

A REVIEW OF ABORIGINAL CULTURAL FACTORS FOR THE JERVIS BAY AREA NEW SOUTH WALES

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INTRODUCTION

Purpose

This paper has the purpose of reviewing Aboriginal cultural factors for the Jervis Bay area in the light of proposals to carry out a range of developments which may affect the Bay, the shoreline and the environs.

Rationale

Commonwealth responsibilities for the long term environmental management of Jervis Bay must include considerations of the Aboriginal National Estate. This task is essential to ensure that any deleterious environmental effects of developments of shoreline and adjacent areas are minimized. As yet this cultural component of the Jervis Bay environment has been poorly described and evaluated.

Background

Unlike other coastal areas of NSW which have high levels of recreational value and use, the shoreline margins of Jervis Bay are relatively undisturbed. The hinterland of the Beecroft and Bherwerre Peninsulas and the catchments of small creeks which empty into the Bay also contain some undisturbed environs.

This situation has implications for the protection of the Aboriginal cultural heritage of the area because, as shown in Map 1, the archaeological evidence of Aboriginal habitation is conspicuous in the dune lines and exposed headlands in the form of extensive shell middens. Creeklines and minor landform features, within the immediate catchment of the Bay, may also contain as yet unreported evidence of past Aboriginal utilization. This is due to the fact that extensive areas, including the Beecroft and Bherwerre Peninsulas, were not alienated for agricultural purposes or extensively cleared for grazing or forestry.

More importantly there are traditional sites, both on the shoreline of Jervis Bay and in the hinterland, which are of considerable spiritual significance to the Aboriginal people of the region. In addition, there are areas of past land reservation for Aboriginal people as well as contact sites that have both contemporary and cultural values.

ABORIGINAL OCCUPATION OF THE AREA

Earliest habitation

Australian archaeologists and anthropologists now generally accept that the Aboriginal people have been in Australia for at least 40,000 years. For south-east NSW evidence of the earliest occupation goes back 20,000 years. This estimate is based on carbon-14 (C^{14}) dating techniques used in the archaeological research of a rock shelter at Burrill Lake, 25 km south of Jervis Bay. Another record at the base of an open site at Bass Point, about 20 km north of Jervis Bay, has been dated at 17,500 BC.

