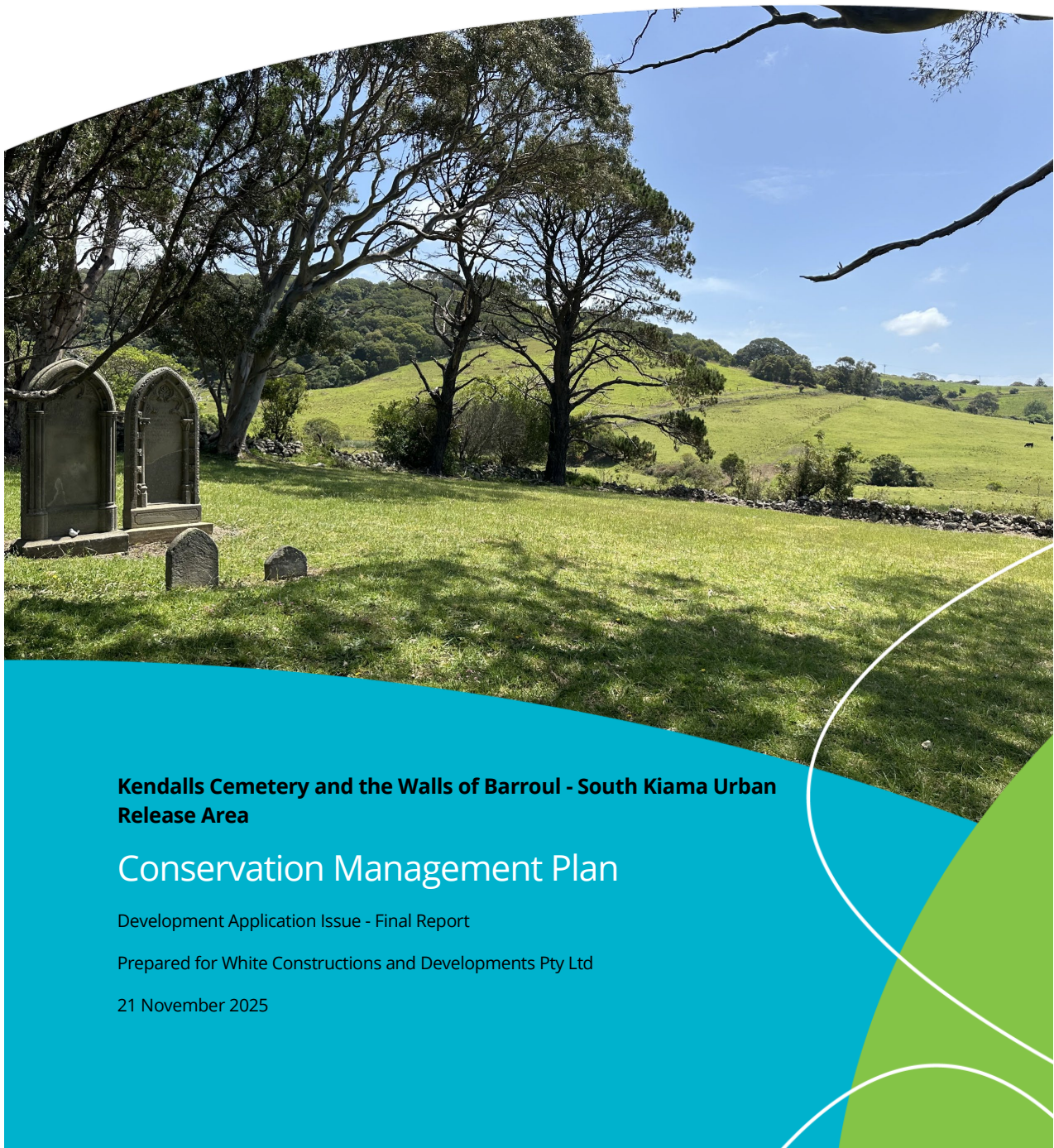




**Kendalls Cemetery and the Walls of Barroul - South Kiama Urban
Release Area**

Conservation Management Plan

Development Application Issue - Final Report

Prepared for White Constructions and Developments Pty Ltd

21 November 2025

Kendalls Cemetery and the Walls of Barroul - South Kiama Urban Release Area |
Heritage Conservation Management Plan | Development Application Issue - Final November 2025



Biosis offices

New South Wales

Albury

Phone: (02) 6069 9200
Email: albury@biosis.com.au

Gosford

Phone: (02) 9101 8700
Email: gosford@biosis.com.au

Newcastle

Phone: (02) 4911 4040
Email: newcastle@biosis.com.au

Sydney

Phone: (02) 9101 8700
Email: sydney@biosis.com.au

Western Sydney

Phone: (02) 9101 8700
Email: sydney@biosis.com.au

Wollongong

Phone: (02) 4201 1090
Email: wollongong@biosis.com.au

Victoria

Ballarat

Phone: (03) 5304 4250
Email: ballarat@biosis.com.au

Melbourne

Phone: (03) 8686 4800
Email: melbourne@biosis.com.au

Wangaratta

Phone: (03) 5718 6900
Email: wangaratta@biosis.com.au



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Prepared by:	Don Wallace Charlotte Allen Sakia Ahmed
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Biosis acknowledges the Aboriginal and Torres Strait Islander peoples as Traditional Custodians of the land on which we live and work.

We pay our respects to the Traditional Custodians and Elders past and present and honour their connection to Country and ongoing contribution to society.

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Definitions

ACHA	Aboriginal Cultural Heritage Assessment
ACHMP	Aboriginal Cultural Heritage Management Plan
Adaptation	Changing a place to suit the existing use or a proposed use
Associations	The connections that exist between people and a place
Barroul	Name given to the Kendall family estate and house; note alternative spellings in historical records, i.e. Burroul
Biosis	Biosis Pty Ltd
Burra Charter	<i>The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance</i>
c.	Circa
CBD	Central Business District
Compatible	A use which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance
CHL	Commonwealth Heritage List
Conservation	All the processes of looking after a place so as to retain its cultural significance
CMP	Conservation Management Plan
Council	Kiama Municipal Council
DP	Deposited Plan
DA	Development Application
DCP	Development Control Plan
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i> (NSW)
EPI	Environmental planning instruments
EPBC Act	<i>Environmental Protection and Biodiversity Conservation Act 1999</i> (Cth)
Fabric	All the physical material of the <i>place</i> including elements, fixtures, contents and objects
Heritage NSW	Heritage NSW, Department of Climate Change, Energy, the Environment and Water (NSW)
Heritage Act	<i>Heritage NSW 1977</i>
Interpretation	All the ways of presenting the cultural significance of a place
Kiama LEP	<i>Kiama Local Environmental Plan 2011</i>
Kiama DCP	<i>Kiama Development Control Plan 2020</i>
Kiama DCP Chapter 12.11 SKURA	<i>Kiama Development Control Plan 2020 Chapter 12.11 South Kiama Urban Release Area</i>
LEP	Local Environmental Plan
LGA	Local Government Area
Maintenance	The continuous protective care of a place, and its setting. Maintenance is to be distinguished from repair which involves restoration or reconstruction
Meanings	What a place signifies, indicates, evokes or expresses to people

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NHL	National Heritage List
NSW	New South Wales
Preservation	Maintaining a place in its existing state and retarding deterioration
Reconstruction	Returning a place to a known earlier state and is distinguished from restoration by the introduction of new material
Related place	A place that contributes to the cultural significance of another place
Related object	An object that contributes to the cultural significance of a place but is not at the place
Restoration	Returning a place to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material
Setting	The immediate and extended environment of a place that is part of or contributes to its cultural significance and distinctive character
SKURA	South Kiama Urban Release Area
SHR	State Heritage Register
SoHI	Statement of Heritage Impact
Study area	The South Kiama Urban Release Area in Kiama and Kiama Heights (Lot 1 DP 707300, Lot 3 DP 258605, Lot 5 DP 740252, Lot 101 DP 1077617, Lot 102 DP 1077617, Lot 16 DP 794244, Lot 7 DP 258605 and Lot 100 DP 771305) Kendalls Cemetery, the walls of Barroul and their setting (the place)
The place	Kendalls Cemetery, the walls of Barroul and their setting (the study area)
Use	The functions of a place, including the activities and traditional and customary practices that may occur at the place or are dependent on the place
WCD	White Construction and Development Pty Ltd

Summary

Biosis Pty Ltd (Biosis) was commissioned by White Constructions and Development Pty Ltd (WCD) to prepare a Conservation Management Plan (CMP) for Kendalls Cemetery and the dry stone walls of the former Barroul Estate in Kiama and Kiama Heights, New South Wales (NSW) (Lot 1 DP 707300, Lot 3 DP 258605, Lot 5 DP 740252, Lot 101 DP 1077617, Lot 102 DP 1077617, Lot 16 DP 794244, Lot 7 DP 258605 and Lot 100 DP 771305) (the study area). The study area is considered to be the 'place' as defined in *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance* (Burra Charter).¹

This CMP has been prepared to guide the conservation and future management of the place in a way which retains its heritage values. NSW State Government approved the rezoning of the place for residential purposes and designated as an Urban Release Area under Part 7 of the *Kiama Local Environmental Plan 2011* (Kiama LEP). This will see the place subdivided into suburban allotments, roadways and parklands, and is also known as the South Kiama Urban Release Area (SKURA). An amendment to the *Kiama Development Control Plan 2020* (Kiama DCP) relates to the SKURA, which includes the requirement for a CMP to be developed and submitted for approval with the first Development Application (DA) for the subdivision of land.

The conservation policies respond to a variety of factors that bear on heritage conservation, but which are intended to apply both to its current ownership and management and to whatever future use and development may be proposed within the SKURA.

Heritage values

The place is identified, in a statutory sense on the Kiama LEP³, in two parts: one a heritage item; and one part of a heritage item. The heritage item is Kendalls Cemetery (Kiama LEP⁴, Item no. 144), South Kiama Drive, Lot 3 DP258605 and a thin portion of the South Kiama Drive road reserve which acts as a public pathway for cemetery access. The walls of Barroul are part of a municipality-wide heritage item listing of stone walls known as Dry stone walls (Kiama LEP⁵, Item no. 64).

This CMP outlines the historical overview of the place and draws together outcomes from research and physical analysis. The evidence is used to confirm the heritage values, also known as cultural significance, of Kendalls Cemetery and the walls of Barroul primarily. Those values are set out in Statements of Significance in section 3 from page 88.

The study area also features an area of high archaeological potential encompassing Kendalls Cemetery, moderate archaeological potential for known former dry stone walls, with the remainder of the site assessed as holding low archaeological potential.

¹ (Australia ICOMOS 2013a)

² (NSW Government 2011)

³ (NSW Government 2011)

⁴ (NSW Government 2011)

⁵ (NSW Government 2011)

Issues and context

Factors that bear on current and future management of the place, future use and the management of change are discussed in Section 1 from page 108. Such factors include:

- Factors arising from the significance of the place.
- The owner/manager's needs and aspirations.
- Legal and statutory obligations.
- Availability of resources.
- Operational and management requirements.
- Physical condition of the place's fabric and its elements.
- Uses, activities or practices essential to significance.
- Ability of the place to be adapted for new uses or to include modern services.
- Opportunities for heritage significance to be interpreted for the community.
- Coexistence of cultural and natural values.
- Likelihood of graves outside the cemetery.
- Security of the cemetery and walls.
- Proposed changes, new development or potential threats.
- Issues and concerns held by others.
- Records of works.
- Other factors or future needs.

Conservation Policy

Utilising the research, evidence and understanding of context, a conservation policy has been developed with the primary objective of retaining and revealing the heritage values of the place, while practicably managing change. The conservation policy is comprised of over 80 individual conservation policy recommendations that are set out in section 5 from page 125.

1 Introduction

1.1 Project background

Biosis was commissioned by WCD to prepare a CMP for Kendalls Cemetery and the dry stone walls of the former Barroul Estate, also spelled Burroul, in Kiama and Kiama Heights, New South Wales (NSW) (Lot 1 DP 707300, Lot 3 DP 258605, Lot 5 DP 740252, Lot 101 DP 1077617, Lot 102 DP 1077617, Lot 16 DP 794244, Lot 7 DP 258605 and Lot 100 DP 771305) (the study area) (Figure 1 and Figure 2). The study area is considered to be the 'place' in Burra Charter terms.

This CMP has been prepared to guide the conservation and future management of the place in a way which retains its heritage values. NSW State Government approved the rezoning of the place for residential purposes and designated as an Urban Release Area under Part 7 of the Kiama LEP⁶. This will see the place subdivided into suburban allotments, roadways and parklands, and is also known as the SKURA. An amendment to the Kiama DCP has outlines the requirement for a CMP to be developed and submitted for approval with the first DA for the subdivision of land within the SKURA.

While this CMP has been prepared in response to the Kiama DCP Chapter 12.11 SKURA requirements, it is not intended to be specific to the development that the Kiama DCP Chapter 12.11 SKURA frames. The conservation policies respond to a variety of factors that bear on heritage conservation, but which are intended to apply both to its current ownership and management and to whatever future use and development may be proposed.

Biosis previously completed a Statement of Heritage Impact (SoHI) for the Planning Proposal to rezone the study area for the purposes of future residential development.⁷ The SoHI recommended that a CMP for Kendalls Cemetery and the dry stone walls within the study area be prepared, should a development application be prepared in the future. This CMP builds upon the heritage assessment included in that SoHI.

1.2 Location of the study area

The study area is located within the Kiama Local Government Area (LGA), Parish of Kiama, County of Camden (Figure 1). The study area includes Lot 1 DP 707300, Lot 3 DP 258605, Lot 5 DP 740252, Lot 101 DP 1077617, Lot 102 DP 1077617, Lot 16 DP 794244, Lot 7 DP 258605 and Lot 100 DP 771305. The study area is situated as follows (Figure 2):

- West of and abutting the Princes Highway, as well as Lot 100 DP771305, Lot 7 DP258605 and Lot 16 DP794244.
- South of Saddleback Mountain Road.
- North of Weir Street, Lot 1 DP625748 and Lot 5 DP734613.
- East of Lot 12 DP598137, Lot 1 DP 602167, Lots 101 and 102 DP1077617.

⁶ (NSW Government 2011)

⁷ (Biosis 2018)

1.3 Scope of assessment

This report was prepared in accordance with current heritage guidelines including:

- The Burra Charter.
- *The Conservation Plan: A guide to the preparation of conservation plans for places of European cultural significance*⁸
- *Guidance on Developing a Heritage Conservation Management Plan*⁹ and *Statement of best practice for conservation management plans*¹⁰
- *Assessing Heritage Significance: Guidelines for assessing places and objects against the Heritage Council of NSW criteria*¹¹
- *Assessing Significance for Historical Archaeological Sites and "Relics"*¹²
- Kiama DCP

The two principal objectives of the CMP are to:

- Confirm the heritage values of Kendalls Cemetery and the walls of Barroul and their setting.
- Recommend a conservation approach and policy for the place with the primary objective of retaining and revealing the heritage values of the place while practicably managing change.

1.4 Limitations

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

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

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

This report does not address or assess Aboriginal cultural heritage. An Aboriginal Cultural Heritage Assessment (ACHA) has been completed for the study area.¹³ The ACHA and any subsequent Aboriginal heritage management documents should be referred to with regards to Aboriginal cultural heritage within

⁸ (Kerr 2013)

⁹ (Heritage Council of NSW & Duncan Marshall with Positive Solutions 2021)

¹⁰ (Heritage Council of New South Wales 2021)

¹¹ (DPE 2023a)

¹² (NSW Heritage Branch, Department of Planning 2009a)

¹³ (Biosis 2020)

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the study area. Biosis understands that an Aboriginal Cultural Heritage Management Plan is being prepared by others which will address Kiama DCP requirements for Aboriginal cultural heritage.

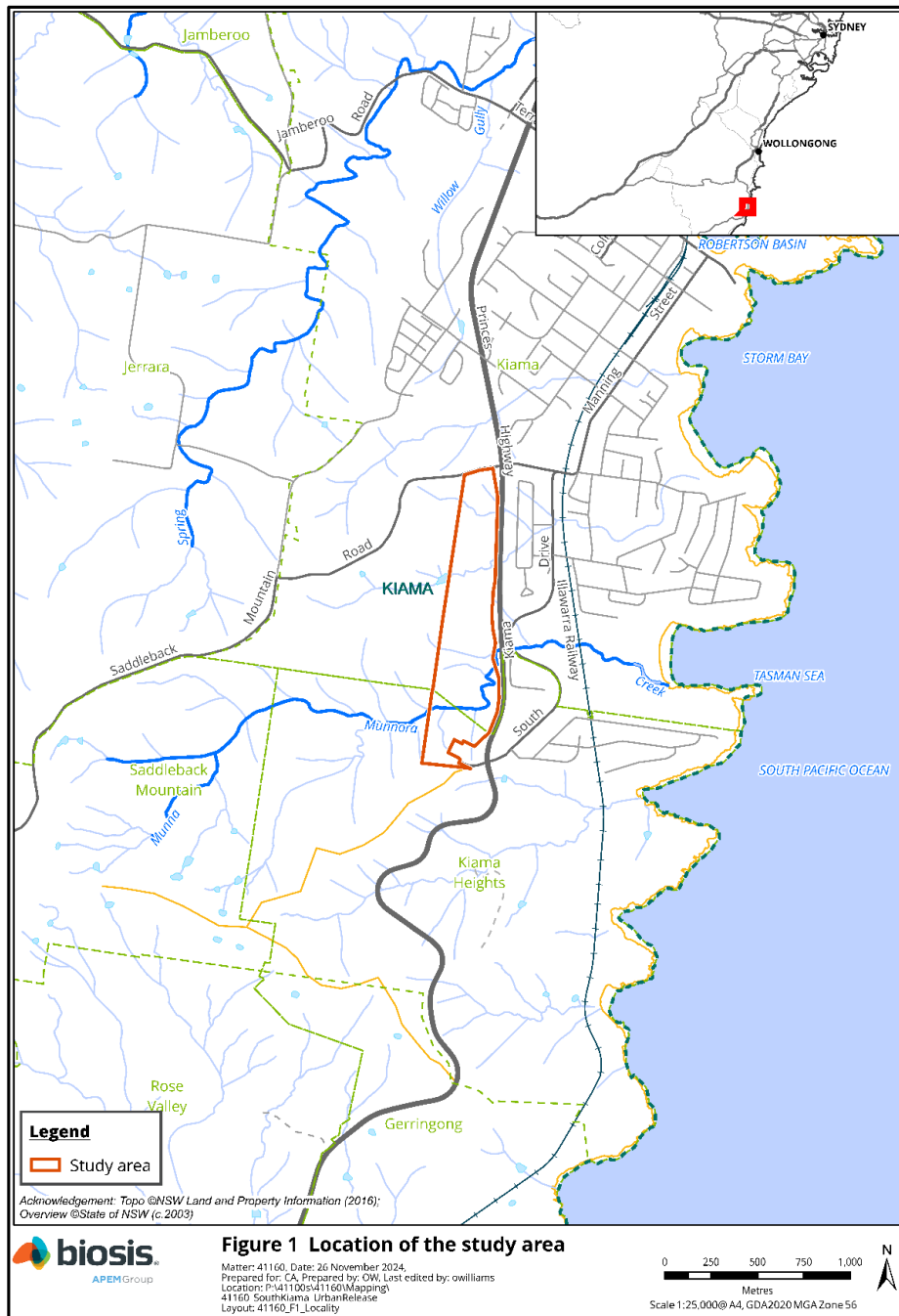
Item 15.1

Enclosure 1

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Figure 1 Location of the study area



Item 15.1

Enclosure 1

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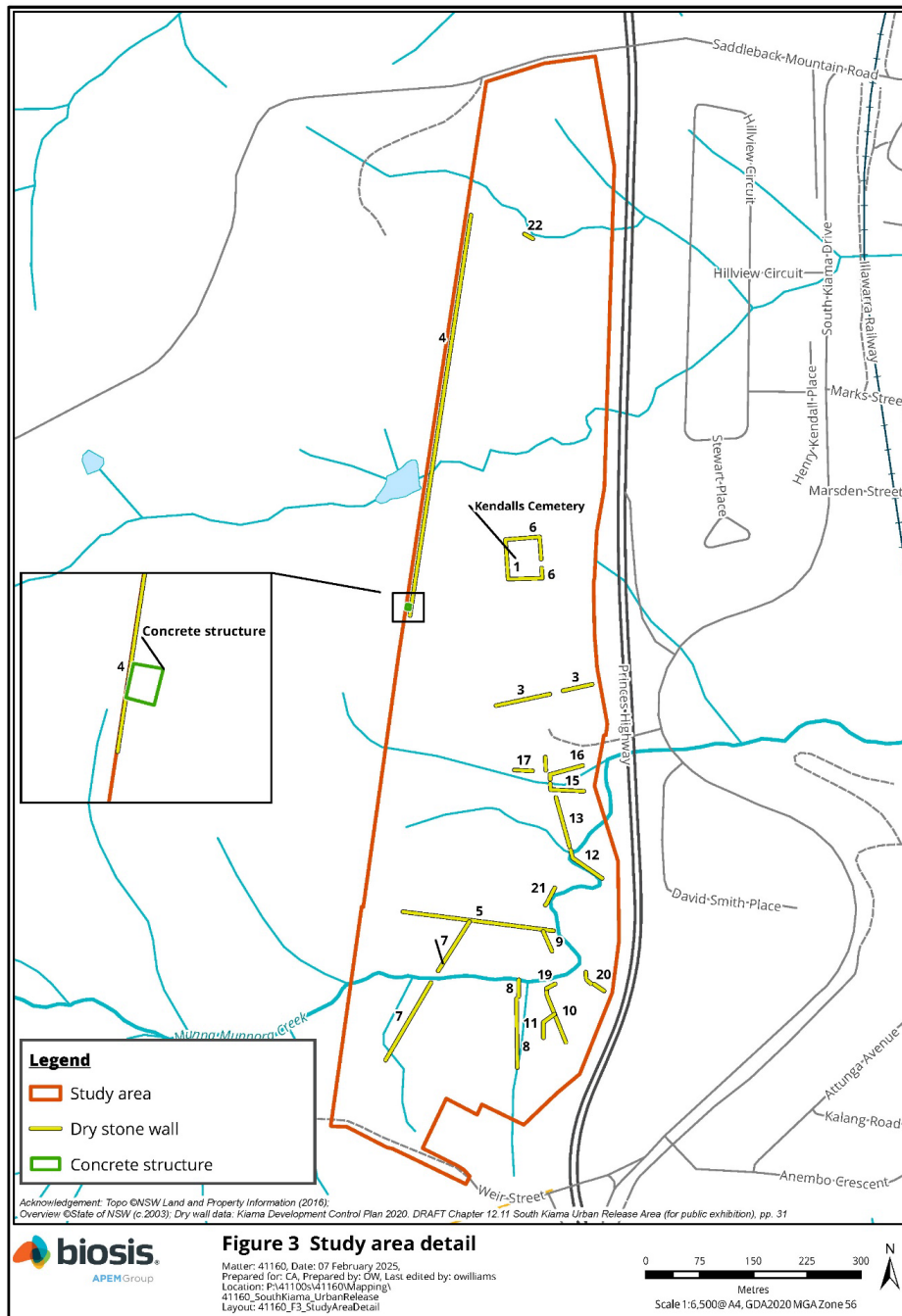
Figure 2 Study area overview



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Figure 3 Study area detail



2 Understanding the place

2.1 Documentary Evidence

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

2.1.1 Aboriginal Country

It is generally accepted that Aboriginal peoples have inhabited Australia for the last 65,000 years.¹⁴ Despite a proliferation of known Indigenous sites there is considerable ongoing debate about the nature, territory and range of pre-contact Indigenous language groups in the Illawarra region. These debates have arisen largely due to the lack of ethnographic and linguistic information recorded at the time of European contact. By the time colonial diarists, missionaries and proto-anthropologists began making detailed records of Indigenous people in the late 19th Century; pre-European Indigenous groups had been broken up and reconfigured by European settlement activity. The following information relating to Indigenous people on the Illawarra is based on such early detailed records.

While this report does not address Aboriginal cultural heritage, it is acknowledged that, based on linguistic evidence, oral history and historical sources, the study area and wider Illawarra region is situated within the traditional land of the Wodi Wodi, a group of people who spoke a variant of the Dharawal language (also Tharawal, Darawal, Carawal, Turawal, Thurawal).¹⁵ The area of this group extended from Botany Bay down the coast to around Nowra. To the north of the Wodi Wodi, the Darug are identified, to the west are the Gundanguura, and in the south the Thoorga are identified.¹⁶ The areas inhabited by each of the groups are considered to be indicative only and would have changed through time and possibly also depending on circumstances (i.e. availability and distribution of resources).

Traditional stories tell of the arrival of the Wodi Wodi to Lake Illawarra, bringing with them the Dharawal or Cabbage Tree Palm from which their language is named.¹⁷ Analysis of middens in the region has provided dates of occupation dating back 6000 to 7000 years on the coast and at Lake Illawarra, and it is accepted that Aboriginal occupation of the south coast dates to around 20,000 years ago.¹⁸

Interactions between the first recorded contact between Aboriginal and European peoples occurred in 1770, when Captain James Cook sailed down the east coast of Australia in the *Endeavour* and observed cook fires and Aboriginal people carrying canoes along the coast.¹⁹ Early recorded contact occurred in 1796, when Matthew Flinders and George Bass travelled along the coast in the *Tom Thumb*.²⁰ Organ also notes an

¹⁴ (Clarkson et al. 2017)

¹⁵ (Wesson 2005)

¹⁶ (Tindale 1974)

¹⁷ (Wesson 2005)

¹⁸ (AMBS Ecology & Heritage 2008, pp. 33)

¹⁹ Organ 1990, pp. 2

²⁰ (Organ 1990, pp. 8)

expedition from Jervis Bay by George William Evans, in which the expedition met several groups of Aboriginal people on the way through the Wollongong area in 1812.²¹

2.1.2 Historical overview

The study area is part of a 500-acre grant initially issued to Andrew Byrne in 1825, covering Barroul and Tanners Hill. In 1826, the property was acquired by James Wright. In 1827, it was subsequently acquired by Reverend Thomas Kendall. An 1897 map shows grant extending from the western boundary of the study area to the coastline at Kaleula and Marsden Heads.

The Kendalls were prominent pioneers in the Kiama region, intermarrying with other influential families. By 1831, the estate was cleared and fenced in preparation for corn planting, later used for dairying. The following year, Reverend Thomas Kendall died. In 1843, Thomas Surfleet formally took ownership of the *Barroul Estate*. The estate remained largely in Kendall family hands until 1920. By 1979, the estate was controlled by Kiama Dairy and Pastoral Co. Pty Ltd, and in 1987 by farmers Alexander and Dianne Rendel. Aerial imagery from 1949 and 1970 shows continued agricultural use with paddock boundaries aligned with stone walls; no substantial structures are recorded or visible within the study area indicating that this portion of the *Barroul Estate* was used for farming rather than occupation.

The region is known for distinctive dry stone wall landscapes, particularly due to the prominence of dairying. The earliest dry stone walls in the region may date to the 1850s-1860s; they were constructed of stones gathered from cleared land and piled to create boundaries and fences. The use of dry stone walls declined in the 1880s as wooden and wire fencing became more cost-effective. Extant dry stone walls in the study area likely date from 1857-1927, potentially built by Thomas Newing (who immigrated from Kent, England, in 1856) and his son, who constructed around 95% of the walls in the Kiama region. The study area contains two partially intact dry stone walls which mark the western and southern boundary of the *Barroul Estate*.

A non-denominational family burial ground was established in the centre of the study area by the Kendall family, known as Kendalls Cemetery, and was in use from the 1850s-1940s; the cemetery is enclosed by dry stone walls. Several notable Kendall family members and local figures are buried in the cemetery. Jane Kendall, wife of Reverend Thomas Kendall, who died in 1866, is the only first-generation Kendall interred in the cemetery. Former mayor of Kiama, John Black, who died in 1881 and was the husband of Charlotte Elizabeth Kendall, is buried in the cemetery. The cemetery originally had sweeping views eastward toward the sea and Barroul House, which were blocked by the later construction of the Princes Highway.

2.1.3 Topography and resources

The study area lies within the Coastal Plain physiographic region that is located between the Illawarra Escarpment and the ocean.²² It consists of the gentle rises of the Illawarra Coal Measures, rolling to steep low hills of volcanic materials, moderate to steep slopes of Berry Siltstone and undulating Budgong Sandstone and Quaternary alluvium. The Coastal Plain is characterised as a mosaic of foothills, ridges, spurs, hillocks and floodplains with slopes varying from very gently inclined to steep with the occasional low cliff. It is dissected by easterly flowing streams at intervals that become more frequent towards the north.²³ There are a number of water sources within the study area. Munna Munnora Creek, a third-order perennial watercourse, transects the study area from west to east, with multiple first- and second-order water courses also present,

²¹ (Organ 1993, pp. 49)

²² (Hazelton 1992, pp. 2).

²³ (Fuller 1982, pp. 18)

draining to the east. The study area is also located approximately 1.6 kilometres south-west of Kiama Harbour and approximately 1 kilometre west of the South Pacific Ocean.

2.1.4 Colonial exploration and early settlement

The earliest settlements in the colony were generally located in areas such as near rivers and coastal areas which could be easily accessed by boat. Transport by water was vital for the development of the colony as passengers and goods could be moved with little requirement for capital works. The south coast of NSW was settled following this pattern with coastal or riverine locations chosen for the earliest settlements.

The Illawarra district was first noted by James Cook in 1770 when he located the headland of Port Kembla, naming it 'Red Point'.²⁴ He also identified Mount Kembla, initially referred to as Hat Hill in the early days of settlement due to its similarity to that of the crown of a hat.²⁵ The next recorded Europeans to visit the Illawarra district were Bass and Flinders in 1796, which sailed along the south coast from Sydney in their small boat, the *Tom Thumb*.²⁶ Following their landing near Tom Thumb Lagoon, they entered Lake Illawarra and made contact with the Aboriginal people in the Illawarra.²⁷ Upon this voyage of coastal exploration, Bass also identified the Blow Hole at Kiama on 6 December 1797, after anchoring his whaleboat in the sheltered bay which became Kiama Harbour.²⁸

In 1797 the *Sydney Cove* was wrecked in Bass Strait and survivors made their way through the area to find help, losing several members of their party to 'hostile natives' as they went.²⁹ Camping overnight at Coal Cliff, the survivors used coal found in a seam to keep warm. The survivors were eventually rescued and taken to Sydney, where their report of the coal led Bass to be sent back to the area to investigate.³⁰ Bass located a coal seam 6 feet thick; however, this resource was not utilised for a further 80 years. During this visit Bass also located and named the Shoalhaven and the Shoalhaven River.³¹

The first settlement in the Illawarra region was established by Charles Throsby Smith (C.T. Smith), who cut a cattle track from Glenfield to just behind South Beach, Wollongong, where he constructed a stockman's hut and cattle yard in 1815.³² The following year, Surveyor-General John Oxley was sent to the Illawarra region to make a general survey of the area and to connect it to the known parts of the colony, as well as identify specific lands for prospective grantees.³³ Both Smith and Oxley were the first Europeans to settle in the Illawarra, doing so by illegally squatting and pasturing cattle on Crown land.³⁴ In October of 1819, further

²⁴ Lindsay 1994, 1; McDonald 1966, 5

²⁵ McDonald 1966, 5

²⁶ Lindsay 1994, 1

²⁷ McDonald 1966, 10

²⁸ McDonald 1966, 10

²⁹ McDonald 1966, 17; Hagen et al. 1997, 20

³⁰ Lindsay 1994, 2

³¹ Lindsay 1994, 2

³² Osbourne 2000, 1

³³ Osbourne 2000, 1

³⁴ Dowd 1977, 2

European exploration of the Kiama coast (within which the study area is situated) was conducted by Oxley who travelled by sea and Deputy Surveyor-General James Meehan travelled by land.³⁵

The first five grants in the area were made in 1821 to absentee landlords, who ran cattle on their lands with a few stockmen present.³⁶ The first five grants of land made in the Illawarra region were:

- Richard Brooks, Exmouth, 1300 acres.
- George Johnston, Macquarie Gift, 1500 acres.
- Andrew Allen, Waterloo, 700 acres.
- Robert Jenkins, Berkeley, 1000 acres.
- David Allen, Illawarra Farm, 2200 acres.

The Illawarra region was attractive not only for its rich pasture, but also for its red cedar which was exploited by the early timber cutters. Between the cattlemen and the cedar cutters, passage into the Illawarra region was found.³⁷ From 1817 to 1831 a total of 22 free land grants were issued by Governor Lachlan Macquarie in the area. Control of these grants was largely dictated by four families: the Wentworths; Johnsons; Terry/Hughes; and Osbournes. Grants continued to be made in the Illawarra region, comprising essentially free grants with easy terms, until August 1831, when land could only be purchased at auction.³⁸

Early settlement of Kiama town

The site for the town of Kiama was first reserved in 1826 and in 1829 Surveyor Knapp was instructed to make a plan showing hills and natural features in preparation for laying out a township.³⁹ Kiama, together with Five Islands, Gerringong, Coolangatta and Shoalhaven, was proclaimed a township on 1 June 1829.⁴⁰ The Kiama area was surveyed by Robert Hoddle in 1830 and William Jacques in 1831.⁴¹ A deployment of military troops arrived in 1831 to maintain law and order with the cedar cutters, and military barracks were erected where the Methodist Church now stands.⁴² A map of the Illawarra in 1834 identifies Kiama Harbour and the township reserve (Figure 4).

³⁵ Dowd 1977, 2

³⁶ McDonald McPhee Pty Ltd 1991, 21

³⁷ Lindsay 1994, 4

³⁸ Kaul 1995, 5; Derbyshire et al. 1984, 31

³⁹ (Bailey 1976, pp. 22)

⁴⁰ (Cousins 1994, pp. 227, Johnston 1973, pp. 3)

⁴¹ (Bailey 1976, pp. 17, 22)

⁴² (Johnston 1973, pp. 3, Latona Masterman & Associates 1987, pp. 12)

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Figure 4 1834 survey of the Illawarra by Thomas Mitchell, with Kiama harbour and Kiama township reserve indicated by the orange arrow (image has been re-oriented to align north) (Source: (Mitchell 1856))

In 1832 David Smith, a cedar getter who had been living in Kiama since 1821, applied for and received half an acre of land on which he built the first permanent house in Kiama, located to the south of Bong Bong Street,

facing Manning Street.⁴³ In 1837 his house became the first hotel in town and was called the Gum Tree Inn.⁴⁴ In 1839 the streets were surveyed and several lots in the section bounded by Collins, Shoalhaven, Berney and Noorinan Streets were sold privately. Outside the town centre, the first land grants were 500 acres (202 hectares) to Revered Thomas Kendall in 1831 and 1000 acres (405 hectares) granted to William Montague Manning in 1839. On 12 March 1840 at the peak of the land fever period, Kiama's first land sale was held.⁴⁵ An early residents' meeting elected a committee to take charge of clearing the streets of vegetation and erecting a jetty for the town's use.⁴⁶ The following year, residents extended the Jamberoo Parish Road to Gerringong in accordance with the provisions of the Parish Roads Act, and a toll bar in 1844 located between Kiama and Jamberoo.⁴⁷

The first post office opened in 1841 and the first magistrate court in 1842.⁴⁸ In 1849 a visitor from Jamberoo described Kiama as he last saw it in 1839 as having 'seventeen or eighteen houses, two inns, two stores, a wooden church and a small jetty or wharf'.⁴⁹

Cedar-getting, farming and dairying

Due to the thick rainforest terrain and lack of safe harbours, European settlement of the area was slow with only explorers and cedar getters visiting.⁵⁰ In 1826, Surveyor-General John Oxley visited the Kiama region to inspect unlocated Crown land which had been sited as a source by cedar getters. Oxley noted that the majority of the main cedar grounds was situated 3 miles from the boat harbour of 'Kiarmi', and that nine-tenths of the cedar brought to Sydney for trade was harvested from this location. A large tract of cedar spanned from Kendall's Point to Jamberoo Mountain. Saw pits were established in places where it was easy to cut a road within easy reach of Kiama harbour. Cattle grazing also took place as land was being cleared. However, the soils were found to be extremely fertile, and in the 1830s and 1840s agriculture became the dominant industry, with main crops including wheat, potatoes and maize. As part of preparing land for cultivation, the fields were cleared of the volcanic stones scattered on or just under the surface and piled together on the edges of paddocks. Dairying was also a secondary industry alongside cropping.⁵¹

The colonial government encouraged settlers to clear and cultivate land. From the 1840s to 1860s provided incentives to grantees by providing them with 30 acre (12 hectares) lots of uncleared land, rent free, under a five to seven year lease, under the condition that it be cleared and developed.⁵² By the 1860s the use of the scheme had declined, at which point much of the region had undergone extensive clearing.

