



## Australian Heritage Database

# Places for Decision

Class : Historic

---

## Identification

<b>List:</b>	<b>National Heritage List</b>
<b>Name of Place:</b>	Kingston and Arthurs Vale Historic Area
<b>Other Names:</b>	
<b>Place ID:</b>	105962
<b>File No:</b>	9/00/001/0036
<b>Nomination Date:</b>	01/12/2006
<b>Principal Group:</b>	Law and Enforcement

## Status

<b>Legal Status:</b>	01/12/2006 - Nominated place
<b>Admin Status:</b>	05/12/2006 - Under assessment by AHC--Australian place

## Assessment

<b>Recommendation:</b>	Place meets one or more NHL criteria
<b>Assessor's Comments:</b>	
<b>Other Assessments:</b>	:

## Location

<b>Nearest Town:</b>	Kingston
<b>Distance from town (km):</b>	
<b>Direction from town:</b>	
<b>Area (ha):</b>	250
<b>Address:</b>	Quality Row, Kingston, EXT 2899
<b>LGA:</b>	Norfolk Island Area EXT

### Location/Boundaries:

About 250ha, at Kingston, being an area bounded by a line commencing at the High Water Mark approximately 120m to the south east of Bloody Bridge, then proceeding westerly via the High Water Mark to about 230m west of the eastern boundary of Block 91a, then from high water level following the watershed boundary along the ridge west of Watermill Creek up to the 90m contour, then north-westerly via that contour to the boundary of Block 176, then following the western and northern boundary of Block 176 or the 90m ASL (whichever is the lower) to the north west corner of Block 52r, then via the northern boundary of Block 52r and its prolongation across Taylors Road to the western boundary of Block 79a, then northerly and easterly via the western and northern boundary of Block 79a to its intersection with

the 90m ASL, then easterly via the 90m ASL to its intersection with the eastern boundary of Block 64b, then south easterly via the eastern boundary of Block 64b to its intersection with Block 65d2, then northerly and southerly via the northern and eastern boundary of Block 65d2 to Rooty Hill Road, then directly across this road to the north east corner of Block 67a, then south easterly via the north east boundary of Block 67a to its intersection with the north west boundary of Block 67c, then north easterly and south easterly via the north west and north east boundary of Block 67c to Driver Christian Road, then easterly via the southern side of Driver Christian Road to a point where it veers south (approximately 60 metres to the east), then southerly via the western road reserve boundary of Driver Christian Road and its prolongation to the High Water Mark (point of commencement).

### **Assessor's Summary of Significance:**

The Kingston and Arthurs Vale Historic Area on Norfolk Island, known as KAVHA, is an outstanding national heritage place as a convict settlement spanning the era of convict transportation to eastern Australia between 1788-1855. Set on the Kingston coastal plain and bounded by hills, it is a cultural landscape comprising a large group of buildings from the convict era, some of which have been modified during the Pitcairn period (from 1856 to the present), substantial ruins and standing structures, archaeological remains, landform and landscape elements.

KAVHA is of outstanding national importance in demonstrating differing penal systems and changes in penal philosophy in the Australian colonies from 1788-1855.

KAVHA is important for its role in the evolution of the colony of New South Wales. Arriving in March 1788, six weeks after the First Fleet landed in Sydney the building and archaeological remains and landforms of the First Settlement (1788-1814) illustrate British convict settlement, living and working conditions at the beginning of European occupation of Australia. KAVHA contains areas and individual elements that are confirmed or well documented sites of First Settlement buildings and activities (1788-1814). The design and layout, the outstanding collection of fine Georgian buildings, the extensive archaeological remains, engineering works and landscaping of the KAVHA Second Settlement (1825-1855) clearly show the planning and operation of a nineteenth century penal settlement with a very high degree of integrity.

KAVHA is an outstanding example of a place of severe punishment for convicts. It was purposefully established to be the extreme element in the overall convict management system. Its aim was to create fear and prevent crime and deter convicts from committing further offences in Australia after their transportation from Britain. It became known as 'hell in paradise' for its brutal and sadistic treatment of inmates and this reputation spread beyond the colonies to Britain and ultimately served to fuel the anti-transportation debate. The Second Settlement buildings and archaeological remains of the convict establishment, the New Gaol, the Prisoners Barracks, and the Crankmill demonstrate the harshness and severity of the treatment of convicts.

KAVHA is rare as a place with an outstanding collection of significant buildings and archaeological remains that span the era of convict transportation to eastern Australia. Established in 1788 and in use as a penal settlement to 1855 (apart from 1814-25

when the island was not occupied) KAVHA provides the longest and most intact record of the convict phase of Australian history.

Archaeological evidence at KAVHA shows it to be rare as the site of the earliest European settlement from Australia to the south-west Pacific (1788).

KAVHA is important for its association with Pitcairn Islanders who were settled on Norfolk Island in 1856. Their arrival at the landing pier at Kingston marked the commencement of the Third Settlement period (1856-present). KAVHA is uncommon as a place where a distinctive Polynesian/European community has lived and practised their cultural traditions for over 150 years. Nationally significant aspects of the Third Settlement period including the artefacts, archives, Pitcairn language and ongoing use of the Cemetery.

The artefact collections housed in the KAVHA Museums, the collections of buildings in their landscape setting, the extensive archaeological remains and the documentary records contain research potential that may provide further information on the exploration and colonisation of Oceania including Australia, the living and working conditions of convicts, the military and civil establishment and changes in penal practices and philosophies during the two penal settlements.

KAVHA exemplifies the principal characteristics of a longstanding penal settlement in its physical layout, the administration of the two convict settlements, the management and control of the convicts, and the ways in which the settlements operated.

It has extensive and substantial ruins, standing structures and archaeological sub-surface remains which related to its operation as a place of imprisonment and early settlement, as a place of secondary punishment for convicts who re-offended while serving out their sentence as convicts in Australia, and finally as a place spanning both imprisonment and secondary punishment.

The 1829 Government House is positioned prominently on Dove Hill with commanding views of the military precinct, colonial administration, convict quarters, working areas, farmland and the pier. The military precinct on Quality Row contains two extant barracks complexes: the Old Military Barracks and officers quarters constructed between 1829-1834 surrounded by high walls giving it an appearance of a military fortress; and the New Military Barracks commenced in 1836 which follows a similar fortress-like design. The military complexes are positioned in view of the convict precinct located closer to the water and at a lower elevation to optimise surveillance.

The archaeological remains of the two convict gaols and prisoner barracks show the development of penal philosophies with the original goal built for barrack type accommodation while the extant remains of the New Prison provides a rare representation of a radial design. The role of harsh labour as punishment is evident in the archaeological remains of the lumber yard, the water mill, the crank mill, the salt houses and lime kilns and the pier. The possibility of reform is evident in the Protestant and Catholic clergyman's quarters which demonstrate the presence of Christian clergy on the island during the Second Settlement. The Roman Catholic

Clergyman's Quarters were commenced in 1832 and completed in 1837. Originally intended for the Protestant clergyman, it housed the Catholic priest who was the first clergyman to take up a permanent chaplaincy to the settlement. The quarters were the model design for all the houses built on Quality Row which is the most extensive street of surviving (albeit part constructed) pre 1850 penal settlement buildings in Australia and one of three streets of pre 1850 penal settlement officer's residences in Australia. The Protestant Clergyman's Quarters were constructed in 1836 with a verandah being added in 1839 and two additional rooms added in 1841 (CMP 1988:145-146 & 174-175). Ministering to the settlement's needs, the clergy were the one group who worked to ease the convict's misery and their ministry formed part of the reforms under the probation system introduced in the 1840s. They reported on the abuses occurring on the island and help bring to an end the island's role as a prison.

The settlement patterns are shown in the existing street layout and in the buildings along Quality Row which form the most extensive street of pre 1850 penal buildings in Australia. The functioning of the settlement is evident in the remains of institutions, buildings and precincts such as the hospital and surgeon's quarters, police buildings, engineer's office, commissariat store, magistrate's quarters and cemetery.

KAVHA is outstanding for its picturesque setting, historic associations, part ruinous configuration and subsequently undeveloped nature. The aesthetic qualities of the landscape have been acknowledged since the First Settlement, forming the subject matter of an artistic record that has continued to the present.

Elements that contribute to the aesthetic qualities of the place include the sea, reef and islands, historic graves, Quality Row buildings, the New Gaol and prisoner's barracks in a ruinous state, and the extent of the nineteenth century buildings. The picturesque landscape setting, with its domestic scale and agricultural character, is valued for the contrast it represents between the horror of the past and the charm of the present.

KAVHA is outstanding for its views across the site, within the site, from the site to the seascape, and views of the site in its landscape setting.

KAVHA is valued by the Norfolk Island residents, both those of Pitcairn descent and those of non-Pitcairn origins, for being a place of traditional and ongoing uses, including the continuity of a working waterfront at the Landing Pier; the centre of Norfolk Island administration, continuing religious worship at All Saints Church and the community's burial place; areas for recreation and sports; and as the cultural centre with cultural and social events, museums and archaeological sites. Comprising nearly a third of today's population of Norfolk Island, the descendants of the Pitcairn settlers value KAVHA as a place of special significance because it has been continually and actively used by their community as a place of residence, work, worship and recreation.

KAVHA is valued by visitors for its rich historical associations.

KAVHA is significant for its association with Lieutenant Philip Gidley King RN in successfully establishing the First Settlement on Norfolk Island at the KAVHA site which contributed to the survival of the infant colony of New South Wales.

KAVHA is significant for its association with Alexander Maconochie who formulated

and applied most of the principles on which modern penology is based during the period he was Superintendent of Norfolk Island.

**Draft Values:**

<b><i>Criterion</i></b>	<b><i>Values</i></b>	<b><i>Rating</i></b>
A Events, Processes	<p>KAVHA is outstanding as a convict settlement spanning the era of convict transportation to eastern Australia. It is a cultural landscape comprising a large group of buildings from the convict era, some modified during the Pitcairn period, substantial ruins and standing structures, archaeological remains, landform and landscape elements.</p> <p>KAVHA is of outstanding national significance in demonstrating the role of the penal systems and changes in penal philosophy in the Australian colonies from 1788-1855.</p> <p>KAVHA is important for its role in the evolution of the colony of New South Wales. The buildings, archaeological remains and landforms of the First Settlement illustrate British convict settlement at the beginning of European occupation of Australia.</p> <p>The design and layout, buildings, archaeological remains, engineering works and landscaping of the KAVHA Second Settlement (1825-1855) demonstrate the planning and operation of a nineteenth century penal settlement with a very high degree of integrity.</p> <p>KAVHA is an outstanding example of a place of severe punishment. It was purposefully established to be the extreme element in the overall convict management system. Its aim was to create fear and prevent crime and re-offending. It became known as ‘hell in paradise’ for its brutal and sadistic treatment of inmates and this reputation spread beyond the colonies to Britain and ultimately served to fuel the anti-transportation debate. The Second Settlement buildings and archaeological remains of the convict establishment, the New Gaol, the Prisoners Barracks, and the Crankmill demonstrate the harshness and severity of the treatment of convicts.</p>	AT
B Rarity	<p>KAVHA is rare as an extant place with significant structures and archaeological remains that span the era of convict transportation to eastern Australia. Established in 1788 and in use as a penal settlement to 1855 (apart from 1814-25 when the island was not occupied) KAVHA provides a very intact record of the convict phase of Australian history.</p>	AT

Archaeological evidence at KAVHA shows it to be rare as the

site of the earliest European settlement from Australia to the south-west Pacific (1788). It contains areas and individual elements that are confirmed or well documented sites of First Settlement buildings and activities (1788-1814).

KAVHA is uncommon as a place where a distinctive Polynesian/European community has lived and practised their cultural traditions for over 150 years. Aspects of the Third Settlement period including the artefacts, archives, Pitcairn language and ongoing use of the Cemetery are of national significance.

C Research	The KAVHA artefact collections, the buildings in their landscape setting, the archaeological remains and the documentary records have significant potential to contribute to understanding the living and working conditions of convicts, the military and civil establishment, women and children, and changes in penal practice and philosophy during the span of convict transportation.	AT
------------	---	----

KAVHA has research potential to yield information on pre-European Polynesian culture, exploration and settlement patterns.

D Principal characteristics of a class of places	KAVHA demonstrates the principal characteristics of a longstanding penal settlement in its physical layout, governance arrangements, the management and control of convicts, and the functional arrangements associated with settlement.	AT
--	--	----

It has substantial ruins, standing structures and archaeological sub-surface remains related to its operation as a place of primary incarceration and early settlement, as a place of secondary punishment and finally as a place spanning both incarceration and secondary punishment.

The 1829 Government House, one of the earliest and most intact remaining government house buildings in Australia, is positioned prominently on Dove Hill with commanding views of the military precinct, colonial administration, convict quarters, farmland and the pier. The military precinct on Quality Row contains two extant barracks complexes: the Old Military Barracks and officers quarters constructed between 1829-1834 surrounded by high walls giving it an appearance of a military fortress; and the New Military Barracks commenced in 1836 which follows a similar fortress-like design. The Commissariat Store (now All Saints Church) (1835) is the finest remaining colonial (pre 1850) military commissariat store in Australia. The Old Military Barracks, together with the Commissariat Store and the New

Military Barracks, form a group of buildings which is the most substantial military barracks complex in Australia dating from the 1830s. The military complexes are positioned in view of the convict precinct located closer to the water and at a lower elevation to optimise surveillance. Nine houses in Quality Row built from 1832-47 provided quarters for military and civil officers.

The archaeological remains of the two convict gaols, the perimeter walls and archaeological remains of the Prisoners' Barracks (1828-48) with the Protestant Chapel, show the development of penal philosophies with the original gaol built for barrack type accommodation while the extant remains of the New Prison and its perimeter walls (1836-40, 1845-57) provides a rare representation of a radial design. The role of harsh labour as punishment is evident in the archaeological remains of the blacksmith's shop (1846); lumber yard; water mill; the crankmill (1827-38), the remains of the only known human powered crankmill built in Australia before 1850; the salt house (1847); the windmill base (1842-43); lime kilns; the landing pier (1839-47) and sea wall, two of the earliest remaining large scale engineering works in Australia. The possibility of reform is evident in the Protestant and Catholic clergyman's quarters.

The settlement patterns are evident in the existing street layout and in the buildings along Quality Row which form the most extensive street of pre 1850 penal buildings in Australia. The functioning of the settlement is evident in the remains of institutions, buildings and precincts such as the commandant's house; magistrate's quarters; the ruins of the hospital, built on First Settlement remains (1829); the Surgeon's quarters and kitchen (1827), on the site of a First Settlement Government House, one of the earliest European dwellings in Australia; the Royal Engineer's office and stables (1850); the Beach Store, a former commissariat store (1825); a double boat shed (1841); the Police Office, now boatshed (1828-29); the flaghouse (1840s); Constable's Quarters, partly standing (1850-53); and the cemetery which has an outstanding collection of headstones and other remains dating from the earliest period of European settlement, including the first and second penal settlement periods and the Pitcairn period with associations with the *Bounty*, set in an evocative and picturesque historical landscape. Many stone walls, wells, drains, building platforms, bridges including Bloody Bridge, culverts, roads, quarry sites, privies and archaeological sites of former buildings remain which are important in demonstrating the rich patterns of KAVHA's settlement history. The remnant serpentine landscape is an outstanding example of colonial period (pre-1850) attitudes to landscape

design in Australia.

E Aesthetic characteristics	<p>KAVHA is outstanding for its picturesque setting, historic associations, part ruinous configuration and subsequent lack of development. The aesthetic qualities of the landscape have been acknowledged since the First Settlement, forming the subject matter of an artistic record that has continued to the present.</p> <p>Elements that contribute to the aesthetic qualities of the place include the sea, reef and islands, historic graves, Quality Row buildings, the New Gaol and prisoner's barracks in a ruinous state, and the extent of the nineteenth century buildings. The picturesque landscape setting, with its domestic scale and agricultural character, is valued for the contrast it represents between the horror of the past and the charm of the present.</p> <p>KAVHA is outstanding for its views across the site, within the site, from the site to the seascape, and views of the site in its landscape setting.</p>	AT
G Social value	<p>KAVHA was the landing place of the Pitcairn Islanders in 1856. Their descendents today comprise nearly a third of Norfolk Island's population. They value KAVHA as a place of special significance because it has been continually and actively used as a place of residence, work, worship and recreation.</p> <p>KAVHA is valued by the Norfolk Island residents for being a place of traditional and ongoing uses, including the continuity of a working waterfront at the Landing Pier; the centre of Norfolk Island administration; continuing religious worship at All Saints Church and the community's burial place at the cemetery; areas for recreation and sports; and as the cultural centre with cultural and social events, museums and archaeological sites.</p>	AT
H Significant people	<p>KAVHA is significant for its association with Lt Philip Gidley King RN in successfully establishing the First Settlement on Norfolk Island at the KAVHA site which contributed to the survival of the infant colony of New South Wales.</p> <p>KAVHA is significant for its association with Alexander Maconochie who formulated and applied most of the principles on which modern penology is based during the period he was Superintendent of Norfolk Island.</p>	AT



**Historic Themes:**

**Group:** 02 Peopling Australia

**Themes:** 02.03 Coming to Australia as a punishment

**Sub-Themes:**

**Group:** 02 Peopling Australia

**Themes:** 02.04 Migrating

**Sub-Themes:** 02.04.01 Migrating to save or preserve a way of life

**Group:** 02 Peopling Australia

**Themes:** 02.04 Migrating

**Sub-Themes:**

**Nominator's Summary of Significance:**

KAVHA is an outstanding cultural landscape of significance at an Australian National level because:

- It admirably demonstrates distinct periods in the convict history of Australia - an initial mixed convict settlement mainly aimed at exploiting resources; a period of abandonment of the convict settlement due to problems with isolation; an isolated place of hard labour and incarceration for male convicts who were repeat offenders; and a convict place adapted on closure for a free settlement;
- The lack of substantial subsequent development, make KAVHA's archaeological research significance outstanding, particularly in relation to the Polynesian and Convict settlements;
- The success of the Pitcairn Islanders making a home at Norfolk Island from 1856 (initially based at KAVHA and still spiritually and politically connected with the place) is of high significance as an example of the relocation of a whole free British settlement with Australian colonial assistance;
- KAVHA is an unusual example of a place deeply connected with Australian history and with a continuance of use as a seat of governance and administration and symbolically a centre of the Norfolk Island's spirituality and recreation;
- It set in an evocative and picturesque historic place revered by many Australians who have been schooled in its historical dramas and/or who have visited the place as tourists;
- It is one of very few places where the archaeology of Polynesian settlement patterns in the Pacific from around 1,000 years ago can be studied;
- KAVHA is a place enabling integrated research and inspiration for a variety of disciplines involving the landscape, structures archaeological elements, archives, artefacts, Pitcairn language, and ongoing traditions; and
- KAVHA has been the administrative centre for the social, religious and political development of the Norfolk Island community since 1856.