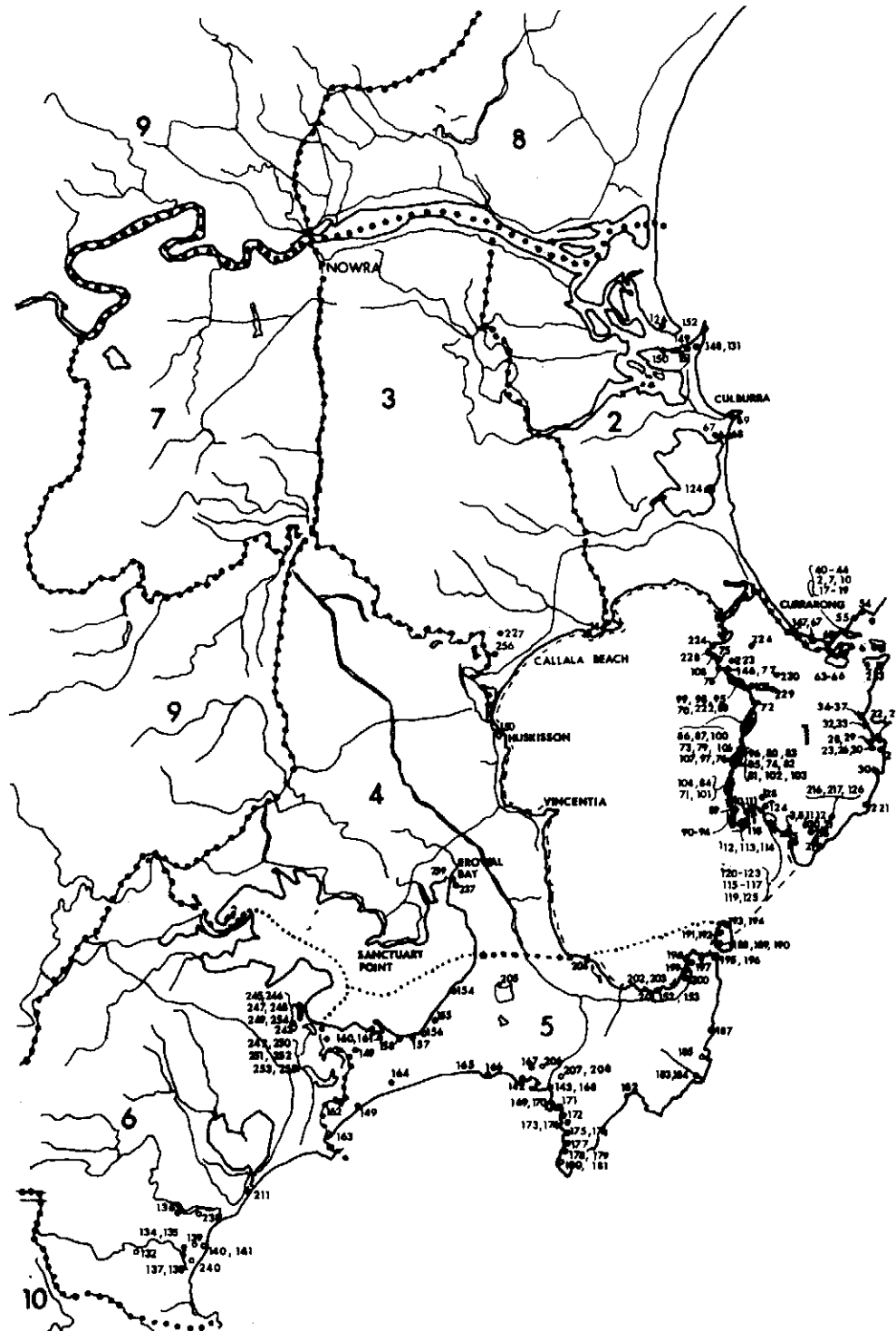
Both Burrill Lake and Bass Point were inland sites during their initial occupation as the coast-line then would have been about 20 km east of Jervis Bay due to the lower sea levels of the Ice Age. Present coastal sites mostly date from circa 7,000 years ago when the sea stabilized at its present level thus inundating Aboriginal sites which could have been of the Burrill Lake site's age or older.