Wheat remained the main crop within the region into the 1860s, with agriculture functioning alongside dairying and beef cattle breeding. However, in 1864, wheat rust effectively wiped out this resource, resulting

⁴³ (Cousins 1994, pp. 227, Bailey 1976, pp. 17)

⁴⁴ (Johnston 1973, pp. 3)

⁴⁵ (Cousins 1994, pp. 227)

⁴⁶ (Bailey 1976a, pp. 27)

⁴⁷ (Latona Masterman & Associates 1987, pp. 13, Heritage NSW n.d.)

⁴⁸ (Johnston 1973, pp. 6)

⁴⁹ (Cousins 1994, pp. 228)

⁵⁰ (Department of Public Works and Services Heritage Group 1998, pp. 20)

⁵¹ (Latona Masterman & Associates 1987, pp. 11, 23, 24, Mayne-Wilson & Associates 1998, pp. 1)

⁵² Latona Masterman & Associates 1987, 13

in the growth of dairying and cattle breeding.⁵³ Arthur McGill was the first to establish a focused breeding program to produce dairying cattle, by breeding Durham Devon Shorthorns' crosses with Ayrshires. The offspring of these pairings resulted in what was to be known as the Illawarra Red Shorthorn.⁵⁴ The Illawarra Red Shorthorn became renowned within the dairying industry and is considered Albion Park's most significant contribution to the dairy industry.⁵⁵

Prior to refrigeration, dairying was a local industry that operated closely to townships, to ensure products would reach the market before deteriorating. Advancements in technology opened the industry to a wider market, and reduced time labouring in production. By 1860 the population of the NSW colony had expanded to 364,000 people, and dairy products were in high demand. However, this demand could not be met by the local dairying industry of the time, and dairy farms were overtaken by growing urbanisation.⁵⁶ By the 1870s butter supplies had exceeded demand due to smaller dairy farms being established under new laws, and as a result prices dropped. This impacted farmers who were already paying high prices for agent's commission and freight. Subsequently, this prompted the development of co-operations for dairy farmers in the 1880s, based on the model of 'associated dairying' in the United States of America; this model aimed to allow for more control by producers.⁵⁷ On 15 October 1880, the South Coast and West Camden Co-operative was formed at the Kiama Courthouse, made up of a group of dairy farmers, but not all in the district had joined.⁵⁸

Technological development in the late-1870s and 1880s resulted in significant changes to the dairy industry in the form of machinery, refrigeration and the railway.⁵⁹ The combination of the 1878 separator patented by De Laval and refrigeration enabled the dairying industry to evolve and establish a commercial industry that would continue to develop throughout the 1880s and the 1900s. De Laval's separator decreased the time spent labouring in the production of dairy products, and refrigeration allowed for the opportunity for Illawarra dairy farmers to supply milk and dairy products to Sydney and a wider region.⁶⁰ The use of mechanical separators would separate the cream from milk to create butter, and the remaining skim milk sold for domestic use or to pig farmers.⁶¹ The extension of the Illawarra Railway Line to Kiama in 1887 led to the establishment of a milk train service from Kiama to Sydney in 1889. This prompted yet another change to the industry of the area, with fresh milk overtaking butter as the main dairy product in the region.⁶²

2.1.5 The Barroul Estate, the Kendall family and beyond

The study area is located within a 500 acre grant initially issued to Andrew Byrne in 1825, which enclosed Barroul and Tanners Hill. Over the next two years, the property was acquired by James Wright in 1826, and then by Reverend Thomas Kendall in 1827. The Kiama parish map from 1897 shows this grant extending from the western boundary of the current study area to the coastline at Kaleula and Marsden Heads (Figure 5). The Kendalls were one of the most notable pioneer families in the Kiama region following their

⁵³ (Latona Masterman & Associates 1987, pp. 24, 25)

⁵⁴ Humphreys et al. 2005, 29

⁵⁵ Humphreys et al. 2005, 31

⁵⁶ Havilah 2002, 13

⁵⁷ (Latona Masterman & Associates 1987, pp. 58, Donaldson & Southall 2014, pp. 5)

⁵⁸ (Donaldson & Southall 2014, pp. 6)

⁵⁹ (Latona Masterman & Associates 1987, pp. 58)

⁶⁰ Havilah 2002, 19

⁶¹ (Kiama Library N/A)

⁶² (Latona Masterman & Associates 1987, pp. 61, Donaldson & Southall 2014, pp. 8–11, Heritage NSW n.d.)

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immigration, intermarrying with many other prominent families of the area, with the founder of the Australian branch, the Reverend Thomas Kendall, well known throughout the Commonwealth for his role in the development of New Zealand and the documentation of the Maori language. Kendall eventually settled in Australia in 1825, where he took up a large land grant near Ulladulla prior to his acquisition of Wright's property.⁶³



Figure 5 1897 Kiama parish map extract showing the extent of Burroul and Tanners Hill, with the study area highlighted in orange (Source: (Department of Lands 1897)

The colonial government encouraged settlers to clear and cultivate land, and from the 1840s to 1860s provided incentives to grantees by providing them with 30 acre (12 hectares) lots of uncleared land, rent free, under a five to seven year lease, under the condition that it be cleared and developed.⁶⁴ By the 1860s the use of the scheme had declined, at which point much of the region had undergone extensive clearing. The *Barroul Estate* was cleared and fenced in the summer of 1831 in preparation for planting corn, but the land was later used for dairying.⁶⁵ To the north of the study area, the town of Kiama was subdivided and lots sold beginning in 1840.⁶⁶ Thomas Surfleet formally took ownership of the *Barroul Estate* in 1843.⁶⁷ A small residence had been constructed for Robert Kendall and his wife Emma (née Hunt) in c.1836, known as Happy Villa (later

⁶³ (Binney & Kendall 2005, pp. 23–28, Binney 1990)

⁶⁴ Latona Masterman & Associates 1987, 13

⁶⁵ (The Kiama Independent, and Shoalhaven Advertiser 1927)

⁶⁶ Bayley 1976, 27

⁶⁷ (The Kiama Independent, and Shoalhaven Advertiser 1883, The Kiama Independent, and Shoalhaven Advertiser 1927)

called Kendall House). This dwelling is located 180 metres north-east of the study area.⁶⁸ Barroul House, a stone dwelling of early Victorian Georgian style, was constructed for the Kendall family in the 1850s; this replaced an earlier timber building. Barroul House is located approximately 540 metres east of the study area.⁶⁹ Both of these places are listed on the Kiama LEP⁷⁰ as items of local heritage significance.

An 1857 survey map for Saddleback Mountain Road, which marks the northern perimeter of the study area, names Thomas Kendall as the owner of all 500 acres; the land surrounding the road is recorded as cleared clover paddocks, implying the land continued to be used for dairying at this date (Figure 6). A fence line runs along the north-western boundary, and another enters the study area at the northern boundary across Saddleback Mountain Road. North of the road (outside of the study area), two structures are noted; these are related to Robert and Emma Kendall's Happy Villa residence (Kendall House).

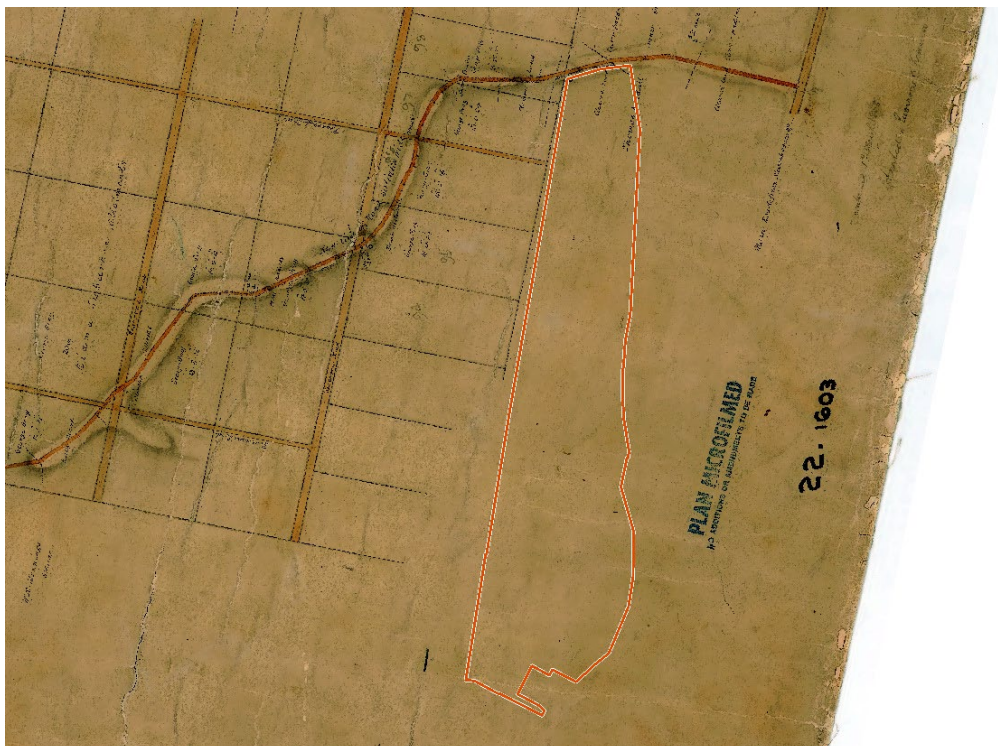


Figure 6 1857 Crown plan extract of Saddleback Mountain Road, with the study area outlined in orange (Source: (Surveyor General's Office 1857)

The Kendall family remain closely associated with the study area, with Kendalls Cemetery [1] located at its centre; the Kiama Heritage Inventory notes this place was established as a non-denominational family burial ground. No grave or memorial is known for Reverend Thomas Kendall, who drowned in 1832, but his wife Jane (née Quickfall) is buried within Kendalls Cemetery. Jane significantly outlived her husband, passing away at the age of 84 in 1866; she is the only member of the first generation of the Kendall family to be interred in

⁶⁸ (Heritage NSW, Department of Climate Change, Energy, the Environment and Water n.d.)

⁶⁹ (Heritage NSW, Department of Climate Change, Energy, the Environment and Water n.d.)

⁷⁰ (NSW Government 2011)

the family cemetery.⁷¹ The earliest date of death recorded on the memorial features within the cemetery is 1853, commemorating the death of Caroline Elizabeth Perry, wife to Samuel Augustus Perry, Deputy Surveyor General.⁷² This suggests that the cemetery was likely established around this time, and continued to be used into the 1940s (Table 1).

The *Barroul Estate* remained largely in the hands of the Kendall family until 1920, with descendants of the Kendall family still controlling portions of the estate beyond this date.⁷³ The study area has retained its primarily agricultural use since this initial clearing, remaining within the Kendall family before passing into the control of the Kiama Dairy and Pastoral Co. Pty Ltd. In 1979 and farmers Alexander and Dianne Rendel in 1987 under primary application. Several easements for services were also made throughout the course of the 20th century.⁷⁴ Regarding the development of the study area, aerial imagery from 1949 (Figure 7) and 1970 (Figure 8) show the continued agricultural use of the study area, with paddock boundaries consistent with the location of mapped stone walls within the study area. No structures are present within the study area on these aerials.

⁷¹ Binney 1990

⁷² Australian Cemeteries Index n.d.

⁷³ (The Kiama Independent, and Shoalhaven Advertiser 1927)

⁷⁴ (NSW Land Registry Services 1979c, NSW Land Registry Services 1979d, NSW Land Registry Services 1979e, NSW Land Registry Services 1979f, NSW Land Registry Services 1979a, NSW Land Registry Services 1979b)

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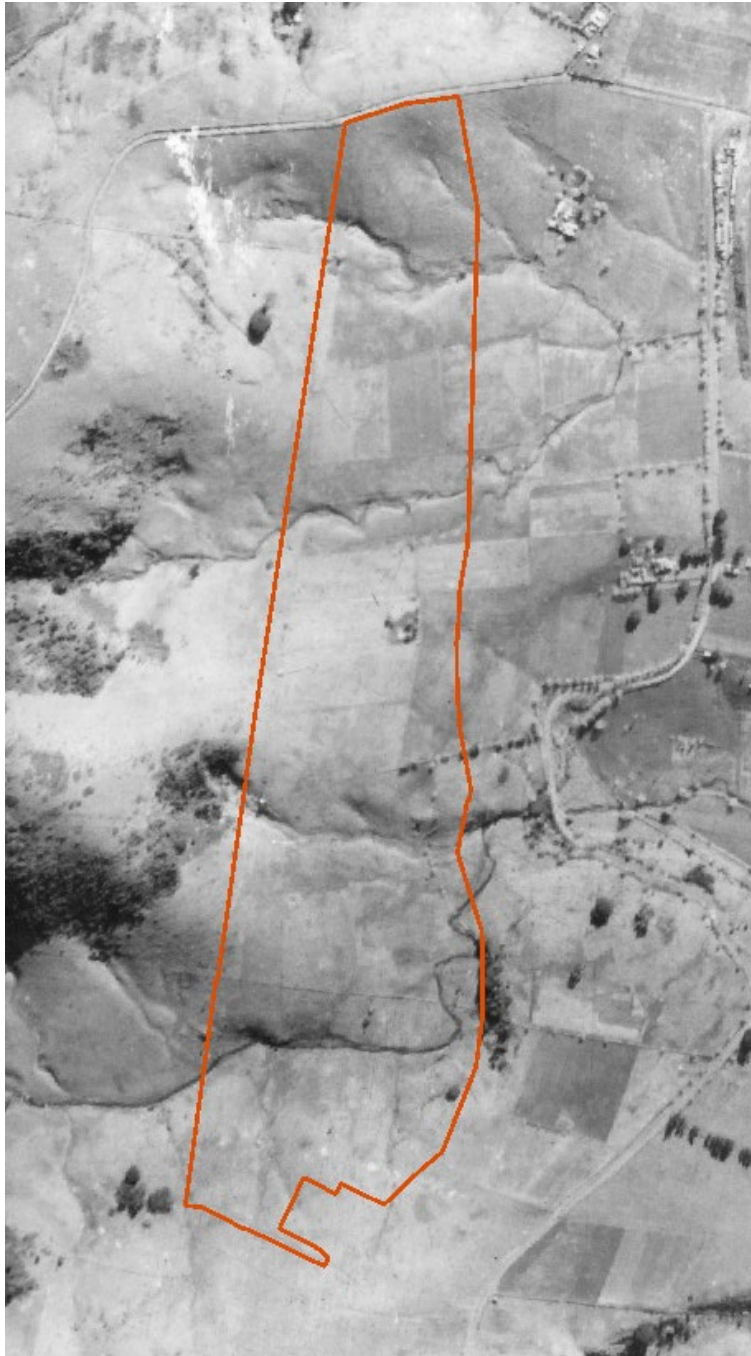


Figure 7 1949 aerial photograph of Kiama with the study area shown (Source: NSW Land and Property Information 2017)

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Figure 8 1970 aerial photograph of Kiama with the study area shown (Source: NSW Land and Property Information 2017)

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Kendalls Cemetery

Kendalls Cemetery [1] appears to have been in use from the 1850s-1940s. It is enclosed by dry stone walls, and would have had broad sweeping views to the east towards the sea until the construction of the Princes Highway. The cemetery contains 35 headstones of burials and 49 memorials. Research undertaken by the Family History Centre identified 79 internments in the cemetery, indicating that there are a number of graves with no markers present.⁷⁵

A list of burials and memorials within Kendalls Cemetery during the physical inspection is provided in Table 1. This has been compiled from a range of sources.⁷⁶ A survey of the cemetery was conducted in 2017 which allocated reference numbers to memorials within the cemetery (Figure 9).⁷⁷

Table 1 List of burials and memorials identified within Kendalls Cemetery by Biosis (2018), the Australian Cemeteries Index (Australian Cemeteries Index n.d.) and Lark (2018)

Name	Age (birth-death)	Biographical details (where known)	Memorial stone reference ⁷⁸
Caroline Elizabeth Perry	58 (1795-1853)	Wife of Samuel Augustus	K-29
John Henry Read	51 (1801-1853)	Born in Ireland, husband to Frances Eleanor (Molloy) Read	-
Samuel Augustus Perry	62 (1791-1854)	Husband of Caroline Elizabeth Perry	K-28
Thomas W.N. Kendall	5 months (1859-1859)	Son of William and Charlotte Kendall	K-30
Archibald McSperrin	7 years 9 months (c.1853-1860)	Son of George and Sarah	K-26
Catherine Newell Chapman	48 (c.1812-1860)	Wife of Thomas Chapman	K-23
Jane Catherine Marks	29 (1831-1860)	Daughter of Thomas Surfleet and Charlotte (Blake) Kendall, wife of Robert Marks	K-18
Jane (Johnson) Armstrong	Unknown (death 1862)	Daughter of Thomas and Kitty Johnson, born County Fermanagh [Fermanagh], Ireland, wife of James (Bedad) Armstrong	K-25
Flora Lucy Geary	3 years, 2 months (c.1860-1863)	Daughter of John and Harriet	K-24
George Turner	53 (c.1810-1863)	N/A	K-20
George Turner	26 (c.1838-1864)	Son of George, husband to Jane (Taylor) Turner	K-20

⁷⁵ (Kiama Library n.d.)
⁷⁶ (Biosis 2018, Australian Cemeteries Index n.d., Lark 2018)
⁷⁷ (Lark 2018)
⁷⁸ (Lark 2018)

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Name	Age (birth-death)	Biographical details (where known)	Memorial stone reference ⁷⁸
David York	24 (c.1840-1865)	Son of Thomas and Mary York	K-21
Jane (Quickfall) Kendall	86 (c.1780-1866)	Wife of Reverend Thomas Kendall	K-10
Jane Elizabeth Kendall	86 (c.1780-1866)	Daughter of George and Marry Ann, wife of William	K-08
Anne Haydon Tilbury	78 (1792-1871)	Daughter of John and Margaret, born in England, wife of Thomas Tilbury	K-01A
Ada Susannah Kendall	15 (c.1857-1872)	Daughter of John and Catherine	K-11
Thomas Chapman	79 (c.1795-1874)	Husband of Catherine Newell Chapman, born in England	K-23
Alfred Haydon	56 (c.1819-1875)	Son of Thomas Tilbury and Ann	K-01
Catherine Newell Zillman (Kendall)	33 (1842-1875)	Daughter of Thomas Surfleet and Caroline Blake (Rutter) Kendall, wife of John Haman Leopold Zillman	K-17
George Oscar Surfleet Kendall	2 years 8 months (1875-1878)	Son of Robert Oscar and Emma (Hunt) Kendall	K-12
Mary McAndrew	23 (c.1855-1878)	Wife of George McAndrew	K-05
William Charles King	30 (c.1849-1879)	Husband of Sarah Elizabeth (Chapman) King	K-02
James (Bedad) Armstrong	Unknown (death 1880)	Son of Robert and Isabella Armstrong, born in Pettigoe, on the Tarmon River, Ulster, Fermanagh [Fermanagh], Ireland, husband of Jane (Johnston) and Alice McReedy)	K-25
John Black	50 (c.1831-1881)	Former mayor of Kiama, husband of Charlotte Elizabeth Kendall ⁷⁹	K-16
Mary Anne Denning	69 (c.1812-1881)	N/A	K-22
William Wenham	(death 1881)	Born in Northium, Sussex, England	K-06
Mary Ann Hunt	19 (c.1863-1882)	Daughter of George and Mary Ann Hunt	K-08
T. S. Kendall	76 (c.1807-1883)	Thomas Surfleet, eldest son of Rev. Thomas and Jane (Quickfall) Kendall, spouse of Caroline Blake	K-14
Harriet Geary	49 (c.1835-1884)	Daughter of Thomas and Louisa	N/A
John Hay Caird	30 (c.1855-1885)	Son of James H and Helen, husband to Sarah Elizabeth Chapman	K-02B

⁷⁹ (The Kiama Independent 1881)

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Name	Age (birth-death)	Biographical details (where known)	Memorial stone reference ⁷⁸
Caroline Blake Kendall	81 (c.1810-1891)	Wife of Thomas Surfleet	K-14
Mary Ann Hunt	66 (c.1828-1894)	Wife of George Hunt	K-08
Mary Cecelia (Kendall) Fuller	50 (c.1845-1895)	Daughter of Thomas Surfleet and Caroline (Blake) Kendall, wife of Thomas James Fuller	K-13
Cecelia Kendall Fuller	50 (c.1845-1895)	Daughter of Thomas Surfleet and Caroline Blake, wife of Thomas James	K-19
John Kendall	77 (1818-1895)	Born in Bay of Islands, New Zealand, son of Thomas Kendall, husband to Catherine (McLean)	N/A
Greta Dora Hunt	11 months (c.1896-1897)	Daughter of James and Emma Hunt	K-09
Leslie Kendall Fuller	11 (c.1886-1897)	Son of Thomas James Fuller and Mary Cecelia Fuller (nee Kendall)	N/A
Annie W. Haydon	80 (1819-1899)	Daughter of Thomas and Ann Hayden, wife of Alfred Hayden and Archibald W	K-01B
Catherine Hindmarsh (McLean)	82 (1820-1902)	Born in Tipperary, Ireland, wife of Thomas Tilbury	N/A
George Hunt	75 (c.1827-1902)	Husband of Mary Ann Hunt	K-08
John Geary	91 (c.1813-1904)	Born in Lambeth, Surrey, England, husband of Harriet	N/A
Edwin Surfleet Fuller	29 (c.1876-1905)	Son of Thomas James and Mary Cecelia (Kendall)	K-13
Thomas Robert Kendall	73 (c.1832-1905)	Father of Private Louis Stanley Kendall, husband of Margaret Ann Kendall ⁸⁰	K-07
Margaret King	75 (c.1830-1905)	Daughter of James Moody, wife of Alexander King	K-04
Annie Wilkinson	52 (1856-1908)	N/A	K-27
Margaret Ann Kendall	73 (c.1863-1909)	Mother of Private Louis Stanley Kendall, wife of Thomas Robert Kendall ⁸¹	K-07
Ellen Crawford	81 (c.1829-1910)	N/A	K-05

⁸⁰ ('The Late PTE L. S. Kendall.', 1918)

⁸¹ ('The Late PTE L. S. Kendall.', 1918)

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Name	Age (birth-death)	Biographical details (where known)	Memorial stone reference ⁷⁸
Private Louis Stanley Kendall	39 (1878-1917)	Private Louis Stanley Kendall, killed in action in Belgium 23 October 1917 ⁸² , son of Thomas Robert and Margaret Ann Kendall	N/A
Charlotte Elizabeth Black (Kendall)	81 (c.1838-1919)	Wife of John Black, daughter of Thomas Surfleet and Caroline Blake	K-15
Robert Oscar Kendall	80 (1840-1920)	Son of Thomas Surfleet and Caroline Blake (Rutter) Kendall, husband of Emma (Hunt) Kendall	K-12
Margaret Kendall (Marks) Bailey	65 (c.1856-1921)	Daughter of Robert and Jane Catherine (Kendall) Marks, wife of Alfred Bailey	K-18
Selina Emily Kendall	78 (c.1848-1926)	Daughter of Thomas Surfleet Kendall and Caroline Blake (Rutter)	K-19
Emma Kendall (Hunt)	81 (c.1854-1935)	Daughter of George and Mary Ann Hunt, wife of Robert Oscar Kendall	K-12
Sarah Elizabeth Caird	82 (1855-1937)	Formerly King, daughter of Selina, wife of William Charles King and of John Hay	K-02C
Helen Hay Caird	60 (c.1885-1945)	Daughter of John Hay and Sarah Elizabeth (Chapman)	K-02A
Charles Hartwell King	69 (1879-1948)	Son of William Charles and Sarah Elizabeth (Chapman) Kendall	K-03

⁸² ('The Late PTE L. S. Kendall.', 1918)

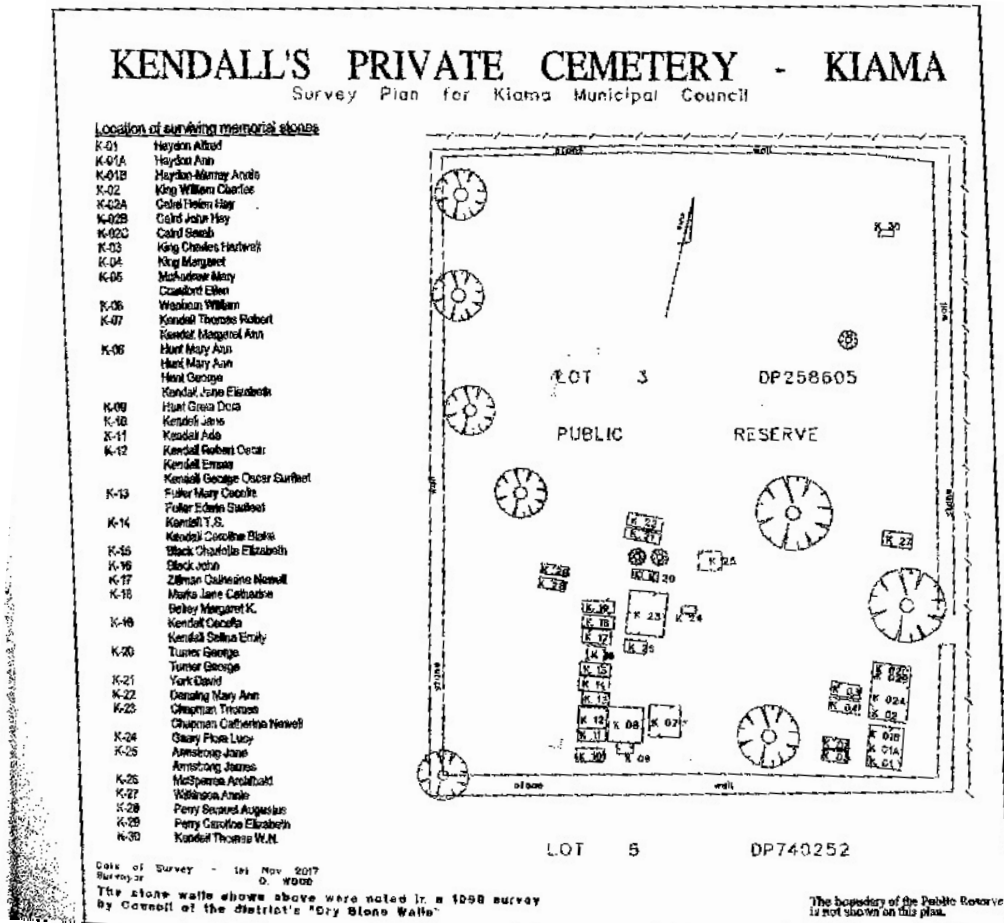


Figure 9 2017 survey of Kendall's Cemetery noting memorial stone reference numbers (best available image copy) (Source: (Lark 2018))

Dry Stone Walls and landscape features

As is noted in Section 2.1.4 above, once the landscape had been cleared of timber, farmers grazed cattle and established crops. In order to plough the fields for crops and cattle feed, the scattered stones were removed from above and just below the ground surface and piled at the edges of paddocks. From at least the 1850s and 1860s these stones were used to create fences and property or allotment boundaries.⁸³

The prominence of dairying within the region led to the development of the distinctive dry stone wall pastoral landscape recognisable throughout Kiama and its surrounds. The study area contains a series of extant dry

⁸³ (Mayne-Wilson & Associates 1998, pp. 1)

stone walls which may date to the period from 1857-1927, when Thomas Newing and his son were active in their construction of dry stone walls within the Kiama region. It has been claimed that the pair built around 95% of the walls in Shellharbour, Dunmore, Woodstock, Jamberoo, Kiama, Gerringong, Foxground and Berry.⁸⁴ As such, it is highly likely that the Newings constructed at least some of the stone walls present within the study area, but this provenance is difficult to confirm through documentary evidence.

In 1856, Thomas Newing of Kent arrived in NSW on the *Ann Maria*, relocating to the Illawarra region in the same year. Newing's 1927 obituary and other newspaper articles from 1936 read that he gained employment with W. Cooke of Longbrush in Kiama, for whom he worked for approximately 18 months. Following this, Newing took up various jobs around the district clearing land for farming. Newing was undertaking such work at Joseph Pike's property at Foxground, piling the stones removed from the soils. It is said that Newing learnt dry stone wall building techniques as part of his time at Foxground, but the name and origin of his teacher is not specified. Newing embraced dry stone wall building as a trade and subsequently built a reputation in Kiama and beyond as a master of dry stone wall building, also training his son.⁸⁵

Newing is known to have almost exclusively built double stone walls, also known as double-dyke stone walls.⁸⁶ Dry stone walls can be built as a 'single' wall, of one stone in thickness, or two stone walls (double stone wall) built parallel to each other. Most of the walls within the Kiama district are double walls. A double stone wall consists of two stone walls built from 'facing stones' built parallel to each other with the core in-filled with smaller 'hearting or packing' stones. Cover (top) stones span the full width of the dyke and are used to hold the two facing walls together (Figure 10).⁸⁷ This style of building produces a thick and substantial wall and is the most common style encountered on the Illawarra and south coast of NSW. Dry stone walls within the south coast can be divided into three separate functions paddock fences, roadside walls and yard walls.⁸⁸ Dry stone walls were generally used up until the 1880s when wooden and wire fencing became cheaper and more cost effective to implement.⁸⁹

⁸⁴ (Thomas Newing 1936)

⁸⁵ (The Kiama Reporter and Illawarra Journal 1927, Thomas Newing 1936)

⁸⁶ Abraham 1991, 10

⁸⁷ Abraham 1991, 101

⁸⁸ Abraham 1991, 10

⁸⁹ (Charles Newing 1936, Warwick Mayne-Wilson Associates 2000, Mayne-Wilson & Associates 1998)

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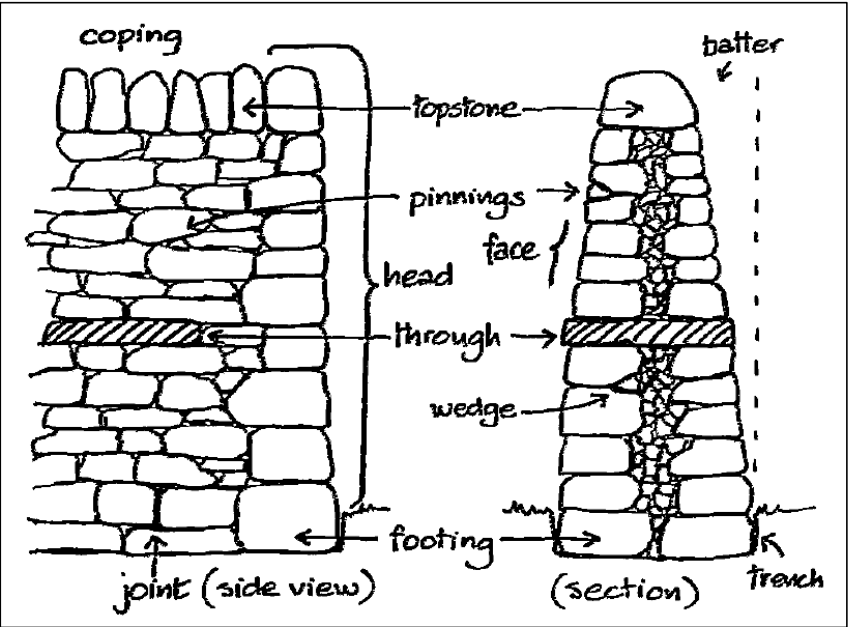


Figure 10 Terminology and features of a dry stone wall (Source: Brook 1994, 7)

Documentary evidence was reviewed in an attempt to determine the construction dates of the walls located within the study area. While plans related to ownership, subdivision and reservation or resumption of the land contained within or adjacent to the study area exist, few provide details of the walls themselves.

