

SOUTH WEST ROCKS BELLE O'CONNOR STREET

Appendices

Volume 3

PREPARED FOR MALBEC PROPERTIES | 21 AUGUST 2009



The first part of the paper discusses the importance of understanding the local context in which a project is implemented. This involves a thorough analysis of the social, cultural, and economic factors that may influence the project's success or failure. The second part of the paper describes the methodology used in the study, which includes a combination of qualitative and quantitative approaches. The third part of the paper presents the findings of the study, which show that there are significant differences in the way that different groups of people perceive and respond to the project. The final part of the paper discusses the implications of these findings for future research and practice.

Appendix D3



*Jacqueline Collins
(Consultant Archaeologist)
Adise Pty Ltd
11 Camden Head Road
Dunbogan NSW 2443*

***Local Environmental Study
Phillip Drive, South West Rocks
NSW Mid-North Coast***

Aboriginal Heritage Assessment

August 2004

Prepared on behalf of :

*Connell Wagner
PO Box 19
University of Newcastle Union
Callaghan NSW 2308*

SUMMARY

Background:

Kempsey Shire Council has resolved to prepare a draft Local Environmental Plan (LEP) to facilitate the rezoning of Lots 509 and 19 DP 850963, Lot 52 DP 831284, and Lot 84 DP 792945, Phillip Drive, South West Rocks, for residential purposes. To ensure consistency with the NSW Coastal Policy, Council has engaged Connell Wagner to undertake a formal Local Environmental Study (LES) ahead of LEP preparation. This report was prepared on behalf of Connell Wagner forms the Aboriginal heritage component of the LES.

The study area:

The study area comprises approximately 111.8 hectares of the coastal plain situated 0.58 to 1.95km inland of Trial Bay, between the settlements of South West Rocks and Arakoon on the NSW mid-north coast. It is bounded to the north by Phillip Drive and vacant allotments and residences fronting Phillip Drive, Waianbar Avenue and Currawong Crescent, to the east by a part of Hat Head National Park that encompasses Saltwater Lagoon, to the south by undeveloped land, and to the west by the South West Rocks Golf Course and Sewage Treatment Plant.

Assessment methodology:

This assessment includes a review and compilation of existing data, liaison with the Kempsey Local Aboriginal Land Council and Dunghutti Elders Council Aboriginal Corporation, and selective field survey assisted by Aboriginal representatives. The impact of future development on Aboriginal heritage values and resources is assessed and management recommendations appropriate to the requirements of the LES, including opportunities for impact mitigation within the future development context, are proposed.

Aboriginal involvement and consultation:

The study area falls within the territory administered by the Kempsey Local Aboriginal Land Council (LALC) and within the area of interest to the Dunghutti Elders Council Aboriginal Corporation (CAC) and the Figtree Aboriginal community of South West Rocks. Assistance with the field survey was provided by Sites Officers from these three groups. On completion of the survey, the results, site significance issues and management options were discussed and conservation priorities identified.

Birrogun's grave is a significant Aboriginal mythological site located in the South West Rocks Golf Course 250m west of the study boundary. Because it was clearly possible that any future residential development of the study area could have an impact on this site's spiritual qualities and attachments, consultation was undertaken with the Kempsey LALC and Dunghutti Elders CAC to this end.

However, Kempsey LALC and Dunghutti Elders representatives advised that the natural and spiritual qualities of this site and its surrounds have already been compromised to such an extent that the proposed development would have little further adverse effect on its contemporary cultural values. Figtree Aboriginal community field representative Greg Blair also supported this conclusion.

Dunghutti Elders CAC Sites Officer David Hoskins advised that a Bora/ceremonial ground is known to have once been situated somewhere near the north-eastern corner of the study area, although its exact location is uncertain. Inspection of the possible Bora ground location revealed high level disturbance caused by an abandoned horticultural enterprise and it was concluded that this site, if ever present within the study area, has been destroyed.