The history of the first convict settlement at KAVHA is enmeshed with origins and early development of the Sydney Cove (NSW) settlement - considered to be the nucleus of the British Australian colony:

- Norfolk Island played an important part in the decision to send the first fleet to NSW and to Norfolk Island based on Cook's knowledge of the north of the Island in 1774. KAVHA, as the continuing centre of the Island's administration since 1788 is today the symbolic place associated with this decision - leading to the establishment of the Australasian colonies.
- Sydney Cove and Kingston both struggled with food supplies in the first decades

with Sydney Cove only surviving by sending some of its population to the slightly more agriculturally successful Norfolk Island.

KAVHA outstandingly illustrates the role of the military in the colonies of the British Empire from 1788-1855. While most early Australian penal establishments had much in common in terms of the pattern of moving from a military tent encampment to the establishment of a military structured townscape, KAVHA is only one of a few such cultural landscapes that can portray this aspect in its various phases with a high degree of integrity including a readable settlement layout and setting. Key aspects include:

- KAVHA's Old Military Barracks Compound, together with the Commissariat Store, Parade Ground, New Military Barracks Compound and associated setting and infrastructure forms the most substantial military barracks complex in Australia dating from the 1830s.
- KAVHA's Quality Row (originally Military Road) is a fine colonial streetscape which, in addition to the military establishments just described, contains nine houses in their garden settings (1832-47) which provided quarters for military and civil officers (relatively intact although with much reconstruction).

KAVHA demonstrates changing colonial penal systems and philosophies in the period 1788 - 1855. Of particular importance are:

- The town planning of both settlements and what they demonstrate about the operation of the convict settlement;
- The perimeter walls and archaeological remains of the Prisoners' Barracks (1828-48) including the Protestant Chapel;
- Perimeter walls and archaeological remains of the New Prison (Pentagonal Prison) (1836-40, 1845-57);
- The Crankmill (1827-38), the remains of the only known human powered Crankmill built in Australia before 1850;
- The ruins of the convict hospital precinct (1829); and
- The Surgeon's Quarters and Kitchen (1827).

KAVHA's association with the wreck of the Sirius (1790) reinforces Australia's difficult early reliance on sea transport through treacherous landing places. Much of the collection from the Sirius wreck is kept in the KAVHA Museum and this historical episode in combination with the historical integrity of KAVHA and its archives continues to supply a rich research resource.

KAVHA retains outstanding evidence of agricultural activity in both penal settlement periods including field boundaries, farm huts, archaeology of windmill and Crankmill systems and standing Commissariat and other stores.

KAVHA is the centre of one of the two long lasting places of secondary punishment for British convicts in the nineteenth century which, although partly ruined, has not been further substantially altered by subsequent development (the other is Port Arthur).

The setting, fabric and archaeology of KAVHA's penal settlements provide outstanding opportunities to further understand the planning and daily operation of a nineteenth century penal settlement including:

- The physical segregation of classes of convicts, overseers, the military, magistrates

and command quarters and the development of pleasure gardens for the military and civil officers isolated from the convict barracks and work areas;

- Changing attitudes to penology of the British Colonial Office and the Governors of New South Wales and Van Diemen's Land (Tasmania);
- The tenuous relationship between the Church and the State at Norfolk Island; and
- Information about the roles, work and conditions for women and children in a penal colony.

KAVHA illustrates the pattern of colonial administrators in abandoning unsuccessful remote convict settlements. Satellite settlements in productive areas of Tasmania were accelerated from the 1810s as a direct result of the evacuation of Norfolk's first penal settlement - including Tasmania's New Norfolk, Norfolk Plains and the Sandy Bay and Channel areas south of Hobart.

KAVHA contains Norfolk's Government House Precinct (1829+), one of the earliest and most intact remaining colonial government house precincts in Australia. The subsurface archaeological remains within KAVHA of the first and second Government Houses (1788-1803) are, along with First Government House Sydney (1788 - 1847), the oldest government house sites in Australia.

The Pier Precinct is still in use as Norfolk Island's primary seaport and contains an outstanding collection of industrial archaeology and built structures highly significant to both the convict and Pitcairn periods. The adaptation of these structures over the years to meet the needs of the Pitcairn Settlement both for port, infrastructure and tourism needs is itself significant. The structures include:

- the Landing Pier and Sea Wall (1839-47) which are outstanding convict period large scale engineering works;
- Beach Store (1825);
- Settlement Guardhouse (1826);
- Crankmill (1827-38);
- Royal Engineer's office and stables (1850);
- Double boat shed (1841);
- Police Office, now boatshed (1828-29);
- Flaghouse (1840s);
- Constable's Quarters, partly standing (1850-53); and
- Blacksmith's Shop (1846).

Other industrial items at KAVHA from the convict period are highly significant in an Australian context for their relative rarity:

- Salt House and associated archaeological features (1847);
- Windmill base and associated archaeological features (1842-43); and
- Many convict period stone walls, wells, drains, building platforms, bridges, culverts, roads, quarry sites, privies and archaeological sites of former buildings are important remains.

The Cemetery (1825-present) has an outstanding collection of headstones and other remains dating from the earliest period of European settlement, including the first and second penal settlement periods and the Pitcairn period with associations with the Bounty, set in an evocative and picturesque historical landscape.

KAVHA is rich in intangible heritage significance to Norfolk Islanders including the stories from both the convict period (such as Bloody Bridge) and the Pitcairn period. There are many elements that contribute to the aesthetic drama of the place, the sea, reef and islands, historic graves, and the extent of the nineteenth century character buildings and structures - many partially in ruins. The contrast the picturesque landscape of today combined with what was often a brutal past add to the evocative nature of the place.

**Description:**

Kingston and Arthurs Vale Historic Area (KAVHA) is situated on the southern side of Norfolk Island fronting Slaughter Bay. Referred to as KAVHA it is a cultural landscape which includes an agrarian landscape (Arthurs Vale, Watermill valley and the northern hillsides) and the settled coastal plain at Kingston. Hills to the north and west fringe the settlement on the coastal plain. Roads provide ways through KAVHA, linking the groups of structures, access to the landing place, the foreshore, the cemetery and bridges. The Kingston plain is Norfolk's only coastal plain area with beach, dune and a coral edged lagoon.

The convict barracks and gaol were located on the foreshore. Swampy land separated the convict accommodation from the military and civil accommodation arranged on the inland side of the coastal flat while a succession of Government houses were positioned in commanding locations. The many surviving buildings at the site reflect these arrangements.

The cleared nature of the landscape, along with the siting and orientation of important buildings are an explicit demonstration of the settlement and penal philosophy of the British Empire in colonial Australia, being designed to provide for the continual surveillance of convicts and allow for agricultural requirements. Modification to the landscape through earthworks to facilitate the construction of buildings or protect agricultural plots (the 'causeway') and the large scale quarrying of limestone and the coral reef, illustrate attitudes to landscape based primarily on its value as a resource. Surviving evidence also illustrates aspects of design and process from the First and Second Settlements. This includes the remnant serpentine landscape and ornamental garden of Government House, the formal streetscape qualities of Quality Row, and evidence of communications through maintaining visual links and operation of a semaphore system. Evidence from the Third Settlement period is the introduction of new plant species, swamp drainage works, memorial plantings and reforestation to address erosion on the hill slopes.

KAVHA is rare, being the site of, and probably containing extensive archaeological evidence of the earliest European settlement from Australia to the south-west Pacific (1788), similar in size for a decade to the other initial settlement at Sydney Cove. Its significance is enhanced by the lack of substantial subsequent development. It contains areas and individual elements that are confirmed or well documented sites of First Settlement buildings and activities (1788-1814). The subsurface archaeological remains of the first and second Government Houses (1788-1803) are, along with First Government House Sydney (1788-1847), the oldest government house sites in Australia.

The concentration and intactness of fabric is considered rare. The intact layout, form

and fabric of the place illustrate the patterns of human occupation, ways of life, and perceptions and values of the landscape, and accumulative impact of Europeans on a pristine natural environment (Australian Construction Services, 1994).

KAVHA is significant for its richness of settlement history and array of extant features. It contains areas, buildings and other elements of outstanding individual cultural significance including Government House (1829), one of the earliest and most intact remaining government house buildings in Australia, along with Old Government House Parramatta, and the Old Military Barracks (now the Legislative Assembly and Norfolk Island Court) (1829). The Old Military Barracks, together with the Commissariat Store and the New Military Barracks, forms a group of buildings which is the most substantial military barracks complex in Australia dating from the 1830s. The Commissariat Store (now All Saints Church) (1835) is one of the finest remaining colonial (pre 1850) military commissariat stores in Australia along with that at Darlington (Tasmania). This building, together with the Old Military Barracks and the New Military Barracks (now Norfolk Island Government Administration offices) (1836), forms a group of buildings which is a most substantial military barracks complex dating from the 1830s. The soldiers' barracks is one of the finest military barrack buildings built in Australia in the nineteenth century.

There are nine houses providing quarters for military and civil officers (1832-47). Other features include: perimeter walls and archaeological remains of Prisoners' Barracks (1828-48) including the Protestant Chapel; perimeter walls and archaeological remains of the New Prison (Pentagonal Prison) (1836-40, 1845-57); ruins of the hospital, built on First Settlement remains (1829); the Surgeon's Quarters and Kitchen (1827), on the site of First Settlement Government House, one of the earliest European dwellings in Australia; the Landing Pier (1839-47) built over the First Settlement landing place and sea wall, two of the earliest remaining large scale engineering works in Australia; Beach store (1825); Settlement Guardhouse (1826), on the foundations of First Settlement building; Crankmill (1827-38), the remains of the only known human powered crankmill built in Australia before 1850; Royal Engineer's office and stables (1850); Double Boat Shed (1841); Police Office, now boatshed (1828-29); Flaghouse (1840s); Constable's Quarters, partly standing (1850-53); Blacksmith's Shop (1846); Salt House (1847); and Windmill base (1842-43).

The Cemetery has an outstanding collection of headstones and other remains dating from the earliest period of European settlement, including the first and second penal settlement periods and the Pitcairn period with associations with the Bounty, set in an evocative and picturesque historical landscape. Many stone walls, wells, drains, building platforms, bridges, culverts, roads, quarry sites, privies and archaeological sites of former buildings are important remains. These include Bloody Bridge. The remnant serpentine landscape is an outstanding example of colonial period (pre-1850) attitudes to landscape design in Australia which reflected contemporary English attitudes to landscape design.

The place is particularly infamous as one of two places of secondary punishment within the Australian colonies (the other being Port Arthur). Its reputation was renowned throughout the British Empire to act as a deterrent to further convict crime in the colonies. It is also associated with an experiment in penal reform in the NSW colony which underpinned modern approaches to penal practice internationally. It has

an association with Australia's founding and early personalities such as King, Hunter, Foveaux, Wentworth, Anderson, Maconochie, Price and Cash. It is also associated with the 1790 wreck of *HMS Sirius*, the flagship of the First Fleet and the only sizable warship available to defend the colony which was about to sail to China to obtain desperately needed food supplies for the colony at Sydney Cove (Australian Construction Services, 1994).

The place is rich in aesthetic qualities due to the combination of spatial structure, visual quality and the strong relationship between built elements and their setting. Apart from visual quality, the place is a rich source of other sensory stimuli; the sounds, tastes and textures are all products of the friction wrought between such natural elements as wind, water and sun. Oceanic influences render the natural lighting of the place very changeable over a day, and dramatise the scene. The combination of cultural expression, natural forces and their resultant patterns enable a perception and interpretation of the place as a 'picturesque' and 'romantic' landscape made up of a number of elements including natural /built edges, sea/landscape vistas, manicured gardens, rural pastures, cleared hills and formal plantings (Australian Construction Services, 1994).

The *Sirius* wreck (1790) remains on the seabed off the reef in Slaughter Bay. The first anchor raised was in 1903. Artefacts have been recovered from the wreck, some of which are form part of the collection of the Norfolk Island Museum. The artefact collection, in combination with a detailed written record, has outstanding research potential for information about the lives of the bond and free in the early convict period. Other relics, including two of the *Sirius* anchors are on the mainland. The large anchor is displayed in Macquarie Place, Sydney and another is in the Maritime Museum in Sydney.

The low-lying land of KAVHA is generally composed of calcarenite, a limestone formed of cemented cross-bedded calcareous sand, the remnants of a formerly much more extensive coral formation (Tropman and Tropman 1994). The dunes behind Emily Bay and Cemetery Beach contain a number of small fossil and sub-fossil deposits of recent age (between 450 and 7 000 years BP). These sites have yielded some fossilised vertebrate bones, remains of several land snail species that are now considered to be extinct or extremely rare, and fossilised seeds and logs of the Norfolk Island Pine (Tropman and Tropman 1994; Anderson and White 2001; DEH 2005). These fossils provide evidence of plant and animal life that existed on Norfolk Island before human occupation.

Most of KAVHA has been cleared and the original vegetation severely modified. Tropman and Tropman (1994) describe it as dominated by Kikuyu grass and note that while the sheltered gullies contain some remnant ferns, mixed hardwoods and white oaks, they have been colonised by weed species such as olives and lantana. KAVHA may still support a small population of a rare landsnail (*Mathewsoconcha suteri*).

#### **Analysis:**

**CRITERION (a)** *The place has outstanding heritage value to the nation because of the place's importance in the course, or pattern, of Australia's natural or cultural history.*

**Nominator's claims against the criterion:**

1. European South Pacific exploration
2. The decision to send the First Fleet
3. Establishing the earliest British convict settlements
4. Military influence in Britain's Australasian colonies
5. Australia's early reliance on sea trade and the continuing practice at KAVHA
6. Closing redundant penal settlements
7. Changing penal philosophy including the secondary punishment for convicts
8. Pattern of distributing land in British colonies
9. Whaling
10. A layering of differing British settlements □ main administrative use still continuing
11. The Pitcairn Settlement
12. KAVHA today is symbolic of the whole Pitcairner history
13. Shunning, embracing and exploiting convictism
14. Celebrating, conserving and exploiting the cultural resource

**Response to the Nominator's Claims**

Claim 1 is partially covered in the discussion on Norfolk Island's role in sustaining the survival of the First Settlement in Australia, assessed against the criterion. As noted in the nomination, the significance of European South Pacific exploration is not particular to KAVHA.

Claims 2, 3, 4, 6 and part of claim 5 relating to Australia's early reliance on sea trade, are covered in the discussion on Norfolk Island's role in sustaining the survival of the First Settlement in Australia, assessed against the criteria (a), (b) or (d).

Claims 7 and 10 are covered in the discussion on punishment and reform at KAVHA and assessed against the criteria (a), (b) or (d).

Claims 8, 9 and 14 are not considered to be themes of outstanding national heritage significance.

Claims 11 and 12 and part of Claim 5 relating to continuing use of the Pier Precinct are covered in the discussion on the importance of Pitcairn traditions.

Claim 13 is discussed in relation to criterion (g).

KAVHA is associated with three distinct (European) settlement periods: two during the convict era referred to as the First and Second Settlements from 1788 to 1814 and from 1825 to 1855 respectively; and the Pitcairn period from 1856 to the present, referred to as the Third Settlement. As such, it retains substantial fabric and evidence of both periods of convict settlement and also of the Pitcairner settlement period. The first two settlements are considered to be of potential national significance while the value of the Third Settlement is difficult to assess. The difficulty relates to the absence of comparative studies of displaced communities which retain their traditional and cultural practices. The Pitcairn settlement is not regarded as a defining event but it is considered distinctive and the Pitcairners' association with Norfolk Island is considered to be outstanding at the national level because of its rarity and its social significance.

*KAVHA's strategic importance and its role in the survival of the infant colony of New South Wales*

KAVHA is important for its association with early British settlement. Cook's report

on Norfolk Island's potential to provide timber for naval ships' masts and spars, and the island's native flax for canvas sailcloth, influenced the British Government's decision to establish a settlement at Botany Bay. Governor Phillip was ordered to establish a settlement on Norfolk Island as soon as practicable to stop another European power from claiming the island and its resources (Frost 1994).

