

Aboriginal Cultural Heritage Assessment



Salamander Shores Hotel Redevelopment

147 Soldiers Point Road, Soldiers Point, NSW

Report to

Salamander Shores Hotel Propriety Limited

Dominic Steele Consulting Archaeology

December 2008

Aboriginal Cultural Heritage Assessment
Salamander Shores Hotel Redevelopment
147 Soldiers Point Road - Soldiers Point - NSW
December 2008

Table of Contents

1.0	Introduction.....	4
	Project Background.....	4
	Statutory Context and Controls.....	5
	Statutory Protection for Aboriginal Cultural Heritage	5
	Implications for the Current Project –Part 3A EPA Act	8
	Existing Condition of the Subject Site	8
	The Redevelopment Proposal	9
	Report Scope and Objectives	9
	Aboriginal Consultation	9
	Background Research.....	10
	Site Inspection and Assessment	10
	Analysis, Evaluation and Report	10
	Aboriginal Community Consultation.....	11
	Report Outline	13
	Acknowledgements.....	14
2.0	Environmental Context	24
	How the Environment Affects Aboriginal Archaeological Patterning	24
	Climate	24
	Topography	25
	Geology and Soils	25
3.0	An Outline Aboriginal Historical Context	27

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

Introduction	27
Pre Contact Aboriginal Context	27
Post Contact Aboriginal Context.....	28
Today	30
4.0 Local Aboriginal Archaeological Context.....	31
Previously Recorded Aboriginal Sites.....	31
Previous Aboriginal Archaeological Investigations	33
Other Archaeological Investigations.....	34
Summary.....	34
An Aboriginal Archaeological Land Use Model and Site Prediction	35
Modelling How People May Have Used the Land in the Past	35
Possible Aboriginal Archaeological Evidence within the 147 Soldiers Point Road Study Area	35
5.0 September 2008 Site Inspection	37
Site Inspection and Recording Methods	37
Field Observations	37
Summary.....	38
6.0 Summary and Conclusions	41
Aboriginal Cultural Heritage Impact Statement.....	41
Evaluation	42
7.0 Management Recommendations	43
Basis for Recommendations.....	43
Recommendations	43
8.0 References	46

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

1.0 Introduction

Project Background

This report has been prepared for *Salamander Shores Hotel Propriety Limited* and presents the results of an *Aboriginal Cultural Heritage Assessment* that has been completed to inform a proposal that is currently being developed for the future redevelopment of the Salamander Shores Hotel at Soldiers Point, NSW (see **Figure 1**). As illustrated in **Figure 2**, Soldiers Point is a relatively long and isolated peninsular situated in the Port Stephens Local Government Area and is located approximately 220km from the Central Business District of Sydney.

The Salamander Shores Hotel is located at 147 Soldiers Point Road in Soldiers Point, approximately 7km to the north west of Salamander Bay. The real property description of the subject site is Lot 31 in DP 529002 and covers an area of approximately 12,300sqm with a frontage of some 106m to Soldiers Point Road, 130m to open space to the east, and a depth of approximately 90m.

The general location of the Salamander Shores Hotel study area (and its zoning) relative to existing surrounding development at Soldiers Point is illustrated in **Figure 3**. The aerial views presented here as **Figures 4** and **5** provide an indication of the current layout of the hotel and its general context.

The proposed Salamander Shores Hotel redevelopment constitutes a 'Major Project' under State Environmental Policy SEPP (Major Projects) 2005 according to Part 3A of the *Environment Planning and Assessment Act* (1979), and as such the Minister for Planning is the approval authority. In accordance with the requirements of Section 75H of the Act, the Minister requires a number of key issues to be assessed to ensure an acceptable level of environmental performance are achieved.

The *Director-General* of the *NSW Government Department of Planning* has reviewed the current Concept Plan Application for which approval is sought for the Salamander Shores Hotel redevelopment project and has provided a series of requirements for the proposal amongst which include the need for an *Environmental Assessment* to be prepared for the project that addresses the following key issues (with relevance to issues of Aboriginal cultural heritage):

- A thorough site analysis including constraints mapping and a description of the existing site environment (Part A:3).

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

- Consideration of the consistency of the project with the objectives of the *Environment Planning and Assessment Act 1979* (Part A:5);
- An assessment of the potential impacts of the project and [the preparation of] a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures to be implemented to minimize any potential impacts of the project (Part A:7).
- To identify whether the site has significance to Aboriginal cultural heritage and to identify appropriate measures to preserve any [such] significance (with Aboriginal community consultation being undertaken in accordance with the *Department of Environment and Climate Change 2006 Interim Community Consultation Requirements for Applicants* and the 2005 *Draft Guidelines for Assessment of Impacts on Aboriginal Heritage under Part 3A* prepared by the NSW Department of Planning).

It is within this context that the current report has been prepared to ensure the proposed Salamander Shores Hotel redevelopment project does not have an adverse impact upon the Aboriginal cultural heritage values of the place.

Statutory Context and Controls

Statutory Protection for Aboriginal Cultural Heritage

Two principal pieces of legislation provide automatic statutory protection for Aboriginal heritage and the requirements for its management in New South Wales: These are:

- The *National Parks and Wildlife Act* (1974); and
- The *Environmental Planning and Assessment Act* (1979).

Part 3A of the EPA Act provides the *Minister for Planning* with considerable flexibility in the application of these legislative provisions. However, they continue to provide a strong guide in the identification and assessment of Aboriginal cultural heritage, and the consultation requirements that are commonly applied. Therefore the implications of these statutory controls are outlined below:

The *National Parks and Wildlife Service* (NPWS) is the principal government agency with responsibility for the management of Aboriginal cultural heritage values. It now comprises an administration branch of the *Department of Environment and Climate Change* (DECC).

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

National Parks and Wildlife Act (1974)

The NPW Act provides statutory protection for all Aboriginal 'sites' or 'objects' (consisting of any material evidence of the indigenous occupation of NSW) under Section 90 of the Act, and for 'Aboriginal Places' (areas of cultural significance to the Aboriginal community) under Section 84. Aboriginal sites and objects are afforded automatic statutory protection in NSW whereby it is an offence (without the Minister's consent) to:

damage, deface or destroy Aboriginal sites without the prior consent of the Director-General of the National Parks and Wildlife Service (now the DECC).

The NPW Act defines an Aboriginal 'object' (or site) as:

any deposit, object or material evidence (not being a handicraft for sale) relating to indigenous and non-European habitation of the area that comprises New South Wales, being habitation before or concurrent with the occupation of that area by persons of non-Aboriginal European extraction, and includes Aboriginal remains.

The protection provided to Aboriginal sites/objects applies irrespective of the level of their significance or issues of land tenure. However, areas are only gazetted as Aboriginal Places if the Minister is satisfied that sufficient evidence exists to demonstrate that the location was and/or is of special significance to Aboriginal culture.

Under Section 86 of the NPW Act, it is an offence to disturb or excavate land for the purpose of discovering an Aboriginal object/site, or disturb or move an Aboriginal object on any land, without first obtaining consent (through a Preliminary Research Permit, Excavation Permit, Collection Permit or Rock Art Recording Permit etc) under Section 87 of the NPW Act from the Director-General of the DECC. Under Section 91 of the NPW Act, it is also a requirement to notify the Director-General of the DECC of the location of any Aboriginal object/site within a 'reasonable time-frame'. Identified Aboriginal items and sites are registered with the DECC on its *Aboriginal Heritage Information Management System* (AHIMS) Register.

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

As the administrator of the NPW Act, the DECC has issued guidelines outlining the preferred structure for archaeological investigations and reporting.¹ More recently, it has also released interim guidelines for s.87 and s.90 Permit Applicants under the NPW Act.²

These interim guidelines stipulate a process for seeking the involvement and response of the Aboriginal community to proposed impacts that may occur to registered (known) Aboriginal sites/objects. Archaeological practitioners and the Aboriginal community are currently awaiting finalised guidelines to further direct this process. These guidelines presently apply to projects where cultural heritage significance assessments have commenced after 1 January 2005. Guidelines for the preparation of Aboriginal Heritage Impact Assessments have also been prepared by the NPWS. Again, these are only in draft form.³

Environmental Planning and Assessment Act (1979)

In contrast with the NPW Act, the *Environmental Planning and Assessment Act 1979* (the EPA Act) is designed to more specifically cater for heritage issues within the context of new development projects and is closely linked with the process of preparing environmental impact studies. This Act has three main parts of direct relevance to Aboriginal cultural heritage. These are:

- Part 3 that governs the preparation of planning instruments;
- Part 4 which relates to the development assessment process for local government (consent) authorities; and
- Part 5 relates to activity approvals by governing (determining) authorities.

In the present case, Part 3A of the EPA Act applies.

