.
TH3	There are no aboveground physical remains associated with TH3 outside of remnant plantings.
Mount Brown	Mount Brown Reserve comprises a large area of Eucalypt forest with patches of rainforest on eastern slopes and in gullies. Some areas are partly cleared.
Military Bunker	Military bunker at Mount Brown Reserve is a simple half-cylindrical structure cast in reinforced concrete. The bunker is an integral part of the network of coastal military installations constructed to protect NSW's two major industrial areas of Newcastle and Port Kembla during World War 2. The Bunker is not visible from either the Northern or Central Precinct.
Illawarra Harbour and Land Corporation Railway	There is no physical remains associated with the Illawarra Harbour and Land Corporation Railway alignment within or adjacent to the study area. The alignment appears to have broadly followed the current share way, however other portions of the Illawarra Harbour and Land Corporation Railway are listed within the Dapto area, specifically at Bong Bong Road.



Legend

Study area

Historic Sites

O'Brien's House

TH1

TH2

TH3

Figure 12: Historic sites within the study area

0 100 200 300 400 500
Metres

Scale: 1:9,000 @ A3
Coordinate System: GDA 1994 MGA Zone 56



Ballarat, Brisbane, Canberra, Melbourne,
Newcastle, Sydney, Wangaratta & Wollongong

Matter: 24090
Date: 26 July 2017,
Checked by: RAM, Drawn by: LH, Last edited by: lharley
Location: \\bio-data-01\matters\24000s\24090\Mapping\24090_F10_HistoricSites

4.3 Archaeological assessment

The potential archaeological resource relates to the predicted level of preservation of archaeological resources within the study area. Archaeological potential is influenced by the geographical and topographical location, the level of development, subsequent impacts, levels of onsite fill and the factors influencing preservation such as soil type. An assessment of archaeological potential has been derived from the historical analysis undertaken during the preparation of this report.

4.3.1 Archaeological resource

This section discusses the archaeological resource within the study area. The purpose of the analysis is to outline what archaeological deposits or structures are likely to be present or are present within the study area and how these relate to the history of land use.

Archaeological resources likely to be present within the study area are likely to consist of structural and depositional remains associated with residences and outbuildings associated with TH1, TH2 and TH3. TH1, TH2 and TH3 are 20th century agricultural homestead complexes constructed as a result of the 1905 subdivision of the Lakelands estate. Archaeological remains associated with these buildings are likely to consist of brick, concrete or stone footings, flower beds, plantings and drainage and are likely to consist of stone, timber or clay lined cut and fill features. Outbuildings are likely to consist of 20th century milk yards, stables and agricultural buildings. These archaeological remains are likely to be associated with timber storage buildings, cobble surfaces and post holes. These are likely to present as ephemeral features rather than substantial archaeological remains.

Unfortunately, despite a rigorous search of crown plans and title documents there is limited information on the 19th century configuration of the study area. The Exmouth, Athanlin and Lakelands estates are likely to have utilised clearing leases as a means of improving the grants, this would have led to small tenant farms comprising huts and complexes being present across the landscape. It should be noted that the Northern and Central Precincts represent a small component of these properties. There is limited information on the precise nature, extent and condition of any archaeological remains associated with these farms. O'Briens House is likely to have been inhabited by tenant farmers during the nineteenth century, this building was demolished by the mid-1950s and certainly by the 1960s. There is no visible evidence of the place now; it is marked by an extensive stand of trees. If any physical evidence does survive as an archaeological profile it is likely to be fragmented through the processes of demolition, tree growth and animal movement as well as tenants clearing rubble away to ensure the safety of livestock.⁸⁶ Any archaeological remains associated with O'Briens house and other tenant farms, if encountered are likely to consist of ephemeral foundations, and post holes which surround occupational deposits. Other archaeological features likely to be present close to tenant farms are likely to consist of wells, privies and rubbish pits; however these normally present as small (sub-3m) circular or rectangular stone or clay lined features. These archaeological remains have the potential to contain archaeological relics as a result of slow depositional sequences or focused backfilling activities, however as no evidence for their location can be determined, it is difficult to ascertain whether they will be located within the study area.