Tribal boundaries

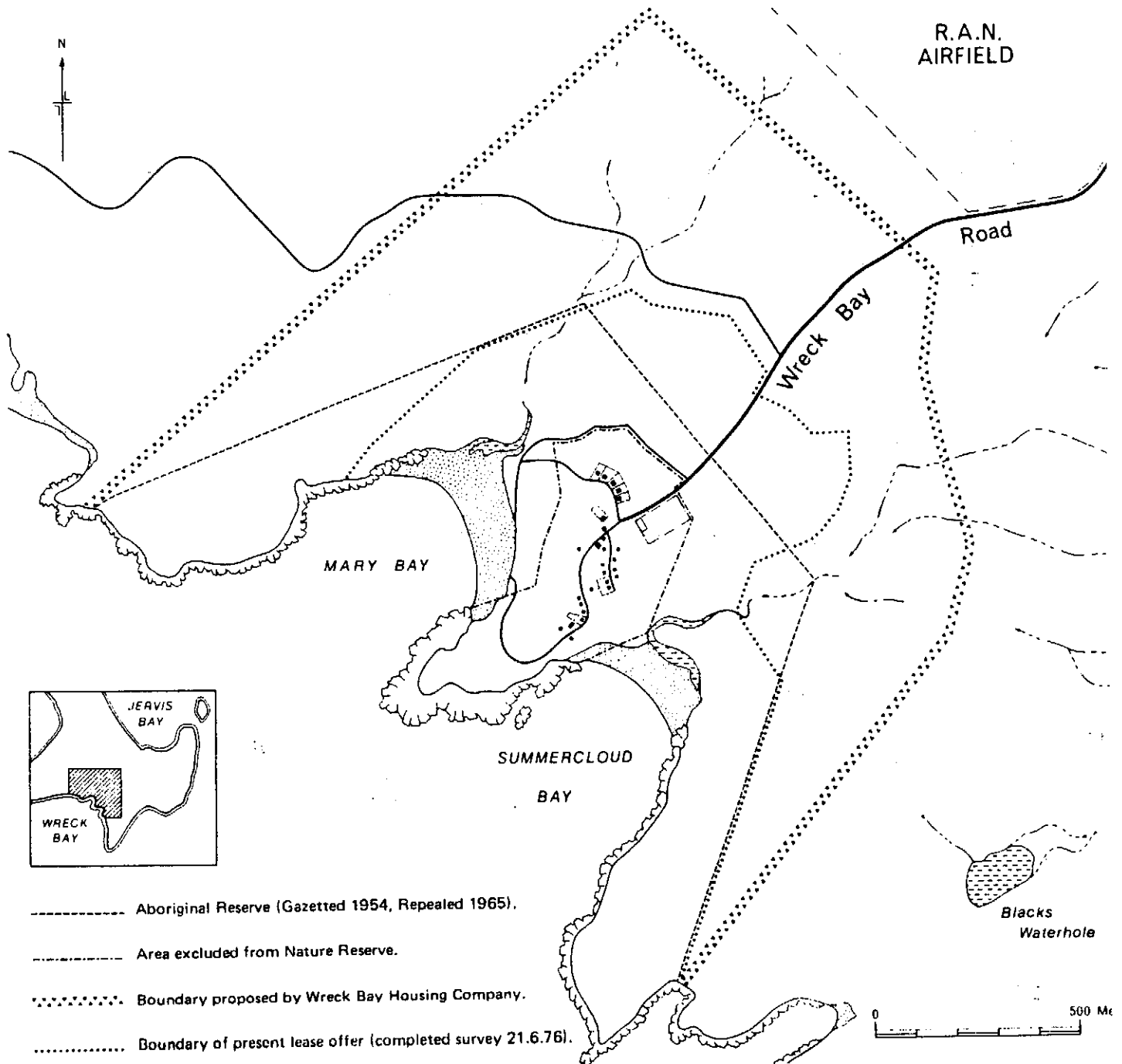
There are varying views regarding which Aboriginal people inhabited the Jervis Bay area just prior to the arrival of the Europeans. Tindale (1974) names the Wandandian tribe; a more recent study by Sefton (1980) suggests either the Gurangada or the Dharumba. To complicate matters further, a linguistic study by Eades (1976) shows the boundary line of two languages (dialects) in her study, the Dharawal and the Dhurga, cutting Jervis Bay in half. Normally, a common language is one of the important characteristics of a tribal group.

Jerringa

The present day Jerringa people claim descent from the pre-European Jerringa, who were probably a subgroup of the Wandandian tribe, and who inhabited the area comprising Orient Point, Crookhaven Head and Culburra. (Jerringa Tribal Council Land Claim Submission 1978).



MAP 1.
Archeological site-record zones for the Jervis Bay area.



MAP 2.
Changing boundaries in the Jervis Bay territory

In the mid 1830s Alexander Berry, the first white settler on the lands between Mt. Coolangatta and the Shoalhaven River, acquired a block of land at Orient Point and sent to it some of his homestead Aboriginal work force who probably belonged to the Wodi-Wodi tribe that had owned the country north of the Shoalhaven River prior to its expropriation.

These people intermingled with the Jerringa and over the following 65 years Aboriginal people from other parts of NSW moved into the area since it was relatively isolated from white settlement and supported a viable Aboriginal community.

Consolidation of Aboriginal Habitation

In 1900, following on the break-up of the Berry Estates at Mt. Coolangatta, the Roseberry Park Aboriginal Reserve of 11 ha was established by the NSW Aborigines Protection Board. The Reserve was expanded in 1907 to 27 ha, reaching from Curleys Bay to the Crookhaven River, to accommodate another influx of Aboriginal people from elsewhere in NSW. During the first half of this century the Aboriginal dwellings spilled out of the Reserve onto Orient Point and the Crookhaven headlands to a point a few kilometres from Culburra.

It would appear therefore, that between 1830 and 1950 part of the old Jerringa territory was mainly occupied by Aboriginal people; in terms of its usage it had never ceased to be Aboriginal. This situation was to change drastically in the 1950s when white people began to move into the area in relatively large numbers.

Parallel with the white immigration, the then Shoalhaven Shire Council, without any consultation with the Aboriginal people, began a program of residential and tourist development which led to the destruction of Aboriginal burial and bora grounds. The Shire Council's attitudes were of course typical of the period that was just prior to the advent of a wider acceptance by white communities of the concepts of self-determination and land rights for Aborigines.