Norfolk Island played an important role in the survival of the early settlement of New South Wales. Following the failure of early crops at Sydney Cove in 1789, it was hoped that the Norfolk Island settlement (now within the KAVHA area) could provide food supplies for Sydney. The years of desperate hunger in the colony were 1789 to 1791. In October 1788, Phillip sent Hunter in the *Sirius* to Cape Town to obtain supplies, as the colony had only a 12 month supply of food in the store, if this were strictly rationed. *Sirius* returned in May 1789 laden with wheat, barley, flour and seed □ enough to give the colony a further four months. The hungry colony also learned why the expected relief stores had not arrived. The *Guardian*, laden with supplies sufficient to feed the infant colony for two years, had struck an iceberg off the Cape of Good Hope and although she was able to limp into Cape Town she was abandoned and all her stores were lost. The rich soils on Norfolk Island provided a supplementary food source for the infant colony at Sydney Cove. As the colony's food supplies dwindled, Governor Phillip sent more convicts to Norfolk Island to relieve the demand at the mainland colony, until one third of the population of Sydney had been transferred to Norfolk Island. Agricultural activity during the period of the initial settlement, the remains of which are still visible within KAHVA, played an important part in the survival of the infant colony of New South Wales and the founding of the Australian nation.

KAVHA is also closely associated with the wreck of the *HMS Sirius* in 1790 in Sydney Bay adjacent to Kingston. The loss of the *Sirius* was calamitous for the survival of the colony of New South Wales. The wreck of the flagship of the First Fleet occurred at Norfolk Island while the vessel was on its way to China to obtain urgently needed food supplies for the starving settlement at Sydney.

### *Punishment and Reform*

KAVHA in both its first and second settlement phases is important for its association with the development of the penal system in early Australia. KAVHA demonstrates changing penal philosophies and systems in the period 1788 □ 1855 and forms part of the pattern of establishing isolated places for the severe and secure punishment of recalcitrant convicts. It is of particular importance for demonstrating the use of secondary punishment as a means of control both for convicts who re-offended and as a deterrent to crime. It outstanding as one of the most isolated of these places of secondary punishment.

KAVHA is the principal site of the Second Settlement period (1825-55) on Norfolk Island and is also the most intact of these sites, containing the landform, layout, extensive buildings, standing structures, archaeological remains and remnant landscape features of that period. Its significance is enhanced by the lack of substantial subsequent development. Kingston's layout complied with the recommendations of Commissioner Bigge (1822-23) on the physical form that new penal establishments should take. Lord Bathurst appointed John Thomas Bigge, who had served as Chief Justice in Trinidad and who had developed a reputation as a



reformer, as commissioner to investigate 'all the laws, regulations and usages of the settlements' in New South Wales (Crowley, 1974: 64-65). Published by the British Government in 1822-23, Bigge's three reports concluded that Governor Macquarie had strayed from the primary function of the colony as a place of punishment and that the physical and social improvements made to the settlements in New South Wales and Van Diemen's Land had reduced their value as places of punishment and confinement. Even Macquarie's chosen settlements for secondary offenders, Newcastle and Port Macquarie, were considered too close to Sydney to afford the degree of isolation considered desirable by Bigge, who recommended that Norfolk Island be re-opened as a penal settlement.

The physical layout on Norfolk Island reflected Bigge's ideas of the social structure and supervisory nature of a penal establishment, with the housing for the officers and civil officials occupying the higher ground on the northern side of the settlement together with the New and Old Military Barracks and Commissariat Store. This area looked south over the lower ground of the cleared Common to where the convict barracks, the New Gaol, the lumber yard, lime kiln, salt house, crank mill, boat houses, stores and pier were situated adjacent to Slaughter Bay. To the east Government House (rebuilt in 1829 on the former Commandant's residence) overlooks the entire settlement from a small rise. As a result, the Second Settlement period remains at KAVHA demonstrate the planning and daily operation of a nineteenth century penal settlement, and the physical segregation of classes of convicts, overseers, the military, civil officers and the commandant's quarters.

KAVHA is also an example of a place of secondary punishment for nineteenth century British convicts and demonstrates the range of activities and structures associated with a secondary punishment penal settlement. Secondary punishment was undergone by convicts who had been transported to Australia and then re-offended. Intended to be extremely harsh, secondary punishment was experienced by less than 10 % of the total number of convicts transported (Robson 1976:92). The places of secondary punishment were deliberately sited at a distance from population centres so as to dispel hope of a successful return by escape, and the harshness of life and punishment were markedly severe in contrast to 'regular' convict life. Norfolk Island's distance from the mainland served this first purpose well, and the discipline imposed by the Commandant and the guards ensured a harsh regime prevailed. Governor Darling summarised the attitude to the purposes of the settlement stating that, 'my object was to hold out that settlement as a place of the extremest punishment short of death' (Pearson, 1995:101). Only male convicts were transported to Norfolk Island during the time of the Second Settlement. No women were allowed on the Island except for the families of the highest officials, and until 1836 no clergyman could be found who was prepared to go there so there was no religious ministrations to the convicts. There were neither schools nor books nor any kind of relaxation □ nothing but bitterness (Shaw 1966:206). The '*ne plus ultra* of convict degradation' the second settlement at Norfolk Island displayed the most terrible aspect of the transportation system to Australia.

The harshness of convict life on Norfolk Island is evidenced by the Crankmill installed in 1837-38 as 'a means to punish the unruly' (Nobbs, 1991:111). Previously, convicts had worked hand mills to grind corn but the new machine was intended as a form of punishment and its operation was described in 1844 by David Burn;

*'□ it is worked by 100 convicts, somewhat after the fashion of chain pumps in a man-o-war. It sets in motion the machinery for grinding maize. □. and the yells and screams of the unfortunate criminals as they heave at the cumbersome engine almost induces a belief that the spectator has suddenly been wafted to pandemonium where he is listening to the cries and scanning the gestures of lost souls'* (quoted in Nobbs 1991:111).

KAVHA is one of three places of secondary punishment of particular infamy for its treatment and degradation of convicts (the others being Macquarie Harbour and Port Arthur, both in Tasmania). It was intended to be the extreme expression of the severity of the transportation system and that the name 'Norfolk Island' would evoke fear.

As transportation to New South Wales ceased in 1840, Norfolk Island began receiving convicts direct from England, as well as the secondary offenders from the mainland. Debates over penal reform were occurring in Britain at the time that convict transportation to NSW was ceasing. Experiments in more humane treatment and exposure to moralising influences with a view to reformation were tried in the period 1840-1844 by Alexander Maconochie, Superintendent of Norfolk Island (Pearson and Marshall, 1995:101). Maconochie introduced a 'Merits System for Penal Discipline', which worked on the principle that prisoners would only secure freedom if they were industrious and well behaved. In that way, they would earn 'marks'. The target for discharge, whether conditional or absolute, would be approximately 8,000 marks, although the required marks number varied according to the crime and the period of sentence. To collect enough marks prisoners had to pass through progressive stages of prison life, moving from one grade to the next (eg first, separate imprisonment, second, social labour through the day and separate confinement at night, third, 'social treatment' both day and night). In the third phase they worked together in groups of six and agreed to run their rehabilitation period together. Maconochie's reformist views were underpinned by two basic beliefs, namely that punishment should not be vindictively conceived but should aim at the reform of the convict, and that a convict's sentence should be indeterminate with release depending not on the lapse of time but on his own industry and exertions during incarceration. The program failed as the illiteracy of most convicts prevented them from understanding the system, the prison officers and overseers were too rigidly conservative to give it an adequate trial (Britts, 1980:114), and his reforms were not fully understood by his superiors.

Governor Gipps supported Maconochie, allowing him money for a library and for musical instruments, authorised him to remit punishments and appointed several additional officers (Shaw 1966:290). On his arrival as Commandant in 1840 Maconochie dismantled the gallows outside the old gaol. Maconochie completed the unauthorised building of the Roman Catholic and Protestant churches against the perimeter wall of the existing convict barracks and a 12 cell gaol at Longridge (Kerr 1984:126). In evidence to the Select Committee on Prison Discipline Maconochie stated:

*'When I went to Norfolk Island I was a good deal enamoured of the Separate System and one of the first things I did was to build a separate prison; but as I watched the effect of it my admiration very much abated'* (Kerr 1984:128).

As a result of his dislike of separate prisons he discontinued work on the construction

of the New Gaol at KAVHA, probably designed by Royal Engineer Captain George Barney or his subaltern, Lieutenant Henry Lugard in 1835. After Maconochie's recall work on the radial five wing gaol recommenced in 1845 being completed in 1850.

Overall, the Maconochie penal experiment was successful and a vast improvement on the previous systems. Governor Gipps reported 'with almost unqualified approbation' but the British Home Office had already decided to restore Norfolk Island to its previous state (Shaw 1966:292). Maconochie's views were very progressive for the times and his period as Commandant on Norfolk Island is a notable period of reformist penal management in an otherwise bleak history. The experiment was ultimately ineffectual as Maconochie's successors, infamous for their harsh administration and excessive brutality, reverted to the most severe regime of punishments (Barry, ADB). Price's subsequent administration turned the place once more into a hell for its 700 prisoners and frightful excesses were the inevitable result of a harsh, merciless system (Shaw 1966:352). By 1850 opposition to transportation in New South Wales and Tasmania was causing mounting concern in England (Shaw, 1966:346). Transportation to Tasmania ceased in 1853 and to Norfolk Island in 1854. The site was finally abandoned as a penal settlement in 1855 and the remaining convicts relocated to Port Arthur (Pearson and Marshall, 1995:101). The reports concerning Norfolk Island, particularly those of Catholic Bishop Robert Wilson were influential in persuading the British Government to cease transportation.

Other comparative places with a similar degree of integrity are Port Arthur Historic Site and the Darlington Historic Precinct on Maria Island in Tasmania. However KAVHA differs from these places historically as the First Settlement period included both male and female prisoners who were under sentence for crimes in Britain rather than under secondary punishment in the colony, and also included some free settlers. It was a penal colony from the very beginning of transportation unlike Port Arthur which developed 40 years after transportation commenced, and Darlington which developed 35 years after transportation commenced.

***KAVHA has outstanding value to the nation against criterion (a).***

**CRITERION (b) *The place has outstanding heritage value to the nation because of the place's possession of uncommon, rare or endangered aspects of Australia's natural or cultural history.***

**Nominator's claims against the criterion:**

1. Polynesian Settlement
2. Level of Integrity of the Convict & Military Station

**Response to the Nominator's Claims:**

Claim 1 is considered in the context of the Polynesian Settlement.

Claim 2 is an element in the discussion of KAVHA as a rare, intact penal settlement which spans convict transportation to Eastern Australia.

*Polynesian Settlement*

The nominator claims that KAVHA is nationally significant because it demonstrates a rare occupation sequence of Polynesian and European settlement in the west Pacific

and is the only known pre-European Polynesian occupation site in Australia. However, there is no comparative study of non-indigenous pre-European occupation sites in Australia on which the relative importance of KAVHA could be assessed. Refer to criterion (c).

#### *Duration and integrity of convict settlement*

KAVHA is rare as an extant place with significant structures and archaeological remains that spans the entire era of convict transportation to eastern Australia. Established in 1788, six weeks after the British flag was raised at Sydney Cove, KAVHA is a physical record of the convict phase of Australian history. Apart from the eleven year period (1814-25) in which the island was not occupied, KAVHA was continually in use as a penal settlement from 1788 to 1855. The first settlement included free settlers on Norfolk Island as well as the penal settlement (1788-1814). The second settlement phase was instituted as a place of secondary punishment and no free settlers were allowed on the island, other than the families of the administrators and military guards and only for certain periods of the second settlement. When transportation ceased in NSW, convict men and women were sent directly to Norfolk Island. No other convict place combines these stages of convict management and control over such a long period and with such an array of physical and archaeological structures associated with this history.

KAVHA can be compared with other convict settlements such as Port Arthur and Darlington Probation Station which also demonstrate phases in convict management and retain physical fabric associated with this function.

Port Arthur (1830-1856) retains a substantial suite of differing archaeological precincts and building types significant to Australia's convict history, also in a sympathetic setting. Together the differing types of physical (built and archaeological) evidence at each place provide a substantive record of the living and working conditions of convicts and the management of convict settlements. However, Port Arthur was developed in the midpoint of the convict era, when administrative arrangements, transport infrastructure and functional settlements were already in place and could service the development of a new convict settlement.

Darlington Probation Station on Maria Island (1842-1850) is a relatively intact example of a convict settlement and probation station overlaid with physical remains from subsequent settlement periods. While exhibiting the principal characteristics of a Tasmanian probation station Darlington does not compare in scale or integrity with KAVHA and Port Arthur.

Island convict stations, including Sarah Island, Macquarie Harbour (1822-1833), Cockatoo Island, Sydney Harbour (1839-1857) and Darlington Probation Station, Maria Island (1842-1850) demonstrate a relatively intact mixture of standing structures and are rich in archaeological resources. However these do not compare with KAVHA being relatively small, did not operate for as long a period and have been more heavily overlaid (to differing degrees) with subsequent development.

#### *Evidence of earliest European settlement*

KAVHA is rare as the site of archaeological evidence of the earliest European settlement from Australia to the south-west Pacific (1788). Established in the same

year as the settlement at Sydney Cove it was similar in size for a decade. Its significance is enhanced by the lack of substantial subsequent development. It contains areas and individual elements that are confirmed or well documented sites of First Settlement buildings and activities (1788-1814). Evidence of the 18th century British settlement in and around Port Jackson has largely been lost except for some key known archaeological sites such as First Government House Site (1788-1847) and Hyde Park Barracks (1818-present). The subsurface archaeological remains of the first and second Government Houses (1788-1803) are, along with Sydney First Government House Site, the oldest government house sites in Australia.

#### *Pitcairn Settlement*

KAVHA is uncommon as a place where a distinctive Polynesian/European community has lived and practised their cultural traditions for over 150 years. Aspects of the Third Settlement period including the artefacts, archives, Pitcairn language and ongoing use of the Cemetery are of national significance. The Pitcairn settlers unique history commencing with the *Bounty* mutiny, then settlement on Pitcairn Island with its contrasting stories of murder and religious devotion, followed by relocation to Norfolk Island where the community settled successfully, represents a rare aspect of Australia's cultural history.

**KAVHA has outstanding value to the nation against criterion (b).**

**CRITERION (c)** *The place has outstanding heritage value to the nation because of the place's potential to yield information that will contribute to an understanding of Australia's natural or cultural history.*

#### **Nominator's claims against the criterion:**

1. Polynesian Cultural Heritage
2. The First Penal Settlement
3. Second Penal Settlement
4. The ongoing Pitcairn Settlement
5. Conservation and Tourism
6. Impacts of early colonial European culture on the natural environment
7. Other Thematic Research

#### **Response to the Nominator's Claims:**

Claims 1, 2, 3 and 4 are discussed in the analysis against the criterion below.

Claims 5 and 6 are considered to be peripheral to the national stories associated with KAVHA and not to have national heritage values.

Claim 7 is discussed under other criteria where relevant, as noted by the nominator.

The criterion requires that:

- the place have potential to provide future information; and that
- this information be at a level that is of outstanding heritage value to the nation.

A great deal of material exists documenting and interpreting the history of KAVHA. Such remains as are now within KAVHA relating to Polynesian colonisation, and the First (from 1788 to 1814) and Second (from 1825 to 1855) penal settlements comprise buildings, standing structures and ruins, above ground and subsurface archaeological

remains. The nominator asserts that this resource is considered to be extremely rich in its potential to reveal further information about the earliest period of penal settlements in Australasia, although considerable archaeological investigation has already been undertaken at the site.

#### *Pre-European archaeological sites*

##### *The Macassans*

The research potential of KAVHA to yield information on pre-European Polynesian culture needs to be assessed in comparison with other pre-European migration sites. KAVHA can therefore be compared to sites related to Indonesian seafarers. The Makassarese, Bugise, Butonese and Bajau people from islands, such as Sulawesi, Madura, Flores, Timor and Roti visited Australia in the proto-historic and historic periods (Morwood 1997:197). Evidence of annual trading visits to Australia from Macassar is well documented in the historical and archaeological record.

Commencing with MacKnight's identification and detailed recording of Macassan sites in the 1960s and 1970s, followed by Baker (1982-3), Mitchell (1994) and Morwood and Hobbs (1995) field work has been undertaken across northern Australia, locating two areas in the Kimberley region and the Arnhem Land section of the coast where Indonesian trepang collection and on-shore processing occurred. A range of characteristic features of Macassan visibility have been identified in the archaeological record: stone lines, tamarind trees and earthenware ceramics and less frequently porcelain. Earthenware sherds excavated from Mission Bay on the Kimberley coast, known as the Tamarinda collection held by the WA Museum form the type collection. Detailed analysis on earthenware sherds from Macassan sites across northern Australia based on the Tamarinda type collection was undertaken by Burns (Burns 1990:2). Variability in dating and technological differences have been identified in stone fireplaces used for boiling trepang (Morwood 1997:204-205). Linguistic and anthropological research has been undertaken on the effects of associated Indonesian/Aboriginal contact (Morwood 1997: 197) and oral histories recorded with Indigenous people who had participated in the trepang trade (Baker 1984:6). Clarke has analysed archaeological, ethnographic and archival information which suggests that the influence of Macassan contact on Aboriginal culture was more far reaching than has previously been considered (Clarke 1994).

Morwood recorded sites along the Kimberley coastline as part of a larger research project on Asian cultural contact in the region. He considers that Indonesian trepang sites along the Kimberley provide evidence for recent, regular contact between Asia and Australia and that recent Indonesian sites along the Kimberley coast contain a range of information not otherwise documented, while older Indonesian sites could shed light on important aspects of Australian prehistory (Morwood 1997).

##### *Polynesian occupation site*

KAVHA contains the only known pre-European Polynesian occupation site in Australia. During the excavation it was reported that traces of another prehistoric settlement site, or perhaps a continuation of the original Emily Bay site, remain at the eastern margin of Slaughter Bay within KAVHA (Anderson 1997:section 4.2).

