



# REPORT OF AN ABORIGINAL AND HISTORIC HERITAGE ASSESMENT OF MANNING PARK, WESTERN AUSTRALIA

JULY 2024

For the City of Cockburn



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Section One Cover Image: Davilak House & vineyards 1900-1910 (Source City of Cockburn website)

Section Two Cover Image: Significant Tuart Tree's at Manning Lake (source Koa Jaensch)

Section Three Cover Image: Balga Trees at Manning Ridge (source Emily Martin)

Section Four Cover Image: Cockburn Sounds Map Section (source State Records Office of Western Australia)

Section Five Cover Image: Gates to Davilak Estate (source City of Cockburn)

Section Six Cover Image: Lady from the Manning family on Davilak Lake circa. 1900 – 1910 (source City of Cockburn)



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## Warning

Please be aware that this report may contain images of deceased persons and the use of their names, which in some Aboriginal communities may cause sadness, distress, or offence.

## Disclaimer

The authors are not accountable for omissions and inconsistencies that may result from information which may come to light in the future but was not forthcoming at the time of this research.

## Acknowledgements

Archae-aus wish to pay respects to Elders past and present and extend those respects to all Aboriginal people, especially the Whadjuk people who may view this report. Archae-aus would like to acknowledge the involvement of all of the community members and stakeholders, who play a vital role in the protection and celebration of the heritage of Manning Park.

## Report Format

The front end of the report includes the document information, terms and abbreviations used in the document and the personnel involved in the project. Section One introduces the project scope, which outlines the key objectives of the work. Section Two is the Aboriginal Heritage Background and Section Three is the Aboriginal Heritage Assessment. Similarly, Section Four is the Historical Background, and Section Five is the Historic Assessment. The Stakeholder Engagement for the project is located in Sections Six and Section Seven outlines the cultural heritage results and recommendations. The Appendices include survey coordinate data, site descriptions, a copy of heritage register searches and the relevant legislation used to guide the fieldwork and reporting processes.

## Spatial Information

All spatial information contained in this report uses the Geocentric Datum of Australia (GDA94), Zone 50, unless otherwise specified. All information obtained from the City of Cockburn is assumed to be accurate to two decimal places. All spatial information obtained during fieldwork was taken using a handheld Garmin GPS with a purported accuracy of  $\pm 3$  m. Where we report spatial information collected in the field, we have opted for a slightly wider degree of accuracy of  $\pm 5$  m.

## Authorship

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## EXECUTIVE SUMMARY

This document details the results of an archaeological and ethnographic assessment of the Aboriginal and historic heritage associated with Manning Park, located within the City of Cockburn, Western Australia. Manning Park sits within the boundaries of the Whadjuk People Indigenous Land Use Agreement. The Manning Park is located south of the City of Fremantle and, at its southwestern edge, approximately 320 m from the Indian Ocean. Manning Park forms part of the larger Beeliar Regional Park and includes Manning Lake, part of Manning Ridge and the surrounding land (see Map 1).

The City of Cockburn recognises that there are a range of heritage features and values across Manning Park. This heritage assessment was commissioned by the City to understand the Aboriginal and European significance of the area. An Aboriginal archaeological and ethnographic survey with Whadjuk Knowledge Holders was required to understand the Noongar heritage and record and previously unidentified Aboriginal Cultural Heritage Sites. The historic period (post-colonisation) has been well recorded across a number of reports and projects, and historic heritage features have been previously assessed (Nayton, 2011; Bush, 2014b). The historic archaeological survey evaluated the state of these features against the existing recordings to understand their current state and heritage values.

Throughout the project Archae-aus undertook a stakeholder engagement program, to share with community members and interested groups the purpose of the project and better understand the heritage values of the place.



Figure 1. Stony Hillside Looking Towards Davilak House, the Lake and Cattle Yards, circa 1910-20 (courtesy the City of Cockburn).

[Redacted]

[Redacted]

Table 3. Heritage Sites and Features

Type	Site/Feature	Site Type	Heritage Protection Status
[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]
[Redacted]	[Redacted]	[Redacted]	[Redacted]
Heritage Feature/ Aboriginal Heritage Feature	Tuart Trees	Natural	Significant Tree List
Heritage Feature	Davilak Ruins	Archaeological ruin	State Register of Heritage Places: Manning Park Place Number 10184 & City of Cockburn Municipal Inventory
Heritage Feature	Azelia Ley Homestead	Extant buildings	State Register of Heritage Places: Manning Park Place Number 10184 & City of Cockburn Municipal Inventory
Heritage Feature	Quarry	Disused quarry	N/A
Heritage Feature	Material Culture	Museum collection	Should be assessed for significance against the Burra Charter 2013

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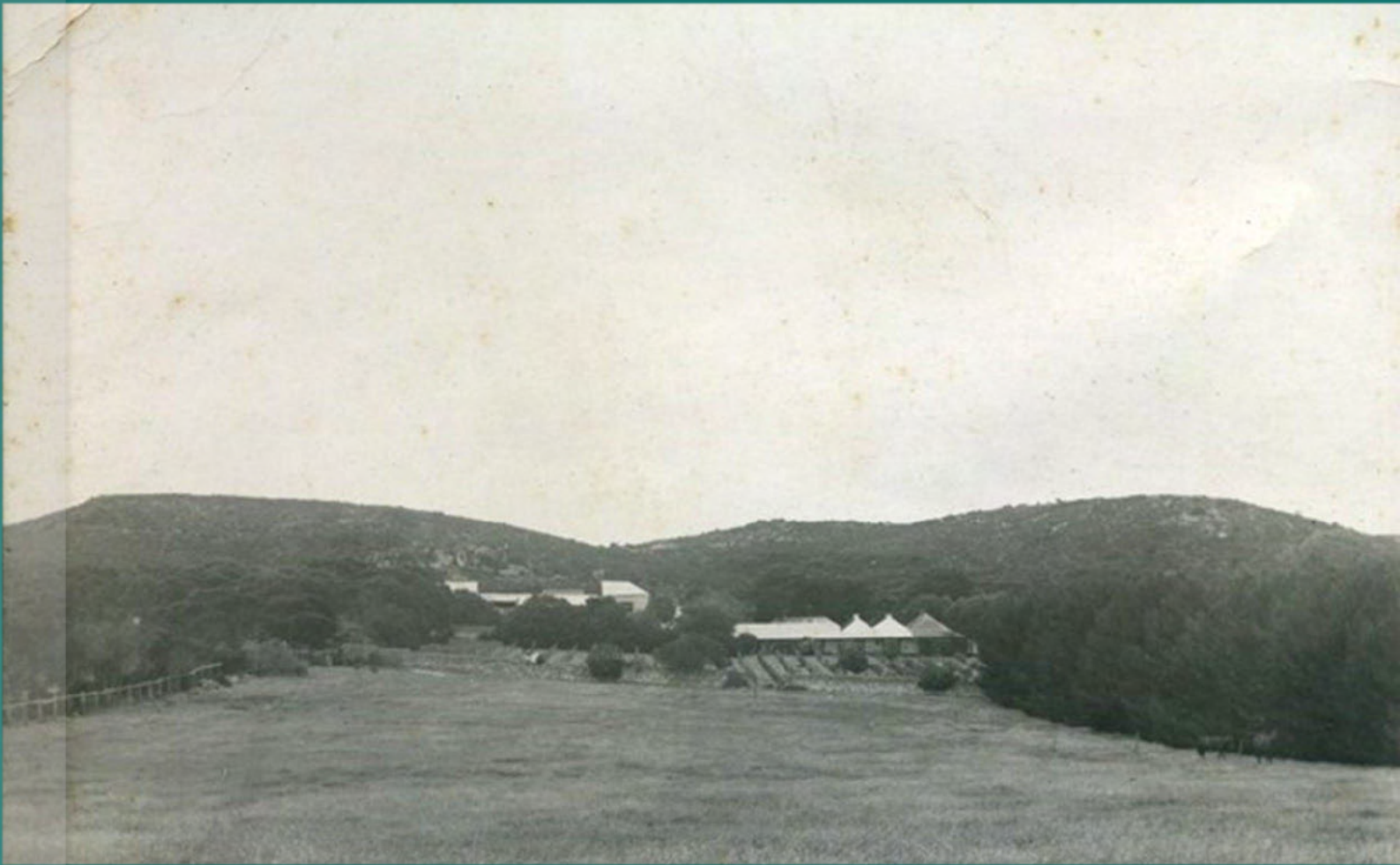
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## TERMS & ABBREVIATIONS

Term / Abbreviation	Meaning / Interpretation
<b>Aboriginal archaeological place or assemblage</b>	A place (or group of physical sites) in which evidence of past activity by Aboriginal people is preserved (either prehistoric or historic or contemporary), and which has been, or may be, investigated using the discipline of archaeology and represents a part of the archaeological record.
<b>Aboriginal Site</b>	<p>This term is used for Aboriginal heritage sites to which the AHA applies by the operation of Section 5. An Aboriginal site is defined by section 5 of the Act to mean:</p> <ol style="list-style-type: none"> <li>1. any place of importance where persons of Aboriginal descent have left any object, or have used, in connection with the traditional cultural life of the Aboriginal people, past or present;</li> <li>2. any sacred, ritual or ceremonial site, which is of importance and special significance to persons of Aboriginal descent;</li> <li>3. any place which is, or was, associated with Aboriginal people and which is of historical, anthropological, archaeological or ethnographical importance to the State; and</li> <li>4. any place where objects to which the Act applies are stored.</li> </ol> <p>How to report Aboriginal Cultural Heritage:  <a href="https://www.wa.gov.au/government/document-collections/achknowledge-portal#how-to-report-potential-aboriginal-heritage">https://www.wa.gov.au/government/document-collections/achknowledge-portal#how-to-report-potential-aboriginal-heritage</a></p>
<b>ACH</b>	Aboriginal Cultural Heritage
<b>ACHA</b>	<i>The Aboriginal Cultural Heritage Act 2021</i>
<b>ACHC</b>	Aboriginal Cultural Heritage Council which previously superseded the ACMC, now superseded by the Aboriginal Cultural Heritage Committee (Committee)
<b>ACMC</b>	The former Aboriginal Cultural Material Committee (see ACHC)
<b>ACHknowledge Portal</b>	The portal is used to request advice, lodge and track applications and report information concerning Aboriginal cultural heritage.
<b>Activity Area</b>	Proposed work area / development envelope / project area
<b>AHA</b>	<i>The Aboriginal Heritage Act 1972</i>
<b>ACHIS</b>	<p>The Aboriginal Cultural Heritage Inquiry System which holds information about:</p> <ul style="list-style-type: none"> <li>• Registered Aboriginal Sites (ACH Register Layer)</li> <li>• Lodged places (ACH Lodged Layer)</li> <li>• Historic records (ACH Historic Layer)</li> </ul>
<b>ACHMP</b>	Aboriginal Cultural Heritage Management Plan (no longer required)
<b>AHIS</b>	The DPLH Aboriginal Heritage Inquiry System, an online and publicly accessible copy of the Register of Aboriginal sites, superseded by the ACHIS.
<b>Archaeological site</b>	Is a place (or group of physical sites) in which evidence of human past activity is preserved (either prehistoric or historic or contemporary), and which has been, or may be, investigated using the discipline of archaeology and represents a part of the archaeological record. This term is used to refer to a place regardless of whether it has been assessed under section 5 of the AHA.
<b>Artefact</b>	Any object (article, building, container, device, dwelling, ornament, pottery, tool, weapon, work of art etc.) made, affected, used, or modified in some way by humans.
<b>Assessment</b>	Professional opinion based on information that was forthcoming at the time of consideration
<b>ATSIHP</b>	<i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i> (the ATSIHP Act).
<b>CHMP</b>	Cultural Heritage Management Plan
<b>Committee</b>	Aboriginal Cultural Heritage Committee (see ACHC)
<b>Cultural material / archaeological material</b>	Any object (article, building, container, device, dwelling, ornament, pottery, tool, weapon, work of art etc.) made, affected, used, or modified in some way by humans.

Term / Abbreviation	Meaning / Interpretation
DAA	Abbreviation for Department of Aboriginal Affairs, now the Department of Planning Lands and Heritage (the Department)
The Department	See DPLH
DPLH	Department of Planning Lands and Heritage (the Department)
Ethnographic Site	A place that is significant to an Aboriginal group because of its stories and connections. These places have intangible heritage values and are linked to traditional custom and law.
FPIC	Free Prior and Informed Consent
Harm	In relation to Activity impacting ACH, including destroying or damaging ACH – except where that harm relates to an Aboriginal person acting in accordance with the person's traditional rights, interests and responsibilities.
Heritage survey	Survey and inspection undertaken in order to investigate and document the archaeological record of a particular area
HISF	Heritage Information Submission Form now superseded by the ACHknowledge portal submission form and Aboriginal Heritage Enquiry Form
ICH	Indigenous Cultural Heritage
LGI	Local Government Inventory
Native Title	Recognition of the traditional rights and interests to land and waters of Aboriginal and Torres Strait Islander people
NSHA	Noongar Standard Heritage Agreement <a href="https://www.wa.gov.au/government/document-collections/noongar-standard-heritage-agreement-south-west-native-title-settlement">https://www.wa.gov.au/government/document-collections/noongar-standard-heritage-agreement-south-west-native-title-settlement</a>
NTA	<i>Native Title Act 1993</i>
Object	An artefact - any object made, affected, used, or modified in some way by humans. Objects may be protected under the AHA if they meet the section 5 criteria for an Aboriginal site.
Section 18 (s18)	The section of the <i>Aboriginal Heritage Act 1972</i> that details the process for permission to disturb the land on which a site is located.
Section 18 (s18) Approval	A letter from the Minister of Aboriginal Affairs providing consent for the disturbance of land on which a site is located.
Section 39(2) Assessment	Process of the ACMC (now the ACHC / Committee) assessing a reported site's significance and interest.
SWALSC	South West Aboriginal Land and Sea Council
Whadjuk	Whadjuk Native Title Group (WI2017/015)



## SECTION ONE – INTRODUCTION

## The Project

This report details the results of an archaeological and ethnographic assessment of the Aboriginal and historical heritage associated with Manning Park, located within the City of Cockburn, Western Australia (Map 1). Manning Park sits within the boundaries of the Whadjuk People Indigenous Land Use Agreement (Map 2). This heritage assessment was commissioned by the City of Cockburn (The City) to understand the Aboriginal and European significance of the area. While the scope references European heritage, Archae-aus have used the more inclusive term ‘historical heritage’ throughout this assessment, recognising that places may have multiple and intersecting heritage values for people from diverse cultural backgrounds.

The City of Cockburn Scope of Works required Archae-aus to:

- ▶ Carry out Aboriginal research and engagement to understand the Aboriginal heritage significance of the area.
- ▶ Early European research to understand the extent of early European history and heritage significance of the area. This includes but is not limited to the following known or reported sites and documents: Azelia Ley Homestead, Davilak Homestead Ruins, Possible WW II Embattlements, Significant Trees, Items listed on the City’s Heritage Inventory and Tangelo’s Manning Park Signage and Implementation Plan (provided by the City).
- ▶ Complete a detailed synthesis of all previous studies, research and analysis that have been performed on the site relating to any aspect of Aboriginal or early European heritage.
- ▶ Identify any areas or features of the reserve that are protected under heritage legislation.
- ▶ Identify any areas or features of the reserve that are acknowledged on the City’s Inventory and Heritage List.
- ▶ Undertake stakeholder consultation in line with the City of Cockburn Community Engagement Policy and Framework.

## THE PROJECT AREA

The Manning Park Project Area is within the City of Cockburn, in the suburb of Hamilton Hill. It is located south of the City of Fremantle and, at its southwestern edge, approximately 320 m from the Indian Ocean. Manning Park is part of Whadjuk Boodjar (Country), and the Whadjuk people still have rights and interests in this place today. Manning Park forms part of the larger Beeliar Regional Park and includes Manning Lake, and the surrounding land. The lake is part of a wetland chain that runs across the Swan Coastal Plain that was a key food resource for Whadjuk people. The Project Area covers approximately 1.11 km<sup>2</sup> and encompasses Manning Lake. Much of the surrounding land was cleared by European settlers from 1850. Today the park features a substantial area of remnant vegetation, including mature tuart trees.

Manning Park was named after the Manning family, who were prominent in Cockburn in the early 19th century. The area was cleared from the 1850s for farming and domestic activities and the Manning family developed a large estate with two homes around Manning Lake. While the nomenclature is unclear one story tells that the local Aboriginal people called the lake ‘Devils Lake’, which was then shortened to ‘Davilak’ (Nayton *et al.*, 2011a, p. 105), after which, Lucius Manning named the Homestead to the south of the lake (Pickering, 2019, p. 13). Historical cultural heritage includes sub-surface archaeological remains of the original homestead complex, built north of the lake in the 1850s, the ruins of Davilak Homestead Complex, built south of the lake in 1866, and the standing Azelia Ley Homestead, built west of the lake in 1923.



At the time of this assessment the area immediately surrounding the lake featured a marshy wetland, with numerous paperbark trees (*Melaleuca spp.*) and a thick understorey of water reeds and grasses obscuring the moist ground surface. This wetland is circled by a bituminised bike path and a large, grassed area with scattered Eucalyptus trees (*Eucalyptus spp.*), including the historically significant Tuart trees (*Eucalyptus gomphocephala*) (LGI #033).

The western areas of the survey area were located on a raised limestone ridge (Manning Ridge) that featured varying density of vegetation and ground surface visibility. The western ridge area is intersected by numerous unsealed hiking trails, with evidence of mountain biking along these trails also noted. In the more densely vegetated areas on top of the ridge and downslope, to the west, several piles of dumped rubbish were seen, particularly in the southwestern most part of the survey area on the western side of Cockburn Road.

## DESKTOP ASSESSMENT

The heritage assessments included primary and secondary accounts from a range of sources, including Department of Planning, Lands and Heritage (DPLH) Aboriginal Cultural Heritage Inquiry System (ACHIS), the State Records Office, the State Library of Western Australia, the Azelia Ley Museum, Inherit, Trove and the City of Cockburn website and Historian. The desktop assessment is not an exhaustive history of Manning Park, and it is recognised that there is a wealth of information available through sources such as the Azelia Ley Museum, State Archives and within personal collections and traditional knowledge. It is acknowledged that there may be errors in secondary source material, and documentary evidence has been cross examined for accuracy where possible.

When conducting the heritage assessment of Manning Park it was vital recognise the wealth of work and community knowledge that exists about this place. Table 5 lists the documents that informed the Aboriginal and historical heritage assessments. These documents have been reviewed in the either Section Two: Aboriginal Heritage Background or Section Four: Historical Background.

Table 4. Existing documentation

Title	Author	Year
Local Government Inventory and Heritage List	City of Cockburn	2021
Manning Estate, Hamilton Hill Conservation Plan	Gaye Nayton	2011 (amended 2021)
Davilak Ruins Archaeological Management Strategy: Manning Estate Hamilton Hill	Fiona Bush	2014
Significant Tree List	City of Cockburn	2021
Manning Park Signage and Interpretation Plan	Tangelo	2022
Beeliar Boodjar: an introduction to Aboriginal history in the City of Cockburn, Western Australia	Len Collard & Clint Bracknell	2012
Wadjak Nyungar Community Consultation and Response to the Manning Park Master Plan	Latitude Creative Services & Marie Taylor	2019
Early European and Aboriginal Heritage Study; Hamilton Hill Swamp Precinct	Terra Rosa	2021

## HERITAGE ASSESSMENTS

### *Aboriginal Heritage*

A search of the DPLH Aboriginal Cultural Heritage Inquiry System (ACHIS) shows that there are no listed Aboriginal Cultural Heritage places within the Manning Park. Five heritage surveys have taken place over or intersecting Manning Park. However, these surveys do not directly relate to the Manning Park and are wider landscape studies. Therefore, it was important to carry out both archaeological and ethnographic Aboriginal heritage surveys of the Project Area, to better understand the Aboriginal heritage values of the place. The Whadjuk Aboriginal Corporation nominated a group of Whadjuk Knowledge Holders that took part in an archaeological and ethnographic heritage surveys. Archae-aus also engaged with the City of Cockburn's Aboriginal Reference Group, and two individual Noongar community members who expressed their interest in the project.

### *Historic Heritage*

In terms of historical heritage, there are a number of significant heritage places and features within Manning Park, including the Azelia Ley Homestead, Davilak Homestead Ruins, possible WWII embattlement and significant Mulberry and Tuart trees. There are three entries on the Municipal Inventory heritage listing within Manning Park Reserve, these are also listed on the City of Cockburn Inventory and Heritage List. To fulfil the historical heritage assessment of Manning Park, archaeologists carried out a historical archaeological survey and recording of targeted historical features.

## STAKEHOLDER ENGAGEMENT

On the 27<sup>th</sup> of November 2023 Archae-aus submitted a Stakeholder Engagement Plan for the Manning Park Project. This plan acted as a guide for the anthropologist who carried out the stakeholder engagement process. The engagement objectives were to:

- ▶ Inform the community and key stakeholders of the project.
- ▶ Communicate the purpose of the project.
- ▶ Provide an opportunity for key stakeholders to provide input on the heritage assessment, sharing their interest and knowledge about the history and heritage and values of Manning Park.
- ▶ Achieve support from the City of Cockburn's Aboriginal Reference Group for the approach to engagement and ensure appropriate knowledge holders and interested parties are involved.

Archae-aus anthropologists engaged with a range of stakeholders through one-on-one and group consultations. They attended local community group meetings and facilitated a community drop-in session at Manning Park on Sunday the 18<sup>th</sup> of May 2024. The stakeholder consultations explored their knowledge of the place and identified heritage values, as well as concerns that many community members had for the ongoing protection of Manning Park and its inherent heritage values.



### Legend

 Manning Park Reserve Boundary



Map 1. Overview of the Manning Park Project Area

Drafted by Lucy Sinclair, 10 July 2024. GDA94, Zone 50. Satellite imagery courtesy of Google and Wiki Maps.



375000

380000

385000

390000

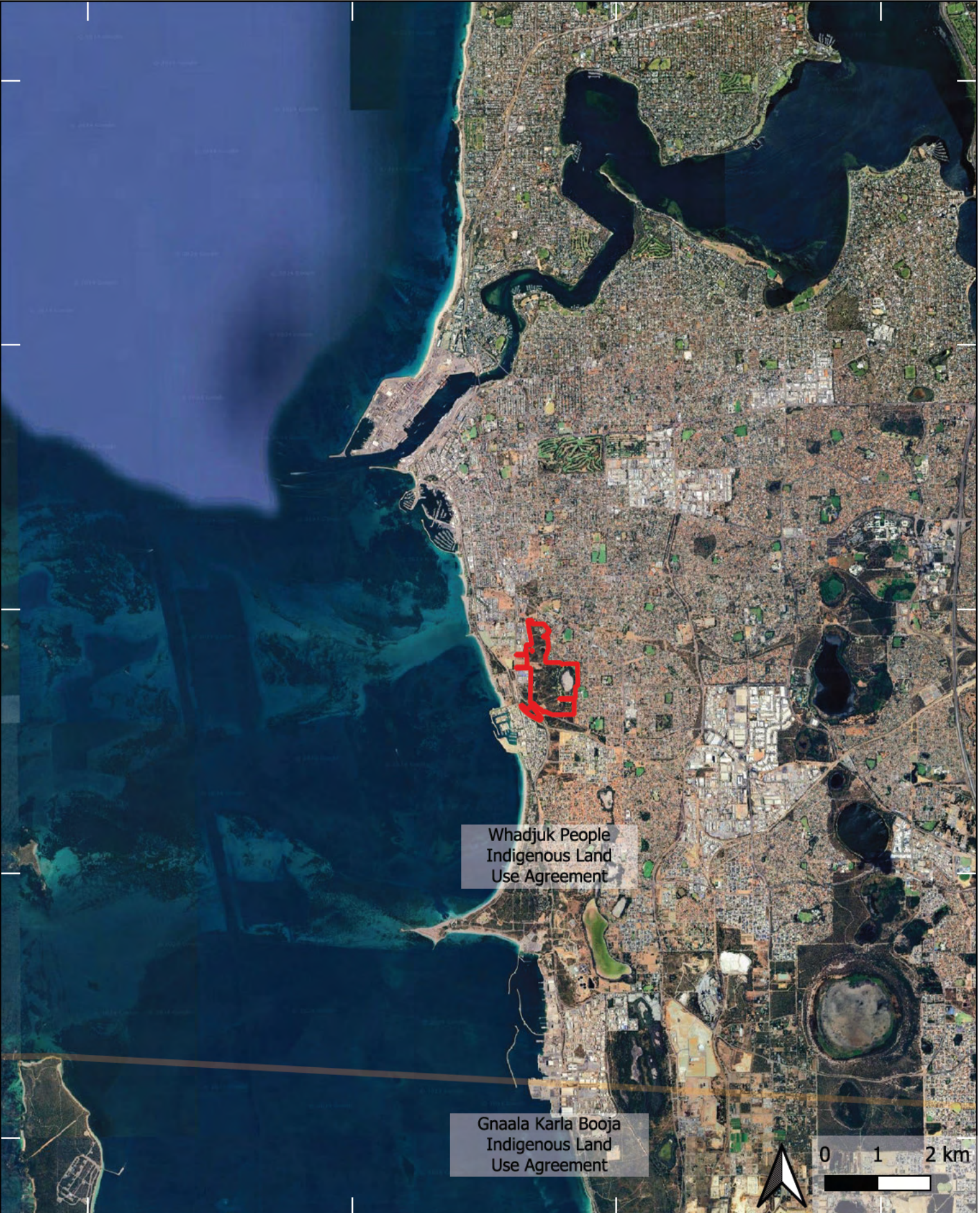
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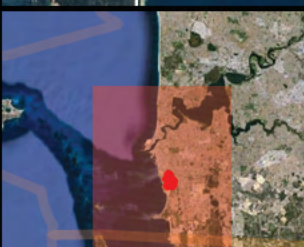
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Whadjuk People  
Indigenous Land  
Use Agreement

Gnaala Karla Booja  
Indigenous Land  
Use Agreement



### Legend

-  Manning Park Reserve Boundary
-  Indigenous Land Use Agreement Boundaries



Map 2. Overview of the Manning Park Project Area and ILUAs

Drafted by Lucy Sinclair, 10 July 2024. GDA94, Zone 50. Satellite imagery courtesy of Google and Wiki Maps.



## SECTION TWO – ABORIGINAL HERITAGE BACKGROUND

## Introduction

The Southwest of Western Australia forms a distinct biogeographic and cultural region, bounded by the Indian Ocean to the west, the Southern Ocean to the south and inland by the arid zone. It has a Mediterranean climate and a high level of biodiversity. Noongar Boodjar, or Country, corresponds roughly to this biogeographic region. Noongar people today are descendants of a number of groups living in the region, who shared a similar culture and spoke dialects of a single language. These groups had core territories, but maintained strong relationships with neighbouring groups, with whom they traded and interacted. At the time of colonisation, the Beeliar group were recorded as owning the land from Fremantle to Mandurah. The descendants of the Beeliar people are today recognised as the Whadjuk Noongar group. Human occupation of the Perth area can be traced back some 40,000 years. The memories and stories of the Whadjuk Noongar attest to this deep-time occupation of the region. Today Manning Park is part of an important cultural landscape for Whadjuk people, that tells the story of their long connection to Whadjuk Noongar Boodjar.

## Archaeological Background

Archaeological evidence documents Whadjuk people's occupation and resilient adaptation to changing environments through time by analysing the characteristics of the cultural materials that survive from older time periods and their distribution in time and space. The Swan and Canning Rivers and their tributaries, as well as wetland chain throughout the area, provided a rich economic base for Aboriginal people. The waterways are also central to Whadjuk Noongar spiritual beliefs because of the water spirit, Waugal, that formed them. It is believed that the Waugal still inhabits the rivers, some lakes and subterranean waters, allowing the water to flow (McDonald Hales and Associates, 2002)

Lake Walliabup (Bibra Lake) and Lake Coolbellup (North Lake), less than 5 km to the east of Manning Lake, are part of a chain of lakes that follow the waterway system now known as the Beeliar wetlands, and part of the Beeliar Regional Park. Waugal beliefs remain central to Noongar cultural identity and ethnographic evidence attests to the ongoing importance of the Waugal presence in these wetlands and their connection to other Waugal sites in the Perth area and beyond. Recent excavations at Lakes Walliabup and Coolbellup, demonstrated a rich sub-surface assemblage relating to the making of shaped stone tools. These excavations also highlighted how the surface archaeological record can often be a poor guide to the presence of sub-surface cultural material in the Swan Coastal Plain (Archae-aus, 2022a).

The Beeliar wetlands formed a seasonal route through the area for the Whadjuk Noongar's ancestors (Gifford *et al.*, 2011). The lakes, like other wetlands and rivers, would have been a place where groups of Aboriginal people would gather to spear fish and to collect turtles, reeds and other foods. The wetland chain is also well-known as part of a regular travel route from the Swan River to the Pinjarra area. Lake Walliabup was an important node in the network, as it was the meeting point for two paths leading to the Mandurah area – one from North Fremantle, and the other from the Causeway via the Canning River (Hammond, 1933).

## Dating

Most archaeological investigations in the Southwest have focused on the Perth metropolitan area and the Swan Coastal Plain, where several sites have established that human occupation in the region can be traced back at least 40,000 years. At this period, lower sea levels meant that the coastal sand plain extended out to the edge of the continental shelf and islands such as Rottnest / Wadjemup, were limestone hills within the plain (Dortch and Dortch, 2019).

The oldest site in the Perth area is Upper Swan (DPLH ID 4299). This large, open artefact scatter site on a terrace of the Swan River was used more than 40,000 years ago. The site comprises numerous artefacts and charcoal patches, indicating a Pleistocene occupation of the area, where groups of people camped, prepared fires for cooking and warmth and used cores and hammer stones to manufacture a variety of stone tools. Other early sites on the Swan Coastal Plain are located at the site of the Fiona Stanley Hospital dating to 35,000 years ago (Dortch, Dortch and Cuthbert, 2009), on an old river terrace in the Helena Valley dated to about 29,000 (Schwede, 1983, 1990) and a site at Minim Cove near the mouth of the Swan River which has been dated to about 10,000 years ago (Clark and Dortch, 1977). Yellabidde Cave on the northern fringe of the Southwest has also been dated to 25,500 years ago with occupation continuing through to the recent past (Monks *et al.*, 2016). Further south in the Leeuwin-Naturaliste region, a date of 48,000 years for the first use of Devils Lair has been reported. This date has been questioned, but use of the site certainly goes back about 45,000 years (Allen and O'Connell, 2014). Nearby, Tunnel Cave was first occupied about 27,000 years ago (Dortch, 1994, 1996).