¹ NSW National Parks and Wildlife Service 1997. 'Standards Manual for Archaeological Practice in Aboriginal Heritage Management' in the Aboriginal Cultural Heritage Standards and Guidelines Kit (Draft).

² NSW National Park & Wildlife Service 2004. 'Interim Community Consultation Requirements for Applicants'. National Parks and Wildlife Act 1974: Part 6 Approvals. December 2004.

³ NSW National Park & Wildlife Service (nd). Guidelines for Aboriginal Heritage Impact Assessment (Draft).

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

Implications for the Current Project –Part 3A EPA Act

In development circumstances where Part 3A of the EPA does not apply, damage, destruction or removal of any Aboriginal 'places' or 'objects' is only permitted where a Permit or Consent has been issued by the Director-General of the DEC according to Sections 87 and 90 of the NPW Act.

In these development circumstances, NPWS Permits and Consents are only granted where sufficient information is supplied in written form to the Director-General of the DEC from Aboriginal stakeholders, archaeologists and development proponents that demonstrate accuracy and transparency in the site assessment process and the good faith intended by each of these parties in applying for consent to either move, disturb and/or destroy statutorily protected objects.

Where development proposals are classified as Major Projects under State Environmental Planning Policy 2005 according to Part 3A of the Act, the Minister for Planning is the approval authority. In these circumstances, the Minister will require an acceptable level of environmental performance are achieved.

These key issues would include an initial evaluation of the potential impacts of the proposal upon the Aboriginal cultural heritage values of the place and ways to manage or mitigate those impacts as more detailed design works proceed.

Best practice advocates that development impacts to documented and/or potential sites of Aboriginal cultural heritage sensitivity be avoided where practicable and/or mitigated at the minimum, and that all decisions made for either course of action is to be made as a result of direct guidance provided by Aboriginal stakeholders.

Existing Condition of the Subject Site

The subject site is currently used for tourist purposes with the Salamander Shores Hotel offering a range of accommodation (from backpackers to executive suites), conference facilities and associated recreational and leisure amenities. The hotel was built in 1969 and is now however largely outdated. It presently contains 91 accommodation rooms (along with the above recreational facilities) and ranges in height from 2 to 5 storeys with elements of unfinished building work on the upper levels.

Land surrounding the Salamander Shores Hotel is all zoned for public open space purposes and therefore the uses reflect this zoning. Along the eastern, northern, and southern boundaries of the

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

hotel complex are native bush-land areas (Council Reserve land) with some amenities (primarily seating). Access is provided to the Port Stephens Sailing and Aquatic Club along with the public wharf and boat ramp along the right-of-way situated immediately to the north of the hotel. On the opposite side of Soldiers Point Road is a largely vacant park with no facilities and limited vegetation, with the Soldiers Point Holiday Park situated further beyond and the Soldiers Point Bowling Club located to the north of the park.

The Redevelopment Proposal

The current redevelopment proposal for the land at 147 Soldiers Point Road will entail the demolition of the existing Salamander Shores Hotel and the construction of a new contemporary tourist facility with residential apartments providing permanent and tourist accommodation, conference facilities for up to 200 delegates and associated car and bus parking, and leisure facilities (including a café bar, pool and gym). The Council Reserve lands that surround the hotel complex will remain unaffected by the redevelopment proposal.

The preliminary concept plans for the project provided here (see **Figures 6 to 10**) include preliminary building envelopes and site sections, proposed land uses, and key development statistics. These plans have yet to be finalized, but it is not anticipated that the confirmed designs will significantly alter in their nature and scope at the time of submission to the *Department of Planning* for consideration.

Report Scope and Objectives

The objectives of the current study have been as follows:

Aboriginal Consultation

- To initiate consultation for the Salamander Shores Hotel redevelopment project with the local Aboriginal community.
- To invite representatives of the local Aboriginal community to undertake an inspection of the 147 Soldiers Point Road study area.
- To invite any Aboriginal cultural or historical knowledge about the study area from the Aboriginal community organisations for consideration as part of the current Aboriginal cultural heritage assessment process.

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

- To incorporate into the assessment process of the study area the views, possible concerns and recommendations provided by the Aboriginal community stakeholder groups to inform the current Soldiers Point redevelopment proposal.

Background Research

- To undertake background research into the location and nature of any previously recorded Aboriginal archaeological sites that may be present either within the boundaries of the Soldiers Point Road study area and/or in areas immediately adjacent to the proposed Salamander Shores Hotel redevelopment footprint.
- From a review of the known Aboriginal archaeological and cultural heritage context of the local Soldiers Point landscape, to prepare a concise predictive model describing the potential Aboriginal cultural heritage sensitivity of the subject land and to predict the potential for unrecorded sites to occur within the boundaries of the study area relative to the future development works proposed for the place.

Site Inspection and Assessment

- To undertake an Aboriginal archaeological and cultural heritage survey and assessment of the Soldiers Point Road study area in partnership with representatives of the local Aboriginal community.
- To identify and record any Aboriginal archaeological sites or areas of Aboriginal cultural heritage sensitivity that may be present within the subject land and to assess their likely significance.
- To provide an assessment of the potential for undetected Aboriginal archaeological evidence (or as yet unknown areas of potential cultural heritage sensitivity) to occur within the Soldiers Point Road study area.

Analysis, Evaluation and Report

- To prepare a report detailing the outcomes of the consultation undertaken with the local Aboriginal community for the project, the results of the field survey, and an *Aboriginal Cultural Heritage Survey and Assessment* of the study area that meets the requirements of the

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

relevant *Department of Environment and Climate Change* (DECC) and *Department of Planning* (Dop) guidelines as previously indicated.

- To formulate a set of management options and recommendations to inform the Salamander Shores Hotel development proposal that provide an appropriate framework for the ongoing protection of any documented Aboriginal archaeological sites/areas of sensitivity that may be identified in particular, and to guide the future management of any potential Aboriginal archaeological and cultural heritage issues that may arise on the subject land relative to the proposed future uses of the place.

Aboriginal Community Consultation

The 147 Soldiers Point Road study area falls within the administrative boundaries of the *Worimi Local Aboriginal Land Council* (WLALC) that has a statutory responsibility 'to promote the protection of Aboriginal culture and the heritage of Aboriginal persons' within its council boundaries.⁴ In addition, a number of organisations and individuals also claim traditional and historical links within the greater Port Stephens landscape of which the 147 Soldiers Point Road land forms a part.

Aboriginal community consultation for the proposed Salamander Shores Hotel redevelopment project was initiated in the following manner as summarised below:

- The placement of a public notice about the project (as per DECC guidelines) in *The Examiner* on the 14th of August 2008.
- The initiation of consultation with the CEO of the *Worimi Local Aboriginal Land Council* (Mr Andrew Smith) and the provision of background information about the project to the WLALC concurrent with the public notification process.
- Continued consultation with Mr Jamie Merrick (WLALC Senior Sites Officer/Traditional Owner) who advised at this time that consultation about the Soldiers Point project should be initiated with *Nur-Run-Gee Pty Ltd* and *Mur-Roo-Ma Incorporated*.

⁴ Aboriginal Land Rights Act 1983, s52(1) (m).

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

- Background information about the proposal was duly forwarded to each of these above organisations at this time.
- Formal written responses expressing their respective interests in the project were received from the *Worimi Local Aboriginal Land Council*, *Nur-Run-Gee Pty Ltd* and *Mur-Roo-Ma Incorporated* during the week commencing the 18th of August 2008.

The *Department of Environment and Climate Change*, the *NSW Native Title Services*, and the *Registrar of Aboriginal Owners* were also contacted at this time concurrent with the placement of the public notification advertisement noted above.

- No additional Aboriginal community groups or individuals expressed an interest in the project (either written or via phone/fax/email) following the closure of the public notification period.

The *Worimi Local Aboriginal Land Council* (represented by Mr Jamie Merrick), *Mur-Roo-Ma Incorporated* (represented by Mr Anthony Anderson), and *Nur-Run-Gee Pty Ltd* (represented by Ms Leanne Anderson) subsequently undertook an inspection of the Salamander Shores Hotel study area and its immediate surrounds in association with Dominic Steele and Jakub Czystaka (*Dominic Steele Consulting Archaeology*), and Mr Brad Deger (Hotel General Manager), on the 22nd of September 2008. The nature and scope of the proposed redevelopment of the existing hotel complex was discussed by all parties at this time.

Consultation has been maintained with the above Aboriginal community groups in the course of preparing the current *Aboriginal Cultural Heritage Assessment*. A draft version of this document was provided to these groups for review and comment upon the completion of the September site inspection.

The respective Cultural Heritage Statements prepared by each of these organisations that detail their views and recommendations of advice relative to the Salamander Shores redevelopment proposal are appended to this report.⁵

⁵ Recent discussions with Mr Jamie Merrick indicate the *Worimi Local Aboriginal Land Council* will forward their independent *Cultural Heritage Statement* shortly as part of the current project records.