Anderson states his view that:

*'I cannot emphasise strongly enough that finding one prehistoric site is only the beginning of a full research project, not its conclusion. The existence of the Emily Bay site and the nature of the material suggests that other sites remain to be discovered*

*and investigated. The requirements of typically mobile Polynesian horticulture and the workings of basalt deposits indicate that settlement had probably been quite widespread at one time' (Anderson 1997:section 5.4).*

KAVHA, particularly the Emily Bay area has the potential to contribute to a better understanding of prehistoric Oceanic exploration and the colonisation of Oceania including Australia. This potential compares favourably with Macassan sites in Northern and Western Australia in building an understanding of non-Indigenous migration patterns pre-European settlement. KAVHA is considered to be of outstanding value for its potential to yield information on pre-European Polynesian culture.

*Research potential to reveal information relating to women and children  
First Settlement Period*

Convict women were sent to Norfolk Island during the First Settlement period, while very few were sent during the Second Settlement period. The First Settlement also differed from the Second Settlement in having free settlers with their families, while few exceptions were made for free women during the Second Settlement.

While no intact buildings survive from the First Settlement period, remains of the foundations and footings remain of three of the four Government Houses, some remains of the Guard House and the remnants of walls around Flagstaff Hill, the wind mill base at Point Hunter and remains of the water mill at Arthur's Vale. Places within KAVHA where there may be archaeological potential for evidence of the First Settlement and the lives, working and living conditions of women and children include:

- the vicinity of Kingston Pier and the Landing Area;
- beneath the site of the Prisoner's Compound and Lumberyard (First Penal Settlement hospital, surgeon's quarter's and hospital garden);
- Emily Bay (series of buildings, one labelled 'Beachmaster' on early plans);
- roads and Infrastructures including drains at Flagstaff Hill;
- the site of the First Penal Settlement timberyard and sawpits;
- the Lime Kiln area □ the smallest, Lime-Kiln 3 of the three partly surviving lime kilns at Kingston is thought to date from the First Penal Settlement;
- Arthur's Vale which retains visible evidence of the cropping patterns and the channel and stream modifications, (Watermill Creek) of the First Penal period, damming and of general agricultural use and possibly structures such as benching and huts; and
- the Government House sites.

KAVHA has the potential to reveal additional information about women and children during the penal settlements on Norfolk Island, particularly the First Settlement which comprised free settlers with their families as well as the convict and freed population. Parsons cites Canteri's argument that the population structure of Norfolk Island was critical to its development, finding:

*'a much more normal social situation on Norfolk Island in the 1790s than historians have been prepared to accept' (Parsons in Nobbs 1988: 89).*

Canteri compares the overall sex ration between the island and the mainland and uses statistics to show that in 1791 the male/female sex ration was 1.4:1 on Norfolk Island,

compared to 5.9:1 in New South Wales. Parsons argues that this figure was abnormally high as Phillip had sent 150 women convicts to the island after the arrival of the Second Fleet in 1790. By 1804 the sex ratio was equal in both places, ie 3.1:1. A snapshot in 1804 shows that out of an adult population of 774, 186 were women, of whom 146 were 'free' and 40 were convicts. There were 311 children, and of those 68 lived with their convict mothers. As the majority of the women on the island, both convict and free, were married there were very few available female companions. Parsons attributes the increasing tension between the military, the free settlers and the convicts to the lack of available women (Parsons in Nobbs 1988: 89-90).

KAVHA with its rich collection of First Settlement remains has outstanding potential to reveal further information which may contribute to our knowledge about the formative years of British settlement in Australia and the role of women and children in that history, a story which is of outstanding value to the nation.

*Research potential to reveal information relating to Commandant Maconochie*  
The archaeology of the New Gaol at KAVHA and the remaining perimeter walls relate directly to the housing and treatment of convicts during the Second Settlement period and from which the historical infamy of the place is derived. They are exceptional examples of the first generation of radial and cruciform plan corrective institutions in the Australian colonies and the world. The New Gaol design (1835 □ 1855), featuring five radial wings linked to a pentagonal encircling wall (within the further existing rectangular yard walls), reflected the impact of the British prison reform movement in the 1820s and the 'Separate System' of imprisonment in America. Its history of construction of stopping and starting, particularly its cessation during the Maconochie period and its completion in 1850 with the addition of twelve separate apartments and two dumb cells, reflected diverse and changing attitudes to penal reform both in Australia and overseas. The other Australian sites that are intact and reflect these penal reforms and new systems are Port Arthur's Separate Prison (1848-52) and Fremantle Prison (1852-57). Other elements associated with Maconochie's enlightened period of reform at KAVHA are the archaeological remains of the Protestant and the Roman Catholic Chapels.

Excavations undertaken at the New Gaol complex from 1991-95 combined with examination of 19th century plans, diagrams and photographs from c 1860-1930 have contributed significantly to an understanding of the spaces within the complex and their possible functions (Australian Construction Services 1995).

Precincts within the KAVHA boundaries were identified and assessed for the degree of subsurface intervention in the 1988 Conservation Management Plan (Lucas and Stapleton 1988: vol 1, 86), and marked as zones requiring either archaeological supervision or avoidance. Zones identified with a high degree of archaeological significance and avoidance of intervention include the precincts encompassing all the known First and Second Settlement buildings, standing structures, ruins, engineering features including the landing pier, roads, culverts bridges and Watermill valley. Precincts identified as requiring supervised excavation were Arthur's Vale and the open grazed areas south of Quality Row and extending to the eastern boundary of the place.

Highly significant artefact collections from the wreck of the *Sirius* and objects from



all four settlement periods within KAVHA are housed in the KAVHA Museums. While these collections have been catalogued, and that of the Sirius published, the collections together with the high degree of integrity of the buildings in their landscape setting and the detailed documentary records provide research potential for future family and social history studies, genealogists and scholars that may be of outstanding value to the nation. An example of specialised research undertaken on the KAVHA artefact collection is the examination of the artefacts from the Hospital by Starr which provided important information on health and medicine in the convict period (Starr, F 2001).

KAVHA has the potential in its subsurface remains, the collections of artefacts and the associated documentary material to reveal additional information about women and children on Norfolk Island during the penal settlements and information about changing penal practices and philosophies during the period of Commandant Maconochie that has the potential to be of outstanding significance to the nation.

The nominator also claims that KAVHA is significant as a place of integrated research and celebration of Norfolk Island contemporary society and its roots. It is claimed that in addition to the cultural landscape itself, elements of this potential also include the archives, artefacts, Pitcairn language and ongoing traditions, all having a direct association with KAVHA as the Island's centre of administration and of social/recreational life and contact with the outside world. The nominator claims that this microcosm of Pitcairn society provides an unparalleled research resource on an Island community for both the Norfolk community, Australia and internationally (Knaggs 2006:14).

While Norfolk Island society may have the potential to provide information on the development of a mixed Polynesian/European society in Australia, it is also questionable in two respects:

- (a) whether KAVHA itself is the locus that has the greatest future research potential in developing this body of sociological and anthropological knowledge; and
- (b) whether this potential for future research knowledge is of outstanding heritage value to the nation.

The cultural landscape, artefacts, archives, Pitcairn language and ongoing traditions are clearly of significance to the community of Norfolk Island. However, the lack of comparative material on the assimilation of other Polynesian elements into Australian society, such as the Kanaks in North Queensland, means that it is not possible to adequately assess whether the development of Norfolk Island society is nationally significant.

**KAHVA has outstanding heritage value to the nation under Criterion (c).**

**CRITERION (d)** *The place has outstanding heritage value to the nation because of the place's importance in demonstrating the principal characteristics of: a class of Australia's natural or cultural places; or a class of Australia's natural or cultural environments.*

**Nominator's claims against the criterion:**

1. Australian convict settlements
2. Distinctive island community

**Response to the Nominator's Claims:**

Claim 1 is covered in the discussion on KAVHA as demonstrating the principal characteristics of a class of penal settlements, assessed against the criterion below.

Claim 2 is discussed below.

*Principal characteristics of penal settlements in Australia*

The principal characteristics of penal settlements in Australia are a physical layout that optimises surveillance, separate precincts for the management and control of convicts, the provision of activities for hard labour, a hierarchical structure of governance modelled along military lines, and infrastructure related to the functioning of a settlement.

The topography of the place was used to establish social order and to physically separate convict, military and administrative areas. The 1829 Government House (also the site of one of the four Government Houses in the First Settlement period) is positioned prominently on Dove Hill with commanding views of the military precinct, convict quarters, colonial administration, farmland and the pier. It is one of the earliest and most intact remaining government house buildings and precincts in Australia. The Old Military Barracks and New Military Barracks at KAVHA are the most substantial 19th century (mainly 1830s) military barracks complex associated with Australian convict settlements. Surrounded by walls, they present the appearance of military fortresses. They are positioned in view of the convict precinct which is located at a lower elevation closer to the water. The archaeological remains of the two convict gaols and prisoner barracks show the development of penal philosophies. The original convict quarters have barrack style accommodation. The remains of the later New Prison including the extant surrounding walls, however, provide a rare representation of radial design in a colonial convict establishment. The design for the New Prison is based on the Pentonville Prison, which has galleries of separate cells radiating from a central point which commands a view of all cells, corridors and galleries within the complex. Reflecting a similar philosophy as well as the view that convicts needed to be separated from the corrupting influence of others, the New Prison on Norfolk Island appears to have had separate radial tiers of cells. However, unlike Pentonville, it also appears to have had a mixture of accommodation to deal with different classes of prisoners, including separate wooden apartments and barracks.

The role of harsh labour as punishment is evident within KAVHA in the archaeological remains of the lumber yard, the water mill, the crank mill, the salt houses, the lime kilns and in the extant landing pier. Built between 1839-47, the pier is on the site of the first landing place and remains in continuous use today. The landing pier and sea wall are among the earliest large scale engineering works still extant in the Australian colonies. The role of religion in the reform of convicts is also evidenced at KAVHA in the buildings for the Catholic and Protestant clergymen.

Evidence of the colonial administration is seen in the buildings that survive in Quality Row and the archaeological remains of places such as the police buildings and overseers' cottages. Quality Row represents the most extensive street of surviving

(although part reconstructed) pre-1850 penal settlement buildings in Australia.

KAVHA displays the elements of convict management, military rule and colonial administration in a relict cultural landscape. The principal characteristics of a cultural landscape associated with the convict period are:

- that the place demonstrates strong links with important historical events;
- there is a completeness or integration of features with the landscape;
- the patterns of use and living are clearly legible in the landscape;
- the relationship between the different features remain intact and meaningful;
- the place retains a coherent setting; and
- there is an absence of disruptive or discordant features in the landscape.

The buildings and ruins of the convict settlement provide strong evidence of the historical processes of settlement and penal reform. The place's siting, layout, the archaeological remains associated with the First Settlement, the two military complexes, the intact and restored Quality Row buildings of the Second Settlement, and the associated infrastructure of the settlement all provide evidence of the patterns of use and living of a long standing penal settlement. KAVHA remains in a relatively unchanged setting, undisturbed by unsympathetic development. This lack of substantial subsequent development makes the design features of the settlement highly apparent. KAVHA evokes an authentic sense of place and is esteemed as one of the best surviving penal settlements from colonial times.

Unlike other penal settlements in Australia the KAVHA cultural landscape also records the principal characteristics of the initial phase of convict settlement in Australia. The siting, layout and foundations of buildings from the initial military settlement in 1788 can still be seen in the landscape. These include the archaeological remains of the first Government houses, including the Surgeon's Quarters and Kitchen (1827) built on the site of First Settlement Government House, one of the earliest European dwellings in Australia, the foundations (constructed in 1803) of the 1829 Government House, the ruins of the hospital (1829) built on First Settlement remains, the Settlement Guardhouse (1826) built on the foundations of a First Settlement building, the Landing Pier (1839-47) built over the First Settlement landing place, the Cemetery and the archaeological remains from the first penal settlement period. The Cemetery Reserve contains graves that date from the First Settlement (1788-1814). It has been used continuously as the island's principal Cemetery since the beginning of the second penal Settlement in 1825. The Cemetery has an outstanding collection of headstones (and other remains) including notable persons from the First and Second Settlements and from the Pitcairner period.

The evolution of the convict system from the First Settlement penal settlement, its abandonment and subsequent resettlement as a place of secondary punishment which can still be seen in the landscape, make it an outstanding example of different aspects of convict control and its use as a deterrent to crime in Britain.

#### *Comparative analysis of penal settlements*

KAVHA was established as a penal settlement in 1788 and re-settled as a place of secondary punishment in 1825. Together with Port Arthur Historic Site, both are among the best preserved convict remains in Australia and were places of secondary punishment for part of their operating life (Pearson 1995:37). KAVHA pre-dates the

establishment of Port Arthur as a penal settlement for secondary and special punishment (1832). Norfolk Island was the largest convict establishment in Australia, followed by Port Arthur. Both places demonstrate the principal characteristics of penal settlements of convicts in nineteenth century Australia. Pearson and Marshall considered that Port Arthur and KAVHA were the exemplary examples of a convict secondary punishment settlement (Pearson and Marshall 1995:107). They also considered that the buildings and landscape at Kingston constituted an authentic place essential to the understanding of global themes and eligible for World Heritage listing both in its own right and as an element of a series nomination (Pearson and Marshall 1995:103).

#### *Distinctive island community*

The nominator claims that since 1856 KAVHA has been the administrative centre for the social, religious and political development of the Norfolk Island community. Norfolk Island is distinctive in Australasia as a culture originally inherited from Polynesians and the participants in perhaps the most famous naval mutiny in modern British history. The nominator claims that KAHVA retains substantial evidence of this Pitcairner Settlement period including continuing uses of the area for administration, maritime transport and trade, recreation, spirituality, celebration and mourning (Knaggs 2006:15).

No assessment of comparative material with other distinctive Island communities such as Christmas and Cocos (Keeling) Islands, Kangaroo Island or island communities in Northern Australia has been provided. The claim requires a comprehensive comparative analysis which is beyond the scope of this assessment. The information provided to support the claim has been incorporated into the discussion on the Third Settlement period under criteria (b) and (g).

#### **KAVHA has outstanding value to the nation against criterion (d).**

**CRITERION (e)** *The place has outstanding heritage value to the nation because of the place's importance in exhibiting particular aesthetic characteristics valued by a community or cultural group.*

#### **Nominator's claims against the criterion:**

1. An evocative and picturesque historic landscape

#### **Response to the Nominator's Claims:**

Claim 1 is covered in the discussion below and assessed against the criterion.

#### *An evocative and picturesque historic landscape*

KAVHA is outstanding for its picturesque setting, historic associations, part ruinous configuration and subsequent undeveloped nature, enabling appreciation of aspects of the history of Britain, Australia and the South Pacific with rare thematic clarity. Still recognisable in its present form the aesthetic qualities of the landscape have been acknowledged since the First Settlement forming the subject matter of an artistic record that has continued to the present.

There are many elements that contribute to the aesthetic drama of the place, the sea,

reef and islands, historic graves, Quality Row buildings, the New Gaol and prisoner's barracks, hospital and other structures in a ruinous state, and the extent of the nineteenth century buildings. The picturesque landscape setting, with its domestic scale and agricultural character, is valued for the dramatic contrast it represents between the horror of the past and the charm of the present.

KAVHA is outstanding for its views across the site, within the site, from the site to the seascape, and views of the site in its landscape setting. The scenic values are strongly linked to the landscape and maritime setting. The nominator claims that 'While strongly aesthetic and evocative landscapes are found at other Australasian (especially convict) historic sites, Norfolk is outstanding in its island maritime character, and the high integrity of the cultural landscape complete with the strong symbolic value of the regenerated Norfolk Island pines' (Knaggs 2006:16). The claim of the outstanding island maritime character and high integrity of the cultural landscape is upheld. The assertion that the regenerated pines contribute to aesthetic values of the cultural landscape is not generally supported. To a large extent the Norfolk Island pine plantings have been established in plantation rows without understorey plantings, and in some cases impact on the identified heritage values of the place.

KAVHA, including the Norfolk Island Museum and archaeological collections, is outstanding in its ability to communicate its layering of rich historical stories (Knaggs 2006:16). The claim is not supported for this criterion as it does not contribute information relevant to the assessment of the place's aesthetic values.

The nominator claims that the aesthetic values of KAVHA, including those from the convict periods, have been the inspiration for many artists and writers whose works now contribute to the intangible values of the place. The forms and emotions represented by this artistic body of work over time can still be discerned by visitors today (Knaggs 2006:16). The claim is supported that the aesthetic values of KAVHA from the commencement of European settlement have been the inspiration for many artists and writers whose works now contribute to the intangible values of the place. Picturesque views were highly esteemed in the 19th century for indicating a particular spatial appeal, being ascribed to two very different landscapes, the 'grassy meadow' or extensive 'plains' and also to dramatic natural vistas, 'lofty mountains' or 'impervious thickets' (Carter, 1987:232). The KAVHA landscape with domestic scale Georgian style buildings set in a rural landscape bounded by hills contrasted with the rugged cliffs outlined with distinctive Norfolk Island pines and the changing qualities of the seascape. There is a body of artistic work including paintings, drawings, prints, maps, publications, photographs and film which demonstrate past and present fascination with the contrasting beauty of the landscape and its harrowing penal history.

KAVHA is valued by the Norfolk Island community for its evocative landscape combining both the natural beauty of its setting and the Georgian architecture of its buildings.

From the 1920s visitors started seeing Norfolk Island as a tourist destination, renowned for its beauty. Newspapers in Australia evoked the image of 'a dream of beauty' (Nobbs 2006:198). Beautiful images of KAVHA with buildings nestling in

the landscape continue to be constantly used to promote the island and its attractions to visitors. KAVHA is valued by the Australian people for its aesthetic qualities and attracts thousands of tourists each year. Norfolk Island had 29,847 visitors in 2005, many of whom visited KAVHA (Norfolk Island Government website). The visual impact of the substantially unaltered views in and across KAVHA is important to Australians who associate the place with the horrors of its convict past and its later role as home to the Pitcairn Island settlers.

