



Australian Institute of
Landscape Architects

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AUSTRALIAN INSTITUTE OF LANDSCAPE ARCHITECTS (AILA) SUBMISSION

In SUPPORT of
Proposed listing and significance of
the Appin Massacre Cultural Landscape

PREFACE

AILA pays respect to the traditional owners, the Gundungurra and Dharawal, of the land to which this proposed cultural landscape listing relates.

The Australian Institute of Landscape Architects (AILA) is the peak national body for the Landscape Architecture. AILA champions quality design for public open spaces, stronger communities, and greater environmental stewardship. We provide our members with training, recognition, and a community of practice, to share knowledge, ideas, and action. With our members, we anticipate and develop a leading position on issues of concern in landscape architecture. Alongside government and allied professions, we work to improve the design and planning of the natural and built environment.

In operation since 1966, AILA represents over 3,500 landscape architects and promotes excellence in planning, design, and management for life outdoors. Committed to designing and creating better spaces in Australia, landscape architects have the skills and expertise to improve the nation's livability through a unique approach to planning issues via innovative integrated solutions. In doing so, landscape architects contribute towards better environmental, social, and economic outcomes for all Australians.

A central purpose of the AILA (NSW) Landscape Heritage Group is to inform, inspire and enrich the culture of the discipline of landscape architecture in Australia and particularly the identification and understanding of both natural and cultural landscapes in NSW together with the role of such knowledge in the processes of planning and design.

Proper Process and ways of working with Indigenous custodians are critical for a successful outcome for all parties. Compressed submission dates do not allow for proper Process to occur. Allowing time for dialogue from all relevant parties to walk this journey together is critical. noting that the likelihood of revealing generational trauma could be high amongst Indigenous



representative, what processes have been implemented in the preparation of this proposed listing to allow for deep listening, reflection, and discussion?

STATEMENT:

The Australian Institute of Landscape Architects (AILA) supports the proposed listing on the State Heritage Register of the Appin Massacre Cultural Landscape, provided.

- a full consultation Process is carried out with a broad range of Knowledge Holders.
- the Process includes collaboration with qualified Registered Landscape Architects to agree the assessment of significance and determination of the curtilage.
- adequate timelines and submission dates allow for proper Process to occur.
- the Process aligns with the UN Declaration on Rights of Indigenous Peoples (2007), noting that the first two of four key principles are 1) self-determination and 2) participation in decision-making, and this should guide the process for consideration for heritage listing.

In addition to adequate Process and timing, AILA recommends further work on language, significance, and integrity of the proposed listing.

BACKGROUND:

As indicated in writing to AILA by Dr Natalie Blake, A/Manager, Heritage Programs North Heritage NSW, Department of Planning and Environment, as Delegate of the Heritage Council of NSW on 3 August 2022, reference DOC22/641522, AILA considers The Appin Massacre Cultural Landscape is likely to be of State heritage significance for its historic, associative, aesthetic, social, research, rarity, and representative values. This landscape consists of five key locations:

- (Area 1) 1816 Appin Massacre Sorry Place.
- (Area 2) 1814 Rocky Ponds Creek Burial (Mount Britain) Sorry Place.
- (Area 3) Teston Farm (farming complex and setting) and Lachlan Vale (homestead archaeological area and setting) Shared Histories Place.
- (Area 4): Dharawal and Gundungurra Cultural Route, including the Hanging Trees (McGee's Hill) Sorry Place, Ridgeline Camping Place and Vantage Point Teaching Place; and
- (Area 5) Dharawal and Gundungurra Cultural Route, Corridor to Gathering Place.

Further to this, AILA considered the Statement of Significance and the proposed curtilage map Plan 3294, contained in the notification, for listing The Appin Massacre Cultural Landscape. Unfortunately, the Area numbers are not included in the general curtilage map so interpretation of the full description and detail images in gallery is necessary, through this link: <https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=5067855>

Due to the recently updated approval process for positions taken by AILA Committees, we respectfully requested, by telephone with David Hoffman, an extension of time to submit a response be sought from Dr Blake.



State significant historic values of the Appin Massacre Cultural Landscape are considered for knowledge

"Its tangible connections with the historical accounts, shared histories and movements related to.