Implications

Arising from these events and as a mark of the increasing level of consciousness among Aboriginal people, the Jerringa Tribal Council was formed in 1967 to press for title to the Roseberry Park Reserve and other nearby small parcels of land of special significance. The land was eventually granted under the NSW Aboriginal Land Rights Act (1983).

The present Jerringa community is descended from a number of different Aboriginal groups including the pre-European Jerringa. This signifies the maintenance of a Jerringa community and Jerringa sentiments by the infusion of "new blood" via marriage and immigration over the past 150 years. In pre-European times this situation was common and for obvious reasons, highly desirable (Elkin, 1973).

ABORIGINAL COMMUNITIES OF THE JERVIS BAY AREA

The Jerringa Aboriginal Housing Company - Orient Point

The Jerringa Aboriginal Housing Company (JAHC) at Orient Point was formed in 1970 with a leading part being played by the late Jack Campbell. The JAHC was placed on a sound basis from its beginning, reflecting a cohesive community and strong leadership and has not acted in isolation from the other actions of the Jerringa community such as the Tribal Council.

The JAHC territory takes in the Orient Point-Crookhaven Heads area and all of Jervis Bay with the exception of the Bherwerre Peninsula. For Aboriginal development purposes, this latter area is covered by the Wreck Bay Aboriginal Housing Company (WBAHC).

The JAHC was not just a means whereby Commonwealth Government funds for Aboriginal housing were simply channelled into houses built at Orient Point by building contractors. After acquiring the basic skills of carpentry, bricklaying and painting, and with initial assistance from three white tradesmen, JAHC members themselves, designed and built the 22 or more modern houses of this community. The only tradesmen employed were of necessity licensed electricians and plumbers.

Settlement at Wreck Bay

The present Wreck Bay village community dates from around 1890 when Aboriginal fishermen intermittently camped at Summercloud and Mary Bays while fishing the then rich waters between Sussex Inlet and St. Georges Head. They came from various Aboriginal Communities from the far South Coast to La Perouse in Sydney. Many were linked by marriage and consanguine relations; e.g. amongst the founders of the La Perouse community in 1878 were people from the Jervis Bay area. It is highly likely there were also links with the Jerringa and Coolangatta people and a small community then established near Huskisson.

From the early 1900's some families of the Aboriginal fishermen working Wreck Bay began the process of permanent settlement (probably the first Aboriginal occupation of the area since contact times), building humpies at Sumercloud Bay. By 1915, by which time the area had become part of the Commonwealth Territory, there were at least 5 families more or less permanently settled in the area.

A few years were to pass before the Commonwealth fully realised it had also acquired an Aboriginal community. A 1922 census revealed 5 families and 4 single men totalling 25; although it is likely that the figures did not include visiting or working community members away from Wreck Bay.

The population remained at around 50 during the 1930's but during and after World War II it grew steadily reaching 166 in 1954 then stabilized at 140-150 until 1964. It is now about 170.

Administrative Arrangements

An important administrative change occurred in 1930 when, after years of negotiation, the NSW Government, at the request of the Commonwealth Government, accepted responsibility for the Wreck Bay Community under the terms of the NSW Aborigines Protection Act (1909). However, although Wreck Bay was treated and regarded as an Aboriginal Reserve, its boundaries were not gazetted until 1952, such boundaries also being sanctioned by the 1954 ACT Ordinance Relating to Aborigines.

The boundaries that were gazetted fell far short of those that were established and accepted by usage in the 20 odd years before 1952. These were a major point of disputation in subsequent years. Map 2 provides examples of past changes in the boundaries of the Aboriginal Reserve.

In 1965, with apparent approval of the community, the 1954 ACT Ordinance was repealed, which meant that the Wreck Bay reserve as well as the then legal category of people called Aborigines ceased to exist. Control of Wreck Bay was passed to the Department of the Interior who also anticipated that the open village status of Wreck Bay would lead to non-Aborigines being housed there. Apart from a few Government officials, this did not occur. The officials eventually moved to Jervis Bay village, which led to Wreck Bay Village becoming almost completely Aboriginal.