A Crown plan for the deviation of the Main South Coast Road at Mt Terry identifies several stone walls [2] [3] on the Kendall property (Figure 11); the plan was surveyed on 19 December 1878.⁹⁰ A Crown plan for a further deviation of the road dated to 1891 also notes the continued presence of the wall (albeit outside of the study area) on the older road alignment.⁹¹

⁹⁰ (Surveyor General's Office 1878)

⁹¹ (Surveyor General's Office 1891)

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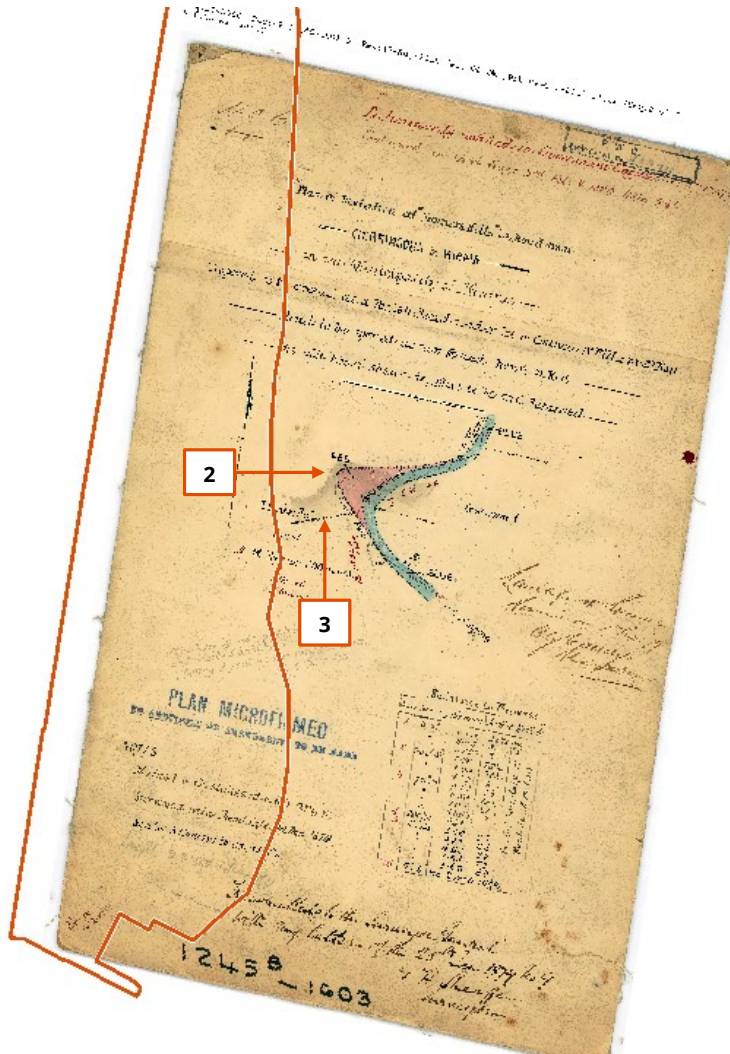


Figure 11 Extract from an 1878 Crown plan for the deviation of the Main South Coast Road, which records two stone walls [2] [3] within Kendall's property; this plan has been georeferenced with limited reference information and as such may be out of alignment (Source: (Surveyor General's Office 1878))

A Certificate of Title issued on 5 March 1969 identifies several stone walls within the study area (Figure 12). These are: an 'old stone wall' [4] on the western boundary of the study area running north-south, ceasing south of the cemetery and transitioning to an 'old post and wire fence over 50 years old'; an 'old stone wall' [5] cutting into the southern portion of the study area running roughly east-west; and the 'stone wall' [6]

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surrounding Kendalls Cemetery [1].⁹² The stone wall marking the western boundary of the study area is also noted on a 1979 plan. The wall continues to extend along the majority of the lot boundary.⁹³

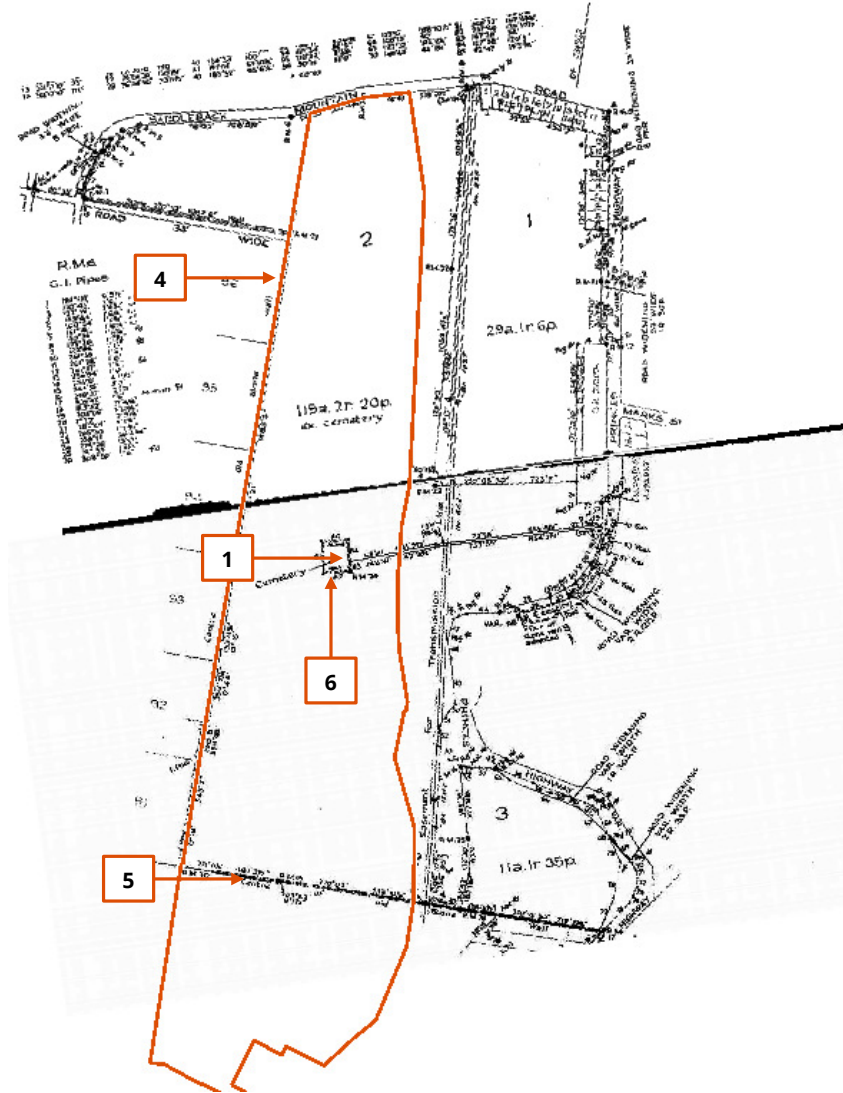


Figure 12 1969 Certificate of Title extract, highlighting the recorded locations of stone walls [4] [5] [6] and Kendall's Cemetery [1] within the study area (Source: (NSW Land Registry Services 1969))

⁹² (NSW Land Registry Services 1969)

⁹³ (NSW Land Registry Services 1978)

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Kiama Council have identified and assessed the majority of walls within the study area. Table 2 provides a summary of the assessed walls. Figure 13 identifies the location of the assessed walls.

Table 2 Summary of dry stone walls within the study area previously assessed by Kiama Municipal Council

Council wall no.	Biosis structure number	Likely date of construction	Builder	Land use	Purpose of wall	Commissioning owner(s)
196	4	c.1880-1890	Unknown	Dairying	Paddock and property boundary	Original owners of all lands along the length of the wall are unknown
198	6	1885	Possibly Newing	Dairying	Cemetery boundary	Thomas Surfleet Kendall
231	7	Not recorded	Not recorded	Not recorded	Not recorded	Not recorded
232	5	c.1860-1870	Unknown	Dairying	Paddock boundary	Original owner unknown
233	8	Not recorded	Not recorded	Not recorded	Not recorded	Not recorded
234	9	c.1860-1870	Unknown	Dairying	Paddock boundary	Original owner unknown
235	10	Not recorded	Not recorded	Not recorded	Not recorded	Not recorded
236	11	c.1860-1870	Unknown	Dairying	Former holding yard boundary	Original owner unknown
237	12	c.1880	Unknown	Dairying	Paddock boundary	Original owner unknown
238	13	c.1860s	Unknown	Dairying	Paddock boundary	Original owner unknown
239	14	c.1880	Presumed original land owner	Dairying	Possible side of original holding pen	Original owner unknown
240	15	c.1880	Presumed original land owner	Dairying	Possible side of original holding pen	Original owner unknown
241	16	-	-	-	-	-
242	17	c.1870-1880	Unknown – probably original property owner	Dairying	Small embankment wall for cattle movement	Original owner unknown

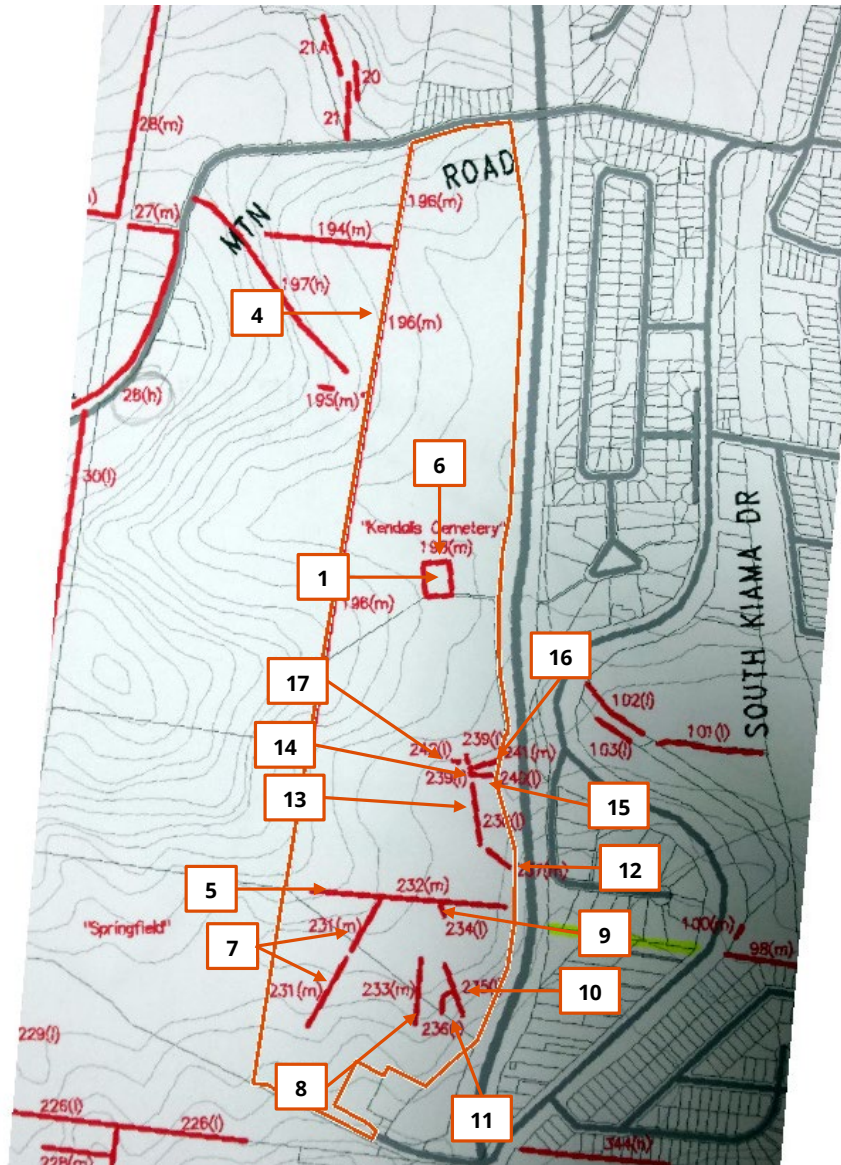


Figure 13 Plan featuring the dry stone walls assessed by Council (date unknown) as summarised in Table 1 above; note that Wall 231 [7] is composed of two sections, with the northern wall measuring 71 metres and the southern wall 130 metres (Source: Courtesy of Kiama Municipal Council)

Subsequent work commissioned by Council has identified several more dry stone walls. These include three sets of walls in the southern portion of the study area in the vicinity of Munna Munnora Creek [19] [20] [21], and a wall [22] in the northern portion of the study area adjacent to a creek that runs east (see Figure 3).

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Many of these dry stone walls are visible on historical aerial photographs. A review of aerial imagery dating to 1949 and 1970 shows some of the former extents of Council's identified dry stone walls, along with several others which are now overgrown by vegetation [23] (Figure 14 to Figure 19).

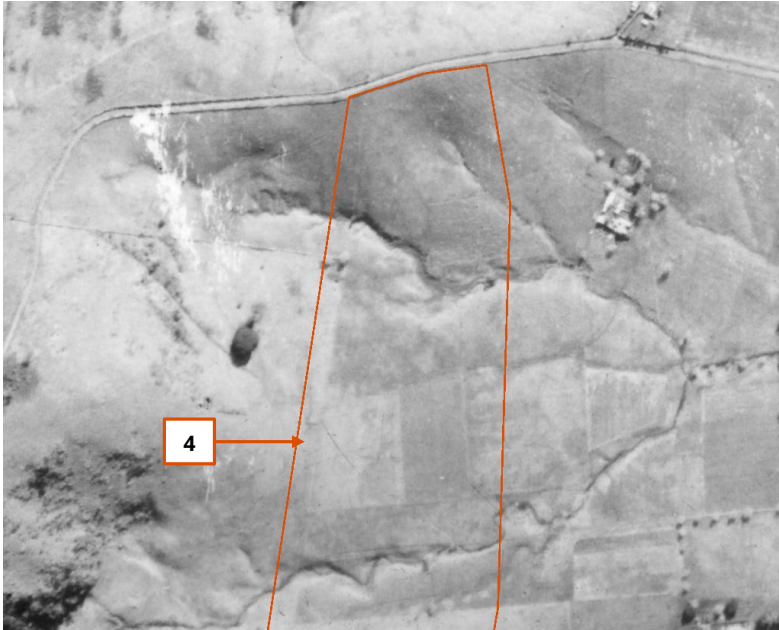


Figure 14 1949 aerial photograph, northern portion of study area, showing dry stone walls (Source: NSW Land and Property Information 2017)

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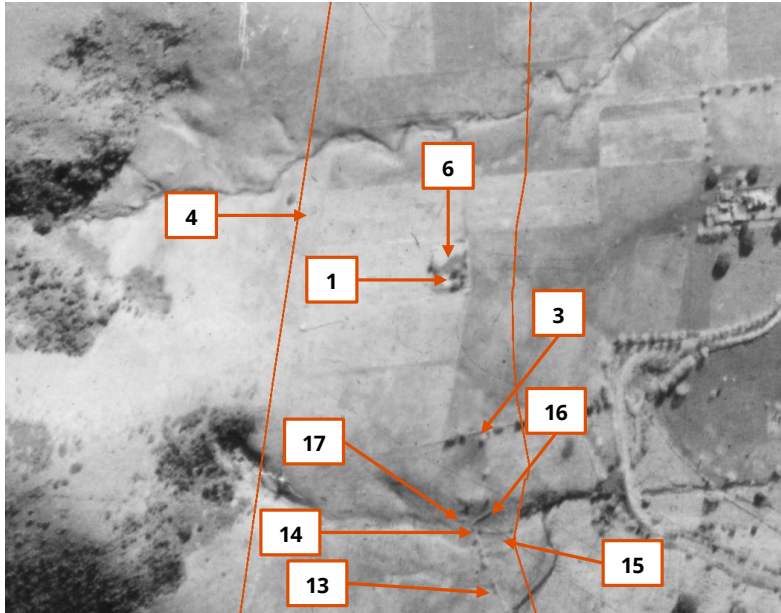


Figure 15 1949 aerial photograph, central portion of study area, showing dry stone walls (Source: NSW Land and Property Information 2017)

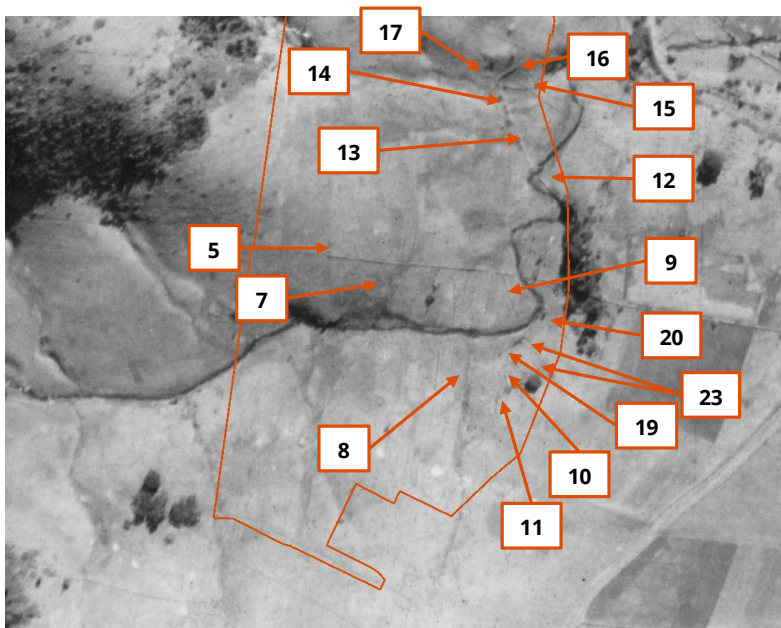


Figure 16 1949 aerial photograph, southern portion of study area, showing dry stone walls (Source: NSW Land and Property Information 2017)

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Figure 17 1970 aerial photograph, northern portion of study area, showing dry stone walls (Source: NSW Land and Property Information 2017)

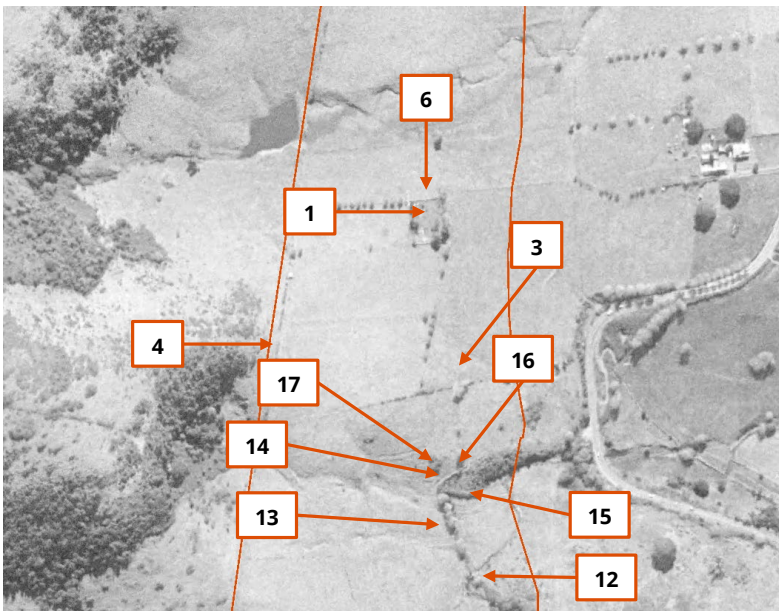


Figure 18 1970 aerial photograph, central portion of study area, showing dry stone walls (Source: NSW Land and Property Information 2017)

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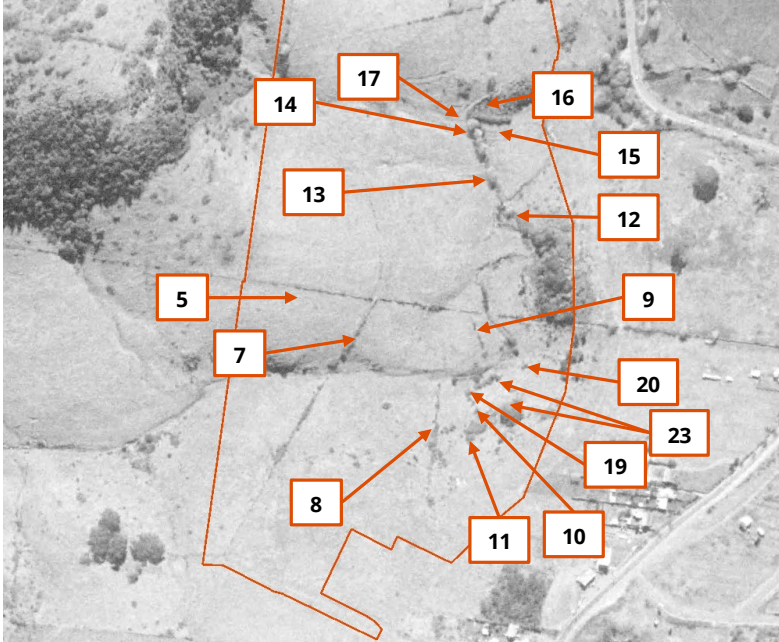


Figure 19 1970 aerial photograph, southern portion of study area, showing dry stone walls (Source: NSW Land and Property Information 2017)

There are also a range of agricultural landscape features throughout the study area, such as non-dry stone wall fences (post and wire, for example), tracks and a square concrete structure [24] adjacent to wall 196 [4], west of the cemetery. The structure is entirely concrete and has four sides with no access, openings or intrusions of any kind, and current aerals indicate that it also does not have a roof and is open to the elements. The function of this structure is not known, but there is speculation in the community that this structure is associated with World War II (WWII) shore or coastal defences. A radar station had been established nearby at Saddleback Mountain. Radar stations were built from a range of materials, and were sometimes retained on the back of vehicles or trailers to allow for easy relocation, and were often camouflaged.⁹⁴ However, it has not been possible to confirm through research for this CMP what the purpose of this structure is or its history.

2.1.6 Sequence of development of the study area

Based upon the historical research presented, it is possible to summarise the structural chronology of the study area, this is presented in Table 3. Please note, Biosis' structure numbering is in line with the numbering Council has used in the Kiama DCP Chapter 12.11 SKURA. This is why there are some gaps in the structure or wall numbering.

⁹⁴ (Kiama Library n.d., McKinnon 1993)

Table 3 Chronological development of the study area

Structure or wall no.	Structure	Construction date	Demolition date
1	Kendall Family Cemetery	c.1853	N/A
2	Stone wall (north-west to south-east) near 1878 deviation of Main South Coast Road	Pre-1878	Unknown
3	Stone wall (south-west to north-east) near 1878 deviation of Main South Coast Road	Pre-1878	Unknown
4	Old Stone Wall, paddock and property boundary wall	c.1880-1890	N/A
5	Old Stone Wall, paddock boundary	c.1860-1870	N/A
6	Cemetery walls	c.1853-1885	N/A
7	Dry stone wall 231	Unknown	N/A
8	Dry stone wall 232	Unknown	N/A
9	Paddock boundary wall	c.1860-1870	N/A
10	Dry stone wall 235	Unknown	N/A
11	Former holding yard boundary	c.1860-1870	N/A
12	Paddock boundary wall	c.1880	N/A
13	Paddock boundary wall	c.1860s	N/A
14	Possible side of original holding pen	c.1880	N/A
15	Possible side of original holding pen	c.1880	N/A
16	Dry stone wall 241	Unknown	N/A
17	Small embankment wall for cattle movement	c.1870-1880	N/A
19	Holding pen or stockyard	Pre-1949	N/A
20	Holding pen or stockyard	Pre-1949	N/A
22	Retaining wall	Pre-1949	N/A
23	Holding pen or stockyard	Pre-1949	Unknown
24	Square concrete structure adjacent to wall [4]	Pre-1949	N/A

2.1.7 Research themes

Contextual analysis is undertaken to place the history of a particular site within relevant historical contexts in order to gauge how typical or unique the history of a particular site actually is. This is usually ascertained by gaining an understanding of the history of a site in relation to the broad historical themes characterising Australia at the time. Such themes have been established by the Australian Heritage Commission and the NSW Heritage Office and are outlined in synoptic form in NSW Historical Themes.⁹⁵

There are 38 State Historical Themes, which have been developed for NSW, as well as nine National Historical Themes. These broader themes are usually referred to when developing sub-themes for a local area to

⁹⁵ (Australian Heritage Council 2022, NSW Heritage Council 2001)

ensure they complement the overall thematic framework for the broader region. There is currently no known thematic history for the Kiama LGA.

A review of the contextual history has identified four historical themes which relates to the occupational history of the study area. This is summarised in Table 4.

Table 4 Identified historical themes for the study area

Australian Theme	NSW Theme	Local Theme
Land, water and resource use • Pastoralism • Agriculture	Agriculture	No local themes. Activities relating to the cultivation and rearing of plant and animal species, usually for commercial purposes, can include aquaculture
Settlement: pre and post Federation	Land tenure	No local themes. Activities and processes for identifying forms of ownership and occupancy of land and water, both Aboriginal and non-Aboriginal
Memorialising events and people	Birth and death	No local themes. Activities associated with the initial stages of human life and the bearing of children, and with the final stages of human life and disposal of the dead.
	Persons	No local themes. Activities of, and associations with identifiable individuals, families and communal groups

2.2 Physical Evidence

A physical inspection of the study area was undertaken on 29 October 2024, attended by Charlotte Allen, Senior Heritage Consultant, and Sakia Ahmed, Built Heritage Consultant. The principal aims of the survey were to identify heritage values associated with the study area; this included any heritage items. Heritage items can be buildings, structures, places, relics or other works of historical, aesthetic, social, technical/research or natural heritage significance. 'Places' include conservation areas, sites, precincts, gardens, landscapes and areas of archaeological potential.

2.2.1 Landscape character

The purpose of this section is to provide an analysis and description of the study area as part of a cultural landscape. The cultural landscape concept emphasises the landscape-scale of history and the connectivity between people, places and heritage items. It recognises the present landscape is the product of long-term and complex relationships between people and the environment. For the purposes of this report cultural landscapes are defined as: '... those areas which clearly represent or reflect the patterns of settlement or use of the landscape over a long time, as well as the evolution of cultural values, norms and attitudes toward the land.'⁹⁶

⁹⁶ Context P/L et al. 2002

2.2.2 An overview of cultural landscapes

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

Three general landscape categories have been developed and applied by heritage organisations to assist in understanding different types of landscapes:⁹⁷

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

2.2.3 The study area as a cultural landscape

The study area is located within a designed landscape which has been cleared and adapted for the purpose of dairying, an activity for which the property was associated for much of its occupation. The cultural landscape within the study area can be divided into two landscape zones: the pastoral landscape; and Kendalls Cemetery.

The dairying landscape associated with the study area dates to the mid-19th century shift from crop agriculture to dairying as the predominant industry within the area. The landscape was likely developed through the implementation of clearing leases and tenant farming instituted as part of the *Barroul Estate*. The dairying landscape associated with the study area, like many others in the area consists of internal and external boundaries. Natural boundaries which characterise the cultural landscape are primarily the result of the Munna Munnora Creek River and its associated tributaries. These dissect a landscape of gentle to steep hills. The study area retains its character as a partially intact example of the original pastoral *Barroul Estate*, originally associated with the c.1836 Kendall House to the north-east and 1850s Barroul House to the east. The study area remains the last intact example of the *Barroul Estate*, the eastern portion of which has undergone significant subdivision and development during the 20th century.

The landscape of the study area typifies the exploitation of every suitable portion of land for dairying. The property appears to have remained unchanged for much of its history following its transition from crop farming to dairying in the mid-19th century. Boundary and yard fences constructed from stone, likely by Thomas Newing and his son, create barriers and prominent features within the landscape. These dry stone walls form not only property boundaries, but also holding pens which likely date to the earliest use of the property as a dairy during the mid- to late-19th century. Of particular note is the long, western dry stone wall [4] which likely marked the original western boundary of the Kendall's *Barroul Estate* with the small holdings to the west.

Kendalls Cemetery [1] is situated on a broad crest at the centre of the property that overlooks the surrounding pastoral landscape. The cemetery is delineated from the surrounding agricultural land by dry

⁹⁷ United Nations Educational, Scientific and Cultural Organisation 2012

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stone walls [6], with landscaping including mature trees and plantings creating a formal backdrop. Prior to the planting of screening vegetation along the Princes Highway, the cemetery likely held an outlook east to the coastline and Pacific Ocean. Of note also is the former visual connectivity between the cemetery and Barroul House to the north-east.

2.2.4 Views to and from the study area

It is important to analyse and describe views to and from components within a cultural landscape to help understand how it is experienced and to understand the nature of an evolving landscape. This enables a greater understanding of what aspects of the landscape need to be conserved and protected.

Significant views within the study area are primarily related to Kendalls Cemetery, particularly the northern and southern aspect, unobscured by trees, which maintain an uninterrupted view over the pastoral landscape which has dominated the area for the last 150 years. Plantings of trees along the eastern edge of the cemetery and the adjacent highway also appear to obscure views of the ocean. The plantings are adjacent to the Princes Highway are assumed to be planted during that road's construction as they are not evident in the earlier aerial photographs.

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Views of, within and from the study area

Northern portion of the study area



Figure 20 View to the north of the study area and to Saddleback Mountain Road from the low land of the study area, facing north

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Figure 21 View of the central portion of the study area overlooking the creek to the north east



Figure 22 View to the northern boundary of the study from the low-lying land, facing north

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Figure 23 View of Saddleback Mountain Road from the northern boundary of the study area, facing west



Figure 24 View of Saddleback Mountain Road from the northern boundary of the study area, facing east; Kendall House is not visible but its direction is indicated by the annotation

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Figure 25 View of the Princes Highway from Saddleback Mountain Road and the low lying land of the northern portion of the study area; the approximate location of Barroul House is indicated by the annotation



Figure 26 View of the study area from the northern boundary, facing south

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Figure 27 View of the high land landscape within the study area near the Kendall Cemetery looking to the eastern boundary

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Central portion of the study area



Figure 28 View of the arched underpass of the Princes Highway from the farm entry, facing east

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Figure 29 View from the arched underpass of South Kiama Drive, facing west



Figure 30 View of the driveway to the study area from the eastern entry, facing east

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Figure 31 View of the landscape to the high land of the study area, facing Saddleback Mountain Road to the north



Figure 32 View to the high land landscape of the study area, west

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Figure 33 View of the farmland area in the eastern portion of the study area, facing south-east



Figure 34 View of the landscape to the low land of the study area overlooking the south-eastern portion of the study area, facing south-east towards Weir Street

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Figure 35 View of South Kiama Drive and the Princes Highway from the high land of the study area, facing south-east



Figure 36 View to Kiama Heights from the study area to the low land area, facing north-east

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Figure 37 View of South Kiama Drive and Kiama Heights the from the high land of the study area, facing south-east



Figure 38 View of the low land of the study area from dry stone wall [13] in the eastern portion of the study area, facing south

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Southern portion of the study area



Figure 39 View of the southern portion of the study area including Munna Munnora Creek, facing north



Figure 40 View of the low lying land in the southern portion of the study area, facing north-west

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Figure 41 View of Munna Munnora Creek in the southern portion of the study area, facing south east



Figure 42 View of Munna Munnora Creek in the southern portion of the study area, facing west

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Figure 43 View of the southern portion of the study area towards Weir Street, facing south



Figure 44 View of the high land in the southern portion of the study area from Weir Street, facing north

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Views of dry stone walls within the study area



Figure 45 Existing condition of the western boundary dry stone wall [4], facing north



Figure 46 View of the western boundary dry stone wall [4], facing north

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Figure 47 View of the western boundary dry stone wall [4], facing north



Figure 48 View of the concrete structure [24] near the western boundary dry stone wall [4], facing north-west

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Figure 49 View of dry stone wall [5] on the southern side of the study area, facing south east



Figure 50 View of dry stone wall [5] and dry stone wall [7] in the southern portion of the study area, facing south west

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Figure 51 View of dry stone wall [7] in the southern portion of the study area



Figure 52 View of dry stone wall [13] in the eastern portion of the study area overlooking the lower landscape, facing south-west

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Figure 53 View of dry stone walls [14] [15] within the central portion of the study area, facing south-east



Figure 54 View of dry stone wall [14] within the central portion of the study area, facing east

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Figure 55 Detailed view of the existing condition of dry stone wall [14]



Figure 56 Dry stone walls [14] [16] within the eastern portion of the study area, facing south east

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Figure 57 Dry stone wall [22] within the northern portion of the study area

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Views of, from and within Kendalls Cemetery



Figure 58 View south-west from Kendalls Cemetery [1] to South Kiama Drive and the eastern portion of the study area, facing south-east



Figure 59 View of the central-western portion of the study area from the north-western corner of Kendalls Cemetery [1], facing north-west

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Figure 60 View of the central-northern portion of the study area from the northern boundary of Kendalls Cemetery [1], facing north-west



Figure 61 View of the north-eastern portion of the study area from the north-eastern corner of Kendalls Cemetery [1], facing north-east

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Figure 62 View of the south-eastern corner of Kendalls Cemetery [1], near the entrance to the cemetery, facing south-west



Figure 63 View of the southern boundary of Kendall Cemetery [1] study area from east of Kendalls Cemetery [1] with dry stone wall [6]

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Figure 64 View of the eastern cemetery boundary dry stone wall [6] from the north-eastern corner of Kendalls Cemetery [1], facing south



Figure 65 View from the north-eastern corner of Kendalls Cemetery [1] with the cemetery boundary dry stone wall [6], facing south-west

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Figure 66 View from the central portion of Kendalls Cemetery [1] with the cemetery dry stone wall [6], facing north-west



Figure 67 View from the central portion of Kendalls Cemetery [1] with cemetery boundary dry stone wall [6], facing north

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Figure 68 View from the central portion of Kendalls Cemetery [1] with cemetery boundary dry stone wall [6], facing south



Figure 69 View from the southern portion of Kendalls Cemetery [1], facing south-east

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Figure 70 View from the southern portion of Kendalls Cemetery [1] to the cemetery entrance, facing east



Figure 71 View from the southern portion of Kendalls Cemetery [1], facing south

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Figure 72 View from the southern portion of Kendalls Cemetery [1], facing north-west



Figure 73 View from the central portion of Kendalls Cemetery [1] of the cemetery boundary dry stone wall [6], facing east

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Figure 74 View from the central-western portion of Kendalls Cemetery [1] with cemetery boundary dry stone wall [6], facing north



Figure 75 View from the north-western portion of Kendalls Cemetery [1], facing south

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Figure 76 View west from the central western portion of Kendalls Cemetery [1] with cemetery boundary dry stone wall [6]



Figure 77 View of the cemetery northern boundary dry stone wall [6] in the Kendall Cemetery [1]

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Figure 78 View from the northern portion of Kendalls Cemetery [1] with cemetery boundary dry stone wall [6], *Eucalyptus smithii* and *Pinus radiata* facing south-west



Figure 79 View from the north-western portion of Kendalls Cemetery [1] showing the line of *Erythrina sykesii*, facing west

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2.2.5 Built fabric

The study area contains a range of built fabric. This can be summarised as a remnant of a nineteenth century retaining agricultural features and a family cemetery. The study area contains a range of modern features such as Colorbond sheds, posts and fence lines, watering troughs and plantings which based upon their built form and historical research are recent (post-1950s additions) and do not form significant elements of the site.

2.2.6 Landscape features

The following features have been identified as landscape features within the study area associated with the functioning of the land as a dairy farm. The position and fencing on the property are representative of the planning and functioning of the dairy farm. The fencing has been used to control and direct the cattle, as well as to separate the agricultural and spiritual functions that co-existed within the study area, as well as to define the use of various areas. Fencing and landscaping have been used to define the entrance and boundaries of Kendalls Cemetery.

Dry stone walls

A significant component of the heritage values of the study area are the dry stone walls that form part of the property boundary and yard walls.

The wall within the study area were further assessed in 2024 as part of the proposed works. Paul Connett from TTW in his memorandum notes that the existing condition of the dry stone walls within the study area.⁹⁸

At the centre of the site stands Kendell's [sic] Cemetery, which is enclosed by dry stone walls. It is proposed that the cemetery will form the centre of a public reserve and will be unaffected by the subdivision.

Along the western boundary of the site, dry stone wall number 4 runs for approximately 1.9km. The northern end of wall 4 is in very poor condition and mostly tumbled down. Wall 4 is unaffected by the proposed subdivision.

The dry stone walls stand approximately 1m high and are dry stone walls, constructed with stones taken from the land. The purpose of the walls was to form paddock and property boundaries, for dairy farming. Kiama Municipal Council's study assesses that the walls were likely constructed between c.1860 and 1890.

The walls are constructed with stones taken from the land. The walls are 'double stone walls', also known as double-dyke stone walls¹. A double stone wall consists of two stone walls built from 'facing stones' built parallel to each other with the core in-filled with smaller 'hearting or packing' stones. Cover (top) stones span the full width of the dyke and are used to hold the two facing walls together¹. The wall faces are battered towards each other, for stability, and higher walls may have 'through stones', tying the faces together.

The condition of the walls were assessed as part of the 2017 field survey conducted by Biosis; the condition ratings are summarised in Table 5.⁹⁹ The dry stone walls within the study area previously assessed by Biosis are summarised in Table 6. It should be noted that a number of walls could not be physically accessed in 2017 and therefore their condition could not be recorded in the field. Subsequent work by EMM Consulting Pty Ltd

⁹⁸ (Connett 2024)

⁹⁹ (Biosis 2018)

(EMM) commissioned by Council identified four more dry stone walls [19] [20] [21] [22] and one further wall identified in the course of developing this CMP [23]. Biosis does not have access to the assessment prepared by EMM. Apart from dry stone wall [22], which was inspected by Biosis in 2024, these walls have been subject to a desktop review using current aerial imagery (Table 7). The conservation policy in this CMP provides for detailed inspection as a part of the comprehensive survey and ‘wall recording’—see Section 5.5.