**KAVHA has outstanding value to the nation against criterion (e).**

**CRITERION (f) - *The place has outstanding heritage value to the nation because of the place's importance in demonstrating a high degree of creative or technical achievement at a particular period;***

**Nominator's claims against the criterion:**

1. Early town planning in colonial settlement □ military influence
2. The siting, layout and features of colonial gubernative precincts
3. Philosophy of penal reform
4. Housing the military
5. Victualling the settlement
6. The Pier Precinct
7. Cemetery
8. Industrial Elements

**Response to the Nominator's Claims:**

Claims 1, 2, 3, 4, 5, 6, 7 and 8 assert that the planning, landscaped areas, buildings, structures and archaeology are significant and that many of the features are highly significant in an Australasian context for their technical and/or creative achievement in their own right. However insufficient evidence is provided to demonstrate that many of the features are of outstanding national significance for technical or creative achievement. Town planning and layout, architectural design, building techniques, while generally very finely executed, followed traditional military camp models and well accepted Georgian design principles.

The information provided in the above claims have been considered in the analysis of criterion (d).

**On the basis of the information available KAVHA does not have outstanding heritage value to the nation under Criterion (f).**

**CRITERION (g) *The place has outstanding heritage value to the nation because of the place's strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.***

**Nominator's claims against the criterion:**

1. Australia's reverence for brutal convict places
2. The Bounty Story
3. Strong and special association with the Norfolk Island community

#### 4. Strong and special association for visitors to Norfolk Island

##### **Response to the Nominator's Claims:**

It is noted that the claims in the nomination are not based on community consultation to determine the intensity of the strong or special associations claimed.

Claims 2 and 3 are discussed below in the analysis of strong and special associations for the Norfolk Island community.

Claims 1 and 4 are discussed below in the analysis of strong and special associations for the Australian community.

##### *Strong and special association with the Norfolk Island community*

KAVHA was the first landing place of, and home to, the Pitcairn Island settlers whose descendents today comprise one third of Norfolk Island's population (approximately 600 people). Those of Pitcairn descent are a unique cultural group within the broader Australian society. Their British-Tahitian origins, coupled with the colourful story of *HMS Bounty* and the mutineers' subsequent survival on Pitcairn Island, underpin a unique history. The Pitcairn settlers have preserved their culture through their language and music which are blends of Tahitian and European influences. Kingston is commemorated as the landing place of the Pitcairn settlers on Norfolk Island and this is evidenced by the annual celebration of Anniversary Day, when the community re-enact the arrival of their forebears. KAVHA is valued as a place of special significance because it has been of traditional and ongoing use as a place of residence, worship, work and recreation since the arrival of the Pitcairn Islanders at Kingston Pier in 1856. It holds significant symbolic, ceremonial, religious, lifestyle and cultural associations in a unique built and natural environment.

This length of association and the preservation of integrated Polynesian/European cultural and traditional practices is regarded as uncommon in the national context. However, such association needs to be assessed within the scope of other migrant communities, such the Malays on Christmas and Cocos (Keeling) Islands or with other groups of Polynesian/European extraction such as the Kanak communities of Queensland. While the lack of comparative material has made it difficult to assess, the longevity, strength of attachment and international recognition of the Pitcairn descendent's association with Norfolk Island is of outstanding significance to the nation.

##### *Strong and special association for visitors to Norfolk Island*

The nominator claims that KAVHA demonstrates the pattern of communities seeking to wipe out the Australian colonial convict stain in the immediate post-convict period, and later from the early 20th century celebrating convict heritage for its rich stories of struggle against adversity both as an educational and tourism product (Knaggs 2006:12). KAVHA is one of the convict places which remain embedded in the national psyche of many Australians for its extreme punishment and the degradation of convicts. In this context, however, KAVHA compares with a number of other convict sites such as Port Arthur and Macquarie Harbour which are also infamous for the brutality of the convict experience (Knaggs 2006:18). Sociological assessments dealing with the re-evaluation of convict forebears by present day Australians, either discuss the pattern at an 'across the population' level, or present the micro-view of the experience of individual families with convict forebears in their past. Little of this material drills down into the phenomenon to a level that gives meaningful information

on present day reactions to convict forebears incarcerated at a particular site, and as a result it is difficult to provide meaningful insight to the importance or otherwise of KAHVA in the phenomenon.

The nominator claims that Norfolk Island has a strong tourism industry, including many (first time and repeat) visitors from Australia (and New Zealand) (Knaggs 2006:18) and that KAVHA is valued by visitors for its rich history and by some particular visitors for its genealogical connections. Tourist visitor numbers to Norfolk Island over the three years 2004-06 averaged 30 804 persons annually.<sup>6</sup> The island's *Tourist Accommodation Act* provides a quota for the number of accommodation units to fit with the carrying capacity of the island, thereby limiting the number of visitors. In comparison, tourist numbers to Tasmania, which has no limit on the number of visitors, and also valued for its rich history and convict associations, totalled 788,040 in 2005. While Norfolk Island has a special association for visitors it is not so outstanding as to be of significance to the nation.

**KAVHA has outstanding value to the nation against criterion (g).**

**CRITERION (h)** *The place has outstanding heritage value to the nation because of the place's special association with the life or works of a person, or group of persons, of importance in Australia's natural or cultural history.*

**Nominator's claims against the criterion:**

1. KAVHA is significant for its association with many of Australia's founding and other early personalities including King, Hunter, Foveaux, Wentworth, Anderson, Maconochie, Price and Cash.
2. In terms of Australia's vernacular culture it is also strongly associated with the story of William Bligh and Fletcher Christian, although this story is of more significance to the Pitcairn and Norfolk Islands and to Tahiti and Britain than to Australia.
3. Many early naturalists (amateur and professional) recorded the flora and fauna of Norfolk Island. William Paterson (a captain with 99th Regiment arriving NSW 1791) and Ferdinand Bauer (a botanist and botanical artist travelling with Matthew Flinders on the *Investigator* 1804) were collecting on behalf of Sir Joseph Banks.

**Response to the Nominator's Claims:**

Claims 1 and 3 are discussed below and assessed against the criterion. Claim 2 is not considered as the story of William Bligh and Fletcher Christian does not have outstanding special association with KAVHA, as acknowledged by the nominator.

KAVHA is associated with many of Australia's founding and other early personalities including King, Hunter, Foveaux, Wentworth, Anderson, Maconochie, Price and Cash, however, it is the association with King and Maconochie that are most significant.

Lt Philip Gidley King RN (1758-1808) was the first Superintendent of Norfolk Island



(1788-1790), later serving as the third Governor of the Colony of New South Wales (1800-1806). Other notable associations include Capt John Hunter RN (1737-1821), second-in-command of the First Fleet, captain of HMS *Sirius* which sank at Norfolk Island in March 1790. Hunter later served as the second Governor of the Colony of New South Wales (1795-1800); Lt-Col Foveaux (1756-1846), Superintendent of Norfolk Island (1800-1804), in July 1808 on returning from England to find Governor Bligh under arrest and being the senior officer present, he assumed command of the colony from Major Jackson of the Rum Corp, holding command until January 1809; D'arcy Wentworth (1762?-1827), medical practitioner, administrator, entrepreneur, served as an assistant in the hospital at Norfolk Island before being appointed Superintendent of Convicts (1791-1796), later was instrumental in founding the Bank of New South Wales (1816); Major Joseph Anderson (1790-1877), 50th Regiment, Commandant of Norfolk Island (1834-1839), during which time convicts staged an unsuccessful revolt; Alexander Maconochie (1787-1860) Superintendent of Norfolk Island 1840-1844, a penal reformer, who introduced to the management of convicts on Norfolk Island a 'marks of commendation' system linked to rewards; John Giles Price (1808-1857), magistrate and penal administrator, who as Commandant of Norfolk Island (1846-1853) was noted for his merciless exercise of his authority; and Martin Cash (1808-1877) the bushranger and prison escapee who was imprisoned on Norfolk Island for ten years.

The nominator claims that many early naturalists (amateur and professional), including William Paterson and Ferdinand Bauer, recorded the flora and fauna of Norfolk Island. However, these associations with Norfolk Island are not of such special significance with their life or work to be of outstanding national significance.

Of particular importance is King's association with KAVHA through successfully establishing the First Settlement on Norfolk Island which was important in the cultural history of Australia as it relieved pressure on the infant colony at Sydney Cove by taking convicts and marines from that settlement. Under King's command the settlement had become almost self-sufficient by 1789 at which time the settlement at Sydney Cove was experiencing grave food shortages. King's work on Norfolk Island contributed to the survival of the colony of New South Wales and in part helped him for his later role as Governor of New South Wales.

Alexander Maconochie formulated and applied most of the principles on which modern penology is based during the period he was Superintendent of Norfolk Island. A pioneer in penal reform, Maconochie's concepts and many of his practical measures, in advance of their times, are now the basis of Western penal systems, and they were largely adopted in the *Declaration of Principles* at Cincinnati, United States of America, in 1870, embodying the fundamentals of modern penology (Barry, ADB, 2006).

**KAVHA has outstanding value to the nation against criterion (h).**

**CRITERION (i) *The place has outstanding heritage value to the nation because of the place's importance as part of Indigenous traditions.***

**Nominator's claims against the criterion:**

The nominator makes no claims against this criterion. The nomination, however notes the value of KAVHA to the Polynesian Indigenous tradition and considers it requires further research.

### **Response to the Nominator's Claims**

There is no evidence to suggest that KAVHA has national significance as part of Indigenous tradition.

### **History:**

Norfolk Island, at the time of Cook's discovery in 1774, was uninhabited with no outward evidence of the Island's having been previously occupied. Evidence indicating that Norfolk Island had been inhabited prior to the European occupation in 1788 was recognised in the first year of settlement by Lieutenant Governor King. Plantain bananas were found growing in Arthur's Vale, suggesting human intervention. By 1791, stone tools had been discovered in the interior of the Island providing further proof of former habitation. In the 1840s a skull and 'stone axe' were found during earthworks. Through the twentieth century, evidence of stone tool making in the form of adze blanks and basalt flakes were found at Emily Bay, and later, similar adzes were found at both Emily and Slaughter Bays within KAVHA. Archaeological investigations have unearthed artefact assemblages, structural remains which have been interpreted as a rudimentary marae (a religious structure commonly encountered in East Polynesia) and evidence of landscape modifications in the Emily Bay area. The assemblage is characteristic of East Polynesian culture. Radiocarbon dates indicate Polynesian settlement between AD 1200 and AD 1600 (White and Anderson 1999).

Cook had particularly noted the tall, straight spruce pines which grew in large numbers to a vast size. He observed they would be superior to the pines he saw in New Zealand and New Caledonia and would make excellent masts and yards for large ships. He also noted the luxuriant native flax plant which would be suitable for rope making and weaving into canvas. This source of potential naval supplies appealed to the Admiralty, as Britain had lost its North American colonies and their supplies of Quebec pine in 1783 following the American War of Independence (1776-1783). Although Britain had access to Canada's forests timber getting was only practicable near waterways, and consequently, it had fallen back on the Baltic region as its principal source of ship building timbers.

Arthur Phillip's instructions for the settlement of New South Wales included a directive that Norfolk Island was to be settled and secured as soon as possible after landing at Botany Bay. The intention was to prevent any other European power from occupying the island, to secure the naval supplies available on the island and to take advantage of the rich, deep soil reported by Cook and to quickly establish vegetable and grain crops to supplement the settlement at Sydney Cove. In accordance with this directive, Phillip despatched the tender *Supply* from Port Jackson on 15 February 1788 with Lieutenant Philip Gidley King and a party of nine male and six female convicts and seven staff to establish a settlement on the island. *Supply* arrived at Norfolk Island on 29 February 1788 and for five days boat parties under the direction of King explored the coastline seeking a suitable landing place. On the 5th of March, a passage was found through the reef on the southern side of the island. Norfolk

Island was settled by Europeans on 6th March 1788, forty days after the British flag was raised at Port Jackson.

Phillip issued King with a series of orders indicating the manner in which the settlement would be regulated. These included that shelter for the landing party and stores should be secured immediately and the capabilities of the island assessed. The flax plant, cotton, corn and other grains were to be grown and convicts were to labour for the public good. Isolation of the settlement was to be maintained by preventing the construction of boats that were decked or exceeded twenty feet in length, and no commerce was to be conducted with passing ships except those in distress.

The First Settlement at Norfolk Island (1788-1814) was organised along similar lines to its mainland counterpart in New South Wales and men and women settlers were allowed. By late 1789 the colony at Sydney Cove was experiencing food shortages due to poor crop yields and the Second Fleet which was to bring additional stores for the colony had not arrived as expected. Governor Phillip had reduced the food ration to two-thirds and instructed King to do likewise on Norfolk Island. Although the settlement on the island had an ample food supply having successfully produced crops of maize, wheat, barley, potatoes and green vegetables plus having raised livestock consisting of pigs and poultry which had increased in number, and having access to a plentiful supply of local fish, King followed Phillip's orders and in November 1789 reduced the food ration for the island's population of 126 (Clune 1981:23). As the food shortages worsened at Port Jackson and in response to the reports from Norfolk Island that food supplies were plentiful, Governor Phillip resolved to move a sizable number of the convicts and marines to the island using the two ships that had remained at Sydney Cove to service the new colony, the *HMS Sirius* and the smaller armed tender *HMS Supply*. Some 281 people, about one-third of the population of the Port Jackson colony, were relocated to Norfolk Island leaving 591 persons at Port Jackson (Clune 1981:24). In this period Phillip also instigated a policy of sending convicts serving life sentences and the intractable among the convict population to Norfolk Island, commencing the island's reputation as a hell in paradise. It was also convenient for Phillip to rid himself of the more troublesome officers in the colony by posting them to Norfolk Island. The combination of difficult officers and recalcitrant prisoners shaped the destiny of the small colony on Norfolk Island.

Tragedy struck the infant island settlement on 19 March 1790 when *HMS Sirius* with 373 aboard, including a crew of 102 naval personnel, 161 convicts, 25 children and 31 marines was wrecked on the reef off Kingston, fortunately all on board were saved (Clune 1981:25). The loss of this valuable warship was not only a significant loss to New South Wales because as the larger of the two ships stationed at Sydney Cove it was detailed to proceed from Norfolk Island to China to obtain food supplies for the hungry settlement at Sydney Cove, but also the sudden increase in the population of Norfolk Island placed an enormous burden on the island's food supplies. The native birds on the island, the 'Bird of Providence', a species of petrel (*Pterodroma solandri*), saved the settlement from a severe food shortage. Lieutenant Ralph Collins recorded that more than 170,000 of these birds were received into the stores between March and August 1790 (Knaggs 2006:75).

King listed the island's population on 24 March 1790 as 90 civil, military and free, 80 from the *Sirius* (survivors of the shipwreck), 191 male convicts, 100 female convicts

and 37 children, a total population of 498; a fourfold increase in the population in four months. By 1792 Norfolk Island had taken more than 1,100 people from the settlement at Port Jackson (Crowley (1974). During most of the period conditions on the island were probably better than in NSW. By 1804 the free settlers on the island significantly outnumbered the convicts. A general muster on 12 July 1804 counted 1,084 inhabitants including 136 civil and military, 240 free men, 146 free women, 211 male convicts, 40 female convicts and 311 children (Clune 1981:73).

Children were a part of the settlement from its commencement. Some were the children of the military and officials sent to the island while others were the children of convicts and some, convicts themselves. In March 1789 the first known children of the First Fleet arrived to settle on Norfolk Island. One was an orphan, Edward Parkinson aged four and the other, Mary Fowles, aged around six years who was sent there as a means of separating her from her mother. The latter had been described by Judge-Advocate Collins as 'a woman of abandoned character'. The children had been designated as 'public wards' by Captain Phillip who had allocated the produce from five acres to sustain them. Their transfer to Norfolk Island appears to have been considered an act of philanthropic exile from the unsuitable environment of Port Jackson (Holden 1999:145).

The experiences of children arriving on Norfolk Island is captured in the experiences of some of the children who landed on the island on 13 March 1790 from *Sirius*. Their first brush with death occurred on 6 March when *Sirius* was nearly wrecked on North Head as it cleared Port Jackson. On arrival at Norfolk Island it was impossible to land on the south side of the island at the settlement because of pounding surf and *Sirius* sailed to the north of the island where the marines and some convicts were put ashore at Cascade. Following the landing of the marines, a boatload of women and children was sent ashore, however, as they landed the sea broke into the boat causing great alarm. Surviving that frightening experience they had to sleep in the open before commencing the eight kilometre trek across a very rough road to Kingston. *Sirius* put to sea because of deteriorating conditions and six days later when she was able to again approach Kingston and commence unloading, she was wrecked. The loss of *Sirius* and her stores compounded the children's ordeal as in the following May short rations were introduced on the island and children over twelve months old received half the adult ration with further reductions in July and August. At the beginning of 1790 most of the children from the First Fleet were under six years of age. Although they were young they were necessary helpers in foraging for food. They supplemented their meagre rations with edible wild plants and pine nuts, may have helped their mothers drying out the flour and rice from the *Sirius*, gathered firewood and thatch and prepared the cleared acreage for planting. Towards the end of that first difficult year it is also likely they helped pick caterpillars off the crops (Holden 1999:148).

Life on the island under Major Ross's period as Commandant (March 1790 □ November 1791) witnessed a general breakdown of discipline and authority. Evidence of this is a number of incidents involving children including a marine who had already been sentenced for raping a nine-year old girl committed the same crime again, a convict boy of 14 being given 13 lashes for stealing and an incident involving Ross's own son, who was about nine years of age and by then a second lieutenant, when he became embroiled in an argument among the officers. The situation for

children improved greatly when Lt King returned to take command of the island in December 1791. He established a school and orphanage and appointed a woman to care for the children, some of whom had been deserted by their parents, and to instruct them. King also established a fund to care for the orphans (Holden 1999:153).