Six years later, the Federal Government proclaimed the southern and western portions of the Bherwerre Peninsula, 4318 ha, as a Nature Reserve, excluding the residential area at Summercloud Bay. This move acted as a socio-political catalyst to the Wreck Bay people who had already been voicing demands for control of the Reserve area established by custom in the 1930s and 40s.

In 1973/74 they formed the Wreck Bay Housing Company (WBHC) to press these demands and also provide a channel for government funds for housing. Late in 1975 Canberra offered a compromise in the form of a lease over an area approximating to the 1952 gazetted reserve (Map 2) which the Wreck Bay Village people rejected. The resulting conflict continued until the matter was finally settled in June 1986 with full title to the land being handed over in March 1987.

Current Position at Wreck Bay Village

In regard to some social and cultural issues the Wreck Bay Community does not exhibit the same type of cohesion as its neighbours, the Jerringa. This situation dates at least from late 1984 when one section of the community was prepared to accept a Commonwealth Government offer regarding their land claim while another section rejected the offer. There may be other underlying factors.

The land claim was settled when a majority of the community at a meeting in late May 1986 accepted the Commonwealth Government's offer of 405 ha which is an area similar to their original claim of the 1930s. Moreover, their title is freehold held in trust by a community council and subject to change only by Parliamentary fiat. (See Department of Aboriginal Affairs press release, 30.5.86 and House of Representatives Hansard 5.6.86, 1st and 2nd reading of a Bill to provide the afore-mentioned land).

Discussions with members of the Wreck Bay community indicated that one of the key issues bothering the people was concern over unrestricted access to Bherwerre Beach for fishing.

The current situation is that the regulations will permit only two fishing crews to work this area simultaneously. Presumably this restriction is for conservation reasons. This situation apparently results in the Wreck Bay fishermen frequently being refused permission to fish in this area. For example, it has been claimed by the Aboriginal people that this beach was always available without restriction to Wreck Bay people prior to the proclamation of the Nature Reserve and that their traditional rights should be re-established in some way.

Social Linkages

Wreck Bay presents the situation of Aboriginal people establishing a viable community over the past 80 odd years. They were assisted by the fortuitous location in an isolated part of the ACT with the concomitant absence of white urban pressures. However, the main factor appears to be the desire of the people to live in an Aboriginal community, the motivation for this probably being stronger now than at any time since the community's inception.

There is a maintenance of essential aspects of the kinship and social system of traditional times, especially in relation to the children who enjoy adequate physical and psychological protection. For example, if natural parents are not available their children have ready access to secure social parents who, generally, are relatives anyway. Children are accepted at houses other than their immediate family's. If they outstay their welcome at one place they may move on to the next. Hence the concept of the extended family is a common characteristic at Wreck Bay.

As in traditional times, women marry outside the community but an important difference is that these women generally bring their husbands back to take up residence at Wreck Bay. Matrilineality is strong. For example, in the event of a father going elsewhere the children almost always stay with the mother or her relatives at Wreck Bay.

Linkages with Nowra

Besides kinship, there are political, social and cultural connections with the Jerringa and the Aboriginal community at Nowra which has become an important Aboriginal centre on the South Coast. Nowra is the location of three organisations providing a focal point for many activities, the Aboriginal Cultural Centre, Aboriginal Legal Service and the Aboriginal Women's Centre.

SACRED SITES AND LAND RIGHTS ISSUES IN THE JERVIS BAY AREA

Sacred Sites : The Beecroft Situation

The Beecroft Peninsula appears to be the location of most of the sacred sites of the Jerringa people. Some are known to Europeans, e.g. the Sea Snake Dreaming at Hare Bay and the Devil's Hole.

Stanner's (1978) explanation of the Aboriginal concept of the Dreaming can be applied to consideration of the significance of the sites in the Jervis Bay area to the Jerringa and other Aboriginal people.

Aboriginal people have indicated that there are other sacred sites on the Beecroft Peninsula, some of them known only to the Jerringa people. Members of the Aboriginal community have been emphatic regarding the question of limiting access to the information about secret sacred sites that may be divulged. The significance of this position should not be underestimated.