## Land Use Patterns

Hundreds of surface stone artefact scatters have been recorded across the Perth metropolitan area (Hallam, 1972, 1975a, 1977; Anderson, 1984; Strawbridge, 1988; Bowdler, Strawbridge and Schwede, 1991). These mark former camping areas and other activities associated with hunting, gathering and fishing, and collecting materials to make shelters and a range of tools and personal equipment. The stone artefacts include finished tools, as well as the flakes and cores that make up the waste from tool-making.

Quartz is the most common stone type used for artefacts on the Swan Coastal Plain. Other materials used include dolerite, granite, mylonite, crystal quartz, silcrete and fossiliferous chert. Recent sites often include tools made from glass. There are no natural stone sources occurring on the Swan Coastal Plain. Most stone, therefore, comes from sources in the Darling Range or perhaps even further inland. The exception is Eocene fossiliferous chert. No local sources have been identified for this particular fossiliferous chert and, where sites have been dated, there is no fossiliferous chert in the most recent levels. Sites closer to the present coastline tend to have higher percentages of fossiliferous chert. Therefore, it seems likely that sources of this material were located closer to the edge of the continental shelf and were drowned by rising sea levels by about 6,000 years ago at the end of the last ice age (Glover, 1984). Fossiliferous chert still continued in use, of course, as old artefacts were recovered from sites and reworked. Nevertheless, this means that fossiliferous chert acts as a rough chronological marker for sites on the Swan Coastal Plain, indicating use of particular places going back more than about 5,000 years.

The distribution of these sites suggests a long-term stable pattern of land use particularly focused on the rivers and the resource-rich wetlands and swamps of the coastal plain. Preservation of organic material and charcoal is rare at open surface artefact scatters, and few have been dated. Dated open sites on the sandplain at the airport and Fiona Stanley Hospital, as well as Upper Swan and Helena River on the inland edge of the region, indicate long-term continuity of occupation (Dortch and Dortch, 2019). Historical sources confirm the importance of wetland resources in past Aboriginal subsistence patterns (Hallam, 1987, 1991). Many wetlands were used as Noongar campsites within living memory and continue to be visited to access traditional resources. Noongar people moved to manage seasonal variation in distribution and abundance of food resources. Local abundance of particular resources provided opportunities for large gatherings and there were seasonal movements between the coastal plain and the jarrah and marri forests of the Darling Scarp (Anderson, 1984).

## Ethnographic Background

Manning Park today is part of the lands of the Whadjuk Native Title Group (WI2017/015), which is a sub-set of the broader South West Native Title Settlement (WC1998/058). Whadjuk is the name of the dialectical group that covers approximately 5,580km<sup>2</sup>, and is now the most densely populated area in Western Australia. It includes the area of Boorloo, also known as Perth and the wider metropolitan area. Whadjuk territory is described here by Norman Tindale).

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*Swan River and northern and eastern tributaries inland to beyond Mount Helena; at Kalamunda, Armadale, Victoria Plains, south of Toodyay, and western vicinity of York; at Perth; south along coast to near Pinjarra (Tindale, 1974:260)*

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Noongar people form a distinct cultural bloc now and into the distant past, based on shared linguistic and cultural traditions, a cohesive social structure and kinship network, shared regional identity, and a common geographical connection to the lands and waters that make up the southwest corner of the Australian continent. There are a range of social structures which further delineate Noongar people and connect them to particular parts of the Southwest region. This is articulated succinctly in the Noongar evidence provided to the Federal Court hearings (Federal Court of Australia, 2006:38), during which the claimants noted that the southwest region:

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*...was occupied and used by Aboriginal people who spoke dialects of a common language and who acknowledged and observed a common body of laws and customs. Those Aboriginal people recognized local and regional names within the broader society but shared a commonality of belief, language, custom and material culture, which distinguished them from neighbouring Aboriginal groups and societies. Responsibility for and control of, particular areas of land and waters, were exercised by sub-groups or families, but the laws and customs under which the sub-groups possessed those rights and interests were the laws and customs of the broader society.*

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Whadjuk people have carefully managed their lands and waters for tens of thousands of years and witnessed broad scale changes, from changing climate to the rising of the seas (until sea stabilisation at current levels around 6000 years ago) to the invasion of European people. Rainfall levels which define the Southwest Botanical Province form a distinctive geographic and environmental zone, they also define Noongar country. As defining features of Noongar country, the rivers, lakes, creeks, and all of their tributaries are vital to Noongar culture, and thus maintain a special significance.

Spiritual life is fundamental to Noongar culture, and it is inextricably linked to the organisation of Noongar society and to the management of Boodjar (Country). The responsibility to look after Boodjar is deeply engrained in Noongar cosmology, which enshrines a set of governing principles for the management of land and water. Water is a defining feature of Noongar Country and Noongar people have a long, rich tradition with their extensive waterways and changing coastline. Ethnographic narratives associated with Noongar cosmology are often intertwined with the waterways, demonstrating a deep connection between land and water, people and Country. Oral traditions told

of the Nyitting (cold time or creation period) recount massive geological or catastrophic environmental events that altered the landscape, such as floods or land movements that describe the features of the land and coast that we see in Noongar Country today. The Nyitting, or Nyetting, is a significant period in the creation of the Noongar land and waters, described as ‘*The freezing cold, near darkness time, long, long ago when there was nothing on the earth, it was flat and featureless*’ (Nannup 2006a;1) (Robertson et al. 2016). The Nyitting tales not only told stories of the early ancestors and recounted creation myths, but these narratives also laid down the lore for social and moral order and established cultural patterns and customs (SWALSC 2016 in Robertson 2016).

One of the most common Dreaming stories tells of the Waugal, a spiritual serpent who, during the Nyitting, moved throughout the Country bringing water to the lands creating the Kaata (hills), valleys, bilya (rivers), boya (rocks) and other significant landscape features (Bates, 1985:221). Places the Waugal travelled are marked by pieces of the serpent that metamorphosed into topographical and landscape features (Bates 1985:221). This includes the wetland systems that make up the Swan Coastal Plain that are rich ecological landscapes that sustained generations of Noongar people. Pads connecting the wetlands to the river systems that extended through the territory and drained towards the sea, creating a network of hunting and movement patterns for Aboriginal people, the stories of which are sustained through oral histories (Ralph, Locke, Smith 1990:8). These streams and river systems that connect land and sea in the Southwest, as well as many of the smaller springs, swamps, pools, and lakes are attributed to the movements of the Waugal (O’Connor, et al 1989:46).



Figure 2. The Roundhouse, by Christopher Pease, 2007

*The painting is based on a work by Wallace Bickley. The etching and aquatint entitled ‘View of Fremantle, Western Australia (from the Canning Road)’ was created in 1832 and depicted a panoramic view of Fremantle. I have taken this image and placed the Wagul – a mythical serpent that created the Beelias (rivers) as it moved across the land. The Wagul rises from the water like a giant sea*

*monster ready to engulf passing ships. The foreground of the painting is overrun with white rabbits (a metaphor for the introduction of western beliefs, eroding and destroying indigenous way of life as well as the environment). On the street is a chain gang being escorted to the 'Round House', an infamous jail that was the drop off point from which indigenous people were shipped to Wadjemup (Rottneest Island) (Christopher Pease)*

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## Local Context

The wetlands on the Swan Coastal Plain, with the permanent water sources such as Manning Lake, were an important camping area and source of food for the Beeliiar group of the Whadjuk people (Western Australia. Department of Conservation and Land Management et al., 2006). Water sources formed a seasonal route through the area for the Whadjuk Noongar's ancestors. The wetlands stretch 23 km north to south, providing a major trade and travel route connecting the Swan and Murray River peoples. Manning Lake, like other wetlands and rivers, would have been a place where groups of Aboriginal people would gather to spear fish and to collect turtles, reeds and other foods. A map produced by the City of Cockburn assists in contextualising the Manning Park in relation to the various lakes in the region, and to outline the contemporary road network, which follows traditional walking routes. This map also features Noongar (Nyungar) names for the lakes in Cockburn (see Figure 3).

Recent archaeological excavations at Lakes Walliabup and Coolbellup, demonstrated a rich sub-surface assemblage of stone artefacts relating to the making of shaped stone tools. These excavations also highlighted how the surface archaeological record can often be a poor guide to the presence of sub-surface cultural material in the Swan Coastal Plain (Archae-aus, 2022a). Optically stimulated luminescence dates have confirmed that Whadjuk Noongar ancestors have occupied the landscape, centred around the wetland systems of the Swan Coastal Plain for at least 10,000 years.

The number of artefacts uncovered during the excavations at Lakes Walliabup and Coolbellup conservatively suggest that there could be more than 20 million sub-surface artefacts in the high potential archaeological zones located in the raised areas surrounding the lakes (Archae-aus, 2022, p. 46). This suggests that the high ground surrounding Manning Lake, now largely covered by grass, could contain a substantial sub-surface archaeological deposit. Across the Swan Coastal plains, the majority of the freshwater lakes are registered Aboriginal Sites with the DPLH.

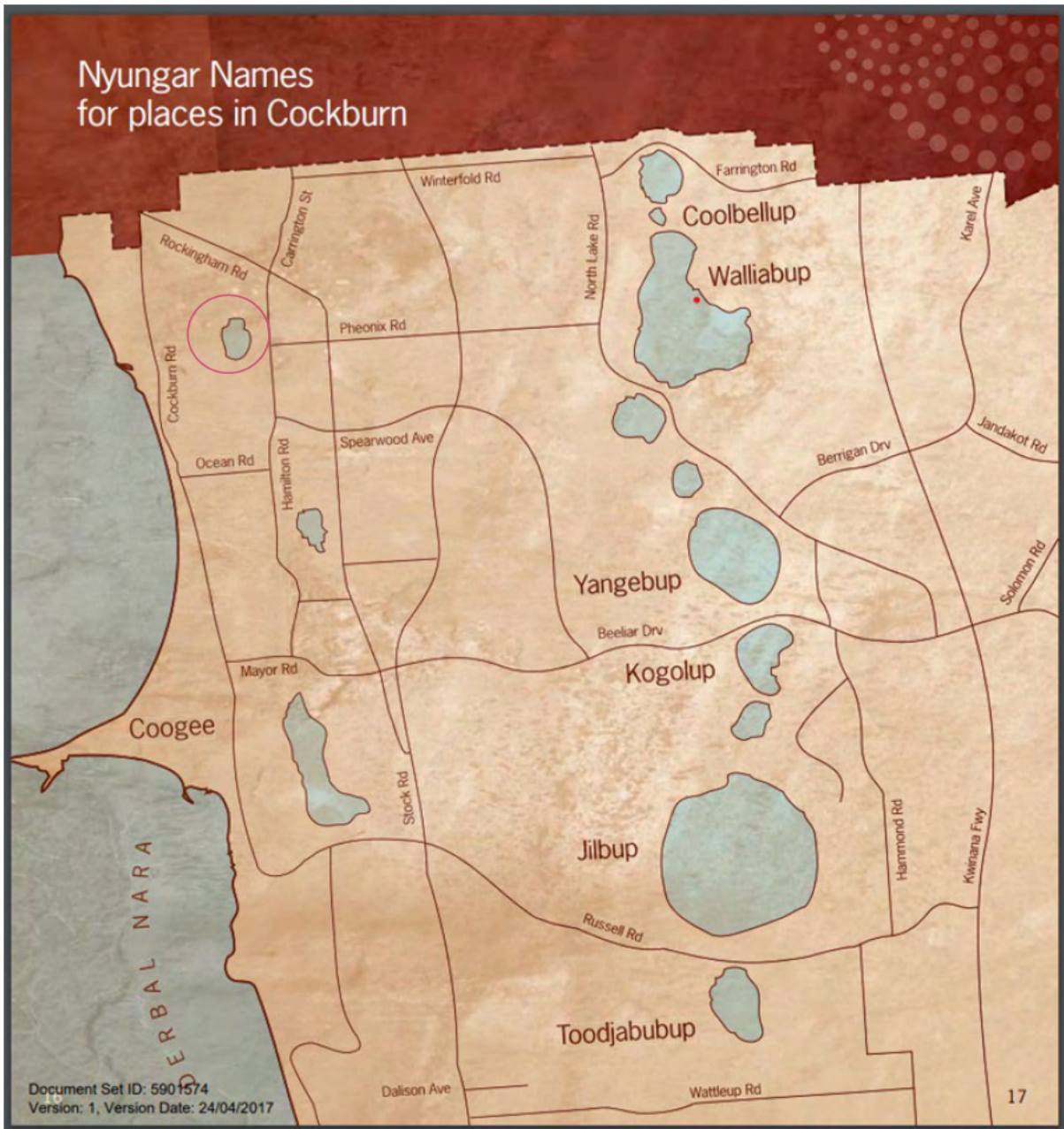


Figure 3. Beeliar Boodjar (<https://www.cockburn.wa.gov.au/Nyungar-History>)

During consultations regarding the Manning Park Master Plan (Latitude Creative Services and Taylor, 2019), Whadjuk Knowledge Holder Karen Jacobs shared that:

*All these lakes were created by the female Waugyl so that's why they are very maternal in their story line. It's a female Waugyl because she ducked and dived as she came down from the river looking for her mate. They mated in the Swan River and then they went their separate ways and she was looking for somewhere to lay her eggs. The remnant lakes have been left behind because of the scales that fell off her body every time she went back into the ground and then came back up, which left the lakes as they are. All these lake systems are very female in their orientation because they are based on the female Waugyl creation story.*



During this consultation the Whadjuk Knowledge Holders identified a natural water course on the ridge, as well as rock pools containing water. They also acknowledged the presence of a range of bush tucker sources including kangaroo, goannas and snakes, with flora including peppermint trees, soap bush, quandong and yams. Karen Jacobs identified changes in the landscape over time. She noted that Noongar people would have looked out from the ridge across the ocean and witnessed vast landscape changes.

*When you go back 6000, 7000 years ago there would have been land right out past the other side of Garden Island. This is a high point. When the sea level rose there would have been people migrating from the coastline say 4km away and then seeking shelter in these dips almost referred to as mountain lakes. When the seas rose, there was migration a little bit further east. These were high land lakes. So, our people sat up on the top lands and there was protection from the ridge which was perfect for camps because they didn't get those strong westerlies that came in off the ocean.*

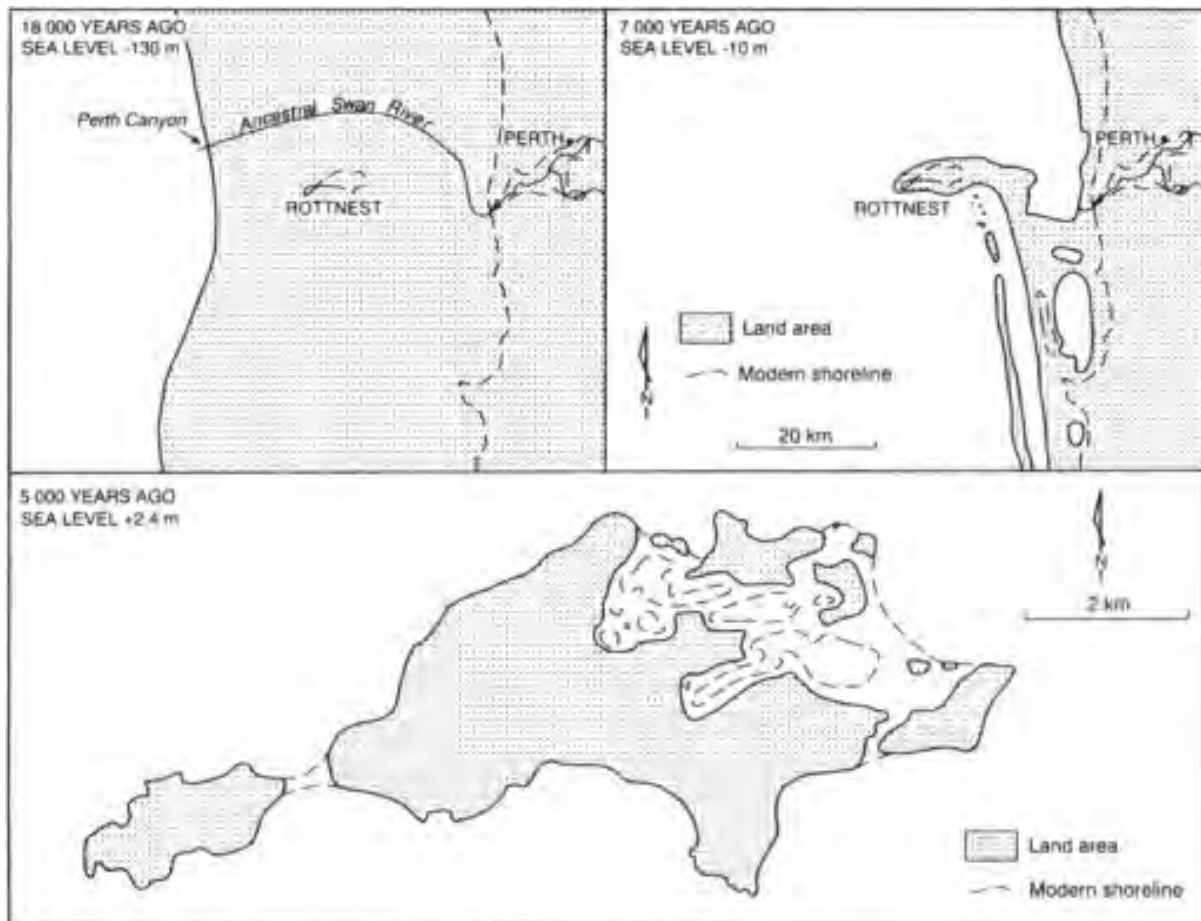


Figure 4. Hydrogeology of Rottneest (courtesy of Phillip E. Playford)

## POST-CONTACT PERIOD

The Swan River Colony was established in 1829, concentrating upon the alluvial flats of the Swan River as the best prospective farmland. These alluvial areas were relatively easy to clear due to the long-term Aboriginal modification and management of the land by the removal of the understorey to give ease of access and increase game numbers, giving the area a 'parklands' appearance. Stirling (1827), cited in Hallam (1975a) noted, 'the whole country of the middle and upper Swan resembles a vast English park'.

At the time of colonisation the early colonial source Robert Lyon (1829) recorded that Manning Park is located in Beelias country, and the leader of the group occupying the country was Midgegooroo (see Green (1979). The following map is from the description given by Midgegooroo's son Yagan, to Robert Lyon in 1832. As the numbers of European settlers grew Noongar people were soon forced off their land. The land surrounding Fremantle was some of the first settled by the waves of new settlers. The early years of the Swan River Colony were marred with conflict between the original inhabitants and the newcomers from across the ocean.

As Hallam (1975a) states, Noongar people traditionally used the foothills of the Darling Scarp as focal positions for the exploitation of resources of several zones (uplands, alluvial plains and the swamps beyond). With European usurpation of the alluvial zone, this was no longer possible. Aboriginal people suffered and survived disease epidemics, conflict and Aboriginal policies introduced by the colonial administration, which included the forced exclusion from urban areas, concentration of reserves and restrictions on movement (Berndt, 1979; Green, 1984; Haebich, 1988).

Fremantle was one of the earliest settlements in Western Australia and the area which is now Manning Park was claimed by J.W Davey in the 1830's. As was common, places that provided good access to fresh water were often settled first, forcing Aboriginal people from these locations. There is little written record of Aboriginal people living at Manning Park, however this is likely due to its early settlement and the violence that marred the young colony.

Only one year after its establishment the first known massacre of Noongar people occurred at Lake Monger 3<sup>rd</sup> of May 1830. Relations continued to sour and by 1832 tensions were at a flash point. In May 1833 a proclamation declared that the Beelias leader Midgegooroo and his son Yagan were declared criminals and 'deprived of the protection of the British laws' after they were suspected of instigating the murder of two settlers near present day Bulls Creek (Green, 1984). This ultimately led to the sham trial and execution of Midgegooroo in May 1833 and the murder and mutilation of Yagan



Figure 5. Map of territories from Hughes-Hallett, 2010

in July of the same year (SWALSC, 2021). The death of the two Beeliar Noongar leaders was a heavy blow for the Noongar people.

In 1834 Captain Stirling held a rendezvous for the bloody Pinjarra Massacre from a location G Robb's Location 10, Hamilton Hill farm, which was the block next to Manning Park today (Latitude Creative Services and Taylor, 2019). Noongar people have oral history accounts of a massacre of women and children at the nearby Hamilton Hill Swamp Precinct (Terra Rosa, 2019). While separated by urban development today, this massacre site is only 200m from the northern section of the Manning Park Project Area and 1km from Manning Lake.

There is little in the historical record that tells us today what this story of violence meant for the Noongar people's relationship with Manning Park. What we do know is that Noongar people were increasingly forced from their homes and into less desirable locations, and eventually by the 1900s, onto reserves and missions. Lucius Manning recorded that Aboriginal people:

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*They had a camp at Hamilton Hill and never used to cause us any trouble., but I can remember the old gins catching goannas. The country swarmed with goannas and snakes... There were two tribes of natives there. They used to come to us to get their rations, and they used to work for us. They would work for a few days and they would disappear for a few days. Their camp was made of poles and bushes.*

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So, while it seems Aboriginal people could spend time Manning Park as laborers, it was within the strictures of the imposed system of land ownership. Alexander Manning was not fond of what he saw as 'illegal squatters' on his land. His son Lucius recalled:

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*'My father raised a small 'army' of 40 or 50 pensioners and other people, and they all went out to the east of our Davilak property and threw a lot of jumpers off our land', 'My father raised a force of 40 men from around Fremantle. They marched out there under command of father's secretary, a man we used to call Mr B O .... They marched out and slung these scoundrels off'*

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While there is no written record of Manning stopping Noongar people from camping on what he viewed as his land, it is not a leap to assume that he would treat Noongar people in a similar way to the white 'illegal squatters'. The exclusion of people from the Davilak estate and Manning Lake continued into the 20<sup>th</sup> century. The sign outside Azealia Ley's house in Davilak, now the Azealia Ley Museum, read:

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**STRANGERS KEEP OUT. DOG OBJECTS.**

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Her property within Manning Park was notoriously surrounded by a wire fence and guarded by two dogs, of which she claimed she would like more (*Mirror*, 1947). It is said she stood with a gun at the front of her house when strangers approached. It was not until the City of Cockburn acquired the property and created Manning Park that Noongar people would have again had free access to Manning Lake.



Figure 6. Gates to the Davilak Estate circa 1910 (Courtesy of the City of Cockburn)

In the archival record there are a number of recordings that provide an insight into Noongar peoples' relationship with Manning Park during the post-colonisation period. These accounts should be taken with a note of caution, as they come with the inherent bias of viewing another's culture through the preconceived ideas of your own. This is especially true with early historical accounts, which often portray the racist or derogatory views of Aboriginal culture and beliefs.

The name of the Manning Estate as Davilak has been attributed to Noongar people from a range of sources (Tangelo, 2019). On the 28<sup>th</sup> of July 1935 the Sunday Times wrote that:

An interesting story told by Major Manning is that the Aboriginal natives have shunned Davilak and always regarded it with horror-stricken aversion because of the debbil-debbil that lived there. In fact, it is supposed that the name Davilak arose from Devil's Lake there being a not far distant.

Later in that year on the 26<sup>th</sup> of September 1935 the Daily News wrote that:

Located between South Fremantle and Hamilton Hill is a lake with surrounding swamp land and, which was religiously avoided by the natives of an earlier generation as being an abode of the devil-devil, that most feared of the evil spirits. It became known to the white people as Devil Lake which the natives pronounced Davilak and which rather uncommon name has been officially adopted.

Manning family member Lucius recorded that *'Davilak was named after Devil's Lake, which was just in front of the house. The Aboriginals could never stay near the lake after the hills started throwing their shadows on it, because the devil would come in and kill them, and this is how the lake got its name'*. This nomenclature of Davilak, however, is debated. Others attribute it to being derived from the first European settler that owned the block, J.W Davey. Davey's Lake, then becoming Davilak. Whadjuk Knowledge Holder Marie Taylor addressed the naming of the lake during the Manning Park Masterplan consultations:

*The little pools the Noongar people say is where the Waugul lifted his head and poked his head out of the sand and made the hole so that when it rained the water would fill those lakes. And that is why many of those lakes are here and still got their traditional names, like over at Coolbellup, you've got Lake Coolbellup which is today known as North Lake. You've got Walliabup which is known as Bibra Lake, Yangebup there is a lake there, Kogolup that's the lake. Jilbup, Thomson's Lake and Toodjabubup, Banganup Lake and here, the one that is missing out of this brochure (City of Cockburn) is Davilak Lake. Where, in listening to everybody talking, and our old grandfather used to say that was the devil's lake. So I am surprised that Davilak Lake wasn't kept as part of that naming and that it was changed to Manning Lake. That lake used to be Davilak before it was called Manning Lake. And that was linked in with meaning of the place. Old pop Tom (Bennell) always called that place the Devil's place. In honour of our history, why don't we call it Davilak and there are the stories linked to that.*

Aside from the origin of the name, what is of interest is the apparent *wirrin*, or taboo, nature of Manning Lake. This was discussed during the ethnographic heritage assessment and is discussed further in the Ethnographic Results Section. Long time resident of Cockburn E.M Thorpe recorded in 1985 that there was an:

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*..an enormous Tuart tree which grew at the property gateway in Davilak Avenue...The tuart tree was considered sacred to the aboriginal tribe of the area, who used its base, as a meeting place for initiation and other ceremonies; but as they claimed evil spirits haunted the Davilak or "Devil's" Lake, they quickly left the area as soon as shadows from the big hill were cast by the setting of the sun, to return to their camp at the swamp at Baker's Estate before darkness set in. The big hill was used by this tribe from which to signal when contact with a tribe at Buckland Hill, Mosman Park was required...*

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This tuart tree was likely connected to registered Aboriginal heritage site Clontarf Hill (DPLH ID 18332), which was a ceremonial location. E.M Thorpe also wrote that:

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*To give recognition of the tribe who had been in this area, Mr Manning had a road named Goodyumini Road: (the spelling may be incorrect.) This was later changed to Winfield Street, after an early resident and long serving member of the Road Board who had passed away shortly before. As can be imagined, Mr Manning was very upset and annoyed by the Board's action (E.M Thorpe, 1985).'*

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## Existing Manning Park Heritage Documents

The following documents have been supplied by the City of Cockburn, and form part of the previous studies that they have commissioned for Manning Lake and its surrounds. As per the scope of works, they have been analysed and synthesised below.

Report Title	Author/s	Year
Wadjak Nyungar Community Consultation and Response to the Manning Park Master Plan	Latitude Creative Services with Whadjuk Ballardong Yorga   Marie Taylor	2019
Beeliar Boodjar: an Introduction to Aboriginal History in the City of Cockburn, Western Australia	Len Collard Clint Bracknell	2012
Early European and Aboriginal Heritage Study; Hamilton Hill Swamp Precinct	Terra Rosa	2021

### Wadjak Nyungar Community Consultation and Response to the Manning Park Master Plan

*Latitude Creative Services with Whadjuk Ballardong Yorga | Marie Taylor*

City of Cockburn commissioned Latitude Creative Services (LCS) to undertake a consultation process with the Whadjuk Nyungar Community on the Nyungar history of Manning Park to guide and inform the implementation of the 2018 Manning Park Master Plan (UDLA, 2018). The goal of the project was to ensure that Noongar values were considered in the planning process for Manning Park. Five in-depth interviews were conducted and transcribed in the report, which provides a great deal of information about Whadjuk connections to and use of Manning Park. The report highlights the need to embed Noongar knowledge and heritage in the parks design and community use. The report also highlights the importance of the protection of the environmental landscape and of maintaining the cultural and spiritual connection of Aboriginal people to the land.

### Beeliar Boodjar: an Introduction to Aboriginal History in the City Of Cockburn, Western Australia

*Len Collard and Clint Bracknell, 2012*

This report is intended as Aboriginal history and cultural contextualisation of the Beeliar Nyungar community within the region now known as the City of Cockburn. The report reviews existing Aboriginal literature, oral histories and consultations with local Elders and Aboriginal community members. The report centres the historical narrative of the area around Aboriginal people and integrates the Nyungar theoretical principles of Boodjar (land), moort (kin) and katitj (knowledge). The report intends to contextualise the continuing history and culture of Nyungar people within the knowledge and history of the region. The committee consulted for the report emphasised the importance between story, land and people and the interconnectedness of *kura*, *yeya*, *boorda* (past, present and into the future).

Existing literature and oral histories present the City of Cockburn as a major camping and hunting place for Nyungar people. It was also known as a place where Aboriginal people moved in the mid-20<sup>th</sup> century to participate in the growing industry. The document emphasises the importance of mythological storytelling and the Nyitting, or Dreaming, to the formation of the landscape. Particularly the importance of the Waugal and its role in forming the lakes and wetland systems across the City of Cockburn and beyond. Without the Waugal, the Knowledge Holders believe there would be no water.

*They believe in the Waakal very dearly. They reckon without the Waakal around they would have no water.” Dorothy Winmar (Collard et al. 2004:19)*

Long-established trails linking the freshwater wetlands were frequently utilised by the Beeliar people and other Nyungar coming to the area to fulfil their social and cultural obligations. The report summarises Nyungar language and nomenclature of the region and the strong customs and cultural practices that continue today. The document is intended as an introduction to Nyungar culture in the historical context of the City of Cockburn region.

## Hamilton Hill Swamp Precinct

*City of Cockburn and Terra Rosa Consulting, 2019*

This report was commissioned to provide a comprehensive record of the heritage values of the Hamilton Hill Swamp Precinct, located on the northern side of Rockingham Road, just north of the Manning Park Project Area. The report aims to record and determine the heritage values of the Precinct, and to put forward recommendations to appropriately manage, protect and interpret the values that underpin future land use and development options at the site. At the time of the report, the area included 12.5 hectares of land within the suburb of Hamilton Hill, containing developed and undeveloped land within a mixed-use precinct. The consultations included contributions from Aboriginal and non-Aboriginal stakeholders and assessed early European features of the precinct. No heritage places from the Manning Park area were located within the Hamilton Hill Swamp Precinct Area, however, the European heritage of the place is linked to the Manning family and their occupation and development of the area.