Table 5 Ratings and criterion for the condition assessment of the dry stone walls within the study area (Source: (Biosis 2018))

Rating	Criterion
Good	More than 75% complete, i.e. form of the wall is distinct
Average	50-75% complete, i.e. partially complete, form is clear
Poor	<50% complete

Table 6 Description of dry stone walls within the study area (Source: (Biosis 2018))

Kiama Dry Stone Walls Inventory No.	Wall no.	Description and condition	
		Kiama Heritage Inventory sheet	Biosis assessment (2017)
196	4	Good proportions: Correct overall proportions stability Type of foundation stones: Foundation layer is not visible to assess Face stones well interlocked: Moderate level of face stone engagement Good coping stones: Large, but inconsistent - most have fallen Intactness as a percentage: Average 70-80%	Double stone wall that runs along the western boundary of the study area. The wall varies in condition along its length from good to poor. Some topstones are missing and the wall is overgrown by weeds at some points. The condition of the wall deteriorates towards its northern end where it is in poor condition. Length: approx. 900 metres
198	6	Good proportions: Uneven face batter, but good proportions Type of foundation stones: Moderate-high base course support Face stones well interlocked: Especially along middle part of western arm Good coping stones: Generally coping layer has been removed Intactness as a percentage: Average 70-80% around the four arms of the wall	Double stone wall that forms the northern boundary of Kendalls Cemetery. The wall is in poor condition and heavily degraded at its western end. Length: approx. 50 metres Double stone wall that forms the eastern boundary of Kendalls Cemetery. The wall is in poor condition and mostly overgrown by hedges. Length: approx. 50 metres Double stone wall that forms the western boundary of Kendalls Cemetery. The wall is in moderate condition with topstones missing in some sections and some impacts from vegetation growth. Length: approx. 50 metres

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Kiama Dry Stone Walls Inventory No.	Wall no.	Description and condition	
		Kiama Heritage Inventory sheet	Biosis assessment (2017)
			Double stone wall that forms the southern boundary of Kendalls Cemetery. The wall is in moderate condition with topstones missing in some places. Length: approx. 50 metres
Newly identified	3	Not listed.	Double stone wall in poor condition, with only footings and some lower courses of stones surviving. Length: approx. 70 metres
239/241	14, 16	Wall 239 Good proportions: Not for the standard 'A' frame model Type of foundation stones: Very large, deeply set and very rectangular Face stones well interlocked: Relatively high considering scale of blocks Good coping stones: No identifiable coping distinct from face rock Intactness as a percentage: Average 90%, where visible and accessible Wall 241 Not available.	Curving double stone wall in good to moderate condition to the north of Minna Munnora Creek. Weeds and trees grow along the length of the wall with the eastern extent obscured by vegetation. Length: 45 metres
240	15	Good proportions: Not for the standard 'A' frame model Type of foundation stones: Very large, deeply set and very rectangular Face stones well interlocked: Large gaps across entire wall face Good coping stones: No identifiable coping layer present	Double stone wall in good to poor condition and lined with plantings on its northern side. Length: approx. 30 metres
237	12	Good proportions: Wide base course and good angled batter Type of foundation stones: Not visible, but presumed large Face stones well interlocked: High face rock engagement Good coping stones: Large, uniform blocks showing good binding	Double stone wall in poor to moderate condition with no topstones surviving. The wall is overgrown by weeds for most of its length. Length: approx. 30 metres

Kiama Dry Stone Walls Inventory No.	Wall no.	Description and condition	
		Kiama Heritage Inventory sheet	Biosis assessment (2017)
232	5	Good proportions: Very vertical southern face at the western end Type of foundation stones: Moderate and deeply set from wall subsidence Face stones well interlocked: Very good engagement, where intact Good coping stones: Limited amount of coping layer remains	Double stone wall in poor to moderate condition. The longest extent of the wall is heavily overgrown as assessed as being in bad condition. Length: approx. 220 metres
231	7 (north)	No information provided in inventory sheet	Double stone wall in poor to good condition, with well-preserved sections in its southern half. The wall is heavily obscured by lantana in some areas. Length: approx. 80 metres
231	7 (south)	No information provided in inventory sheet	Double stone wall in poor condition, heavily overgrown by vegetation obscuring most of its length. Length: approx. 130 metres
233	8	No information provided in inventory sheet	Double stone wall in poor to moderate condition. The length of the wall is heavily overgrown by weeds, but the condition of the wall is particularly poor at its southern extent where it is largely obscured by vegetation. Length: approx. 95 metres
236	11	Good proportions: Large base course width, where intact Type of foundation stones: Very large and planar shapes utilised Face stones well interlocked: Quite tight engagement for a paddock division Good coping stones: No identifiable coping layer remains	Wall unable to be assessed as it is inaccessible.
234	9	Good proportions: Good, small, solid 'A' frame shape Type of foundation stones: Moderate scale, but mostly not visible Face stones well interlocked: Quite tight engagement for a paddock division Good coping stones: Some very large coping blocks adjoining wall	Wall unable to be assessed as it is inaccessible.

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Kiama Dry Stone Walls Inventory No.	Wall no.	Description and condition	
		Kiama Heritage Inventory sheet	Biosis assessment (2017)
235	10	No information provided in inventory sheet	Wall unable to be assessed as it is inaccessible.
238	13	Good proportions: Wide base course width suggests good footing Type of foundation stones: Mostly not visible, but presumed large Face stones well interlocked: Irregular face rock engagement Good coping stones: Majority of coping layer has disappeared	Wall unable to be assessed as it is inaccessible.
242	17	Good proportions: Not for the standard 'A' frame model Type of foundation stones: Very large, deeply set and some in-situ used Face stones well interlocked: Large gaps across entire exposed wall face Good coping stones: No identifiable coping layer present	Wall unable to be assessed as it is inaccessible.

Table 7 Description of dry stone walls – desktop only assessment

Kiama Dry Stone Walls Inventory No.	Wall no.	Description and condition	
		Kiama Heritage Inventory sheet	Assessment
-	19	N/A	Visual desktop assessment only. Age and builder is unknown. Located in a densely vegetated area – wall not visible. Length: approx.. 10m (based on mapping in the Kiama DCP Chapter 12.11)
-	20	N/A	Visual desktop assessment only. Age and builder is unknown. Located in a densely vegetated area – wall not visible. Length: approx.. 40m (based on mapping in the Kiama DCP Chapter 12.11)
-	21	N/A	Visual desktop assessment only. Age and builder is unknown. Wall not visible in aerial imagery. Length: approx.. 20m (based on mapping in the Kiama DCP Chapter 12.11)

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Kiama Dry Stone Walls Inventory No.	Wall no.	Description and condition	
		Kiama Heritage Inventory sheet	Assessment
-	22	N/A	Inspected by Biosis in 2024. Dam or retaining wall at bend in creek in good condition. Large facing stones and smaller stone rubble infill. Vegetation had been slashed prior to inspection. Age and builder is unknown. Length: approx. 10m
-	23	N/A	Visual desktop assessment only. Age and builder is unknown. Located in a densely vegetated area – wall not visible. Length: approx.. 40m (based on 2001 aerial)

2.2.7 Kendalls Cemetery

Kendalls Cemetery [1] appears to have been in use from the 1850s to 1940s. It occupies a broad flat crest within the wider landscape of rolling to steep hills and is delineated from its agricultural surroundings by dry stone walls. The physical inspection by Biosis (2018) identified 33 grave markers, with the earliest identifiable monument belonging to Caroline Elizabeth Perry (1795-1853) and the latest commemorating Charles Hartwell King (1879-1948). A list of burials compiled from multiple sources is presented in Table 1 and a 2017 survey plan of the cemetery is presented in Figure 9.

Grave markers within the cemetery take a number of forms and styles, including upright stelae, horizontal slabs, crosses and plaques made from sandstone, marble and granite. Markers exhibit both gothic and neoclassical stylistic elements. Boundaries of graves and family plots within the cemetery are indicated by raised slabs, stone kerbing and low fence lines (Figure 80 to Figure 86). The pedestal and column grave marker of John Black is of particular note both for its elaborateness and masonic iconography (Figure 86).

The condition of headstones and grave markers was subject to a comparative analysis to identify any significant changes of these elements since 2017. This comparative analysis is presented in Table 8.

Table 8 Comparative analysis of the current condition of the graves and headstones

Figure	Biosis 2017 survey	Biosis 2024 survey	Observations
Figure 80 Headstone memorials surrounded by low fence lines			• Additional lichen growth. • No apparent degradation of headstone or fencing. • Unmanaged vegetation growth.
Figure 81 Raised horizontal slab memorials surrounded by derelict low fence lines			• No observable change apart from slight repositioning of iron fence and vegetation growth.

Figure	Biosis 2017 survey	Biosis 2024 survey	Observations
Figure 82 Raised horizontal slab with crucifix, memorial plaque with stone kerbing and crucifix memorial with stone kerbing			• Additional lichen growth. • Possible minor weathering of stone. • Vegetation growth and fallen bracken.
Figure 83 Horizontal slab and memorial plaque with stone kerbing			• Engraving stone has been cleaned along with sandstone around it. • South-western corner stone of kerbing has been repositioned into place (previously just sat adjacent to eastern kerb). • Weathering on kerbing stone.

Figure	Biosis 2017 survey	Biosis 2024 survey	Observations
Figure 84 Memorial headstones with stone kerbing			- Crack more pronounced on centre upper portion of memorial stone on left side grave (indicated by arrow). - More lichen growth. - Increased vegetation.
Figure 85 Memorial headstone with stone kerbing and stone plot outline			- Some cracking to visible part of right-side grave slab at western end (indicated by arrow). - Minimal vegetation growth.

Figure	Biosis 2017 survey	Biosis 2024 survey	Observations
Figure 86 Grave marker of John Black, former mayor of Kiama, view west			• Additional lichen growth and weathering. • Possibly loss of soil underneath base through erosion/wash out. • No observable damage to stone.

2.3 Historical Archaeology

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

2.3.1 Archaeological context – cemetery sites

In order to better understand the archaeological context of the Kendalls Cemetery, a review of relevant historical archaeological reports has been undertaken to inform the archaeological assessment of this portion of the study area. These reports investigate funerary or memorial sites comprising early or remote burial grounds or cemeteries, or former cemetery sites which contain unmarked graves. The reports reviewed comprise:

- *Apex Park. Corner Hume Highway & Elizabeth Street, Liverpool, NSW*¹⁰⁰
- *Pacific Highway Upgrade Between Narara and Lisarow, NSW (Stage 4). Historical Test Excavation, Lisarow Anglican Cemetery*¹⁰¹
- *Windsor Roman Catholic Cemetery, Windsor, NSW. Historical Archaeological Test Excavation Report*¹⁰²
- *The Old Roman Catholic Cemetery. Crown Street, Wollongong. c.1830-1995. Conservation Plan and Background Information. The Old Roman Catholic Cemetery. Crown Street, Wollongong. c.1831-1995*¹⁰³

Based on the review of the above comparative sites there are a number of archaeological features likely to be present within Kendalls Cemetery. These comprise the presence of stone, concrete or timber headstones, burial markers, funerary monuments and grave surrounds or kerbing. Kendalls Cemetery features extant examples of these stone and concrete features. However, should any have been made of timber, these would have suffered from decay over time, or even damage or destruction should fires have occurred in the past. Grave cuts for any unmarked graves would also be visible under turf and topsoils. Grave cuts are likely to be discrete in nature, with the backfill consisting of local soils excavated from the cut and other natural or artefactual inclusions. Burials at Kendalls Cemetery have been organised in rows running north to south, in an east-west orientation as per Christian burial practices. If grave cuts follow a different alignment, this could indicate alternative religious burial practices, or hasty burial.

With regards to depth of burials, the archaeological investigation of the Roman Catholic Cemetery on Crown Street, Wollongong, provides information which should be considered. It is possible that graves may be located within 1-1.5 metres below ground level. It is also possible that burials may have been disturbed by past animal activity and root growth from the substantial trees present within the cemetery, as well as grave diggers establishing a new grave and encountering an existing, unmarked burial; this could have resulted in the movement of skeletal remains and bone fragments within the upper level of the soil above the burial depths.

¹⁰⁰ (Austral Archaeology Pty Ltd 2021)

¹⁰¹ (AHMS 2012)

¹⁰² (AHMS 2006)

¹⁰³ (Anne Bickford and Associates Heritage Consultants 1996, Bickford 1996)

2.3.2 Archaeological resource of the study area

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

Wider study area

The historical context presented in this report indicates that, excepting Kendalls Cemetery [1] at its centre, the study area has remained largely undeveloped since it was initially granted to Andrew Byrne in 1825. Since the early-19th century, this portion of the *Barroul Estate* appears to have been given over to agricultural use, first for the cultivation of crops such as corn by Thomas Surfleet, before being used for dairying from the mid-19th century. The land would have initially been cleared of the Red Cedar rainforest and other vegetation, followed by the establishment of cultivation paddocks and ploughing. At this stage, the stones on the surface and just below the ground surface would have been collected and stockpiled at the edges of paddocks. These stones were then used to construct the dry stone walls throughout the property.

The research conducted for the original SoHI did not identify any evidence for early residential development within the study area, with no dwelling or outbuilding structures marked on early maps or aerial imagery. There is one square concrete structure [24] situated in the central-west portion of the study area adjacent to western boundary wall [4] which was first identified in the 1949 aerial photograph. It is likely that the study area was under the management of property owners whose residences were to the east, not within the study area. Furthermore, the gradient of the slopes across the majority of the property are unlikely have been used for residential occupation with more practical areas nearby.

The majority of the study area is likely to contain low density or ephemeral archaeological evidence associated with the operation of the study area for cultivation or dairying. These are likely to be in the form of foundations of former dry stone walls, or informal buildings and structures such as sheds or shelters and fences, which may be represented archaeologically by surfaces (cobble, brick, compacted earth) or post holes.

Evidence of pre-dairying cultivation may be present in the form of ridge and furrow lines associated with ploughing activities. These are likely to present as ephemeral features rather than substantial archaeological resources.

The square concrete structure [24] is still extant.

Kendalls Cemetery

The historical context identified that, with the exception of the memorial to Private Louis Stanley Kendall, the 49 grave markers within Kendalls Cemetery [1] are likely associated with burials. The burials would be represented archaeologically as grave cuts, coffins (likely in a degenerated or ephemeral condition due to the soil conditions), as well as the remains of the deceased and any personal effects (grave goods) with which they may have been interred. As is noted in Section 2.3.1, should there have been disturbance to graves, there may be skeletal and artefactual fragments floating in upper soils.

There has been some terracing of the slope within the southern portion of Kendalls Cemetery as part of the establishment of the north-south burial rows. The historical context could not discount the potential for further, unmarked burials within the cemetery. A review of aerial photographs from the 2017-2020 NSW drought shows one buried feature in the northern portion of the cemetery, and several potential buried features nearby (Figure 87, Figure 88). The darker vegetation indicates the location of a trench which has been cut into the soil and subsequently backfilled, creating an opportunity for deeper root growth and prompting more vegetation. It is possible that a wall trench was cut for a crypt, but no structure was placed there.

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Vegetation can also indicate the presence of buried structural remains, as the soils above such materials is shallower and inhibit growth, resulting in dryer and discoloured vegetation when compared to the surrounding area.¹⁰⁴



Figure 87 October 2018 aerial photograph of Kendalls Cemetery, with the orange arrow indicating buried features (Source: Nearmap 2024)

¹⁰⁴ (Historic England n.d.)

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Figure 88 December 2018 aerial photograph of Kendalls Cemetery, with the orange arrow indicating buried features (Source: Nearmap 2024)

A ground penetrating radar (GPR) survey was completed of the area surrounding Kendalls Cemetery in 2024; GPR survey was not conducted within the bounds of the cemetery.¹⁰⁵ The results of this investigation did not identify any significant anomalies that exhibit the characteristic signatures of unmarked graves within the search area. However, one notable anomaly was identified west of the south-western corner of the cemetery dry stone walls. This anomaly was noted due to its lack of association with subsurface utilities or vegetation but did not display the typical characteristics of a grave. The GPR technical report did not advise that further investigation would be required for this anomaly, based on the data collected from the survey.

¹⁰⁵ (GBG Group 2024)

2.3.3 Integrity of sub-surface deposits

This section discusses how the sequence of land use activities has impacted upon relics which may be present within the study area. To date, no non-Aboriginal archaeological excavations have been conducted within the study area which makes an analysis of the preservation of archaeological resources difficult.

Wider study area

Based upon the physical inspection and the lack of development within the study area, it is likely that any archaeological resources associated with early-19th to early-20th century cultivation or dairying activities, such as foundations of former dry stone walls, surfaces (cobble, brick, compacted earth) or post holes would remain largely undisturbed in areas which have not been subject to subsurface disturbance from the cemetery. However, the prevalence and scale of these kinds of resources within the study area is not known due to limited available information in the historical record.

Kendalls Cemetery

No evidence for subsurface disturbance beyond the initial excavation of grave plots was identified during the physical inspection of Kendall's Cemetery, or in research conducted for the historical context. The level of integrity within the cemetery may vary. There are several large trees within the cemetery, and it is possible that the root systems of these trees have disturbed the grave cuts and burials. Similarly, animal burrowing was noted near the eastern wall of the cemetery; this may have also resulted in some disturbance of archaeological features. This disturbance could result in artefactual and skeletal fragments being relocated outside of defined archaeological deposits into upper soils. Furthermore, there is also the possibility that burials and graves may have been disturbed from later instances of grave digging for new internments. There is the potential for further unmarked graves to be located within the cemetery.

2.3.4 Summary of archaeological potential

Through an analysis of the above factors a number of assumptions have been made relating to the archaeological potential of the study area. These are presented in Table 9 and Figure 89.

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

- **High archaeological potential:** based upon the documentary evidence and field investigation there is a high degree of certainty that archaeological features will occur within the study area.
- **Moderate archaeological potential:** based upon the documentary evidence and field investigation it is probable that archaeological features could be present within the study area.
- **Low archaeological potential:** based upon the documentary evidence and field investigation it is unlikely that archaeological features could be present within the study area.

Table 9 Assessment of archaeological potential

Biosis structure or wall no.	Description	Probable feature(s)	Possible construction date	Archaeological potential
1	Kendalls Cemetery	Grave cuts, burial deposits containing coffins and skeletal remains, grave goods, uncontextualised skeletal and artefactual fragments, grave backfill deposit	c.1853	High

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Biosis structure or wall no.	Description	Probable feature(s)	Possible construction date	Archaeological potential
2	Stone wall (north-west to south-east) near 1878 deviation of Main South Coast Road	Stone wall foundations	Pre-1878	Moderate ¹⁰⁶
3	Stone wall (south-west to north-east) near 1878 deviation of Main South Coast Road	Dry stone wall foundations	Pre-1878	Still extant, moderate where no longer extant
4	Old Stone Wall, paddock and property boundary wall	Dry stone wall	c.1880-1890	Still extant, moderate where no longer extant
5	Old Stone Wall, paddock boundary	Dry stone wall	c.1860-1870	Still extant, moderate where no longer extant
6	Cemetery walls	Dry stone wall	c.1853-1885	Still extant, moderate where no longer extant
7	Dry stone wall 231	Dry stone wall	Unknown	Still extant, moderate where no longer extant
8	Dry stone wall 232	Dry stone wall	Unknown	Still extant, moderate where no longer extant
9	Paddock boundary wall	Dry stone wall	c.1860-1870	Still extant, moderate where no longer extant
10	Dry stone wall 235	Dry stone wall	Unknown	Still extant, moderate where no longer extant
11	Former holding yard boundary	Dry stone wall	c.1860-1870	Still extant, moderate where no longer extant
12	Paddock boundary wall	Dry stone wall	c.1880	Still extant, moderate where no longer extant
13	Paddock boundary wall	Dry stone wall	c.1860s	Still extant, moderate where no longer extant
14	Possible side of original holding pen	Dry stone wall	c.1880	Still extant, moderate where no longer extant

¹⁰⁶ Likely outside of the study area

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Biosis structure or wall no.	Description	Probable feature(s)	Possible construction date	Archaeological potential
15	Possible side of original holding pen	Dry stone wall	c.1880	Still extant, moderate where no longer extant
16	Dry stone wall 241	Dry stone wall	Unknown	Still extant, moderate where no longer extant
17	Small embankment wall for cattle movement	Dry stone wall	c.1870-1880	Still extant, moderate where no longer extant
19	Holding pen or stockyard	Dry stone wall foundations	Pre-1949	Possibly extant, moderate where no longer extant
20	Holding pen or stockyard	Dry stone wall foundations	Pre-1949	Possibly extant, moderate where no longer extant
22	Retaining wall	Dry stone wall	Unknown	Still extant
23	Holding pen or stockyard	Dry stone wall foundations	Pre-1949	Possibly extant, moderate where no longer extant
24	Square concrete structure adjacent to wall [4]	Concrete footings, compacted earth floor or concrete slab	Pre-1949	Still extant
-	Unrecorded former dry stone walls	Foundation stones	Post-1850s	Low ¹⁰⁷
-	Agricultural landscape features, such as timber fence lines, informal structures, animal pens or yards	Structural and fence line post holes, cobble, brick or compacted earth surfaces, concrete pads	Post-1820s	Low ¹⁰⁸

¹⁰⁷ The possible archaeological resources of unrecorded former dry stone walls have been assessed as holding low archaeological potential as their locations are not known, and as such cannot be spatially quantified.

¹⁰⁸ The possible archaeological resources of agricultural landscape features have been assessed as holding low archaeological potential as their presence has not been confirmed; however, caution should be exercised as it is still possible they may be present within the study area.

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Figure 89 Assessment of archaeological potential



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3 Significance

3.1 Assessment of significance

An assessment of heritage significance encompasses a range of heritage criteria and values. The heritage values of a site or place are broadly defined as the 'aesthetic, historic, scientific or social values for past, present or future generations'.¹⁰⁹ This means a place can have different levels of heritage value and significance to different groups of people.

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

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

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

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

The NSW Heritage Office issued a more detailed set of assessment criteria to provide consistency with heritage agencies in other States and to avoid ambiguity and misinterpretation. These criteria are based on the Burra Charter. The following SHR criteria were gazetted following amendments to the *Heritage Act 1977* (Heritage Act) that came into effect in April 1999:

- **Criterion (a)** - an item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).
- **Criterion (b)** - an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).
- **Criterion (c)** - an item is important in demonstrating the aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).
- **Criterion (d)** - an item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.
- **Criterion (e)** - an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

¹⁰⁹ NSW Heritage Office, 2001

- **Criterion (f)** - an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).
- **Criterion (g)** - an item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments; or a class of the local area's cultural or natural places; or cultural or natural environments.

3.1.1 Comparative analysis

The significance of an item is assessed based on its value in relation to other comparable items, whether locally or internationally. Factors such as rarity and representativeness play a crucial role in the evaluation. To determine the significance in accordance with the rarity and representativeness criteria a comparative analysis is undertaken with similar heritage sites and/or places to help establish and validate the significance and values of the heritage items under investigation and on identifying similar suitable farming or dairying land, dry stone walls and cemeteries in NSW, to determine the Kendall Cemetery representativeness in the context.

The following examples are chosen as they offer the potential to consider pattern, themes and characteristics in addition to the rarity and representativeness.

Farming / Dairying

The study area has retained its cultural association with pastoral landscape. The area has been cleared and adapted for dairying, an activity for which the property was associated for much of its occupation. The dairying landscape associated with the study area dates to the mid-nineteenth century shift from crop agriculture to dairying as the predominant industry within the area. The landscape was developed through the implementation of clearing leases and tenant farming instituted as part of the *Barroul Estate*. The landscape of the study area typifies the exploitation of every suitable portion of land for dairying. The property appears to have remained unchanged for much of its history following its transition from crop farming to dairying in the mid-19th century.

The following examples offer the potential to consider the characteristics to represent the cultural landscape of the study area (Table 10).

Table 10 Farming / Dairying listed by Local Government and State Agencies

Item Name	Location	LGA
"Avenal" - dairy farm complex	108 Evans Lane WOODSTOCK NSW 2538	Shoalhaven
"Boolgatta" - Victorian residence, dairy farm complex and barn	E402D Princes Highway YATTE YATTAH NSW 2539	Shoalhaven
"Cobbadah" - Victorian Georgian style farmhouse, dairy complex, garden, dry stone walls, survey marks	373 Kangaroo Valley Road BERRY MOUNTAIN NSW 2535	Shoalhaven
"Kendall Dale" - dairy farm complex including homestead and garden	E379A Princes Highway YATTE YATTAH NSW 2539	Shoalhaven
"Kirmington" - Mid Victorian Georgian farmhouse, dairy farm complex and Henry Kendall monolith	E379B Princes Highway YATTE YATTAH NSW 2539	Shoalhaven

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Item Name	Location	LGA
"Pomona" - Federation Period Farmhouse and Dairy Farm Complex	C360 Princes Highway MEROO MEADOW NSW 2540	Shoalhaven
"Stream Hill" Homestead, Barn Dairy and Feedshed	231 Sheaffes Road DOMBARTON NSW 2530	Wollongong City
"Woodside Park" - Dairy farm complex and gatehouse	94A Tannery Road BERRY NSW 2535	Shoalhaven

Dry Stone Wall

The dry stone walls constructed around the study area were constructed barriers and prominent features of the landscape of the study area.

The Kiama LGA area is home to more than 360 mapped dry stone wall, each assessed to its heritage value. While most of the dry stone walls are found in the Shellharbour, Kiama and Ballina, they are also located in Shoalhaven, Lismore, Tweed and Lithgow. These remnants are historically significant serving as evidence of early settlement and the impact it had on the local and cultural landscape. (Table 11)

Table 11 Dry stone wall listed by Local Government and State Agencies

Item Name	Location	LGA
'Cobbadah' - Victorian Georgian style farmhouse, dairy complex, garden, dry stone walls, survey marks	373 Kangaroo Valley Road, Berry Mountain, NSW 2535	Shoalhaven
Allawah Place Dry Stone Wall	12 Allahwah Place Dunmore NSW 2529	Shellharbour
Dry Stone Wall - Burra Station (boundary marker)	Burra Road Burra NSW 2620	Snowy Monaro Regional
Dry Stone Wall - Wall C	North Creek Road Skennars Head NSW 2478	Ballina
Dry Stone Wall (wall known as 'wall d')	North Creek Road (Tara Downs) Lennox Head NSW 2478	Ballina
Dry Stone Wall and Water Channel	Off Dawson Street, Flat Rock Gully Naremburn NSW 2065	Willoughby
Dry Stone Wall on Farm	312 Ridgewood Road Rosebank NSW 2480	Lismore
Dry Stone Walls	Dunmore NSW 2529	Kiama
Dry Stone Walls	Foxground NSW 2534	Kiama
Dry Stone Walls	Jamberoo NSW 2533	Kiama
Dry Stone Walls	463 and 501 Cudgen Road Cudgen NSW 2487	Tweed
Dry Stone Walls (walls known As 'wall a' and 'wall b' on former Henderson Farm)	Hutley Drive Lennox Head NSW 2478	Ballina

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Item Name	Location	LGA
Dunmore House Complex, Dry Stone Walls and trees	471 Riverside Drive Dunmore NSW 2529	Shellharbour
Ginnadawarrabell, Dry Stone Walls and Stone Pen	14 Browns Rd Dunmore NSW 2529	Shellharbour
Glenowrie, Fig Trees and Dry Stone Walls	267 Swamp Road Dunmore NSW 2529	Shellharbour
Kurrawong Trees, Dry Stone Walls and Silo	126 James Road Croom NSW 2527	Shellharbour
Rocklow road Dry Stone Wall	Rocklow Road Dunmore NSW 2529	Shellharbour
Seaview and Dry Stone wall	167 Swamp Road Dunmore NSW 2529	Shellharbour
Skipway, stone retaining wall	Geln Dvais Road off Capertee NSW 2846	Lithgow.
Swamp Road Dry Stone Walls	Swamp Road, Dunmore, NSW 2529	Shellharbour

Kendalls Cemetery

The Kendalls Family Cemetery is situated on a broad crest at the centre of the property that overlooks the surrounding pastoral landscape. The cemetery is delineated from the surrounding agricultural land by dry stone walls, with landscaping including mature trees and plantings creating a formal backdrop. It is proposed that the cemetery will form the public reserve which will impact the cultural landscape of the area. The following examples represents the active use of cemeteries in the context of public landscape uses. (Table 12)

Table 12 Private cemeteries listed by Local Government and State Agencies

Item Name	Location	LGA
Camperdown Park	Australia Street CAMPERDOWN NSW 2050	Inner West
Pioneer Memorial Park	217-219 Norton Street LEICHHARDT NSW 2040	Inner West
Cammeray Park	Cammeray NSW 2062	North Sydney
Monash Park (including oval, pavillion, obelisk and significant trees along boundary and street)	142 Ryde Road GLADESVILLE NSW 2111	Ryde
Alma Park	Queen and Hill Street Uralla NSW 2358	Uralla
Apex Park Group, including cenotaph, well and remains of memorial steps	8/ 3 Laman Street/ Teramby Street NELSON BAY NSW 2315	Port Stephens
Auburn War Memorial (in RSL Carpark)	35 Northumberland Road AUBURN NSW 2144	Cumberland
Homebush War Memorial	Beresford Road (Davey Square) STRATHFIELD NSW 2135	Strathfield

Conclusion

Through a comparison with other farmland, dry stone wall and private cemeteries is outlined above, Kendall cemetery has been found to be remnant core of a private cemetery with important and mostly intact with the dry stone wall, is considered to be a representative example of private cemetery with its relationship to the surrounding cultural and landscape heritage.

3.1.2 Levels of heritage significance

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

Local heritage items

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

State heritage items

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

3.1.3 NSW Heritage Criteria for Assessing Significance related to Archaeological Sites and Relics

Whilst the 'research potential' of an archaeological site and its component 'relics' is clearly a key assessment criterion for archaeological significance, a research only approach may limit the consideration of an archaeological site's other heritage values. Archaeological significance may be linked to other significance categories especially where sites were created as a result of a specific historic event or decision, or when sites have been the actual location of particular incidents, events or occupancies.¹¹⁰ The following criteria has been developed by the Heritage Council of NSW in order to properly assess the significance of archaeological sites and relics.

Archaeological Research Potential (NSW Heritage Criterion E)

Archaeological research potential refers to the ability of archaeological evidence to provide information about a site that could not be derived from any other source and which contributes to the archaeological significance of that site.

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

¹¹⁰ (NSW Heritage Branch, Department of Planning 2009a)

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

Associations with individuals, events or groups of historical importance (NSW Heritage Criteria A, B & D).

Archaeological remains may have particular associations with individuals, groups and events which may transform mundane places or objects into significant items through the association with important historical occurrences.

Aesthetic or technical significance (NSW Heritage Criterion C)

Whilst the technical value of archaeology is usually considered as 'research potential' aesthetic values are not usually considered to be relevant to archaeological sites. This is often because until a site has been excavated, its actual features and attributes may remain unknown. It is also because aesthetic is often interpreted to mean attractive, as opposed to the broader sense of sensory perception or 'feeling' as expressed in the Burra Charter.

Nevertheless, archaeological excavations which reveal highly intact and legible remains in the form of aesthetically attractive artefacts, aged and worn fabric and remnant structures, may allow both professionals and the community to connect with the past through tangible physical evidence

Ability to demonstrate the past through archaeological remains (NSW Heritage Criteria A, C, F & G).

Archaeological remains have an ability to demonstrate how a site was used, what processes occurred, how work was undertaken and the scale of an industrial practice or other historic occupation. They can demonstrate the principal characteristics of a place or process that may be rare or common.

A site may best demonstrate these aspects at the time of excavation. It may also be possible to explain the nature of the site and demonstrate past practices via public interpretation either before, during, or after excavation.

3.2 Archaeological significance

An assessment of heritage significance for the archaeological resources within the study area, including those associated with cultivation or dairying, dry stone walls and Kendalls Cemetery, has been developed and is presented below.

3.2.1 Archaeological Research Potential (NSW Heritage Criterion E)

Cultivation or dairying activities

The study area formed the western portion of the *Barroul Estate*, most notably worked by the Kendall family from the early-19th to 20th centuries. Historical research indicates that the study area is unlikely to contain substantial archaeological resources associated with cultivation or dairying activities; no structures other than the concrete structure on the western boundary have been identified. It is possible that informal structures such as sheds or animal shelters have been established in the past (as there are now), but the archaeological resources associated with these (structural post holes, compacted surfaces, concrete pads) are unlikely to shed light on the cultivation or dairying activities within the study area. Archaeological resources relating to un-stratified relics, ephemeral evidence of dairying or cultivation, such as former fence lines and holding pens, or the later occupation of the study area, have limited potential to answer research questions relating

to the development and nature of occupation of the study area. These may be better answered by documentary sources.

The significance of any identified deposits would need to be assessed for their heritage value as unexpected finds on a case-by-case basis.

The archaeological remnants of cultivation or dairying activities within the study area are unlikely to satisfy this criterion at a local level.

Dry stone walls

The extant dry stone walls within the study area reflect the boundaries of the *Barroul Estate* (wall 196 [4] and wall 232 [5] which mark Parish portion boundaries) and the configuration of the property in terms of activities, such as holding pens and paddock boundaries. Should further instances of former dry stone walls in the form of footings or overgrown walls be identified within the study area, they may contribute to this understanding of the land tenure and agricultural use of spaces within this portion of the *Barroul Estate*, the setting of Kendall House, efforts made to adjust the Australian landscape to reflect enclosed British pastoral landscapes of the 19th century, and the processes used to display ownership and occupancy of land in the Kiama area. Publicly accessible documentary sources have been difficult to acquire regarding the use of the study area, and as such this information could reveal detail which may not have been recorded. This would be limited to site-specific knowledge and would not necessarily contribute to an understanding of NSW's or Kiama's cultural or natural history. The significance of any identified deposits would need to be assessed for their heritage value on a case-by-case basis.

The archaeological remnants of former dry stone walls within the study area may satisfy this criterion at a local level.

Kendalls Cemetery

The central portion of the study area contains the well-preserved site of Kendalls Cemetery. Kendalls Cemetery has the potential to advance our knowledge of genealogy, kinship links and practices regarding the internment of the dead in the Kiama region. The grouping of graves and details of birth, death and marriage present on grave markers within the cemetery can shed further light on the lives and relationships between some of Kiama's earliest settlers. Members of the Black, Haydon, McSperrren, Perry, Newell, Fuller, Hunt, Armstrong, Bailey, Chapman and Denning families are buried within the cemetery, with many of these families having intermarried with the Kendall family during the second half of the 19th and early-20th centuries. Study of the archaeological resources of the cemetery has the potential to significantly advance research regarding the lives and ancestry of members of these families, providing details not otherwise found in historical records. This potential research is valuable not only to the descendants of those buried within the cemetery but to the wider Kiama community, with individuals buried within the cemetery including some of the town's most notable early inhabitants, including Thomas Surfleet Kendall, Jane Kendall (wife of Rev. Thomas Kendall) and former mayor John Black. The grave markers also contain the potential to further broaden our understanding of changing economic fortunes and trends in the memorialisation of the dead during the 19th and early-20th centuries.

If undertaken, the excavation of burials can provide a wealth of knowledge regarding the lives and deaths of the deceased and their community. The analysis of human remains, style of burial and any grave goods with which an individual is buried can provide details pertaining to cause of death, health, social status, religious beliefs, movements during life and genetic background which can greatly augment written sources of the period. The cemetery and its archaeological resources as a whole can shed further light on the demographics of early Kiama, as well as potentially allow for the identification of patterns in relationships, health, socio-economic status and cultural trends among its inhabitants.

Kendalls Cemetery satisfies this criterion at a local level.

3.2.2 Associations with individuals, events or groups of historical importance (NSW Heritage Criteria A, B & D).

Cultivation or dairying activities

It would be difficult to determine whether archaeological resources associated with cultivation and dairying activities, should they be present, are associated with individuals, groups or events of historical importance. Fences, holding pens, sheds and shelters are likely to have been constructed by farm hands, employees or later property owners for the purpose of delineating land for different uses or purposes. Research has not indicated there were more substantial structures within the study area. Confirming provenance for archaeological resources associated with fences, holding pens, sheds and shelters may not be possible, should family records of these works even exist. The conversion of the property to dairying from agriculture would have been a significant event for the estate. This would likely have been a partial reaction to the affects of wheat rust in the 1860s and technological advancements for the production and transportation of dairy products to wider markets. However, these activities would have been common within the region with many farms converting to dairying as their main function in the second half of the 19th century.

The archaeological remnants of cultivation and dairying activities within the study area would likely not satisfy this criterion at a local or state level. The significance of any identified deposits would need to be assessed as an unexpected find for their heritage value on a case-by-case or categorical basis, such as structural footings and surfaces versus post holes.

Dry stone walls

The dry stone walls of the study area, both extant and former, may have been constructed by Thomas Newing and his son, Thomas Newing Junior. Both Thomas Newing and Thomas Newing Junior are notable historically for their contribution to the construction of dry stone walls within the Kiama district. However, confirming this provenance for the dry stone walls within the study area is likely difficult to prove due to a lack of available records.

The archaeological remnants of former dry stone walls within the study area do not satisfy this criterion at a local or state level.

Kendalls Cemetery

Kendalls Cemetery is closely associated with the Kendall family, who were significant early landholders in the Kiama area. Members of the Black, Haydon, McSperrin, Perry, Newell, Fuller, Hunt, Armstrong, Bailey, Chapman and Denning families are also buried within the cemetery, with many of these families having intermarried with the Kendall family during the second half of the 19th and early-20th centuries. Study of the archaeological resources of the cemetery has the potential to significantly advance research regarding the lives and ancestry of members of these families, providing details not otherwise found in historical records. This potential research is valuable not only to the descendants of those buried within the cemetery but to the wider Kiama community, with individuals buried within the cemetery including some of the town's most notable early inhabitants, including Thomas Surfleet Kendall, Jane Kendall (wife of Rev. Thomas Kendall) and former mayor John Black.