- *the 17 April 1816 massacre of Dharawal and Gundungurra peoples by the British military at the command of Governor Macquarie (Area 1).*
- *It is also associated with the 1814 murders (Areas 2-3) in the two years leading up to the massacre,*
- *in the aftermath, the hanging and mutilation of First Nations resistance warriors (Area 4),*
- *the 4 May 1816 Proclamation by Governor Macquarie (Areas 1-5).*
- *The Appin Massacre Cultural Landscape is also likely to have State significant historic values as a landscape representative of the complex relationships between First Nations people and settlers on the colonial frontier (Areas 2-3)."*

RECOMMENDATIONS

1. LANGUAGE

AILA recommends removing the emphasis on colonial aesthetic values and clearly stating those of Traditional Owners, in consultation. With regards to the criterion of State significant aesthetic values in the proposed listing, AILA recommends removing the phrase.

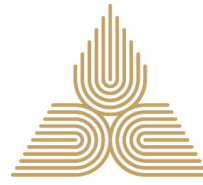
"This landscape, contained within a largely intact valley, demonstrates distinctive aesthetic attributes in form and composition, associated with natural and cultural features."

to leave the following.

"The Appin Massacre Cultural Landscape is likely to have State significance aesthetic values as the movements and actions expressed in the narrative about the massacre, its two years lead up and aftermath, derived from the historic accounts, remain legible across the landscape, and imbue the rural landscape with both tangible and intangible values. This includes the visual and spatial interlinkages between the key locations and the vantage points they provide. The physical and visual interconnections of the key locations demonstrate how this powerful story, and its individual chapters, are deeply scarred into the landscape."

2. SIGNIFICANCE

In this respect, *AILA recommends the Appin Massacre Cultural Landscape would have outstanding heritage value to the nation because of the place's potential to yield information that will contribute to an understanding of Australia's cultural history.*



This landscape also has outstanding heritage value to the nation because of the place's strong or special association with a particular cultural group for social, cultural, and spiritual reasons; namely the social, cultural, and spiritual values interconnecting the people who belong to the land, described elsewhere as.

"(Areas 1-5). This landscape, encompassing Cataract Gorge (Carrung-Gurring), the undulating country of the Cataract River, and its tributaries, has special significance to the Dharawal, its Traditional custodians, and extends respect to the Gundungurra and Dharug people who also have obligations for this Country. First nations people have cared for and lived on this Country for time immemorial. They have travelled across it and gathered for ceremony for ages untold. Their connection to this land remains strong and was never broken."

3. INTEGRITY

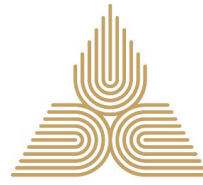
With this definition, *AILA recommends the whole landscape*, including not only.

- the Massacre Sorry Place,
- the Rocky Ponds Creek Burial (Mount Britain) Sorry Place,
- 'Teston' Farm complex and setting and
- 'Lachlan Vale' homestead archaeological area and setting,
- the Dharawal and Gundungurra Cultural Route, including:
 - the Hanging Trees (McGee's Hill) Sorry Place,
 - Ridgeline Camping Place and
 - Vantage Point Teaching Place and
 - Corridor to cultural place
- And the entire Cultural Place,

be fully included in the curtilage to the satisfaction of Gundungurra and Dharawal Elders and Knowledge Holders¹.

In addition to these fragments, AILA strongly recommends that *all* the land and waterways connecting these places, be carefully considered for inclusion in the curtilage. *This rigorous process would aim to conserve the significance of the cultural landscape as a whole, to preserve its integrity*, rather than as a series of fragmented polygons defined by lines that do not relate to the landforms. In the current proposed curtilage, the configuration of the 5 separate areas, is indicated by:

¹ Andrews, Gavin, Dharawal man, 2020, 'Story of Country: Valuing Indigenous Knowledge', Northern Cemeteries, 2 Oct. <https://www.youtube.com/watch?v=8jNoHPGD00o>



- boundaries often defined by straight lines apparently variably related to.
 - existing lot boundaries,
 - natural contours, or
 - existing 'timbered' woodland edges or
 - links between these elements,
- by narrow, linear strips to include an 'item' such as the "small polygonal area." And "the line of Quarter Sessions Road, running to the site from Brooks Point Road to the north," is by description, merely two dimensional, representing its most minimal physical envelope, as opposed to.
- the *entire* visual setting around an item such as 'Teston' Farm and
- complete and integrated spatial relationships such as
 - between the three colonial period farm complexes and
 - including the steep gorge slope opposite the Massacre Sorry Place.

These fragments are at risk of becoming visually and physically encroached upon, and disconnected from each other, by *unsympathetic* future development, on adjacent land lying beyond the control of this heritage curtilage, as it is currently proposed.