⁸⁶ Biosis Pty Ltd 2011:44

4.3.2 Integrity of sub-surface deposits

This section discusses how the sequence of land use activities has impacted upon relics which may be present within the study area. To date no archaeological excavations have been conducted on the Tallawarra lands site which makes an analysis of the preservation of archaeological resources difficult. The study area has been subject to clearance activities, landscaping and pastoralism that are likely to have impacted upon ephemeral archaeological features. There is limited evidence to support the presence of considerable and/or substantial archaeological remains dating from the early to mid-19th century. Evidence of 20th century agricultural homesteads (i.e. TH1, TH2 and TH3), specifically dairy's associated with later operation of study area are likely to have been timber structures within shallow foundations which are likely to present as ephemeral archaeological features. The level of preservation associated with these is unknown; however it is doubtful that substantial remains beyond post holes, footing stones and floor surfaces remain following their demolition.

4.3.3 Research potential

Archaeological research potential refers to the ability of archaeological evidence to provide information about a site that could not be derived from any other source and which contributes to the archaeological significance of that site. Archaeological research potential differs from archaeological potential in that the presence of an archaeological resource (i.e. archaeological potential) does not mean that it can provide any additional information that increases our understanding of a site or the past (i.e. archaeological research potential).

The research potential of a site is also affected by the integrity of the archaeological resource within a study area. If a site is disturbed, then vital contextual information that links material evidence to a stratigraphic sequence may be missing and it may be impossible to relate material evidence to activities on a site. This is generally held to reduce the ability of an archaeological site to answer research questions.

Assessment of the research potential of a site also relates to the level of existing documentation of a site and of the nature of the research done so far (the research framework), to produce a 'knowledge' pool to which research into archaeological remains can add.

Developing local, regional and national economies: commerce and building settlements

Northern and Central Precincts form part of the 19th century Exmouth, Athanlin and Lakelands estates which are likely to have contained a range of structures dating from c.1817 to 1896 relating to the clearance and early cultivation of the land by tenant farmers. Unfortunately there is no evidence for the location of these farms within the study area, or more broadly within these estates, however if these sites are encountered they may have the potential to contain evidence of these domestic and commercial activities relating to the period. Whilst it is unlikely that the project will encounter any substantial archaeological remains, should any features be encountered they would have the potential to answer questions relating to the construction, occupation and operation of tenant farms within early regional estates. Specifically, any artefact assemblages would have the potential to provide insights into the lifestyle and economy associated with the owners and community which would have existed within these estates. Any assemblages would have the potential to yield comparisons to other archaeological sites both locally, regionally and at a state level. Evidence of land formation practices and the alteration of the landscape as part of these estates could have the potential to inform us of the efforts made to modify the Australian landscape to establish regional settlements. Remains dating to the 20th century (TH1, TH2 and TH3) would assist in understanding the later settlement of the study area would have limited potential to answer any significant research questions.

Areas of little archaeological research interest

The archaeological remains relating to un-stratified relics, disturbed or ephemeral evidence associated with 19th century occupation (i.e. O'Briens farm) or 20th century remains associated with the construction and operation of TH1, TH2 and TH3 have a limited potential to answer research questions relating to the development and nature of occupation of the study area which would not be better answered by documentary sources.

4.3.4 Summary of archaeological potential

Through an analysis of the above factors a number of assumptions have been made relating to the archaeological potential of the study area, these are presented in Table 5.