The Aboriginal assessment of the Precinct focused on key research areas including potential burials, ceremonial sites, a potential massacre site, heritage trees and campsites. Previous studies of the area outlined significant Norfolk Island Pines within the Precinct; however, no comprehensive studies had been conducted that specifically related to the study area. A physical survey was undertaken on the Precinct with the participation of Noongar Knowledge Holders. As a result, the area was recorded as an Aboriginal site complex of several interconnected heritage places including a mythological site, water source, camping and hunting grounds, a massacre site and a natural feature. The mythological site included the limestone hills within the Precinct with spiritual connections to the Waugal and the Seven Sisters Dreaming. Ceremonial places associated with ochre at the site and bidi's (walking tracks) between places were recorded as part of the complex. These ethnographic sites, despite being outside the Manning Park Project Area are inextricably linked to the wider area, as places of water, ceremony and mythology are not contained within specific locations, but rather connected through landscape features to the whole landscape of the place. The Waugal, for example, was noted to exist in the Hamilton Hill Swamp, but his spirit travelled underground to other significant standing water sources within the area. Similarly, the Seven Sisters Dreaming (*Marajinbanga Gurdijr Koodjal Djoorkaarn*) includes Clontarf Hill, Cantonment Hill (*Dwerdaweelardjump*) in Fremantle and the limestone hills and cliffs in Manning Park.

The report also includes historical archives of the Aboriginal and non-Aboriginal uses for the Precinct, including a 1930s retrospect from the Fremantle Adviser that the swamp had been utilised extensively for Aboriginal ceremony 60 years prior. It also notes a reference from Calder (1877:35) reporting the corroboree was held in Yagan's honour, as he was cited in the area around this time. The report also details the early conflicts, including sources outlining the 'first punishments' of the 1830s where raids were held on Aboriginal groups camping in the area. The Knowledge Holders present at the survey had anecdotal evidence of a raid at the Precinct during a women's ceremony, led by Captain Irwin.

This massacre is said to have resulted in the deaths of approximately 50 women and children. The report also noted several anecdotal burial sites around the Precinct.

This report provides a detailed Aboriginal and European assessment of the Hamilton Hill Swamp Precinct and a list of heritage management recommendations for the place. These include that the precinct be rehabilitated, and Aboriginal signage be included in the interpretation of the area. They also suggested that the area be safeguarded from further infrastructure to protect the sensitive nature of the area, including the limestone hills, women's area, and significant trees. An outcome of the report was that the area cannot be spoken for in isolation and that the place is inextricably linked to the wider natural and cultural landscape.

## Registered Aboriginal Heritage Sites

The following summary of previous research has been compiled from information that is publicly available from the Department of Planning Lands and Heritage's Aboriginal Cultural Heritage Inquiry System (ACHIS). This may not be a comprehensive record of all heritage sites recorded and surveys undertaken, with the possibility that some information may exist in the 'grey literature' held by private individuals and organisations which has not yet been provided to the DPLH for addition into the ACHIS. Accordingly, caution should be exercised in areas where no surveys have been completed, or where surveys have only been completed for parts of the area where the proposed activity is intended. Heritage surveys over only part of the land, or wider overarching surveys that are not site-specific may not have identified possible sites within the Project Area. In addition, surveys that took place more than 15-20 years ago may not have reliable spatial information.

A search of the Aboriginal Cultural Heritage Inquiry System found that there are no Registered Aboriginal Cultural Heritage (ACH) Places intersecting the boundaries Manning Park, however, there are two Registered ACH Places located within 1 km of the Project Area (Table 5 and Map 3). Furthermore, there are no Lodged or historic ACH Places listed on the ACHIS within the boundary of the Project Area.

Table 5. Previously recorded Aboriginal places in the vicinity of the Manning Park Project Area

DPLH ID	Place Name	Status	Type	Legacy ID
3707	Robb Jetty Camp	Register	Camp; Historical; Traditional Structure	S02207
18332	Clontarf Hill	Register	Artefacts / Scatter; Camp; Ritual / Ceremonial; Creation / Dreaming Narrative; Historical; Hunting Place; Massacre	N/A

### Robb Jetty Camp / DPLH ID 3707

*Camp; Historical; Traditional Structure*

This place was recorded as a Man-Made Structure and Camp in 1985 by Noongar Knowledge Holders Mr Corrie Bodney, D, Kickett and Mr Joe Walley. It is listed on the DPLH Register as a camp, including historical and traditional structures. The camp area was recorded to be located in the sandhills to the south of South Beach in the vicinity of Catherine Point. Records detailed in the site files suggest that there were several camps situated between the Bradford Kendall Pty Ltd Iron Foundry and Robb Jetty



and that fringe camps were still in use by Aboriginal people outside the metropolitan area at the time of reporting, including the O'Connor area (1985).

A 2008 assessment of DPLH ID 3707 / *Robb Jetty Camp* by Australian Interaction Consultants and the City of Cockburn resulted in the Aboriginal representatives sharing that Robb Jetty continues to be a site of significance to the Knowledge Holders of the area. One Knowledge Holder stated that the place, “tells people of what was once there, cultural and spiritual history” (C Bodney, 2008). While archaeological material no longer characterises Robb Jetty Camp as a site, the place embodies the intangible significance through culture and shared experiences that categorise it as a place of ethnographic significance.

During the 2008 consultation of Robb Jetty Camp, Knowledge Holders referred to family members who had camped at this place, citing the most common reason for habitation was due to seasonal work in the area. Work ranged from labouring at Robb Jetty and the nearby abattoir to known people such as ‘Black Paddy [sic]’ and Wandji who were employed as trackers for the local police. The camp was utilised not just by Whadjuk Noongar people, but by also Aboriginal groups who travelled from places as far as Kalgoorlie, either for employment or to participate in cultural activities. Non-local Aboriginal people relied on their social networks to locate themselves within Perth and the wider area and Robb Jetty Camp was used as a short to medium stay before moving on to find work in other places.

When the camp was originally recorded in 1985 it was referred to as a ‘fringe camp’, epitomising the typical post-colonial transient camps on the fringes of European colonist society. An Aboriginal representative commented that the location of the camp was significant as it was a place of convenience to European settlers. The camp allowed Aboriginal workers close access to places of labour available to them but was “far away enough so they (the whitefellas) did not have to smell them (the Aboriginal people)” (Wilkes 2008). One representative explained in the 2008 assessment that Aboriginal people at the time were only employed to have access to a labour pool on a short-term basis, “a day here, a day there” (Wilkes 2008), and that workers were often paid in food rations rather than wages.

This place is one of the many still known to the Aboriginal community around Perth that illustrates the experiences, life conditions and interactions of Aboriginal people living on the fringes of European settler life in the late 19<sup>th</sup> and 20<sup>th</sup> centuries. It reflects attitudes towards Aboriginal communities and the microcosm of post-colonial life by Aboriginal groups most directly impacted by colonialism in their Country. The presence of this camp also demonstrates the impact of industries on the social environment of local Aboriginal populations and the steps they took to adapt to it.

There are also mythological associations to the Robb Jetty Camp area, as the place forms part of the Dreaming narrative of the *Marmun Wardung* (Black Crow) and the *Oolyinak* (Cockatoo) which extends down the coast from Guilderton to Port Kennedy. As told by Noongar Elder Corrie Bodney in the 1985 assessment of the site, the coast is the ‘run’ that the crow flies up and down, depending on the movements of the Crow, the Cockatoo lets the people and the ants, which store food when the fish were close to the shore so they could be caught for food. Two places where the fish would be plentiful were Swanbourne and Cockburn. The direction that the Crow flies would let people know if a storm was coming; flying north was good, but if the Crow flew south then people needed to prepare. This story related to a large section of the coast, not merely the area that includes Robb Jetty Camp, however, this story would have been recounted at this place, which reinforces the connections between culture and place. Robb Jetty Camp forms part of not only the traditional and spiritual

narrative of the landscape around Perth but also represents a place of kinship and connection to the Aboriginal people who camped and worked there, becoming part of the colonial narrative and historical struggles of the Noongar community.

### **Clontarf Hill / DPLH 18332**

*Artefacts / Scatter; Camp; Ritual / Ceremonial; Creation / Dreaming Narrative; Historical; Hunting Place; Massacre*

Clontarf Hill is one of the seven hills of Perth that make up part of the Seven Sisters Dreaming and Songline that traverses across the state. Clontarf Hill was first acknowledged by Manning (1975) as a place of religious and spiritual significance to Noongar people. This hill continues to be a place of spiritual and cultural significance to the local Noongar community. Clontarf Hill is a limestone and sand hillock that rises 39.8 m above sea level. The hill itself and the surrounding bushland corridor are part of a system of hills that run in a north/south direction from Fremantle through to Spearwood. From the summit of Clontarf Hill, there are views of the Indian Ocean and Perth's offshore islands.

The place details comprise of an interview with Noongar Elders Mr Patrick Hume and Ms Glenys Yarran. At the time of recording Mr Hume led the party to the top of Clontarf Hill and showed the expansive vantage overlooking *Walyalup* (Fremantle), *Derbal Nara* (Cockburn Sound) and the offshore islands of *Meeandip* (Garden Island), *Ngooloormayp* (Carnac Island) and *Wadjemup* (Rottnest Island). Several quartz flakes and flint stones have been found at this place, Mr Hume recounted that the Hill was once a camping location and many of the flint stones would have been carried from the Goldfields through trade and migration to use in spears and as skinning implements. Mr Hume stated that these artefacts would have been transported prior to colonisation and that this place would have been a significant camping place along with a spiritual place. He also recalled the place when he was a child, approximately eight years old (1933-1934) when his father sent him to Clontarf Hill to catch rabbits. He stated that he set his traps and moved on as he would never stay on the hill after the shadows grew long due to the spirituality of the place.



### Legend

- Manning Park Reserve Boundary
- Aboriginal Heritage Places (DPLH)

**archae-aus**

**Map 3. Aboriginal Heritage Places intersecting or adjacent to the Project Area**

Drafted by Lucy Sinclair, 10 July 2024. GDA94, Zone 50. Satellite imagery courtesy of Google and Wiki Maps.

## Previous Heritage Assessments

There have been five Aboriginal heritage surveys conducted that intersect the boundaries of the Manning Park Project Area (Table 6 and Map 4). Four of the surveys are generalised studies of the wider Perth area and one survey concerns an infrastructure corridor that intersects only the western boundary of the Project Area.

**Table 6. Previous Heritage Surveys intersecting the Manning Park Project Area**

Survey Report ID	Survey Area ID	Report Title	Author/s	Type
21817	16317	Ballaruk (Knowledge Holders) Aboriginal site recording project.	Machin, Barrie	Ethnographic
21818	16458	Ballaruk (traditional owners of Whadjuk territorial boundaries the lands of the Ballaruk Peoples) Aboriginal site recording project: additional material.	Machin, Barrie	Ethnographic
102078	14290	Aboriginal Heritage Study of the Jervoise Bay Infrastructure Planning Precinct.	McDonald, Hales and Associates.	Archaeological/ Ethnographic
102670	16126	Preliminary Report on the Survey of Aboriginal Areas of Significance in the Perth Metropolitan & Murray River Regions July 1985.	O'Connor, R	Ethnographic
103564	14104	An Archaeological Survey Project: The Perth Area, Western Australia. Apr 1972.	University of Western Australia.	Archaeological

### Machin, Barry, Ballaruk (Traditional Owners) Aboriginal Site Recording Project, August, September, October 1994.

This is an overarching report, in collaboration with Survey Report ID 21818 (below), reviewing the historical and cultural background of the Ballaruk people of the Southwest. The report references all Noongar people and utilises existing data and reports for the Southwest area relating to Noongar people, familial groups and sites. The report is focused, however, on the Ballaruk people named for the Whadjuk Moiety group, for the region around Perth. The results are based on a review of relevant literature along with field trips and interviews conducted with Mr Corrie Bodney, a senior Whadjuk and Ballaruk man.

Details of the report focus on movement and mobilities, patrilineal and matrilineal kinship systems, trade, hunting, religion and lore before colonisation, and the impacts on the Ballaruk and Noongar communities due to European settlement. The report also addresses the complexities of the 'authority to speak' for Country within Whadjuk territory and the issues of custodianship of cultural sites. The document was created to provide detailed cultural and ethnographic backgrounds for heritage surveys conducted within Noongar Country and does not contain specific information relating to the Manning Park Project Area.

### Machin, Barry, Ballaruk (Traditional Owners of Whadjuk Territorial Boundaries the Lands of the Ballaruk Peoples) Aboriginal Site Recording Project: Additional Material, 1995.

This report is additional material for the study of the Ballaruk Traditional Owners Aboriginal Site recording project (detailed above). This document includes details of visits to significant sites around Whadjuk Country on the authority of senior Ballaruk man, Mr Corrie Bodney. Places visited include

Bonoron Hill, an important lookout and ceremonial ground, included in some initiation ceremonies but not associated with circumcision practices where some corroborees occurred, Joondol Muryang Ceremonial Ground, a traditional ritual copulation area or magic mating ground, and Lesmurdie Falls.

### McDonald, Hales and Associates, Aboriginal Heritage Study of the Jervoise Bay Infrastructure Planning Precinct, August 1997.

McDonald, Hales & Associates were commissioned by Halpern Glick Maunsell to undertake an Aboriginal heritage survey of the areas of land and sea within the Jervoise Bay Infrastructure Planning Study Precinct. The proposal included areas surrounding existing facilities, which were to be redeveloped into industrial parks, the harbour and future wharf facilities for the local shipbuilding industry. A realignment of Cockburn Road by Main Roads was also included in the proposal.

The archaeological survey resulted in the location of two Aboriginal sites between the southwest and northwest sides of Lake Coogee. *Lake Coogee 1* (DPLH ID 15838) is situated on the western side of the proposed Cockburn Road realignment. The site is located on a firebreak, and materials were noted eroding out of windrows formed to the side during the construction of the track. The site contains four quartz artefacts, three within 1-2 m of each other and the fourth some 20 m to the north. No further Aboriginal artefacts were uncovered. The authors noted that the site was highly disturbed, however, the presence of large artefacts suggests that smaller subsurface material may be located nearby. *Lake Coogee 2* (DPLH ID 15839) is located in the centre of the proposed Cockburn Road realignment. The site consisted of approximately 103 quartz artefacts, lying just beyond an existing gravel road and adjacent to a direct fence line. The scatter had suffered disturbance from rabbit and human activity. Both sites are listed as Registered on DPLH's Aboriginal Cultural Heritage Inquiry System. The registered places are situated approximately 4 km south of the Manning Park Project Area.

During the archaeological assessment, *Lake Coogee 2* (LC-2) was ascribed a higher degree of significance than *Lake Coogee 1* (LC-1) as it has a larger concentration of material, with moderate size artefacts located within the Karrakatta Sands of the Spearwood dune system. LC-2 therefore is a rarer site with less disturbance. Aboriginal representatives consulted during the ethnographic assessment of the place expressed their desire to have the materials found at LC-1 and LC-2 preserved. In addition, due to the potential presence of sub-surface material such as burials, some representatives requested that the area be monitored during construction.

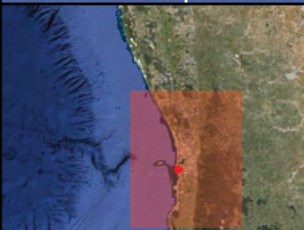
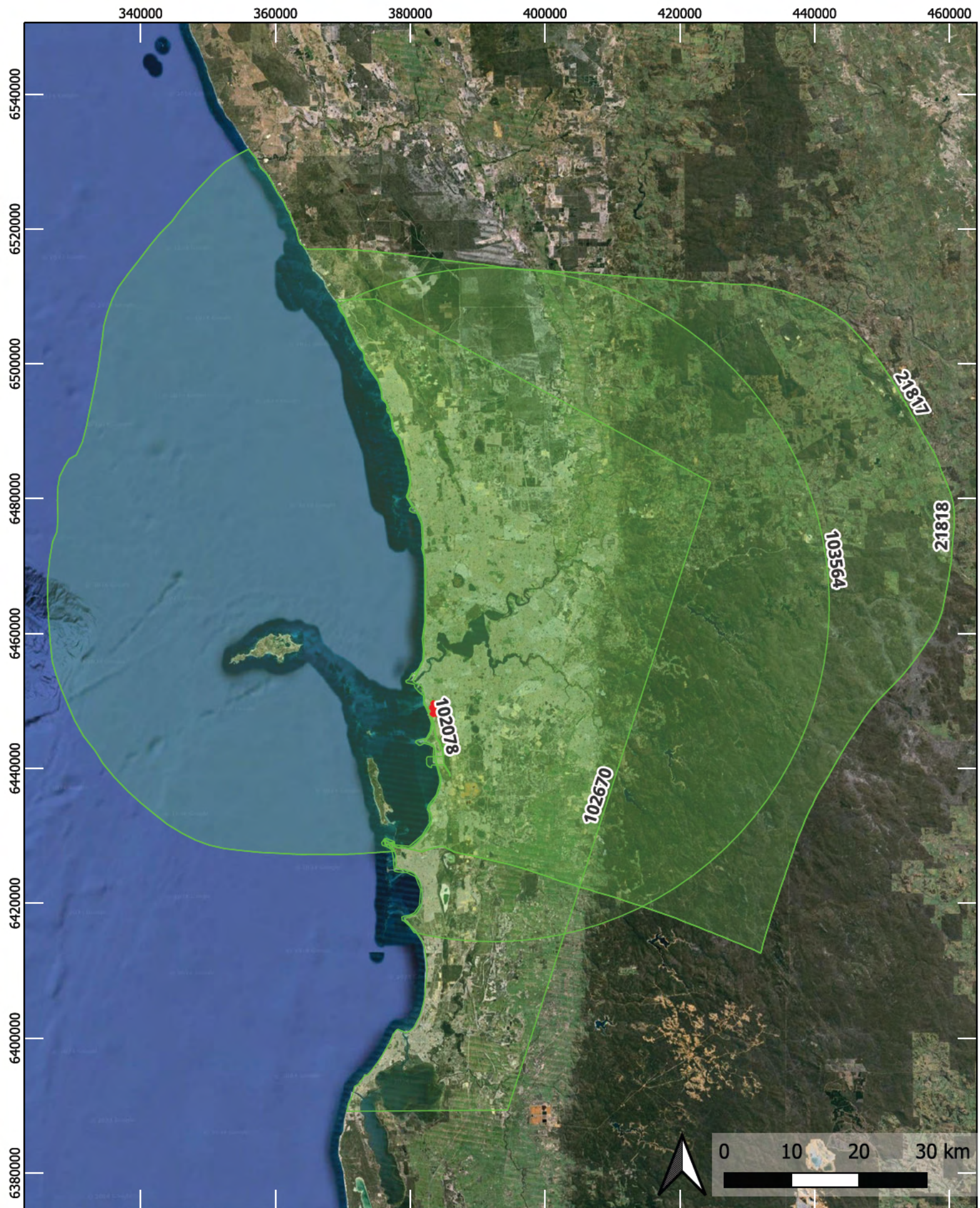
The Jervoise Bay Project Area was also found to be intersected by two mythological sites at the time of the survey. The first, DPLH ID 3776 / *Indian Ocean* (Legacy ID S02168), covers the sea between the mainland, Rottnest, Carnac and Garden Islands within Cockburn Sound and today is listed as Historic. The second was described as a limestone ridge running along the north-south axis of the survey area, parallel to the coastland and approximately 200-400 m inland. No further description or place ID number was given for this place.

This report highlights the presence of Aboriginal cultural material in the area, providing further evidence of Aboriginal mobility and utilisation of the chain of lakes and wetlands that extends along the coast from Perth, which includes Manning Park. However, the Jervoise Bay Project Area is situated approximately 4 km from the Manning Park Project Area, therefore, this report contributes wider knowledge about the area, rather than specific knowledge.

## University Of Western Australia, an Archaeological Survey Project: The Perth Area, Western Australia, April 1972.

This is an overarching study reviewing archaeological, ethnographic and historical sources to provide generalised analysis of Aboriginal life in the southwest prior to colonisation. This report details the results of an investigation of changing patterns of Aboriginal settlement and land use and the ecological and symbolic ordering of life and landscape within a sample area of the Southwest of Australia. It details the results of a study centred around the Perth area, using ethnohistorical sources, field surveys and excavation results to determine movement and land use patterns of traditional Aboriginal life before colonisation. The study uses archaeological and ethnographic records and includes ecological and flora and fauna components to estimate population densities across specific groups and locations in the southwest. It also addresses how human populations have changed ecosystems and how this impacted occupancy and mobility in the area.

The methodology of this report included reviews of early explorers and settler descriptions, journals and writings. There was also analysis of archaeological accounts of landscape features, structures and artefacts from early Noongar populations and how these places were presented as sacred and domestic sites. The authors addressed archaeological sites as evidence of movement and interaction patterns. Patterns of Aboriginal usage 'developed' the potentialities of the landscape in the Southwest, thus setting the stage for European movement, exploitation and settlement. These patterns, utilising both archaeological records and ethnohistorical accounts, posit the hypothesis that the southwest was divided into two main occupational zones – one along the coastal plain, the other curving southeast from New Norcia through Toodyay and York, Beverly, Williams and Arthur River towards Albany. The authors use this information to predict traditional 'runs', or seasonal mobility patterns, that were then utilised by European settlers. Early settler tracks and then present-day roads, tend to follow Aboriginal tracks which linked wells, freshwater sources and river crossings. Tracks around the Perth area generally followed an east-west latitude that reflected the seasonal migrations of the area.



### Legend

- Manning Park Reserve Boundary
- Previously Completed Heritage Surveys



**Map 4. Previously Completed Aboriginal Heritage Surveys**

Drafted by Marcel Teschendorff, 10 July 2024.  
GDA94, Zone 50. Satellite imagery courtesy of Google and Wiki Maps.



## SECTION THREE – ABORIGINAL HERITAGE ASSESSMENT

































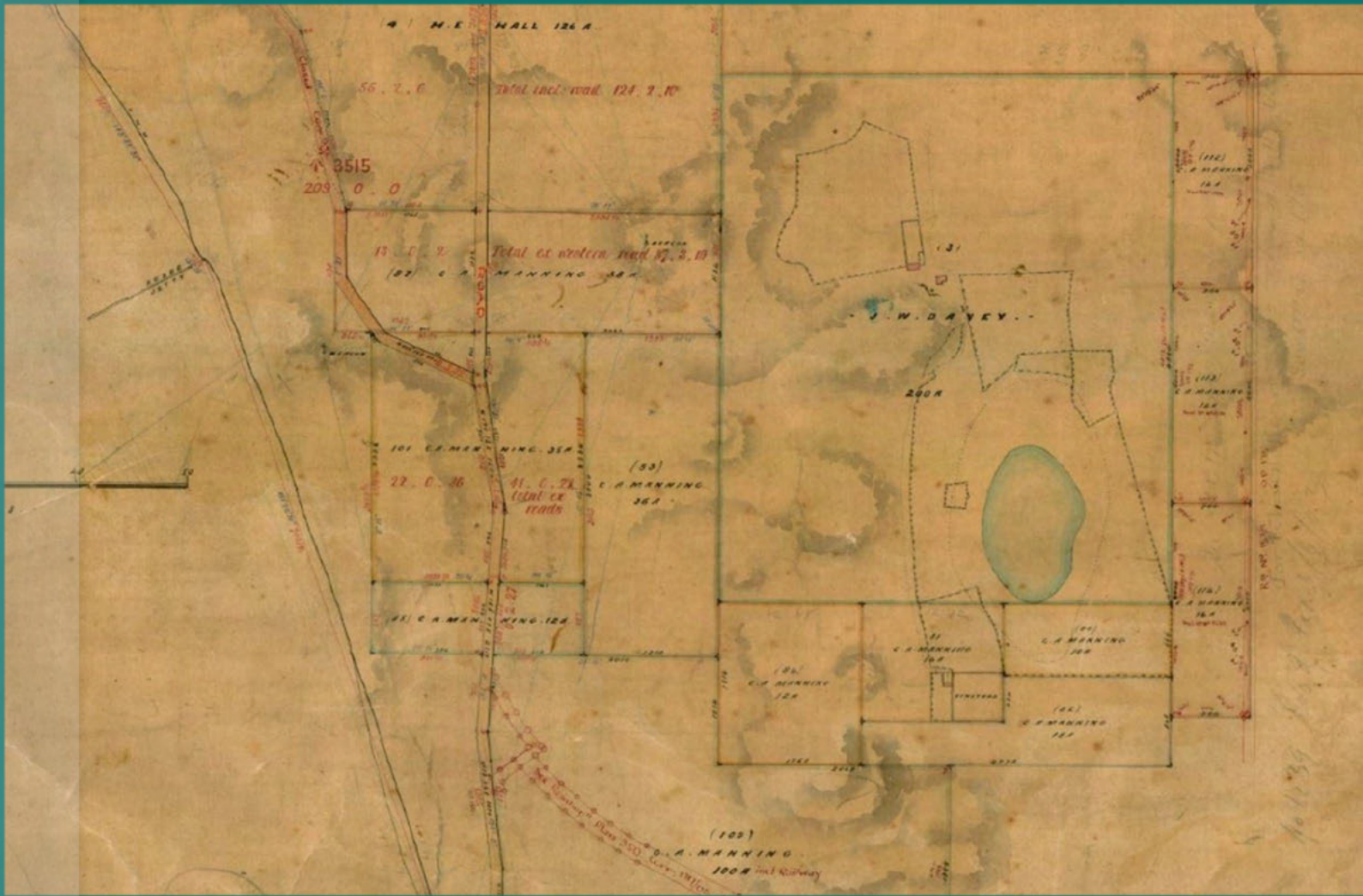












## SECTION FOUR – HISTORICAL BACKGROUND

## Introduction

This section provides a summary of the history of Manning Park, based on known historical sources. It does not attempt to replicate existing historical information but serves as a context for understanding the heritage places and values within the Project Area to inform the heritage surveys. The historical information has been sourced from information available through the City of Cockburn, Inherit, Trove, books and scholarly articles. There is also a wealth of information available through the Azelia Ley Museum and the State Records Office, not all have been accessed for this project but are valuable in understanding the rich history of Manning Park. It is acknowledged that there may be errors in secondary source material, and documentary evidence has been cross examined for accuracy where possible. The following documents have been used to inform the heritage assessment of Manning Park.

Table 7. Existing documentation

Title	Author	Year
Local Government Inventory and Heritage List	City of Cockburn	2021
Manning Estate, Hamilton Hill Conservation Plan	Gaye Nayton	2011 (amended 2021)
Significant Tree List	City of Cockburn	2021
Manning Park Signage and Interpretation Plan	Tangelo	2022
Cockburn: the Making of a Community	M Berson	1978

### Manning Estate Hamilton Hill Conservation Plan (Amended Rev. A19/07/21).

*City of Cockburn, September 2011*

This conservation plan was developed for the Manning Estate to enable the heritage management of the park and its significant heritage places, including the Davilak ruins complex and archaeological material associated with the Manning Family and J.W. Davey from 1841 to 1954. The authors reviewed historical and archaeological records to determine four homesteads and sites within the Project Area that required conservation and management. These include:

- 1841 – 1858: any homestead, workers' huts, fields and improvements built by Davey and later built or maintained on behalf of Henry Manning.
- c.1858 – 1866: the first Manning farm complex 'Old farm' with associated outbuildings and fields.
- c.1866 – 1921: Davilak House and associated outbuildings, orchids and fields.
- 1921 – 1963: Azelia Ley farm complex of homestead and associated outbuildings.

The review identified the location of numerous outbuildings and field systems associated with the last two sites and recorded sites of significance for the management plan. The plan formulated 69 policies recommended for the conservation of the place, which were grouped into three categories: heritage management, conservation and interpretation. Some of these policies included the retention and preservation of all historic ruins and homesteads, the retention of all mature trees associated with the pre-settlement and historic landscape of the estate, and that the open landscape of the park should

be retained. The plan only briefly addresses the Aboriginal heritage of the place, stating that the lake may have spiritual or use associations for Aboriginal people. The plan also noted that a search of the DPLH ACHIS revealed that no known Registered Sites are within the Project Area.

The authors acknowledge that the plan was prepared on the available documentary resources with the aesthetic, historical and social significance drawn from primary and secondary sources. The greater body of research material, including papers, letters, photographs and diaries belonging to Azelia Ley and Henrietta Monger was also not fully examined and further research into the transference of land, business and other assets between family members was not carried out.

## **Davilak Ruins Archaeological Management Strategy; Manning Estate Hamilton Hill**

*Fiona Bush 2014*

This is a comprehensive and well researched archaeological management plan for the Davilak Ruins. The strategies in this document follow the general principles laid out in the Australia International Council on Monuments and Sites (ICOMOS) Burra Charter, 2013. It provides a background to the place and outlines a number of recommendations for the retention and care of the ruins to prevent further deterioration. It also puts forward strategies and opportunities to improve the interpretation of the place. As stated in the report, the *'conservation of Davilak Ruins provides the City of Cockburn with the ideal opportunity to explore techniques that will preserve the ruins, provide visitors with a more fulfilling experience and at the same time retain the archaeological potential of the site for future research purposes'*.

*The care and preservation of ruined structures in Western Australia is currently in its infancy. The conservation of standing structures is well understood and conservation practices are well established. On the other hand, ruined buildings present the conservator with a different set of problems. If a ruin is to be conserved not only does it require stabilisation processes but the potential archaeological resource that the ruin represents also needs to be taken into account. In addition, the rationale behind the conservation of the ruin should also be considered. So the conservation of a ruin will require a team of people working together collaboratively to obtain the best outcomes for that ruin.*

## **Manning Park Signage & Interpretation Plan V7.0**

*City of Cockburn and Tangelo, 2022*

This document is an interpretation plan that was delivered to the City for the signage interpretation of the Park. The plan provides a comprehensive understanding of the state of all wayfinding, interpretive and regulatory signage throughout the park and its approaches to enable the City to plan, prioritise and budget for new and replacement signage. The interpretation plan brings together a range of heritage themes for Manning Park and how they may be shared with park users. Further interpretive signage for Indigenous culture and heritage, flora and fauna, early settlement and industry and agriculture was recommended throughout the park, and the construction of interpretive precincts, walk trails and lookouts. The report found the tourism experience of Azelia Ley Museum and other European Heritage was the focus of the existing interpretive signage. Only one Indigenous-themed plaque identifying Noongar names for local geographic locations was recorded within the park. This interpretation plan has been enacted, and since its publication the City has delivered a comprehensive interpretive signage update.