Most of the clearing and the resultant changes to the natural environment at Kingston occurred during this period; the cleared lands were very fertile but heavy erosion occurred on the hills, and low lying areas silted up. Foveaux's records of March 1804 show that the area under cultivation was 2,140 acres with another 2,450 acres of allocated land that was officially regarded as 'waste' in the hands of settlers. The latter may well have been used for grazing rather than the cultivation of crops (CMP, 2002). The native pines which Cook recommended as a source of masts and spars for naval vessels had proved unsatisfactory for that role because it was a knotty timber lacking in turpentine sap, however, it did prove suitable for general building purposes. The native flax which also had initially attracted Cook's attention proved difficult to process, probably because the plant was seed flax (linseed) which has a poor fibre content and not fibre flax (Britts, 1980:37). However, by 1796 small quantities of No 7 grade sailmakers canvas were being produced (Edgecombe, 1991:17). About one third of the island was cleared during the first settlement period. Farms were scattered across the island and abundant remains of cultivation survived to be recognised on resettlement in 1825.

The settlement was centred on Kingston, then called Sydney, adjacent to the Landing Place which provided the most sheltered landing available to shipping. Arthurs Vale (Watermill Valley) and Stockyard Valley (Town Creek area) were used for agriculture. Two smaller settlements, Queensborough and Phillipsburg were established elsewhere on the Island and King initiated major works including the building of lime kilns at Kingston, a watermill, a windmill at Point Hunter (1795) and a large dam built downstream on Watermill Creek. In the main, convict housing at Kingston was thatched weatherboard huts. The first guard house built of brick was constructed in 1789 and another brick guard house was commenced in 1790 with four cells being added in 1794. It also contained a 'dark hole', a wooden structure, most probably built of logs, which was a chamber for punitive confinement. The precise date it was built is unknown, however, records indicate it was built prior to 1793 (Kerr, 1984:17).

A weatherboard house was built for King, with a separate dwelling to house the surgeon and midshipman in April and May 1788. The houses had excavated cellars for the secure storage of the settlement's provisions and a storehouse was built (Knaggs 2006:73). With the increasing number of convicts on the island, a growing number of whom were intractable characters, King improved the security of the settlement at Kingston by erecting a stockade around the Superintendent's House and the Commandant's House leaving sufficient space within the enclosure for the later erection of a barracks for the marines. The use of the adjacent Nepean Island as a place of confinement for the most recalcitrant prisoners was commenced in 1791. This practise of placing prisoners on an isolated island with little or no supplies and no housing was intended to break even the most hardened of the convicts and was used in the colonies for 40 years. Coal Island at Kingston (later Newcastle) in 1804 and Grummet Island (in the 1820s and early 1830s) at the notorious Macquarie Harbour, Tasmania were other places where this practice was adopted (Kerr,

1984:16).

Construction of the first gaol and adjoining penitentiary house at Kingston were commenced in 1791 with the gaol being enlarged and enclosed with railings in 1792. This structure was destroyed by a cyclone in May 1794 and the prisoners were then housed in the overseer's stone house which was used as a gaol until a new stone gaol was built in 1801-02 (Kerr, 1984:18). The majority of convicts were accommodated in huts with only the worst offenders and those who had re-offended being housed in the small gaol. After the re-occupation of the island in 1825, the gaol was rebuilt and reused as a gaol at least until the new pentagonal prison was opened in 1848 (Kerr, 1984:21).

Following the discovery in 1791 that the calcarenite was a form of limestone suitable for rendering into lime by burning, King set men to work experimenting with lime and brick making. With the possibility of making bricks for the settlement, King commenced the construction of a new Government House with a commanding position (Knaggs 2006:76). However, as the materials used were at best 'tolerable' the walls were completed in stone. In January 1792 an area was cleared on Mount George as the site for a signal house to ensure adequate semaphore visibility for ships lying off Sydney Bay.

By May 1793 Kingston had the appearance of a small but organised village with four main streets in the settlement. By 1794 a fifth, Pitt Street had been laid out east of Sirius Street. Further buildings were constructed or altered including a school house, stone granary bake-house and it appears that a play house was built.

King's second term of office as Lieutenant Governor finished on 22 October 1796. Views by Chapman drawn in 1796 show the appearance of Kingston at the end of King's tenure. It has been estimated that with almost 45% of the island's 8,528 acres allocated, the island had already been: *'dramatically and permanently changed from an impenetrable wilderness to a largely cleared land'* (Knaggs 2006:79).

A number of riots and uprisings occurred during the First Settlement period, including two organised convict insurrections. On both occasions the convict conspirator's plans were betrayed by convict informers. One occurred during Lt Gov King's first term as Lt Governor and the other during Lt Col Joseph Foveaux's term. The first incident involved a plan in January 1789 when all but three of the 50 convicts on the island conspired to seize Lt Governor King with the intention of holding him hostage and take control of the next ship that arrived to effect an escape from the island. The plot was uncovered and the leaders were placed in irons and had their ground confiscated. The ring leader was returned to Port Jackson to stand trial, but as the insurrection had not been implemented, no trial took place (Nobbs 1988:103-4).

The second planned insurrection, uncovered in December 1800 was to have more brutal and serious repercussions for the convicts. The plot was initiated by Irish prisoners, many of whom had been re-transported from Port Jackson during periods of paranoia about the Irish. The plan was betrayed by an Irish convict, Henry Gready, who was serving a life sentence for rape. On the evening Foveaux had the two alleged leaders Peter McLean and John Wolloughlan, summarily executed, and over the next twenty days conducted a systemic course of floggings. The informers alleged that the

plan had been to murder all those not involved in the uprising and Foveaux's pre-emptory action was later endorsed by his superiors in Port Jackson and England. The precedent of no charge and trial which was set after Norfolk's first aborted insurrection, was not followed. Gready subsequently received a pardon and Foveaux was thereafter referred to as 'the murderer' by many of the convicts (Nobbs 1899:104).

In contrast to the planned convict insurrections, a military strike took place in January 1794. It resulted from a number of incidents revolving around interactions between the military guard and convicts and culminated on 18 January when Lt Governor King attended a play to mark the sovereign's birthday and was incensed by the behaviour of several soldiers. On his way home after the play the Lt Governor intervened to prevent soldiers armed with bayonets from assisting one of their number who was involved in a brawl. Later in the night the brawl threatened to become a mutiny. It was a traditional 18th century military dispute arising spontaneously from the clash between civil and military authorities, sharpened by the involvement of convicts and a naval governor (Nobbs 1988:91-92).

When King returned as Governor of New South Wales in 1800 to relieve Governor Hunter he took steps to ensure the continuing development of the settlement of Norfolk Island. He immediately appointed Major Foveaux as Lieutenant Governor who found the settlement buildings in a neglected state and initiated a renewed building program. Work on a new Government House was commenced in 1803 on Dove Hill. As early as the late 1790s the Home Office had been questioning the viability of the settlement, then in June 1803, Lord Hobart decided to remove part of the settlement to Van Diemen's Land. The cost of up-keeping the settlement on Norfolk Island, its distance from Port Jackson and the lack of a safe anchorage were the principal factors underpinning the decision. By 1806 when the evacuation of the island was ordered the population was around 700, the majority of whom were free settlers. The island's population reached its highest numbers in 1792, peaking at 1156 in May of that year (Nobbs, 1988:5). The convict percentage of the population remained above 50 percent from the settlement's commencement in 1788 until mid 1893 and did not fall below the 30 percent level until May 1801. Foveaux discussed the decline in population with King when in Sydney in 1803. King favoured a reduced but permanent settlement on the island while Foveaux considered it unviable and advocated its abandonment. By September 1808 there were only 250 people on the island and by April 1810 this number had declined to 177 of whom 98 were free person, 53 soldiers and 26 convicts. The free settlers were gradually relocated to Van Diemen's Land where some settled on the Norfolk Plains near Longford and others at New Norfolk on the Derwent. The last of the settlers left the island in 1814 when all the habitable buildings were ordered destroyed.

During the First Penal Settlement many of the earthworks evident today were carried out to modify and control the landscape. This was done for agriculture, roads and to create platforms for building. Roads were created up the Flagstaff Hill ridge, along the north side of Flagstaff Hill and into Arthur's Vale, up the ridgeline in the vicinity of Middlegate Road and along Soldiers Gully. In some locations these roads have been obscured by later roads but in others the formation remains in the landscape.

The First Penal Settlement was constructed surrounding the landing place. Little

above ground evidence remains of most of these structures which were probably constructed of ephemeral materials, in particular, wattle and grass or a vernacular form of weatherboarding. The destruction, including burning, of the township at the close of the First Settlement obliterated these buildings. Traces of the foundations of these buildings survive in the archaeological evidence. Erosion of the foreshore areas over time has contributed to the loss of evidence.

Archaeological remains of the first and second Government Houses and their surroundings remain behind the Landing Place and can be partially seen to the rear of the Second Settlement Surgeon's Quarters (now Lions Club). Artefacts from the excavations of these sites are held by the archaeological museum. The current Government House contains vestiges of the third Government House constructed for Foveaux c. 1803 but destroyed on closure of the First Settlement in 1814. The extent of survival of the walls of the earlier structure has not been fully determined, however, the structure is thought to have survived to approximately window head height. The chimneys are also thought to have survived. Some First Settlement structures are incorporated in the Second Settlement buildings including the Double Boat Shed, the Settlement Guardhouse, and possibly the Surgeon's Kitchen.

Places within KAVHA where there is considerable archaeological potential for evidence of the First Settlement include:

- In the vicinity of Kingston Pier and the Landing Area;
- Beneath the site of the Prisoner's Compound and Lumberyard (First Penal Settlement hospital, surgeon's quarter's and hospital garden);
- Emily Bay (series of buildings, one labelled 'Beachmaster' on early plans);
- Cutting into Flagstaff Hill (possible First Settlement drains);
- The site of the First Penal Settlement timberyard and sawpits is yet to be determined;
- The Lime Kiln area □ the smallest of the three partly surviving lime kilns at Kingston, Lime-Kiln 3, is thought to date from the First Penal Settlement;
- Arthur's Vale retains visible evidence of the cropping patterns and the channel modifications (Watermill Creek) of the First Penal period. A section of the channel remains in its First Penal settlement alignment. There is also likely to be archaeological evidence of stream modifications and damming and of general agricultural use and possibly structures such as benching and huts. The construction of the Second Penal Settlement dam would have removed remains of the earlier dam except perhaps the earthworks; and
- The Government House sites.

During the break in human occupation from 1814 to 1825, the wide range of mainly agricultural plants introduced to Norfolk Island continued to change the landscape. Most died out but some introduced plants like lemon and guava spread into the forest throughout the island and now grow wild. Weeds such as lantana and wild olive (hedging plants) may also be remnants of the First Penal Settlement (Knaggs 2006:82). The goats and pigs turned loose on the island when it was abandoned multiplied rapidly.

Under Governor Macquarie the colony of NSW was transformed from a military/penal establishment to a civil colony with an accompanying improvement in the general conditions found in the colony. This general improvement and



Macquarie's support for rehabilitation of convicts raised concerns in Britain as to the effectiveness of the British Government's policy in the Australian colonies and the effectiveness of transportation which it was concerned was no longer viewed as a deterrent to crime. By 1817 the Secretary of State was seeking an examination of the foundations of British policy in the South Pacific and in January 1819, Lord Bathurst appointed John Thomas Bigge as commissioner to investigate 'all the laws, regulations and usages of the settlements' (Crowley, 1974: 64-65). Bigge who had served as Chief Justice in Trinidad had developed a reputation as a reformer.

Published by the British Government in 1822-23, Bigge's three reports led the government to the conclusion that Macquarie had strayed from the primary function of the colony as a place of punishment and that the physical and social improvements made to the settlements in New South Wales and Van Diemen's Land had rendered them incapable of being returned to places of punishment and confinement. Even Macquarie's chosen settlements for secondary offenders, Newcastle and Port Macquarie were considered too close to Sydney to afford the degree of isolation desired by Bigge, who recommended that Norfolk Island be re-opened as a penal settlement.

In 1824 Lord Bathurst instructed Governor Brisbane to re-occupy the island on the principle of operating as a 'great hulk or penitentiary' to provide secondary punishment, the main object being the absence of the hope of mitigation. Secondary punishment was the punishment handed out to convicts who had re-offended after being transported. Lord Bathurst issued a dictum that no sentence was to be mitigated and no prisoners withdrawn until they had been on the island for ten years and behaved well for five, although this dictum was later modified. Governor Brisbane acted on the instruction and Norfolk Island was re-occupied on 6 June 1825 by Captain Turton as Commandant, with a party of 50 soldiers, 57 convicts, six women and six children. The convicts included *capital respites* (convicts capitally committed, sentenced to death, and later respited to life imprisonment or a long period in chains with hard labour), as well as desperate and dangerous convicts. By the 1820s the mainland colony was also suffering a serious problem with bushrangers. A hulk, the *Phoenix* was purchased to act as a floating prison in Port Jackson for any bushrangers who were apprehended. From there they would be transferred to a place of secondary punishment. Norfolk Island was intended, among other purposes to act as a deterrent to bushranging.

Governor Brisbane left no doubt as to Norfolk Island's role in the penal system when he described it as the '*ne plus ultra* of convict degradation'. He further said of Norfolk Island: '*I have decided to reserve that place for Capital Respites, and other higher classes of offences. I could wish it to be understood that the felon, who is sent there, is forever excluded from all hope of return*' (Clune, 1981:113).

Governor Brisbane's successor, Ralph Darling took over as Governor of New South Wales on 19 December 1825 having served for a brief time as Military Governor of Mauritius after the British captured the former French colony in 1811. On Mauritius Darling had experience of the use of convict work gangs on public works and oversights an island dependant on slave labour to work the sugar plantations. Darling was a man with strong military views on convict discipline and his concept of government was one of military simplicity, and required strict adherence to

regulations and the unquestioning allegiance of his subordinates. He arrived in the colony of New South Wales with instructions from the Home Government that all convicts who were capable of reform were to be assigned to settlers and the incorrigibles sent to the penal settlements. One of Darling's prime tasks as governor was to continue the implementation of the recommendations of the Bigge Report so as to ensure transportation was again an effective deterrent to crime.

The Second Settlement of Norfolk Island (1825-1855) was of an entirely different character to the First Settlement as it was run as a penitentiary for doubly convicted British felons. Except for being executed, a sentence to one of the penal settlements at Norfolk Island, Port Macquarie or Moreton Bay in New South Wales or Port Arthur in Tasmania was the most dreaded fate in Australia during the 19th century. A sentence of secondary transportation could be ordered after summary trial by two magistrates. Both Governor Darling in New South Wales and Lieutenant Governor Arthur in Tasmania were keen to ensure that discipline at the settlements would be most rigorous to deter others from committing crimes (Shaw 1966:203). Agricultural work was to be by hand with hoes and spades, no ploughs or working cattle were used. Hard labour was from sunrise to sunset and task work was prohibited. Prisoners were divided into two classes to encourage and reward good behaviour. The higher class was to have 'lighter' work and be allowed tobacco. Overseers, constables, clerks and officer's servants were to be chosen from this class but only after having served two, four or six years at the penal station, according to the term of their sentence (Shaw 1966:205). No opportunities for early release created despair. Until 1836 no clergyman was found willing to go to Norfolk Island except for brief visits so there was no religious instruction and no one to turn to for comfort or sympathy. There were neither schools nor books nor any kind of relaxation □ nothing but bitterness (Shaw 1966:206).

Captain Richard Turton of the 40th Regiment was appointed the first Commandant of the Second Settlement. On arrival at Kingston on 6 June 1825, Turton found the former settlement in ruins and overgrown by tall grass. The pigs and goats turned loose on the island when the first settlement closed had multiplied considerably thereby providing the new settlement with a plentiful supply of meat. Turton set about re-establishing Kingston, building huts to house the garrison and the convicts, and by December 1825 had built a new storehouse. He also rebuilt Government House and the gaol. He also commenced the convicts working on clearing the over-grown roads and gardens, the latter, at Arthur's Vale and Longridge being planted with wheat and barley.

The settlement at Norfolk Island again centred on Kingston and the remains of some First Settlement buildings were rebuilt, old agricultural areas rehabilitated and new areas cleared. Control of the settlement including building activity and employment of convict labour were closely monitored by the Colonial Secretaries of the period. A tight rein was to be kept on the penal settlement to ensure it served as a deterrent to re-offending.

Designed to be the '*ne plus ultra* of convict degradation' the second settlement on Norfolk Island provided the most terrible aspect of the transportation system to Australia. 211 men were on Norfolk Island in 1829. However, after Port Macquarie was closed and numbers were reduced at Moreton Bay, the numbers on Norfolk

Island steadily increased to reach 1,400 in 1838. The prisoners were nearly all among 'the most depraved and dissolute' of the convicts and the story of the settlement is tragic and horrible (Shaw, 1966:205). Shaw attributed the lack of proper supervision from Sydney, the combination of isolation, poor buildings, the lack of any female companionship except for the families of the highest officials, the character of the prisoners, including those employed as overseers, and the summary trials for offences against discipline as combining to make homosexual and sadistic practices almost inevitable (Shaw, 1966:205).

Unlike the first settlement where the emphasis was on agriculture and many of the convicts were settled on farms throughout the island growing significant quantities of produce, the second settlement was totally structured around making convict life harsh. The convicts were poorly fed and consequently their capacity for labour and the production of crops was not high. The second settlement barely grew enough grain for its own use, although it had the potential to produce far greater quantities. The convicts health was poor due to the cramped, unclean conditions in which they lived and their poor diet which was reported in 1826 as 'nearly all got one meal every 48 hours'. The situation did not change greatly over the years and the debility brought on by this diet caused many deaths (Nobbs, 1991:20).