The assessment of archaeological potential has been divided into three categories:

- **High archaeological potential** – based upon the historical context and documentary evidence presented within this report there is a high degree of certainty that archaeologically significant remains relating to this period, theme or event will occur within the study area.
- **Moderate archaeological potential** – based upon the historical context and documentary evidence presented within this assessment it is probable that archaeological significant remains relating to this period, theme or event could be present within the study area.
- **Low archaeological potential** – based upon the historical context and documentary evidence presented within this assessment it is unlikely that archaeological significant remains relating to this period, theme or event will occur within the study area.

Table 5 Assessment of archaeological potential

Item No.	Description	Probable features(s)	Date	Archaeological Potential
TH1	20 th century farm complex	Demolition fill, sub-floor deposits, construction cuts, backfilled pits.	c.1930 – present	Low
O'Briens Farm	19 th century farm complex	Disturbed and ephemeral demolition fill, sub-floor deposits, construction cuts, backfilled pits.	c.1905 – c.1950	Low
TH2	20 th century farm complex	Demolition fill, sub-floor deposits, construction cuts, backfilled pits.	c.1949 – c.1994	Low
TH3	20 th century farm complex	Demolition fill, sub-floor deposits, construction cuts, backfilled pits.	c.1949 – c.1994	Low
Former Railway Alignment	Railway alignment	Located outside of study area	c.1897	Low

5 Significance assessment

An assessment of heritage significance encompasses a range of heritage criteria and values. The heritage values of a site or place are broadly defined as the 'aesthetic, historic, scientific or social values for past, present or future generations'.⁸⁷ This means a place can have different levels of heritage value and significance to different groups of people.

The archaeological significance of a site is commonly assessed in terms of historical and scientific values, particularly by what a site can tell us about past lifestyles and people. There is an accepted procedure for determining the level of significance of an archaeological site.

A detailed set of criteria for assessing the State's cultural heritage was published by the (then) NSW Heritage Office. These criteria are divided into two categories: nature of significance, and comparative significance.

Heritage assessment criteria in NSW fall broadly within the four significance values outlined in the Burra Charter. The Burra Charter has been adopted by State and Commonwealth heritage agencies as the recognised document for guiding best practice for heritage practitioners in Australia. The four significance values are:

- **Historical** significance (evolution and association).
- **Aesthetic** significance (scenic/architectural qualities and creative accomplishment).
- **Scientific** significance (archaeological, industrial, educational, research potential and scientific significance values).
- **Social** significance (contemporary community esteem).

The NSW Heritage Office issued a more detailed set of assessment criteria to provide consistency with heritage agencies in other States and to avoid ambiguity and misinterpretation. These criteria are based on the Burra Charter. The following SHR criteria were gazetted following amendments to the Heritage Act that came into effect in April 1999:

- **Criterion (a)** - an item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).
- **Criterion (b)** - an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).
- **Criterion (c)** - an item is important in demonstrating the aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

⁸⁷ NSW Heritage Office, 2001

- **Criterion (d)** - an item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.
- **Criterion (e)** - an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).
- **Criterion (f)** - an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).
- **Criterion (g)** - an item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments; or a class of the local area's cultural or natural places; or cultural or natural environments.

5.1 Levels of heritage significance

Items, places, buildings, works, relics, movable objects or precincts can be of either local or State heritage significance, or have both local and State heritage significance. Places can have different values to different people or groups.

Local heritage items

Local heritage items are those of significance to the local government area. In other words, they contribute to the individuality and streetscape, townscape, landscape or natural character of an area and are irreplaceable parts of its environmental heritage. They may have greater value to members of the local community, who regularly engage with these places and/or consider them to be an important part of their day-to-day life and their identity. Collectively, such items reflect the socio-economic and natural history of a local area. Items of local heritage significance form an integral part of the State's environmental heritage.

State heritage items

State heritage items, places, buildings, works, relics, movable objects or precincts of State heritage significance include those items of special interest in the State context. They form an irreplaceable part of the environmental heritage of NSW and must have some connection or association with the State in its widest sense.