## A HISTORICAL TIMELINE OF

# MANNING PARK

**1842**

J.W Davey is granted and takes possession of the block that includes what will be known as Davilak Lake. A map shows the lake as "Brackish Lagoon" and the flat land between the lagoon and hills as "Sandy (?) Land Banksia and Grass Trees".

**1850s**

Soon after his arrival Charles Manning established a farm at the north end of what eventually became known as Davilak Lake. This was never the residence of the Mannings, but was used to produce some food for the Manning family's large home in Fremantle, known as Manning Folly.

**1866**

Alexander Manning had Davilak House built for his family on the southern side of Davilak Lake in around 1866. Constructed of limestone quarried within Manning Park, it was a long low stately house, with extensive servants quarters, stockyards, two story stables and storehouses. This became collectively known as the Davilak Estate.

**1871**

Henry Manning passed away not long after his brother in 1871. He left Davilak Estate to his nephew, Alexander Manning's third son, Lucius Manning. Lucius lived at Davilak Estate with his wife, Florence Bickley and their children.

**1888**

Lucius and Florence managed the Davilak Estate until 1888 when he died, leaving the property to his eldest son Alfred Manning, who was only 18 years of age. In 1889 Alfred put the property up for lease, the listing read 'The whole of Davilak consisting of large paddocks, 700 acres.. a dwelling house of 4 Rooms; numerous and substantial stone outhouses, consisting of, stables, coach-houses, dairy, poultry-houses, laundry, servants' lodge (4 rooms); deep well of pure water with windmill, with piping laid on to the house, laundry, and private garden; carpenter shop, small forge; a good road running through the estate; valuable lime-kilns...it is a pleasant country residence'.

**1829**

Captain Charles Fremantle declares the Swan River Colony. Aboriginal people begin to be forced off of their ancestral lands.

**1854**

From the UK Henry Manning purchased a number of blocks in Cockburn, including J.W Davey's block. Henry's younger brother Charles Manning migrated to Australia to run the colonial arm of their vast family business. He married his third wife Matilda Burkett in Fremantle in 1855.

**1860s**

The original residence at Davilak State, the 'Old Farm' north of the lake was eventually rented to the government, who used it to house convicts that were building Rockingham Road. It burnt down in the 1860s. Today no remains of the Old Farm are visible.

**1869**

Charles Manning died in February 1869, leaving the Davilak Estate in trust to his young son. By 1870 his widowed wife had put it up for auction. It was purchased by his older brother and original investor Henry Manning.

**1870s**

Under the ownership of Lucius Manning Davilak Estate developed into a sizeable farm with gardens, two orchards and a stone walled vineyard. The property was used to breed cattle and horses. Florence and Lucius Manning went on to have seven children, some of whom were born at Davilak Estate.



Davilak House circa 1900-1910. Courtesy of Azealia Ley Museum.



**Manning family and friends, circa 1907.**  
Courtesy of City of Cockburn.

## 1920

Azelia Manning inherited 52 acres, and between 1920 and 1923 had Manningtree House built. By 1927 she was living there permanently and ran the property as a farm, keeping dogs, chickens, horses and cows. She would often take walks with her dogs to the top of the ridge to view the ocean and the activities at Gage Roads and the harbour.

## 1946

Florence Strode Hall (Manning) remained living at Davilak Estate well into her 90s. When she passed away in 1946, at 96, she had outlived three of her seven children and two husbands.

After her passing the homestead at Davilak was no longer occupied. Her daughter Azelia Ley continued to live at Manning Tree House.

## 1960

In 1960 a devastating bushfire swept through the empty Davilak Estate. The Davilak homestead, outbuildings and farm buildings were destroyed, leaving only damaged limestone walls behind.

Manning Tree house was fatefully spared.

## 1980

From the 1980s the City of Cockburn took ownership of what would become Manning Park. Restorations of the Manning Tree House, began and it was renamed as the Azelia Ley Homestead.

## PRESENT DAY

Today Manning Park is a well loved community space that has been recognised as having significance to the State and the Manning Estate is recorded on the State Register of Heritage Places. The Davilak Estate is an archaeological ruin but the Azelia Ley House is now a well loved museum.



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## 1895

For three years the land around the Davilak Estate was used as a quarantine paddock for camels. Their Afghan cameleers would camp nearby on the Davilak Estate or surrounding areas. Camels were regularly advertised for sale from 'Davilak Paddocks'.

## 1915

By 1915 the Manning Family had started to divide the Davilak Estate into smaller lots and to be shared among the Manning children. Florence Strode Hall continued to live at the Davilak Estate with members of the Manning Family. Outbuildings included a wash house, smoke house, orchid house and shade house, extensive gardens including a croquet lawn, tennis court, palm, banana and guava trees, sunken gardens and other landscaping features.

## 1944

The Second World War ushered in new period of activity at Manning Park. A concrete Battery was constructed on the ridge in 1944 to house a dual-purpose anti-aircraft and surface gun for the defense of Fremantle and the Cockburn Sound coastline. Thankfully they were never used in combat.

## 1954

During her later life Azelia Ley appeared to spend most of her time at Manning Tree House. She passed away at the Davilak Estate in July in 1954. After her death Manning Tree House sat empty. Despite her desire for it to remain in the Manning family eventually the property was divided and sold to Peter, Tony, Eva and Dorothy Muslin, who were farmers from Manjimup.



**Azelia Ley House circa 1980.** Courtesy of City of Cockburn

## Historical Heritage Features

### Original Homestead Complex

Around 1858 Charles Manning built a 10-room residence and farm north of Manning Lake to supply his Fremantle home with fresh food. As a prominent shipping agent and French Consul, Manning regularly entertained ship's captains and other prominent people. On the Phelps and Evans map of 1861 ( ) there are two residences shown to the north of the lake, which may be the ones built by the Manning family. The property was later rented to the Convict Establishment to house the convicts who were building Rockingham Road.

The City of Cockburn website notes that these buildings burned down in the early 1860s. Much later, an aerial photograph from 1965 indicates that this area was used for market gardening. Although the land occupied by the 1850s farmhouse is now under residential housing, there may be archaeological remains of farming activities north of the lake.

### Azelia Ley Homestead

Azelia Ley Homestead is on the State Register of Heritage Places (Heritage Place No. 00533) and the City of Cockburn Inventory and Heritage List 2021 (LGI #001) in Category A (exceptional significance). Azelia Manning was born 1872, the second child of Lucius Alexander Manning. Married John Ley in 1900. House was built by Azelia Ley in 1923 and occupied by her after her husband's death in 1927. She continued to run the farm, living a reclusive life and defending the property from strangers with her rifle. After her death in 1954, the property became run down and was eventually restored in the early 1980s for use as a museum. The Azelia Ley Museum was opened in 1983.



Figure 19. Azelia Ley Homestead showing front entrance (courtesy of City of Cockburn)



Figure 20. Section of Hamilton Hill Locations (Manning Lake) by W.Phelps and C.Evans 1861 [scale: 8 chains to an inch] (amended until 1890s) Source: SROWA Cons S235 Cons 3869



## Davilak Homestead Ruins

The ruins of Davilak Homestead are on the State Register of Heritage Places (Place No. 00511) and have been placed in Category B (considerable significance) on the City of Cockburn Inventory and Heritage List 2021 (LGI #033). Charles Manning was the first of the Manning family to live at Manning Park. He migrated to Western Australia in 1852 with the intention of expanding his family's business after the death of his second wife in South America. Henry Manning, Charles's brother, purchased various land packages before Charles's arrival to the colony around 1854. Charles Manning settled in Fremantle in July 1855 and married Matilda Birkett. The couple had seven children, only four surviving to adulthood. Over nine years, Charles purchased 541 acres of land eventually known as 'Davilak Farm' (Bush, 2014a).

A survey by government surveyor W. Phelps in May 1859 represented the structures and locations of Davilak Ruins. The survey showed a small cottage besides a walled vineyard within a fenced garden. Although titled 'Mannings Farm Davys Lake', Davilak Ruins lie within the same location as the cottage within Loc. 81. The only difference is the size of the vineyard and cottage. Typically, colonial buildings in Western Australia were first constructed as a small basic cottage, with additional rooms being added over time (Bush, 2012). This was likely seen at Davilak. Henry Manning purchased the 541 acres of land upon Charles's death in April 1870, only holding this land until December 1871 as he died at his home in London. The estate was divided amongst relatives (Bush, 2014a).

Based on the 2014 Davilak Ruins Archaeological Management Strategy, the ruins were divided into three separate areas: the homestead, farm buildings, and vineyard. Davilak homestead was originally a large rectangular building containing three suites of rooms and included rooms such as a drawing room, school room, library, dining room, courtyard and a sunken garden (Bush, 2014c). The farm buildings were located west of the homestead, originally functioning as a coach house, hen house and a dairy connected at the rear. The walled-in vineyard was considered as the first vineyard in Western Australia. These vines have since been relocated to Toodyay. The northern wall of the vineyard comprised of pillars, while the other encasing walls were made from limestone. There is little surviving evidence of the pillars after likely being destroyed in a fire in 1960. The southern wall began collapsing during World War II due to being located near artillery practice (Bush, 2014a). Figure 25 shows a plan of Davilak Homestead by L.C. Manning [not to scale] (Source: Battye Library).



Figure 21. Davilak House and croquet & tennis lawn circa 1912



Figure 22. Davilak Estate Carriage House. Date Unknown (Source: City of Cockburn)

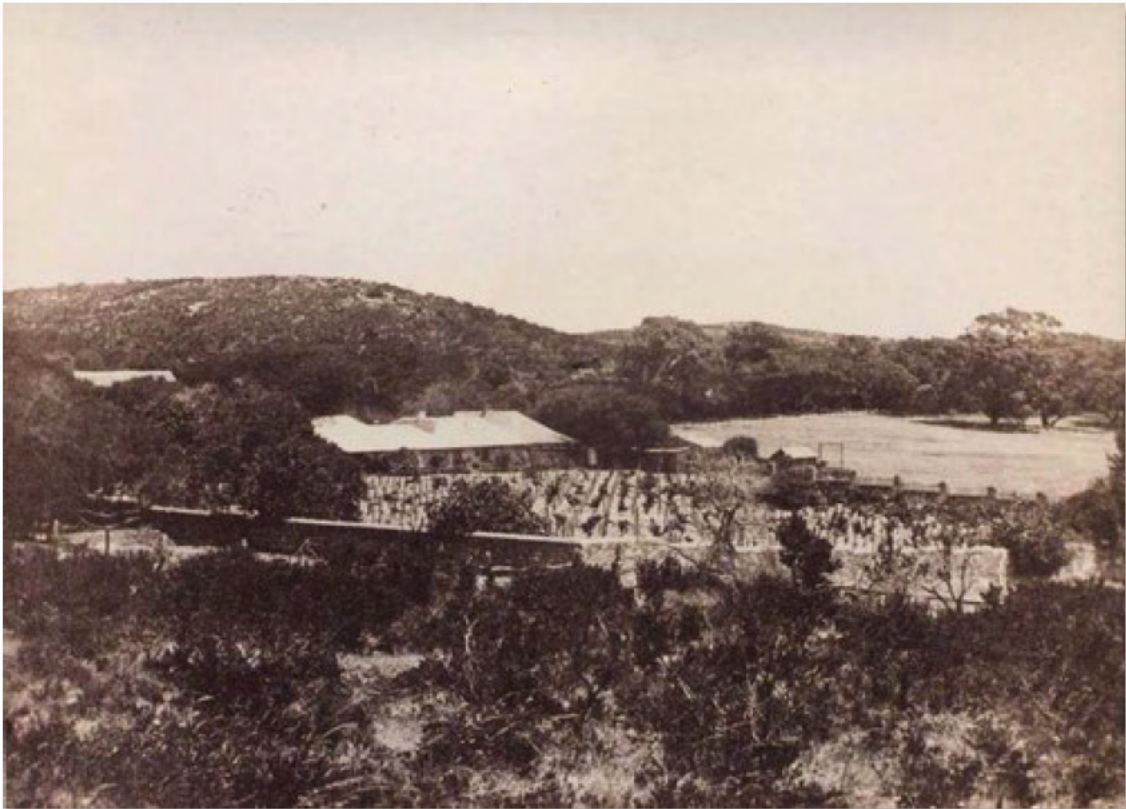


Figure 23. View of Davilak House and vineyard c.1907 (Source: City of Cockburn)



Figure 24. Plan of Davilak Homestead by L.C. Manning [not to scale] (Source: Battye Library)

## World War II Embattlements

The remains of South Beach Battery are located at Emplacement Park, 120 m to the west of Manning Reserve (northern section). The Battery is listed on the City of Cockburn Inventory and Heritage List 2021 (LGI #106) Category D (some significance). The battery was constructed of concrete in 1944 to house a dual-purpose anti-aircraft and surface gun for the defense of Fremantle and the Cockburn Sound coastline. A similar battery with three-gun pits was operated at Leighton. However, South Beach Battery was never completed and most of the structure was destroyed. All that remains today is the exposed gun pit. Archaeological remains related to the battery's construction or demolition phases may be present in the northwestern edge of Manning Reserve.

## Significant Trees

Trees of Manning Reserve which are on the City of Cockburn Inventory and Heritage List 2021 include remnant Tuart trees (*Eucalyptus gomphocephala*), categorized to be of considerable significance (LGI #033), and a Mulberry tree (LGI #107) planted by the Manning family between 1880 and 1900 as part of a domestic fruit orchard.

The tuart trees are also significant to the Aboriginal heritage of Manning Park. See Ethnographic Results for further discussion.

## Nearby Heritage Places

The 1929 Mark's House (LGI #034, considerable significance) at 1 Davilak Road is 180 m northwest of the northern boundary of Manning Reserve. Randwick Stables (1923) (LGI #079, exceptional significance) are 390 m northwest of the Manning Reserve survey area. Robb Jetty and Abattoir chimney (exceptional significance) 350 m west of Manning Reserve. Nick Marich House (considerable significance) 436 m east of Manning Reserve. The 1920's Greenslade's House (considerable significance) 282 m east of Manning Reserve. Greenslade's Shop (1926) (considerable significance) 296 m east of Manning Reserve. South Fremantle Power Station (1946) (exceptional significance) 150 m west of Manning Reserve. South Beach Horse Exercise area (1833) (exceptional significance) 477 m west of Manning Reserve.



Figure 25. Mature Tuart tree to the west of Manning Lake

## Potential Archaeological Features

There are a number of 'potential archaeological features' at Manning Park. These include outbuildings, which are no longer extant. Aerial imagery from 1953 and 1864 show several outbuildings near the Azelia Ley Homestead, that no longer appear to exist. However, their footings and other sub-surface archaeological remains are likely to be present. Aerial imagery from 1953 shows the Davilak Homestead complex was mostly intact.

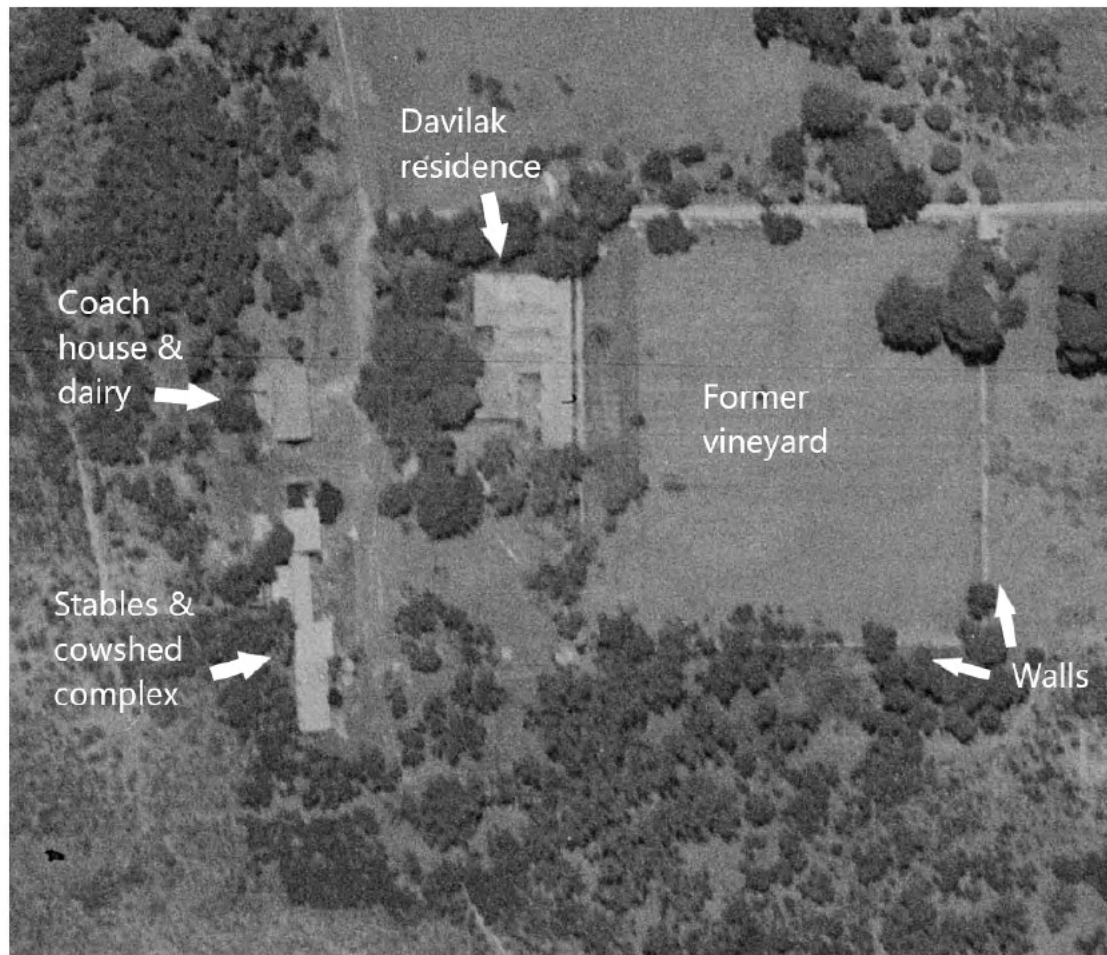


Figure 26. Birds eye view of the Davilak Estate (Source: City of Cockburn)



Figure 27. 1965 aerial image of Hamilton Hill, showing Manning Lake at right and the white scars of three limestone quarries in the foreground (Source: City of Cockburn)

## Quarry And Lime Kilns

Limestone blocks for the 1869 Davilak Homestead were said to have been quarried on the property. The location of this 19th century quarry has not been ascertained but there are three quarry scars visible on a 1965 aerial photograph of Hamilton Hill (Figure 27); the central quarry is in the northern section of Manning Park Reserve and the edge of the right-hand quarry is on the western boundary of the Reserve (see Figure 15).

A lime kiln was one of the features of the Davilak Homestead noted in the 1891 newspaper advertisement. Many early lime kilns were located in the Hamilton Hill area. The kilns enabled limestone to be heated and converted into quicklime, used in mortars and cements. Three examples surviving from the early twentieth century are located 1.9 km south of Manning Reserve (*Three Kilns Lime Group*, LGI #031, exceptional significance). These kilns are either single or double chambers made of limestone, one of which has a brick base. If the Davilak lime kiln is within the current Manning Reserve, material remains of a lime kiln would consist of a limestone chamber, if intact, or limestone rubble, if not.



Figure 28. 1975 photograph of a quarry west of Azelia Ley Homestead (Source: City of Cockburn)





## SECTION FIVE – HISTORICAL ASSESSMENT

## Assessment Overview

The historical archaeological field assessment of Manning Park was carried out by two historical archaeologists. The historical survey was limited to the area surrounding the Davilak Homestead Ruins, the Azelia Ley Museum, and the wooden fence posts surrounding Manning Lake (Map 7). These areas were selected based on their proximity to the locations of known archaeological features identified in earlier assessments of the Park. Where possible historical features within these areas were matched to those previously identified by Nayton (2011a).

There are three entries on the Municipal Inventory heritage listing within Manning Park Reserve (Table 8); these are also listed on the City of Cockburn Inventory and Heritage List. To fulfil the historical heritage assessment of Manning Park, archaeologists carried out a historical archaeological survey and the recording of targeted historical features on the 22<sup>nd</sup> March 2024 (Map 7).

A summary of the results of the 2024 Historical Heritage Assessment of Manning Park can be found in in Table 9 below. Each row represents a historical feature previously recorded by Nayton (2011a) and lists the corresponding details of the 2024 Historical Heritage Assessment results and the inHerit Place ID number for those heritage listings included on the City of Cockburn Inventory and Heritage List.

**Table 8. Historical Heritage Listings in Manning Park Reserve and Corresponding City of Cockburn Heritage List Number**

Name	Place Number	Heritage Listings	City of Cockburn Heritage List Number
Manning Estate, Hamilton Hill	00533	State Register, Register of the National Estate, Municipal Inventory (Category A)	001
Manning Park	10184	Municipal Inventory (Category B)	033
South Beach Battery (remains)	24456	Municipal Inventory (Category D)	106



**Figure 29. Davilak Barn, circa 1980 (courtesy of the City of Cockburn).**

382500 383000 383500 384000 384500

645000

6449500

6449000

6448500

6448000

6447500



Azelia Ley Homestead Museum


Manning Lake

Davilak Homestead Ruins



Fremantle

### Legend

 Manning Park Reserve Boundary



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### Map 7. Historical Heritage Assessment Features

Drafted by Marcel Teschendorff, 3 July 2024.  
GDA94, Zone 50. Satellite imagery courtesy of Google and Wiki Maps.

## Historical Heritage Assessment Methodology

The areas outlined in Map 7 were surveyed in their entirety using parallel pedestrian transects with the archaeologists spaced no more than 30 m apart through areas of high archaeological potential. A site plan of the Davilak Homestead Ruins was produced using a baseline-offset measuring technique. Comprehensive photography of the Davilak Ruins was also captured, allowing the creation of a georeferenced, scalable orthomosaic model (Map 8). The archaeologists visually inspected the terrain in the selected areas for archaeological material. Any identified archaeological material was recorded using a hand-held GPS unit and a detailed description of the material was taken using the site recording procedures detailed below.

### Historical Features

Large archaeological features, including the remains of built structures, fencing, historical trees, refuse dumps, surface scatters and water sources were recorded in detail with references, when relevant to the following details:

- ▶ Location/ GPS coordinate
- ▶ Description of the environment
- ▶ Type of historical feature (i.e. structure, refuse dump, artefact scatter, water source, mine shaft, etc.)
- ▶ Purpose of the feature (i.e. dwelling, outbuilding, commercial, infrastructure, community, etc.)
- ▶ Condition of the feature (i.e. very poor, poor, good, excellent)
- ▶ Diagnostic features (i.e. construction techniques, materials, etc)
- ▶ Potential for futural archaeological excavations or investigations

### Isolated Artefacts

Isolated finds such as scattered pieces of glass, ceramic and metal that were not associated with a larger structure or historical features were recorded as individual artefacts. For these artefacts the following information was recorded:

- Location / GPS coordinates
- Brief description
- Material type (glass, wood, metal, ceramic, etc.)
- Diagnostic features (i.e. construction techniques, materials, etc)

383860

383880

383900

383920

383940

383960

6448320

6448300

6448280

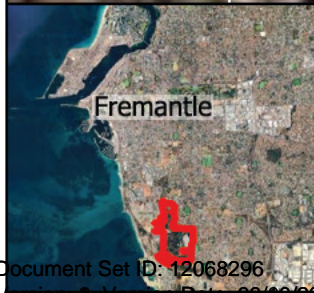
6448260

6448240

6448220

6448200

6448180



### Legend

 Manning Park Reserve Boundary



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### Map 8. Georeferenced Orthomosaic of the Davilak Ruins

Drafted by Marcel Teschendorff, 3 July 2024.  
GDA94, Zone 50. Satellite imagery courtesy of Google and Wiki Maps.

## Archaeological Results

The historical archaeological assessment was conducted following the Aboriginal archaeological assessment. Three areas were targeted for the historical archaeological field assessment: the Davilak Homestead Ruins, the Azelia Ley Homestead, and the wooden fence posts surrounding Manning Lake (Map 9). These areas were selected based on their proximity to the locations of known archaeological features identified in earlier assessments of the site. Archaeologists also searched for historical features or artefacts relating to the South Beach Battery (Heritage Place No. 24456) gun emplacements on the western side of the Manning Park ridge (Figure 32), but they were unable to be identified. These appear to have been destroyed or covered by the construction of buildings in the industrial complex on the western edge of Manning Park Reserve (Figure 30).



Figure 30. Satellite imagery taken from Google Maps in 2024. The location of the historical quarry is circled in yellow. The area where the gun emplacements were located, to the west of the quarry, is now an industrial complex with numerous modern buildings.



Figure 31. Aerial photograph taken in 1965 of the northern section of Manning Park Reserve. Note the location of the gun emplacements to the west of the limestone quarry



**Legend**

 Manning Park Reserve Boundary



**Map 9. Davilak Ruins Complex Sections**

Drafted by Marcel Teschendorff, 3 July 2024.  
GDA94, Zone 50. Satellite imagery courtesy of Google and Wiki Maps.



## Areas Assessed

### Davilak Homestead

#### Location

The Davilak Homestead and its curtilage consists of the Davilak Homestead Ruins complex, several large, ruined stone structures forming the homestead, outbuildings, gardens, paddocks and stock pool. The complex also contains several introduced trees which appear to have been planted while the Homestead was still in active use. Davilak House covers an area of approximately 50 m north/south and 35 m east/west. It is situated approximately 200 m south of Manning Lake, in an undulating partly vegetated landscape. West of the house there is a block of outbuildings approximately 80 m long by 10 m wide; there is a stone fenced paddock to the east of the house. The entire Davilak ruins complex covers an area of approximately 100 m (N/S) and 160 m (E/W).

#### Previously Mapped Historical Features

Twenty-four (24) historical rooms have previously been recorded by Nayton (2011a) in the Davilak Homestead. These include:

- ▶ North Verandah
- ▶ Drawing Room
- ▶ Bedroom A
- ▶ Bedrooms B & C
- ▶ Northwest verandah
- ▶ East West Passageway
- ▶ Kitchen
- ▶ Store
- ▶ Schoolroom
- ▶ Bathroom
- ▶ Servants' Room, Bedroom and Laneway to south of sunken garden
- ▶ Paddock and toilets
- ▶ Library
- ▶ Dining Room
- ▶ Bedroom D
- ▶ Bedroom E
- ▶ Eastern verandah
- ▶ Southwest verandah
- ▶ Courtyard
- ▶ Bedroom F
- ▶ Bedroom G
- ▶ Sunken Garden
- ▶ Garden beds to west of sunken garden
- ▶ Baker's Oven, Smokehouse and Washhouse

In addition to these rooms, several outbuildings were recorded by Nayton:

#### Outbuildings – north complex:

- ▶ Hen house
- ▶ Sables for coach horse
- ▶ Coach house
- ▶ Harness Room and Dairy

#### Outbuildings – south complex:

- ▶ Pig sty
- ▶ Stables
- ▶ Cow shed, Bunkhouse and other structures
- ▶ Silo
- ▶ Forge
- ▶ Carpenter’s shop
- ▶ Water channel and stock watering hole
- ▶ Water tank and Rubbish dump

#### Results

The Davilak Homestead Ruins complex was divided into three sections to enable systematic recording of the surviving features in each area. These sections include a northwest section; southwest section; and an eastern section. Each of these sections aligned with a cluster of buildings/rooms as previously recorded by Nayton (2011a).

#### *Recorded Historical Features*

- ▶ Eastern section (i.e. Davilak Homestead)
- ▶ Northwest section (i.e. Outbuildings – north complex)
- ▶ Southwest section (i.e. Outbuildings south complex)

For a description and details of each of these features, refer to the Assessment Results section below.

#### *Isolated Artefacts*

A substantial number of glass fragments were noted across the extent of the Davilak Homestead, in addition to a lesser number of ceramic, wood, and metal fragments. This material was interpreted to be associated with the Davilak Homestead feature and so was not recorded as isolated finds.

As such, zero isolated artefacts were recorded within the area of the Davilak Homestead.

## Azelia Ley Homestead

### Location

The Azelia Ley Homestead is a residential building with a wide veranda built in the early 20<sup>th</sup> century located to the west of Manning Lake. There are several nearby buildings which are the original structures directly associated with the former use of the homestead. These include two toilet (water closet) structures, one built of brick and iron, the other of stone, a single roomed building built of stone, and a stable building built of stone. There are a number of nearby newer buildings associated with the Homestead's current use as a museum, these buildings are not historical, and so, have little cultural significance. These include the "Old Wagon House" new wagon shed, caretaker's quarters and associated outbuildings. The entire Azelia Ley Homestead complex covers an area of approximately 100 m (N/S) and 4 m (E/S).

### Previously Mapped Historical Features

Six (6) historical features have previously been recorded in the Azelia Ley Homestead. These include:

- ▶ The Azelia Ley Homestead
- ▶ Kitchen block and breezeway
- ▶ Stone stables
- ▶ Brick and Iron water closet
- ▶ Stone water closet
- ▶ Single roomed stone building

## RESULTS

### *RECORDED HISTORICAL FEATURES*

Six historical features were recorded during the archaeological assessment of the Azelia Ley Homestead, including:

- ▶ The Azelia Ley Homestead
- ▶ Kitchen block and breezeway
- ▶ Stone stables
- ▶ Brick and Iron water closet
- ▶ Stone water closet
- ▶ Single roomed stone building

These features were assessed together, as a single unit titled "Azelia Ley Homestead Features". For a description and details of the Azelia Ley Homestead Features refer to the Assessment Results section below.

### *Isolated Artefacts*

Zero isolated artefacts were recorded within the Azelia Ley Homestead area.

Figure 32. Azelia Ley Homestead



## Manning Lake

### Location

Manning Lake consisted of one historical feature, being a wooden fence aligned with the perimeter of the lake. Twenty-six (26) fence posts believed to be associated with the original fence were recorded on the western boundary of Manning Lake. The fence posts extend for a length of approximately 500 m from north to south.

### Previously Mapped Historical Features

One (1) historical feature have previously been recorded in Sample Area 1. These include:

Davilak Jetty

### Results

#### *Recorded Historical Features*

One (1) historical feature was recorded during the archaeological assessment of Sample Area 1, including:

- ▶ Manning Lake Fence

For a description and details of this feature, refer to the Assessment Results section below.

#### *Isolated Artefacts*

Zero isolated artefacts were recorded in association with Manning Lake.