Appreciation of the Implications of the Issues

All anthropologists in Australia accept that Aboriginal people are the only ones who know of the location and real significance of their sites, and that they alone are able to determine their sacredness. It should be recognised that, with regard to the Jervis Bay area, the ancestry of the local Aborigines is traceable to the pre-European contact inhabitants. Therefore, it is to be expected that the location and significance of the sites of traditional Aboriginal times would have been handed down to the present day.

The secrecy surrounding some sites is not, as has been suggested by certain European groups, some caprice brought out from time to time for the purpose of obstructing a particular development. It has its roots in traditional life whereby the knowledge of certain sites and objects were strictly limited to certain classes of people. With the presence of a large non-Aboriginal population there is now more reason for the secrecy than ever before. Moreover, Aborigines have good cause to regard only themselves as fit and proper guardians of their sacred sites.

The matter regarding consulting the people may be best emphasized by considering the situation where there was no consultation. This occurred at Noonkambah, W.A. in 1980 and in conjunction with a cavalier attitude by the then State Government, led to serious disturbances which received world-wide publicity.

There is less chance of a Noonkambah re-occurring as, since then, a set of guidelines has been created. Known as the Pitjantjatjara Model (or the Comalco Model by mining interests), these guidelines provide a framework within which negotiations between developers and Aborigines can be conducted with minimal friction (Toyne and Vachon 1984). The model includes a system of full consultations, employing Aborigines as site recorders, re-locating structures and providing protection and access for sites. The model is designed for a situation in which a particular Aboriginal group enjoys title to the land that, say, a mineral exploration company may wish to exploit. However, aspects of the model could be applied in other situations such as Jervis Bay.

Aboriginal Land Rights in New South Wales

Although not fully articulated at this time, Aboriginal land rights is an incipient issue in the Jervis Bay area. Hence, the potential for resolving this issue needs to be considered in the context of the Aboriginal land rights legislation that applies in NSW. Hopefully, the local Aboriginal Land Council (LALC) may provide mechanisms to aid resolution of land claims.

Aboriginal land rights in NSW are regulated by the Aboriginal Land Rights Act (1983) No. 42. A Bill is currently before State Parliament to amend this Act. Also to be considered is the Aboriginal Land Rights Regulations, No.435 of 1983. The Act and Regulations (but not the amendments) are discussed and explained from an Aboriginal aspect by Meredith Walker (1985).

Prior to the Act there existed a NSW Aboriginal Lands Council and affiliated Regional Land Councils which were essentially political organisations concerned solely with land rights issues. These bodies have been replaced by the establishment, via the Act, of a new three tiered structure of Aboriginal Land Councils as follows.

At the local level about 100 Local Aboriginal Land Councils (LALC) were formed throughout NSW. At least six of these Councils constitute a Regional Aboriginal Land Council (RALC) from which a prescribed number of members is elected to the NSW Aboriginal Land Council.

The LALC relevant to the entire Jervis Bay area is the Jerringa LALC which is part of the South Coast RALC. The Jerringa LALC stretches from Black Point at the northern end of Shoalhaven Bight to Ulladulla. It includes only the coastal strip and leaves out Nowra which is part of the Nowra LALC.

Historic Aboriginal Reserves

It should be noted that in 1881 an unknown number of Aborigines were living in an Aboriginal Reserve (No. 101, on the Aboriginal Reserves register of that year) near Green Point on the Beecroft Peninsula (then Currarong). Whether they were local people or itinerant Aborigines rounded up as they were passing through is not recorded. The Reserve was rejected by the Aborigines and went out of use. However, the past utilization could have implications for contemporary land claims.

Wreck Bay has many links via marriage and consanguine relations with Aboriginal communities along much of the NSW coast. If employment opportunities improve in the area it is reasonable to assume that these links will be strengthened as more Aboriginal people move into Wreck Bay or other nearby communities to take advantage of the situation. This movement may result in Aboriginal people reconsidering the status of historic Aboriginal Reserves.

REVIEW OF INFORMATION ON THE ARCHAEOLOGICAL SITES

Level of Archaeological Research

As shown by the literature and the distribution of sites on Map 1, parts of the Jervis Bay area have received considerable professional archaeological attention since the 1960s. This is not surprising since the area is rich in pre-historic Aboriginal sites and is close to two leading schools of Australian prehistory and anthropology, the University of Sydney and the Australian National University (ANU).