Kendalls Cemetery satisfies this criterion at a local level.

3.2.3 Aesthetic or technical significance (NSW Heritage Criterion C)

Cultivation or dairying activities

The unknowns associated with potential archaeological resources associated with cultivation or dairying activities make it difficult to assess whether any possible resources may hold aesthetic or technical value. However, given that study area only likely contained fences, holding pens, sheds and shelters, their associated archaeological features (post holes, surfaces, concrete pads) are unlikely to hold technical or aesthetic significance. Further assessment would be required should archaeological deposits or features be encountered, such as for more substantial structures like barns or dairies or complex artefacts.

The likely archaeological remnants of cultivation and dairying activities within the study area would not satisfy this criterion at a local or state level.

Dry stone walls

The extant dry stone walls present within the study area are common to the Kiama region but rare in NSW. Given how extensive they are within the study area, and the degree of intactness that many of them have, they are representative of the principal characteristics of this type of item in the Kiama area. However, archaeological remnants of former dry stone walls are unlikely to demonstrate aesthetic or technical characteristics due to the loss of the majority of their structure.

The archaeological remnants of former dry stone walls within the study area do not satisfy this criterion at a local or State level.

Kendalls Cemetery

Kendalls Cemetery is a good example of a private 19th and early-20th century cemetery. The extant grave markers and funerary monuments are representative of the principal characteristics of this type of item in NSW. The Kiama Heritage Inventory notes that 'the site has aesthetic significance for the craftsmanship of the monuments and its setting in a dry stone walled compound on the slopes of Saddleback Mountain'.

Kendalls Cemetery satisfies this criterion at a local level.

3.2.4 Ability to demonstrate the past through archaeological remains (NSW Heritage Criteria A, C, F & G).

Cultivation or dairying activities

The archaeological resources associated with cultivation or dairying activities within the study area are likely to be simple or ephemeral features such as post holes, surfaces or concrete pads for fences, holding pens, sheds and shelters. These are unlikely to demonstrate the past and would not meet this criterion.

Dry stone walls

The extant dry stone walls within the study area reflect the boundaries of the *Barroul Estate* and the property's configuration with regards to activities, such as holding pens and paddock boundaries. Should further instances of former dry stone walls be identified within the study area, they may contribute to this understanding of the land tenure and agricultural use of spaces within this portion of the *Barroul Estate*. This would be limited to site-specific knowledge and would not necessarily contribute to an understanding of NSW's or Kiama's cultural or natural history. The significance of any identified deposits would need to be assessed for their heritage value.

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The archaeological remnants of former dry stone walls within the study area may satisfy this criterion at a local level.

Kendalls Cemetery

Kendalls Cemetery demonstrates the past through the extant funerary monuments, but also via the remains of those who are buried in this place. The headstones and other features provide evidence of the differing trends and preferences of the 19th and early-20th centuries in terms of imagery, styles, scale and materials. These also reflect the financial affluence and class status of the deceased’s loved ones, but also availability of materials, which in turn reflects trade and local economy. The burials themselves, as is noted above, through the analysis of human remains, can provide details pertaining to cause of death, health, social status, religious beliefs, movements during life and genetic background which can greatly augment written sources of the period.

Kendalls Cemetery satisfies this criterion at a local level.

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Figure 90 Areas of archaeological heritage significance



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3.3 Statement of Significance

3.3.1 Statement of Significance – Dry stone walls

The following statement is taken directly from the 2018 SoHI.¹¹¹

The dry stone walls within the study area are exemplar of the dry stone walls constructed by Newing during the late-19th and early-20th centuries and are important to the aesthetic characteristics of the dairying landscape within the study area and wider Kiama region. The walls represent the delineation of space between paddocks, property boundaries, and agricultural and spiritual spaces within the study area and are examples of the skill and craftsmanship of their constructor.

The dry stone walls within the study area are considered to be significant at a local level.

3.3.2 Statement of Significance – Kendalls Cemetery

This assessment has uncovered information sufficient to revise the existing statement of significance for the cemetery. The existing statement of significance is presented below as it appears in the Kiama Heritage Inventory:¹¹²

This burial site is significant for its association with early pioneers of the Kiama district including the Kendall, Hunt, Marks, and Haydon families dating from 1866. Intact monuments demonstrate the skills of the stonemasons. It has spiritual significance as a place of memory and contemplation reinforced by its visual quality defined by its natural setting and spectacular location.

An updated statement of significance has been prepared for Kendalls Cemetery:¹¹³

- Kendalls Cemetery is significant for its association with the Kendall family, as well as other prominent early pioneers of the Kiama district such as the Haydon, Black, Hunt and Perry families. It was originally located within the Kendall's *Barroul Estate* and is associated with the LEP listed Barroul House and Kendall House. The cemetery was in use from the mid-19th century into the 1940s, with the earliest grave in the cemetery dating from 1853. Prominent local residents interred within the cemetery include Thomas Surfleet Kendall, Jane Kendall (wife of the Rev. Thomas Kendall) and former mayor of Kiama John Black.
- The pastoral setting, landscaping and dry stone walls in which it is enclosed enhance the cemetery's aesthetic values. The variety of funerary monuments demonstrate the skill of the craftsmen involved and the economic and social status of the deceased.
- The cemetery holds spiritual significance as a place for the burial and memorialisation of past generations of the Kendall and associated families, and religious association with the Church of England.
- The cemetery is of local significance for its rarity as an early colonial family cemetery, and is representative of this type of item in the area.

¹¹¹ (Biosis 2018)

¹¹² (Kiama Municipal Council 2013)

¹¹³ The small 'axe handle' portion of the curtilage which extends eastwards from the cemetery does not appear to be associated with a historical path to the cemetery; it is believed that this portion is to enable the continued protection of the item's connection to the road reserve of the Princes Highway. Therefore, this portion of the curtilage is not specifically considered to hold heritage significance

The Kendall Family Cemetery is considered to be significant at a local level.

3.4 Schedule of Significant Elements

A five-tier system has been adopted to clarify the significance of elements within the site and is based upon the grading listed in *Assessing heritage significance: Guidelines for assessing places and objects against the Heritage Council of NSW criteria*.¹¹⁴ In this context, an element is a specific heritage item that contributes to the overall heritage significance of the site. The term interpretation or interpretability is used in the sense of the ability to explain the meaning of the place/item, so as the significance of the place understood. The five tier system is outlined in Table 13.

Table 13 Grading of significance

Grading	Justification
Exceptional	Rare or outstanding element directly contributing to an item's local or State listing.
High	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.
Moderate	Altered or modified elements. Elements with lesser heritage value, but which contribute to the overall significance of the item.
Little	Elements of little significance that do not contribute to the significance of the place.
Intrusive	Elements that intrude upon the significance of the place and may include visual intrusions and fabric that may harm significant fabric.

Considering the documental and physical evidence gathered, the grading of significance for elements within the study area has been assessed, and reflects on the contribution of the elements to the overall significance of the area. Kendalls Cemetery has been assessed to determine a relative grading of significance based on the degree of intactness of the dry stone walls and their condition, pastoral setting and landscape, and association of important people buried in the cemetery.

A Biosis assessment of dry stone walls 1-17 was conducted in 2018,¹¹⁵ which evaluated their significance based on their condition at the time of a site inspection in 2017. Further dry stone walls (walls 19-22) were identified in a separate study by EMM; the significance applied to these dry stone walls is not known as the report could not be accessed by Biosis. One further dry stone wall (wall 23) was identified during development of this CMP.

Additionally, a concrete structure was identified within the study area during Biosis' 2024 survey. Additional research was not able to confirm this structure's historic use. It was determined that the structure is of unknown origin and therefore has minimal significance due to its limited functionality and current condition.

The significance of Kendalls Cemetery is determined to be where the high significant elements are the boundary dry stone wall 1 and 6 along with the graveyard and the headstone were assessed to be moderate based on the current condition.

The assessed levels of walls are indicative. The conservation policy in this CMP provides for detailed inspection as a part of the comprehensive survey and 'wall recording'—see Section 5.5.

¹¹⁴ (DPE 2023a)

¹¹⁵ (Biosis 2018)



Table 14 Summary schedule of significant elements

Element	Level of significance
Dry stone walls	
Walls 1, 4, 6, 14, 16	High
Walls 5, 7, 9, 11, 12, 13, 15, 17	Moderate
Walls 3, 8, 22	Little
Walls 19, 20, 21, 23	TBD - Further information required
Kendalls Cemetery	
Dry stone wall 1 and 6	High
Graves, headstones	Moderate
Other	
Concrete structure [24]	TBD - Further information required

Table 15 presents an evaluation of the dry stone walls within the study area using the five tier system. This has been reproduced from Biosis' earlier assessment with walls 19-23 added.¹¹⁶

¹¹⁶ (Biosis 2018)

Table 15 Significance assessment for individual dry stone walls within the study area

Kiama Dry Stone Walls Inventory No.	Wall no.	Statement of Significance rating ¹¹⁷	Description	Condition	Revised assessment of significance
As assessed by Biosis in 2018¹¹⁸					
196	4	Medium	Double stone wall that runs along the western boundary of the study area. Length: approx. 900 metres.	Condition: Poor to good The wall varies in condition along its length from poor to good. Some topstones are missing and the wall is overgrown by weeds at some points. The condition of the wall deteriorates towards its northern end where it is in poor condition.	Significance: High The wall contains areas in average and good condition, likely dates to c:1880-1890, and formed the boundary for 19th century landholdings.
198	6	Medium	Double stone wall that forms the boundary of Kendalls Cemetery. Northern wall length: approx. 50 metres. Eastern wall length: approx. 50 metres. Western wall length: approx. 50 metres. Southern wall length: approx. 50 metres.	Condition: Poor to average The northern wall is in poor condition and heavily degraded at its western end. The eastern wall is in poor condition and mostly overgrown by hedges. The western wall is in average condition with topstones missing in some sections and some impacts from vegetation growth. The southern wall is in average condition with topstones missing in some places.	Significance: High The wall likely dates to 1885, was commissioned by Thomas Surfleet Kendall, may have been built by the Newings, and functions as the boundary wall for Kendalls Cemetery

¹¹⁷ As assessed by Kiama Municipal Council

¹¹⁸ (Biosis 2018)

Kiama Dry Stone Walls Inventory No.	Wall no.	Statement of Significance rating ¹¹⁷	Description	Condition	Revised assessment of significance
-	3	N/A	Double stone wall. Length: approx. 70 metres.	Condition: Poor The wall is in poor condition, with only footings and some lower courses of stones surviving.	Significance: Little The wall is in poor condition, with much of the stone material removed. The date and purpose of the wall is unknown.
231	7	Medium	Double stone wall. Length: approx. 80 metres.	Condition: Poor to good The wall is in poor to good condition, with well-preserved sections in its southern half. The wall is heavily obscured by lantana in some areas.	Significance: Moderate The wall features well-preserved areas in good condition.
232	5	Medium	Double stone wall. Length: approx. 220 metres.	Condition: Poor to average The wall is in poor to average condition. The longest extent of the wall is heavily overgrown as assessed as being in bad condition.	Significance: Moderate The wall likely dates to c.1860-1870, and features areas in average condition.
233	8	Medium	Double stone wall. Length: approx. 95 metres	Condition: Poor to average The wall is in poor to average condition. The length of the wall is heavily overgrown by weeds, but the condition of the wall is particularly poor at its southern extent where it is largely obscured by vegetation.	Significance: Little The wall is in mostly poor condition. The date and purpose of the wall is unknown.

Kiama Dry Stone Walls Inventory No.	Wall no.	Statement of Significance rating ¹¹⁷	Description	Condition	Revised assessment of significance
234	9	Low	Wall unable to be assessed as it is inaccessible.	Condition: Unknown Wall unable to be assessed as it is inaccessible.	Significance: Moderate While not able to be assessed, the likely date of the wall is c.1860-1870, and is evidence of paddock boundaries and pastoral activities.
235	10	Low	Wall unable to be assessed as it is inaccessible.	Condition: Unknown Wall unable to be assessed as it is inaccessible.	Significance: Unknown Wall not able to be assessed and no details of its date or function are recorded.
236	11	Low	Wall unable to be assessed as it is inaccessible.	Condition: Unknown Wall unable to be assessed as it is inaccessible.	Significance: Moderate While not able to be assessed, the likely date of the wall is c.1860-1870, and is evidence of holding yard boundaries and pastoral activities.
237	12	Medium	Double stone wall. Length: approx. 30 metres.	Condition: Poor to average The wall is in poor to average condition with no topstones surviving. The wall is overgrown by weeds for most of its length.	Significance: Moderate The wall likely dates to c1880 and is evidence of paddock boundaries and pastoral activities.
238	13	Low	Wall unable to be assessed as it is inaccessible.	Condition: Unknown Wall unable to be assessed as it is inaccessible.	Significance: Moderate While not able to be assessed, the likely date of the wall is c.1860s, and is evidence of holding yard boundaries and pastoral activities.

Kiama Dry Stone Walls Inventory No.	Wall no.	Statement of Significance rating ¹¹⁷	Description	Condition	Revised assessment of significance
239	14	Low	Curving double stone wall. Length: 45 metres.	Condition: Average to good The wall is in average to good condition to the north of Minna Munnora Creek. Weeds and trees grow along the length of the wall with the eastern extent obscured by vegetation.	Significance: High The wall is in average to good condition and likely dates to c.1880, possibly functioning as the side of a holding pen.
240	15	Low	Double stone wall. Length: approx. 30 metres.	Condition: Poor to good The wall is in poor to good condition and lined with plantings on its northern side.	Significance: Moderate The condition of the wall ranges from poor to good condition, and likely dates to c.1880, possibly functioning as the side of a holding pen.
241	16	Medium	Curving double stone wall. Length: 45 metres.	Condition: Average to good The wall is in average to good condition to the north of Minna Munnora Creek. Weeds and trees grow along the length of the wall with the eastern extent obscured by vegetation.	Significance: High The wall is in average to good condition and is linked to wall 239 [14], suggesting it may be of a similar date (c.1880) and function (side of a holding pen).
242	17	Low	Wall unable to be assessed as it is inaccessible.	Condition: Unknown Wall unable to be assessed as it is inaccessible.	Significance: Moderate While not able to be assessed, the wall likely dates to c.1870-1880 and functioned as a small embankment wall for cattle movement.

Kiama Dry Stone Walls Inventory No.	Wall no.	Statement of Significance rating ¹¹⁷	Description	Condition	Revised assessment of significance
226	18	Medium	Double stone wall. Length approx. 140 metres.	Condition : Poor to average The length of the wall is heavily overgrown by weeds, with isolated areas appearing to be heavily degraded.	Significance: Moderate. Wall likely dates to the 1860s, in poor to average condition and is evidence of paddock boundaries and pastoral activities.
Additional walls					
-	19	-	Wall not sighted by Biosis. Length: approx.. 10m (based on mapping in the Kiama DCP Chapter 12.11)	Condition: Unknown Desktop visual review confirmed dense vegetation in wall location, likely to have affected structural integrity.	Significance: Further information required. The date and purpose of the wall is unknown. Condition likely to have been affected by vegetation growth. Evidence of paddock boundaries and pastoral activities.
-	20	-	Wall not sighted by Biosis. Length: approx.. 40m (based on mapping in the Kiama DCP Chapter 12.11)	Condition: Unknown Desktop visual review confirmed dense vegetation in wall location, likely to have affected structural integrity.	Significance: Further information required. The date and purpose of the wall is unknown. Condition likely to have been affected by vegetation growth. Evidence of paddock boundaries and pastoral activities.
-	21	-	Wall not sighted by Biosis. Length: approx.. 20m (based on mapping in the Kiama DCP Chapter 12.11)	Condition: Unknown Visual desktop assessment only. Age and builder is unknown. Wall not visible in aerial imagery.	Significance: Further information required. The date and purpose of the wall is unknown. Condition likely to have been affected by vegetation growth. Evidence of paddock boundaries and pastoral activities.

Kiama Dry Stone Walls Inventory No.	Wall no.	Statement of Significance rating ¹¹⁷	Description	Condition	Revised assessment of significance
-	22	-	Dam or retaining wall. Large facing stones and smaller stone rubble infill. Length: approx. 10m	Condition: Good. Vegetation had been slashed prior to inspection, but does not appear to have affected structural integrity.	Significance: Little. The date and purpose of the wall is unknown but likely associated with water control or land slippage.
	23	-	Wall not sighted by Biosis. Length: approx.. 40m (based on 2001 aerial)	Condition: Unknown Visual desktop assessment only. Desktop visual review confirmed dense vegetation in wall location, likely to have affected structural integrity.	Significance: Further information required. The date and purpose of the wall is unknown. Condition likely to have been affected by vegetation growth. Evidence of paddock boundaries and pastoral activities.

4 Issues, Opportunities and Constraints

4.1 Overview

The preceding section has outlined what is significant about the place. This section examines a range of factors that need to be considered when developing conservation policies. The range is as follows:

- Factors arising from the significance of the place,
- The owner/manager's needs and aspirations,
- Legal and statutory obligations,
- Availability of resources,
- Operational and management requirements,
- Physical condition of the place's fabric and its elements,
- Uses, activities or practices essential to significance,
- Ability of the place to be adapted for new uses or to include modern services,
- Opportunities for heritage significance to be interpreted for the community,
- Coexistence of cultural and natural values,
- Likelihood of graves outside the cemetery,
- Security of the cemetery and walls
- Proposed changes, new development or potential threats,
- Issues and concerns held by others,
- Records of works, and
- Other factors or future needs.

Council has particular requirements for the development of CMPs for the walls and cemetery that touch on the future owner/manager's needs and aspirations specifically and—as those requirements are proposed to be included in the Kiama DCP—the statutory obligations for the development and use of the place. CMPs written for the cemetery and walls as a consequence of proposed development must:

- Address issues such as security of the cemetery and of the walls to reduce the chances of vandalism and theft.
- Include ground penetrating radar study outside the cemetery walls to attempt to locate additional graves will be included in the information gathering component of the conservation document.
- Identify historical cultural plantings for retention; if these plantings are now considered weeds their removal must be assessed and reconsidered based on the outcomes of the assessment.
- Address the management of existing stone walls.
- Address the reuse of stone from walls that will be demolished (if applicable).
- Provide practical solutions for stone wall repair using local stone.

4.2 Factors arising from the significance of the place

The significance of the place is embodied in the fabric of the retained walls and the fabric and setting of the cemetery. The space between the walls—their setting—also contributes to the significance of the walls as part of a cultural landscape. Only minor elements detract from the significance of the place and not to any great degree—the structures to the east of the cemetery for example.

Factors arising from the significance of the walls are plain: how to materially conserve them, and how to manage change of their setting. Specific factors include keeping them, changing them little, looking after them so they do not deteriorate, and taking opportunities to repair and reconstruct lost walls.

The conservation of the cemetery is somewhat more complex as it offers options for how the whole or elements of it are treated. Generally, the factors that arise from the significance of the cemetery mean that the conservation approach are shared with those of the walls.

Primary factors fundamentally include the planning and assessment of how proposed changes will impact upon the heritage values of the place. This means that when a proposal for change is made, a heritage impact assessment (aka SoHI or Heritage Impact Statement) should be prepared that examines the degree to which the proposal complies with the policies adopted for the place’s conservation and how the heritage values of the place are affected or impacted. The complexity of such assessments will vary based on the scale and type of change proposed.

4.3 Management requirements and aspirations

Land ownership of the study area as at March 2025 is summarised in Table 16.

Table 16 Ownership of land within the study area as at March 2025

Address	Portion	Owner
40 Saddleback Mountain Road, Kiama	Lot 1 DP 707300	White Constructions and Development Pty Ltd
51 South Kiama Drive, Kiama	Lot 5 DP 740252	White Constructions and Development Pty Ltd
Portion of South Kiama Drive, Kiama	Lot 3 DP 258605	Council
11 Weir Street, Kiama Heights	Lot 101 DP 1077617	Patricia Ann McGill
8 Weir Street, Kiama Heights	Lot 102 DP 1077617	Alexander Meadows Rendel
8 Weir Street, Kiama Heights	Lot 8 DP 258605	Alexander Meadows Rendel

Outside the cemetery, the land is generally used as pasture for the running of dairy cattle. The last recorded interment at the cemetery was the ashes of Ethel Bailey in 1966 but the use of the cemetery as a resting place is respected and public access is available by a path leading from an underpass beneath the Princes Highway connecting to South Kiama Drive.

The current use of the place for farming and for the quiet enjoyment and maintenance of the cemetery are compatible uses.

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WCD intends to develop the place as a suburban residential subdivision (Figure 91). The subdivision would establish roads and open space—including both the cemetery and its setting, and areas for ecological conservation—together with residential lots under individual title. If realised, the ownership would be divided into the private domains of individual lots and the public domain.

In achieving the vision for SKURA, Council would become the owner of the public domain and individual lot owners would be the owner of any retained walls within their respective lots.



KEY FEATURES

1 Character Area 1 – Ridgeway Gateway	6 Entry Signage Location	10 Retained Dry Stone Walls	14 Munna Munnora Creek
2 Character Area 2 – Ocean Outlook	7 Riparian Corridors	11 Bio-retention Basin	15 Munna Munnora Park
3 Character Area 3 – Central Village	8 Kendall Park and Cemetery	12 Future Bus Stop	16 Local Park
4 Character Area 4 – Munna Munnora	9 Retained Vegetation	13 Offset planting	
5 Character Area 5 – Ridgeway			

Figure 91 Concept plan for SKURA as illustrated in Kiama DCP Chapter 12.11 SKURA with Kendalls Cemetery identified within 'Village 3' as feature 8 (Source: Draft Kiama DCP Chapter 12.11 SKURA)

4.4 Legal and statutory obligations

Legal and statutory obligations relevant to the place include statutory provisions relating to heritage, planning, the management of cemeteries, and the treatment of human remains. These are discussed in summary below.

In addition, statutes, regulations and standards provide for health and safety, the protection of life and property, and for accessibility (i.e. providing access to members of the public to places in a way that does not discriminate on the basis of a person's disability).

4.4.1 Commonwealth and New South Wales Legislation

The identification, management, and regulation of heritage is provided for, principally, at a Commonwealth and State level by the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) and the *Heritage Act* respectively. Heritage is also regulated at a local level through the provisions of the EP&A Act and the environmental planning instruments made under it such as local environmental plans.

4.4.2 Commonwealth and State level by the *Environment Protection and Biodiversity Conservation Act 1999* (Cth)

Among other things, the EPBC Act includes provisions to identify places for inclusion in the National Heritage List (NHL) and Commonwealth Heritage List (CHL) and to enhance the protection, conservation and

presentation of those places. The place is not included in the NHL or the CHL. The place does not possess heritage values of outstanding value to the nation so is unlikely ever to be considered for listing on the NHL. As the place is not owned by or under the control of the Commonwealth, it is not possible for it to be listed on the CHL. Consequently, there are no material obligations on the management of the place that arise from the EPBC Act.

4.4.3 Heritage Act 1977 (NSW)

The Heritage Act provides for the identification and management of NSW's heritage by listing of places on the State Heritage Register (SHR) and for the protection of certain relics including archaeological deposits and artefacts, and shipwrecks. The place is not currently listed on the SHR nor is it nominated for that register.

The archaeological potential of the place has been assessed and the 'relics provisions' of the Heritage Act apply. A 'relic' means any deposit, artefact, object or material evidence that—(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and (b) is of State or local heritage significance.

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

Under the Heritage Act, a 'relic' is defined as:

Any deposit, object or material evidence:

(a) Which relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and

(b) Which is of State or Local significance.

It should be noted that not all remains that would be considered archaeological are relics under the Heritage Act. Advice given in the document *Assessing Significance for Historical Archaeological Sites and 'Relics'*¹¹⁹ is that a 'relic' would be viewed as a chattel and it is stated that:¹²⁰

In practice, an important historical archaeological site will be likely to contain a range of different elements as vestiges and remnants of the past. Such sites will include 'relics' of significance in the form of deposits, artefacts, objects and usually also other material evidence from demolished buildings, works or former structures which provide evidence of prior occupations but may not be "relics".

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

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

¹¹⁹ (NSW Heritage Branch, Department of Planning 2009a)

¹²⁰ NSW Heritage Branch, Department of Planning 2009, 7

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These conditions will relate to matters such as reporting requirements and artefact cataloguing, storage and curation.

Exceptions under Section 139(4) to the standard Section 140 process exist for applications that meet the appropriate criterion. The Section 139(4) self-assessment provides an argument for an exception from the requirement to obtain a Section 140 permit and reflects the nature of the impact and the significance of the relics or potential relics being impacted upon.

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

Areas of archaeological potential

- The area of high archaeological potential within the study area is associated with the Kendall family cemetery, which contains at least 33 burials.
- Unmarked grave cuts are likely to be organised in rows on an east-west alignment, indicative of Christian burial practices.
- It is possible that burials may have been disturbed by past animal activity as well as grave diggers establishing a new grave and encountering an existing burial; this could have resulted in the movement of skeletal remains and bone fragments within the upper level of the soil above the burial depths.
- Human skeletal remains are protected under the NSW Coroners Act 1980 and are initially the responsibility of the NSW Police.
- Items such as headstones and funerary furniture, grave cuts and grave goods, and human skeletal remains may be considered a 'relic' under the Heritage Act 1977 and would therefore be subject to protection under that legislation.
- The exhumation of bodies is regulated under the Public Health Regulation 2022. Exhumations must be approved by the Secretary or ordered by the Coroner in line with Section 94 of the Public Health Regulation 2022. The Work Health and Safety Act 2011 would also apply regarding exhumation of burials.
- Due to the risk of disturbing burials and relics, a policy should be developed to manage works and ground disturbance in areas of high archaeological potential.
- GPR survey and archaeological data could contribute to heritage interpretation within this space.

Data regarding the grave locations within the cemetery would inform the management of interments and archaeological resources.

4.4.4 Environmental Planning and Assessment Act 1979 (NSW) and the Kiama Local Environmental Plan 2011

Objects of the EP&A Act of relevance to heritage include the promotion of the sustainable management of built and cultural heritage (including Aboriginal cultural heritage), and of good design and amenity of the built environment. To effect these objects, the EP&A Act provides for the making of environmental planning

instruments (EPIs) including the making of EPIs for local areas known as Local Environmental Plans (LEPs). The Kiama LEP¹²¹ has been made under the EP&A Act and applies to the land. Two parts of the Kiama LEP¹²², in particular, bear on the conservation of the place: namely, the land use zoning, and provisions relating to development at or near heritage items.

Current land use zoning varies across the place with the walls in areas zoned environmental conservation and management, residential, and rural landscape—while the cemetery is zoned ‘infrastructure’ with its purpose specified as ‘Historic Cemetery’. Permissible uses for the cemetery include its specified purpose and development that is ordinarily incidental or ancillary to that purpose.

The place (study area) includes two heritage items listed in the Kiama LEP¹²³:

- Kendalls Cemetery, (Item No. I144), South Kiama Drive, Lot 3 DP 258605.
- Dry stone walls, (Item No. I64), Kiama.

The walls—Item I64—captures dry stone walls across the municipality, of which only a few lie within the place. Clause 5.10 of the Kiama LEP¹²⁴ requires development consent and assessment of heritage impacts for certain works at or in the vicinity of heritage items. Such works include demolition, alteration, new buildings, and subdivision. All land within the place is either a heritage item (the walls and cemetery) or in the vicinity of those heritage items so development would need to be assessed for potential heritage impacts.

Kiama Development Control Plan 2020

The Kiama DCP outlines built form controls to guide development. An amendment of the Kiama DCP in the form of Kiama DCP Chapter 12.11 SKURA supplements the provisions of the Site-Specific Control in Topic 12.11.1 and states the following:

Development applications are to demonstrate consistency with the vision statement, place principles, Concept Plan, Staging Plan, Character Area principles, and the relevant Site-specific objectives and controls.

Place principles

The following six place principles will guide the urban design and built form outcomes for the residential subdivision of the Site and will continue to influence the various design and construction stages of the future residential dwellings and associated infrastructure.

1. Heritage Fabric Management

Retain original elements including Kendalls Cemetery and dry stone walls throughout the Site, and incorporate the historic, social and cultural significance into the desired character.

2. Topography

Use the Site's unique topography to maximise outlook to open green corridors within the Site, minimise earthworks and create five distinct character areas. Create houses that will be unique to coastal Kiama, creating a special vernacular.

3. Riparian Corridor Use

¹²¹ (NSW Government 2011)

¹²² (NSW Government 2011)

¹²³ (NSW Government 2011)

¹²⁴ (NSW Government 2011)

Enhance the Munna Munnora Creek and riparian corridors to manage flood risks, offer a mix of active and passive recreational uses and introduce water quality management.

4. Valuing Ecological Communities

Enhance and maximise preservation of important ecological communities throughout the Site. Street trees to be placed to provide fauna connection points. Preservation of threatened species of flora and embellishment of planting in the riparian corridor.

5. Open Space Diversity

Achieve high quality open spaces, provide spaces for all ages and create opportunities for more residents to have nature at their doorstep. Create an open space network across the Site that contributes to the character and amenity of each residential area.

6. Connecting into the Local Network

Create vehicular, public transport and active movement links to provide easy and safe access to Kiama Town Centre, local parks, open spaces and other residential neighbourhoods. Deliver a street network that is legible, safe and designed to provide amenity and a cool microclimate within the Site with appropriate street verge and widths.

Landscape principles

The place principles above are complemented by five landscape principles:

1. Conserve and restore

Utilise the opportunity to recognise the unique and beautiful natural aspects of the site. Improve inter-site ecology through restorative landscape applications.

2. Environmental custodianship

Promote the connectivity and accessibility of great natural areas throughout the site. Improve degraded pasture areas to encourage pride in natural systems and custodianship of the environment by South Kiama residents.

3. Community identity

Bring people together, promoting activation and sense of Community and celebrate the fantastic south coast lifestyle.

4. Cultural character

Acknowledge, protect, and celebrate Indigenous heritage, promoting a sense of place and integrating cultural heritage into design outcomes.

5. Celebrate setting

Celebrate the unique aspect and topography of the site. Create opportunities with walking trails and rest points which provide access to views for all. Careful consideration of entries with deliberate landscape intervention to enhance gateway arrival experience.

Heritage controls for the SKURA are detailed under Topic 7 of the Kiama DCP and include:

- 12.11.76 *A Conservation Management Plan (CMP) for the whole Site is required to be developed for the South Kiama Urban Release Area (comprising of Kendalls Cemetery and dry stone walls). This must be submitted for approval with the first Development Application (DA) for the subdivision of land. The CMP must be formulated in accordance with the following guidelines:*
- a) Assessing heritage significance: Guidelines for assessing places and objects against the Heritage Council of NSW criteria, (Environment and Heritage Group, Department of Planning and Environment, 2023).*
 - b) Statement of best practice for heritage conservation management plans, (Department of Premier and Cabinet, 2021).*
 - c) The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance (Australia ICOMOS 2013).*
 - d) The Seventh Edition Conservation Plan: A guide to the preparation of conservation plans for places of European cultural significance, James Semple Kerr, (Australia ICOMOS, 2013.)*
- The CMP must:*
- a) Address issues such as security of the cemetery and of the wells to reduce the chances of vandalism and theft.*
 - b) Include ground penetrating radar study outside the cemetery walls to attempt to locate additional graves in the information gathering component of the conservation document.*
 - c) Identify historical cultural plantings for retention; if these plantings are now considered weeds their removal must be assessed and reconsidered based on the outcomes of the assessment.*
 - d) Address the management of existing stone walls.*
 - e) Address the reuse of stone from walls that will be demolished (if applicable).*
 - f) Provide practical solutions for stone wall repair using local stone.*
- All future Development Applications must be prepared in accordance with the CMP.*
- 12.11.77 *A Heritage Impact Statement (HIS) is required to accompany any Development Application (DA) relating to the heritage items and/or all proposed development in the vicinity of heritage items listed under the Kiama Local Environmental Plan 2011. The HIS should be prepared in accordance with the following guidelines:*
- a) Guidelines for preparing a statement of heritage impact, (Environment and Heritage, Department of Planning and Environment, 2023).*
 - b) The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance (Australia ICOMOS 2013).*
- 12.11.78 *A Heritage Interpretation Plan (HIP) prepared by a specialist heritage consultant is required to accompany any detailed DA. The HIP should:*
- a) Highlight the heritage values of Kendalls Cemetery, dry stone walls and cultural landscape across the Site.*
 - b) Be used to inform a design that allows the heritage significance of the place to be retained and demonstrated to the public.*
 - c) Include guidance for signage, landscaping and interpretative elements of the green space design.*

- 12.11.79 *All proposed development around Kendalls Cemetery, including any ground disturbance and roadways, must be setback at least 10 metres from the surrounding dry stone wall boundary.*
- 12.11.80 *All residential allotments must be set back a minimum of 20 metres from the surrounding dry stone wall of Kendalls Cemetery.*
- 12.11.81 *To minimise loss of value and reduce heritage impacts to the curtilage for Kendalls Cemetery, the subdivision of land is to:*
- a) Provide a designated and landscaped green space area/park surrounding the cemetery, between the cemetery walls and the surrounding streets.*
 - b) Provide appropriate landscaping that is guided by the CMP.*
 - c) Maintain the entry and provide interpretation of the heritage values for public engagement and education.*
 - d) Consider the abovementioned mitigating measures and other design responses in the CMP when designing the landscaping works.*
- 12.11.82 *Where possible, and in accordance with the CMP, all development shall maintain an appropriate visual setting for the dry stone walls.*
- 12.11.83 *Where possible, bulk earthworks are to be avoided around dry stone wall 5 and 7. If avoidance is not possible, subdivision and building works impacting the dry stone walls should be managed in accordance with the CMP.*
- 12.11.84 *Dry stone walls 4 and 22 are to be managed in accordance with the CMP, which may include protection by making the wall a 'no access' area including the installation of bollards during construction to separate construction vehicles and provide protection from inadvertent harm.*
- 12.11.85 *Dry stone wall 4 must be protected during the construction of any proposed development in accordance with the CMP.*
- 12.11.86 *Dry stone wall 22 is to be reassessed when access is possible and managed in accordance with the CMP. Where the removal of lantana and other weeds binding to the structure is required, this must be done with care and under the supervision of a consultant with dry stone wall experience.*
- 12.11.87 *Where dry stone walls are located to the front or rear of new properties, all structures, habitable and non-habitable (such as sheds, pergolas, clothes hoists and the like) must be located at least 6 metres from the dry stone wall.*
- 12.11.88 *Where dry stone walls are located within the road reserve or to the side of new properties, all structures, habitable and non-habitable (such as sheds, pergolas, clothes hoists, road carriageway and the like) must be located at least 3.5 metres from the dry stone wall.*
- 12.11.89 *Where retaining walls of up to 1 metre in height are proposed, these must be setback a minimum of 2 metres from the dry stone walls. The setback from dry stone walls to retaining walls above 1 metre in height will be considered on a case-by-case basis by Council.*
- 12.11.90 *Houses adjacent to Kendalls Cemetery are to be designed to incorporate passive surveillance design principles towards the Cemetery.*

- 12.11.91 *An unexpected finds procedure must be established for each DA to guide actions where new walls, burials, human remains and relics (as defined by the Heritage Act 1977) are discovered before, during or after any works.*

With regards to dry stone walls, Chapter 4, Topic 4.3 of the Kiama DCP details:

There are over 360 dry stone walls located within the Kiama Municipal Council area which have been mapped and have had their heritage value assessed. Council has inventory reports for a majority of the dry stone walls noted above which are available to the public. Dry stone walls are identified as items of environmental heritage in Kiama LEP¹²⁵ 2011 and consequently any proposal to demolish, damage, alter (including making breaks), dismantle, or destroy these walls (in whole or in part) requires Council's consent. Development Applications (DA) must show the location of dry stone walls accurately plotted on a site analysis plans, engineering plans, layout plans and concept landscape plans, including any walls located on adjoining land, such as within the road reserve. The condition of the dry stone wall, and any proposed alterations to the wall (e.g. to provide access) should be addressed in a Statement of Environmental Effects submitted with the development application. Specialist advice may be necessary from an expert in dry stone walls.