Figure 33. Manning Lake Fence

## Assessment Results

### Davilak Ruins Complex – Eastern Section

#### Location

The *Davilak Ruins Complex – Eastern Section* is located within the eastern part of the Davilak Ruins Complex, south of Manning Lake. The area is in close proximity to *Davilak Ruins Complex – Northwestern Section* and *Davilak Ruins Complex – Southwestern Section*.

The *Davilak Ruins Complex – Eastern Section* is within Manning Park Reserve and the Davilak Homestead Estate.

#### Environment

The *Davilak Ruins Complex – Eastern Section* is located on a softly undulating hill with a sparsely vegetated landscape featuring a variety of exotic trees and plants of a contemptuous age with the Homestead.

The ground surface consists of a brown and reddish coloured sand mixed with calcareous limestone. The limestone is a creamy white in colour and varies in texture from very fine sand to much harder 'capstone'. In places the capstone is upstanding above the ground surface, taking on a variety of often jagged formations, where the softer limestone has been eroded away.

The *Davilak Ruins Complex – Eastern Section* is located about 200 m to the south of Manning Lake, being the nearest known freshwater source.

#### Description

All rooms and structures within the *Davilak Ruins Complex – Eastern Section* are severely degraded and the main structure is heavily obscured by rubble which has fallen inwards, covering the ground surface of the former rooms and obscuring any features contained within them.

The masonry of the walls matches other sections of the Davilak Ruins Complex, consisting of rough limestone boulders of varying size held together with a mortar that now exhibits a pinkish colouring with visible charcoal inclusions. The maximum height of the walls in this section varies, with the walls in the centre and south of the section being no more than 1.2 m high, while the walls in the northwestern parts of the section are up to 2 m high.

There is a small, dense bottle dump of black, brown and clear glass bottle fragments to the southwest of the structure within an area of shrubs. Bottles are of varying completeness including bottle necks, bases, finishes, and body fragments. A pink glass fragment was also identified, as well as a pink and a blue banded ceramic fragment with gilding. A second small, sparse bottle dump was found adjacent to southwest of the structure with glass fragments primarily being aqua, brown and colourless.

To the east of the main buildings in the *Davilak Ruins Complex – Eastern Section* is a low limestone wall, approximately 40 cm high, that appears to be largely intact along its southwest edge. The eastern parts of the wall have been damaged by vegetation growth and tree fall, with sections of the eastern edge of the wall reduced to small mounds of rubble covered in grass.

The area encircled by the small limestone fence, possibly a paddock or vineyard, contains a historic mulberry tree which has been encircled with protective wooden bollards. There are also several olive trees appear to be of an age to be original homestead stock along with younger trees which are likely to be wild descendants of homestead plants.



Figure 34. Western wall of the Davilak house building within the *Davilak Ruins Complex – Eastern Section*



Figure 35. Northern wall of the Davilak house building within the *Davilak Ruins Complex – Eastern Section*



Figure 36. View north across the eastern portion of the Davilak house building within the *Davilak Ruins Complex – Eastern Section*



Figure 37. View north across the central and western portion of the Davilak house building within the *Davilak Ruins Complex – Eastern Section*

## Davilak Ruins Complex – Northwestern Section

### Location

The *Davilak Ruins Complex – Northwestern Section* is located within the western part of the Davilak Ruins Complex, south of Manning Lake. The area is in close proximity to *Davilak Ruins Complex – Eastern Section* and *Davilak Ruins Complex – Southwestern Section*.

The *Davilak Ruins Complex – Northwestern Section* is within Manning Park Reserve and the Davilak Homestead Estate.

### Environment

The *Davilak Ruins Complex – Northwestern Section* is located on a softly undulating hill with a sparsely vegetated landscape featuring a variety of exotic trees and plants of a contemptuous age with the Homestead.

The ground surface consists of a brown and reddish coloured sand mixed with calcareous limestone. The limestone is a creamy white in colour and varies in texture from very fine sand to much harder 'capstone'. In places the capstone is upstanding above the ground surface, taking on a variety of often jagged formations, where the softer limestone has been eroded away.

The *Davilak Ruins Complex – Northwestern Section* is located about 200 m to the south of Manning Lake, being the nearest known freshwater source.

### Description

All rooms and structures within the *Davilak Ruins Complex –Northwestern Section* are severely degraded. The limestone ground surface was visible within most structures in this section.

The masonry of the walls matches other sections of the Davilak ruins complex, consisting of rough limestone hewn boulders of varying size held together with a mortar that now exhibits a pinkish colouring with visible charcoal inclusions. Walls are generally 20-30 cm thick and only a few walls remain upstanding, and none are higher than 1 m, with the majority of walls being less than 20 cm in height.

The area to the south of the main group of buildings in the *Davilak Ruins Complex –Northwestern Section*, separating it from the *Davilak Ruins Complex –Southwestern Section* has been heavily disturbed, owing to access track showing evidence of use by both pedestrians and vehicles. The area around this track is covered with modern rubbish, concentrated along its eastern side, where there are also the remains of a recent campfire. There is also evidence of the track having been used by mountain bikes.

There are scattered artefacts across the *Davilak Ruins Complex –Northwestern Section*, including a single brown glass bottle base manufactured by Western Australian Glass Manufacturing Company (c.1964-1976).





Figure 38. View west toward the *Davilak Ruins Complex – Northwestern Section*



Figure 39. Piece of charcoal embedded in the mortar of a wall in the *Davilak Ruins Complex – Northwestern Section*



Figure 40. View north toward the *Davilak Ruins Complex – Northwestern Section*



Figure 41. Collapsed wall obscuring ground surface in the *Davilak Ruins Complex – Northwestern Section*

## Davilak Ruins Complex – Southwestern Section

### Location

The *Davilak Ruins Complex – Southwestern Section* is located within the eastern part of the Davilak ruins complex, south of Manning Lake. The area is in close proximity to *Davilak Ruins Complex – Northwestern Section* and *Davilak Ruins Complex – Eastern Section*.

The *Davilak Ruins Complex – Southwestern Section* is within Manning Park Reserve and the Davilak Homestead Estate.

### Environment

The *Davilak Ruins Complex – Southwestern Section* is located on a softly undulating hill with a sparsely vegetated landscape featuring a variety of exotic trees and plants of a contemptuous age with the Homestead.

The ground surface consists of a brown and reddish coloured sand mixed with calcareous limestone. The limestone is a creamy white in colour and varies in texture from very fine sand to much harder ‘capstone’. In places the capstone is upstanding above the ground surface, taking on a variety of often jagged formations, where the softer limestone has been eroded away.

The *Davilak Ruins Complex – Southwestern Section* is located about 200 m to the south of Manning Lake, being the nearest known freshwater source.

### Description

All rooms and structures within the *Davilak Ruins Complex – Southwestern Section* are severely degraded. The limestone ground surface was visible within most structures in this section.

The masonry of the walls matches other sections of the Davilak ruins complex, consisting of rough limestone hewn boulders of varying size held together with a mortar that now exhibits a pinkish colouring with visible charcoal inclusions. Walls are generally 20-30 cm thick and only a few walls remain upstanding, and none are higher than 1 m, with the majority of walls being less than 20 cm in height. The tallest walls in the *Davilak Ruins Complex – Southwestern Section* are located in the western part of the section, reaching 2.8 m tall. Excluding this area, most walls are heavily damaged and fragmented, ranging from 20 cm to 1m in height. Several potential doorways were noted, however, these may also be resultant from the collapse of the wall.

The southern most room in *Davilak Ruins Complex – Southwestern Section*, aligning with the room labelled ‘Bunkhouse’ on Nayton’s (2011a, p. 34) (site plan, contains the remains of a brick chimney. To the west of this is a carved piece of limestone, measuring 1 m x 1m and 1.5 m tall, that possibly also used as a chimney for the forge.

South of the building structures is a small heavily dispersed bottle dump with the glass fragments primarily being brown and colourless. Some of the brown glass fragments display embossed marking designating them the property of the Australian Glass Manufacturing Company and Swan Brewery.

Immediately south of the structures the heritage assessment identified a long narrow quarry behind the homestead measuring approximately 3 m x 35 m. This is suspected to be where the limestone for the homestead is suspected to have been mined from.



Figure 42. Northwest corner of the *Davilak Ruins Complex –Southwestern Section*



Figure 43. View south of the *Davilak Ruins Complex –Southwestern Section*



Figure 44. View southwest of southern most part of the *Davilak Ruins Complex –Southwestern Section*



Figure 45. Chimney in the *Davilak Ruins Complex – Southwestern Section*

## On-Site Management

The Davilak Homestead Ruins complex is heavily degraded with evidence of modern disturbance to the fabric of the place, including recent disposal of rubbish in the area. Recommendations from Fiona Bush's Archaeological Management Plan for the Davilak Ruins should be implemented. Manning Park is on the State's Register of Heritage Places and has high cultural significance for the State and therefore needs to be maintained and preserved (Bush, 2014c)(Bush, 2014c)(Bush, 2014c)(Bush, 2014c)(Bush, 2014c).

At the Davilak Homestead Ruins structures are largely in a ruinous state and artefacts across the site have been buried naturally and the site retains a high level of archaeological potential. Due to this potential for archaeological deposits any conservation or restoration of the Davilak Homestead Ruins complex should be preceded by an archaeological excavation to properly document the archaeological record before it is disturbed by any potential activity. In lieu of the physical restoration of the standing fabric of the Davilak ruin complex, a digital recreation of the Davilak Homestead Ruins, prior to their collapse in 1960, could be created and a QR code placed on interpretive signage allowing visitors to access the digital experience on mobile devices. The digital recreation of the site could focus on singular parts of the homestead, or it could encompass the broader Manning Park landscape, in doing so, allowing visitors to (digitally) experience the Davilak Homestead Ruins complex within its original cultural landscape.

Photogrammetric recordings of the Davilak Homestead Ruins complex (Figure 47) can allow a comparison between the digital recreation of the Homestead and its current state. Regular recording of the site and creation of 3D models can also provide a record changes to the fabric of the site and help inform management decisions. 3D reconstructions of heritage features have been successfully used to recreate the former salt works building on Rottnest Island (Figure 48 & Figure 46) (Teschendorff, 2020), as well as to reconstruct wrecked ships within their landscape context.<sup>13</sup>



Figure 46. 3D reconstruction of former salt works on Rottnest Island. Circa. 1898 based on 3D photogrammetry, historic plans, and contemporary photographs.

<sup>13</sup> [A Virtual Reconstruction of the Batavia Shipwreck in Its Landscape - YouTube](#) and [Virtual Dive on the wreck of the Melckmeyt \(1659\), Iceland's oldest identified shipwreck - YouTube](#)



Figure 47. Selected section of orthomosaic of the Davilak Homestead Ruins complex

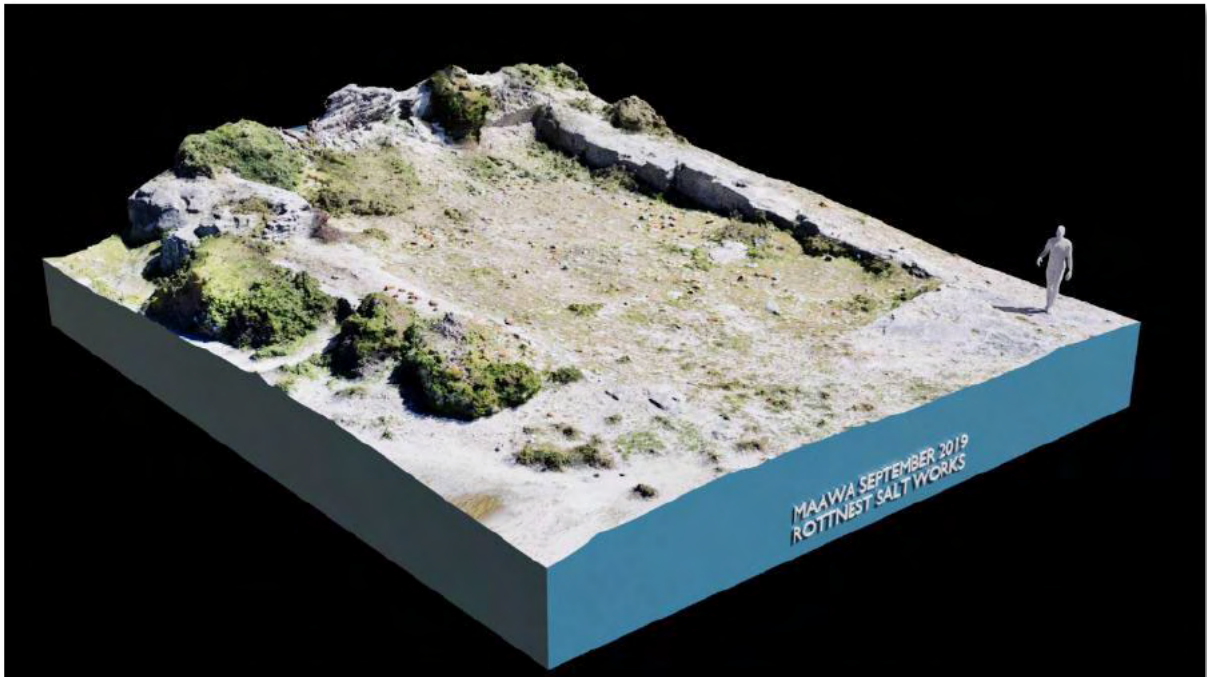


Figure 48. 3D photogrammetric model of the former salt works site

## Azalia Ley Homestead Features

### Location

The Azalia Ley Homestead Features are located approximately 150 m to the west of Manning Lake. The entire Azalia Ley Homestead complex within which the Azalia Ley Homestead Features are located covers an area of approximately 100 m (N/S) and 4 m (E/S).

### Environment

The *Azalia Ley Homestead Features* are located on grassed hill, which slopes upwards from Manning Lake towards the limestone ridge situated behind the *Azalia Ley Homestead Features*. The *Azalia Ley Homestead Features* are surrounded by a manicured garden setting, featuring introduced exotic species, including two large fig trees planted at the beginning of the entrance path leading to the main homestead building and likely to be part of the original setting of the place.

### Description

A survey of the area was conducted, and photos taken of the *Azalia Ley Homestead Features*. No evidence of the former historical use of the area was noted on the hill surrounding the homestead buildings, this area being entirely covered in grass and manicured gardens.

The fabric of the *Azalia Ley Homestead Features* remains well preserved and in generally excellent condition. A comparison with the images taken for the 2011 conservation report shows that the outside of the *Azalia Ley Homestead Features* remains largely unchanged since its publication.



Figure 49. View west towards Azalia Ley Homestead Museum





Figure 50. View northwest of the kitchen block and the wrap-around verandah



Figure 51. Stone stables to the south of the kitchen block



Figure 52. Single-roomed stone building



Figure 53. Stone water closet



Figure 54. Brick water closet

## Manning lake fence

### Location

The *Manning Lake Fence* is located along the western boundary of Manning Lake, north of the Davilak Homestead and east of the Azelia Ley Homestead. The *Manning Lake Fence* is within Manning Park Reserve.

### Environment

The *Manning Lake Fence* is located on the western boundary of Manning Lake. The vegetation around Manning Lake consists of swamp paper bark, with an understorey of reeds and wetland shrubs. Upslope, the banks are cleared and have been replaced with grass turf surrounding the few remaining large tuart trees.

### Description

Twenty-six fence posts believed to be associated with the original fence were recorded on the western boundary of Manning Lake. The fence posts are in varying state of degradation, and range in height from approximately 30 cm to 1 m.

The wood used for the fence posts appears to be jarrah and there is no evidence of any kind of fencing wire or mesh remaining, that would have once connected the posts.

The recorded fence posts extend for a length of approximately 500 m from north to south.

These posts were originally interpreted by Nayton (2011a) to be part of a jetty structure. Further analysis, however, revealed that there is no record of a historical jetty structure, and they are more likely to be associated with a fence. It is possible that they may be associated with the recent reclamation of land by the City of Cockburn and not with the use of the area by the Manning Family.



Figure 55. View south of wooden fence post with three holes



Figure 56. Circular wooden fence post with barbed wire wrapped



Figure 57. View east of line of fence posts



Figure 58. View northeast, towards Manning Lake, of wooden fence posts

## Quarry and Lime Kilns

### *Location*

The remains of two old quarries were identified along the north and western boundaries of the Manning Park Project Area, approximately 900m n and 900 north west of Manning Park respectively.

### *Environment*

The vegetation in these areas is notably sparser than elsewhere in Manning Park, with a variety of low trees and shrubs. The area is characterized by steep slopes consisting of a mixture of limestone bedrock and loose limestone sand.

### *Description*

The remains of the quarries in the cover and area measure 150m north/south by 200 m east/west. The remains of the quarry consist mainly of a large scar in the landscape, with minimal associated historical material. There is evidence of people using the areas for mountain biking through the quarries, creating makeshift jumps along the steep slopes.

No evidence of lime kilns was identified during the survey.



Figure 59. Makeshift jump found in the northern quarry



Figure 60. Western quarry

## Summary of Assessment of Historical Heritage Features

A summary of the results of the 2024 Historical Heritage Assessment of Manning Park can be found in Table 9 below. Each row represents a historical feature previously recorded by Nayton (2011a) and lists the corresponding details of the 2024 Historical Heritage Assessment results and the inHerit Place Number for those heritage listings included on the City of Cockburn Inventory and Heritage List.

**Table 9. Previously mapped Historical features at Manning Park Reserve visited and recorded during the March 2024 Field Assessment**

Previously Recorded Feature (Nayton 2011)	Assessment Complete	2024 Assessment Summary	City of Cockburn Inventory and Heritage List	2024 Assessment Name
1 Davilak Homestead – North Verandah	Yes	The assessment recorded a sunken feature in the western end which could denote the location of an enclosed room in the verandah. No evidence of the croquet lawn or tennis courts were noted in assessment due to roadwork and stabilisation efforts along the northern ends of the ruins. Photographs taken during assessment show the poor condition of the ruin.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
2 Davilak Homestead – Drawing Room	Yes	The assessment recorded zero ground visibility due to a high quantity of rubble. The room shares a back-to-back chimney feature on the west wall with Bedroom A. The feature is more visible in the conjoining room.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
3 Davilak Homestead – Bedroom A	Yes	The assessment recorded the room with low visibility due to a high quantity of rubble. The eastern wall of the room shares a chimney breast with the Drawing Room. Remnants of thin white plaster sherds remain on the walls. Red brick was scattered throughout the rubble.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
4 Davilak Homestead – Bedrooms B & C	Yes	No evidence of structural division was identified between Bedroom B and Bedroom C. The ground surface provided zero visibility due to the high quantity of rubble. Evidence of a thin white plaster over a thick reddish render on the interior walls was identified. The exterior western wall faces and leans towards the sunken garden area and is smoothed with an unplastered thick reddish render. Photographs taken during assessment show the poor condition of the ruin.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
5 Davilak Homestead –	Yes	The assessment was based on a hand drawn plan, indicating the	Manning Estate, Hamilton Hill (Place	Davilak Ruins - Eastern Section



Previously Recorded Feature (Nayton 2011)	Assessment Complete	2024 Assessment Summary	City of Cockburn Inventory and Heritage List	2024 Assessment Name
Northwest verandah		separation of a verandah by a passageway into a northwest and southwest segment. No evidence of the northern end was identified. The southern end, however, was recorded and extended along Bedroom D and E.	number 00533); and Manning Park (Place number 10184).	
6 Davilak Homestead – East-West passageway	Yes	The assessment recorded two features. The first is a below floor gap in a stone supporting wall near the southern wall of the dining room and Bedroom E. The gap is also evident from the courtyard and Bedroom F. A small secondary gap near the western end of the feature was suggested to be the result of building collapse. A hand drawn plan indicates that the verandah extended through the servant's quarters.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
7 Davilak Homestead – Kitchen	Yes	The assessment recorded two doorways. One door remained inside the western wall, whilst the second door was within the northeast corner of the room. A hand drawn plan marks these features clearly. The fireplace, however, was no longer evident.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
8 Davilak Homestead – Store	Yes	The assessment reported evidence of a doorway in the northeast corner of the room. However, the doorway is less visible exterior to the room. A brick drain, drainage pipe, and galvanized iron pipe passing through the sunken garden's retaining wall were put in place after the use of the house. These drainage features were considered attempts of conservation, relieving water pressure.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
9 Davilak Homestead – School room	Yes	The assessed area was rubble filled. No evidence of a doorway, fireplace or chimney breast were identified within the space.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
10 Davilak Homestead – Bathroom	Yes	The only identifiable feature within the assessed room was a pile of rubble. Red bricks also scattered the area as indicated by a hand drawn plan.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
11 Davilak Homestead – Servants' room, bedroom and laneway to south	Yes	The assessed sites could not be identified. The lack of evidence indicated that neither room was made from stone.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section

Previously Recorded Feature (Nayton 2011)	Assessment Complete	2024 Assessment Summary	City of Cockburn Inventory and Heritage List	2024 Assessment Name
of sunken garden				
12 Davilak Homestead – paddock and toilets	Yes	<p>The assessment recorded a limestone wall enclosing a large paddock. Three of the walls remain present. However, during the construction of Manning Park, the driveway was placed through the northern boundary. During assessment, a tin watering trough was recorded inside the boundary near the entrance. Outside the entrance, plants such as an Agave and bamboo-like grass were identified behind the house complex. All vegetation within the area was native, except for a large old apricot tree and geraniums. Additional non-native plants indicated by hand drawn plants no longer exist.</p> <p>Several crop marks were identified within the assessed area, likely attributed to previous use of the area. This was also attributed to being associated with a space for accommodation for convicts or contacted ticket of leave workers.</p> <p>No evidence of the northern wall, orchid house, shade house and pet cemetery remain and could not be identified through aerial photography. Evidence for the garden may remain in the form of pollen.</p> <p>The assessment could not record the household toilets, as they were overgrown with plumbago bush obscuring visibility.</p>	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
13 Davilak Homestead – Library	Yes	<p>Determined to have been impacted by machinery, destroying the eastern wall into a mound of rubble. The western wall contains the remains of the chimney breast. Fragments of white plaster remain on the west wall near the chimney. The fireplace is primarily intact inside the homestead. The assessed room had zero ground visibility due to rubble. Photographs taken during assessment show the poor condition of the ruin.</p>	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
14 Davilak Homestead – Dining room	Yes	<p>The assessment recorded the remnants of a fireplace, including partial brick lining on the western wall. The majority of the chimney breast was not present. Evidence of</p>	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section

Previously Recorded Feature (Nayton 2011)	Assessment Complete	2024 Assessment Summary	City of Cockburn Inventory and Heritage List	2024 Assessment Name
		internal and external burning of the southern and western walls was present. The location of the eastern wall was undetermined, as it was reduced to rubble. The assessed room was filled with rubble, with the shared chimney having collapsed in this area.		
15 Davilak Homestead – Bedroom D	Yes	The assessment recorded limited evidence of structural remains, as ground surface visibility was zero due to rubble. The shared chimney breast was recorded as having collapsed in the area. Other chimney remains were not visible from being covered in rubble.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
16 Davilak Homestead – Bedroom E	Yes	The assessment recorded two 12x4 timbers embedded into the southern wall. The eastern wall contains a fireplace and chimney breast. The western wall appeared to have collapsed in situ, with a concrete door lintel found amongst it. A hand drawn plan provides an interpretation based on the location of the door. Minimal rubble fills the room.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
17 Davilak Homestead – Eastern Verandah	Yes	Evidence of the Eastern Verandah was recorded south from the dining room to the school room. A low stone wall supported the verandah across from the drawing room. The space between the wall and the building was filled with dirt and rubble.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
18 Davilak Homestead – Southwest Verandah	Yes	Evidence of the Southwest Verandah shows its primary construction from flat stone and flat sandstone. The feature extends along the westside of the courtyard.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
19 Davilak Homestead – Courtyard	Yes	The assessed area was described as a sunken area surrounded by high stone walls. It is surrounded by a northern passage, house front, three bedrooms, kitchen and storeroom. The southern and western boundary retaining walls remained mostly intact. Only the northern end was filled with rubble, a dirt floor remaining visible at the southern end.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
20 Davilak Homestead – Bedroom F	Yes	Limited evidence remained within the assessed room, as the floor was rubble filled. The fireplace, chimney breast and doorways as shown on a hand drawn map are no longer	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section

Previously Recorded Feature (Nayton 2011)	Assessment Complete	2024 Assessment Summary	City of Cockburn Inventory and Heritage List	2024 Assessment Name
		visible in the area. A line of rubble separates the room into two was either an internal wall, or a collapsed chimney breast.		
21 Davilak Homestead – Bedroom G	Yes	Within the assessed room, only the eastern wall and a doorway in the western wall remain visible. The eastern wall was coated with thin plaster and painted a light cobalt blue. The doorway led to the courtyard where blue painted render was identified.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
22 Davilak Homestead – Sunken Garden	Yes	The assessment recorded the collapse of the north and west retaining walls, and original steps. The southern boundary remains intact but was recorded at an angle. A galvanized iron pipe was identified in the eastern wall. The eastern wall was formed by the walls of bedroom B and E.  Evidence of the steps to the south of the area represented by a space in the southern retaining wall. Only two stone treads remain intact. The assessment noted low visibility of the top of the western set of steps, as olive tree branches obscured the feature.  Stabilisation attempts were recorded along the northern edge of the feature to prevent the collapse of the northern garden wall. Bitumen and concrete were used.  No evidence of garden plants exists within the area.	Manning Estate, Hamilton Hill (Place number 00533), and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
23 Davilak Homestead – Garden Beds to west of sunken Garden	Yes	Evidence of two low stone semi-circles was identified in the assessed area. These garden beds were found on higher ground near a set of stone steps. Concrete blocks were identified for reinforcement purposes at the northern end.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section
24 Davilak Homestead – Bakers Oven, Smokehouse and washhouse	Yes	The Bakers Oven was recorded to have the same construction methods as the homestead. The structure was separated into two rooms, a dividing wall acting as a bread rack. The northern room was recorded as having no main entry. An area south of the doorway was recorded as the original location of the baker's oven, as this space was filled with rubble. Various artefacts were recovered and remained on the wall of the baker's oven as	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins - Eastern Section

Previously Recorded Feature (Nayton 2011)	Assessment Complete	2024 Assessment Summary	City of Cockburn Inventory and Heritage List	2024 Assessment Name
		<p>shown through photographs taken during assessment.</p> <p>Limited evidence of the washhouse remains. Based on a hand drawn map, the stone walls were considered as the middle section of a timber building. No evidence of timber was recorded.</p> <p>The assessment also recorded a corrugated iron water tank behind the complex. Various exotic plants were recorded around the homestead including Japanese Parrot trees, old Cape Lilac, Angelica, Geraniums, Narrow Leaved Swan Plants, and a large Fir tree.</p>		
25 Outbuildings – north complex: Hen House	Yes	The assessed room had evidence of a doorway in the corner of the west and north walls.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins – Northwest Section
26 Outbuildings – north complex: Stables for coach horse	Yes	The assessed room had evidence of a set of doorways in the center of the space. These doors extended through to the back wall.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins – Northwest Section
27 Outbuildings – north complex: Coach house	Yes	Limited evidence remained in the assessed room. The eastern side of the structure was considered as either open or to have been a timber wall.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins – Northwest Section
28 Outbuildings – north complex: Harness room and dairy	Yes	<p>The assessed area was separated into three areas. The western area was part of the dairy, and the eastern space was the harness room. The southern area was separated into two areas. One area had no obvious entrance, whilst the second area acted as the main entry.</p> <p>A doorway was recorded in the eastern area, as well as two diagonal facing walls creating triangle that functioned as a storage area.</p> <p>An additional rectangular storage area was identified outside the main structure. The capping of reddish render was recorded on the wall and was considered as a water tub or storage area during assessment.</p> <p>The southern side of the area was identified as timber constructed.</p> <p>The assessment used aerial photography to identify that a path</p>	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins – Northwest Section

Previously Recorded Feature (Nayton 2011)	Assessment Complete	2024 Assessment Summary	City of Cockburn Inventory and Heritage List	2024 Assessment Name
		curved from various structures, the original route of the path was identified further east than the present path.		
29 Outbuildings – south complex: Pig Sty	Yes	The assessed area was based on a hand drawn map and was identified near the north wall of the southern complex. Large boulders likely dumped after the construction of the complex were identified between the two structures.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins – Southwest Section
30 Outbuildings – south complex: Stables	Yes	Two spaces were assessed within the structure. The entry of the first space was partially obscured by rubble. A doorway was also identified in the eastern wall. The southern wall of the second space had evidence of capping with reddish mortar. Evidence of a yard indicated by a hand drawn map is no longer visible.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins – Southwest Section
31 Outbuildings – south complex: Cow Shed, Bunkhouse and other structures	Yes	The recorded area was enclosed by a stone wall. A hand drawn map indicated the location of each structure. The cow shed was located north of the area, separated by the remains of a stone wall only visible through an arial photograph taken during assessment of the ruin. The map also indicated a square structure, likely a toilet. Nayton (2011), suggested this structure may indicate the location of the waterhole.  The assessment recorded that most structures were constructed from timber due to the large buildup of rubble from boundary walls. The assessment also noted that structures south of the cowshed collapsed in places based on the variation of ground height inside the complex and consistent wall height. A concrete water trough was identified near the corner of the eastern and southern walls.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins – Southwest Section
32 Outbuildings – south complex: Silo	Yes	The assessed area was recorded west of the bunkhouse complex. The feature was described as stone lined and constructed into the side of a hill. The complex was constructed into a former quarry, providing stone for Davilak House and outbuildings. The walls surrounding the silo vary in completeness. The south and west walls were intact, the east wall was	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins – Southwest Section

Previously Recorded Feature (Nayton 2011)	Assessment Complete	2024 Assessment Summary	City of Cockburn Inventory and Heritage List	2024 Assessment Name
		partially complete, and the north wall was reduced to rubble. Angelica plants were identified around the north and east of the silo.		
33 Outbuildings – south complex: Forge	Yes	Evidence of a forge was identified in a hollowed out rockface. Angled stone walling connects the end of the silo to the rockface. Th walling formed a hole, presenting as narrow and closed at the rear, and has a rock overhang as a roof. The majority of the forge was either made from timber or was an open structure. An extension of rubble suggested the existence of a stone wall from the north edge of the opening.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Davilak Ruins – Southwest Section
34 The Azelia Lay Homestead	Yes	The fabric of the Azelia Lay Homestead Features remains well preserved and in generally excellent condition.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Azelia Ley - Homestead
35 Kitchen block and breezeway	Yes	The fabric of the Azelia Lay Homestead Features remains well preserved and in generally excellent condition.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Azelia Ley - Homestead
36 Stone stables	Yes	The fabric of the Azelia Lay Homestead Features remains well preserved and in generally excellent condition.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Azelia Ley - Homestead
37 Brick and Iron water closet	Yes	The fabric of the Azelia Lay Homestead Features remains well preserved and in generally excellent condition.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Azelia Ley - Homestead
38 Stone water closet	Yes	The fabric of the Azelia Lay Homestead Features remains well preserved and in generally excellent condition.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Azelia Ley - Homestead
39 Single roomed stone building	Yes	The fabric of the Azelia Lay Homestead Features remains well preserved and in generally excellent condition.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Azelia Ley - Homestead
40 Manning Lake 'Jetty'	Yes	The assessment used aerial photography based on a conservation plan. Fence posts were recorded as representing the area of Davilak 'jetty'.	Manning Estate, Hamilton Hill (Place number 00533); and Manning Park (Place number 10184).	Manning Lake Fence

**Figure 61. Top: Survey team standing to the south of limestone quarry; Middle: Black glass bottle fragment located near Davilk Ruins; Bottom: Large rubbish pile in southwestern section of Reserve.**







## **SECTION SIX – STAKEHOLDER ENGAGEMENT**

## Engagement Objectives

Manning Park is a much-loved community space, which is used and cared for by a range of people. One of the outcomes of the project was to engage with the broad range of stakeholders that have an interest in the heritage of Manning Park. Stakeholders are any individuals, groups of individuals, organisations that have an interest in the outcomes of a project or initiative and decisions relating to them. The City of Cockburn provided Archae-aus with a list of key stakeholders and agencies to guide this process. From this Archae-aus developed a Stakeholder Engagement Plan that acts as a guide for Archae-aus when consulting with stakeholders about the heritage at Manning Park.

