

**MANAGING
ABORIGINAL
CULTURAL
HERITAGE VALUES**

—

**A Consultative &
Adaptive Approach**

Scott Lenton



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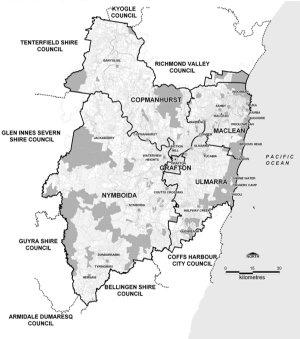
Presentation Outline

- Background to CVC LGA & Aboriginal Administration
- The need for a Consultation Protocol
- Protocol preparation and highlights
- Issues for Protocol implementation
- Tips for consulting Aboriginal communities

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**Some Local
Grounding**


Clarence Valley LGA
showing former
Councils



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**Aboriginal
Administration
in the LGA**


Aboriginal country



(Source: Adapted from map supplied to CVC by Helen Clark, September 2008. Country boundaries indicative and not necessarily accurate)

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Local Aboriginal Land Councils




(Source: Land & Property Information)

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Other Local Aboriginal Organisations

- Elders groups
- Traditional Owner Groups
- Business Cooperatives
- Native Title Claimant Groups


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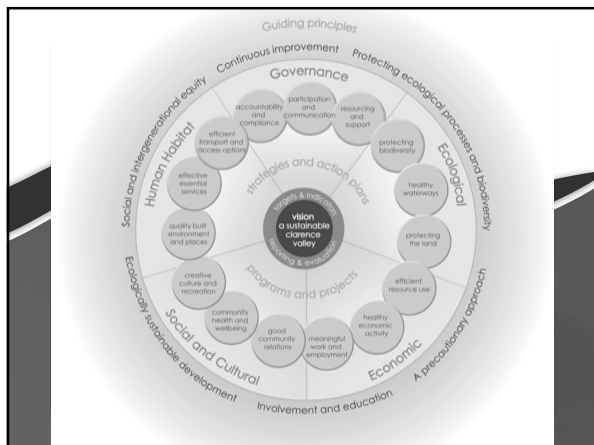
Why did CVC need a Consultation Protocol?


- **Officially** - the Clarence Valley Social Plan (including Indigenous Persons Chapter) (2004) identified need for better consultation with Local Aboriginal communities when development was proposed.
- **The real reason** – CVC was failing in its duty to properly consider the potential impact of development on Aboriginal Cultural Heritage Value (ACHV). Aboriginal communities consulted in the preparation of the Indigenous Chapter had cited cases of ACHV being destroyed due to acts associated with development.


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Reinforcement for Aboriginal Consultation

- *NSW National Parks & Wildlife Act 1974*
- *NSW Environmental Planning & Assessment Act 1979*
- CV Sustainability Framework/Initiative (2006)
- Passionate local Aboriginal community
- *Native Title Act 1994* (NSW/Commonwealth)





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Main steps in preparing the Consultation Protocol (consulting to consult)

- Cultural Awareness training
- Establishing dialogue with Aboriginal groups
- Literature research
- Finding relevance – one size doesn't fit all
- Translating black into white - oral versus written
- Listen, talk, listen, talk, listen.....




Members of the CV Aboriginal & NRM Working Group discussing Council's draft Consultation Protocol and site mapping project at the Grafton Ngerrie LALC office.
(Pic: Courtesy of Debbie Repschlager, Clarence Landcare Inc, October 2008)



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Scoping the Protocol's focus

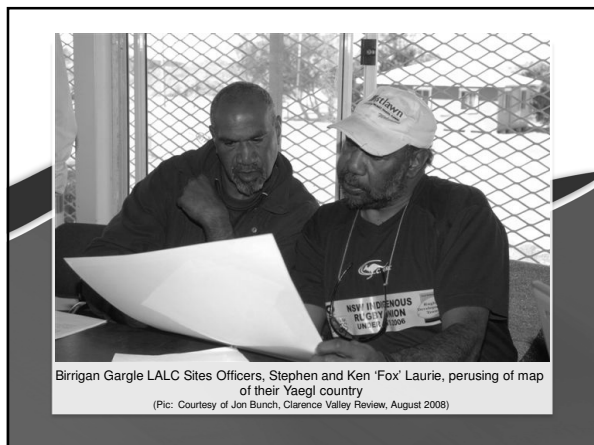
- Private Development (DAs, Rezoning, Tree Removal Permits, etc)
- CVC Civil Work (new, maintenance & emergency work)
- Exclusions (Clarence-Coffs Regional Water Supply Project & 'Future Acts')
- Education/awareness raising



Key aspects of the CVC Consultation Protocol

- Early identification of potential for impact
- Relies on knowledge of Aboriginal sites/ACHV
- Limits consultation to proposals where potential impact exists
- Size doesn't matter (ACHV or proposal)
- Consultation and communication via LALCs



Mapping Aboriginal Cultural Heritage Value

- Aim to map sites to promote effective consultation (more mapped = more protected)
- Knowledge of sites belongs to Aboriginal people (not CVC)
- More sites exist than DECC records show
- Sites data needs to be kept confidential
- Copy of data held by CVC to be provided to relevant Aboriginal group/s
- All sources of site information considered
- ACHV not to be heritage listed in LEP





The decision not to heritage list sites

- Not the main aim of CVC identifying sites
- Not essential to ensure proper consideration of impact
- NSW Standard LEP Template requires all 'heritage items' to be shown in a Heritage Map
- Council obligated to notify of 'heritage items' on land subject to section 149 Certificate


Issues for Implementation


- Getting the Protocol adopted by Council!
- Mapping Aboriginal sites for efficient referral
- Ensuring notification to DECC of sites 'discovered' during work
- Communication within Aboriginal community
- Feedback and response timeframes


More Issues for Implementation

- Ensuring appropriate consultation with relevant Aboriginal groups by proponents
- Be prepared to work through issues with Aboriginal groups
- Continue to work at building CVC-community relations and trust eg CVC staff site ID training


Some tips for communicating with Aboriginal people


- Treat with respect and expect respect
- Seek introduction/invitation from a respected person prior to first contact
- Using local/in house staff displays genuine interest and helps build trust & partnerships
- Listen and be guided by relevant Aboriginal communities on local cultural sensitivities and processes


Some more tips

- Maintain focus & avoid 'community' politics
- Carry out your 'promises' and if you can't do something don't say you can - be honest
- Follow-up agreed response from the community
- Food & drink catering should be discussed with the community
- Meet at a venue that suits the community



Members of the CV Aboriginal & NRM Working Group discussing ways of improving communication and engagement with the Aboriginal community at the Birrigan Gargle LALC office. (Pic: Courtesy of Jon Bunch, Clarence Valley Review, August 2008)


Need more encouragement to consult with Aboriginal people??

- Watch a documentary on the 'Stolen Generation'
- Read some local history on post-contact relationships between Aborigines & settlers
- Find out about local dreamtime stories
- Visit publicised local Aboriginal sites and peruse educational material


Questions??
 Come on hit me with something – soft!
More information

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