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

Report Outline

This report has been prepared by Dominic Steele and Deborah Farina of *Dominic Steele Consulting Archaeology* and presents the following:

- An introduction to the Salamander Shores Hotel redevelopment project (**Section 1.0**).
- A summary description of the environmental context of the 147 Soldiers Point Road study area (**Section 2.0**).
- An outline Aboriginal historical review of the local landscape relative to the 147 Soldiers Point Road site (**Section 3.0**).
- A background review of previous Aboriginal archaeological studies undertaken in the local landscape, and a predictive model of the likely archaeological evidence that may be present and/or survive on the subject site (**Section 4.0**).
- A summary of the observations recorded during the September 2008 site visit and the results of the site inspection and Aboriginal community consultation (**Section 5.0**).
- The conclusions that have been developed for the Salamander Shores Hotel redevelopment project that are based upon the above background research, site inspection results and evaluation, and Aboriginal community consultation (**Section 6.0**).
- The provision of Aboriginal cultural heritage management recommendations relative to the proposed future Salamander Shores Hotel redevelopment (**Section 7.0**).
- Sources and references cited in this report (**Section 8.0**).
- Attachments including the Cultural Heritage Statements that have been prepared for the project by the *Mur-Roo-Ma Incorporated* and *Nur-Run-Gee Pty Ltd* (**Appendices**).⁶

⁶ As above.

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

Acknowledgements

Dominic Steele Consulting Archaeology would like to acknowledge the assistance and advice provided by the following people in the course of preparing this report.

Mr Andrew Smith *Worimi Local Aboriginal Land Council*

Mr Jamie Merrick *Worimi Local Aboriginal Land Council*

Mr Anthony Anderson *Mur-Roo-Ma Incorporated*

Ms Leanne Anderson *Nur-Run-Gee Pty Ltd*

Ms Sarah Kelly *SAKE Development Pty Ltd*

Mr Brad Deger *Salamander Shores Hotel*

Ms Deborah Farina *DSCA Associate*

Mr Jakub Czystaka *DSCA Associate*

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

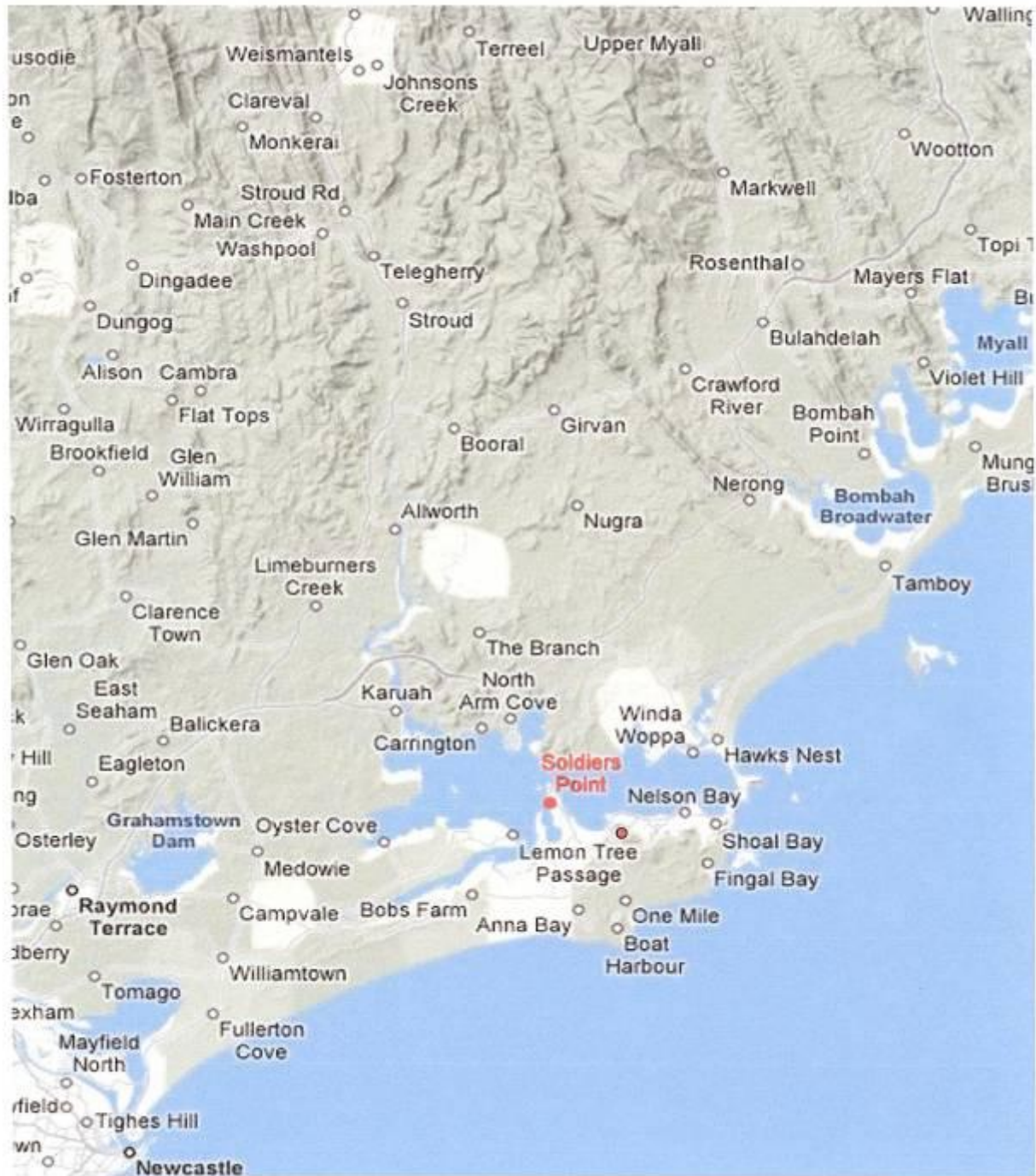


Figure 1: General Location of the Study Area (Source: SAKE Developments)

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008



Figure 2: Location of the Soldiers Point Peninsula (Port Stephens 1:25k Topographic Map)

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

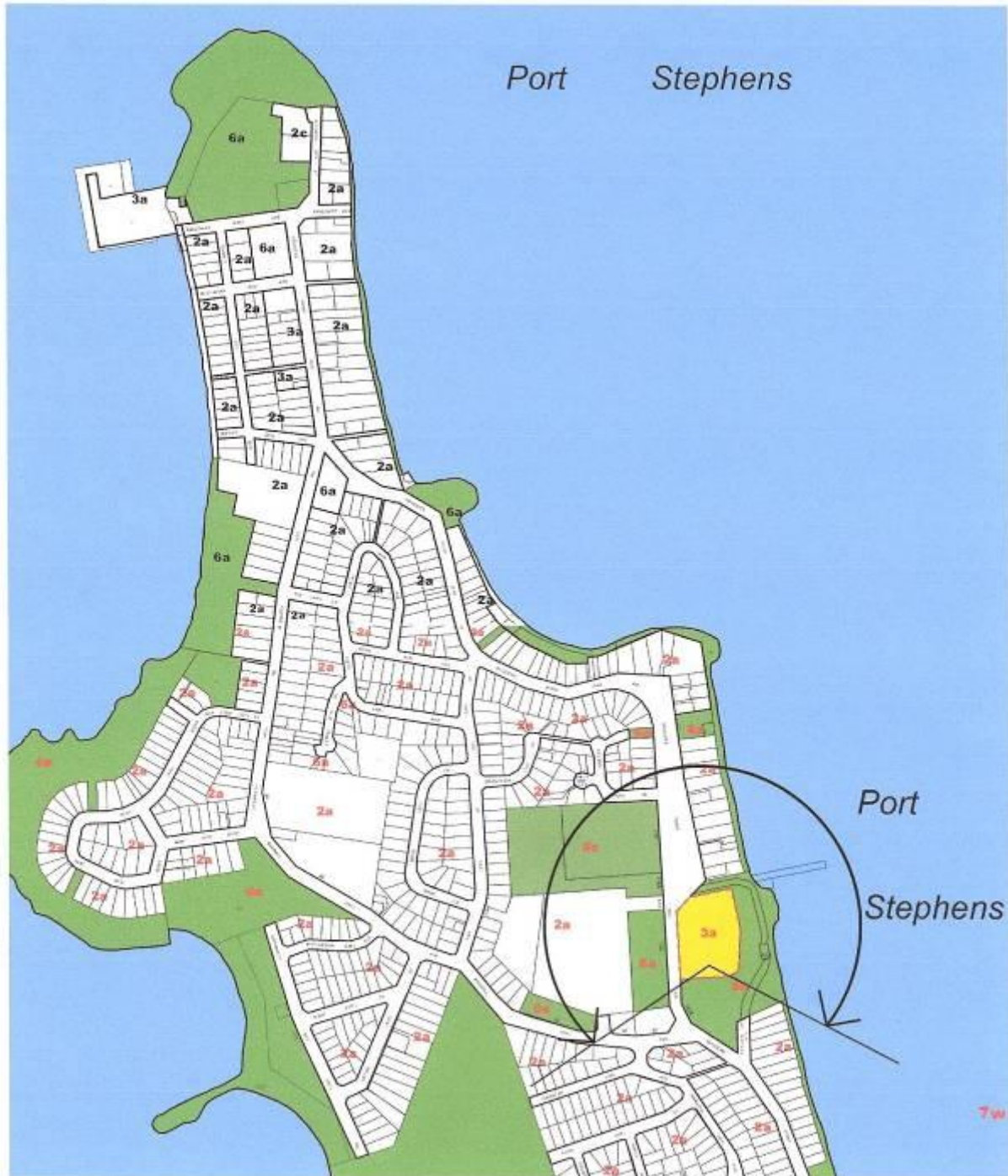


Figure 3: Location of the Soldiers Point Road Site (Source: SAKE Developments)