The City of Cockburn outlined that the objectives of the stakeholder engagement were to:

- Inform the community and key stakeholders of the project.
- Communicate the purpose of the project.
- Provide an opportunity for key stakeholders to provide input on the heritage assessment, sharing their interest and knowledge about the history and heritage and values of Manning Park.

## Key Messages

The City of Cockburn provided Archae-aus with the following key messages to underpin stakeholder engagement for the project:

- City of Cockburn have engaged Archae-aus to prepare a comprehensive heritage assessment for Aboriginal and historical heritage associated with Manning Park.
- The aims of the heritage assessment are to establish a history for the place, identify Aboriginal and historical heritage, undertake significance assessments of finds, and understand the archaeological potential and risk to archaeology and heritage.
- The City values input from key stakeholders to develop a thorough understanding of heritage values, including social values, associated with the park and to assist in the development and management approach for the park.
- The findings of this assessment will feed into the day-to-day management of the reserve.

## The Stakeholders

Archae-aus anthropologist Koa Jaensch engaged with a range of stakeholders through one-on-one and group consultations. She attended local community group meetings and with archaeologist Renée Gardiner facilitated a community drop-in session at Manning Park on Sunday the 18<sup>th</sup> of May. The stakeholder consultations explored their knowledge about the place and identified heritage values, as well as concerns that many community members had for the ongoing protection of the Manning Park and its inherent values. See Table 10 for detail of groups consulted.

Table 10. Stakeholder Engagement

Stakeholder	Interests / concerns	Level of engagement	Engagement methods / tools
Aboriginal Reference Group	Cultural protocols, protection and management, community engagement	Consulted	Meeting Heritage briefing by Archae-aus Report review
DPLH	Compliance, Historic and Aboriginal Cultural Heritage, registered heritage places, access to site files and survey reports, site nomination	Consulted	Email Heritage search and request using online tools
Heritage Council of WA	Compliance, management of places included on the State Heritage Register or Assessment Program	Informed	Email/Informed
Main Roads Western Australia	Main Roads infrastructure, access	Consulted	Email/Informed
Whadjuk Aboriginal Corporation	Consultation, identification and protection of Aboriginal cultural heritage	Consulted	Ethnographic survey Report review
Cockburn Historical Society	Local knowledge and history	Consulted	Email Visit during opening hours / meeting attendance Heritage briefing by Archae-aus Follow up by City of Cockburn
Cockburn Local History Collection	Local knowledge and history, artefacts / objects, chance finds management	Consulted	Email Heritage briefing by Archae-aus Follow up by City of Cockburn
Hamilton Hill Community Group	Local knowledge, access, use	Consulted	Email Meeting attendance Heritage briefing by Archae-aus Follow up by City of Cockburn
Spearwood Residents Association	Local knowledge, access, use	Informed	Emailed Consulted members Follow up by City of Cockburn

Stakeholder	Interests / concerns	Level of engagement	Engagement methods / tools
<b>Azelia Ley Museum</b>	Azelia Ley history, protection, management, visitor engagement	Consulted	Visit during opening hours Heritage briefing by Archae-aus Follow up by City of Cockburn
<b>Restoration Club</b>	Azelia Ley history, Davilak ruins protection and reconstruction	Consulted	Emailed Consulted members Follow up by City of Cockburn
<b>Local residents, community, park users</b>	Local knowledge and history, access, use, environment, Davilak ruins protection and reconstruction	Informed / Consulted	Drop-in session facilitated by Archae-aus with City of Cockburn representatives Advertised by City of Cockburn for drop-in session and general project information, inviting feedback: <ul style="list-style-type: none"> <li>- Advertising in Cockburn Soundings magazine</li> <li>- Media release for local newspapers</li> <li>- Flyer on local notice boards</li> </ul> Information sheets
<b>Other stakeholders identified during the consultation process</b>	Access, amenity, place-making, quality of user experience, use, local knowledge and history	Consulted / Collaborated	Phone calls Invite to Drop-in session Information sheets

## Themes

The stakeholder groups and individuals shared a range of values associated with Manning Park and its rich heritage. The stakeholder consultation has been summarised thematically below.

### Community Engagement

Throughout the stakeholder consultations it was evident that Manning Park is a special place for many people in the community. Community members shared a variety of ways that they were engaged with and cared about the heritage of the place. Some were attracted to the colonial history, the development of the Davilak Estate and of Cockburn and Fremantle. Others had a keen interest in the history of the Manning family and the individuals that lived at Davilak Estate, such as Azelia Ley. For many it was the history of the unique landscape and flora and fauna of the park, with its deep-time connection to Noongar heritage and culture. Across the interest groups, community members shared that they would like to be involved in future heritage projects at Manning Park. It should also be recognised the work that the community members have put into Manning Park over long periods of time, that has allowed it to become the community asset that it is today.

To appropriately manage and protect the parks heritage values, it is recommended that the City of Cockburn create a Manning Park Stakeholder Reference Group. This group will offer representation from across the individuals and groups interested the park. This broad-based reference group can connect the City to the range stakeholders that have interests in the park and its heritage and ensure that all of the community groups have a say in how it is managed and developed. The Stakeholder Reference Group will ensure that no single group or stakeholder has greater influence, and that the passion of the community can be harnessed and put towards positive outcomes for the management and development of Manning Park. It is suggested that the stakeholders engaged during this project be invited to the Stakeholder Reference Group.

### Material Culture

Material culture is the aspect of culture manifested in physical objects. At Manning Park the wealth of items within the collections at the Azelia Ley Museum and Wagon Shed form part of the fabric of the place. The stakeholder engagement demonstrated the passion and dedication of the volunteers that manage this material history. The Azelia Ley Museum and Wagon Shed are an exceptional historic resource for the community, and should be effectively supported by the the City to ensure that they can continue to function at a high standard.

#### *Azelia Ley Museum*

The Historical Society are a group of volunteers that currently manage the Azelia Ley Museum and Wagon Shed. During the meeting with the Historical Society the group shared that the work of the City of Cockburn's Heritage and Collections Curator was vital to ensure that their collection is appropriately recorded and protected. The amount of work required to manage the Azelia Ley Museum and its collections by volunteers is not sustainable and they requested that the City ensure that the appropriate support is provided to the Historical Society volunteers to continue this service to the community.

The work of the Historical Society is also adding to the knowledge base of Manning Park. Passionate member(s) are transcribing Azelia Ley's diaries, which is no easy feat given the difficulty of

understanding her handwriting. Furthermore it was noted that in the Azelia Ley Museum there is a cupboard with a range of items that were dug up or collected by park users from the Davilak Ruins and its rubbish tip. While these have lost some archaeological value due to lack of provenance and removal from their location in situ, they are able to tell the story of the place and should be assessed.

### *Wagon Shed*

Not all items within the Wagon Shed are directly connected to the Davilak Estate, but are from a range of properties and market gardens across Cockburn. A stakeholder shared that the items in the Wagon Shed related to the local market gardens were important as they share the story of the City of Cockburn's origin, which developed rapidly from the semi-rural market gardens to the industrialised suburb we know today. A number of stakeholders shared a passion and desire to engage with the items within the Wagon Shed, and held a depth of knowledge that is not on display or available through the museum. This enthusiasm should be harnessed, to ensure that valuable knowledge and expertise is not lost. The provenance of items within the Wagon Shed requires further recording, and it is recommended that the community members that hold this knowledge are engaged with. Stakeholders also discussed the imperative to engage with a younger generation of community members to ensure the succession of the Museum and Wagon Shed.

### **Manning Family Legacy**

It is recognised that the Manning Park has retained a large part of its natural integrity due to its long ownership from the Manning Family. A direct descendent of Lucius Manning attended the community meeting at Manning Park, sharing the family tree and stories of his family. There is a wealth of knowledge within the family's archival material, held between the Azelia Ley Museum, the State Library and private collections held by the Manning Family descendants. The Historical Society are transcribing Azelia Ley's diary, and it was noted that a family member Elizabeth Manning has other diary and historical documents.

A community member shared that the Mannings originally wanted the lease of the Manning Park area to get the timber from it for their properties within Fremantle. The Mannings were so wealthy that the Davilak Estate was used more as a hobby farm, rather than as a subsistence farm like most other early settled agricultural blocks. It was shared that there were orchids grown in the greenhouse.

A community member suggested that a complete history of the Manning Family in Western Australia would be valuable, as the Mannings are an example of a family that had a considerable impact in the development of industry and business, as well as being part of the early social life in Fremantle and Perth.

Community members also recommended developing Davilak Ruins to share more of the family history in an engaging manner.



**Figure 62. Manning Family at the Lake circa 1910**  
(Courtesy of the City of Cockburn)

## Davilak Ruins

Throughout the community consultations it was evident that the community have strong connections to the Davilak Ruins, and serious concern for the future of the archaeological remains. The ruins have high cultural significance for the State and are entered on to the State Register of Heritage Places. Unfortunately, the archaeological assessment found that they are degrading through natural and human causes. Park users were blamed for some of the ongoing degradation of the Davilak Ruins. During consultations members of the Historical Society, Restoration Society and the Spearwood Progress Association independently reported that park users had over long periods of time removed pieces of limestone from the walls of the ruins and had taken it from the park for their own uses. It was further discussed that the existing protection measures, including fencing and signs, were insufficient to protect the ruins. Two community members reported having recently seen bike riders using the ruins as jumps. Community members noted the work they did in the past to get the signs and the fences put in; however, these are seen as no longer sufficient to protect the ruins.

### Management Approach

The Historic and Restoration Societies both directed Archae-aus to the 2014 *Davilak Ruins Archaeological Management Strategy* by Fiona Bush. This well written document provides clear guidance and options for how the ruins can be managed (Bush, 2014b). She gave the following options:

1. *Coming alive again: bringing the place back to life through a new use*
2. *Returning it to its former state: partial restoration or reconstruction*
3. *Simply maintain: preserve the ruin in its existing state through maintenance*
4. *Letting nature take its course: allowing the gradual degradation of the ruin to continue*
5. *Complete removal: documenting the place prior to the removal of the building material.*

*In the case of Davilak Ruins numbers 1, 4 and 5 are not to be considered to be appropriate options. As indicated previously, the place has been entered on the State's Register of Heritage Places so it has high cultural significance for the State and therefore needs to be maintained and preserved. Options 2 and 3 have been identified as the most relevant for the place.*

Stakeholders stated that they feel this report has been ignored and that, against the professional recommendations, the Davilak Ruins have been managed at Option 4 and have degraded at what they saw as an alarming rate. Despite this, they felt as though there was an opportunity to protect the ruins going forward. A number of community members from various groups noted a key interest in the restoration of the Davilak Ruins through a community run project. This would align with Fiona Bush's *Option 2. Returning it to its former state: partial restoration or reconstruction*. A qualified stonemason spoke about this project.

There are a number of stakeholders that are keen to volunteer their time and expertise to work with the City to restore or reconstruct historic elements of the Davilak Ruins. The City should engage with these stakeholders moving forward. The potential development of an Interpretation Plan for the Davilak Ruins could guide this process, this should be carried out with the full engagement of interested community members.

## Aboriginal Heritage

For a number of stakeholders, Aboriginal and non-Aboriginal, the protection and celebration of the Aboriginal heritage of Manning Park was a key issue. Within an increasingly urbanised context Manning Park is an area of remnant bushland where people can experience what the area was like before the rapid development that has occurred over the past 200 years.

Several stakeholders shared a desire to learn more about the Noongar heritage at Manning Park. The interpretive signage throughout the park was pointed out as an asset. One community member shared that they felt like the park was focused on the colonial story and did not adequately appreciate the Noongar heritage.

When meeting with the Cockburn Historical Society, that manage the Azelia Ley Homstead Museum, the group noted that they felt limited in their ability to help visitors learn about the Noongar heritage of Manning Park. It was shared that visitors often asked the volunteers at the Museum about the Noongar history, which they are not able to help with. They requested that they be connected to an interested Whadjuk Knowledge Holder that could engage with them to better understand the Noongar history and share it with visitors in an appropriate manner. The Cockburn Historical Society also noted that visitors often asked where they should walk along the ridge. The group were aware of a cave with potential Aboriginal significance, and would like some guidance as to whether they should be directing visitors away from this area. The City should work with the Whadjuk Aboriginal Corporation and the Historical Society to understand how to share the Noongar history with visitors to the museum and park.

An individual spoke about the multiple *bidis* (paths/Noongar highways) that would have covered Manning Park and Hamilton Hill. These *bidis* would have connected the resource hubs in the landscape, such as Manning Lake. The lake, with the large Tuart trees and *milli* (paperbark) provides an opportunity for people to learn about how Noongar people lived for thousands of years.

A number of stakeholders also spoke about the importance of the ridge for Noongar people. One woman asked me to imagine what it would have been like for Noongar people to stand on that hill and look out to the ocean over thousands of years. We know that the ancestors of the Whadjuk people were living on the Swan Coastal Plain when the sea levels were vastly different. Ten thousand years ago the ridge would have been a substantial hill, which afforded a view out across the valleys and rivers to *Wadjemup* (Rottnest Island). As time passed and the earth warmed, the ridge would have provided a vantage point to watch the drastic landscape change as the seas rose, turning *Wadjemup* from a hill to an island, and bringing the coastline to the foot of the park. The stakeholder noted the historic document that notes the use of hills for sending smoke signals along the coast and towards the Darling Scarp. A member of the Historical Society shared that Azelia Ley was also fond of taking walks to the top of the ridge with her dogs. This demonstrated that the ridge, and its view, is part of the cultural landscape of Manning Park.

## Flora and Fauna

The native vegetation at Manning Park has inherent heritage value. Remnant bushland can give a visitor a sense of the place before broadscale clearing and development. It allows people to experience what the landscape would have been like in the past. Many stakeholders shared concern for the ongoing protection and health of the flora and fauna at Manning Park, especially those associated with the Friends of Manning Ridge community group.



The mature Tuart trees were discussed during the stakeholder engagement as a significant part of the heritage of Manning Park. Maintaining and protecting the mature Tuart trees was important to the stakeholders consulted. It was noted that the City of Cockburn has taken measures to manage public risk from branches falling from mature tree's by fencing off areas, which was seen as a positive action.

Two stakeholders spoke about the health of the *milli* (paperbark) trees on the lake's edge. It was noted that in the past the water levels in the lake had seasonally fluctuated, however long-term park users noted that this does not occur at the same levels. When the community consultation was held on the 18<sup>th</sup> May 2024, Perth had been under a prolonged period without rain, and it was pointed out by a community member that the lake was full where other lakes on the Swan Coastal Plain had dried significantly.

A community member shared that Manning Lake was historically reported to have a natural spring, however they were concerned that it is currently maintaining higher levels of water from external water sources, such as stormwater drains, which doesn't allow for the seasonal drying out of the *milli* (paperbark) trees, which can cause them to die. As they are a culturally significant plant that are used by Noongar people for a variety of reasons, this would be detrimental to the Aboriginal heritage values of the lake and broader landscape. The health of the culturally and historically significant trees may be addressed in the environmental report commissioned by the City of Cockburn. Further to this the City could look at implementing an annual arboriculture inspection for the *milli* and mature Tuarts.

### **Maintaining Aesthetic, Social and Historical Values of Manning Park**

As communicated during the stakeholder engagement, the City values input from stakeholders to develop a thorough understanding of heritage values, including social values, associated with the park and to assist in the development and management approach for the park. Any future developments at Manning Park should consider these values and be sympathetic to them.

The future use and development of Manning Park was of key significance the stakeholders that were engaged throughout the project, the majority had strong views opposing the clearing of native vegetation for the development of the ridge and parkland. Currently the hill is covered by a range of paths, some designated and others created by people for prohibited mountain bike and motorbike riding. Stakeholders shared concerns about the risk of environmental degradation, which would affect the Aboriginal heritage value of the park. A Noongar stakeholder shared that the bike park would risk damaging important cultural sites. At one community group meeting each of the members agreed that the ridge should be maintained as one of the last undeveloped parts of the Perth coast. Another community member shared that the value of Manning Park comes as a space for people to leave the urban area behind and enter a place that felt like it 'goes back in time' letting people imagine what life was like in 'years gone by'.

## Stakeholder Engagement Recommendations

The following recommendations have been summarised from the stakeholder engagement and should be used to guide the City of Cockburn in managing the heritage of Manning Park.

From the stakeholder engagement it is recommended that:

1. The City of Cockburn create a Manning Park Stakeholder Reference Group. This broad-based reference group can connect the City to the range of stakeholders that have interests in Manning Park and its heritage and ensure that all of the community groups have a say in how it is managed and developed.
2. The Azelia Ley Museum and Wagon Shed are exceptional historic resources for the community and should be effectively supported to ensure that they can continue to function at a high standard.
3. The City should implement an annual arboriculture inspection for the culturally significant *milli* and mature Tuart trees.
4. The City should work with the Whadjuk Aboriginal Corporation and the Historical Society to understand how to share the Noongar history with visitors to the museum and park.

The stakeholders made the following recommendations:

5. That the Davilak Ruins require urgent attention. There are a number of stakeholders that are keen to volunteer their time and expertise to work with the City of Cockburn to restore or reconstruct historic elements of the Davilak Ruins. The City should engage with these stakeholders moving forward.

**Figure 63. Top: Whadjuk Knowledge Holders and stakeholders during on Manning Ridge. Middle: Azelia Ley Museum. Bottom: Community member Dan Carton.**



Figure 64. Top. Alex Campbell at the Wagon Shed, giving Archae-aus a tour of the machinery. Middle. The Wagon Shed also has material that shows the domestic life. Bottom: A wide range of items related to the market gardens in Cockburn





## **SECTION SEVEN – HERITAGE ADVICE AND RECOMMENDATIONS**

## Assessment Overview

### Aboriginal Heritage Assessment

Manning Park is part of an important cultural landscape for Whadjuk people. This cultural landscape is made up of a range of elements that are intrinsically connected. This includes, but is in no way limited to, Dgilgie Lake as a key food resource, women's area and camping place, Manning Ridge, with its water sources, archaeological sites, culturally significant men's area, view of the ocean and Country. These places are connected to large dreaming Songlines that are embedded and alive within Country.

Six individual Aboriginal heritage sites have been recorded and mapped during the archaeological and ethnographic Aboriginal Heritage Surveys. These places are likely heritage sites and as such are protected under the *Aboriginal Heritage Act 1972*. It should be recognised that the entire of Manning Park is a cultural landscape, that Noongar people have used for thousands of years and are connected to culturally and spiritually. Any development of Manning Park should be sensitive to this landscape and occur with the guidance of the appropriate Whadjuk Knowledge Holders.

### Historic Heritage Assessment

The historic assessment of Manning Park has resulted in the mapping and recording of a number of heritage features. The current state of these features has been cross referenced against previous recordings, to better understand their physical heritage values. The two core historic features, the Davilak Ruins and the Azelia Ley Homestead are protected under the State Register of Heritage Places: *Manning Park* (Place Number 10184).

### Stakeholder Engagement

The future use and development of Manning Park was of key significance the stakeholders that were engaged throughout the project. The majority had strong views opposing the clearing of native vegetation for the development of the ridge and parkland. Currently the hill is covered by a range of paths, some designated and others created by people for prohibited mountain bike and motorbike riding. Stakeholders shared concerns about the risk of environmental degradation, which would affect the Aboriginal heritage value of the park. A Noongar stakeholder shared that the bike park would risk damaging important cultural sites. At one community group meeting each of the members agreed that the ridge should be maintained as one of the last undeveloped parts of the Perth coast. Another community member shared that the value of Manning Park comes as a space for people to leave the urban area behind and enter a place that felt like it 'goes back in time' letting people imagine what life was like in 'years gone by'. A significant number of stakeholders also raised concerns about a bike park that had been suggested for the ridge area in the past. A bike park was viewed as potentially disruptive to native vegetation and the Aboriginal heritage values. This may be explored in the commissioned environmental report. Two community members stated that a bike park would be acceptable if it was in a controlled environment in a section of the park that had been previously disturbed, such as at the disused quarry.

Table 11 below maps out the assessment results for the project. This is followed by a set of recommendations for the City of Cockburn and the State. Map 10 features a Heritage Risk Map, which highlights the areas of Manning Park that are High and Moderate risk for any future development. High areas include locations at the park where heritage features are definitely present, and state or Aboriginal heritage protection applies. Moderate risk areas are where heritage was not located during the survey, but may be present, such as the Gun Battlements or sub surface archaeological material (likely Aboriginal).

Table 11. Assessment Results

Heritage Feature	Condition	Tangible and Intangible Values	Stakeholder Value	Heritage Protection Status	Risks	Opportunities
Manning Lake	Moderate	Intangible Aboriginal heritage value (Songlines, bidi's, gender specific cultural places and knowledge) Environmental /Nature/Culture Scientific and Research: sub-surface archaeological potential Aesthetic Social Historical Aesthetic	High	<i>Aboriginal Heritage Act 1972</i> Intent to Lodge site on the DPLH Aboriginal Heritage Register (awaiting assessment) State Register of Heritage Places: Manning Park Place Number 10184	Environmental degradation of Manning Lake Risk to culturally significant Flora and Fauna	Archaeological excavation Community education Natural heritage / environmental conservation
Aboriginal Archaeological Sites	Poor/Moderate	Intangible Aboriginal heritage value (Songlines, bidi's, gender specific cultural places and knowledge) Scientific and Research: sub-surface archaeological potential Rarity Social	High	<i>Aboriginal Heritage Act 1972</i> Intent to lodge site on the DPLH Aboriginal Heritage Register (awaiting assessment)	Unregulated development Human impacts - park users picking up artefacts or damaging cultural material	Heritage protection - salvage and storage of artefacts Noongar engagement
Davilak Ruins	Very Poor	Historical Scientific and Research: sub-surface archaeological potential Rarity Social	High	State Register of Heritage Places: Manning Park Place Number 10184	Continued degradation from non-management Park users collecting loose finds	Archaeological excavation Rebuilding the ruins Digital rebuilding project Community / stakeholder engagement Interpretation
Azelia Ley Homestead	Good	Historical Aesthetic Condition Social	High	State Register of Heritage Places: Manning Park Place Number 10184	Loss of volunteer knowledge base	Archaeological excavation
Quarry	N/A	Historical Aesthetic	Low	N/A	N/A	Potential development/ interpretation of area

<b>Material Culture</b>	Good	Historical Aesthetic Research Social Rarity	High	Should be assessed for significance against the Burra Charter 2013 Should be considered in an update to the Assessment of Significance and Statement of Significance for the Manning Park Cultural Landscape for the State Register of Heritage Places: Manning Park Place Number 10184	Loss of volunteer knowledge base and item provenance Loss of material	Adding to knowledge base of Manning Park and the Manning Family Research potential Community engagement potential Collection to be catalogued, provenanced, managed as part of the Manning Park Cultural Landscape, where appropriate
<b>Significant Trees</b>	Good	Intangible Aboriginal heritage value (gender specific cultural places and knowledge) Aesthetic Social	High	Significant Tree List	Loss of trees	Community engagement potential Noongar engagement and education





## Summary of Recommendations

### Aboriginal Heritage Recommendations:

Following the Aboriginal heritage, archaeological and ethnographic assessment, is **recommended** that the City of Cockburn and their contractors are aware that:

1. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The Whadjuk Knowledge Holders further recommended that:

8. They are opposed to the development of bike paths in Manning Park, unless they were contained entirely to areas containing no intact native vegetation or cultural heritage sites;
9. Whadjuk Knowledge Holders be consulted in the event of any future proposed activity or development being undertaken within the Manning Park Reserve;
10. They are concerned about the health of the Dgilgie Lake Wetland and its flora and fauna, which has a direct impact on the protection of the cultural heritage of Dgilgie Lake;
11. Invasive weed management is urgently required for the fringing vegetation at Dgilgie Lake;
12. The City of Cockburn review their turtle protection measures to ensure they are effective at Dgilgie Lake.

### Historic Heritage Recommendations:

Following the historical heritage assessment, it is **recommended** that the City of Cockburn and their contractors are aware that:

13. The Davilak Ruins are in very poor condition and have severely degraded since they were assessed by Fiona Bush in 2014. As such, the heritage protection and management measures recommended in the Davilak Ruins Archaeological Management Strategy should be implemented urgently.

14. The Davilak Ruins are of significance to the State and require appropriate management by either: *Returning it to its former state: partial restoration or reconstruction or simply maintain: preserve the ruin in its existing state through maintenance* (Bush, 2014c).
15. An Interpretation Plan for the Davilak ruins should be commissioned to guide the process, and developed with interested community members;
16. The Inherit listing for Manning Estate on the State Heritage Register requires updating to reflect the heritage values of the place;
17. The material culture at Manning Park, which consists of the historic items associated with the Azelia Ley Museum and Wagon Shed, is appropriately managed and protected as part of the Manning Park cultural landscape and significance of the place.
18. A research plan should be developed to guide any future historical, archaeological, anthropological and other research associated with the history and heritage of Manning Park and its cultural landscape.

### Stakeholder Engagement Recommendations:

Following the stakeholder engagement for this heritage assessment it is recommended that:

19. The City of Cockburn create a Manning Park Stakeholder Reference Group. This broad-based reference group can connect the City to the range stakeholders that have interests in Manning Park and its heritage and ensure that all of the community groups have a say in how it is managed and developed;
20. The Azelia Ley Museum and Wagon Shed are exceptional historic resources for the community and should be effectively supported to ensure that they can continue to function at a high standard;
21. The City implements an annual arboriculture inspection for the culturally significant *milli* (paperbark) and mature Tuart trees.
22. The City should work with the Whadjuk Aboriginal Corporation and the Historical Society to understand how to share the Noongar history with visitors to the museum and park.

The stakeholders made the following recommendations:

23. That the Davilak Ruins require urgent attention. There are a number of stakeholders that are keen to volunteer their time and expertise to work with the City of Cockburn to restore or reconstruct historic elements of the Davilak Ruins. The City should engage with these stakeholders moving forward.

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# APPENDIX ONE – LEGISLATION

The following section briefly summarises the relevant legislation and guiding principles that may relate to the Project Area.

## The Burra Charter

The Burra Charter (*The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*, 2013) is the foundational document for conserving Australia’s cultural heritage (both Aboriginal and non-Aboriginal). The Charter encapsulates two important aspects in conserving heritage places. First, it establishes the best practice principles and processes for understanding and assessing a place’s significance, as well as developing and implementing a conservation plan. Second, the Charter defines and explains the four primary cultural values that may be ascribed to any place: aesthetic, historic, social, or spiritual and scientific. These values are essential as they delineate the types and quality of information needed to accurately determine a heritage place’s significance. Recent practice within DPLH with respect to site reporting and significance assessment under the AHA also referred to Burra Charter values.

### Archaeological Sites

A Practice Note supplementing the Burra Charter entitled ‘The Burra Charter and Archaeological Practice’ states that the fundamental principles contained in the Burra Charter apply to archaeological sites. Article 13 of the Burra Charter states: ‘Co-existence of cultural values should always be recognised, respected and encouraged. This is especially important in cases where there is conflict.’ This will be relevant where:

- (a) archaeological features from the earliest phases of a site underlie more recent archaeological features of national, state or local significance, and
- (b) where they overlie Aboriginal archaeological remains.

### Cultural Landscapes

A Practice Note supplementing the Burra Charter titled ‘Practice Note: Cultural Landscapes’ states:

*In Australian cultural landscape management, it can be useful to think about the way certain categories (derived from UNESCO World Heritage meanings) can be used to frame the different attributes, character, and values of cultural landscape. The categories that are most useful are ‘designed landscape’, ‘continuing or living landscape’ and ‘associative landscape’.*

The Practice Note discusses cultural landscape in terms of cultural landscape as place, practice, process, and management. Section 5 of the Practice Note outlines the principles of cultural landscape in these terms. UNESCO (2021, paragraph 47) defines Associative Cultural Landscape as

*‘A landscape with ‘powerful religious, artistic or cultural associations of the natural element rather than material cultural evidence, which may be significant or even absent.’*



## Aboriginal Heritage Legislation

### *WA Aboriginal Heritage Legislation*

Aboriginal cultural heritage in WA has been protected by the *Aboriginal Heritage Act 1972* (the AHA), administered most recently by the Department of Lands, Planning and Heritage (DPLH). While a progressive piece of legislation in the 1970s, the AHA has come under increasing criticism in recent years and is widely recognised as not meeting 21st century best practice standards of heritage legislation. The destruction of Juukan Gorge by Rio Tinto in 2020 brought problems with the AHA into sharp focus, particularly the section 18 process for approving the destruction of Aboriginal Sites. This process was strongly criticised in *A Way Forward*, the final report of the Parliamentary Inquiry into the destruction of Juukan Gorge (Parliament of the Commonwealth of Australia, 2021). The committee concluded that the original good intentions of the legislation ultimately failed, and the law became in practice ‘a mechanism through which the disturbance, damage and destruction of both physical and intangible Aboriginal cultural heritage has repeatedly taken place’ (para 4.125). The committee attributed this to:

- Amendments that undermined the original purpose
- How legislation was interpreted and administered by successive Ministers.
- The prominence of section 18 as the basis for the system of damage by permit.
- The role of the Minister as arbiter for decisions about approval, to the exclusion of the voice and interests of Knowledge Holders.