The following evaluation attempts to identify the cultural significance of the study area. This significance is based on the assumption that the site contains intact or partially intact archaeological deposits.

5.2 Evaluation of significance

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

Exmouth, Athanlin and Lakelands were some of the founding properties of European settlement in this region and, thus, have local historical significance. In particular, Brooks' 1817 grant was one of the first five grants within the Illawarra. However, the Northern and Central Precincts form a small portion of that original property and are very unlikely to have been associated with the focus of these estates and their constituent farms. Furthermore TH1 and former structures TH2 and TH3 all belong to a phase of development unrelated to these estates; these derive from the late 19th century to early 20th century subdivision of the property and were built in a very late stage of that new pattern of land use. It is representative of the early twentieth century pastoral use of the region and is neither an important nor outstanding example of that use.

O'Brien's house to the west of site TH1 represents the earlier phase of rural subdivision. William O'Brien was a tenant farmer of the later half of the nineteenth century. He was one of several that leased portions of the

Lakeland Estate and as an example it is representative of the break-up of the large estates in the Illawarra in this period. However, the physical evidence of this site has been removed from the surface and any sub-surface remains are likely to be disturbed and provide little evidence of this association.

The study area does not satisfy this criterion at a **local** or **state** level.

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

Whilst the Northern and Central Precincts are associated with early land grants made to Richard Brooks and William Browne the closest associations are late nineteenth and early twentieth century farmers such as James Fowler, Andrew Thompson and William O'Brien. These individuals have no particular strong historical identity in the area and are not outstanding figures in the early community development.

The study area does not satisfy this criterion at a **local** or **state** level.

Criteria C: *An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).*

The study area is located within an evolved cultural landscape of open paddocks and fenced yards with some isolated stands of both indigenous and introduced trees and shrubs. This landscape is encapsulated by several prominent landscape features in the form of Lake Illawarra, Mount Brown and the Escarpment. However, the study area does not contain any built elements or landscape features of particular aesthetic merit or technical value; with TH1 representing a common type of housing popular and affordable for the period. The other buildings are undistinguished examples of utilitarian farm structures of the mid-later twentieth century.

The study area does not satisfy this criterion at a **local** or **state** level.

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

The study area is associated with small farming communities that established pastoral leases or freeholds after the break-up of the large founding estates of the Illawarra. They are representative of that new pattern of settlement, however this is common within the local area and NSW.

The study area does not satisfy this criterion at a **local** or **state** level.

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

Neither the identified buildings (TH1, TH2 or TH3) located within the study area nor the sub-surface profile is likely to yield any substantial information that is not already demonstrated by better-preserved sites. There are examples on the Heritage Schedule attached to Wollongong LEP, for example Cora Vale Homestead in West Dapto, which are better-preserved examples of this type of house.

The Northern and Central Precincts have no identifiable evidence that suggests an archaeological profile and there is no historical evidence to suggest the nature, extent or intactness of nineteenth century improvements made after 1817. The site of O'Brien's house to the west of Site TH1 has no visible surface evidence and any sub-surface material is likely to have been impacted by the processes of demolition, tree growth and animal movement as well as active clearance by tenants to minimise risk to livestock. Any remnant archaeological evidence is unlikely to make a substantial contribution towards documenting or interpreting the occupation of the tenant farmer in the later part of the nineteenth century.

The study area does not satisfy this criterion at a **local** or **state** level.

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

Sites TH1, TH2 and TH3 and that of O'Brien's house were not uncommon forms of occupation; tenancy and small freehold pastoral farms were the most common forms of occupation in the later half of the nineteenth century and early twentieth century. There are several comparable buildings listed in the Schedule attached to Wollongong LEP, for example, Cora Vale homestead and garden at West Dapto. These are more intact examples of the building types from this period in a rural context. Nineteenth century tenant farms it should be noted are now comparatively rare in the region and have been subject to minimal levels of archaeological investigation. The rural landscape and its components such as these farm buildings are being reduced through the impact of residential development.