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

Figure 4: View of the Location of the Soldiers Point Road Site (Source: SAKE Developments)



Figure 5: View of the Existing Salamander Shores Hotel (Source: SAKE Developments)

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008



Figure 6: Proposed Development Basement/Ground Floor Plan (Source: SAKE Developments)

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsc@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008



Figure 7: Proposed Development Mid Level Floor Plan (Source: SAKE Developments)

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

December 2008



Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

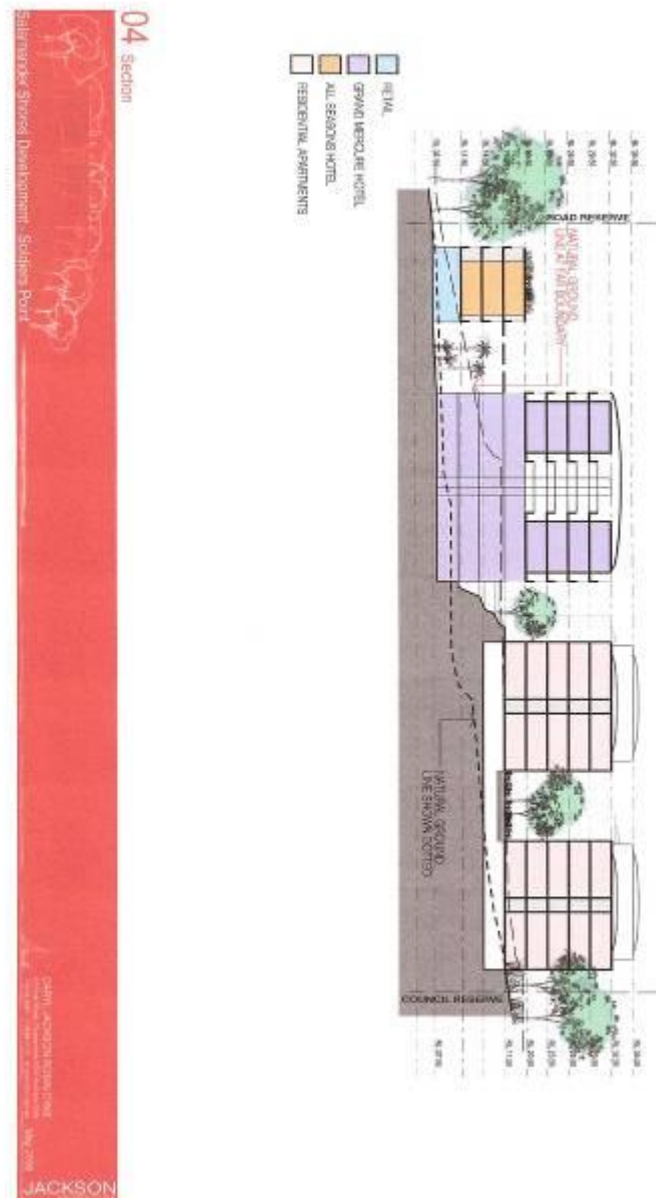


Figure 9: Proposed Development Section (Source: SAKE Developments)

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

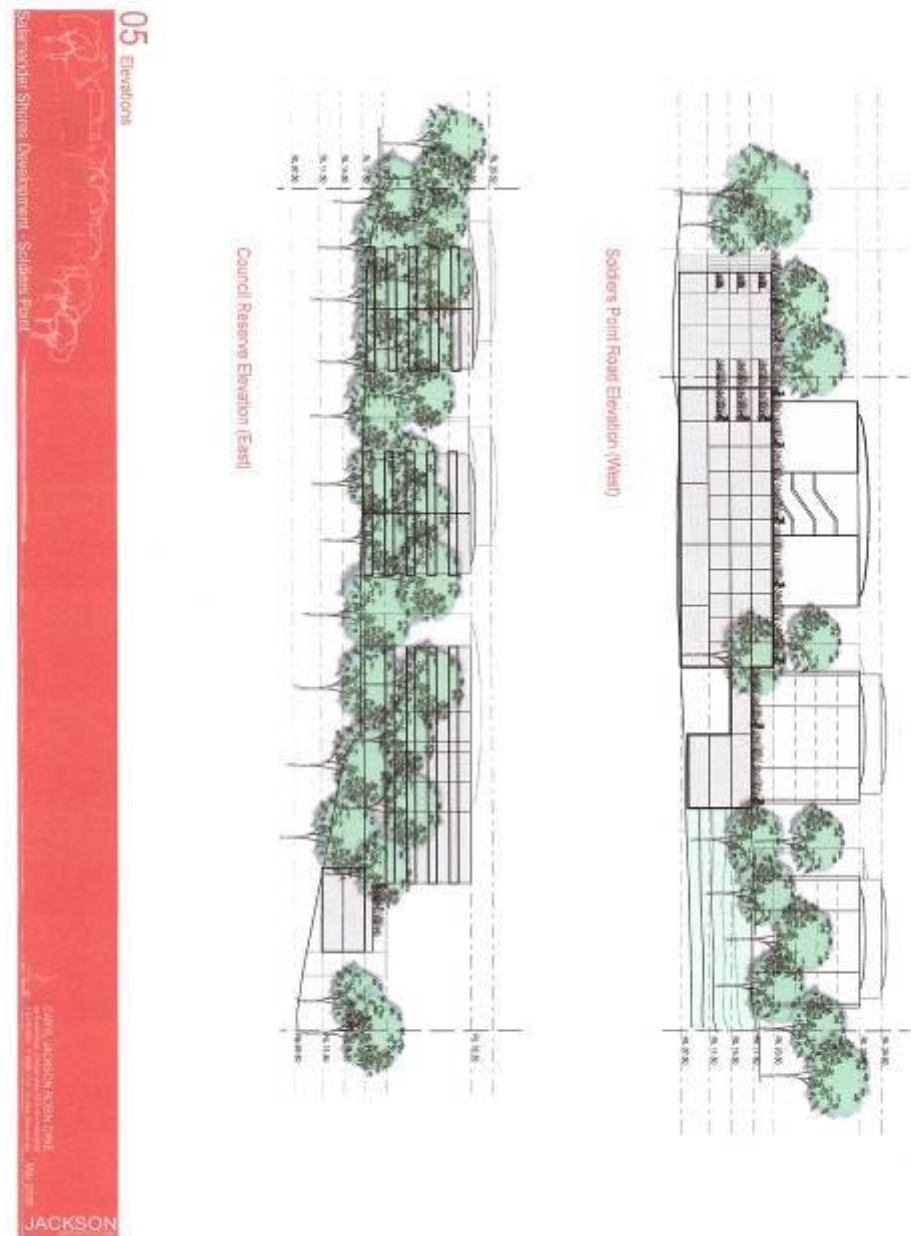


Figure 10: Proposed Development Elevations (Source: SAKE Developments)

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

2.0 Environmental Context

How the Environment Affects Aboriginal Archaeological Patterning

Ongoing archaeological research in the Port Stephens area and its surrounds demonstrates that the natural (pre-Contact) environment influenced not only the availability of resources to Aboriginal people in the past, but also largely determines in the present what types of Aboriginal archaeological sites/cultural heritage evidence is likely to be located (and survive) when land is assessed in contemporary redevelopment circumstances.

The past distribution and availability of resources such as drinking water, plant and animal foods, raw materials of stone, wood and vegetable fibre used for tool production and maintenance were all strongly influenced by the nature of soils, the composition of vegetation cover, and the climactic characteristics of any given region. The locations of different site-types (such as open campsites, sheltered and open middens, sheltered habitation and art sites, axe grinding grooves and engravings etc) that may have originally occurred (and/or now survive) in an area was therefore strongly influenced by such factors as these, along with a range of other associated features which are specific to different land-systems and bedrock geologies.