We respectfully ask, 'How and by whom were these lines determined, other than by the historian Kate Waters and Aunty Glenda Chalker? Who else guided and recorded the determination?' Recent work by AILA to develop a visual impact assessment guideline at National level, comparable to the [Queensland](#) and [UK guidelines](#);

Landscape and Visual Assessment AILA Guidance Note for Queensland (Davies, W., Rawlinson, S., Renata, A., AILA Madigan, C. & Tara, A. 2019.

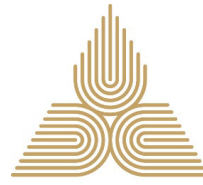
Guidelines for Landscape and Visual Impact Assessment 3rd edition (GLVIA3), April 2013, published with support of IEMA, the Landscape Institute, UK,

demonstrates that a nuanced analysis may achieve mutually acceptable outcomes, if guided, conducted, and recorded by qualified landscape experts with skills and knowledge of terrain and view mapping.

4. PROCESS and RIGOR

Underlying this, a *Process of comprehensive shared cultural landscape heritage significance assessment* must be carried out, in addition to 'cultural mapping' by respected historians, to include rigorous colonial and Indigenous landscape setting analysis, mapping of sightlines, and curtilage and buffer analysis in accordance with.

- International world heritage guidance.
 - ICOMOS (2009). ICOMOS position paper. In: UNESCO, ed. "World Heritage and buffer zones". World Heritage Papers 25. Paris: UNESCO, 21-40.



IUCN (2009). IUCN position paper. In: UNESCO, ed. "World Heritage and buffer zones". World Heritage Papers 25. Paris: UNESCO, 49–55.

- IUCN Our Knowledge Our Way framework,
<https://www.csiro.au/en/research/indigenous-science/indigenous-knowledge/our-knowledge-our-way>
- The Burra Charter and practice notes (ICOMOS 2013)
- The Conservation Plan, (J.S. Kerr)
- The NSW Government Architect Indigenous Connecting with country framework,
- Andrews, Gavin, Dharawal man, 2020, 'Story of Country: Valuing Indigenous Knowledge', Northern Cemeteries, 2 Oct. <https://www.youtube.com/watch?v=8jNoHPGDOOo>
- The AILA Landscape Heritage Study 2018,
- And including reference to
 - Whitaker, Anne-Marie. 2005, *Appin: The Story of a Macquarie town*, Kingsclear Books sponsored by BHP Billiton and other local history publications.
 - Shelton, Sharon. 2011, *The Bicentenary of Appin 1811-2011*, BHP Billiton/Wollondilly Council & others, which includes work by Francis Bodkin, Gavin Andrews, and Gawain Bodkin Andrews on the Dharawal history of Appin.
 - Bodkin, Francis; Andrews, Gavin, and Bodkin-Andrews, Gawaian, on Dharawal history in the Appin area, in Shelton 2011 ~, and other publications.

AILA recommends a range of Dharawal, Gundungurra, Dharug and other Indigenous Knowledge Holders, custodians, and landholders, in collaboration with suitably qualified Registered Landscape Architects, consider the enduring preservation of all visual, physical, and spiritual landscape linkages between the proposed fragments. This must be determined on site to encompass the whole landscape in its complete sense, in accordance with the relevant charters and studies, and in wide agreement.

State, National, and international level significance to date has been overlooked by the Cumberland Plain Conservation Plan and directly relates to the imminent progress of the Uluru Statement from the Heart, and its aspirations; Voice, Makarrata and Truth-telling. As Frances Bodkin explained in 2011, there is much difficult work to be done,

'Some day, perhaps the full story of the massacres will be told. But it will take a very brave person to write it down without emotion'

- Courtesy Frances Bodkin, Dharawal storyteller and Knowledge Holder"
(Shelton, p.11)

Beyond this, the potential future signing of the UN Declaration of the Rights of Indigenous Peoples by the Australian Government will shine a light on the Australian Nation's culture of respect for landscape heritage protection.



CONCLUSION

AILA commends the people involved for work done to date and trusts the consultation with landholders and Traditional Owners has been comprehensively achieved in the drafting of this proposed listing and curtilage. If not, the period of public submission must be extended to allow a rigorous, inclusive Process for determining the curtilage for heritage conservation by cultural significance Knowledge Holders, custodians, landholders, and qualified landscape architect experts, in the interest of comprehensively preserving landscape heritage of possible State, National and World Heritage. We look forward to providing guidance and further consultation on this and future landscape heritage listings.

Sincerely yours,

Tanya Wood

AILA NSW President

SUBMISSION TEAM

This submission has been prepared by a working group of AILA NSW members.