The convicts work life was made harsh by tilling the soil with hoes as no ploughs were allowed on the island until 1839. The convicts worked slowly, and this, coupled with the overseer's lack of farming experience resulted in poor crop yields in what should otherwise have been highly productive agriculture.

No free settlers were allowed on the island during this period of infamy and Darling ordered that no women (convict or free) be allowed on the island. Female convicts and the wives of military personnel already on the island were removed. Darling later changed this instruction when London ordered Colonel Morisset to take over as Commandant of Norfolk Island. A married man, Morisset was permitted to take his wife to the island when he became Commandant in 1828.

The form and layout of the settlement, the extant buildings and structures, archaeological deposits and the documentary records of the second settlement at Kingston are the material evidence of this convict period during which public works, farming and timber getting were the major activities to which the convict labour was directed. Small farms were established all over the Island by the military and privileged convicts. Arthur's Vale and Stockyard Valley were used largely for gardening and a substantial agricultural station was developed at Longridge. Another substantial settlement occurred at Cascade on the northern side of the island adjacent to a second landing pier.

The industrial processes carried out at KAVHA were intended to produce food and building materials, and to a more limited extent shoes and clothing for the Penal Settlement. A limited range of goods that could not be easily produced on the island were imported, primarily manufactured items such as glass and ceramics.

During the Second Settlement the island was extensively exploited for its native pine which was highly suitable for house building, ship-building and general building uses. The maximum population during this phase was around 3,000 and extensive

public works included the construction of well formed roads, drainage systems, substantial bridges, stores, residences for the officers and officials, military barracks and the prison were completed. Large gaols and barracks were built at Kingston and Longridge together with the buildings for the storage of crops and other goods, including underground silos on the ridge behind the Commissariat Store. The construction of the fourth Commandant's House (today's Government House) on Dove Hill with commanding views over the settlement and towards Flagstaff Hill was commenced in 1829; earlier Commandant's Houses not having survived. During the 1830s and 40s handsome houses were built on Quality Row at Kingston for the military and civil officers of the Island. The rising slopes to the north of the settlement were cleared to provide uninterrupted views required for surveillance to prevent convicts escaping. The land was later used for grazing. A stone pier was constructed between 1839 and 1847 on the site of the First Settlement landing place.

It is this period that earned Norfolk Island a world renowned reputation for cruelty and baseness. As a place of secondary punishment it was intended to provide a deterrent to convicts not to re-offend. Places of secondary punishment were designed to provide extremely harsh working and living conditions as well as being sufficiently remote from centres of settlement so that there was no possibility of escape and return to society. Norfolk's island location and its various commandants ensured the conditions and the treatment meted out to convicts met the requirements. Under certain commandants, the conditions were particularly extreme; most notable were Lt Col James Morisset, Commandant from May 1929 to April 1834, and John Giles Price, Commandant from August 1846 to January 1853, both earning reputations for their sadistic treatment of convicts. In contrast, Capt Alexander Maconochie, Commandant from March 1840 to February 1844, was committed to penal reform which he introduced on his arrival on the island. Maconochie analysed convictism in terms of the day's philosophical radicalism, arguing that convicts were generally victims of society and could be redeemed through sympathetic care (Alexander (ed)/Roe, 2005:426). His goal was to rehabilitate the convicts. His reforms earned the displeasure of his superiors and led Governor Gipps to relieve him of his post.

The Second Settlement's role as a place of secondary punishment defined its character for the thirty years of this settlement period. The convict population of the island throughout the period was only a very small percentage (at most around 2 percent) of the convict population of New South Wales, as only the intractable convicts were sent to Norfolk Island. They were the worst of the convict population from both New South Wales and Van Diemen's Land; men who had become brutalised by the system and ever increasing levels of punishment only served to make them more recalcitrant. They were prisoners who rebutted all attempts to be moulded by the convict system and could not even be flogged into submission. The prospect of punishment by death was no deterrent. Indeed the depravity and viciousness with which punishment was meted out to these men made death a palatable alternative to life in secondary punishment. It also meant they were dangerous men, to themselves, other convicts and their guards. They were the failures of the convict system but equally the system failed them. The ruthless men charged with running Norfolk Island and controlling its convict population were themselves part of a brutalising system. Only Maconochie brought a humanising regime of reform to the second settlement period through four of its thirty years. The others, with varying degrees of ruthlessness perpetuated the brutal, inhumane treatment deemed appropriate for such prisoners. It was during

Morisset's period as commandant, which was noted for his extensive use of the lash, that Norfolk Island became renowned for its reputation as 'hell on earth'. The island's fearsome reputation was well known in Britain by 1833.

Bushranging had grown more common in the 1820s in New South Wales and Governors Brisbane and Darling were determined to stamp it out. An old hulk, the *Phoenix*, was used as a floating prison at Port Jackson prior to prisoners being transported to a place of secondary punishment, many to Norfolk Island and incarceration at Kingston. Darling, who took up his post on 19 December 1825 introduced a range of measures including the issuing of orders on 6 March 1826 threatening exile to Norfolk Island for any associates of bushrangers.

Among the more famous bushrangers to serve their sentences on Norfolk Island was the Van Diemen's Land bushranger, Martin Cash of the famed 'Cash and Company'. Cash was transported to Norfolk Island for the killing in 1844 of a police constable in Hobart. Cash was captured with Kavanagh, one of his 'Company', in Hobart and both were sentenced to death but were reprieved and sentenced to transportation to Norfolk Island. Kavanagh rebelled on the island and was eventually hanged for his part in an abortive escape plan. Cash mended his ways and eventually served the last days of his sentence as an overseer on Norfolk Island where he met and married Mary Bennett, a convict widow working on the island. They left the island in September 1854 sailing for Van Diemen's Land where Cash took up a position as a constable at the Cascades Agricultural Settlement (Clune, 1981:270). Another bushranger who rose to fame was William Westwood leader of the mutiny at Kingston in July 1846.

Mutinies and uprising were not uncommon; they punctuate KAVHA's history. One such event occurred 25 September 1826 when nearly half the convict population revolted and attempted to over-run the garrison and take control of the island. One soldier was killed, one convict was shot and killed, and two others drowned. Some fifty or so convicts were involved in the uprising which involved locking up the civil officers and raiding the stores, some then seized boats and headed for Philip Island which lies seven kilometres to the south of Kingston. The escapees were pursued and captured, and duly sent to Sydney to stand trial. Two of the ringleaders were executed following the Sydney trial and the remainder returned to labour in chains.

Shortly after that uprising a further event occurred when sixty-six convicts aboard the brig *Wellington* bound for Norfolk Island rose up and overpowered their guards and the ship's crew. They changed course for New Zealand only to be overpowered on their arrival in the Bay of Islands by the crew of a whaler. They were then returned to Sydney where the ring leaders stood trial and were subsequently executed. The remainder of the convicts were again transported to Norfolk Island to serve their sentences.

One of the worst uprising occurred on 15 January 1834 when a large number of convicts attempted to overwhelm the guard, seize the Commandant and take over the island with the plan of seizing the next Government vessel to call at Norfolk Island and sail to freedom. The convict population was around 700 and the military numbered around 120. It was a highly planned mutiny that had been kept secret for three months. The breadth and detail of the planning and execution of the uprising alarmed authorities. The convicts who were party to the action rose up simultaneously



*respite from labour, and those which should be given to repose, was the relation of crimes in which they had been engaged, or to which they were privy; no Conspirator could desire a better knowledge of the character of his companions than was thus obtained; they proved indeed by their searching questions on cross-examination, and abundantly proved to the mind of the hearer, by the faint and downcast denial of the Witness, that they were intimately acquainted with each other's thoughts and words and works; and each particular of these was appalling.*

*But beyond all this, the unhappy Prisoners themselves, when brought up, as they were in the order of their conviction, (and of the number tried, thirty were capitally convicted, and sentenced of death), completed the abominable revelation by communicating to the Judge, in earnest, deep, but calm expostulation, the crimes committed there, upon which, to be now particular would not be meet; and he can therefore no otherwise describe the State of the Island than figuratively, a mode of expression, however, which he does not believe to exceed the reality when he says that the picture presented of that place to his mind, upon that occasion, was a Cage full of Unclean Birds, full of Crimes against God and Man, Murders and Blasphemies, and all Uncleanness.*

*One of them, a man who displayed singular ability, and uncommon calmness and self-possession under circumstances so appalling to ordinary minds, represented it to be a 'Hell upon Earth', and such assuredly it was, as far as the torment of that Region is made up of the company of evil spirits, glorying in Evil Deeds; 'let a man's heart' he said, 'be what it will, when he comes here, his Man's heart is taken away from him, and there is given to him the heart of a Beast.'*

*He represented, and others followed him in the same course, that the crimes which had brought them there, were not of the kind which should condemn them to such a state; that many of them had been decent men, possessed of means of support, and had wives and families in the world; and they were condemned to the same place of helplessness and despair with those whose crimes were of the deepest kind.*

*Banished for life or fourteen years to a spot where the face of Woman is never seen □ doomed to daily toil, fed upon the most common diet, salt beef, and maize and water.*

*'Subject to the lash,' said he, to use his own expression, 'if a man looked at an Overseer or a Constable, or neglected his work, or committed any offence, however trivial, and often for no offence at all.'*

*'Sentence has been passed upon us before,' one of them said, 'and we thought we should be executed, and we prepared to die, and we wish we had been executed then. It was no mercy to send us to this place; I do not ask for life, I do not want to be spared, on condition of remaining here, life is not worth having on such terms.'* (Nobbs, 1991:34-35).

The Home Government's policy and that of the Governor of New South Wales to use Norfolk Island as a deterrent to anyone who might participate in criminal activity had well and truly been implemented. Brisbane's goal of making it the '*ne plus ultra* of convict degradation' had been achieved.

Homosexuality was common and the younger convicts were particularly vulnerable. In 1847 the island's superintendent referred to: *'some of the wretched lads previously known as "colonial women"'*. The evasive language of even earlier reports cannot conceal that threat to young convicts □ *'At night the sleeping wards are very cess-pools of unheard of vices'* (Holden 1999:154).

An 1840s parliamentary report was more direct in its language:  
*'The young have no chance of escaping from abuse, even forcible violation is resorted to. To resist can hardly be expected, in a situation so utterly removed from, and lamentably destitute of, protection. A terrorism is sternly and resolutely maintained, to revenge, not merely exposure but even complaint'* (Holden 1999:154).

The most violent uprising which occurred at Kingston took place in July 1846. It was a spontaneous response triggered by the sadistic Stipendiary Magistrate Samuel Barrow's order that the men's cooking pots be withdrawn. They were one of the few items the convicts considered their own having been made by the convicts for their personal use. This event occurred shortly after John Price took over as Commandant but had its genesis in the mis-management of the settlement by its previous Commandant, Major Joseph Childs. Child had no previous experience of running a penal settlement and was an incompetent Commandant making arbitrary decisions including increasing prisoner's sentences for offences committed on the island without their knowledge. The convicts suffered extreme abuse from their captors and Child's failure to reign in Stipendiary Magistrate Barrow's abuses of his power perpetrated the brutal and sadistic pattern of treatment of the convicts that was to be continued by Price. Under these men, the convict system on Norfolk Island degenerated into one of terror for the prisoners and was exacerbated by the use of convict overseers who showed no mercy to their charges. Against this background, the uprising in July 1846 was a flash point when anger at the brutal treatment being meted out to the convicts sparked a spontaneous rebellion led by the former bushranger William Westwood who had shown no previous inclination towards violence. It was a short but vicious event during which Westwood led some thirty men in blind retaliation against an already harsh system that had been perverted by men like Barrow and Price, and had already pushed convict life beyond the limits of human endurance. It personified the worst results of authority's brutally retributive policies. According to Cash, who did not participate in the outbreak, Westwood had been: *'flogged, goaded and tantalised till he was reduced to a lunatic and a savage'* (Nobbs, 1991:26).

Westwood murdered four officials but failed to kill Barrow who had been his main target. He and eleven other convicts who were implicated as accomplices stood trial on the island. All were sentenced to death and executed then buried in an unmarked mass grave without religious rites on 13 October 1846. The site, on the edge of the cemetery which is located at the eastern end of KAVHA, is known as 'murderers mound'.

Having been part of New South Wales from 1788, Norfolk Island was annexed to the Colony of Van Diemen's Land on 29 September 1844. Transportation to New South Wales ceased in 1840 and after that date convicts were transported from Britain direct to Norfolk Island. The composition of the island's convict population changed following the British Government's decision to introduce a probation system of



convict transportation and discipline. The probation system emerged from the Molesworth House of Commons Committee (1837-38) which was convened to enquire into the effectiveness of transportation as a punishment, its influence on the moral state of the penal colonies and whether or not it might be improved (Nobbs, 1991:53). The assignment system of convict discipline which had operated since the early days of the settlement had been viewed as something of a lottery subject to what type of master a convict was assigned to, and further, it was viewed by many as a form of slavery which was ineffective in providing for the controlled punishment and reform of convicts. The probation system involved a staged approach to criminal reform in which prisoners were classed into groups according to their crime and conduct, with good behaviour being rewarded with additional freedom and privileges. Under the new system, the first stage of probation for any British sentence of transportation for life and some other sentences of fifteen years or more, involved serving detention on Norfolk Island for two to four years under conditions of hard labour and severe discipline, then subsequent transfer to Van Diemen's Land to enter the second stage of their probation. The cessation of transportation to New South Wales and the introduction of the new probation system necessitated the annexation of Norfolk Island to Van Diemen's Land to implement the new arrangements. This also involved transferring all prisoners who had been convicted in Britain and were already on Norfolk Island to Van Diemen's Land so as to make room for the incoming prisoners. This occurred in 1844. Under the probation system Norfolk Island received around 1,400 probationary prisoners direct from England in the first two years of the scheme (1844-46).

In his report to the British Parliament in 1847, Catholic Bishop Robert Wilson, who was greatly interested in penal reform, detailed the appalling conditions on Norfolk Island. His Report helped bring an end to the island's use as a penal settlement.

The penal settlement was gradually closed between 1847 and 1855 and the convicts withdrawn to Port Arthur in Van Diemen's Land where they served out their sentences, others having been released on tickets of leave. Transportation to Van Diemen's Land ceased in 1853 and a formal Order in Council was made on 29 December 1853, repealing all Orders making Van Diemen's Land and Norfolk Island penal settlements (Clune, 1981:269). A small party remained on the island to care for the farms and livestock and to handover to the incoming settlers from Pitcairn Island who constituted the third settlement phase of the island's history.

The Third (or Pitcairn) Settlement of the Island (1856 □ to the present) started on 8 June 1856 with the arrival at the Kingston pier of the entire population (194 persons) of Pitcairn Island. The Pitcairners were the descendants of the *HMS Bounty* mutineers (of 1789) and Tahitian women, and three men who had settled on Pitcairn Island during the 1820s.

In 1855 the British Parliament passed the *Australian Waste Lands Act*, separating New South Wales from Van Diemen's Land and making provision for the Home Government to separate Norfolk Island from Van Diemen's Land. The latter occurred on 24 June 1856 when by Order in Council Norfolk Island was declared a distinct settlement of the British Crown with responsibility for administration given to the Governor of New South Wales as Governor of Norfolk Island, a position occupied at the time by Sir William Denison. In June 1856, Denison sent Captain Fremantle to

Norfolk Island and in a letter to the Chief Magistrate outlined the arrangements that now existed between the Governor of New South Wales and the Pitcairn settlers on Norfolk Island including that the Chief Magistrate would act as administrator in the Governor's absence. It was the first written document regarding the transfer that was passed from a representative of the Government to the Pitcairn community and was taken by the community to be a formal cession. Governor Denison visited the island in September 1857 and dispelled the islander's belief that a formal cession had taken place. He reinforced the position that the island was the property of the Crown and that the right of ownership of the land would be held as a grant from the Crown. Denison also formulated a set of laws and regulations for Norfolk Island that were gazetted on 30 October 1857. He viewed the relocation of the Pitcairners to Norfolk Island as a social experiment and wished to retain the 'peculiar form of polity under which they (the Pitcairners) have hitherto existed as a community' (Nobbs, 1984:43-46).

The history of the Pitcairner's starts in the famous voyage of the *Bounty*. The voyage commenced in late November 1787, when *HMS Bounty* under the command of Lieutenant (later Captain) William Bligh (later Governor of NSW), sailed from Britain bound for Tahiti to take on board breadfruit trees and transported them to the West Indies where they would be planted to grow a cheap and plentiful supply of food for the slaves working in the sugar plantations. After a torrid journey of ten months the *Bounty* reached Tahiti where it stayed for 23 weeks. The crew enchanted by the Polynesian life-style easily settled into the way of life, some taking local women as wives, actual or de facto. Bligh was known to be an arrogant and difficult man and not the easiest of captains under whom to serve due to his ill temper, cruel tongue and belief in his own superiority. *Bounty's* mate, Fletcher Christian was a handsome, agreeable young man of aristocratic background who contrasted greatly with the bad-tempered Bligh who was of yeoman stock, however, Christian had earned his captain's respect as a seaman. Shortly after *Bounty's* homeward voyage began the crew led by Fletcher Christian mutinied on 28 April 1789. Bligh and eighteen loyal sailors were set adrift in a 23 foot ship's boat. Bligh, a highly accomplished navigator, then completed one of the greatest feats of maritime history by sailing the open craft 3,600 miles to Coupang (Timor), from where he returned to England seeking retribution for the mutineers. *Bounty* returned to Tahiti where some of the men remained. Christian then sailed *Bounty* with nine of the mutineers, six Polynesian men, nineteen women and one baby through the Pacific seeking a hiding place in which to settle. Christian would have had no doubt that the Royal Navy would not allow such an action to go unpunished. After initially attempting to settle on Toobouai, the mutineers finally selected the uninhabited Pitcairn Island as their hide-away. Settling on the island in January 1790 they scuttled the *Bounty* to avoid detection.