In addition, the nature and extent to which any given parcel of land has been subject to impacts as a consequence of post-Contact land-use practices will also strongly define what types of Aboriginal archaeological evidence is likely to survive and its likely integrity.

Detailing the environmental context of a study area is therefore an integral procedure necessary for understanding potential past Aboriginal land-use practices, along with predicting archaeological site distributions within any given landscape.

Mindful of the extensive post-Contact impacts that are known to have occurred within the 147 Soldiers Point Road study area (and its immediate surrounds as reviewed below), the information outlined below is considered to be pertinent to the current assessment of potential Aboriginal archaeological and cultural heritage sensitivity of the subject land.

Climate

The current climate of the broader Nelsons Bay area of which the current Soldiers Point study area forms a part is classified as coastal-temperate, and is characterised in the main by generally warm

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

summers and relatively cool winters. The warmest months are generally December through to February, with January having an average temperature of some 27.3°C. The coolest months in the region generally occur through July to August, with the coolest month being July, with an average temperature of 8.4°C. The annual rainfall of the local region is approximately 1349.7mm, with the greatest rainfall occurring in June (154.3mm), and the lowest in October (78.3mm).⁷

Topography

Soldiers Point consists of a rocky peninsula that is situated on the southern shore of Port Stephens. This waterway is a drowned former valley (Vita-Concejo et al 2007) that formed in the Late Pleistocene (some 70,000 years ago). Prior to this, a ridge existed between Soldiers Point and Middle Island, dividing the watershed of the Kuruah and Myall Rivers.

The distance between Soldiers Point and Fame Point on the northern shore of Port Stephens is approximately 1km, with Boondabah (or Middle) Island occurring between the two shores. This is the shortest distance between the northern and southern shores of Port Stephens. This convergence separates the Outer or Lower Port (east of Soldiers Point) with the Inner or Upper Port (west of Soldiers Point).

The topography of the Soldiers Point peninsula generally consists of undulating rises and rolling hills, with local relief being within the order of <50m. The slope gradients are usually less than 15%, with broad ridges and crests (Murphy 1993:25). The foreshores generally consist of a series of swamps and dune formations, with sand sheets being located in the east of the local landscape and mangrove swamps in the west.

Geology and Soils

The underlying geology of the greater Port Stephens area largely belongs to the Carboniferous Kuttung series. This is composed primarily of lava flows containing materials of rhyolite and andesite, along with other rock types.

⁷ This information was sourced from www.bom.gov.au.

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

The dominant geology of the Soldiers Point area is made up of Nerong volcanics, comprising ignimbrite, toscanite, dacite, andesite, agglomerate, conglomerate, sandstone and siltstone. The dominant soils of the Soldiers Point area is mapped on the North Arm Cove Soil Sheet and is characterised in the main by dark, weakly structured sandy loam that is brownish black in colour (see Murphy 1993:26).

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

3.0 An Outline Aboriginal Historical Context

Introduction

Much of our current understanding about how the traditional Aboriginal owners of the broader Port Stephens landscape lived at the time of their first contacts with Europeans derives largely from a variety of written sources that vary considerably in quality, accuracy and detail.

Many of the early historical records often reflect prevailing attitudes and beliefs that were held by the European observers at the time rather than perhaps providing accurate accounts of the social, economic, and spiritual aspects of the local Aboriginal communities they progressively encountered from the mid 1790s.

With these potential historical inconsistencies in mind, the following discussion is intended to provide a summary Aboriginal historical background to place the current study in context. This review has been assisted by advice provided by the contemporary Aboriginal community groups that have been consulted with during the course of this project.

Pre Contact Aboriginal Context

Available historical records indicate that earliest known inhabitants of the Port Stephens area were the Worimi people. The Worimi are thought to have been divided into at least seven *nurra*, or tribes at Contact. The people of the southern coast and hinterland of Port Stephens are known as the Maaiangal, although the exact boundaries of the various tribes or groups that lived on the land before European settlement are today relatively uncertain (see for example Sokoloff 1977:230). The Worimi people appear to have spoken a dialect of the broader Kattang language group (Enright 1935:86).

The Worimi people appear to have exploited a variety of natural resources for their daily subsistence needs in the past. Historical and archaeological evidence (the latter gathered largely from investigations of open and sheltered shell midden sites previously examined in the local area) indicates that shellfish formed a major part of the diet of the Worimi people, particularly the Maaiangal (ibid:230).

Plant resources, such as the gigantic lily and fern root, were also seemingly exploited for food when available, and other plants were utilised for the creation of a range of tools and other utensils, such as

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

the bark from the kurrajong tree which was used to make a fibre used for fishing and netting purposes (ibid:231).

Terrestrial animals were also seemingly used seasonally for food, and their skins utilised for the creation of clothing during the cooler weather (ibid). Our current (historical) understanding of the traditional Aboriginal use of land animals, birds and other such food resources in the local landscape is however is relatively limited at present.

Within the broader landscape context, the coastal areas of the Hunter Valley region were occupied by the Awabakal centred on Lake Macquarie and the Worimi centred on Port Stephens. These coastal groups were in contact with each other and with their neighbours to the north and south. There appear to have been numerous links between the Aboriginal inhabitants of the coast and inland areas, including for example the exchange of reed spears for possum skin rugs and fur cord from the inland (Hughes 1984)

Post Contact Aboriginal Context

In February 1795 the Deputy Surveyor-General, Mr Charles Grimes, arrived on a reconnaissance of Port Stephens on the vessel *Francis* which anchored near present day Salamander Bay (Huntington 1897). The survey party subsequently spent a week investigating and recording the port, and after rowing twice inland until reaching swamps surrounded by sandy banks, concluded that the site would not require a second visit (ibid). Records created at the time noted that the northern shores of the port were covered with shoals and mangroves to the south and west of the current Soldiers Point study area (ibid).

The Colonial Secretary, Captain Collins, wrote in his diary that the navigators (himself and Mr Grimes) were welcomed by the Aboriginal people of Friendship Point (now Soldiers Point) with a dance. However, Captain Collins reports further that one of the Aboriginals subsequently drew Mr Grimes into the woods. A Mr Wilson followed and found Mr Grimes on the point of being speared. Mr Wilson fired his gun at the Aboriginal, wounding him. Captain Collins remarks that ‘...*the natives were so very unfriendly that Mr Grimes refrained from making many observations about them*’ (ibid). Mr Grimes did note however, that the Port Stephens Aboriginals were stouter and taller than the Aboriginals of Botany Bay, and that their huts and boats were larger. Mr Wilson was familiar with the Aboriginal

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

people of Botany Bay and the Hawkesbury, and understood a little of their languages, and noted that the language of the Port Stephens people differed entirely.

Governor Lachlan Macquarie first visited Port Stephens in 1812 (source documents collected by Anna Bay Public School in 1979). Subsequent to his visit, a garrison of soldiers was proposed to be established at Friendship Point to detain escaped convicts from Port Macquarie as they attempted the narrow crossing in this locality (ibid). As a consequence, the Corporals Guard was stationed there from circa 1820. From that time, the peninsula became known as 'Soldiers Point' (ibid).

Aboriginal people continued to live at Soldiers Point for many years following European contact. In 1824, the Australian Agricultural Company (AA Co) were granted 1 million acres of land between Port Stephens and the Manning River, and the AA Co seemingly employed Aboriginal people in various capacities from this time including working as shepherds, stock-keepers, hut-keepers, messengers, envoys, constables, boat-rowers and builders (Hannah 2002:1). Hannah argues that the AA Co offered sanctuary to the Aboriginal people in return for their labour, yet acknowledges the destruction of the Aboriginals' traditional lifestyle occurred in the process (ibid).

Hannah estimates that the total number of Aboriginals living near the AA Co's Port Stephens land was approximately 100 (Ibid:7). Between 1824-1828 (census and muster records) approximately 40 Aboriginal people were employed by the AA Co, although after this time the numbers of Aboriginal employees fluctuated between three in 1840, and 11 between 1856-1857 (ibid).

A number of stories are reported by Scott (see below) of Aboriginal people he knew when growing up in the Port Stephens area during the time of the AA Co's occupation of the local landscape. He counted the local Aboriginal people as his friends, learning their language, and coming to understand their customs (Bennett, 1929:2). He states further that his father was admitted as a 'blood-brother' to the tribe because of their family's friendship with the local Aboriginal people (Bennett, 1929:8). Scott agrees with Hannah, however, that from the time that the Australian Agricultural Company arrived in the area, the constant contact that Aboriginal people were in with the European settlers inevitably adversely influenced their traditional lives (ibid:10).

In the 1850s the AA Co began subdividing and auctioning off parcels of their land. The land at Soldiers Point was a reserve from at least 1861, which resulted in its continued use by Aboriginal people (NP&WS/*Port Stephens Council* 2004:4). This land was resumed by the Australian

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

government for use by the defence forces, and the Aboriginal people were removed to missions at Karuah and Sandy Point in 1915 (ibid). Once the land was privatised, some Aboriginals returned to live in the area, working on the oyster farms and timber cutting (DECC 2004:32).