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In addition to the above, a Heritage Impact Statement may be required by Council if it is of the opinion that there is the potential for a dry stone wall to be adversely affected by proposed development. It is strongly advised that applicants discuss their proposals with Council before lodging a DA so as to confirm Council's submission requirements and minimise potential delays.

The rebuilding of deteriorated walls is encouraged and may be also required as a condition of the development consent. Competent, experienced dry stone wall builders are to be engaged for such a task to ensure that the integrity of the walls is retained. For the purposes of this DCP, rebuilding shall mean restoration or reconstruction as defined by the Burra Charter.

It is common to see Tecomaria hedges or historic planting alongside dry stone walls in the Kiama LGA. These were planted to provide additional windbreaks or shelter for cattle. In some instances these hedges or trees have engulfed the original wall, often to the point where the latter is invisible, and/or has been damaged by a combination of sheltering cattle and invasive tree roots. Because these hedges and rows were cultural plantings by early farmers, they do have some heritage value, and careful consideration needs to be given to their management. Such plantings also provide valuable habitat for native fauna. As a consequence, in some cases it would be desirable to retain the hedge and allow it to contain the old wall within it, rather than cutting or poisoning the hedge in order to display and/or repair the wall. In other

¹²⁵ (NSW Government 2011)

¹²⁶ (NSW Government 2011)

cases, the vegetation may be present only sporadically, and represent fortuitous generation rather than deliberate planting by the farmers, and its removal may well be justified based on the significance and integrity of the wall.

Many walls have become habitat for the plant Zieria granulata. This plant is also known as Illawarra Zieria and is projected under the Threatened Species Conservation Act 1995. Before any work is undertaken near or on dry stone walls reasonable effort must be taken to identify any vegetation to be removed to ensure that no Zieria granulata is harmed. Further information is contained in Council's management plan for the conservation and regeneration of Zieria granulata and dry stone walls on Saddleback Mountain Road and Old Saddleback Road, Kiama regarding obligations and procedures.

Finally, the Burra Charter advocates a cautious approach to change: "all that is necessary, as little as possible". The above philosophy should underpin all proposed works to historic dry stone walls.

Chapter 12.11 also includes the following controls for dry stone walls in addition to those in Topic 7:

- 12.11.36 *The lot layout must accommodate the appropriate building type and respond to the location by:*
 - d) *Retaining existing heritage dry stone walls as identified in 7. Heritage and as guided by the conservation management plan.*
- 12.11.41 *The Munna Munnora Trail is to be designed as a parkland that includes:*
 - g) *Conservation for existing heritage stone walls.*
- 12.11.42 *The community picnic lawns is to be designed as an accessible conservation area that:*
 - d) *Conserves the existing heritage stone walls.*
- 12.11.44 *A detailed Concept Plan for Kendalls Cemetery Park is to be prepared and submitted with the Development Application for residential subdivision of Stage 2 (ie the stage in which the cemetery is located). The Concept Plan shall:*
 - a) *Provide a high-quality passive open space, and*
 - b) *Be consistent with the objectives and controls in 7 - Heritage of this DCP Chapter.*
 - c) *Be consistent with the CMP.*

4.4.5 Legislation relevant to cemeteries and treatment of human remains

The discovery and management of human skeletal remains may be subject to the protection and requirements of different legislation, which in turn impacts the pathways of notification, documentation and consultation.

Human skeletal remains are protected under the *NSW Coroners Act 2009* (Coroners Act) and are initially the responsibility of the NSW Police. The Coroners Act is associated with 'reportable deaths' and their inquests or investigations. Part 3.1 Section 19 notes that this legislation does not have jurisdiction over human remains or deaths which are more than 100 years old. Chapter 9 of the Coroners Act relates to the disposal of human remains applicable to deaths which have occurred in the last 100 years. Only four known burials in Kendalls Cemetery are associated with a death occurring in the last 100 years (1935, 1937, 1945, 1948).

Notification would also be required to the Heritage Council under Section 146 of the Heritage Act and to Heritage NSW under the *National Parks and Wildlife Act 1974* (NPW Act) following the discovery of archaeological human remains.

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Aboriginal skeletal remains are defined as 'objects' and are therefore protected under the NPW Act. With reference to burial grounds and cemeteries, items such as headstones and funerary furniture, grave cuts and grave goods, and human skeletal remains may be considered a 'relic' under the Heritage Act, and would therefore be subject to protection.

The exhumation of bodies is regulated under the *Public Health Regulation 2022*. Exhumations must be approved by the Secretary or ordered by the Coroner in line with Section 94 of the *Public Health Regulation 2022*. The *Work Health and Safety Act 2011*, Heritage Act and *Excavation Work Code of Practice* would also apply regarding exhumation of burials.¹²⁷

A search of the Cemeteries & Crematoria NSW Cemeteries and Crematoria Register lists Kendalls Cemetery as inactive. The status of the place in terms of the definitions contained within the C&C Act needs to be confirmed by Council.

The *Cemeteries and Crematoria Act 2013* (C&C Act) and the *Cemeteries & Crematoria Regulation 2022* (C&C Regulation) provide a legislative framework for the provision of interment services, and interment rights in NSW. Cemeteries & Crematoria NSW was established under the C&C Act to provide advice to the community and to support and oversee the interment industry.

Every cemetery, whether in use or not, must hold a licence issued by the Cemeteries Agency. There are four categories of licence for cemetery and crematorium operators. According to the *Licence Conditions for Operators of Cemeteries and Crematoria*, Kendalls Cemetery would be categorised as Category 4 (Caretaker). The conditions of this licence category are restricted to cemetery maintenance (condition B1) and prohibition of interment services (condition G1).¹²⁸

4.5 Availability of resources

Resources are currently required to maintain the place and its security. Resources include money, materials, labour and expertise.

The existing low intensity use of the land significantly limits resources available to maintain the walls and cemetery. Compatible new uses could provide resources for the capital costs of active conservation works and for the ongoing care of the place.

Skilled professional advice and trade expertise are resources that need will be required, and the cost for these must be considered. The site's location close to Sydney means that such advice and expertise will not be difficult to engage but may cost more than for a site in the Sydney metropolitan area. Expertise necessary for the conservation of the place includes:

- Arboriculturists.
- Archaeologists.
- Ecologists.
- Heritage consultants.
- Landscape architects.
- Landscapers and horticulturalists.

¹²⁷ (NSW Government 2020)

¹²⁸ (Cemeteries & Crematoria NSW, Department of Planning and Environment 2023)

- Masons or wallers expert in building and rebuilding dry stone walls.
- Monumental masons.
- Structural/civil engineers.

4.6 Operational and management requirements

As owner, WCD is responsible for the operation and management of the place—and its conservation. The owner is also responsible for complying with laws and regulations. Authorities who administer and regulate those laws and regulations in relation to heritage and development include:

- The Heritage Council of NSW/Heritage NSW for the Heritage Act and its regulations (in the instance of this place this relates primarily to potential archaeology).
- Council for the Kiama LEP¹²⁹ and Kiama DCP and assessment of development under the EP&A Act.

Should development of the place in line with the Kiama DCP Chapter 12.11 SKURA vision be realised, ownership would change. Subdivided lots would be owned by separate private individual lot owners. The remaining land would be the public domain owned and managed by Council.

If fragments of wall were to be owned by individual lot owners within their property boundaries, management of these elements would be more complex. It is therefore desirable that a single entity manage all significant elements—the walls and cemetery—rather than have responsibility spread among multiple parties. However, it should be noted that, were Council to own the land containing these significant elements—the walls and cemetery—Council would need to consider resourcing and ongoing operational requirements to manage the elements.

4.7 Physical condition of the place's fabric and its elements

The condition of the fabric and its elements ranges from good to poor. While options for repair (restoration and reconstruction) present themselves the conservation priority for the fabric is stabilisation and better preservation.

4.8 Uses, activities or practices essential to significance

The cemetery and the walls share much in common, but their original, current and potential future uses differ.

The use of a cemetery at its most utilitarian is for the sanitary disposal of dead bodies and memorialisation for the deceased. Lead caskets aside, the health risks of decomposition fade over time as the remains become part of the earth.

From a general Christian spiritual perspective, a cemetery is for the safekeeping of the mortal remains of the faithful departed—intact—so that they may rise wholly at the time of Jesus Christ's Second Coming. The original location of burials is as significant as the physical fabric, and relocation of any burials would not be supported.

¹²⁹ (NSW Government 2011)

Conservation of places of cultural significance in general demands a long-term view indeed a 'perpetual' one. It is hard to find places that better manifest the intertwining of use, significance and perpetual conservation than a cemetery does. The timeframe for a cemetery's conservation is literally to the end of time.

But the spiritual significance of a cemetery goes beyond that of a 'forever vault'. They are places that connect people over time—whether with known ancestors or earlier populations more broadly. But it is fair to say that interest in the conservation of individual graves and their monuments, tends to lessen over time as descendants become more removed from the buried. In addition, the number of people with an equal interest in the control of what happens to an ancestor's grave increases as generations become more distant.

Current generations' interest in individual graves extends not only to the care of the grave but to potential interment. Despite recommencement of interment of bodies at the cemetery being a compatible use, it is not a feasible one for a range of reasons. The interment of ashes (or cremains) at the place is seemingly feasible but would overly complicate the conservation and management of the place if formalised.

One use essential to the significance of the cemetery is a continuation of access for visitation to commemorate the dead and to explore genealogy. A compatible but not essential use is for the quiet enjoyment or contemplation of the public.

The walls are more functional. They were made to mark boundaries, contain agriculture, and as a by-product of clearing land. Although their use for boundary marking and containment gives them meaning, continuation or reinstatement of their original use is not essential to significance.

4.9 Ability of the item to be adapted for new uses or to include modern services

The use of the walls was originally for the partitioning of land for ownership and occupation, and for agriculture. The walls are a by-product of the clearing of the land of stones to make it arable for European cropping and agistment of livestock. The walls are features of the landscape and have little ability to be adapted to new uses and a low tolerance for change. The walls themselves do not need modern services. However, development near or between them may need such services. This may include the running of services lines such as power, water supply and drainage.

The cemetery has for a long time been an informal place of passive recreation and it too has a low tolerance for change. If this recreational use is formalised into the public domain as a 'park', there may be a desire for new services and infrastructure typical of parks such as electricity supply, lighting, drinking fountains, seating, picnic tables, shade structures, waste disposal, bicycle parking and signage among other things. However, such interventions have potential for intrusion, clutter, and invasive change to the fabric such as excavation for footings and service lines.

In general, both the cemetery and walls have very limited potential for adaptation.

4.10 Opportunities for heritage significance to be interpreted for the community

The cultural significance of the walls is not readily apparent. Although the nature of the cemetery as a cemetery is self-evident, with its story told partly in monuments, its history and relationship with the Kendalls, other families and individuals, Barroul and Kiama is not. There exists a range of opportunities for interpretation across the site and with connections to other places in the region.

4.11 Coexistence of cultural and natural values

4.11.1 Aboriginal heritage

Aboriginal heritage has been examined in separate studies¹³⁰ and is not the focus of this CMP, which looks at non-Aboriginal cultural significance and the conservation of the walls and cemetery as a place of cultural significance. It is understood that cultural values that coexist do not conflict expressly.

4.11.2 Natural heritage

Although the scope of the Burra Charter is limited to places of cultural significance, the natural significance of the place is known. In particular, many walls have become habitat for the Illawarra Zieria *Zieria granulata*—an endangered plant protected under the *Threatened Species Conservation Act 1995 (NSW)*. Council has developed a management plan that outlines obligations and procedures for the conservation and regeneration of the Illawarra Zieria and dry stone walls in the area.

4.11.3 Historical cultural planting

Historical cultural plantings are plants intentionally planted at a place. Such plantings can include both endemic and exotic (introduced) species. An example of endemic species is the fig tree (*Ficus spp.*) which were used in the Illawarra as shade and fodder for dairy cattle. Two exotic species of plantings present at the place are the South African rambling shrub Cape Honeysuckle *Tecomaria capensis* and the Coral Tree *Erythrina x sykesii* from South America—both are now considered weeds in NSW. Although these two exotic plants are common across the place, it is not always clear whether they are self-sown or were planted.

Honeysuckle was planted for additional windbreaks and shelter for cattle, but some have engulfed walls with their invasive roots and facilitated the dislodgement or disturbance by the sheltering livestock. Introduced as ornamental trees, Coral Trees have become weeds in NSW and are present here and there across the place. A deliberate, albeit relatively recent, row of these trees has been planted running east-west to the west of the cemetery.

4.12 Likelihood of graves outside the cemetery

Unforeseen graves are sometimes found outside the walls of cemeteries. Two common reasons for these extramural burials are: (1) that the burials were once inside the cemetery but the boundaries of the cemetery had changed, and (2) that the bodies were originally interred outside the cemetery for various reasons. Nothing indicates that Kendalls Cemetery's boundaries have changed.

In the course of study for this CMP, a GPR study was completed by geophysical consultants GBG Group (18 November 2024). GPR uses radio waves to penetrate the ground so as to survey and image the subsurface non-intrusively. The study extended 15 metres from the outside of the cemetery walls and found that there were no significant anomalies detected that could be conclusively interpreted as grave shafts or disturbed soil profiles. While there was a low likelihood of the presence of additional graves in the area surveyed, an anomaly was found about 5 meters to the west of the south-western corner of the cemetery's walls. It has been suggested that this anomaly may be floating rock or an old tree stump.

¹³⁰ (Biosis 2020)

The standing monuments on graves in the southern section of the cemetery together with the clear turf of the northern section—save that of the grave of an infant—give the impression of a half-used burial ground. Archaeological examination of an aerial photograph has identified a potential subsurface feature of a vault capable of holding several bodies (Section 2.3). GPR would also be useful in completing the picture of the burials within the walls and for identifying the impacts for any proposed landscape changes as they rise.

4.13 Security of the cemetery and walls

Aside from potential damage by livestock, the principal security risks for the walls include the vandalism of walls and the salvage of stones. The cemetery is open to the risk of vandalism including intentional damage to intact monuments and the dispersal of already damaged monument fragments. Without passive surveillance or active security monitoring, the risks will remain. While it is desirable that public access to the cemetery continues, attention should not be drawn to the place as a publicly accessible one until surveillance—active and/or passive—is put in place. A secure storage area may be useful in keeping fragments of monuments together while decisions on their conservation are determined.

Where programs of work are undertaken, construction risks will present themselves. Protection measures should be put in place prior to the execution of works and may include hoarding off areas and the requirement to do work by hand in sensitive areas.

4.14 Proposed changes, new development or potential threats

This CMP has not been prepared to justify new development, but its conservation policies have been written with an awareness of development anticipated to be proposed in realisation of the Draft Kiama DCP Chapter 12.11 SKURA. This has been so that potential issues with future development in line with the Kiama DCP controls can be identified and potentially adverse impacts arising from such development mitigated.

The conservation policies have also been drafted in such a way as to remain relevant for alternative development that might be proposed from time to time—or simply for the continued maintenance of the place.

4.15 Policy Issues and concerns held by others

Descendants of, and other individuals associated with, those interred at the cemetery may have issues or hold concerns with the conservation of the cemetery in particular. Consultation with such individuals and the community at large has not been part of the drafting of this CMP. Nevertheless, some concerns may be anticipated—these include:

- Continued public visitation of the cemetery.
- Care, conservation, maintenance and change of the graves and funerary monuments.
- Identification of unmarked graves.
- Addition of new funerary monuments to unmarked graves.
- Interment of new bodies or cremains or reinterment of these from elsewhere.

Separate from individuals, the Kiama Historical Society is a community group who has already demonstrated an interest in both the cemetery and walls. That society should be consulted on this draft CMP and any issues and concerns addressed in its finalisation.

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4.16 Records of works

It will be necessary to record the current state of the place and its elements: firstly, to understand in more detail what fabric there is and to inform its conservation; and, secondly, to record decisions, condition, and change over time. Records of the walls and the cemetery should be developed discretely due to the differences in their conservation needs but they should be coordinated and kept together.

4.17 Other factors or future needs

Consultation on this draft CMP may highlight other factors and additional future needs.

Item 15.1

Enclosure 1

5 Conservation policy

5.1 General policies

5.1.1 Use of the Burra Charter and conservation approach

Policy 1	The future conservation and development of the place should be carried out in accordance with the principles of the Burra Charter. ¹³¹
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This CMP uses the following definitions from the Burra Charter:

1.3 <i>Fabric</i> means all the physical material of the <i>place</i> including elements, fixtures, contents and objects.
1.4 <i>Conservation</i> means all the processes of looking after a <i>place</i> so as to retain its <i>cultural significance</i> .
1.5 <i>Maintenance</i> means the continuous protective care of a <i>place</i> , and its <i>setting</i> . <i>Maintenance</i> is to be distinguished from repair which involves <i>restoration</i> or <i>reconstruction</i> .
1.6 <i>Preservation</i> means maintaining a <i>place</i> in its existing state and retarding deterioration.
1.7 <i>Restoration</i> means returning a <i>place</i> to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material.
1.8 <i>Reconstruction</i> means returning a <i>place</i> to a known earlier state and is distinguished from <i>restoration</i> by the introduction of new material.
1.9 <i>Adaptation</i> means changing a <i>place</i> to suit the existing <i>use</i> or a proposed <i>use</i> .
1.10 <i>Use</i> means the functions of a <i>place</i> , including the activities and traditional and customary practices that may occur at the place or are dependent on the place.
1.11 <i>Compatible use</i> means a <i>use</i> which respects the <i>cultural significance</i> of a <i>place</i> . Such a use involves no, or minimal, impact on <i>cultural significance</i> .
1.12 <i>Setting</i> means the immediate and extended environment of a <i>place</i> that is part of or contributes to its <i>cultural significance</i> and distinctive character.
1.13 <i>Related place</i> means a <i>place</i> that contributes to the <i>cultural significance</i> of another place.
1.14 <i>Related object</i> means an object that contributes to the <i>cultural significance</i> of a place but is not at the <i>place</i> .
1.15 <i>Associations</i> mean the connections that exist between people and a <i>place</i> .
1.16 <i>Meanings</i> denote what a <i>place</i> signifies, indicates, evokes or expresses to people.
1.17 <i>Interpretation</i> means all the ways of presenting the <i>cultural significance</i> of a <i>place</i> .

¹³¹ (Australia ICOMOS 2013b)

Policy 2	Kendalls Cemetery and the Walls of Barroul should be conserved so as to retain their cultural significance.
Policy 3	The Statement of Significance set out on page 99 should be adopted as the basis of the cultural significance and be accepted as one of the bases of future planning.
Policy 4	The policies recommended throughout this CMP should be endorsed as a guide to future work.
Policy 5	Kendalls Cemetery and the Walls of Barroul should not be put at risk or left in a vulnerable state.
Policy 6	Where options for change are considered, the option with the least alteration of significant fabric should be normally preferred.
Policy 7	The potential impact of development plans and works on the heritage values (cultural significance) of the place should be assessed in heritage impact statements as they are proposed. Proposals should be modified where impacts would be significant.

5.1.2 Consultation

The draft CMP was made available for community review from 11 June to 9 July 2025 as part of the public exhibition of the DA for Stage 1 of the SKURA. Biosis is not aware of any community submissions that were received as part of the public exhibition process.

Policy 8	Those with an interest in the place, including community groups, Stakeholders and individuals, should be consulted throughout implementation of this CMP and as changes to the place are proposed from time to time, and on proposed development plans and works. This may be as part of the ordinary public consultation of the development assessment process.
Policy 9	The Kiama DCP Chapter 12.11 SKURA provides for the development of an Aboriginal Cultural Heritage Management Plan (ACHMP). Works proposed at the site should consider the recommendations of the ACHMP, identifying and evaluating any conflicts or consistencies between them to ensure an integrated and culturally informed approach to heritage management. Consultation should be undertaken with Aboriginal groups as required.

5.2 Future use and management

- Policy 10** For the simplest and most effective management and conservation of the place, the walls and cemetery should be retained in the ownership and management of a single entity and not be broken up. If ownership must be split, a coordinating entity or mechanism should be established to manage conservation and coordinate the application of the conservation policies consistently.
- Policy 11** Conservation including maintenance and change should be adequately resourced.
- Policy 12** The conservation of the place and changes to it should be informed by relevant professional advice and trade expertise. Planning and works should maintain competent direction and supervision and any changes should be implemented by people with appropriate knowledge and skills.

5.3 The landscape

- Policy 13** Although not listed as a heritage item, the land between the walls and around the cemetery is part of their settings and the cultural landscape. Impacts of proposed development on that landscape should be assessed when change is proposed to it.

5.4 Invasive weeds

- Policy 14** Generally, Cape Honeysuckle and Coral Trees are weeds that should be removed. Before removal, their individual cultural value should be reviewed along with their ecological values as recommended in other policies.

5.5 The Dry Stone Walls

5.5.1 Change, restoration and reconstruction of the walls

The remnant dry stone walls within the study area are part of a much larger network that extended over the Barroul Estate and across the landscape of South Kiama, and elsewhere in the Illawarra. The maximum known extent of the walls at the place (but not their condition or intactness) can be derived from a 1970 aerial photograph at which time their total length was about 2,160 metres—the '1970 extent'. Although the detailed condition and intactness of all walls that remain today has not yet been confirmed due to access, the length of the currently 'mapped walls'—aside from the 200 metre long perimeter walls of the cemetery—is about 1,650 metres, a loss of about 24% from the '1970 extent'.

Adaptive uses of the landscape will likely require some modification to the walls including breaking through openings or clearing larger lengths and the heritage impacts of such proposed reductions in the intactness of the walls would need to be assessed. In general terms at this place, the greater the loss of walls, the greater the impact.

Any assessment of impacts should consider factors such as the relative significance of the wall, its visibility, and its intactness for example as well as the amount of fabric proposed to be removed. However, a base level understanding of how much wall will be lost in the context of the whole is an important and objective measure for both individual impacts and cumulative impacts—it is also a useful one for both those who propose change and those who examine whether that change is acceptable. For example, if we take the

'potentially 'lost' walls of the Draft Kiama DCP Chapter 12.11 SKURA 2023 Concept Plan to be those within proposed lots or roadways, then the loss would be about 320 metres of 'mapped' wall—leaving 38% of the remnant walls and bringing total loss from the '1970 extent' from the 76% now in place to 80%.

Practice under the Burra Charter recognises that the need for change arises and provides for a range of conservation processes that can be used to mitigate impacts and to retain and reveal significance. Such processes in the context of the walls—both lost and remnant—include:

- *Preservation*—leaving the walls as they are and maintaining them in a way to reduce pressures that will cause deterioration,
- *Restoration*—putting fallen or falling walls back in place by reusing their fallen stones, and
- *Reconstruction*—making new walls of new stone where lost walls once were.

In addition, *interpretation* offers a wide variety of ways of presenting the significance and lost presence of walls.

Policy 15	A surveyed record of the walls—the 'Wall Recording' should be made and kept showing the '1970 extent' of the walls and the 2025 extent of the walls. It should be updated as information on the 'maximum historical extent' arises and as walls are modified either by removal or addition (both restorative and reconstructive). The wall recording should include a detailed condition assessment which may be done progressively.
Policy 16	Proposals to modify the walls by the removal of fabric should be identified on a copy of the 'Wall Recording' to indicate the location and extent of wall loss and should be accompanied by an accurate measure of the absolute length and the percentages of the whole that would be lost as part of the: • '1970 extent', • the 'maximum historical extent' (as determined from time-to-time based on new information), • the '2025 extent', and • the extent at the time of the proposal.
Policy 17	In assessing the impacts of wall modifications, a general principle of 'the greater the loss of walls, the greater the impact' should be adopted but factors including the length, location, intactness, authenticity, and condition of the affected walls should also be considered.
Policy 18	The reconstruction or restoration of lost walls and wall sections should be considered the preferred options for the conservation of lost walls—and the place as a whole—and a mitigating measure when proposals to further reduce the extent of original walls are made.

Restoration would include reassembling existing stones from lost walls whereas reconstruction would also include the use of new stones.

Policy 19	Where it is clear that fallen stones of lost walls can be reassembled at the location they fell, those stones should be restored in those locations.
Policy 20	As a general rule for the mitigation of impacts of proposed removal of wall sections, there should be no net loss of wall length from the '2025 extent' when restoration and

	reconstruction of lost walls is considered—that is to say the aggregate percentage of wall length over the '1970 extent' should be kept at or above 76%.
Policy 21	To guard against the cumulative impacts of progressive dismantling and rebuilding of original, authentic walls over time, an absolute limit of 60% of the '1970 extent' being retained only by restoration and preservation—and not reconstruction—should be set.
Policy 22	Should additional information be sourced that informs the understanding of significance of the rectangular concrete structure on the western boundary, then the assessment of significance for the item should be updated. Currently, the structure is not deemed to be intrusive to the site and it may be kept if useful or removed if not.
Policy 23	Fences other than the stone walls may be removed and new fences away from the stone walls may be installed in the landscape.

5.5.2 Maintenance and protection of the walls

Policy 24	Walls should not be removed without checking them as habitat for Illawarra <i>Zieria</i> and coordinating any salvage and mitigation strategy with a person expert in the species' care and cultivation.
Policy 25	Walls and vegetation should not be removed without checking them as habitat for endemic fauna and then coordinating any salvage and mitigation strategy with a person expert in the conservation of such fauna.
Policy 26	Where programs of work are proposed, protection measures should be put in place prior to the execution of works and should include hoarding off areas and/or the requirement to do work by hand in sensitive areas.
Policy 27	Plantings, new structures and built elements near walls should be kept at least three metres away from the existing and new stone walls.
Policy 28	Services should be designed to avoid crossing the walls. Where installation of services that cross walls cannot be avoided, the services should be installed underneath the wall structure or, if through the wall, below ground so they are not visible and disturb the wall as little as possible.
Policy 29	Stones from fallen walls and those that are demolished from time to time, should be salvaged for reuse in the reconstruction of sections of wall—as a first priority—or reuse in public domain landscape works. Their 'salvaged-from' and 'reused-to locations' should be recorded: however, the construction of the walls is not so precise that the detail of stone numbering be recorded—only aggregate length, weight or volume.
Policy 30	When salvaged stones from fallen walls and those that are demolished from time to time cannot be reused in the short term, they should be stockpiled securely for future use at the place.
Policy 31	The repair, restoration and reconstruction of the walls should be carried out using the same materials and methods used in their construction and done by persons with demonstrated experience in similar works in the Illawarra region.

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| Policy 32 | Where walls are not tied into or abutting other walls, and where new openings are made, consideration may be given to stopping the wall with an abutment of similar height and width as the wall profile but of a construction and strength that will support the wall such as reinforced concrete or stone with strong mortar. If done, the finished face should be made from matching stone from onsite or nearby. |
| Policy 33 | New stone for use in the walls and new landscaping should be salvaged from loose stone on site, excavation of stone on site, and from nearby quarries with matching stone. |
| Policy 34 | If sufficient matching stone from on-site or nearby cannot be sourced for the repair and reconstruction of walls, consideration may be given to using similar stone from farther afield even if it does not visibly match in colour. However, if distant stone is used, the source should be sufficient to reconstruct all lost walls so that they do not become a varied patchwork of different stone colours and grains. |
| Policy 35 | New stone for use in the walls may be cut using modern methods such as concrete saws. This will assist in interpreting the conservation of the place by distinguishing reconstructed stones and walls from original and early work. |
| Policy 36 | The walls are dry stone walls laid without mortar or ties and should not be pointed or re-laid with mortars. |
| Policy 37 | New walls, including retaining walls, that are not restored or reconstructed walls may be built using mortar or may include concrete walls if faced with similar stone. |
| Policy 38 | The walls should not be loaded on the top or sides and should not be made into retaining walls. |
| Policy 39 | The walls should not be planted out as rockeries or similar and existing vegetation should be reviewed for removal. |
| Policy 40 | Trees or shrubs with potential to grow roots that might move the walls should not be planted near the walls. |
| Policy 41 | Vegetation in the walls should generally be removed. If removal of the vegetation or the dead vegetative material from the walls will reduce the stability of the wall or cause the wall to be rebuilt, then it should not be removed unless such rebuilding can be done shortly thereafter. |

5.6 Kendalls Cemetery

5.6.1 Cemetery setting

Policy 42	An open landscape setting should be maintained around the cemetery.
Policy 43	The boundary of subdivision of land near the cemetery should be set at least 20 metres from the outer face of the cemetery walls.
Policy 44	The ground 10 metres from the outer face of the cemetery walls should not be disturbed, planted out, paved, or have shade or other structures built upon it..
Policy 45	The remnant structures to the east of the cemetery have no heritage value and may be removed if no longer of use.
Policy 46	Development near the cemetery should be designed to maintain open views to the cemetery and provide occupants passive surveillance of the cemetery.

5.6.2 The cemetery walls

Policy 47	The conservation approach outlined above for the dry stone walls should also be followed for the perimeter walls of the cemetery.
Policy 48	The existing eastern opening in the cemetery walls should be retained.
Policy 49	The creation of new openings in the cemetery walls should be avoided. Any proposal for new openings should consider the future management of the cemetery and align with best practice principles for public access in a cemetery setting with a long-term management strategy that outlines public access arrangements to ensure controlled, secure, respectful, and sustainable use of the cemetery.
Policy 50	Gates may be placed in existing openings in the cemetery walls. If done, they should use traditional materials such as iron or timber and be of a simple design.

5.6.3 Inside the walls

Policy 51	The existing significant fabric and all graves should be retained in-situ and conserved.
Policy 52	All buried bodies in the cemetery—and articles with ashes within them if found—should remain in the ground and not be disturbed.
Policy 53	If any future works within the cemetery walls are proposed, a ground penetrating radar study inside the cemetery walls should be carried out better understand the layout of the cemetery and the bodies interred there. This should be done prior to finalising proposals for landscape changes.
Policy 54	Existing trees in the cemetery may remain.
Policy 55	The branches of trees above monuments should be checked and removed if they have potential to fall and damage the monuments below.

Policy 56	Existing trees in the cemetery may be felled if desired. However, their stumps and roots may be poisoned but should be left in the ground unless they can be grubbed out by hand without disturbing graves or monuments.
Policy 57	Should Council plan to plant to undertake landscape works within the cemetery, such as new trees and shrubs, the species to be planted should have non-invasive shallow roots and should be small species that do not grow higher than the walls. Species that can grow higher than the cemetery walls should not be planted inside the cemetery walls.
Policy 58	If path landscaping works are planned for the future, hard paving such as unit pavers and concrete should not be introduced within the walls of the cemetery. Where formal paths are made in the cemetery, they should be of a permeable material that is characteristic of the area such as earth stabilised with a little cement or similar treatments. Gravel paths are acceptable as long as they provide equitable access to all.
Policy 59	Paths may be made in the cemetery but should be orthogonal and be informed by the presence of graves including unmarked graves.
Policy 60	New services within the cemetery should be limited to localised solar photovoltaic panels to avoid trenching and disturbance of potential archaeological material. If lighting is required, it should be provided either outside the cemetery walls or by localised solar lighting installed within the walls.
Policy 61	New seating, signage and lighting are the only additions acceptable within the walls of the cemetery. Lighting should be kept to the minimum required for safe use of the cemetery for quiet enjoyment and passive recreation.
Policy 62	Infrastructure typical of parks such as drinking fountains, picnic tables, shade structures, waste disposal, bicycle parking and similar intrusions should not be permitted within the walls of the cemetery.

5.6.4 Caring for graves and monuments

Policy 63	A drawn and written survey of the cemetery should be prepared and maintained. It should build on earlier work but establish a framework for the discovery of unknown burials. It should record the condition of existing monuments and catalogue the fragments to inform conservation decisions.
Policy 64	Council is responsible for maintaining the cemetery grounds in a tidy, safe, and respectful condition. Regular inspections should be undertaken to monitor vegetation growth and ensure maintenance activities comply with these protective measures.
Policy 65	Council should nominate and maintain a secure location for the safekeeping, analysis, and conservation of monument fragments. This location should not be within the cemetery walls.
Policy 66	Steps should be taken to stabilise elements of graves and / or monuments which pose a risk to public safety.
Policy 67	Any modification or actions associated with headstones or memorials should be carried out in accordance with the C&C Act, particularly with relevance to descendent approval.

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| Policy 68 | A review of the stability of all monuments with potential to fall over should be carried out and include the advice of a structural engineer and an expert monumental mason. Where there is potential for a monument to fall over in the medium term or by the direct physical impact of people visiting the cemetery, the monument should be propped with durable but temporary props of a consistent design until such time as resources allow for the setting right of the monument or monumental element. |
| Policy 69 | To mitigate risks of falls and trips within the cemetery, subsidence, caved-in graves (coffin collapse), animal burrows, divots, and uneven ground may be filled in or levelled with local earth from outside the cemetery. Such fill should not be compacted but may be manually tamped firm. |
| Policy 70 | Iron fencing associated with graves and monuments should be made safe in accordance with relevant health and safety legislation and the C&C Act. |
| Policy 71 | As the laying down flat of monuments intended to stand erect can hasten decay by exposure, preservation in their existing state by propping should be the preferred approach to mitigating the falling risks of physical harm to persons and the shattering of monuments. |
| Policy 72 | Lawn mowers and whipper snippers should not be used near grave monuments as they risk damage or cumulative wear of masonry. Nor should herbicides be sprayed—or over-sprayed—onto stones and metals; spot application of herbicide would be acceptable. |
| Policy 73 | Ground levels near graves should be maintained at original levels and not be allowed to build up against the masonry elements and cause deterioration by damp. |
| Policy 74 | Slabs and headstones lying on the ground should be raised off the ground. If designed to be erect, they should be re-erected. |
| Policy 75 | As careless removal of mosses, lichens and fungus poses a greater risk to the monumental masonry than the organisms themselves, they should generally be left unless obscuring inscriptions. Where removal is proposed, it should only be done by in accordance with best practice advice from an expert monumental mason and/or in accordance with current legislation and Council Heritage Advisor direction. |

5.6.5 Future use and development

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| Policy 76 | During any future construction works as part of the SKURA, the cemetery must be appropriately protected. This could be in the form of construction fencing a minimum of 10 metres from the cemetery walls. |
| Policy 77 | Prior to the issue of a Subdivision Certificate for the stage of the SKURA development which includes the cemetery, an inspection should be made to ensure the cemetery is safe for the general public. |
| Policy 78 | Council are to include recommendations of this CMP in its general maintenance schedule and undertake works to the best of its ability and resources. |

5.7 Management of archaeology

The study area features an area of high archaeological potential encompassing Kendalls Cemetery, moderate archaeological potential for known former dry stone walls, with the remainder of the site assessed as holding low archaeological potential.

The archaeological resources within Kendalls Cemetery are associated with the burials within that place. The burials, along with their related funerary monuments, are considered to hold local heritage value for their archaeological research potential, associative value, aesthetic value and their ability to demonstrate the past through archaeology. These archaeological resources are also culturally sensitive due to their nature – the remains of the dead. As such, these archaeological resources should be managed with care and respect. It should be noted there are likely to be unmarked graves within Kendalls Cemetery, with one buried feature and several other possible features observed in the northern portion of the cemetery.

While the remainder of the study area has been assessed as low archaeological potential, it is possible that archaeological resources of former dry stone walls and other agricultural landscape features associated with cultivation and dairying activities may be present. The possible archaeological resources of former dry stone walls may hold local heritage value for their archaeological research potential and ability to demonstrate the past through archaeology, depending on the nature, extent and integrity of these resources. It is unlikely that archaeological resources associated with cultivation and dairying activities would hold heritage values at a local level for their research potential, association with historically important people, groups or events, aesthetic or technical value and ability to demonstrate the past through archaeology.