The study area does not satisfy this criterion at a **local** or **state** level.

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

The suite of standing buildings is representative of the later years of small-scale pastoralism in the Illawarra. There are several comparable buildings listed in the Schedule attached to Wollongong LEP. The site of O'Brien's house is also representative of an earlier phase of that industry but the physical evidence is unlikely to be able to illustrate or interpret that occupation.

The study area does not satisfy this criterion at a **local** or **state** level.

5.3 Statement of Significance

5.3.1 Statement of significance for the study area

The Northern and Central Precincts encompass a small portion of the Exmouth, Athenlin and Lakelands estates, in particular Exmouth which was one of the five founding grants of the Illawarra. This site is very unlikely to have been associated with the focus of the farm. Furthermore the structures that now occupy the site belong to a phase of development unrelated to that first grant; these derive from the nineteenth century subdivision of the property and were built in a very late stage of that new pattern of land use. Site TH1 is representative of the early twentieth century pastoral use of the region but is neither an important nor outstanding example of that use. The study area does not have any close association historical identities in the area.

The only standing structure in the study area is TH1, which is located within the Northern Precinct. The cottage is likely to be a simple kit home purchased in 1934, of an old fashioned design modified in more current taste. It has no particular aesthetic merit or technical value; it is representative of a type of affordable housing of the period. The other buildings are undistinguished examples of utilitarian farm structures of the mid-later twentieth century. Sites TH1, TH2 and TH3 have no identifiable evidence that suggests an archaeological profile and there is no historical evidence to suggest that any substantial improvements to the place after its establishment in 1934 have been removed from it.

The likely site of O'Brien's house to the west of Site TH1 represents the earlier phase of rural subdivision. William O'Brien was a tenant farmer of the later half of the nineteenth century, one of several who leased portions of the Lakeland Estate. O'Brien's property is representative of the earlier phase of pastoral subdivision that, in its later stages is represented by Fowler's Farm. The site of O'Brien's house has no visible evidence and any sub-surface material is likely to have been impacted by the processes of demolition, tree

growth and animal movement as well as active clearance by tenants to minimise risk to livestock. Any remnant archaeological evidence is unlikely to make a substantial contribution towards documenting or interpreting the occupation of the tenant farmer in the later part of the nineteenth century.

Sites TH1, TH2 and TH3 and that of O'Brien's house were not uncommon forms of occupation; tenancy and small freehold pastoral farms were the most common forms of occupation in the later half of the nineteenth century and early twentieth century. The earlier house has been completely removed from the landscape and any sub-surface components are likely to be disturbed. The suite of buildings at TH1 represents its latest phase in the 1930s. They have been altered and have little individual merit but do illustrate a representative farm of the period. These are more intact examples of the building types from this period in a rural context. They are representative of that new pattern of settlement and the two sites have moderate heritage significance.

The study area is not considered to be significant at a **local** or **state** level.

5.3.2 Statement of significance for adjacent heritage items

The following heritage items have existing statements of significance relating to their listings. These are presented below as they appear on the State Heritage Inventory associated with their listings:

Mount Brown Reserve

The Mount Brown Reserve is of significance for the local area as a rare collection of notable, aged, rare and representative tree specimens. The Reserve is a major local landmark. The Reserve is rare as one of few remaining large areas of native forest displaying natural distribution of sclerophyll and rainforest in relation to topography and aspect, and it is a unique place in Illawarra in this regard.

Military Bunker

Military bunker at Mount Brown Reserve has historical, associative, aesthetic, social and scientific significance. The bunker is an integral part of the network of coastal military installations constructed to protect NSW's two major industrial areas of Newcastle and Port Kembla. Associated with the coastal defences of NSW during World War 2, the speed of construction indicates Australia's rapid response to the threat of Japanese invasion. The site has special importance with a number of people associated with its creation and use and has ongoing importance for members of families of soldiers who served in World War 2. The site is of potential interest for further military history research, it is representative of defence installations of the time of its creation, and in that regard it is relatively rare in the local context.