Moreover, until recently the area was relatively isolated with little tourist development. Consequently Aboriginal sites are not as disturbed as in most coastal areas of NSW. Most of the sites occur on the Bherwerre and Beecroft Peninsulas, probably due to restricted public access arising from the presence of the naval gunnery and bombing range.

The fact that very few sites have been identified in the area west of Callala Bay to the Princes Highway and north to the Crookhaven River is most likely an indication that it is the one section of the region which has received little archaeological survey work.

Types of Sites

The most common sites are the coastal middens and mounded estuarine middens. Not as common, but nevertheless numerous, are the rock shelters mostly located on the Beecroft Peninsula because of its geological structure. Some of the Beecroft shelters have the added archaeological and contemporary Aboriginal value of containing rock art, which was first photographed around 1914. Other types of sites (as defined by NPWS) in the area are camp sites, burial sites, axe grinding grooves sites, stone arrangements for ceremonial purposes and scarred trees from which bark was removed for purposes such as shelter or making canoes.

Types of Archaeological Studies

Most of the archaeological work in the Jervis Bay area has been in the form of site-recording surveys which has resulted in about 300 sites being recorded. However it is very likely that some of the clusters of midden sites could be regarded as one site.

The sites were mainly recorded in three systematic surveys - Lampert and Sanders (1973), White (1977) and Sullivan (1976).

A small number of systematic archaeological excavations have been undertaken in the area including the Currarong rock shelters (Lampert 1971); the Cemetery Point midden site (Douglas and Lampert 1973); the St. Georges Basin midden site (Barz 1977); and Bowen Island midden site (Blackwell 1980).

Other Locations in the Region

As preceding remarks have indicated not many full excavations have been undertaken in the Jervis Bay area. This is in contrast to the considerable amount of investigative survey work has been accomplished on the Bherwerre and Beecroft Peninsula.

Similarly, in the case of the Nowra to Crookhaven Head area no excavations have yet been carried out. However, extensive reconnaissance surveys have been conducted. The latter are mainly a result of the NPWS requirements that archaeological surveys should precede any development in NSW (pipelines, transmission lines, buildings, etc.). Such surveys are of course, continually in process. Recent examples are :

- ◇ Northern Shoalhaven Water Supply (1981) by Attenbrow. This surveyed a tract of land from Nowra down to Sussex Inlet. Two sites were found on Burrier Road on the Nowra Trunk Main to the Bamerang Dam.
- ◇ Six sites were found by Sullivan in 1982 in a survey of Orient Point Aboriginal Recreational Facilities.
- ◇ Many rock shelters with rock art and creek sites were found in a survey of the Tianjira Army Training Centre in 1982 by Hughes, Attenbrow and Koettig.
- ◇ A survey, commissioned by Cox and Partners, Sydney, was conducted at HMAS Creswell by Blackwell, Shuggs and Sullivan in 1982.
- ◇ An archaeological survey was made of the proposed Culburra town expansion area (commissioned by Alcock, Giles and Tribe Pty. Ltd. of Sydney) in 1983, with 16 sites being recorded.

Re-validation of Sites

Since the site records of the Jervis Bay area go back about twenty years, some of the sites, especially coastal middens, may have deteriorated due to weathering, fossicking or vandalism. This situation points to a need for re-investigation of all recorded sites in potential development areas in the Jervis Bay region. Re-validation is also required on the grounds of changing archaeological attitudes to what makes a site significant.

The central aspect underlying determination of the significance of archaeological sites is still under debate amongst archaeologists. Hence decisions on this matter sometimes need to be questioned. As Bowdler (1984) says: "... bland assertions about what is significant are not good enough. Consultant archaeologists should be required to support their opinion with generally comprehensible reasons."

Approaches to Site Surveying

In the unsurveyed areas the most preferable methods of surveying are as follows. The territory under survey is divided into quadrats and a survey team searches each quadrat in extended line from two opposite sides. Obviously, broken terrain or simply a lack of sufficient funding will make a complete survey impossible and will generate the need to develop a programmed sample survey as described by Byrne and Egloff (1984). Whichever approach is used, the consultant archaeologist should be required to provide maps showing accurately the location of all quadrats included in their survey. For this and for re-investigation work, it is also essential that local Aboriginal people be employed in the survey teams.

MANAGEMENT OF SITES OF ABORIGINAL CULTURAL HERITAGE National Parks and Wildlife Service, N.S.W.