Today

Census data from 2006 indicates states that the population of Salamander Bay-Soldiers Point-Taylors Beach area is 5,713. Of those, 13 people identified themselves as Aboriginal, whilst 794 people identified themselves as Aboriginal in the broader Port Stephens Local Government Area.

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

4.0 Local Aboriginal Archaeological Context

Previously Recorded Aboriginal Sites

At the initiation of the current study, a search of the *Aboriginal Heritage Information Management System* (AHIMS) administered by the *Department of Environment & Climate Change* (DECC) with respect to known Aboriginal sites within an approximately 9 km by 6km block of land surrounding the 147 Soldiers Point Road project site (AHIMS Search #23150). The DECC provided a list of twenty eight (28) previously recorded sites (see below). Of these, the dominant site types comprise shell middens which make up 60.7% of the listed items. Other site types include shelters (some with art, occupation deposit and/or shell midden materials), open campsites, a water hole, and an area of potential archaeological deposit (PAD).

Table 1: DECC AHIMS Site Search Results

AHIMS #	Site Name	Site Type
38-5-0002	Mud Point:Mullabula Point	Midden
38-5-0005	Mud Point; Lemon Tree Passage	Midden
38-5-0006	Mud Point	Midden
38-5-0009	Mud Point; Cromartys Bay	Midden
38-5-0033	Salamander Bay A	Midden
38-5-0053	Mud Point; Picnic Ground	Midden
38-5-0067	Port Stephens; Picnic Ground	Midden
38-5-0132	Lemon Tree Passage 2; LT2	Midden
38-5-0133	Lemon Tree Passage 3; LT3	Midden
38-5-0134	Lemon Tree Passage 4; LT4	Midden

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

38-5-0140	Ross Street Reserve	Open camp site
38-5-0141	Mallabula Point	Shelter with deposit
38-5-0142	John Parade	Shelter with art, shelter with midden
38-5-0144	Kooindah Park	Midden
38-5-0145	Gibber Drive	Midden
38-5-0148	Watersleigh Ave Rock drawing	Shelter with art
38-5-0152	Soldiers Point Marina	Midden
38-5-0164	Alfred Street/Parkway	Midden
38-5-0165	Mallabulla	Shelter with art
38-5-0167	Rookes Point	Midden
38-5-0170	Short Street	Midden
38-5-0172	Diemar Point	Midden
38-5-0177	Wormi Womens Waterhole	Water Hole/well
38-5-0179	WA 1	Scarred Tree
38-5-0193	Soldiers Point Rd/Cromarty's Bay	Midden
38-5-0195	LT5	Open camp site
38-5-0209	Alfred Street/ Parkway Tanilba Bay	Shelter with art
38-5-0238	PAD 7 – Tomaree to Tomago	Potential archaeological deposit (PAD)

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

Previous Aboriginal Archaeological Investigations

A number of previous Aboriginal archaeological heritage studies undertaken in the local landscape (where available at the DECC) were reviewed to provide an appropriate context for the discussion, evaluation and conclusions provided for the current project as outlined in following sections of this report.. The principal outcomes of the more pertinent studies are summarised below.

- RPH Harper Somers O'Sullivan. July 2008. Draft Archaeological Assessment for a Proposed Seniors Living Development at Lots 1 and 2 in DP627638, 118 and 118a Soldiers Point Road, Soldiers Point.

This report was commissioned by *Pacific Lifestyles Resorts Pty Limited* to assess whether any Aboriginal archaeological or cultural heritage constraints were apparent for the above development. Whilst the area's importance to the Aboriginal community was acknowledged in this study, a field survey of the proposed development footprint identified no Aboriginal archaeological sites or areas of specific sensitivity.

- Umwelt Australia Pty Ltd. August 2007. Port Stephens Foreshore Management Plan (Aboriginal Heritage).

This study was commissioned by *Port Stephens Council* regarding a Plan of Management for the foreshore of the Port Stephens waterway and included the current study area. The investigation noted previously known Aboriginal sites at Soldiers Bay such as middens, burial sites and a men's ceremonial place.

All areas along the foreshore of Port Stephens, including Soldiers Point, have recently been identified as being of Aboriginal cultural heritage sensitivity (Umwelt 2007).

- Dallas, M, Barton H & Cowlshaw G. 1996. Archaeological, Anthropological and Community-Based Study.

This study was commissioned by the *National Parks & Wildlife Service* and concerned the possible development of a parcel of land at Salamander Bay, approximately 1 km south of the current study area, and bounded by Wanda Avenue and Soldiers Point Road.

This investigation identified no Aboriginal archaeological constraints to the then proposed Salamander Bay development, however a scarred tree, as well as a sacred women's site were identified in the

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

Wanda Avenue study area. It was noted that both study areas had been subjected to sand mining in the past to varying degrees, and it was considered unlikely that the archaeological integrity of any subsurface sites would be retained. However, due to the area's importance to the Aboriginal community, the report recommended monitoring of any earthworks, and avoidance of the two sites noted above.

- Haglund, L. 1982. Archaeological Survey of an Area near Bagnall's Beach, Port Stephens. Report to the NPWS.

This investigation was conducted ahead of a housing development approximately 4 km to the east of the current study area. Two shell scatters were located, neither of which could be confidently defined as being of Aboriginal origin. This area has now undergone significant disturbance.

Other Archaeological Investigations

In 1980, Len Dyll conducted a number of surveys and identified two middens, one near the junction of Muller Road and Soldiers Point Road, Salamander Bay (AHIMS Site #38-5-33), and a second at Salamander Bay near the waterfront (AHIMS Sites #38-5-36). Both sites yielded a collection of chert and porphyry flakes, as well as cockle and mud whelk shells.

The Plan of Management for Soldiers Point, prepared by the NPWS and *Port Stephens Council* in 2004, describes a number of burials and ceremonial areas in the Soldiers Point area, particularly near the Soldiers Bay Marina (NPWS/*Port Stephens Council* 2004). However, due to the sensitive nature of these sites, specific information relating to these locations is restricted. There is also a reputed ceremonial area on Middle Island (DECC 2004:41).

Summary

The results of the DECC AHIMS Site Search and background Aboriginal archaeological review presented above indicate the following:

- No Aboriginal archaeological sites have previously been recorded to occur either within the proposed 147 Soldiers Point Road redevelopment footprint or within its immediate surrounds.
- The majority of the previously identified Aboriginal archaeological sites revealed by the AHIMS Site Search (that included portions of Lemon Tree Passage, Mud Point, Taylors Beach and

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

Cromarty's Bay to the west, and Salamander Bay to the east) consist of open shell middens reflecting the absence of sandstone outcrops and overhangs (suitable for the creation of art and/or camping during inclement weather etc) in the part of the local landscape.

- Amongst the nearest known sites to the Soldiers Point Road study area are a shell midden (DECC Site #38-5-0152) situated within the vicinity of the existing Soldiers Point Marina (that may have now been destroyed) that is located approximately 1.5km to the northwest of the Salamander Shores Hotel, and a second midden (DECC Site #38-5-0193) reported to occur on (or nearby) Soldiers Point Road some 2km to the south of the current study area.

An Aboriginal Archaeological Land Use Model and Site Prediction

Modelling How People May Have Used the Land in the Past

Predictive models of site location attempt to identify areas of relative archaeological/cultural heritage sensitivity (high, moderate and low etc) as a tool that can be used for the planning and management of Aboriginal sites in future development and/or land modification circumstances.

These models are generally based upon information including the types of land systems/landscape units contained within a study area, the results of previous archaeological surveys, the distribution of recorded sites and known site densities, and an understanding of traditional Aboriginal land use patterns.

Possible Aboriginal Archaeological Evidence within the 147 Soldiers Point Road Study Area

Based upon information compiled within the *DECC Aboriginal Sites Register*, and background data for the local archaeological contexts reviewed above, the types of sites which may potentially occur/survive within the boundaries of the current study area are outlined below.

- I *Open Camp Sites and Middens*: These sites are likely to occur on dry relatively flat landforms along foreshore contexts or adjacent to both major and minor watercourses. However, repeatedly or continuously occupied sites are more likely to be located on elevated ground situated within foreshore landforms and at principal creek confluences.

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

Open campsites and midden deposits may contain stone artefacts and/or durable food remains such as animal and fish bone or shell. Surface scatters of artefacts may be the result of mobile hunting activities, whilst single or low density occurrences might relate to tool loss, tool maintenance activities or abandonment. These types of sites are often buried in alluvial or colluvial deposits and only become visible when subsurface sediments are exposed by erosion or disturbance.