As a result of their consideration of the survey results and the environmental context and disturbance history of the study area and adjacent land, both the Kempsey LALC and Dunghutti Elders CAC indicated that they have no fundamental objections to future residential development of the study area providing the recommendations of this report are implemented.

Archaeological expectations:

A large number of Aboriginal occupation sites have been recorded at South West Rocks. These sites display a very strong association with well-drained ground, particularly foredunes and footslopes/natural rises bordering estuarine channels and swamps. In view of the study area's topographic character, it is predicted that archaeological evidence will be primarily restricted in its distribution to a hind dune on the north-east corner, and a slightly higher section of the drainage-impeded coastal plain in the south-west. This evidence is most likely to take the form of small scatters of shell and/or artefacts that may have been covered by aggrading sand. The study area's soils are strongly acid and unless interred in relatively recent times, or preserved within midden deposit, burials are unlikely to survive in the archaeological record. Although their survival probability is low, scarred trees may be present wherever ecologically mature trees occur.

Field survey coverage:

Approximately 15.6% (17.4ha) of the study area was inspected for surface evidence. Of this, it is estimated that around 36% was effectively covered, amounting to an overall effective coverage of 5.6% of the total study area.

Results and conclusions:

No artefacts, scarred trees or potential archaeological deposits were identified during the survey. The majority of the study area comprises extensively disturbed drainage-impeded lowland which is unlikely to have ever been selected for Aboriginal occupation in preference to the nearby coastal dunes and Macleay estuarine system. As the only naturally well-drained and reasonably intact parts of the landscape, the slightly higher land in the south-west, and the north-east hind dune in particular, are the only elements considered to have any real archaeological potential.

Management recommendations:

- Although isolated artefacts may occur in any part of the study area, any substantial undetected archaeological evidence is likely to be restricted in its distribution to the remnant woodland south and south-east of the Sewage Treatment Plant, and the hind dune adjacent to Phillip Drive in the north-east. Both these areas are well vegetated, offer very little survey exposure, and have some potential to contain undisturbed archaeological sites.

Conservation of woodland vegetation in these potentially sensitive areas would concurrently offer protection to any undetected archaeological sites, and it is recommended that this factor be taken into account when development control measures are established for the study area.

- The densely vegetated hind dune adjacent to Phillip Drive on the north-east corner is considered to have a higher level of archaeological potential than any other part of the study area, and provides no survey exposure off a narrow fire break behind existing houses. Further survey or sub-surface investigation is highly unlikely to be effective and is not recommended.

To ensure that archaeological sites, and burials in particular, are not destroyed in the event that this dune is to be developed, it is instead recommended that Sites Officers from the Kempsey LALC and Dunghutti Elders CAC be engaged to monitor all initial construction-related earthworks (including vegetation clearing) on the vegetated section of dune.

- Due to the perceived low density of the archaeological resource and poor detection conditions in undisturbed areas, further survey work at Development Application stage would be unlikely to produce positive results. Providing the recommendations of this report are implemented and the legislative requirements of the National Parks and Wildlife Act (1974) are upheld, no further surface survey work is recommended in the study area.
- The Kempsey LALC and Dunghutti Elders CAC have advised that they have no fundamental objections to future development of the study area providing: woodland fringing Saltwater Lagoon is retained in its current condition; and Aboriginal representatives are engaged to monitor initial earthworks on the north-east hind dune adjacent to Phillip Drive to ensure that burials are not accidentally destroyed.
- Prior to commencement of any vegetation clearing or construction activities associated with the proposed residential development, it is recommended that all construction contractors and their employees be advised of their legal obligations with regard to Aboriginal cultural materials.

Should any material evidence thought to be of Aboriginal origin be discovered or exposed during any stage of the development, work must immediately cease in that locality. The Department of Environment and Conservation, Kempsey LALC and Dunghutti Elders CAC should then be contacted for management advice and clearance given by these organisations before work resumes in the subject area