Violence scared the small community as arguments over the women and distilled alcohol led to fights and murders of the mutineers and all the Polynesian men. Only one of the mutineers remained alive when the first contact with other Europeans was made. The American ship *Topaz* stopped at the island and its crew was surprised to find English speaking natives. The *Bounty* connection was soon established. It was not until 1814 that the first Royal Naval ships called at Pitcairn Island, twenty-five years after the mutiny. Their captains did not seize John Adams, the only surviving mutineer and Bligh's wish for retribution was never realised. Adams had become

fervently religious and took upon himself the role of teacher, religious instructor and father (Clarke, 1986:91). It was Adams who established the devout nature of the Pitcairn Island community which is today reflected in their descendents living on Norfolk Island.

By 1831 a scarcity of water and food confronted the Pitcairn community as it grew in size. In response, the entire Pitcairn community relocated to Tahiti, where they were struck by measles which claimed twelve lives. A devout people, they were shocked at the easy morals of the Tahitians and eventually returned to Pitcairn Island. The problems of scarcity of food and water increased as the community continued to grow. Complaints were made to the British Government about their situation and in response the Islanders were offered resettlement on Norfolk Island, a fertile place with established viable farms, that was being closed as a penal settlement. On 8 June 1856, the entire Pitcairn community aboard the *Morayshire* arrived at Norfolk Island, landing at Kingston to start their new life.

Initially the Pitcairners were housed, by ballot, in many of the existing smaller buildings at Kingston and the land was parcelled out in 50 acre lots. These buildings were maintained until 1908 when many were vacated and fired in response to Government evictions. Other buildings, roads etc were maintained (and over the years a few renovated) for administrative and maritime use including the New Military Barracks in which a school was established following the arrival in June 1859 of Thomas Rossiter, Governor Denison's agent who roles included school teacher, Government store-keeper and meteorologist. The remainder of the Second Settlement buildings, including the convict buildings, were allowed to fall to ruin from 1855. In the early 20th century some of these were quarried for building materials.

On arrival at Kingston in 1856 the community found the Protestant Chapel in the former Prisoner's Barracks in a poor state of repair and the leaking roof forced a relocation of services to the Old Military Barracks, the only set of non-residential structures in a good state of repair. In 1870 the Pitcairn settlers commenced construction of a church in Quality Row. A timber structure, it was completed in 1872 but destroyed by a severe storm in 1874 and was not rebuilt. Services were then transferred to the Commissariat Store which was remodelled, having the second floor removed to create All Saint's Anglican Church which remains in use to this day.

On 30 October 1857, the New South Wales Government Gazette promulgated new laws and regulations for Norfolk Island. All previous laws, ordinances and regulations were repealed and annulled, and 39 new laws came into effect. Governor Dennison had drafted the new laws to vest the executive government of Norfolk Island in his absence in a Chief Magistrate and two Assistants or Councillors to be elected annually by every person who had resided on the island for six months, had attained the age of twenty years and could read and write.

While some of the Pitcairners returned to live on Pitcairn Island, the population on Norfolk Island grew and by 1869 it was 300, around 1883 it had reached 470 (exclusive of the Mission) (Clune, 1981: 274-276). In 1865 the headquarters of the New Zealand Mission, an Anglican mission to Melanesia was moved to Norfolk Island and in 1867 the Mission, located on the western side of the island, received 99 acres as a free grant and a further grant of 933 acres for which they paid two Pounds

per acre. The Pitcairners who farmed the island, fished and went shore whaling were angered by the grants believing that the island had been granted to them, suddenly found that one-fifth of the alienated land had been given over to the Mission. In 1884 the NSW Governor, Lord Loftus visited the island and at a Parliamentary sitting which the entire male population attended, lambasted the community on a number of matters including letting the land go to ruin and affirming the Governor's right to grant land on the island as he considered appropriate. The community had less than 180 acres of the 5,000 acres of alienated land on the island (total area of 8,600 acres) under cultivation. They preferred fishing and whaling to agriculture.

On 6 March 1896, the then Governor Viscount Hampden issued a proclamation announcing that a 'Government Resident' would shortly be appointed who would replace the locally elected Chief Magistrate. Hampden intended not only to repeal the existing laws and regulations but to replace them with the same laws that applied in New South Wales, excluding land and electoral laws (Nobbs, 2006:138). On 15 January 1897, an Order in Council revoked the Order of 1 November 1856, paving the way for a transfer of the administration of the island to New South Wales in anticipation of annexation to either New South Wales or some future federal body of which New South Wales may become a part. Moves to federate the Australian colonies were already well under way. The change in administrative arrangements took place on the day the colonies federated, 1 January 1901, when administration of the island was transferred to the Governor of New South Wales. Norfolk Island was not involved in the federation and remained a British possession.

The Australian Parliament passed the *Norfolk Island Act 1913* which paved the way for Norfolk Island to become a Territory under the authority of the Commonwealth of Australia. One hundred and forty-eight Islanders petitioned the King in January 1914 objecting to the forcible annexation to Australia without consultation and seeking some form of accommodation with New Zealand. Their petition was unsuccessful and on 30 March 1914 the British Parliament revoked the relevant Order in Council thereby placing Norfolk Island under the authority of the Commonwealth of Australia. Transfer of the administrative arrangements from the Governor of New South Wales to the Commonwealth took place on 1 July 1914.

Fishing, farming and whaling remained the principal economic activities in Norfolk Island's third settlement phase until the tourism industry developed post World War 2. In 1902 the island was connected to Australia by an undersea cable that continued on to Canada. It remained in use until 1962 when it became redundant due to the use of wireless telegraphy. Kingston served as the main centre for the whaling industry with the Crank Mill, Pier Store and the Double Boat Shed being occupied by the four whaling companies on the island as well as being the main storage centre for the oil readied for export. Cascade was also used for whaling activity in the late C19th and was also the site of the whaling station established in 1956 that operated for six years until the scarcity of whales forced its closure in 1962.

World War 2 saw the construction of an airfield on Norfolk Island. Originally proposed by the United States Air Force (USAF) as a base, it was not used by the USAF but by the Royal New Zealand Air Force, which operated the airfield for aircraft staging through the area. It was not used as an operational base. The airfield gave greater access to the island after the war and the commencement of a regular air

service in 1947 paved the way for the tourism industry which is now a major component of the island's economy. Tourist numbers grew from 978 in 1961, to 10,683 in 1971 and by 1973/74 the number had increased to 15,684. The numbers continued to rise and in 1986/87 29,085 tourists visited the island, the numbers rising to 38,298 tourists in 1999/2000 (Mosley, 2001:60-63). The 1960s marked a change in the composition of the community with increasing numbers of persons not born on Norfolk Island settling on the island as ordinary residents. By August 2001, the permanent population of the island was 1,574 of whom 756 were of Pitcairn descent (Norfolk Island Census, 2001:10).

Between 1976 and 1978 works were undertaken to convert the Old Military Barracks into the seat of the Norfolk Island Assembly and Administration which came into being following the passage of the *Norfolk Island Act 1979*. The Act conferred a degree of self government on the island.

The third settlement period continues to the present and has resulted in development and other activities in most parts of the Island, some of which date back to the early years of this settlement period. Between 1856 and 1960 approximately three-quarters of the island was cleared and intensively farmed, and the reserves were greatly modified by grazing and timber exploitation.

Throughout the Third Settlement Kingston has remained the administrative and shipping centre of Norfolk Island and much of the adjacent land including Arthur's Vale (but not Stockyard Valley) has been a Government Reserve for stock grazing, recreational and tourist uses. KAVHA has been the focus of the third settlement community not only as the administrative-government centre but also as a cultural and religious centre. Anniversary Day or Bounty Day, as it is also known, is the annual re-enactment each June of the arrival of the Pitcairn community at Kingston. It is a major cultural event in the island's calendar when the community celebrates its history and cultural origins. Norfolk, the local language, an amalgam of 18th century English and Tahitian is today spoken by those of Pitcairn descent despite attempts by the authorities to eradicate the language in the early part of the 20th century by banning its use in the classroom. The community continued speaking the language and in 1987 it was introduced into the school curriculum to ensure its preservation for following generations. All Saints Church (Anglican) holds a central place in the religious life of the community both historically and as an on-going place of worship. KAVHA also serves the community as a place of recreation. The area includes the golf course, the cricket pitch and the beautiful Emily Bay where islanders and tourists picnic, fish and swim, and the adjacent Slaughter Bay inside the reef which is used for fishing, skin diving and coral viewing.

Since the early 1960s many of the surviving buildings and ruins have been stabilised and reconstructed, and new fencing, tree plantings and other landscape work carried out.

In 1973 building works came under the control of an Inter-Departmental Committee (IDC) of the Commonwealth Government. This has led to the reconstruction of many of the buildings informed by archaeological surveys and excavations, and architectural advice, and the implementation of measures to protect the historical character of the area from visual intrusion.

In 1989 the KAVHA Management Board was established by a Memorandum of Understanding between the Commonwealth and Norfolk Island Governments. The MOU was revised in 1994.

**Condition:**

Evidence of the First Settlement (1788-1814) exists as archaeological remains or as footings in some later buildings. The historic buildings and remains of the Second Settlement (1825-1855) are relatively well conserved with considerable restoration and stabilisation works having been carried out since the 1970s. Importantly, the lack of any substantial development since 1855 makes KAVHA outstanding as the landscape in which the built remains are relatively unaltered since it was cleared of its forest for farming during the first settlement and for surveillance and communications in the second settlement period. The historic landscape is well preserved reflecting the unique history of Norfolk Island.

**Bibliographic References:**

Administration of Norfolk Island, 2001, *Norfolk Island Census of Population and Housing - August 2001*, Norfolk Island Government, Norfolk Island.

Alexander, Alison (Ed), 2005, *The Companion to Tasmanian History*, University of Tasmania, Centre for Tasmanian Historical Studies, Hobart.

Anderson, A., 1996, *Prehistoric Human Colonisation of Norfolk Island*. Anderson, A. and White, P. 2001, Approaching the prehistory of Norfolk Island. Records of the Australian Museum, Supplement 27: 1-9. Accessed on 9 November 2006 at [http://www.amonline.net.au/pdf/publications/1335\\_complete.pdf](http://www.amonline.net.au/pdf/publications/1335_complete.pdf).

Anderson, A, 1997, *Prehistoric Human Colonisation of Norfolk Island*, Final Report to the Australian Heritage Commission.

Australian Construction Services, 1991, KAVHA *The New Gaol Historical Archaeological Report No 26, Part 3*, August.

Australian Construction Services, 1994, *KAVHA Landscape Management and Conservation Plan*, (author Tropman and Tropman), Volumes 1 and 2.

Australian Construction Services, 1994, *KAVHA Kingston Cemetery Study and Management Plan*.

Australian Construction Services, 1995, *KAVHA Recreation Management Plan*.

Australian Construction Services, 1995, KAVHA *The New Gaol (G4) Excavation Report and Recommendations*, *Archaeological Report No 26, Part 9*, June.

Baker, Richard, 1984, *Macassan Site Survey and Bibliography*, National Estate Study Report, NT.

Barry, John V, *Australian Dictionary of Biography*,

<http://www.adb.online.anu.edu.au/biogs/A020160b.htm>, accessed on 22 November 2006.

Barry, John V, *Australian Dictionary of Biography*,  
<http://www.adb.online.anu.edu.au/biogs/A020306b.htm>, accessed on 23 November 2006.

Barry, John V, *Australian Dictionary of Biography*,  
<http://www.adb.online.anu.edu.au/biogs/A010207b.htm>, accessed on 23 November 2006.

Britts, M.G., 1980, *The Commandants: The Tyrants Who Ruled Norfolk Island*, KAPAK Publishing, Norfolk Island.

Burns T M, 1990, *National survey for the Register of Macassan/Indonesian earthenware pottery-shard collections from the Northern Australian coast: basis for the study of historical links between Australia and South-east Asia*, a report for the Western Australian Heritage Committee.

Clarke, A , 1994, *Winds of change: an archaeology of contact in the Groote Eylandt archipelago, northern Australia*.

Clarke, Peter, 1986, *Hell and Paradise*, Viking Penguin, Ringwood, Victoria.

Clive Lucas Stapleton and Partners Pty Ltd, 1988, *KAVHA Conservation Management Plan*.

Clune, Frank, 1981, *The Norfolk Island Story*, Angus and Robertson, Sydney.

Crowley, F.K., 1974, *A New History of Australia*, William Heinemann, Melbourne.

Davidson, P.M., 1996, *Norfolk Island KAVHA Draft Water Quality Management Plan*.

Dept of Conservation and Land Management, 1993, *Land Degradation Study and Management Plan, KAVHA, Norfolk Island*.

Department of the Environment and Heritage, 2004, Australian Heritage Database, 'Place Report on Kingston and Arthurs Vale Historic Area for the Commonwealth Heritage List', Place Id 105606.

Department of the Environment and Heritage (DEH), 2005, EPBC nomination to list in the critically endangered category *Advena campbellii*, *Mathewsoconcha suteri*, *M. phillipii*, *M. grayi* and *Quintalia stoddartii* (five endemic land snails from Norfolk Island). Accessed on 9 November 2006 at  
<http://www.deh.gov.au/biodiversity/threatened/nominations/endemic-land-snails-norfolk.html>

Department of Transport and Regional Services,  
[http://www.dotars.gov.au/territories/norfolk\\_island/history.aspx](http://www.dotars.gov.au/territories/norfolk_island/history.aspx), accessed on 23

November 2006

Ivanovici, 1983, *Emily Bay and Slaughter Bay, Norfolk Island: Resources and Options for Management*, ANPWS.

Jurd, 1989, *Norfolk Island Environment Book*, ANPWS van Tets et al [re Sulids].Macquarie Dictionary, 1990

MacKnight, C C, 1976, *The voyage to 'Marege' Macassan trepangers in northern Australia*, Melbourne University Press.

Morwood M J and Hobbs D R, 1997, 'The Asian connection: preliminary report on Indonesian trepang sites in the Kimberley coast, NW Australia' in *Archaeology in Oceania* , October, 32(3):197-206.

New South Wales Government, 30 October 1857, *Supplement to the New South Wales Government Gazette*, New South Wales Government Printer, Sydney.

Nobbs, Raymond, 1991, *Norfolk Island and its Second Settlement □ 1825-1855*, Library of Australian History, Sydney.

Nobbs, Raymond, 2006, *Norfolk Island and its Third Settlement □ The First Hundred Years*, Library of Australian History, Sydney.

Otto Cserhalmi and Partners Pty Ltd, 2001, *Kingston and Arthur's Vale Historic Area Conservation Management Plan*, Draft Report.

Parson, T G, 'The New South Wales Corp on Norfolk Island, 1792-1810' in Nobbs R, (ed) 1988, *Norfolk Island and its First Settlement, 1788-1814*, Library of Australian History, North Sydney.

Pearson, M. and Marshall, D., 1995, *Study of World Heritage Values Convict Places*.

Pike, D., (ed.), 1966-67, *Australian Dictionary of Bibliography*, Vols 1 and 2, Melbourne University Press, Carlton.

Raymattja Marika, 1998, The Wentworth Lecture, [www1.aiatsis.gov.au/exhibitions/wentworth/a318678\\_a.rtf](http://www1.aiatsis.gov.au/exhibitions/wentworth/a318678_a.rtf), accessed on 24 January 2007.

Robson, L.L., 1976, *The Convict Settlers of Australia*, Melbourne University Press, Carlton.

Specht, J, 1984, *The Prehistoric Archaeology of Norfolk Island*, Pacific Anthropological Records No 34, May, Honolulu, Hawai'i.

Shaw, A. G. L., 1966, *Convicts and the Colonies A Study of Penal Transportation from Great Britain and Ireland to Australia and other parts of the British Empire*, Faber and Faber, London.



Starr, F., 2001 in *Australasian Historical Archaeology*, 'Convict artefacts from the Civil Hospital privy on Norfolk Island', vol 19.

Tropman and Tropman Architects, 1994, *Kingston and Arthurs Vale Historic Area (KAVHA), Norfolk Island □ Landscape Management and Conservation Plan*, Volume 1. Report prepared for Australian Construction Services on behalf of the KAVHA Management Board, May 1994, 260 pages.

Varman, R., 1997, *Upgrade and Assessment of Historic Values for Places Listed in or Nominated to the Register of the National Estate in regard to Norfolk Island*, Unpublished Report.

White, P. and Anderson, A., 1999, 'A First for Norfolk' in *Nature Australia*, Spring, pp. 26-29.

<http://www.cs.org/publications/CSQ/CSQ-article.cfm?id=602>, accessed 24 January 2007.

<http://www.info.gov.nf/reports/reports/census2001.pdf>

[http://www.naa.gov.au/Publications/Research\\_guides/fedguide/chronology/chron10.htm](http://www.naa.gov.au/Publications/Research_guides/fedguide/chronology/chron10.htm)

[http://www.nedkellysworld.com.au/bushrangers/cash\\_m.htm](http://www.nedkellysworld.com.au/bushrangers/cash_m.htm)

<http://www.pitcairners.org/language.html>

[http://en.wikipedia.org/wiki/Macassan\\_contact\\_with\\_Australia#References](http://en.wikipedia.org/wiki/Macassan_contact_with_Australia#References), accessed on 23 January 2007.

<http://www.womenaustralia.info/biogs/AWE0546b.htm>