- II *Isolated Finds:* These are artefacts which occur without any associated evidence for prehistoric activity or occupation. Isolated finds can occur anywhere in the landscape and may represent the random loss or deliberate discard or abandonment of artefacts, or the remains of dispersed artefact scatters. They are generally defined as a single artefact located more than 50m from any other artefact.

- III *Scarred or Carved Trees:* These sites are the result of bark or wood removal to make shields, shelter, canoes containers or carving designs into the exposed wood. Carved trees which often display geometric patterns incised into the wood are believed to be markers of burial grounds or important places.

These sites have rarely survived early timber clearance, bush fires and timber cutting. The definite ascription of scarring on a tree to an Aboriginal origin is not always possible. Europeans often removed bark for roofing material and stock watering troughs. Other scars may be the result of surveyor and miner blazes, lightning strikes or cockatoo pecking. Unless the tree is at least 100 years old the scarring is unlikely to have an Aboriginal origin.

- IV *Burials:* Human burials are generally found in relatively deep and soft substrates (such as sand dunes) and are often in the local landscape found in association with other cultural materials (such as shell midden materials). Burials can occur as single individuals or as multiple interments and are most commonly located as a result of soil/dune erosion processes and/or from development disturbances.

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment
Salamander Shores Hotel Redevelopment
147 Soldiers Point Road - Soldiers Point - NSW
December 2008

5.0 September 2008 Site Inspection

The following section of this report details the observations and results of the Aboriginal archaeological and cultural heritage site inspection of the 147 Soldiers Point Road study area undertaken on the 22nd of September 2008 by DSCA in partnership with the *Worimi Local Aboriginal Land Council, Mur-Roo-Ma Incorporated and Nur-Run-Gee Pty Ltd.*

Site Inspection and Recording Methods

The site inspection reported here was undertaken according to generally accepted field and reporting methods (see NPWS 1997). This included:

- Documentation of observations pertinent to the current assessment of Aboriginal archaeological potential sensitivity (landforms, topography, existing vegetation; ground exposures/visibility; and extent of current disturbance etc).
- Photography to record the field work was undertaken using a Nikon Coolpix L3 digital camera and a range of scale bars as needs dictated.
- A Magellan Explorist 100 handheld GPS was utilised as required to accurately plot noteworthy features.
- Air photos, development plans, sketch plans, and a 1:25, 000 topographic map were also used as necessary to correlate all field observations reported below.

Field Observations

An indicative view of the entrance to the current Salamander Shores Hotel from Soldiers Point Road is provided by **Figure 11**. As indicated, a graded bitumen car-park is situated in front of the reception lobby and vehicle access leading into the interior of the hotel complex. A large landscaped lawn area with introduced plantings extends upslope to the right of this illustration. No natural soil profiles are currently exposed in this portion of the site.

A general view of the rear of the hotel to the north is illustrated in **Figure 12**. Again this portion of the subject site is dominated by a landscaped lawn with a range of decorative plantings and hedges. This locality also retains a number of relatively mature native trees. The native vegetation evident to the left of this illustration is within a Council reserve and will remain unaffected by any future

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

redevelopment. The land slopes down steeply from this vegetation to the waterline, Port Stephens Sailing and Aquatic Club, and the public wharf and boat ramp. Access to the foreshore is provided along the right-of-way to the north of the hotel that can be just seen in the foreground of this photograph.

The nature of the manicured and well maintained garden area to the east of the hotel is indicated in **Figure 13**. It appears that this area has been filled, levelled and grassed relative to the native vegetation and sloping natural topography that can be discerned to the right of this illustration. As for other garden areas present within the hotel complex, it is likely that these landscaped open spaces were largely created concurrently with the site preparation activities undertaken for the construction of the hotel in 1969. Beyond the area of vegetation contained within the Council reserve, no natural soil profiles were observed in this locality as a result of the uniform cover of grass and associated plantings and garden features.

An indicative view of the rear of the hotel to the south is provided by **Figure 14**. Again the locality is dominated by filled and levelled lawn and established garden beds. Just out of view in the background of this photograph the land slopes gently down to the car-parking area fronting Soldiers Point Road.

Summary

As illustrated in **Figures 11 to 14** below, the entire Salamander Shores Hotel study area currently displays high levels of disturbance as a result of the construction of the hotel in 1969 which will have required significant site preparation activities to the original topography of the place, grading and excavation for the installation of footings at considerable depth, and the creation and maintenance of heavily landscaped open garden spaces within the hotel complex and its immediate surrounds where they border largely unmodified natural vegetation.

These land-use considerations provide the basis for the assessment of Aboriginal archaeological and cultural heritage sensitivity and the development of the management strategies relative to the proposed redevelopment project that are presented in **Sections 6.0** and **7.0** of this report.

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment
Salamander Shores Hotel Redevelopment
147 Soldiers Point Road - Soldiers Point - NSW
December 2008

Figure 11: Indicative View of the Western Entrance to the Salamander Shores Hotel



Figure 12: Indicative View of the Rear of the Salamander Shores Hotel (North)

Aboriginal Cultural Heritage Assessment
Salamander Shores Hotel Redevelopment
147 Soldiers Point Road - Soldiers Point - NSW
December 2008

Figure 13: Indicative View of the Rear of the Salamander Shores Hotel (East)



Figure 14: Indicative View of the Rear of the Salamander Shores Hotel (South)

Dominic Steele Consulting Archaeology
33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232
Email: dsca@bigpond.net.au

6.0 Summary and Conclusions

Aboriginal Cultural Heritage Impact Statement

The background Aboriginal archaeological and cultural heritage research, site inspection, analysis and assessment of the Salamander Shores Hotel site undertaken for the current study indicate that:

- No previously *documented* Aboriginal archaeological sites or 'objects' are known to occur within the boundaries of the 147 Soldiers Point Road property.
- No *specific* areas of *Potential Aboriginal Archaeological Sensitivity* relative to the current redevelopment proposal have been identified in the course of preparing this report. This assessment is based upon the archaeological conclusions presented in previous sections of this document, and from a consideration of the advice provided by the *Worimi Local Aboriginal Land Council, Mur-Roo-Ma Incorporated* and *Nur-Run-Gee Pty Ltd*.
- No *specific* areas of *Potential Aboriginal Cultural Heritage Sensitivity* relative to the current redevelopment proposal have been identified through the program of consultation undertaken with the above Aboriginal community organisations as part of this study.
- The subject land has been extensively disturbed as a result of past land-use activities including the construction of the existing hotel and associated facilities including access roads, car-parking areas, and heavily landscaped open garden areas and decorative features. The study area therefore retains little of its original natural heritage values, and hence the Aboriginal archaeological and cultural heritage sensitivity of the place is considered at this point in time to be low.
- From a consideration of the types of landforms contained within the study area (relatively elevated and largely sloping to undulating topography situated some distance from the foreshore below), the nature and extent of impacts associated with past (and ongoing) land-use practices (vegetation clearance, excavation and construction, and extensive landscaping etc), and Aboriginal site predictive information previously reviewed, it is expected that any as yet evidence for past Aboriginal visitation and use that may survive within the study area will consist of isolated items or low density distributions of flaked stone artefacts and shell midden materials.

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

- Any potential Aboriginal sites or objects that may be exposed as a result of future redevelopment works on the subject land (mindful that the proposed development will be sited within an already heavily modified construction footprint) are likely to be encountered within relatively to heavily disturbed recovery contents.

Evaluation

On the basis of the above considerations, it is concluded that the current redevelopment proposal is unlikely to have an adverse impact upon the Aboriginal cultural heritage values of the place and should proceed as proposed subject to the implementation of the management recommendations provided below.

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

7.0 Management Recommendations

Basis for Recommendations

The 147 Soldiers Point Road study area contains no currently identified Aboriginal sites or objects, and the proposed Salamander Shores Hotel redevelopment project as presently envisaged is unlikely to have an adverse impact upon the Aboriginal cultural heritage values of the land.

Bearing this in mind, it is stated here that there are no apparent Aboriginal archaeological or cultural heritage constraints in relation to the redevelopment proposal proceeding as planned subject to the following conditions:

- Recognition of the legal requirements and automatic statutory protection provided to Aboriginal 'objects' and 'places' under the terms of the *National Parks and Wildlife Act of 1974*, where it is;

an offence to knowingly damage, deface or destroy Aboriginal sites or relics without the prior consent of the Director General of the National Parks and Wildlife Service.

- Recognition of the views and advice provided by the *Worimi Local Aboriginal Land Council*, *Mur-Roo-Ma Incorporated* and *Nur-Run-Gee Pty Ltd* as outlined within the appended correspondence provided by these Aboriginal community organisations for the project.