Illawarra Harbour and Land Corporation Railway

The alignment of the Illawarra Harbour and Land Corporation Railway adjacent to the study area is not heritage listed, however the alignment near Bong Bong Road, Dapto has the following statement of significance:

The former "tramway alignment", a.k.a. alignment of the former Illawarra Harbour and Land Corporation railway line, is of significance for the local area for historical reasons. The remnant alignment is demonstrative of that part of the network of tramways running from the escarpment to the ocean used for transporting coal throughout the Illawarra. The item is significant as an interpretation of the Illawarra Harbour & Land Corporation's plans to develop a harbour and industry on Lake Illawarra.

6 Statement of heritage impact

This SoHI has been prepared to address impacts resulting from the proposed redevelopment of the study area. The study area has been identified as being located in close proximity to the Mount Brown Reserve and Military Bunker. Heritage values TH1 (including O'Briens Farm), TH2 and TH3 have been assessed not possessing significance at a local or state level. There is no physical evidence relating to the Illawarra Harbour and Land Corporation Railway to the north of the study area. As such, the later values do not need to be considered as part of this assessment. The SoHI identifies the level of impact arising from the proposed development and discusses mitigation measures which must be taken to avoid or reduce those impacts. This section of the report has been prepared in accordance with the Heritage Manual guideline *Statements of Heritage Impact*. Heritage Office and Department of Urban Affairs & Planning 1996.

6.1 Proposal details

This involves lodging a development application for the Northern Precinct and to modify the existing concept approval for the Northern and Central Precinct (MP 09_0131 MOD 1). The development of the Northern and Central Precincts will comprise both residential and industrial buildings. The modification to the concept approval seeks to increase the footprint and residential yield for the Northern and Central Precincts.

Details of the proposed development are outlined in Appendix A.

6.2 Assessing impact to heritage item(s)

6.2.1 Discussion of heritage impact(s)

The discussion of impacts to heritage can be centred upon a series of questions which must be answered as part of a SoHI which frame the nature of impact to a heritage item. The Heritage Manual guideline *Statements of Heritage Impact* includes a series of questions in relation to development adjacent to a heritage item. As the study area has been assessed as not containing any significant heritage items, these questions have been identified as being the most applicable to the project.⁸⁸ These are:

- *How is the impact of the new development on the heritage significance of the item or area to be minimised?*
- *Why is the new development required to be adjacent to a heritage item?*
- *How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance?*
- *How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects?*

⁸⁸ *ibid*

- *Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected?*
- *Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)?*
- *Will the additions visually dominate the heritage item? How has this been minimised?• Will the public, and users of the item, still be able to view and appreciate its significance?*

6.2.2 Quantifying heritage impact(s)

Based upon the discussion of Impacts to heritage items, impact to these items can be quantified under three main categories: direct impacts, indirect impacts and no impact. These kinds of impacts are dependent on the proposed impacts, nature of the heritage item and its associated curtilage.

Direct impacts

Direct impacts are where the completion of the proposed development will result in a physical loss or alteration to a heritage item which will impact the heritage value or significance of the place. Direct impacts can be divided into whole or partial impacts. Whole impacts essentially will result in the removal of a heritage item as a result of the development where as partial impacts normally constitute impacts to a curtilage or partial removal of heritage values. For the purposes of this assessment direct impacts to heritage items have been placed into the following categories:

- Physical impact - whole: where the development will have a whole impact on a heritage item resulting in the complete physical loss of significance attributed to the item.
- Physical impact - partial: where the project will have a partial impact on an item which could result in the loss or reduction in heritage significance. The degree of impact through partial impacts is dependent on the nature and setting of a heritage item. This typically these impacts are minor impacts to a small proportion of a curtilage of an item or works occurring within the curtilage of a heritage item which may impact on its setting (i.e. gardens and plantings).