In summary, the ‘AHA has failed to strike a balance between the needs and aspirations of the various parties and has excessively favoured the interests of proponents’ (para 4.126).

Other problems with the AHA include the role of Aboriginal people in the protection of their heritage, including the absence of legislated representation on the ACMC, definitions of Aboriginal cultural heritage and the lack of integration with Native Title legislation.

The committee encouraged the WA government to continue its consultation with regard to its draft Aboriginal Cultural Heritage Bill, recommending that it addressed the concerns already expressed in submissions by Aboriginal people and that it accommodates ‘the principles of free, prior and informed consent’, conducting consultation ‘in a way that accords with Aboriginal traditions of dialogue’ (para 4.135).

The WA government passed the *Aboriginal Cultural Heritage Act 2021* (ACH Act) in December 2021. The objectives of this legislation were:

- To recognise the importance of Aboriginal cultural heritage and Aboriginal custodianship.
- To recognise, protect and preserve Aboriginal cultural heritage.
- To manage activities that may harm Aboriginal cultural heritage.
- To promote an appreciation of Aboriginal cultural heritage.

Due to extensive backlash and criticism of the ACHA, the WA Government has now officially repealed the ACHA and instead introduced amendments to the AHA (an amended version), which was proclaimed on the 15 November 2023. The amendments to the AHA attempt to address the criticisms of the Section 18 process by:

- Formal recognition of Native Title holders and rights of appeal in respect of s18 decisions by the Minister.
- Replacement of the ACMC with an Aboriginal Heritage Committee, based on the composition of the Aboriginal Heritage Council established under the ACHA, with male and female Aboriginal co-chairs, and preferably a majority of members of Aboriginal descent.
- Requirement to bring any new information with respect to a s18 approval.

Currently, DPLH have published the following documents following the revival of the AHA:

**Consultation Policy** – outlining ‘the Government’s expectations of proponents to undertake consultation with Aboriginal people prior to submitting a section 18 notice’.

<https://www.wa.gov.au/government/document-collections/aboriginal-heritage-approvals#policy-and-guidelines>

**Aboriginal Heritage Act 1972 Guidelines** – providing practical guidance for landowners where section 18 consent is required to impact Aboriginal cultural heritage (sites and objects).

[https://www.wa.gov.au/system/files/2023-11/aboriginal\\_heritage\\_act\\_1972\\_guidelines.pdf](https://www.wa.gov.au/system/files/2023-11/aboriginal_heritage_act_1972_guidelines.pdf)

Under the AHA (s17) it remains an offence to alter an Aboriginal site in any way, including collecting artefacts; conceal a site or artefact; or excavate, destroy or damage in any way an Aboriginal site or artefact; without the authorisation of the Registrar of Aboriginal Sites under Section 16 or the Minister of Aboriginal Affairs under Section 18 of the AHA.

An Aboriginal site is defined in Section 5 of the AHA as:

- Any place of importance and significance where persons of Aboriginal descent have, or appear to have, left any object, natural or artificial, used for, or made or adapted for use for, any purpose connected with the traditional cultural life of the Aboriginal people, past or present.
- Any sacred, ritual or ceremonial site which is of importance and special significance to persons of Aboriginal descent.
- Any place which, in the opinion of the Committee [i.e. Aboriginal Cultural Material Committee, or ACMC], is or was associated with Aboriginal people and which is of historical, anthropological, archaeological or ethnographical interest and should be preserved because of its importance and significance to the cultural heritage of the State.
- Any place where objects to which the AHA applies are traditionally stored, or to which, under the provisions of the AHA, such objects have been taken or removed.

Section 39 (2) states that:

In evaluating the importance of places and objects the Committee [i.e. the ACMC] shall have regard to —

- any existing use or significance attributed under relevant Aboriginal custom;
- any former or reputed use or significance which may be attributed upon the basis of tradition, historical association, or Aboriginal sentiment;
- any potential anthropological, archaeological or ethnographical interest; and
- aesthetic values.

Section 39 (3) stated that:

Associated sacred beliefs, and ritual or ceremonial usage, in so far as such matters can be ascertained, shall be regarded as the primary considerations to be taken into account in the evaluation of any place or object for the purposes of this Act.

Information about heritage places and their legal status is available through the DPLH Aboriginal Cultural Heritage Inquiry System (ACHIS)<sup>14</sup>. There are three categories by which the ACHIS now characterises heritage places:

- Registered Aboriginal Sites – Aboriginal Cultural Heritage (ACH) **Register layer**.
- Lodged places<sup>15</sup> – Aboriginal Cultural Heritage (ACH) **Lodged layer**.
- Historic records - Aboriginal Cultural Heritage (ACH) **Historic layer**.

### Fees

The WA Government has introduced new fees associated with section 16 and section 18 applications. Commercial and Government proponents are expected to pay the following fees for new applications:

A \$250 application fee.

\$5,096 multiplied by the number of **proposed investigation sites** for section 16 applications and **identified sites or places** for section 18 applications.

*‘The Director General has the ability to waive, reduce or refund fees; and extend the time within which to pay fees. Any such matter will be considered on a case-by-case basis’<sup>16</sup>.*

### Other Heritage Legislation

Aboriginal heritage sites are also protected under the *Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984* (the HPA). The HPA complements state / territory legislation and is intended to be used only as a ‘last resort’ where state / territory laws and processes prove ineffective. Under the HPA the responsible Minister can make temporary or long-term declarations to protect areas and objects of significance under threat of injury or desecration. The HPA also encourages heritage protection through mediated negotiation and agreement between land users, developers and Aboriginal people.

Aboriginal human remains are protected under the AHA and the HPA. In addition, the discovery of human remains requires that the following people are informed: the State Coroner or local Police under section 17 of the *Coroners Act 1996*; the State Registrar of Aboriginal Sites under section 15 of the AHA and the Federal Minister for Aboriginal Affairs under Section 20 of the HPA.

In terms of broader recognition of Aboriginal rights, the *Commonwealth Native Title Act 1993* (the NTA) recognises the traditional rights and interests to land and waters of Aboriginal and Torres Strait Islander people. Under the NTA, native title claimants can make an application to the Federal Court to have their native title recognised by Australian law. The NTA was extensively amended in 1998, with further amendments occurring in 2007, and again in 2009. Under the future act provisions of the *Native Title Act 1993*, native title holders and registered native title claimants are entitled to certain procedural rights, including a right to be notified of the proposed future act, or a right to object to the act, the opportunity to comment, the right to be consulted, the right to negotiate or the same rights as an ordinary title holder (freeholder).

<sup>14</sup> When searching based on shapefiles or coordinates, GDA2020 projection is not currently supported.

<sup>15</sup> Information about these places is in the process of being verified by the Department and Committee.

<sup>16</sup> <https://www.wa.gov.au/government/document-collections/aboriginal-heritage-approvals>

## Corporate Social Responsibility

### Aboriginal Community Engagement

In the *A Way Forward* report (Parliament of the Commonwealth of Australia, 2021: 256) the Centre for Social Responsibility in Mining submitted that mining companies do not have the capacity to avoid incidents such as the destruction of Juukan Gorge. The Centre suggested mining companies are not performing in their social responsibility to prevent activities that would be detrimental to the community.

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*The field of mining and social performance is in decline. This has weakened the ability of community relations and social performance professionals to challenge production priorities in circumstances where risks to community exceed reasonable thresholds. Our research highlights shortcomings across organisational structures, internal lines of reporting, management systems, incentives, and talent management.*

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Furthermore, Hon Warren Entsch MP (Chair) stated in the Foreword of the 2020 *Never Again Interim Report*, following the Juukan disaster, that corporate Australia ‘can no longer ignore the link between its social licence to operate and responsible engagement with Indigenous Australia’ Owners’ (Joint Standing Committee on Northern Australia, 2020). One of the key lessons learnt by Rio Tinto has been the recognition that they put their social licence to operate in jeopardy by focussing on commercial gain ahead of ‘meaningful engagement with Knowledge Holders’ (Joint Standing Committee on Northern Australia, 2020: 7). According to Recommendation 6.91 of the later *A Way Forward Report*:

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*.... These actions remind corporations that their social licence to operate and corporate ethical positions will affect how they are able to do business in the future – it will affect their investment prospects and return on investment. The same principles apply to other industries, particularly in the context of a transition to renewables, opening the way for them to learn from the mistakes of the mining boom and pay respect to the living heritage of Aboriginal and Torres Islander peoples.*

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The idea of ‘meaningful engagement’ is encapsulated by the United Nations Declaration on the Rights of Indigenous Peoples, which was signed by Australia in 2007 (United Nations, 2008). Effective engagement with Aboriginal peoples can be underpinned by six inter-related principles:

- Acknowledging and understanding of the individual aspirations and unique circumstances of different people and groups.
- Building trust.
- Maintaining a respectful manner, that acknowledges the need for reciprocity.
- Effective communication.
- Ensuring informed consent.
- Sustaining the relationship.

Direct and sustained engagement process is the best approach when working with Aboriginal communities.

### *UN Declaration on the Rights of Indigenous People (UNDRIP)*

The UN Declaration on the Rights of Indigenous People (UNDRIP) sets out the rights of Indigenous people around the world to set and pursue their own priorities for development, and to maintain and control their cultural heritage (United Nations, 2008). The key provisions relevant to mineral development in the Australian Context include Indigenous people having the right to:

- Practice and revitalise their cultural traditions and customs, and states shall provide redress for cultural property taken without free, prior, and informed consent (Article 11)
- Practice their spiritual and religious traditions, customs, and ceremonies, maintain sites, control ceremonial objects and repatriate human remain, and states shall seek to enable the access and/or repatriation of ceremonial objects and human remains (Article 12)
- Maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions and intellectual property over such heritage, knowledge and culture, and states shall, in conjunction with Indigenous peoples, take effective measures to recognize and protect the exercise of these rights (Article 31)
- Determine and develop priorities and strategies for the development or use of their lands or territories and other resources, and states shall consult and cooperate with Indigenous peoples in order to obtain their free and informed consent before the approval of any project affecting their lands, territories, and resources, provide effective mechanisms for redress for any adverse impact from such activities (Article 32)

A core principle of UNDRIP is the right of Indigenous people to make decisions about development proposals that have the potential to impact their land and culture from an informed position that is free from coercion, intimidation, or manipulation (Joint Standing Committee on Northern Australia, 2021)). In order to uphold these principles, Free and Prior Informed Consent (FPIC) has been recognised as the best practice approach for engaging with Indigenous people when seeking consent for projects or activities that affect Indigenous people’s culture or country (Kemp and Owen, 2014).

While the UNDRIP has not been formally adopted into Australian law, there has been an increasing recognition within industry of the importance of FPIC in building meaningful relationships with Traditional Owners and maintaining a social licence to operate. In addition, Mr Buti, the WA Aboriginal Affairs Minister, has indicated that ‘new Act embedded consultation, due diligence, agreement making and **informed consent** within legislation’ (as reported by Torre, 2022).

### **Free Prior and Informed Consent (FPIC)**

In relation to cultural heritage and development, the UNDRIP means that Indigenous communities have a right to know, and make decisions about, projects that affect them and their heritage. The principles of Free, Prior and Informed Consent (FPIC) for Indigenous persons or communities in relation to development projects are a best practice standard to be applied. They protect and promote Indigenous Rights within the development process. The processes of FPIC should be ongoing throughout the life of the project. To break this down:

- ▶ **Free** - the process to be free of manipulation or coercion (including financial).
- ▶ **Prior** - the process occurring in advance of any activity associated with the decision being made and allowing time for traditional decision-making processes.
- ▶ **Informed** - objective, accurate, current, and easily understandable information.

- ▶ **Consent** - right to approve or reject a project (Hill, Lillywhite and Salmon, 2010).

### *The 'Darwin Statement' – implementing Best Practice Cultural Heritage Principles*

In 2018, the Heritage Chairs and Officials of Australia and New Zealand (HCOANZ) agreed to implement best practice cultural heritage principles under what they termed the 'Darwin Statement'. The Heritage Chairs were joined by representatives of Aboriginal and Torres Strait Islander heritage organisations from the Commonwealth, states and territories in an approach aimed at working together to advance 'a shared approach to Australia's cultural heritage' (Heritage Chairs of Australia and New Zealand, 2020, p. 33). The HCOANZ group emphasised the principles of:

- Sharing the comprehensive Australian heritage story (including the 'critical importance' of recording and sharing the stories of Aboriginal and Torres Strait Islander cultural heritage).
- Inclusion and engagement with Aboriginal and Torres Strait Islander people.
- Cooperation and collaboration.

Their objective was to facilitate Indigenous Cultural Heritage (ICH) legislation and policy across the country that is consistently of the highest standards.

The HCOANZ group made their recommendations at a time of statutory reviews of Commonwealth Acts, including the *Environment Protection and Biodiversity Act 1999* (Cth) (EPBC Act) and the Australian Heritage Strategy, the Commonwealth's key heritage policy document. Their vision, captured in a document entitled *'Dhawura Ngilan'/Remembering Country*, reminds us that, as a foundational principle, Australia's Indigenous Peoples are entitled to expect that Indigenous Cultural Heritage legislation will uphold the international legal norms contained within the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), and that the key to UNDRIP is the principle of self-determination. The four primary visions of *'Dhawura Ngilan'/Remembering Country* are:

1. Aboriginal and Torres Strait Islander people are the Custodians of their heritage. It is protected and celebrated for its intrinsic worth, cultural benefits and the well-being of current and future generations of Australians.
2. Aboriginal and Torres Strait Islander heritage is acknowledged and valued as central to Australia's national heritage.
3. Aboriginal and Torres Strait Islander heritage is managed consistently across jurisdictions according to community ownership in a way that unites, connects, and aligns practice.
4. Aboriginal and Torres Strait Islander heritage is recognised for its global significance.

### *UNESCO Convention for the Safeguarding of Intangible Cultural Heritage 2003*

As noted in the *'Dhawura Ngilan'/Remembering Country* visionary document (Heritage Chairs of Australia and New Zealand, 2020, pp. 38–39), intangible cultural heritage can exist independently of the association with a particular place. Thus, 'the management, protection and promotion of this form of cultural heritage can provide particular challenges in a legislative context'. Whilst this is understood, the HCOANZ group point to the importance of this manifestation of ACH as indicated by the number of international instruments, in addition to the UNDRIP, that address this topic. The 2003 UNESCO Convention for the Safeguarding of the Intangible Cultural Heritage (UNESCO 2003) remains the key instrument in the recognition and protection of such cultural heritage; however, Australia has not yet ratified it. Acknowledging the constitutional arrangements in Australia, the HCOANZ group support the development of national legislation for the recognition and protection of intangible ICH/ACH.

For the purposes of this Convention (UNESCO 2003: Appendix 2) 'intangible cultural heritage':

- Means the practices, representations, expressions, knowledge, skills – as well as the instruments, objects, artefacts and cultural spaces associated therewith – that communities, groups and, in some cases, individuals recognize as part of their cultural heritage. This intangible cultural heritage, transmitted from generation to generation, is constantly recreated by communities and groups in response to their environment, their interaction with nature and their history, and provides them with a sense of identity and continuity, thus promoting respect for cultural diversity and human creativity.
- Is manifested inter alia in the following domains:
  - (a) oral traditions and expressions, including language as a vehicle of the intangible cultural heritage
  - (b) performing arts
  - (c) social practices, rituals and festive events
  - (d) knowledge and practices concerning nature and the universe
  - (e) traditional craftsmanship.

The AHA (Section 5 and Section 39 (2) and (3)) includes consideration of intangible cultural heritage values that are considered important to the Aboriginal people of the State, and are recognised through social, spiritual, historical, scientific or aesthetic values, as part of Aboriginal tradition. However, most forms of intangible cultural heritage, including oral traditions and rituals, are excluded unless they are associated with place.

### Summary

A key result of the Parliamentary Inquiry into the destruction of Juukan Gorge was the reminder to corporations of their ‘social licence’ to operate. In relation to Aboriginal cultural heritage and tradition this means respect for Aboriginal people and meaningful engagement with them as set out by UNDRIP and underpinned by the principles of FPIC. These principles are reflected in both national and international best practice cultural heritage standards and codes.

The AHA’s Section 18 process came under criticism by that Inquiry, which commented that it ‘failed to strike a balance between the needs and aspirations of the various parties and has excessively favoured the interests of proponents (4.126). In commenting on the draft ACH Bill, the Committee supported the aspirations of the WA Government to strengthen Aboriginal voice in the management of ACH and in its efforts to seek a better balance between proponents and Knowledge Holders (4.129). In noting concerns raised in consultation about the Bill, the Committee strongly urged the WA Government to incorporate the principles of FPIC in addressing the issues raised by Aboriginal groups as it progressed the new legislation (4.135).

The ACHA broadened the definition of Aboriginal cultural heritage and acknowledged Aboriginal people as its primary custodians and decision makers. It instituted a new tiered approvals process, based on the amount of ground disturbance. It promoted the role of Aboriginal people in managing harm to their heritage by requiring substantially more engagement with Aboriginal people by proponents at all stages of the approvals process. The establishment of the Aboriginal Cultural Heritage Council (ACHC) and Local Aboriginal Cultural Heritage Services (LACHS) are based on the principle of self-determination.

The proposed amendments to the AHA, following the announcement to repeal the ACHA, attempt to address the criticisms of the Section 18 process by formally recognising the interests of Native Title holders, by extending the right of appeal to Aboriginal people, and by creating a more transparent

process of decision-making timelines by the Minister. Increased involvement of Aboriginal people is addressed by replacing the ACMC with a new Aboriginal Heritage Committee, based on the composition of the ACHC established under the ACHA. These amendments may not adequately incorporate the principles of FPIC or meet the best practice standards recommended by the Parliamentary Inquiry. The onus is on proponents to meet best practice cultural heritage standards in order to avoid or limit any risks that may impact their social licence to operate.

## Historic Heritage Legislation

### *Heritage of Western Australia Act 1990 (repealed)*

In July 2019, the *Heritage of Western Australia Act 1990* (the HWAA) was repealed and replaced by Heritage Act 2018. Any heritage agreements entered into under Section 29 of the HWAA that were in effect on the commencement day of the Heritage Act 2018 continue to have effect as if it were certified under the new legislation. The municipal heritage inventories that were compiled and maintained under the HWAA are still a maintained repository of information for local governments today. Indeed, the collation of local heritage information is still required under Part 8 of the *Heritage Act 2018*, now referred to as Local Heritage Surveys.

### *Heritage Act 2018*

The purpose of the *Heritage Act 2018* (HA) is to recognise and promote WA cultural heritage by defining principles for conservation, use, development or adaptation for heritage places. In repealing the HWAA, the HA is the main legislative framework for historical heritage, sometimes referred to as European heritage, in the State.

The HA sets out processes for the management of the State Register of Heritage Places, including the establishment of a Heritage Council. The purposes of this Council include assessing places of significance, advising the Minister for Heritage, guiding public authorities on best practice, promoting public awareness and administration of the register of places. The Heritage Council of Western Australia is Western Australia's advisory body on heritage matters and focuses on places, buildings and archaeological sites, with a mission to provide for and encourage the conservation of places significant to the cultural heritage of WA under the jurisdiction of the HA.

The HA requires the keeping of a Register of Heritage Places for places that are protected by the provisions of the Act. Heritage places generally gain registration under the HA by being shown to be of cultural heritage significance or possessing special interest relating to or associated with cultural heritage. Section 38 outlines relevant factors in determining the significance of heritage places. This section uses definitions and values like those of the Burra Charter (see above): the Council are to consider values such as aesthetic, historical, scientific, social or spiritual, and characteristics such as fabric, setting, associations, use and meaning.

Places registered under the HA may also have Aboriginal heritage values listed within the significance statement.

Part 5 outlines the responsibilities of public authorities to consider heritage matters within development planning. Under Section 73 of the HA, public authorities must refer a development proposal to the Council when the proposed works have potential to impact a registered place. The advice provided by the Council in response to a referred proposal may consider the restoration, maintenance and interpretation of the heritage place in question.



Part 11 outlines the definitions and penalties for offences and contraventions of the Act. Under section 129 of the HA, unauthorised impact to registered heritage places is subject to penalty. Section 129 defines damage as including altering, demolishing, removing or despoiling any part of, or thing in, a registered place. The penalties for contravention of the Act are severe, including a \$1 million fine, imprisonment for one year and a daily penalty of \$50,000. Applications to develop, disturb or alter any place entered on the Register can be made under Part 5 Division 2 of the HA. The HA is currently administered by the Department of Planning, Lands and Heritage in Perth.

### *Planning and Development Act 2005*

The purposes of the Planning and Development Act 2005 (the PDA) are to consolidate the provisions of the Acts repealed by the Planning and Development (Consequential and Transitional Provisions) Act 2005 (i.e. the Metropolitan Region Town Planning Scheme Act 1959, the Town Planning and Development Act 1928 and the Western Australian Planning Commission Act 1985). The PDA is intended to provide for an efficient and effective land use planning system in the State, as well as promoting the sustainable use and development of land in the State.

Under Section 73 of the *Heritage Act 2018*, any development proposal that is likely to affect a Registered place must be referred to the Heritage Council for its advice. Under Section 75 of the HA, it is important to comply with Heritage Council advice in order to not adversely affect a registered place.

Under the PD Act, the definition of development ‘includes the concept of physical development and the use of the land’<sup>17</sup>.

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*“Development means the development or use of any land, including – (a) any demolition, erection, construction, alteration of or addition to any building or structure on the land; (b) the carrying out on the land of any excavation or other works; in the case of a place to which a Conservation Order made under section 59 of the Heritage of Western Australia Act 1990 applies, any act or thing that – (i) is likely to change the character of that place or the external appearance of any building; or (ii) would constitute an irreversible alteration of the fabric or any building.”*

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### City of Cockburn Planning Schemes

As the Project Area occurs within the City of Cockburn boundary, local planning schemes will apply to proposed developments.

#### Town Planning Scheme No. 3

The City of Cockburn has included guidance around ACH in the Local Planning Scheme No. 3 specifically<sup>18</sup>:

##### ► 4.12.1 Application Requirements

<sup>17</sup> [https://www.dplh.wa.gov.au/getmedia/475ca92d-87a9-45b9-9313-efe3684f6f70/Making-Good-Planning-Decisions-\(website-published\)-2](https://www.dplh.wa.gov.au/getmedia/475ca92d-87a9-45b9-9313-efe3684f6f70/Making-Good-Planning-Decisions-(website-published)-2)

<sup>18</sup> City of Cockburn Local Planning Scheme No. 3 2023, prepared by the Department of Planning Lands and Heritage: [Cockburn Scheme Text \(www.wa.gov.au\)](http://www.wa.gov.au)

- a) Unless the local government waives any particular requirement each application for planning approval for an extractive industry shall include the following information in addition to the requirements of clause 67 of the Deemed Provisions –
  - (i) a report detailing the existing physical environment including geology, soil profiles, surface and ground water hydrology, identified sites of historic / heritage or cultural significance, current land use, zoning, surrounding land use and potential external impacts.

#### The City of Cockburn Local Planning Strategy

The City of Cockburn has included guidance around heritage in the Local Planning Strategy, for the conservation of places and areas of heritage interest<sup>19</sup>:

- ▶ 6.13 (a) Action: Have due regard for buildings and places in Council's Municipal Heritage Inventory when considering applications for subdivision, rezoning and Planning approval.

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<sup>19</sup> City of Cockburn Local Planning Strategy 2022, prepared by the Department of Planning, Lands and Heritage: [Local Planning Strategy - City of Cockburn](#)

































































# APPENDIX FOUR – MANNING ESTATE

## SIGNIFICANCE ASSESSMENT- 2011

The significance assessment of the *Manning Estate, Hamilton Hill*, comprising the Azelia Ley Homestead, the Davilak Homestead Ruins Complex, and all other associated historical features, has been reproduced directly from Nayton et al. (2011b, pp. 70–76) and informs the significance assessment of the Manning Park Cultural Landscape.

### Aesthetic Value

*The Manning Estate, Hamilton Hill* comprising an extant homestead complex from the 1900s, and the archaeological sites of a homestead complex from 1866-1900 in a ruinous state, a 1850s homestead complex, and a possible 1840s smaller homestead complex all with outbuildings and field systems, is set within an aesthetically pleasing paradise oasis style park and bushland which links the sites together in a pleasing and interesting landscape. (Criterion 1.4)

The Davilak ruin complex within *The Manning Estate, Hamilton Hill* is a large complex of stone buildings in a ruinous state set in natural bushland and remnant landscaping. It is important for its contribution to the aesthetic values of the setting of Manning Park and the Azelia Ley Homestead and has landmark value as an impressive set of stone ruins in view of the paradise oasis style parklands of Manning Park. (Criterion 1.3)

The Davilak ruin complex within *The Manning Estate, Hamilton Hill*, comprising the homestead residence, remnant plants, outbuildings, paddock and water hole is a precinct of early colonial farm buildings in a ruinous state. (Criterion 1.4)

Azelia Ley homestead, within *The Manning Estate, Hamilton Hill*, comprising the main homestead, breezeway and kitchen block is a fine example of a rural homestead in the Australian vernacular style typical of the late nineteenth and early to mid-twentieth century, featuring a rectangular building with wide verandahs and steeply pitched roof, often set on a hillside overlooking a rural property, and often featuring a pair of palm trees in front. (Criterion 1.1)

Azelia Ley homestead and associated buildings, within *The Manning Estate, Hamilton Hill*, contribute to the recent attractive landscape setting of Manning Park. The building has some landmark within the park. (Note: Although the building contributes to the aesthetic quality of the park, the existing landscape distorts the original intent of the place to some degree.) (Criterion 1.3)

Azelia Ley homestead within *The Manning Estate, Hamilton Hill*, including the homestead building, kitchen block, free standing W.C.'s, single roomed building and stables, together with original landscape elements including the retained grassed area on the eastern side of the homestead, mature palms and pine tree, comprise a modified cultural landscape reminiscent of the agricultural history of Manning Park. (Criterion 1.4)

### Historic Value

*The Manning Estate, Hamilton Hill* comprising an extant homestead complex from the 1900s used as a museum and the archaeological sites of a homestead complex from 1866- 1900 in a ruinous state, a 1850s homestead complex, and a possible 1840s smaller homestead complex all with outbuildings and field systems is important for the density and diversity of cultural features illustrating the evolution of the Manning Estate, a major colonial estate for the 1850s to 1954. (Criterion 2.1)



*The Manning Estate, Hamilton Hill* comprising an extant homestead complex from the 1900s used as a museum and the archaeological sites of a homestead complex from 1866- 1900 in a ruinous state, a 1850s homestead complex, and a possible 1840s smaller homestead complex all with outbuildings and field systems is representative of the early settlement and development of the Cockburn district as a farming area. (Criterion 2.1)

*The Manning Estate, Hamilton Hill* is part of the original estate first established by Charles Manning in the 1850s and 1860s, and later managed by his son Lucius Alexander Manning and kept within the Manning family until 1954. (Criterion 2.2)

*The Manning Estate, Hamilton Hill* is associated with the Manning family, prominent Fremantle merchants who operated many businesses in the State, and who owned the estate in Cockburn from the 1850s up until the 1950s. Azelia Ley Homestead, has particular associations with Azelia Ley (nee Manning), Charles Manning's granddaughter, for whom the homestead residence was built. (Criterion 2.3)

*The Manning Estate, Hamilton Hill* comprising an extant homestead complex from the 1900s used as a museum and the archaeological sites of a homestead complex from 1866- 1900 in a ruinous state, a 1850s homestead complex, and a possible 1840s smaller homestead complex all with outbuildings and field systems is an example of the use of locally available materials, such as limestone and timber, to construct farm buildings through time. (Criterion 2.4)

### Scientific Value

*The Manning Estate, Hamilton Hill* comprising an extant homestead complex from the 1900s used as a museum and the archaeological sites of a homestead complex from 1866- 1900 in a ruinous state, a 1850s homestead complex, and a possible 1840s smaller homestead complex all with outbuildings and field systems, appear to be undisturbed and have a high potential to contain stratified archaeological deposits which will add to our understanding of the cultural history of this major colonial estate within the most important area of colonial development for those eras. The Manning Estate, Hamilton Hill therefore has demonstrable potential to contribute to a wider understanding of cultural history by virtue of its use as a research site, teaching site, type locality, reference or benchmark site due to the lack of disturbance, high potential for stratified archaeological deposits and length of time represented by the three, possibly four homestead complexes contained within the place and the location of that place within the early colonial Perth regional development area. (Criterion 3.1)

The conversion of Azelia Ley Homestead, *The Manning Estate, Hamilton Hill* into a museum provides the opportunity for local residents and other visitors to learn about the history of the Manning family and the Cockburn area. (Criterion 3.1)

*The Manning Estate, Hamilton Hill* comprising an extant homestead complex from the 1900s used as a museum and the archaeological sites of a homestead complex from 1866- 1900 in a ruinous state, a 1850s homestead complex, and a possible 1840s smaller homestead complex all with outbuildings and field systems has demonstrable potential to yield information contributing to a wider understanding of the history of human occupation and technical innovation or achievement in farm life in the nineteenth and early twentieth centuries. In particular the ruins of Davilak House and associated outbuildings, the archaeological remains of the first Manning homestead and that of the possible site of the earlier Davey homestead have the potential to reveal information about the lives of the Manning family and the farming occupations associated with the estate due to the lack of

disturbance, high potential for stratified archaeological deposits and length of time represented by the three or possibly four homestead complexes contained within the place. (Criterion 3.2 & 3.3)

## Social Value

*The Manning Estate, Hamilton Hill* comprising an extant homestead complex from the 1900s used as a museum and the archaeological sites of a homestead complex from 1866- 1900 in a ruinous state, a 1850s homestead complex, and a possible 1840s smaller homestead complex all with outbuildings and field systems, which all appear to be undisturbed therefore have a high potential to contain stratified archaeological deposits, will add to our understanding of the cultural history of this major colonial estate. Through archaeological research and museum interpretation *The Manning Estate Precinct* therefore has exceptional archaeological and architectural potential to inform on the cultural history associated with a major colonial estate from ca 1850 to 1954. (Criterion 4.2)

*The Manning Estate, Hamilton Hill* is highly valued by the community, and this is indicated by the inclusion of the most visual element of the estate the Azelia Ley Homestead on the Register of Heritage Places, the National Trust's List of Classified Places and the City of Cockburn's Municipal Heritage Inventory. (Criterion 4.2)

*The Manning Estate, Hamilton Hill* is largely located within a recreational reserve that is well utilised by the local community. (Criterion 4.2)

## Rarity

*The Manning Estate, Hamilton Hill* comprising an extant homestead complex from the 1900s used as a museum and the archaeological sites of a homestead complex from 1866- 1900 in a ruinous state, a 1850s homestead complex, and a possible 1840s smaller homestead complex all with outbuildings and field systems is rare for the completeness of building and archaeological evidence associated with a major colonial estate from the 1850s to 1954. (Criterion 5.1 & 5.2)

*The Manning Estate, Hamilton Hill* is rare in the state context of containing an archaeological homestead site from the 1840s; it is particularly rare as it is located within the metropolitan area which was the most important area of colonial development for the period. (Criterion 5.1 & 5.2)

*The Manning Estate, Hamilton Hill* is rare in the context of containing evidence of a homestead complex dating to the 1850s within the metropolitan area which was the most important area of colonial development for the period. It is less rare in the state context of containing a place constructed in the 1850s. (Criterion 5.1 & 5.2)

The Davilak ruin complex within *The Manning Estate, Hamilton Hill* as a large complex of stone building in a ruinous state set in natural bushland and remnant landscaping is rare for its survival as a large imposing ruin within the metropolitan area which was one of the most important areas of colonial development for the period. It is less rare in the state context of containing a place constructed in the 1860s. (Criterion 5.1 & 5.2)

Azelia Ley Homestead within *The Manning Estate, Hamilton Hill* comprising the homestead residence, the freestanding lavatories, the single roomed limestone building and the stables, is an uncommon and intact example of a precinct of 1920s farm buildings in the Cockburn area and in the Perth metropolitan area. (Criterion 5.1)

*The Manning Estate, Hamilton Hill* has rarity value for its association with a farming land use that is no longer practised in the Cockburn area. (Criterion 5.2)

*The Manning Estate, Hamilton Hill* is rare as a place containing sites from the 1840s, 1850s and 1860s within one place. It is possibly unique within the metropolitan area so important to development through those time periods. (Criterion 5.1 & 5.2)

*The Manning Estate, Hamilton Hill* is rare as a place containing three homestead complexes associated with one prominent colonial family and a large colonial estate. (Criterion 5.1 & 5.2)

### Representativeness

*The Manning Estate, Hamilton Hill* comprising an extant homestead complex from the 1900s, a homestead complex from 1866-1900 in a ruinous state and a 1850s homestead complex and several outbuildings and field systems which exist as archaeological sites is representative of the use of the area as a family estate farm from the 1850s to the 1950s. (Criterion 6.2)

Azelia Ley Homestead within *The Manning Estate* is characteristic of limestone buildings constructed in the Victorian style. (Criterion 6.1)

### Condition

The archaeological sites of a 1850s homestead complex and a possible 1840s smaller homestead complex with associated sites of outbuildings and field systems within *The Manning Estate, Hamilton Hill* appear undisturbed with a high potential to contain stratified archaeological deposits. Condition of archaeological heritage is excellent.