Policy 79 Significant archaeological resources should be protected in accordance with their assessed level of heritage significance.

- Areas of high archaeological potential should be retained, conserved and disturbance avoided.
- All workers must undertake a heritage induction to ensure they are aware of archaeological heritage values, unexpected find procedures, and penalties for breaches of the Heritage Act.
- Archaeological research in the form of non-invasive techniques in Kendalls Cemetery, such as GPR, is encouraged; this data can inform locations of unmarked graves which would facilitate planning for future work.
- Ground disturbance may occur in areas of low archaeological potential. An unexpected finds protocol must be developed and implemented as part of future works to ensure that any potential archaeological relics are managed appropriately. A standard unexpected find procedure is presented in the guideline *Relics of local heritage significance: a guide for minor works with limited impact* (Heritage NSW 2022)(Appendix 3).

Policy 80 Change and future works should consider the needs of relics and archaeological resources in accordance with the Heritage Act.

- Future works or use of Kendalls Cemetery should consider reducing ground impacts to minimise harm to archaeological relics or potential archaeological relics.
- Where change or future works may have an adverse impact on areas of high archaeological potential, an assessment of impacts to heritage values must be undertaken, and as part of that assessment, consider alternatives which would reduce or mitigate those adverse impacts.
- Any archaeological investigation or recording should be undertaken by a suitably experienced and qualified archaeologist, in accordance with Heritage NSW requirements.

- Assessments of impacts to archaeological heritage values within the entire study area must be undertaken in accordance with the relevant and current Heritage NSW and best practice guidelines, including:
 - Archaeological Assessment Guidelines¹³²
 - Assessing Significance for Historical Archaeological Sites and 'Relics'¹³³
 - Guidelines for preparing a statement of heritage impact¹³⁴
 - The Burra Charter.
- Based on the impacts of the proposed works, the assessment is to advise if archaeological works can be undertaken under an exemption under Section 139 of the Heritage Act, or whether an Excavation Permit under Section 140 of the Heritage Act would be required. If works can be undertaken under an exception, an Archaeological Method Statement must be prepared. If an Excavation Permit is required, an Archaeological Research Design and Excavation Methodology must be prepared as part of the permit application.
- All relevant statutory approvals must be sought, as required, prior to any future works occurring and all conditions complied with.

5.8 Interpretation

Policy 81	Publicly accessible interpretation must be developed, which addresses the heritage values of the place, elements and archaeology, and be guided by an Interpretation Plan. This should also have consideration for Aboriginal cultural heritage of the place.
Policy 82	Interpretation should include in situ devices at the cemetery and near retained walls more broadly in the public domain—as and when such a domain is developed.
Policy 83	Interpretation of the broader landscape including the land between the walls should be implemented across the place and at the extents of the study area.
Policy 84	Interpretation should present the significance of related places including Barroul House, the broader Barroul Estate and the relationship between the place and the ocean.
Policy 85	Significant views both current and lost should be interpreted in locations that best convey their significance both within and outside the place.
Policy 86	Regardless of whether lost walls are reconstructed, restored, or proposed to be removed, their earlier presence and significance should be interpreted and the strategies for interpretation included in an Interpretation Plan.
Policy 87	Interpretation should be coordinated and consistent across the place. This should include coordination with wayfinding and landscape strategies for the place.

¹³² (NSW Heritage Office & DUAP 1996)

¹³³ (NSW Heritage Branch, Department of Planning 2009a)

¹³⁴ (DPE 2023b)

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Policy 88	Interpretation may include public artworks, publications, signage, exhibitions, events, and online resources.
Policy 89	In situ interpretive devices should be fabricated of durable materials and maintained in the long term.
Policy 90	The introduction, significance and removal of Cape Honeysuckle, Coral Trees and other vegetation that are removed from the place should be interpreted through interpretive devices and public art.
Policy 91	Interpretation that encourages public visitation should not be implemented until the cemetery and walls are better stable and secured from vandalism and theft.

5.9 Records and review

Policy 92	A readily accessible log should be kept of new information, proposed changes, decisions made, and changes carried out to the walls and cemetery.
Policy 93	This CMP should be reviewed as the need arises, but not later than July 2032.

Item 15.1

Enclosure 1

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'The Late PTE L. S. Kendall.', 1918., *The Kiama Independent, and Shoalhaven Advertiser (NSW: 1863 - 1947)*: 2.

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Kendalls Cemetery and the Walls of Barroul - South Kiama Urban Release Area |
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Appendices

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Kendalls Cemetery and the Walls of Barroul - South Kiama Urban Release Area |
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Appendix 1 Heritage inventory sheets

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Item Details

Name

Kendalls Cemetery

SHR/LEP/S170

LEP #1144

Address

South Kiama Drive KIAMA NSW 2533

Local Govt Area

Kiama

Local Aboriginal Land Council

Unknown

Item Type

Landscape

Group/Collection

Cemeteries and Burial Sites

Category

Cemetery/Graveyard/Burial
Ground

All Addresses

Addresses

Records Retrieved: 1

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
	South Kiama Drive	KIAMA/NSW/2533	Kiama	Unknown			Unknown	Primary Address

Owners

Records Retrieved: 0

Organisation	Stakeholder Category	Date Ownership Updated
No Results Found		

Description

Designer

Builder/Maker

Physical Description

Updated

Physical Condition

Updated

Modifications And Dates

Further Comments

Current Use

Former Use

Listings

Listings

Records Retrieved: 1					
Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Kiama Local Environmental Plan 2011	I144	12/16/2011 12:00:00 AM		

Procedures/Exemptions

Records Retrieved: 0

Section of Act	Description	Title	Comments	Action Date	Outcome
No Results Found					

History

Historical Notes or Provenance

Updated

Historic Themes

Records Retrieved: 0

National Theme	State Theme	Local Theme
No Results Found		

Recommended Management

Management Summary

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Management

Records Retrieved: 0

Management Category	Management Name	Date Updated
No Results Found		

Report/Study

Heritage Studies

Records Retrieved: 0

Report/Study Name	Report/Study Code	Report/Study Type	Report/Study Year	Organisation	Author
No Results Found					

Reference & Internet Links

References

Records Retrieved: 0

Type	Author	Year	Title	Link
No Results Found				

Data Source

The information for this entry comes from the following source:

Data Source	Record Owner	Heritage Item ID
Local Government	Kiama Municipal Council	1860262

Every effort has been made to ensure that information contained in the State Heritage Inventory is correct. If you find any errors or omissions please send your comments to council@kiama.nsw.gov.au

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Kiama Heritage Inventory		SHI Number 1860196
State Heritage Inventory		Study Number 80
Item Name:	Kendalls Cemetery	
Location:	South Kiama Drive, Kiama [Kiama]	
Address:	South Kiama Drive	Planning: Illawarra & Macarthur
Suburb / Nearest Town:	Kiama	Historic Region: Illawarra
Local Govt Area:	Kiama	Parish: Broughton
State:	NSW	County: Camden
Other/Former Names:		
Area/Group/Complex:		Group ID:
Aboriginal Area:		
Curtilage/Boundary:		
Item Type:	Landscape	Group: Cemeteries and Buria Category: Cemetery/Graveyard/
Owner:	Local Government	
Admin Codes:	Kiama Municipal Council	Code 2: Code 3:
Current Use:	Cemetery	
Former Uses:	Cemetery	
Assessed Significance:	Local	Endorsed Significance: Local
Statement of Significance:	This burial site is significant for its association with early pioneers of the Kiama district including the Kendall, Hunt, Marks, and Haydon families dating from 1866. Intact monuments demonstrate the skills of the stonemasons. It has spiritual significance as a place of memory and contemplation reinforced by its visual quality defined by its natural setting and spectacular location.	
Historical Notes or Provenance:	The cemetery was established by the Kendall family as non-denominational family burial ground. The earliest grave is Thomas Surfleet Kendall in 1866, followed by his wife Ada in 1872 and other members of the Kendall family. L S Kendall, killed in action in Belgium in 1917 is also buried there. Part of the cemetery was designated as the Church of England cemetery and received burials until 1947.	
The following extract is from Walking Tracks of Kiama by Don Cottee:		
"The cemetery was associated with the land grant and property known as Barroul a 500 acre grant promised to Andrew Byrne,. In 1827 the grant was purchased by South Seas missionary, the Reverend Thomas Kendall. Thomas Kendall was the uncle of the poet Henry Kendall. On his departure south to Ulladulla , Thomas Kendall passed control the 'Barroul' to his son, Thomas Surfleet Kendall.		
Thomas Surfleet Kendall's residence 'Barroul' is a substantial Victorian residence which is located in the grounds of Kiama Hospital in Bonaira Street.		
The original 500 acre land grant which included Kendall's Basin, extended south to Easts Beach. Numerous private cemeteries exist in Kiama district and all are associated with early land grants prior to the establishment of Local Government and Church cemeteries. A portion of ground in the Kendall cemetery was set aside for use as the Church of England Cemetery and many beside the Kendall family were buried there. Thomas Surfleet Kendall		
State Heritage Inventory		
Date: 20/06/2013	Full Report with Images	Page 1
This report was produced using the Heritage Database Software provided by the Heritage Branch, NSW Department of Planning.		

Kiama Heritage Inventory		SHI Number
State Heritage Inventory		1860196
		Study Number
		80

Item Name: **Kendalls Cemetery**

Location: **South Kiama Drive, Kiama [Kiama]**

and his wife were buried in the Kendall Cemetery."

Themes:	National Theme	State Theme	Local Theme
	9. Phases of Life	Birth and Death	(none)

Designer:

Maker / Builder:

Year Started: 1866 Year Completed: Circa: Yes

Physical Description: Kendall Cemetery is located in a spectacular setting on the east slopes of Saddleback Mountain. It comprises a grassed compound of approximately half a hectare with boundaries enclosed on four sides by drystone walls. Graves are marked by a variety of styles of monuments and tombstones. A number of graves are now unmarked. Natural features include three prominent eucalypts and a group of cypress pine trees.

Physical Condition: Grounds maintained in fair condition. Some monuments collapsing and inscriptions deteriorating

Modification Dates:

Recommended Management:

Management: Statutory Instrument List on a Local Environmental Plan (LEP)

Further Comments:

Criteria a) Contributes to the recording of local history

Criteria b) The site has association with Thomas Surfleet Kendall of Barroul and the Kendall family, prominent early citizens of Kiama.

Criteria c) The site has aesthetic significance for the craftsmanship of the monuments and its setting in a drystone walled compound on the slopes of Saddleback Mountain

Criteria d) The site has social and spiritual significance as a burial ground and religious association with the Church of England.

Criteria e)

Criteria f)

Criteria g)

Integrity / Intactness: Monuments are deteriorating and some grave markers have disappeared. The setting is substantially intact.

References:	Author	Title	Year
	Coltee, Don	Walking Tracks of Kiama	

State Heritage Inventory

Full Report with Images

Date: 20/06/2013

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Kiama Heritage Inventory State Heritage Inventory						SHI Number 1860196 Study Number 80																														
Item Name: Kendalls Cemetery																																				
Location: South Kiama Drive, Kiama [Kiama]																																				
Studies:	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Author</th> <th style="text-align: left;">Title</th> <th style="text-align: left;">Number</th> <th style="text-align: left;">Year</th> </tr> </thead> <tbody> <tr> <td>Latona Masterman and Associates</td> <td>Kiama Heritage Study</td> <td>80</td> <td>1987</td> </tr> <tr> <td>Latona Masterman and Associates</td> <td>Kiama Heritage Study</td> <td></td> <td>1987</td> </tr> </tbody> </table>	Author	Title	Number	Year	Latona Masterman and Associates	Kiama Heritage Study	80	1987	Latona Masterman and Associates	Kiama Heritage Study		1987																							
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Latitude:		Longitude:																																		
Location validity:		Spatial Accuracy:																																		
Map Name:		Map Scale:																																		
AMG Zone:		Easting:		Northing:																																
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Data Entry:		Date First Entered: 21/11/2000		Date Updated: 20/06/2013		Status: Completed																														

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Kiama Heritage Inventory

State Heritage Inventory

SHI Number

1860196

Study Number

80

Item Name: **Kendalls Cemetery**

Location: **South Kiama Drive, Kiama [Kiama]**

Image:



Caption: Headstones of the Haydon, King and McAndrew families

Copyright: Bruce Dawbin and Kiama Council

Image by: Bruce Dawbin

Image Date: 25/06/2000

Image Number: 1860196b

Image Path:

Image File: 1860196c.jpg

Thumb Nail Path:

Thumb Nail File:

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Kiama Heritage Inventory

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SHI Number

1860196

Study Number

80

Item Name: **Kendalls Cemetery**

Location: **South Kiama Drive, Kiama [Kiama]**

Image:



Caption: Kendall and Hunt family headstones, including Pte LS Kendall killed in action during World War 1

Copyright: Bruce Dawbin and Kiama Council

Image by: Bruce Dawbin

Image Date: 25/06/2000

Image Number: 1860196b

Image Path:

Image File: 1860196b.jpg

Thumb Nail Path:

Thumb Nail File:

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SHI Number

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Study Number

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Item Name: **Kendalls Cemetery**

Location: **South Kiama Drive, Kiama [Kiama]**

Image:



Caption: Masons guild inscription, headstone of Chapman

Copyright: Bruce Dawbin

Image by: Bruce Dawbin

Image Date: 25/06/2000

Image Number: 1860196d

Image Path:

Image File: 1860196d.jpg

Thumb Nail Path:

Thumb Nail File:

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Kiama Heritage Inventory

State Heritage Inventory

SHI Number

1860196

Study Number

80

Item Name: **Kendalls Cemetery**

Location: **South Kiama Drive, Kiama [Kiama]**

Image:



Caption: Headstones of the Haydon, King and McAndrew families

Copyright: Bruce Dawbin and Kiama Council

Image by: Bruce Dawbin

Image Date: 25/06/2000

Image Number: 1860196a

Image Path:

Image File: 1860196a.jpg

Thumb Nail Path:

Thumb Nail File:

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wall_196

Property	910.530	WALL NO. 196	Boundary of Brooks and Singleton lands
Lot	12		
D.P.	598137		
SIGNIFICANCE	High/Medium/Low		
Heritage values	Assessment attributes		Comment
A. Historical values	Likely date of construction *		c.1880-90
	Land use		Dairying
	Builder *		Unknown
	Purpose of wall		Paddock and property boundary
	Commissioning owner *		Original owners of all lands along the length of the wall are unknown
B. Aesthetic values	Visual and / or sensory appeal		As the main defining built form in foreground views to the west of the highway and town
	Landmark qualities		Very prominent feature overlooking the highway and visible from ridges to west/south
	Creative / technical qualities		Suggests standard construction skills seen throughout the region in wall development
	Aesthetically distinctive		Only the length and position of the wall provide a distinctive aesthetic quality
	Exemplifier of a style		Adaptation in quality of those 'best practice' construction techniques used by Newing
C. Technical values	Good proportions ?		Correct overall proportions stability
	Type of foundation stones ?		Foundation layer is not visible to assess
	Face stones well interlocked ?		Moderate level of face stone engagement
	Good coping stones ?		Large, but inconsistent - most have fallen
D. Social values	Identified with partic. group *		The land owners and any original farming families aware of its historical form and extent
	Signif. to contemp. community *		High significance in momentary glance views to the west of the highway
E. Representative	Has characteristics of a class		Yes - typical dry stone wall of the region
	A seminal or optimal example *		Example of continuous uniform length of wall
	Esteemed for its integrity		As an original, unreconstructed wall
F. Rarity value	Rare		Not in Kiama Shire
	Endangered		No
	Unusual aspect of our history *		Seldom found elsewhere in NSW
G. Intactness	As a percentage		Average 70-80%

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wall_198

Property	930.500	WALL NO. 198	Cemetery wall
Lot	3		
D.P.	258605		
SIGNIFICANCE	High/Medium/Low		
Heritage values	Assessment attributes		Comment
A. Historical values	Likely date of construction *	1885	
	Land use	Dairying	
	Builder *	Possibly Newing	
	Purpose of wall	Cemetery boundary	
	Commissioning owner *	Thomas Surfleet Kendall	
B. Aesthetic values	Visual and / or sensory appeal	Significant in terms of its historical and cultural associations	
	Landmark qualities	This wall is not visible from the highway or other roads and therefore accessibility is low	
	Creative / technical qualities	Standard use of local stone with some skilled repairs along western and northern walls	
	Aesthetically distinctive	Has major characteristics of local walls, but is distinguishable for its location and function	
	Exemplifier of a style	Copy of that form established by Newing for the skilled functional use of local stone	
C. Technical values	Good proportions ?	Uneven face batter, but good proportions	
	Type of foundation stones ?	Moderate-high base course support	
	Face stones well interlocked ?	Especially along middle part of western arm	
	Good coping stones ?	Generally coping layer has been removed	
D. Social values	Identified with partic. group *	Original farming families of the area who have some association with the cemetery zone	
	Signif. to contemp. community *	High cultural value as an important local historic precinct for existing Kiama community	
E. Representative	Has characteristics of a class	Yes - typical dry stone wall of the region	
	A seminal or optimal example *	Good representative example	
	Esteemed for its integrity	As an original defining line around a precinct	
F. Rarity value	Rare	Only for its relationship with the cemetery	
	Endangered	No, only one part is threatened by a hedge	
	Unusual aspect of our history *	Seldom found elsewhere in NSW	
G. Intactness	As a percentage	Average 70-80% around the four arms of the wall	

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wall_226

Property	1315.32	WALL NO. 226	Rendell entry road boundary
Lot	9		
D.P.	789985		
SIGNIFICANCE	High/Medium/Low		
Heritage values	Assessment attributes		Comment
A. Historical values	Likely date of construction *		c.1860's
	Land use		Dairying
	Builder *		Unknown
	Purpose of wall		Paddock boundary
	Commissioning owner *		Original owner unknown
B. Aesthetic values	Visual and / or sensory appeal		Any appeal is restricted to an historical interpretation of the original use & extent of the wall
	Landmark qualities		The wall line can only be distinguished from the ridges directly to the south of the site
	Creative / technical qualities		Dilapidation of wall renders any appraisal of technical building skill impossible
	Aesthetically distinctive		Vestigial form has all the major visual and component features of those across the Shire
	Exemplifier of a style		An adaptation in quality and style of that developed by Newing as the ideal model
C. Technical values	Good proportions ?		Correct base course widths for stability
	Type of foundation stones ?		Large sized stones with in-situ rock used
	Face stones well interlocked ?		High overall face rock engagement
	Good coping stones ?		Most of coping layer has deteriorated
D. Social values	Identified with partic. group *		Only the local land owners who see the remnants of the wall when driving along the road
	Signif. to contemp. community *		Limited to those visitors to the residential blocks aware of its position
E. Representative	Has characteristics of a class		Yes - typical use of stone in the region
	A seminal or optimal example *		Not in its overall present condition
	Esteemed for its integrity		No structural attention has been provided to it
F. Rarity value	Rare		Not in Kiama Shire
	Endangered		By continued deterioration and cattle bumping
	Unusual aspect of our history *		Such wall styles seldom found elsewhere in NSW
G. Intactness	As a percentage		Varies between 0-60%

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wall_227

Property	1315.32	WALL NO. 227	Rendell property
Lot	9		
D.P.	789985		
SIGNIFICANCE	High/Medium/Low		
Heritage values	Assessment attributes		Comment
A. Historical values	Likely date of construction *		c.1860-70
	Land use		Dairying
	Builder *		Unknown
	Purpose of wall		Property boundary
	Commissioning owner *		Original owner unknown
B. Aesthetic values	Visual and / or sensory appeal		Strong, defining, rural element creating a bold paddock divider and built landscape feature
	Landmark qualities		The wall creates a dominant line in distant views from the flat lands adjoining the cemetery
	Creative / technical qualities		Average level of workmanship in wall detailing and rock positioning for optimal stability
	Aesthetically distinctive		Lichen coverage and overall bold line provide a distinctive character for the wall
	Exemplifier of a style		Typical Newing adaptation using nearby stone for a functional purpose
C. Technical values	Good proportions ?		Excellent 'A' frame base width
	Type of foundation stones ?		Very large and well positioned blocks
	Face stones well interlocked ?		Relatively poor; no regularity in face/face width
	Good coping stones ?		Coping layer remains only at far northern end
D. Social values	Identified with partic. group *		The local land owners who have some association with the original owners in the area
	Signif. to contemp. community *		Restricted to views from adjoining residencies and paddocks. No accessibility from main rds.
E. Representative	Has characteristics of a class		Yes - typical dry stone wall of the region
	A seminal or optimal example *		Good representative example in intact sections
	Esteemed for its integrity		Presumed by local land owners
F. Rarity value	Rare		Not in Kiama Shire
	Endangered		Only by animal bumping on eastern face
	Unusual aspect of our history *		Seldom found elsewhere in NSW
G. Intactness	As a percentage		Varies between 85% in lower portions and 50-55% in upper southern portions

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wall_228

Property	1315.32	WALL NO. 228	Rendell property
Lot	9		
D.P.	789985		
SIGNIFICANCE	High/Medium/Low		
Heritage values	Assessment attributes		Comment
A. Historical values	Likely date of construction *	c.1860	
	Land use	Dairying	
	Builder *	Unknown	
	Purpose of wall	Paddock boundary	
	Commissioning owner *	Original owner unknown	
B. Aesthetic values	Visual and / or sensory appeal	The viewer must enter the vegetative regrowth area to achieve a sense of the wall's presence	
	Landmark qualities	Without the regrowth forest, the wall would have once been bold from slopes to the west	
	Creative / technical qualities	The wall appears to be a conglomeration of various stone sizes in a roughly 'A' frame form	
	Aesthetically distinctive	The amount of regrowth forest that has engulfed the wall is dramatic, viewed from afar	
	Exemplifier of a style	An adaptation of the style and craftsmanship established in the best Newing models	
C. Technical values	Good proportions ?	Relatively weak base widths for stability	
	Type of foundation stones ?	Foundation layers are not visible to assess	
	Face stones well interlocked ?	Generally rough face engagement, both sides	
	Good coping stones ?	High binding cap. - few coping stones remain	
D. Social values	Identified with partic. group *	Only the land owner would be aware of its position, extent and possible former length	
	Signif. to contemp. community *	Any relevance to the wider community is limited by the wall's location	
E. Representative	Has characteristics of a class	Yes - typical use of stone in the region	
	A seminal or optimal example *	Excellent ex. of length/slope of some walls	
	Esteemed for its integrity	As an original, now overgrown form	
F. Rarity value	Rare	Not in Kiama Shire	
	Endangered	By some animal bumps & dramatic regrowth	
	Unusual aspect of our history *	Such wall styles seldom found elsewhere in NSW	
G. Intactness	As a percentage	Varies between 0-75%. Better condition in more secluded forested gully position	

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wall_231

Property	1315.40	WALL NO. 231	MacGill property	
Lot	15			
D.P.	794244			
SIGNIFICANCE	High/Medium/Low			
Heritage values	Assessment attributes		Comment	
A. Historical values	Likely date of construction *			
	Land use			
	Builder *			
	Purpose of wall			
	Commissioning owner *			
B. Aesthetic values	Visual and / or sensory appeal			
	Landmark qualities			
	Creative / technical qualities			
	Aesthetically distinctive			
	Exemplifier of a style			
C. Technical values	Good proportions ?			
	Type of foundation stones ?			
	Face stones well interlocked ?			
	Good coping stones ?			
D. Social values	Identified with partic. group *			
	Signif. to contemp. community *			
E. Representative	Has characteristics of a class			
	A seminal or optimal example *			
	Esteemed for its integrity			
F. Rarity value	Rare			
	Endangered			
	Unusual aspect of our history *			
G. Intactness	As a percentage			

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wall_232

Property	930.490	WALL NO. 232	MacGill property
Lot	5		
D.P.	740252		
SIGNIFICANCE	High/Medium/Low		
Heritage values	Assessment attributes		Comment
A. Historical values	Likely date of construction *		c.1860-70
	Land use		Dairying
	Builder *		Unknown
	Purpose of wall		Paddock boundary
	Commissioning owner *		Original owner unknown
B. Aesthetic values	Visual and / or sensory appeal		The wall helps provide a strong rural flavour, based on its dominant line and former extent
	Landmark qualities		High landmark status as the wall extends up slopes to the immediate west of the highway
	Creative / technical qualities		Whilst binding is tight, general wall proportions show use of unskilled labour in construction
	Aesthetically distinctive		The wall is the northern boundary of a 'rich' paddock wall precinct or zone of holding yard's
	Exemplifier of a style		Typical of the standard paddock model, compliant with the overall Newing practices
C. Technical values	Good proportions ?		Very vertical southern face at the western end
	Type of foundation stones ?		Moderate and deeply set from wall subsidence
	Face stones well interlocked ?		Very good engagement, where intact
	Good coping stones ?		Limited amount of coping layer remains
D. Social values	Identified with partic. group *		Evokes an association of original and continuing land uses for present owners
	Signif. to contemp. community *		If rebuilt, it would a dominant visual feature in glimpse views from the highway looking west
E. Representative	Has characteristics of a class		Yes - typical dry stone wall of the region
	A seminal or optimal example *		Not in its present overall form
	Esteemed for its integrity		As an original, unreconstructed wall
F. Rarity value	Rare		Not in Kiama Shire
	Endangered		By overgrowth and further collapse
	Unusual aspect of our history *		Such wall styles eldom found elsewhere in NSW
G. Intactness	As a percentage		Average 50% - worst at the far western and far eastern end

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wall_233

Property	WALL NO. 233	
Lot		
D.P.		
SIGNIFICANCE	High/Medium/Low	
Heritage values	Assessment attributes	Comment
A. Historical values	Likely date of construction * Land use Builder * Purpose of wall Commissioning owner *	
B. Aesthetic values	Visual and / or sensory appeal Landmark qualities Creative / technical qualities Aesthetically distinctive Exemplifier of a style	
C. Technical values	Good proportions ? Type of foundation stones ? Face stones well interlocked ? Good coping stones ?	
D. Social values	Identified with partic. group * Signif. to contemp. community *	
E. Representative	Has characteristics of a class A seminal or optimal example *	
F. Rarity value	Esteemed for its integrity Rare Endangered Unusual aspect of our history *	
G. Intactness	As a percentage	

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wall_234

Property	930.490	WALL NO. 234	Fanaian and others property
Lot	5		
D.P.	740252		
SIGNIFICANCE	High/Medium/Low		
Heritage values	Assessment attributes		Comment
A. Historical values	Likely date of construction *	c.1860-70	
	Land use	Dairying	
	Builder *	Unknown	
	Purpose of wall	Paddock boundary	
	Commissioning owner *	Original owner unknown	
B. Aesthetic values	Visual and / or sensory appeal	The wall helps provide a strong rural flavour, based on its relationship with associated walls	
	Landmark qualities	Relatively low landmark status, as the wall is hidden in a gully from major viewing paths	
	Creative / technical qualities	Unskilled positioning of stones, but excellent overall internal condition of the wall	
	Aesthetically distinctive	The wall is the north-east boundary of a 'rich' paddock wall precinct or zone of holding yard's	
	Exemplifier of a style	Typical of the standard paddock model, compliant with the overall Newing practices	
C. Technical values	Good proportions ?	Good, small, solid 'A' frame shape	
	Type of foundation stones ?	Moderate scale, but mostly not visible	
	Face stones well interlocked ?	Quite tight engagement for a paddock division	
	Good coping stones ?	Some very large coping blocks adjoining wall	
D. Social values	Identified with partic. group *	Evokes an association of original and continuing land uses for present owners	
	Signif. to contemp. community *	If rebuilt, it would a dominant visual feature in glimpse views from adjoining properties	
E. Representative	Has characteristics of a class	Yes - would have been typical of the region	
	A seminal or optimal example *	Not in its overall present condition	
	Esteemed for its integrity	No attention has been provided for it	
F. Rarity value	Rare	Not in Kiama Shire	
	Endangered	By further deterioration and flooding	
	Unusual aspect of our history *	Such wall styles seldom found elsewhere in NSW	
G. Intactness	As a percentage	65% of original length	
		70% intactness of remaining wall	

Item 15.1

Enclosure 1

wall_235

Property	WALL NO. 235	
Lot		
D.P.		
SIGNIFICANCE	High/Medium/Low	
Heritage values	Assessment attributes	Comment
A. Historical values	Likely date of construction *	
	Land use	
	Builder *	
	Purpose of wall	
	Commissioning owner *	
B. Aesthetic values	Visual and / or sensory appeal	
	Landmark qualities	
	Creative / technical qualities	
	Aesthetically distinctive	
	Exemplifier of a style	
C. Technical values	Good proportions ?	
	Type of foundation stones ?	
	Face stones well interlocked ?	
	Good coping stones ?	
D. Social values	Identified with partic. group *	
	Signif. to contemp. community *	
E. Representative	Has characteristics of a class	
	A seminal or optimal example *	
	Esteemed for its integrity	
F. Rarity value	Rare	
	Endangered	
	Unusual aspect of our history *	
G. Intactness	As a percentage	

Item 15.1

Enclosure 1

Property	930.490	WALL NO. 236	Fanaian and others
Lot	5		
D.P.	740252		
SIGNIFICANCE	High/Medium/Low		
Heritage values	Assessment attributes	Comment	
A. Historical values	Likely date of construction *	c.1860-70	
	Land use	Dairying	
	Builder *	Unknown	
	Purpose of wall	Former holding yard boundary	
	Commissioning owner *	Original owner unknown	
B. Aesthetic values	Visual and / or sensory appeal	The wall helps provide a strong rural flavour, as the possible former edge of a corale	
	Landmark qualities	Relatively low landmark status, as the wall is hidden in a gully from major viewing paths	
	Creative / technical qualities	Unskilled positioning of stones, but excellent overall internal condition of the wall	
	Aesthetically distinctive	Very rectangular shapes in face elevation. Southern end of holding yards precinct	
	Exemplifier of a style	Typical of the standard paddock model, compliant with the overall Newing practices	
C. Technical values	Good proportions ?	Large base course width, where intact	
	Type of foundation stones ?	Very large and planar shapes utilised	
	Face stones well interlocked ?	Quite tight engagement for a paddock division	
	Good coping stones ?	No identifiable coping layer remains	
D. Social values	Identified with partic. group *	Evokes an association of original and continuing land uses for present owners	
	Signif. to contemp. community *	If rebuilt, it would a dominant visual feature in glimpse views from adjoining properties	
E. Representative	Has characteristics of a class	Yes - would have been typical of the region	
	A seminal or optimal example *	Not in its overall present condition	
	Esteemed for its integrity	No attention has been provided for it	
F. Rarity value	Rare	Not in Kiama Shire	
	Endangered	By further deterioration and vegetation increase	
	Unusual aspect of our history *	Such wall styles seldom found elsewhere in NSW	
G. Intactness	As a percentage	Approx. 60% of original length	
		Intactness varies between 20-90%	

Property	930.490	WALL NO. 237	Fanaian and others
Lot	5		
D.P.	740252		
SIGNIFICANCE	High/Medium/Low		
Heritage values	Assessment attributes	Comment	
A. Historical values	Likely date of construction *	c.1880	
	Land use	Dairying	
	Builder *	Unknown	
	Purpose of wall	Paddock boundary	
	Commissioning owner *	Original owner unknown	
B. Aesthetic values	Visual and / or sensory appeal	Due to severe lantana coverage, any sense of the wall from distant properties is lost	
	Landmark qualities	Whilst the wall lies directly below the highway, the level change makes it visually inaccessible	
	Creative / technical qualities	Presumed high level of construction skill involved for stability on steep slopes at south end	
	Aesthetically distinctive	Only the position of the wall and the slope that it would have originally climbed is distinctive	
	Exemplifier of a style	Of the model established by Newing for the skilled use of local stone	
C. Technical values	Good proportions ?	Wide base course and good angled batter	
	Type of foundation stones ?	Not visible, but presumed large	
	Face stones well interlocked ?	High face rock engagement	
	Good coping stones ?	Large, uniform blocks showing good binding	
D. Social values	Identified with partic. group *	Evokes an association of original and continuing land uses for present owners	
	Signif. to contemp. community *	If rebuilt, it would a dominant visual feature in glimpse views from adjoining properties	
E. Representative	Has characteristics of a class	Yes - typical dry stone wall of the region	
	A seminal or optimal example *	Not in its overall present condition	
	Esteemed for its integrity	As an original, unreconstructed element	
F. Rarity value	Rare	Not in Kiama Shire	
	Endangered	By continual overgrowth in upper portions	
	Unusual aspect of our history *	Such wall styles seldom seen elsewhere in NSW	
G. Intactness	As a percentage	Only 5-10% of presumed total length visible	
		This part is 90-95% intact	

Property	930.490	WALL NO. 238	Fanaian and others property
Lot	5		
D.P.	740252		
SIGNIFICANCE	High/Medium/Low		
Heritage values	Assessment attributes	Comment	
A. Historical values	Likely date of construction *	c.1860's	
	Land use	Dairying	
	Builder *	Unknown	
	Purpose of wall	Paddock boundary	
	Commissioning owner *	Original owner unknown	
B. Aesthetic values	Visual and / or sensory appeal	Remaining wall height of 0.8 metres means wall views are lost from distant properties	
	Landmark qualities	Whilst the wall lies directly below the highway, the level change makes it visually inaccessible	
	Creative / technical qualities	Some moderate level of building skill involved in compaction of generally spherical stones	
	Aesthetically distinctive	Only the position of the wall and the bold line of coral trees along it make it distinguishable	
	Exemplifier of a style	Of the model established by Newing for the skilled use of local stone	
	Good proportions ?	Wide base course width suggests good footing	
	Type of foundation stones ?	Mostly not visible, but presumed large	
C. Technical values	Face stones well interlocked ?	Irregular face rock engagement	
	Good coping stones ?	Majority of coping layer has disappeared	
	Identified with partic. group *	Evokes an association of original and continuing land uses for present owners	
	Signif. to contemp. community *	If rebuilt, it would a dominant visual feature in glimpse views from adjoining properties	
D. Social values	Has characteristics of a class	Yes - typical dry stone wall of the region	
	A seminal or optimal example *	Not in its overall present condition	
	Esteemed for its integrity	As an original, unreconstructed element	
E. Representative	Rare	Not in Kiama Shire	
	Endangered	By flooding and exposure to cattle damage	
	Unusual aspect of our history *	Such wall styles seldom seen elsewhere in NSW	
	As a percentage	60-70% of original wall line remains	
F. Rarity value		It is approximately 65% intact	
G. Intactness			

Property	930.490	WALL NO. 239	Fanaian and others property
Lot	5		
D.P.	740252		
SIGNIFICANCE	High/Medium/Low		
Heritage values	Assessment attributes	Comment	
A. Historical values	Likely date of construction *	c.1880	
	Land use	Dairying	
	Builder *	Presumed original land owner	
	Purpose of wall	Possibly side of original holding pen	
	Commissioning owner *	Original owner unknown	
B. Aesthetic values	Visual and / or sensory appeal	Due to vegetation coverage, any sense of the wall from distant properties is lost	
	Landmark qualities	Whilst the wall lies directly below the highway, the level change makes it visually inaccessible	
	Creative / technical qualities	Purely functional building for wall suggests unskilled aesthetic or detail considerations	
	Aesthetically distinctive	The size and scale of the rectangular blocks and the grey-white lichen cover is unique	
	Exemplifier of a style	A common version of the smaller block walls used for less significant visual definers	
C. Technical values	Good proportions ?	Not for the standard 'A' frame model	
	Type of foundation stones ?	Very large, deeply set and very rectangular	
	Face stones well interlocked ?	Relatively high considering scale of blocks	
	Good coping stones ?	No identifiable coping distinct from face rock	
D. Social values	Identified with partic. group *	Evokes an association of original and continuing land uses for present owners	
	Signif. to contemp. community *	Significance is limited due to isolation from main public viewing paths	
E. Representative	Has characteristics of a class	Yes - typical functional use of stone	
	A seminal or optimal example *	Of the 'block' wall example	
	Esteemed for its integrity	As an original, unreconstructed element	
F. Rarity value	Rare	Not in Kiama Shire	
	Endangered	By continual vegetation overgrowth	
	Unusual aspect of our history *	Such wall styles seldom seen elsewhere in NSW	
G. Intactness	As a percentage	Average 90%, where visible and accessible	

Property	930.490	WALL NO. 240	Fanaian and others
Lot	5		
D.P.	740252		
SIGNIFICANCE	High/Medium/Low		
Heritage values	Assessment attributes	Comment	
A. Historical values	Likely date of construction *	c.1880	
	Land use	Dairying	
	Builder *	Presumed original land owner	
	Purpose of wall	Possibly side of original holding pen	
	Commissioning owner *	Original owner unknown	
B. Aesthetic values	Visual and / or sensory appeal	Due to vegetation coverage, any sense of the wall from distant properties is lost	
	Landmark qualities	Whilst the wall lies directly below the highway, the level change makes it visually inaccessible	
	Creative / technical qualities	Purely functional building for wall suggests unskilled aesthetic or detail considerations	
	Aesthetically distinctive	The size and scale of the rectangular blocks and the grey-white lichen cover is unique	
	Exemplifier of a style	A common version of the smaller block walls used for less significant visual definers	
	Good proportions ?	Not for the standard 'A' frame model	
	Type of foundation stones ?	Very large, deeply set and very rectangular	
C. Technical values	Face stones well interlocked ?	Large gaps across entire wall face	
	Good coping stones ?	No identifiable coping layer present	
	Identified with partic. group *	Evokes an association of original and continuing land uses for present owners	
D. Social values	Signif. to contemp. community *	Significance is limited due to isolation from main public viewing paths	
	Has characteristics of a class	Yes - typical functional use of stone	
	A seminal or optimal example *	Of the 'block' wall example	
E. Representative	Esteemed for its integrity	As an original, unreconstructed element	
	Rare	Not in Kiama Shire	
	Endangered	By continual vegetation overgrowth	
	Unusual aspect of our history *	Such wall styles seldom seen elsewhere in NSW	
F. Rarity value	As a percentage	80-85% intactness for the quantity of wall visible and accessible	
G. Intactness			

Property	930.490	WALL NO. 242	Fanaian and others property
Lot	5		
D.P.	740252		
SIGNIFICANCE	High/Medium/Low		
Heritage values	Assessment attributes	Comment	
A. Historical values	Likely date of construction *	c.1870-80	
	Land use	Dairying	
	Builder *	Unknown - probably original property owner	
	Purpose of wall	Small embankment wall for cattle movement	
	Commissioning owner *	Original land owner unknown	
B. Aesthetic values	Visual and / or sensory appeal	Element is exposed to an interpretation of its possible former uses in context of its locality	
	Landmark qualities	The slope that the wall lies on is visually accessible from the Rendell and MacGill prop.	
	Creative / technical qualities	Purely functional building for wall suggests unskilled aesthetic or detail considerations	
	Aesthetically distinctive	The width of the wall back into the slope is similar to the feature identified at Rockwood	
	Exemplifier of a style	An adaptation of the standard type of wall development for a related functional purpose	
	Good proportions ?	Not for the standard 'A' frame model	
	Type of foundation stones ?	Very large, deeply set and some in-situ used	
C. Technical values	Face stones well interlocked ?	Large gaps across entire exposed wall face	
	Good coping stones ?	No identifiable coping layer present	
	Identified with partic. group *	Evokes an association of original and continuing land uses for present owners	
	Signif. to contemp. community *	Significance is limited due to isolation from main public viewing paths	
D. Social values	Has characteristics of a class	Yes - typical functional use of stone	
	A seminal or optimal example *	Of the 'block' wall example	
	Esteemed for its integrity	As an original, unreconstructed element	
F. Rarity value	Rare	Not in Kiama Shire	
	Endangered	No	
	Unusual aspect of our history *	Such wall styles seldom seen elsewhere in NSW	
G. Intactness	As a percentage	Approximately 85-90% of what original structure may have been	

Item Details

Name

Barroul House

SHR/LEP/S170

LEP #I81

Address

14a Bonaira Street KIAMA NSW 2533

Local Govt Area

Kiama

Local Aboriginal Land Council

Unknown

Item Type

Built

Group/Collection

Residential buildings (private)

Category

House

All Addresses

Addresses

Records Retrieved: 1

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
14a	Bonaira Street	KIAMA/NSW/2533	Kiama	Unknown			Unknown	Primary Address

Significance

Statement Of Significance

Early stone house. Good example of early Victorian Georgian style. Unfortunately let down by tiled roof and loss of some minor detail historical associations with the Kendall family. Local significance.