All archaeological relics (which excludes sites) and sites of significance to Aborigines are protected in NSW by the National Parks and Wildlife Act (1974). It is an offence under the Act to remove, damage, deface or destroy a relic or Aboriginal place without the NPWS Director's prior written consent. It has been recognised by the Aboriginal Relics Advisory Committee that not all Aboriginal relics can be protected and preserved; therefore a long term aim is to protect a representative sample of these relics.

The NPWS maintain a central and district site registers, the latter containing information on sites in a particular district. The district register for sites in the entire Jervis Bay area is held at the NPWS Queanbeyan Office. The registers are being continually up-dated.

Australian Heritage Commission (AHC)

The AHC has placed a number of areas around Jervis Bay on its National Register which is kept at the Canberra headquarters. It should be noted therefore that the AHC must be advised of any Defence development that is likely to or will occur in any of these areas.

Current Archaeological Research

No detailed field archaeological work by way of systematic excavation is currently being conducted in the Jervis Bay area by official organisations such as universities or the NSW NPWS. However, work has recently been undertaken by ANUTECH as part of the evaluation of the sites on the northern flank of Jervis Bay that would be affected by the proposal to develop a Naval armaments depot and wharf in that area. Neither the scope of this work nor the results of the ANUTECH survey have been considered in this paper.

SYNTHESIS

This paper has briefly reviewed the history of Aboriginal habitation in the Jervis Bay region. It has also examined the continuing and growing interests of the Jerringa and Wreck Bay Communities in the implications that development activities may have on the Aboriginal people and their cultural sites within the Jervis Bay region. Data show that the area has high significance.

An evaluation of the values of the marine and nearshore components of the Bay's ecosystems (other than for subsistence purposes) may indicate equal significance for the Aboriginal people.

Development proposals relating to coastal marine and estuarine areas in and around Jervis Bay will need to consider Aboriginal cultural and community interests and concerns.

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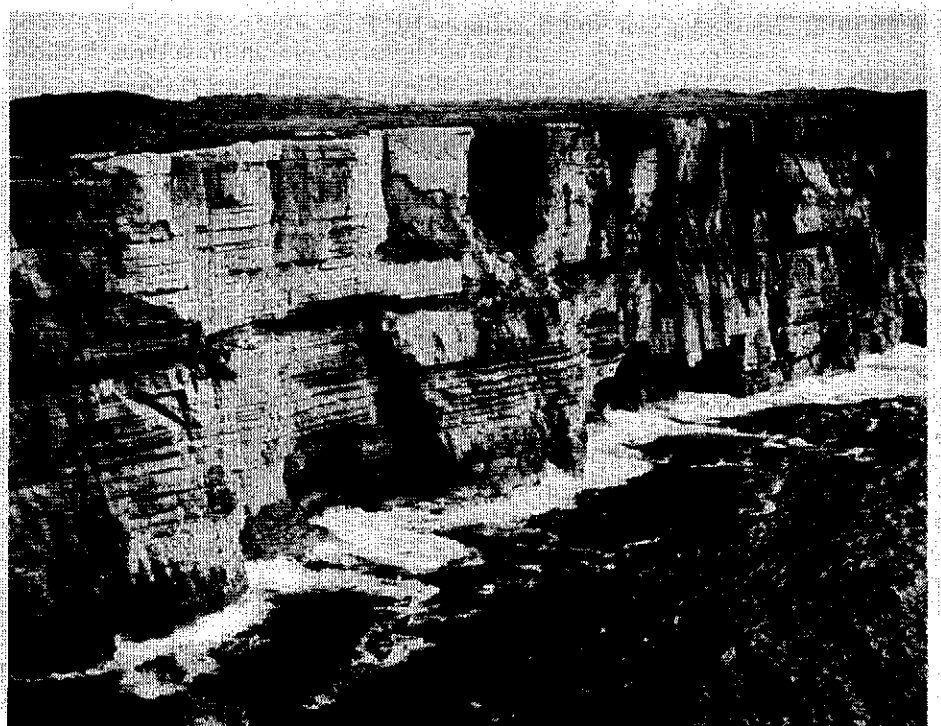
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Cliffs to north of Point Perpendicular

(Photo. David Rodgers)