Davilak ruin complex within *Manning Estate, Hamilton Hill* is in a ruinous state. No wooden elements survive, little internal wall plaster survives, survival of internal rendering varies and few walls survive to their original height with most reduced to 40-60 cm. The place is deteriorating and overgrown with the roots of plants penetrating the stone walling providing a further destabilising factor. Much of the standing fabric has been lost and many of the retaining walls across the site are tilting dangerously and likely to give way. Condition of the standing fabric is therefore poor.

Davilak ruin complex within *The Manning Estate, Hamilton Hill* is in a ruinous state but the archaeological evidence associated with the place is undisturbed with a high potential to contain stratified archaeological deposits. Condition of archaeological heritage is excellent.

Azelia Ley Homestead and associated site elements and structures are in generally sound condition. There is some cracking to the retaining wall to the lawn area on the eastern side of the homestead.

It is likely that conservation works on Azelia Ley Homestead associated site elements and structures have impacted on the archaeological record of the place, particularly around the homestead, stables, "Old Wagon House" and new shed, mixing or removing the archaeological record in the affected areas. Condition of archaeological heritage in the affected areas is therefore likely to be poor.

### Integrity

The archaeological sites of a 1850s homestead complex and a possible 1840s smaller homestead complex with associated sites of outbuildings and field systems within *The Manning Estate, Hamilton Hill* appear undisturbed and therefore retain high integrity as archaeological sites.

Davilak ruin complex within *The Manning Estate, Hamilton Hill* is in a ruinous state but retains high integrity as an archaeological site with ruins, as artefacts across the site have been buried naturally creating a rich archaeological record of occupation and use.

Azelia Ley Homestead has moderate integrity. It is no longer used for residential purposes but its current museum use interprets the original intent of the place.

It is also likely that conservation works on Azelia Ley Homestead associated site elements and structures have impacted on the archaeological record of the place, particularly around the homestead, stables, “Old Wagon House” and new shed reducing or removing the integrity of the archaeological record in the affected areas.

### Authenticity

The landscape *Manning Estate, Hamilton Hill* has been modified to turn much of the curtilage of the place into an urban park. However, this modification appears to have consisted largely of replacing native grasses and fields with lawn. The shape of the land, lake and the open parkland nature of the historic place has not been modified giving the landscape some authenticity.

Davilak ruin complex within *The Manning Estate, Hamilton Hill* is in a ruinous state but retains a high level of authenticity as there have been few inappropriate interventions to conserve the fabric of the place; therefore, the remaining material is all original fabric.

Davilak ruin complex, the 1850s Manning homestead complex and several outbuildings and field systems which exist as archaeological sites within *The Manning Estate, Hamilton Hill* have high authenticity as archaeological sites due to the lack of site disturbance, lack of impact of conservation measures undertaken to save the standing fabric without thought to the impact on the archaeological record and the high likelihood of stratified archaeological deposits.

From inspection of Azelia Ley Homestead and associated site elements and structures the majority of fabric of the homestead and kitchen block appears to be original. The building was restored in the 1980s at a time when the approach to heritage restoration was to try to reconstruct a place in as authentic a manner as possible. As a result, areas where fabric may be reconstructed are not clearly evident. Further research is required to establish if this is the case. For example, the building contains a number of fireplace surrounds of different design. It is likely that the original surrounds would have been similar and that at least some of these are introduced. Further research is required to establish the extent to which the fabric of the place was reconstructed in the 1980s and the degree of change that occurred at that time. In particular, the degree to which the breezeway and the fireplaces were altered at that time is of interest. It is likely that these changes have impacted the authenticity of some fabric, particularly in the stables. Azelia Ley Homestead and associated site elements and structures therefore have moderate authenticity.

As part of the restoration works the grounds around the homestead were extensively landscaped. Although attractive, historic photographs show that this is a misrepresentation of the original rural context of the area as seen in early photographs. The landscaping therefore distorts the presentation of the place as a rural homestead. Other than for those original elements identified, the landscape context of the place has low authenticity.

It is also likely that conservation works have impacted on the archaeological record of the place, particularly around the homestead, stables, “Old Wagon House” and new shed reducing or removing the authenticity of the archaeological record in the affected areas.

## Statement Of Significance

*The Manning Estate, Hamilton Hill* comprising an extant homestead complex from the 1920s used as a museum and the archaeological sites of a homestead complex from 1866- 1920s in a ruinous state, a 1850s homestead complex, and a possible 1840s smaller homestead complex, all with outbuildings and field systems has significance for the length of occupation, density, diversity and the completeness of cultural features, both standing and archaeological, illustrating the evolution of the Manning Estate from the 1850s to 1954 and the Davey farm complex of the 1840s, both of which are rare survivals within the main area of early to mid-nineteenth century colonial settlement in Western Australia.

*The Manning Estate, Hamilton Hill* has significance for its long association with the Manning family, prominent Fremantle merchants who operated many businesses in the State, and who owned the estate in Cockburn from the 1850s up until the 1950s. Azelia Ley Homestead, has particular associations with Azelia Ley (nee Manning), Charles Mannings granddaughter, for whom the homestead residence was built.

*The Manning Estate, Hamilton Hill* comprises an aesthetically pleasing paradise oasis style park and bushland within which an interpreted 1920s farm complex and an aesthetically pleasing extensive stone ruin are set as main elements of interest.

*The Manning Estate, Hamilton Hill* is highly valued and used by the community as both a park and a heritage place.

# APPENDIX FIVE – HERITAGE REGISTER SEARCHES

## List of Aboriginal Cultural Heritage (ACH) Directory

### Search Criteria

No Aboriginal Cultural Heritage (ACH) Directory in Custom search area - Polygon - 115.763498733161°E, 32.0822789643504°S (GDA94) : 115.764507243751°E, 32.0821516987298°S (GDA94) : 115.764464328406°E, 32.0826971215701°S (GDA94) : 115.7669319607°E, 32.0826971215701°S (GDA94) : 115.767661521552°E, 32.0834970691815°S (GDA94) : 115.768155048011°E, 32.0840788448649°S (GDA94) : 115.767554233192°E, 32.0844242724247°S (GDA94) : 115.767790267585°E, 32.0868785885447°S (GDA94) : 115.767446944831°E, 32.087787577788°S (GDA94) : 115.767275283454°E, 32.0881329913296°S (GDA94) : 115.767060706733°E, 32.0882602486211°S (GDA94) : 115.767103622077°E, 32.0895328117886°S (GDA94) : 115.770322272895°E, 32.0895146324396°S (GDA94) : 115.770558307288°E, 32.0896418878069°S (GDA94) : 115.773605296729°E, 32.0896418878069°S (GDA94) : 115.773562381385°E, 32.0934412878471°S (GDA94) : 115.773476550697°E, 32.0944047469547°S (GDA94) : 115.772961566566°E, 32.0944047469547°S (GDA94) : 115.772746989845°E, 32.0980948831317°S (GDA94) : 115.7727040745°E, 32.0997853883399°S (GDA94) : 115.768584201453°E, 32.0984584352795°S (GDA94) : 115.767919013618°E, 32.098313014594°S (GDA94) : 115.766502807258°E, 32.0982584817773°S (GDA94) : 115.76551575434°E, 32.0974041300644°S (GDA94) : 115.764979312537°E, 32.0968587950058°S (GDA94) : 115.763906428931°E, 32.0962225666561°S (GDA94) : 115.764228294013°E, 32.0902418035801°S (GDA94) : 115.763369987128°E, 32.0902599827845°S (GDA94) : 115.763412902473°E, 32.0881875301905°S (GDA94) : 115.763262698768°E, 32.0879511948915°S (GDA94) : 115.76328415644°E, 32.0863150106731°S (GDA94) : 115.764421413062°E, 32.0863331906587°S (GDA94) : 115.763498733161°E, 32.0822789643504°S (GDA94)

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### South West Settlement ILUA Disclaimer

Your heritage enquiry is on land **within or adjacent to** the following Indigenous Land Use Agreement(s): Whadjuk People Indigenous Land Use Agreement.

On 8 June 2015, six identical Indigenous Land Use Agreements (ILUAs) were executed across the South West by the Western Australian Government and, respectively, the Yued, Whadjuk People, Gnaala Karla Booja, Ballardong People, South West Boojarah #2 and Wagy! Kaip & Southern Noongar groups, and the South West Aboriginal Land and Sea Council (SWALSC).

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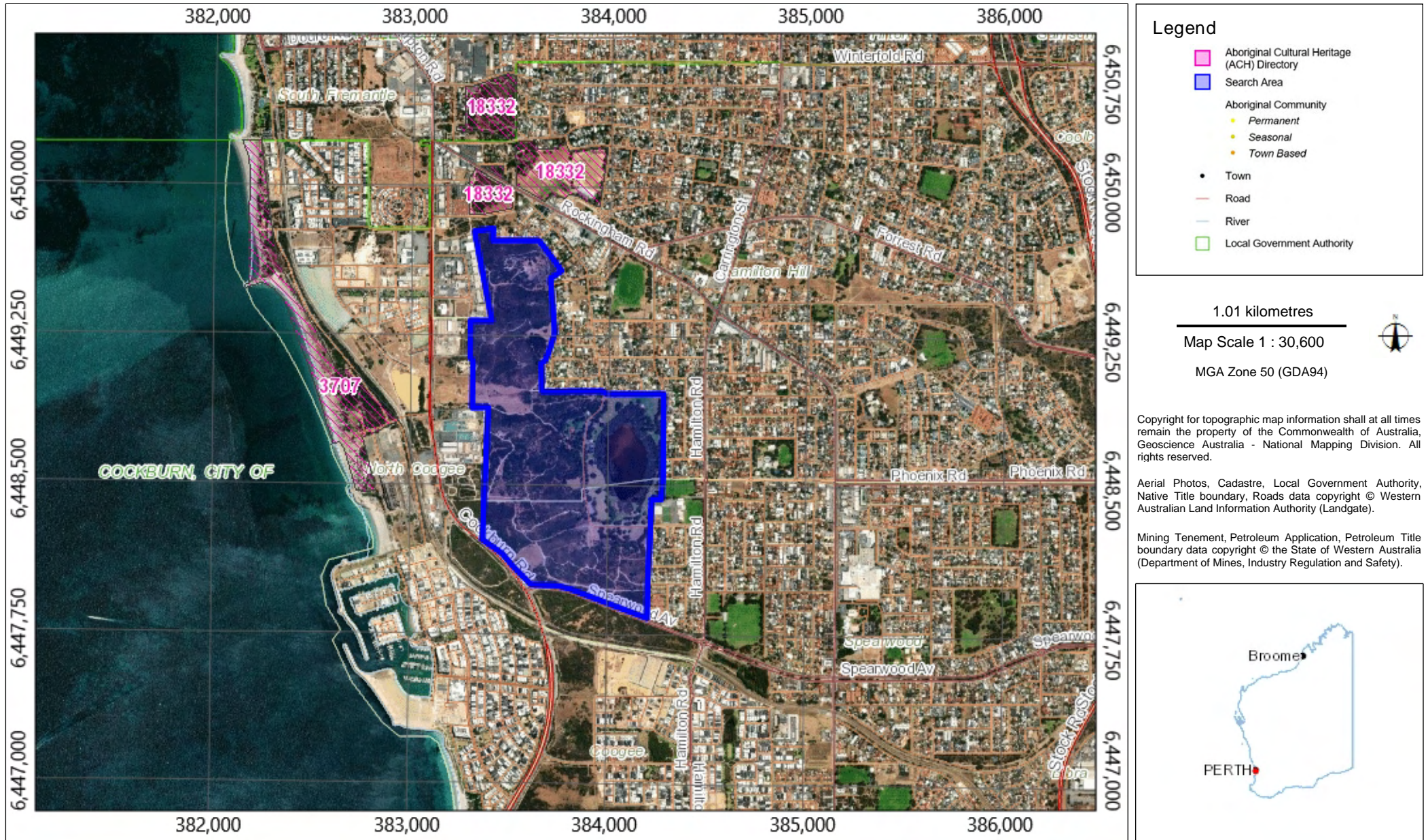
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# Aboriginal Cultural Heritage Inquiry System

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## Map of Aboriginal Cultural Heritage (ACH) Directory



## List of Aboriginal Cultural Heritage (ACH) Pending

### Search Criteria

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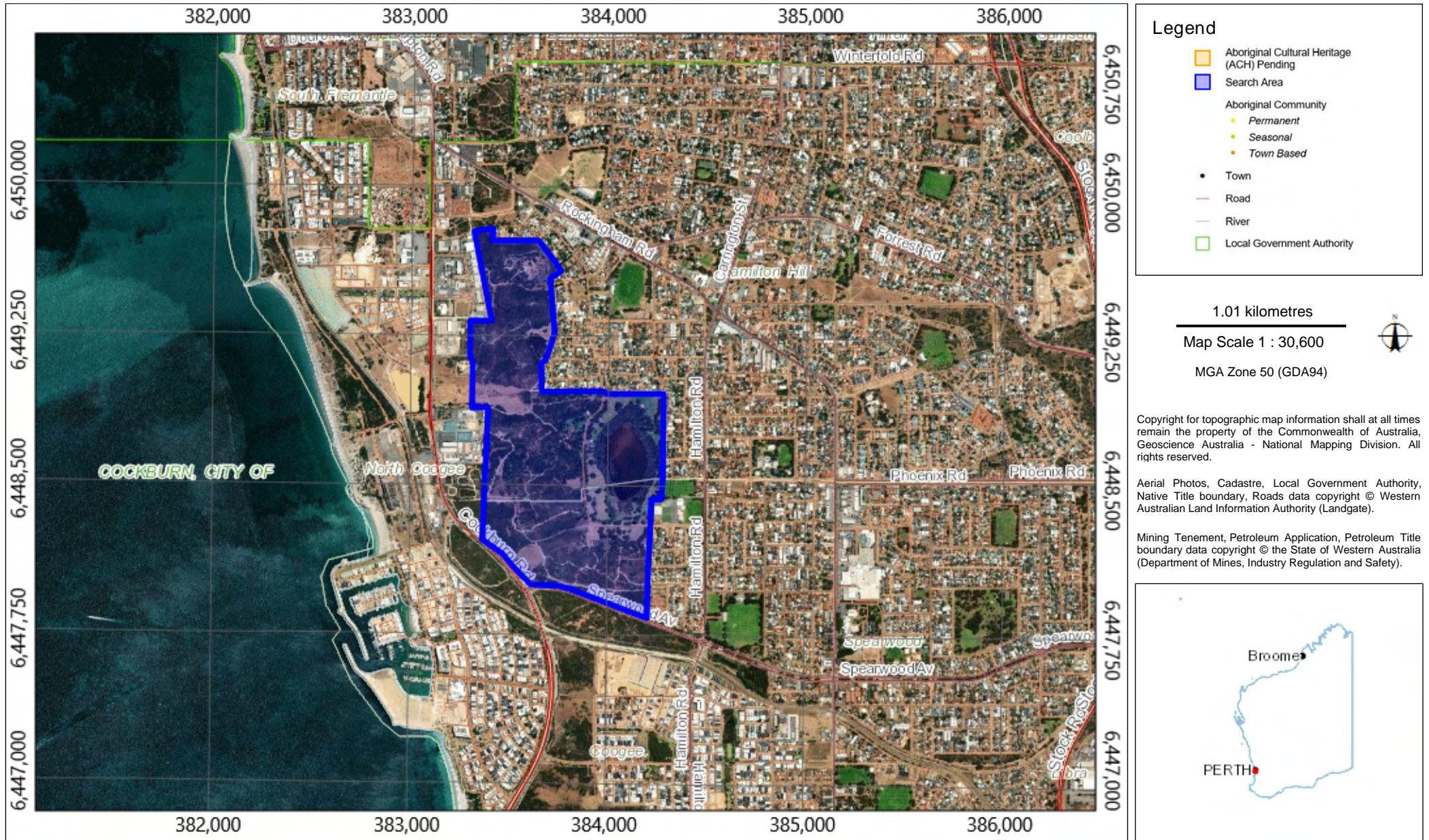
Satellite, Hybrid, Road basemap sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, HERE, DeLorme, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community.

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# Aboriginal Cultural Heritage Inquiry System

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## Map of Aboriginal Cultural Heritage (ACH) Pending



## List of Heritage Surveys

### Search Criteria

4 Heritage Surveys containing 4 Survey Areas in Custom search area - Polygon - 115.763498733161°E, 32.0822789643504°S (GDA94) : 115.764507243751°E, 32.0821516987298°S (GDA94) : 115.764464328406°E, 32.0826971215701°S (GDA94) : 115.7669319607°E, 32.0826971215701°S (GDA94) : 115.767661521552°E, 32.0834970691815°S (GDA94) : 115.768155048011°E, 32.0840788448649°S (GDA94) : 115.767554233192°E, 32.0844242724247°S (GDA94) : 115.767790267585°E, 32.0868785885447°S (GDA94) : 115.767446944831°E, 32.087787577788°S (GDA94) : 115.767275283454°E, 32.0881329913296°S (GDA94) : 115.767060706733°E, 32.0882602486211°S (GDA94) : 115.767103622077°E, 32.0895328117886°S (GDA94) : 115.770322272895°E, 32.0895146324396°S (GDA94) : 115.770558307288°E, 32.0896418878069°S (GDA94) : 115.773605296729°E, 32.0896418878069°S (GDA94) : 115.773562381385°E, 32.0934412878471°S (GDA94) : 115.773476550697°E, 32.0944047469547°S (GDA94) : 115.772961566566°E, 32.0944047469547°S (GDA94) : 115.772746989845°E, 32.0980948831317°S (GDA94) : 115.7727040745°E, 32.0997853883399°S (GDA94) : 115.768584201453°E, 32.0984584352795°S (GDA94) : 115.767919013618°E, 32.098313014594°S (GDA94) : 115.766502807258°E, 32.0982584817773°S (GDA94) : 115.76551575434°E, 32.0974041300644°S (GDA94) : 115.764979312537°E, 32.0968587950058°S (GDA94) : 115.763906428931°E, 32.0962225666561°S (GDA94) : 115.764228294013°E, 32.0902418035801°S (GDA94) : 115.763369987128°E, 32.0902599827845°S (GDA94) : 115.763412902473°E, 32.0881875301905°S (GDA94) : 115.763262698768°E, 32.0879511948915°S (GDA94) : 115.76328415644°E, 32.0863150106731°S (GDA94) : 115.764421413062°E, 32.0863331906587°S (GDA94) : 115.763498733161°E, 32.0822789643504°S (GDA94)

### Disclaimer

Heritage Surveys have been mapped using information from the reports and / or other relevant data sources. Heritage Surveys consisting of small discrete areas may not be visible except at large scales. Reports shown may not be held at the Department of Planning, Lands and Heritage (DPLH). Please consult report holder for more information. Refer to <https://www.wa.gov.au/organisation/departement-of-planning-lands-and-heritage/aboriginal-heritage> for information on requesting reports held by DPLH.

The information provided is made available in good faith and is predominately based on the information provided to the Department of Planning, Lands and Heritage by third parties. The information is provided solely on the basis that readers will be responsible for making their own assessment as to the accuracy of the information. If you find any errors or omissions in our records, including our maps, it would be appreciated if you email the details to the Department at [AboriginalHeritage@dplh.wa.gov.au](mailto:AboriginalHeritage@dplh.wa.gov.au) and we will make every effort to rectify it as soon as possible.

### South West Settlement ILUA Disclaimer

Your heritage enquiry is on land within or adjacent to the following Indigenous Land Use Agreement(s): Whadjuk People Indigenous Land Use Agreement.

On 8 June 2015, six identical Indigenous Land Use Agreements (ILUAs) were executed across the South West by the Western Australian Government and, respectively, the Yued, Whadjuk People, Gnaala Karla Booja, Ballardong People, South West Boojarah #2 and Wagyl Kaip & Southern Noongar groups, and the South West Aboriginal Land and Sea Council (SWALSC).

The ILUAs bind the parties (including 'the State', which encompasses all State Government Departments and certain State Government agencies) to enter into a Noongar Standard Heritage Agreement (NSHA) when conducting Aboriginal Heritage Surveys in the ILUA areas, unless they have an existing heritage agreement. It is also intended that other State agencies and instrumentalities enter into the NSHA when conducting Aboriginal Heritage Surveys in the ILUA areas. It is recommended a NSHA is entered into, and an 'Activity Notice' issued under the NSHA, if there is a risk that an activity will 'impact' (i.e. by excavating, damaging, destroying or altering in any way) an Aboriginal heritage site. The Aboriginal Heritage Due Diligence Guidelines, which are referenced by the NSHA, provide guidance on how to assess the potential risk to Aboriginal heritage.

Likewise, from 8 June 2015 the Department of Mines, Industry Regulation and Safety (DMIRS) in granting Mineral, Petroleum and related Access Authority tenures within the South West Settlement ILUA areas, will place a condition on these tenures requiring a heritage agreement or a NSHA before any rights can be exercised.

If you are a State Government Department, Agency or Instrumentality, or have a heritage condition placed on your mineral or petroleum title by DMIRS, you should seek advice as to the requirement to use the NSHA for your proposed activity. The full ILUA documents, maps of the ILUA areas and the NSHA template can be found at <https://www.wa.gov.au/organisation/departement-of-the-premier-and-cabinet/south-west-native-title-settlement>.

Further advice can also be sought from the Department of Planning, Lands and Heritage at [AboriginalHeritage@dplh.wa.gov.au](mailto:AboriginalHeritage@dplh.wa.gov.au).

## List of Heritage Surveys

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### Access

Some reports are restricted.

### Spatial Accuracy

The following legend strictly applies to the spatial accuracy of heritage survey boundaries as captured by DPLH.

Very Good	Boundaries captured from surveyed titles, GPS (2001 onwards) submitted maps georeferenced to within 20m accuracy.
Good / Moderate	Boundaries captured from GPS (pre 2001) submitted maps georeferenced to within 250m accuracy.
Unreliable	Boundaries captured from submitted maps georeferenced to an accuracy exceeding 250m.
Indeterminate	Surveys submitted with insufficient information to allow boundary capture.

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# Aboriginal Cultural Heritage Inquiry System

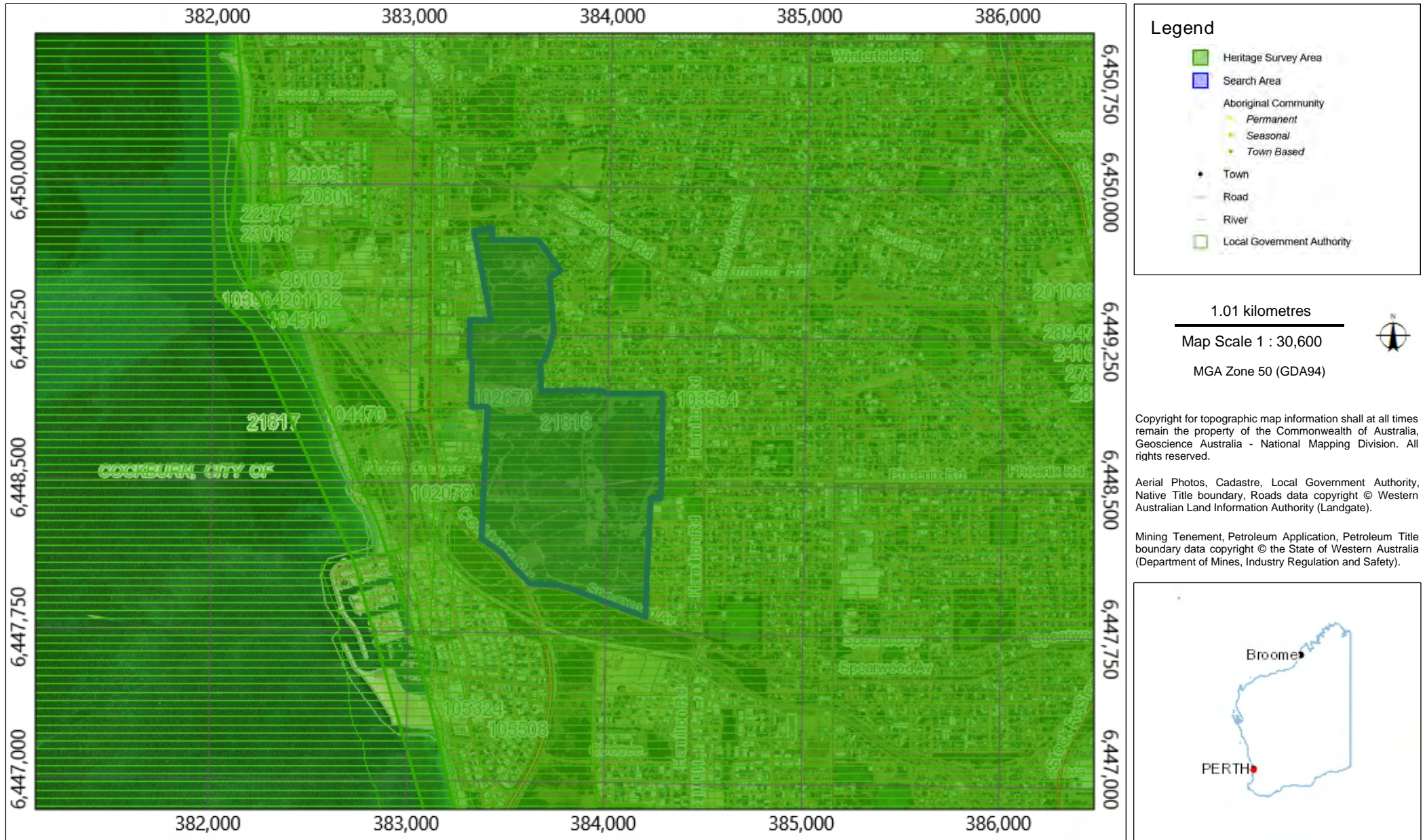
## List of Heritage Surveys

Survey Report ID	Survey Area ID	Report Title	Report Authors	Survey Type	Area Description	Spatial Accuracy	Field / Desktop
21817	16317	Ballaruk (traditional owners) Aboriginal site recording project	Machin, Barrie	Ethnographic	Whadjuk territorial boundaries the lands of the Ballaruk Peoples as shown in Figure 10.	Unreliable	Field and Desktop
21818	16458	Ballaruk (traditional owners of Whadjuk territorial boundaries the lands of the Ballaruk Peoples) Aboriginal site recording project : additional material	Machin, Barrie	Ethnographic	Whadjuk territorial boundaries the lands of the Ballaruk Peoples as shown in Figure 10.	Unreliable	Field and Desktop
102670	16126	Preliminary Report on the Survey of Aboriginal Areas of Significance in the Perth Metropolitan & Murray River Regions July 1985.	O'Connor, R	Ethnographic	Perth Metropolitan & Murray River Regions. A roughly triangular region, with Yanchep National Park as the Northern point, Gidgegannup as the Eastern point and Pinjarra as the Southern point.	Indeterminate	Field and Desktop
103564	14104	An Archaeological Survey Project: The Perth Area, Western Australia. Apr 1972.	University of Western Australia.	Archaeological	The Perth Area. 103 site locations in 67 site groups were investigated.	Indeterminate	Field and Desktop

# Aboriginal Cultural Heritage Inquiry System

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## Map of Heritage Survey Areas





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