Owners

Records Retrieved: 0

Organisation	Stakeholder Category	Date Ownership Updated
No Results Found		

Description

Designer

Builder/Maker

Physical Description

Updated

Colonial Georgian style house. Constructed of plastered basalt rubble, with sandstone corner stones. Foundations of bluestone rubble. Verandah columns of turned timber, and scalloped timber fringe. Fine balustrading near entrance stairway. Cedar interior. Bay windows and french doors. Wide entry door with glass side panels.

Physical Condition

Updated

Modifications And Dates

Original roofing shingles have been replaced with unsympathetic tiles. Verandah balustrading way also have been replaced. Now has concrete verandah floor.

Further Comments

Current Use

Physiotherapy Department

Former Use

Private Residence, Nurses Quarters, Matrons Residence, Physiotherapy Department

Listings

Listings

Records Retrieved: 1					
Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Kiama Local Environmental Plan 2011	I81	12/16/2011 12:00:00 AM		

Procedures/Exemptions

Records Retrieved: 0

Section of Act	Description	Title	Comments	Action Date	Outcome
No Results Found					

History

Historical Notes or Provenance

Updated

Original land grant of 500 acres to Andrew Bryan of Appin on 20.5.1828 (Portion 14 - Parish of Broughton). Purchased by Rev Thomas Kendall in 1828, and became "Retreat Farm". Property run by Rev Kendall's eldest son Thomas Surfleet Kendall. In 1929 he married Caroline Blake Rutter, sister of Mrs Michael Hindmarsh of "Alne Bank", Gerringong. The original home was of timber. It was replaced during the 1850s by a fine residence called "Barroul".

In 1928 the house and land were acquired by Kiama Hospital. "Barroul" became the nurses, quarters. It later served as the Matron's residence, and finally as the Physiotherapy Department.

Historic Themes

Records Retrieved: 0

National Theme	State Theme	Local Theme
No Results Found		

Recommended Management

Management Summary

Management

Records Retrieved: 0

Management Category	Management Name	Date Updated
No Results Found		

Report/Study

Heritage Studies

Records Retrieved: 3

Report/Study Name	Report/Study Code	Report/Study Type	Report/Study Year	Organisation	Author
Illawarra Heritage Study Review Kiama Inventory			1994		Perumal Murphy Wu Pty Ltd
Illawarra Region Historic Buildings and Sites			1981		Anne Crostin Ali
Illawarra Region Historic Buildings and Sites			1981		Ann Croston Ali

Reference & Internet Links

References

Records Retrieved: 0

Type	Author	Year	Title	Link
No Results Found				

Data Source

The information for this entry comes from the following source:

Data Source	Record Owner	Heritage Item ID
Local Government	Kiama Municipal Council	1860114

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Item Details

Name
Kendall House (former Green Acres)
SHR/LEP/S170
LEP #I134
Address
19 Saddleback Mountain Road KIAMA NSW 2533
Local Govt Area
Kiama
Local Aboriginal Land Council
Unknown

Item Type	Group/Collection	Category
Built	Residential buildings (private)	House

All Addresses

Addresses								
								Records Retrieved: 1
Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
19	Saddleback Mountain Road	KIAMA/NSW/2533	Kiama	Unknown			Unknown	Primary Address

Significance

Statement Of Significance
Early cottage, altered and added to over the years. Possibly retaining fabric of original Kendall family cottage, c1836. Considerable historical interest.

Owners

Records Retrieved: 0		
Organisation	Stakeholder Category	Date Ownership Updated
No Results Found		

Description

Designer

Builder/Maker

G Switzer

Physical Description

Updated

Description: Early cottage, altered and added to over the years. Includes sections from 1866 and c1922. Possibly retains some fabric of original c1836 cottage.

Physical Condition

Updated

Modifications And Dates

Further Comments

Current Use

Residence

Former Use

Residence

Listings

Listings

Records Retrieved: 1					
Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Kiama Local Environmental Plan 2011	l134	12/16/2011 12:00:00 AM		

Procedures/Exemptions

Records Retrieved: 0

Section of Act	Description	Title	Comments	Action Date	Outcome
No Results Found					

History

Historical Notes or Provenance

Updated

History: This residence was originally part of the Kendall family's 'Barroull' Estate. Robert Kendall, son of Thomas Surfleet Kendall, had the home built for his bride, Emma Hunt, c1836. It was originally known as 'Happy Villa'. After Emma's death, Robert moved to Milton. The home was then occupied by his sister Charlotte Elizabeth Kendall, who was married to Major John Black of 'Jenera Vale', Jamberoo. After Robert's death in 1881, the home was sold to nearby landowner William Grey. It was later purchased by the retired Post Master John Tyler. Subsequent owners were Theo and Ada Grey, and the Boniface family. In 1920 it was purchased by David Weir. In 1950 Isabella Cooper bought it and changed the name to 'Culburnie'. In 1970 it was sold again, along with three acres of land, to Mr Ken Rogers. Recent owners have called the home renamed the cottage 'Kendall House'. A barn at the rear, noted by AC Ali, may have been demolished.

Historic Themes

Records Retrieved: 1

National Theme	State Theme	Local Theme
4. Settlement	Accommodation	Unknown

Recommended Management

Management Summary

Management

Records Retrieved: 0

Management Category	Management Name	Date Updated
No Results Found		

Report/Study

Heritage Studies

Records Retrieved: 3

Report/Study Name	Report/Study Code	Report/Study Type	Report/Study Year	Organisation	Author
Illawarra Heritage Study Review Kiama Inventory			1994		Perumal Murphy Wu Pty Ltd
Illawarra Region Historic Buildings and Sites			1981		Ann Croston Ali
Illawarra Region Historic Buildings and Sites			1981		Anne Crostin Ali

Reference & Internet Links

References

Records Retrieved: 1

Type	Author	Year	Title	Link
Written	Mrs Francis Whalan (per Ben Meek			

Data Source

The information for this entry comes from the following source:

Data Source	Record Owner	Heritage Item ID
Local Government	Kiama Municipal Council	1860004

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Kendalls Cemetery and the Walls of Barroul - South Kiama Urban Release Area |
Heritage Conservation Management Plan | Development Application Issue - Final November2025



Appendix 2 Maintenance Plan

Item 15.1

Enclosure 1



Conservation Management Actions

The CMP establishes a policy framework designed to complement existing management strategies. To have effective long-term management of the cemetery and its dry stone walls, and to align heritage values with Council's broader objectives, it is recommended that the heritage management policies outlined in the CMP are implemented through coordinated and planned management actions.

This section presents a tailored action plan for Kendalls Cemetery and the associated dry stone walls within the study area, outlining steps for implementing the conservation management policies described in Section 5 and provides a structured framework for future conservation and maintenance activities. Where any walls have been omitted from the current documentation, the rationale for their exclusion is based on the need for further survey and assessment to be undertaken. This approach ensures that the Action Plan remains a dynamic document, capable of refinement as new information emerges through detailed site investigations.

All actions proposed in the plan should be undertaken with regard to the details and guidance of the CMP policies that are relevant to those items.

This management action plan should be updated following:

- Completion of the detailed dry stone wall survey to account for the condition of all dry stone walls.
- Finalisation of landscape, civil and subdivision design to ensure management actions are relevant.

Table 1 defines the different priority levels of action and presents the recommended management actions for implementation.

Table 1 Priority levels of actions

Priority	Timing	Actions
High	<1 years	Actions needed to rectify problems that could cause imminent risk of damage, loss or detrimental to significant fabric, areas or infrastructure
Medium	1-5 years	Actions should be planned and implemented with 1 to 5 years in order to reduce the risk of damage, loss or detrimental to significant fabric, areas or infrastructure
Low	5-10 years	Actions forming part of a longer term management or maintenance strategy, to maintain and enhance significance
Ongoing	-	Actions to be commenced within the next financial year and implemented cyclically or continuously in line with work programs

Table 2 Conservation management actions

Elements	Description	Method of action	Priority	Timeline	Responsibility
General					
All	Conduct a review of the CMP as the need arises, but not later than July 2032.	Desktop review, visual inspection	Low	Every 10 years or as required	Developer
All	Establish a readily accessible log that will be utilised for the site to capture works undertaken, proposed changes, decisions made, and changes carried out to the walls and cemetery over time.	Desktop assessment	High	Develop log within six months of CMP adoption.	Developer
				Update log within 12 months	Developer
Kendall Cemetery					
All	Prepare and maintain a drawn and written survey of the cemetery. It should build on earlier work but establish a framework for the discovery of unknown burials. It should record the condition of existing monuments and catalogue the fragments to inform conservation decisions.	Desktop review, visual inspection	Medium	Within 12 months of CMP adoption	Council and / or developer
All	Nominate and maintain a secure location for the safekeeping, analysis, and conservation of monument fragments (not within the cemetery walls).	Desktop review, visual inspection	Medium	Within 12 months of CMP adoption	Council and / or developer
Entry & access	Conduct inspection of entry signage, dry stone wall, and pathways to identify damage, obstruction, or deterioration. Document findings and repairs in maintenance register.	Visual inspection	Ongoing	Bi-annually	Council



Elements	Description	Method of action	Priority	Timeline	Responsibility
Tree and vegetation	Trim overhanging branches near entry and pathways, remove dead vegetation, and maintain visual markers and sightlines. Remove dead trees, trim overhanging branches and maintain visual markers. For vegetation and weed management around heritage fabric, spot herbicide (using a brush or weeding wand) application and the use of manual lawn or edging shears for grass immediately adjacent to monuments is acceptable.	Visual inspection	Ongoing	Quarterly	Council with Arborist Team
Pathways and surfaces	Inspect and repair or fill in cracks, animal burrows, potholes, and uneven surfaces in any access paths and parking areas to maintain safe access. Uneven ground may be filled in or levelled with local earth from outside the cemetery. Such fill should not be compacted but may be manually tamped firm. Document findings and repairs in maintenance register.	Visual inspection	Ongoing	Quarterly	Council
Rubbish and debris	Clear litter, fallen leaves and debris to maintain clean environment throughout the cemetery, ensuring pathways and monuments areas remain accessible and visually tidy.	Visual inspection	Ongoing	Monthly	Council
Signage and wayfinding	Inspect and maintain informational signage.	Visual inspection	Ongoing	Quarterly	Council
Graves	Check headstones and monuments for tilting, cracking or instability, clear broken fragments which may cause sub-surface disturbance.	Visual inspection	Ongoing	Bi-annually	Council with appropriately qualified and experienced specialist tradesperson

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Elements	Description	Method of action	Priority	Timeline	Responsibility
	Document findings and repairs in maintenance register.				
Headstones (gravestones)	Conduct visual inspection to assess the structural stability, tilting, cracking or stone deterioration. Any modification or actions associated with headstones or memorials should be carried out in accordance with the C&C Act. Mosses, lichens and fungus should generally be left unless obscuring inscriptions. Where removal is proposed, it should only be done by or under the supervision or advice of an expert monumental mason and the advice of a heritage consultant and/or in accordance with current legislation and best practice. Document findings and repairs in maintenance register.	Visual inspection	Ongoing	Bi-annually	Council with appropriate appropriately qualified and experienced specialist tradesperson
Plaques	Clean plaques using appropriate equipment and materials; ensure they are in the ground level to prevent tripping hazard. Inspect for displacement, uneven surfaces, and wear. Document findings and repairs in maintenance register.	Visual inspection	Ongoing	Bi-annually	Council with appropriate appropriately qualified and experienced specialist tradesperson
Slabs	Conduct visual inspection to assess the structural stability, tilting, cracking or stone deterioration, check for water ingress. Inspect surface for erosion, subsidence, or cracks. Clean surfaces gently using appropriate materials and methods.	Visual inspection	Ongoing	Bi-annually	Council with appropriate appropriately qualified and experienced specialist tradesperson

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Elements	Description	Method of action	Priority	Timeline	Responsibility
	Document findings and repairs in maintenance register.				
Iron fences	Conduct visual inspection to assess the tilting and structural stability to ensure safety and public hazards. Inspect for damage, rot, rust, loose posts or panels. Repair or replace damaged sections. Repaint or treat as required using appropriate materials and methods to make safe for public access. Document findings and repairs in maintenance register.	Visual inspection	Medium	Annually	Council
Dry stone walls – general					
All dry stone walls	Conduct a detailed survey for a 'Wall Recording'. The wall recording should show the '1970 extent' of the walls and the 2025 extent of the walls. Update the wall recording as information on the 'maximum historical extent' arises and as walls are modified either by removal or addition (both restorative and reconstructive). The wall recording should include a detailed condition assessment which may be done progressively.	Visual inspection	High	Within 6 months of CMP adoption	Council and / or developer
Wall 1 and 6					
Dry stone walls	Inspect the walls for displacement or vegetation growth. Prioritise repair works as required. Inspect entire length of dry stone wall for bulging, leaning, displaced stones, gaps,	Visual inspection	Ongoing	Annually	Council with appropriate masonry tradesperson



Elements	Description	Method of action	Priority	Timeline	Responsibility
	vegetation intrusion, erosion at the base, or water damage. Document findings and repairs in maintenance register.				
Vegetation	Remove invasive plant weeds, and roots. Where <i>Zieria granulata</i> and <i>Tecomaria capensis</i> are present, particularly around the dry stone walls and within the cemetery grounds, these may be retained and maintained due to their associative heritage values with the dry stone walls. Manage vegetation through careful spot application of herbicide and selective pruning to maintain and retain the structural integrity of the walls. Reset loose or displaced stones, refill gaps, and ensure stability without altering historic construction techniques. Where bulging, leaning, or severe erosion is observed, implement heritage-sensitive reinforcement using traditional techniques; avoid modern mortar unless approved by an appropriately qualified and experienced tradesperson.	Visual inspection	Ongoing	Quarterly	Council
Wall 4					
Dry stone walls	Inspect the walls for displacement or vegetation growth. Prioritise repair works as required. Inspect entire length of dry stone wall for bulging, leaning, displaced stones, gaps,	Visual inspection	Ongoing	Annually	Council with appropriate masonry tradesperson

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Elements	Description	Method of action	Priority	Timeline	Responsibility
	vegetation intrusion, erosion at the base, or water damage. Document findings and repairs in maintenance register.				
Vegetation	Remove invasive plant weeds, and roots. Where <i>Zieria granulata</i> and <i>Tecomaria capensis</i> are present, particularly around the dry stone walls and within the cemetery grounds, these may be retained and maintained due to their associative heritage values with the dry stone walls. Manage vegetation through careful spot application of herbicide and selective pruning to maintain and retain the structural integrity of the walls. Reset loose or displaced stones, refill gaps, and ensure stability without altering historic construction techniques. Where bulging, leaning, or severe erosion is observed, implement heritage-sensitive reinforcement using traditional techniques; avoid modern mortar unless approved by an appropriately qualified and experienced tradesperson.	Visual inspection	Ongoing	Quarterly	Council
Wall 3					
Dry stone walls	Inspect the walls for displacement or vegetation growth. Prioritise repair works as required. Inspect entire length of dry stone wall for bulging, leaning, displaced stones, gaps,	Visual inspection	Ongoing	Annually	Council with appropriate masonry tradesperson

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Elements	Description	Method of action	Priority	Timeline	Responsibility
	vegetation intrusion, erosion at the base, or water damage. Document findings and repairs in maintenance register.				
Vegetation	Remove invasive plant weeds, and roots. Where <i>Zieria granulata</i> and <i>Tecomaria capensis</i> are present, particularly around the dry stone walls and within the cemetery grounds, these may be retained and maintained due to their associative heritage values with the dry stone walls. Manage vegetation through careful spot application of herbicide and selective pruning to maintain and retain the structural integrity of the walls. Reset loose or displaced stones, refill gaps, and ensure stability without altering historic construction techniques. Where bulging, leaning, or severe erosion is observed, implement heritage-sensitive reinforcement using traditional techniques; avoid modern mortar unless approved by an appropriately qualified and experienced tradesperson.	Visual inspection	Ongoing	Quarterly	Council
Wall 14, 16					
Dry stone walls	Inspect the walls for displacement or vegetation growth. Prioritise repair works as required. Inspect entire length of dry stone wall for bulging, leaning, displaced stones, gaps,	Visual inspection	Ongoing	Annually	Council with appropriate masonry tradesperson

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Elements	Description	Method of action	Priority	Timeline	Responsibility
	vegetation intrusion, erosion at the base, or water damage. Document findings and repairs in maintenance register.				
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Wall 15					
Dry stone walls	Inspect the walls for displacement or vegetation growth. Prioritise repair works as required. Inspect entire length of dry stone wall for bulging, leaning, displaced stones, gaps,	Visual inspection	Ongoing	Annually	Council with appropriate masonry tradesperson

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Elements	Description	Method of action	Priority	Timeline	Responsibility
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Vegetation	Remove invasive plant weeds, and roots. Where <i>Zieria granulata</i> and <i>Tecomaria capensis</i> are present, particularly around the dry stone walls and within the cemetery grounds, these may be retained and maintained due to their associative heritage values with the dry stone walls. Manage vegetation through careful spot application of herbicide and selective pruning to maintain and retain the structural integrity of the walls. Reset loose or displaced stones, refill gaps, and ensure stability without altering historic construction techniques. Where bulging, leaning, or severe erosion is observed, implement heritage-sensitive reinforcement using traditional techniques; avoid modern mortar unless approved by an appropriately qualified and experienced tradesperson.	Visual inspection	Ongoing	Quarterly	Council
Wall 12					
Dry stone walls	Inspect the walls for displacement or vegetation growth. Prioritise repair works as required. Inspect entire length of dry stone wall for bulging, leaning, displaced stones, gaps,	Visual inspection	Ongoing	Annually	Council with appropriate masonry tradesperson

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Elements	Description	Method of action	Priority	Timeline	Responsibility
	vegetation intrusion, erosion at the base, or water damage. Document findings and repairs in maintenance register.				
Vegetation	Remove invasive plant weeds, and roots. Where <i>Zieria granulata</i> and <i>Tecomaria capensis</i> are present, particularly around the dry stone walls and within the cemetery grounds, these may be retained and maintained due to their associative heritage values with the dry stone walls. Manage vegetation through careful spot application of herbicide and selective pruning to maintain and retain the structural integrity of the walls. Reset loose or displaced stones, refill gaps, and ensure stability without altering historic construction techniques. Where bulging, leaning, or severe erosion is observed, implement heritage-sensitive reinforcement using traditional techniques; avoid modern mortar unless approved by an appropriately qualified and experienced tradesperson.	Visual inspection	Ongoing	Quarterly	Council
Wall 5					
Dry stone walls	Inspect the walls for displacement or vegetation growth. Prioritise repair works as required. Inspect entire length of dry stone wall for bulging, leaning, displaced stones, gaps,	Visual inspection	Ongoing	Annually	Council with appropriate masonry tradesperson

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Elements	Description	Method of action	Priority	Timeline	Responsibility
	vegetation intrusion, erosion at the base, or water damage. Document findings and repairs in maintenance register.				
Vegetation	Remove invasive plant weeds, and roots. Where <i>Zieria granulata</i> and <i>Tecomaria capensis</i> are present, particularly around the dry stone walls and within the cemetery grounds, these may be retained and maintained due to their associative heritage values with the dry stone walls. Manage vegetation through careful spot application of herbicide and selective pruning to maintain and retain the structural integrity of the walls. Reset loose or displaced stones, refill gaps, and ensure stability without altering historic construction techniques. Where bulging, leaning, or severe erosion is observed, implement heritage-sensitive reinforcement using traditional techniques; avoid modern mortar unless approved by an appropriately qualified and experienced tradesperson.	Visual inspection	Ongoing	Quarterly	Council
Wall 7 (north and south)					
Dry stone walls	Inspect the walls for displacement or vegetation growth. Prioritise repair works as required. Inspect entire length of dry stone wall for bulging, leaning, displaced stones, gaps,	Visual inspection	Ongoing	Annually	Council with appropriate masonry tradesperson

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Elements	Description	Method of action	Priority	Timeline	Responsibility
	vegetation intrusion, erosion at the base, or water damage. Document findings and repairs in maintenance register.				
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Wall 11					
Dry stone walls	Inspect the walls for displacement or vegetation growth. Prioritise repair works as required. Inspect entire length of dry stone wall for bulging, leaning, displaced stones, gaps,	Visual inspection	Ongoing	Annually	Council with appropriate masonry tradesperson

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Elements	Description	Method of action	Priority	Timeline	Responsibility
	vegetation intrusion, erosion at the base, or water damage. Document findings and repairs in maintenance register.				
Vegetation	Remove invasive plant weeds, and roots. Where <i>Zieria granulata</i> and <i>Tecomaria capensis</i> are present, particularly around the dry stone walls and within the cemetery grounds, these may be retained and maintained due to their associative heritage values with the dry stone walls. Manage vegetation through careful spot application of herbicide and selective pruning to maintain and retain the structural integrity of the walls. Reset loose or displaced stones, refill gaps, and ensure stability without altering historic construction techniques. Where bulging, leaning, or severe erosion is observed, implement heritage-sensitive reinforcement using traditional techniques; avoid modern mortar unless approved by an appropriately qualified and experienced tradesperson.	Visual inspection	Ongoing	Quarterly	Council
Wall 9					
Dry stone walls	Inspect the walls for displacement or vegetation growth. Prioritise repair works as required. Inspect entire length of dry stone wall for bulging, leaning, displaced stones, gaps,	Visual inspection	Ongoing	Annually	Council with appropriate masonry tradesperson

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Elements	Description	Method of action	Priority	Timeline	Responsibility
	vegetation intrusion, erosion at the base, or water damage. Document findings and repairs in maintenance register.				
Vegetation	Remove invasive plant weeds, and roots. Where <i>Zieria granulata</i> and <i>Tecomaria capensis</i> are present, particularly around the dry stone walls and within the cemetery grounds, these may be retained and maintained due to their associative heritage values with the dry stone walls. Manage vegetation through careful spot application of herbicide and selective pruning to maintain and retain the structural integrity of the walls. Reset loose or displaced stones, refill gaps, and ensure stability without altering historic construction techniques. Where bulging, leaning, or severe erosion is observed, implement heritage-sensitive reinforcement using traditional techniques; avoid modern mortar unless approved by an appropriately qualified and experienced tradesperson.	Visual inspection	Ongoing	Quarterly	Council
Wall 13					
Dry stone walls	Inspect the walls for displacement or vegetation growth. Prioritise repair works as required. Inspect entire length of dry stone wall for bulging, leaning, displaced stones, gaps,	Visual inspection	Ongoing	Annually	Council with appropriate masonry tradesperson

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Wall 17					
Dry stone walls	Inspect the walls for displacement or vegetation growth. Prioritise repair works as required. Inspect entire length of dry stone wall for bulging, leaning, displaced stones, gaps,	Visual inspection	Ongoing	Annually	Council with appropriate masonry tradesperson

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Elements	Description	Method of action	Priority	Timeline	Responsibility
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Heritage Conservation Management Plan | Development Application Issue - Final November2025



Appendix 3 Relics of local heritage significance: a guide for
minor works with limited impact

Item 15.1

Enclosure 1



HERITAGE NSW

2022.1

INFORMATION SHEET

Item 15.1

Relics of local heritage significance:

a guide for minor works with limited impact

Enclosure 1



Relics from Parramatta. (Photography by F. Barry, Heritage NSW)

Introduction

This guideline sets out the requirements when undertaking minor works involving limited impact to relics of local heritage significance, relying on exception 2(b) made under section 139(4) of the *Heritage Act 1977* (exception 2(b)), published in the NSW Gazette on 18 February 2022 (the order).

Relics of local heritage significance:

A GUIDE FOR MINOR WORKS

Under the *Heritage Act 1977*, a 'relic' means any deposit, artefact, object or material evidence that:

- relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- is of State or local heritage significance.

Relics are protected under the *Heritage Act 1977*. Excavation and disturbance of land may require an excavation permit under section 140 or otherwise fall within an exception under section 139(4).

Exception 2(b) provides an exception from the requirement to hold an excavation permit for:

“Any disturbance or excavation of land that constitutes minor works involving limited impact to relics of local heritage significance, within the meaning of the ‘**Relics of local heritage significance: a guide for minor works with limited impact**’ published by Heritage NSW.

Works conducted under exception 2(b) must comply with this guideline. The works must also meet the general conditions prescribed for the exceptions. See the [order](#) published in the NSW Gazette for full details.

This guideline sets out how to assess if works are minor, as follows:

1. how minor works are defined,
2. the activities that may be applicable, and
3. how to understand and assess cumulative impact.

These exceptions **do not** apply to relics of State heritage significance. See the [s140 application](#) information on the Heritage NSW website if relics of State heritage significance are predicted.

Archaeological relics may also be listed on the State Heritage Register. These exceptions **do not** apply to any relic that is State Heritage Register listed or subject to an interim heritage order. See the [s60 application](#) information on the Heritage NSW website for further information.

There are penalties under the *Heritage Act 1977* for failing to obtain a heritage approval, excavation permit or comply with a relevant exception, such as a fine of up to \$1.1 million, or in serious cases, imprisonment for up to 6 months. It is therefore important to ensure you understand the requirements that apply.

If Aboriginal objects are suspected to be present on the site, management under the *National Parks and Wildlife Act 1974* is required. See the Heritage NSW website for more information on managing [Aboriginal cultural heritage](#).

Defining minor works

Minor works with limited impact are works having a small or negligible impact on relics of local heritage significance. This can be demonstrated by addressing that either:

- the scale or nature of the proposed excavation, regardless of the depth, would not adversely affect the relics and deposits, such as where the excavation would:
 - only affect less important areas of an archaeological site and not areas of highest potential (e.g. cesspits, occupation deposits, wells), or
 - occur in areas previously disturbed or where relics have already been removed, or
 - verify and assess the site conditions.

Relics of local heritage significance:

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or

- the scale of works is otherwise consistent with a limited impact, assessed by:
 - when the precise location of the archaeological relics is known, the area affected by the works is a small portion of the total known area of potential for relics, or
 - when the precise location of the archaeological relics is unknown, but the works only impact a small portion of the overall area and manual techniques are used, or
 - the cumulative impact of the works and any previous or proposed future works (see further below).

Considerations when determining if your works may be minor can include:

- Will the work expose, but not remove the relic(s)?
- Can your work reuse areas already disturbed, or areas of the relic(s) that are already disturbed?
- Can your work be redesigned to avoid the relic(s)?

Examples of minor works

The minor works exception **does not** apply to relics of State heritage significance, or relics subject to State Heritage Register listing or an interim heritage order.

Examples of works which are likely to be considered minor are:

- geotechnical works using small machine excavators, hand augurs, and small dimension truck mounted augers,
- contamination testing using small machine excavators or hand excavation,
- landscaping works, including creating and removing paths, planting trees and shrubs, and garden bed preparation. Generally, landscaping works will not involve the use of heavy machinery, except for concrete cutting,
- service installation, including in existing trenches and over short distances,
- pegging stakes, survey marks, or making temporary fencing using inserted posts, e.g. star pickets,
- vegetation removal not requiring pulling large root balls from soil, or
- driving wheeled or tracked vehicles where this does not dig into the ground.

Other works that could reasonably be considered as minor and involving limited impact to relics of local heritage significance as demonstrated by a heritage management document may fit within exception 2(c), which provides an exception from the requirement to hold an excavation permit for:

“Any disturbance or excavation of land that constitutes minor works involving limited impact to relics of local heritage significance as demonstrated by a heritage management document, such as an Archaeological Assessment, completed within the last five years.”

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See the [order](#) published in the NSW Gazette for full details.

If you are unsure if your works fall within the exceptions, the advice and support of an archaeologist will assist you to undertake works relying on an exception. Refer to the Heritage NSW website for a [directory of heritage professionals](#) where you can search for archaeologists.

If the minor works involve archaeological monitoring or test excavation you must follow the guidelines *Relics of local heritage significance: a guide for archaeological test excavation* and *Relics of local heritage significance: a guide for archaeological monitoring* both published by Heritage NSW.

Cumulative impact

As archaeology is non-renewable, ongoing or repeated excavation and disturbance of archaeology will deplete this resource. Consequently, the cumulative impact of activities/works on archaeology must be assessed. A cumulative impact assessment must carefully analyse any previous works at the site and their impact over time, along with the effect of the proposed activities/works to be undertaken now.

One project by itself may be of minor impact, however several activities/works that impact archaeology, when combined, may present an unreasonable overall impact by eroding or entirely removing the resource or heritage value. Preparation for minor works using an exception must address the cumulative impact of the works. The works will not fall under the exception if they may generate more than a limited impact to relics of local heritage significance.

Strategies that can minimise cumulative impact must be considered when planning your work, such as:

- reusing existing service trenches and utility corridors,
- consolidating ground disturbance areas, or
- building up not down.

Recordkeeping

If after reading this guideline you consider your works are minor and have a limited impact on relics of local heritage significance, you must document this decision and the works and keep your records for a reasonable time in accordance with the general conditions. See the order published in the NSW Gazette for full details.

Heritage NSW has provided a template **Record of Use form** that may be used in the recording of exceptions. Keep a copy of any professional advice received for your records.

Relics of local heritage significance:

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Unexpected finds procedure

Unexpected finds can be:

- o burials,
- o Aboriginal objects, or
- o relics not predicted in the documentation for the exception (e.g. relics of State significance, relics that are more intact than predicted, etc).

As noted in general condition (e):

“If any Aboriginal objects are discovered, excavation or disturbance is to cease and notification in accordance with section 89A of the *National Parks and Wildlife Act 1974* is required. Depending on the nature of the discovery, additional assessment and approval under the *National Parks and Wildlife Act 1974* may be required prior to works continuing in the affected area(s).”

Unexpected finds procedures are important so you know what to do in the event something unexpected is discovered. An unexpected finds procedure should contain the following steps:

- if a find is identified, works will stop immediately around the find and the area will be protected,
- the find will be reported to the project manager or supervisor,
- a historical archaeologist will be contacted to identify the find,
- if the find is a relic, a mitigation strategy must be developed and implemented. This could include: avoidance of the find, test excavation or other mitigation measures. You may need to reassess your exception or apply for a s140 permit, and
- if the find is a relic, notification to Heritage Council under section 146 of the *Heritage Act 1977* will be required. See the ‘Discovery of a relic’ section below for when and how to notify the Heritage Council.

Discovery of a relic

You **do not** need to notify the Heritage Council if no relics are found. If relics are found, notification of the relic’s location under section 146 of the *Heritage Act 1977* is required. As noted in general condition (h):

“A person who is aware or believes that he or she has discovered or located a relic, in any circumstances (including where works are carried out in reliance on an exception under section 139(4)), must notify the Heritage Council in accordance with section 146 of the *Heritage Act 1977*. Depending on the nature of the discovery, additional assessment and approval under the *Heritage Act 1977* may be required prior to the recommencement of excavation in the affected area(s).”

Having used either exception 2(b) or exception 2(c) the process of section 146 notification should occur within a reasonable time and take the form of an email to the Heritage Council heritagemailbox@environment.nsw.gov.au identifying that the relic was discovered when relying on the exceptions referred to above and providing:

- the GPS location of the relic, and
- a photograph of the relic in its location (for context).

**Relics of local heritage
significance:**

**A GUIDE FOR MINOR
WORKS**

No formal acknowledgement of the notification will be provided.

If the minor works identify that further archaeological work is required, e.g. a salvage excavation, then a section 140 excavation permit may be necessary. See the [s140 information](#) on the Heritage NSW website. We recommend you submit any documentation relating to the exception, such as your completed Record of Use form, with your application.

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Enclosure 1

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