Recommendations

- I No Aboriginal archaeological or cultural heritage constraints have been identified during the completion of this study that would prevent the proposed redevelopment of the subject land proceeding as planned should Development Consent be granted by Council.
- II No further *archaeological* work is required to be undertaken prior to the commencement of redevelopment works should Consent be granted by Council.
- III The site is assessed to have low *archaeological* potential, with the possibility to contain (at best) sparse distributions of as yet undetected Aboriginal finds (such as shell midden materials or items of flaked stone etc) that will most likely be identified within highly disturbed contexts.

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

- IV It is considered unlikely that human burials are present on the site, however this possibility cannot be entirely discounted. Should human skeletal remains be exposed in the future, works *must* cease immediately and the *Department of Environment and Climate Change* (DECC) and the above Aboriginal community organisations will need to be contacted to determine the appropriate course(s) of management action required before site works can recommence.
- V Should Project Concept Approval Development Consent be granted by Minister for Planning, the above Aboriginal community organisations be given the opportunity to brief the developments proponents, site managers, and site contractors prior to the commencement of future works about their statutory responsibilities and obligations concerning Aboriginal cultural heritage according to the NPWS Act (1974). The objective of this briefing would also be to indicate to all stakeholders why the local landscape is highly important to the local Aboriginal community, what types of archaeological evidence may survive and how to recognise it, and to establish a sound chain of communication between all parties to ensure if Aboriginal cultural heritage items are exposed in the future expedient measures can be satisfactorily implemented to avoid undue costs and time delays.
- VI The Aboriginal community representatives consulted with during the current study is afforded the opportunity to inspect the site at such time when the proposed demolition works reach existing ground levels should approval be granted by the Minister for Planning. The timing and scope of this inspection would be most effectively determined during the above site briefing. The purpose of this inspection would be to evaluate the nature and integrity of the currently buried soil profiles across the site, and the opportunity for all parties to determine the need for further periodic site visits to be potentially undertaken as below-ground demolition works (for the removal of existing footings and features etc) proceed.
- VII In the unexpected circumstance that any Aboriginal cultural remains are unearthed during future development works, it is recommended that activities should temporarily cease within the immediate vicinity of the find locality, be relocated to other areas of the site (allowing for a curtilage of at least 50m), and the DECC be contacted to advise on the appropriate course of action to allow the Aboriginal community groups to record and collect the identified materials dependent on their nature and extent.

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

- VIII A copy of this report should be forwarded to:
The Manager
Worimi Local Aboriginal Land Council
PO Box 56
Tanilba Bay, NSW, 2319.
- IX A copy of this report should be forwarded to:
The Manager
Mur-Roo-Ma Incorporated
9 Varden Road
Fern Bay, NSW, 2295.
- X A copy of this report should be forwarded to:
The Manager
Nur-Run-Gee Pty Ltd
22 Popplewell Road
Fern Bay, NSW, 2295.
- XI A copy of this report should be forwarded to:
The Manager
North East Aboriginal Cultural Heritage Unit
Department of Environment and Climate Change
Locked Bag 914
Coffs Harbour, NSW, 2450.
- XII A copy of this report should be forwarded to:
The Manager
Planning and Aboriginal Heritage Section
Metropolitan Branch
Department of Environment and Climate Change
PO Box 668
Parramatta, NSW, 2124.

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

8.0 References

Anna Bay Public School. 1979. School Centenary History: Era 1 – 1770-1870. Down-loaded 21 July 2008 (www.annabay-p.schools.nsw.edu.au).

Bennett, Gordon. 1929. The Port Stephens Blacks: Recollections of William Scott. The Chronicle Office, Dungog. Down-loaded 26 August 2008 ([www.newcastle.edu.au/service/archaives/aboriginal studies/pdf/scott1929](http://www.newcastle.edu.au/service/archaives/aboriginal_studies/pdf/scott1929)).

Dallas, M, Barton, H, & G. Cowlshaw, G. 1996. Soldiers Point, Port Stephens: Archaeological Anthropological and Community-Based Study.

Department of Environment & Conservation. 2004. Aboriginal Women's Heritage: Port Stephens. Unpublished Report. Hurstville.

Enright, W. J. 1936. 'The Worimi Tribe'. In The Newcastle & District Historical Society Journal & Proceedings. Vol 1, Pt 1: 85-89.

Hannah, M. 2002. Aboriginal Workers in the Australian Agricultural Company, 1824-1857. In Labour History. Issue 82, May 2002. Down-loaded www.historycooperative.org/journals/lab/82/hannah).

Hughes, P.J. 1984. NSW National Parks and Wildlife Service. Hunter Valley Region Archaeology Project Stage 1. ANUTECH Pty Ltd.

Huntington, H. W. H. 1897. History of the Newcastle and Northern District No. 3. In the Newcastle Herald. 13 August 1897.

Murphy, C. L. 1993. Soil Landscapes of Gosford-Lake Macquarie 1:100 000 Sheet (Map and Report). DLWC. Sydney

National Parks & Wildlife Service & Port Stephens Council. 2004. Soldiers Point Plan of Management.

RPS Harper Somers O'Sullivan. 2008. Draft Archaeological Assessment for a Proposed Seniors Living Development for Lots 1 and 2, DP627638, 118 and 118a Soldiers Point Road. Unpublished report to DECC.

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

Sokoloff, B. 1977. The Worimi: The Hunter-Gatherers of Port Stephens – Part XIII: Summary and Discussion. In Hunter Natural History. November 1977. Vol 9:230-238. Newcastle.

Umwelt Australia Pty Limited. 2007. Living on the Edge – Port Stephens Foreshore Management Plan. Unpublished Draft Report to Port Stephens Council. Down-loaded 21 July 2008 ([www.portstephens.nsw.gov.au/files65232/File/5/Aboriginal Heritage](http://www.portstephens.nsw.gov.au/files65232/File/5/Aboriginal%20Heritage)).

Vila-Concejo, A, Short, A. D, Hughes, M. G. & Ranasinghe, R. 2007. Flood-tide Delta Morphodynamics and Management Implications, Port Stephens, Australia. Journal of Coastal Research, SI 50. Proceedings of the 9th International Coastal Symposium: 705-709. Gold Coast. Down-loaded 25 August 2008 (www.griffith.edu.au/conference/ics2007/pdf/ICS133).

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment
Salamander Shores Hotel Redevelopment
147 Soldiers Point Road - Soldiers Point - NSW
December 2008

APPENDICES

Aboriginal Community Correspondence

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment
Salamander Shores Hotel Redevelopment
147 Soldiers Point Road - Soldiers Point - NSW
December 2008

Nur-Run-Gee Pty Ltd Cultural Heritage Statement December 2008

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

Nur-Run-Gee Pty Ltd
ABN 37 096 307 701



CULTURAL AND
HERITAGE
CONSULTANT

22 Popplewell Road
Fern Bay 2295

Phone: 02 49 201578
Mobile: 0408 618 874
Leanne
Mobile: 0431 334 365
Lennie
Email:
goodman@kooee.com.au

5th December 2008

Dominic Steele Consulting Archaeology
Attention Dominic Steele
33 England Avenue
Marrickville NSW 2204

Re; Proposed Salamander Shores Hotel Redevelopment Project
Aboriginal Archaeological & Cultural Heritage Survey and
Assessment – Draft Report

Dear Dominic

Thank you for the opportunity to comment on the draft report for the Proposed Salamander Shores Hotel Redevelopment Project Aboriginal Archaeological & Cultural Heritage Survey and Assessment.

After reading the draft report, Nur-Run-Gee P/L, understands the recommendations that Dominic Steele Consulting Archaeology have stated in the report and find the recommendations are acceptable.

Nur-Run-Gee P/L would like noted the importance of the spiritual and cultural significance of the Soldiers Point area to the Worimi people.

Please do not hesitate to contact us if further information is required.

Yours Sincerely

Leanne Anderson
Directors
Nur-Run-Gee Pty Ltd

Aboriginal Cultural Heritage Assessment
Salamander Shores Hotel Redevelopment
147 Soldiers Point Road - Soldiers Point - NSW
December 2008

Mur Roo-Ma Incorporated Correspondence (Via Email) December 2008

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au

Aboriginal Cultural Heritage Assessment

Salamander Shores Hotel Redevelopment

147 Soldiers Point Road - Soldiers Point - NSW

December 2008

Dominic Steele

From: Anthony Anderson [murroomainc1@hotmail.com]

Sent: Tuesday, 16 December 2008 1:16 PM

To: dsca@bigpond.net.au

Subject: Salamander Shores Report

Hi Dom

After reading the report you have respected the wishes and beliefs of the local Aboriginal people therefore Mur-roo-ma Inc fully understands and agrees with the methodology and recommendations you have put forward in the report and if you need any further info don't hesitate to contact me.

Regards Anthony j Anderson

CEO
Mur-roo-ma Inc

Dominic Steele Consulting Archaeology

33 England Avenue Marrickville NSW 2204 Phone (02) 9569 5801 Fax (02) 9569 0324 Mobile 0411 88 4232

Email: dsca@bigpond.net.au