Indirect impacts

Indirect impacts to a heritage item relate to alterations to the environment or setting of a heritage item which will result in a loss of heritage value. This may include permanent or temporary visual, noise or vibration impacts caused during construction and after the completion of the development. Indirect impacts diminish the significance of an item through altering its relationship to its surroundings; this in turn impacts its ability to be appreciated for its historical, functional or aesthetic values. For the purposes of this assessment indirect impacts to heritage items are likely to consist of visual impacts only.

Cumulative impacts

Cumulative impacts relate to minimal or gradual impacts from a single or multiple developments upon heritage values. A cumulative impact would constitute a minimal impact being caused by the proposed development which over time may result in the partial or total loss of heritage value to the study area or associated heritage item. Cumulative impacts may need to be managed carefully over the prolonged period of time.

No impact

This is where the project does not constitute a measurable direct or indirect impact to the heritage item.

6.3 Assessment of impacts

A discussion, assessment and mitigation of Impacts to heritage items located within or adjacent to the study area is presented in Table 6.

Table 6 Assessment of impacts to heritage items either within or adjacent to the study area

Heritage Item	Significance	Discussion	Assessment	Mitigation measures
Mount Brown Reserve	Local	The proposed Northern and Central Precincts will not impact directly upon the Mount Brown Reserve, however they will result in an impact upon lines of sight from and to the reserve, specifically to and from the Lake Illawarra foreshore and escarpment. The proposed subdivision, specifically the proposed modification in the Northern and Central Precinct is located on the northern slope and lower foothills of Mount Brown and will not be visible from many points within the Mount Brown Reserve. This is consistent with the level of impact to the item under the concept approval.	Indirect – visual	None
Military Bunker	Local	The Military Bunker is located outside of the study area within a heavily vegetated area and is not visible from either the Central or Northern Precinct. As such, the development and specifically the modification will not impact upon this heritage item.	No impact	None

6.4 Statement of heritage impact

The proposed modification will have a minimal impact upon the historical heritage values associated with the study area. The project will result in an indirect aesthetic impact upon the significance of Mount Brown Reserve, specifically views to and from the item. The Northern Precinct is adjacent to the heritage item, with development within this location isolated to the northern slope, which will reduce the level of impact to views from the item. The Military Bunker is located within a heavily vegetated area and the proposed modification will have no impact to the item. The study area was identified to contain four sites, TH1, TH2, TH3 and O'Brien's Farm which have been assessed as not possessing any significance. Impacts to potential archaeological remains, if they are encountered can be managed through an unexpected finds procedure during construction works.

The project has been assessed as being **acceptable** from a heritage perspective.

7 Conclusions and recommendations

7.1 Recommendations

These recommendations have been formulated to respond to client requirements and the significance of the site. They are guided by the ICOMOS *Burra Charter* with the aim of doing as much as necessary to care for the place and make it useable and as little as possible to retain its cultural significance. Australia ICOMOS 2013

Recommendation 1 **Project may proceed with conditions**

The project has been assessed as being acceptable from a heritage standpoint and may proceed, subject to the following recommendations.

Recommendation 2 **Site induction and unexpected finds protocol**

All construction workers should be subject to an induction which details the kinds of historical relics, structures or deposits which may be encountered during the construction works and what the process should be if unexpected archaeological remains are encountered.

At a minimum the induction should include visual media identifying what historical remains may be encountered. An on-call historical archaeologist with suitable experience should be nominated as part of the Construction Environmental Management Plan and their details should be included in the induction documentation.

If encountered, the archaeological remains will be assessed by the on-call archaeologist to determine whether the suspected find constitutes a relic under the *NSW Heritage Act 1977* and whether NSW Heritage Council should be notified.

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