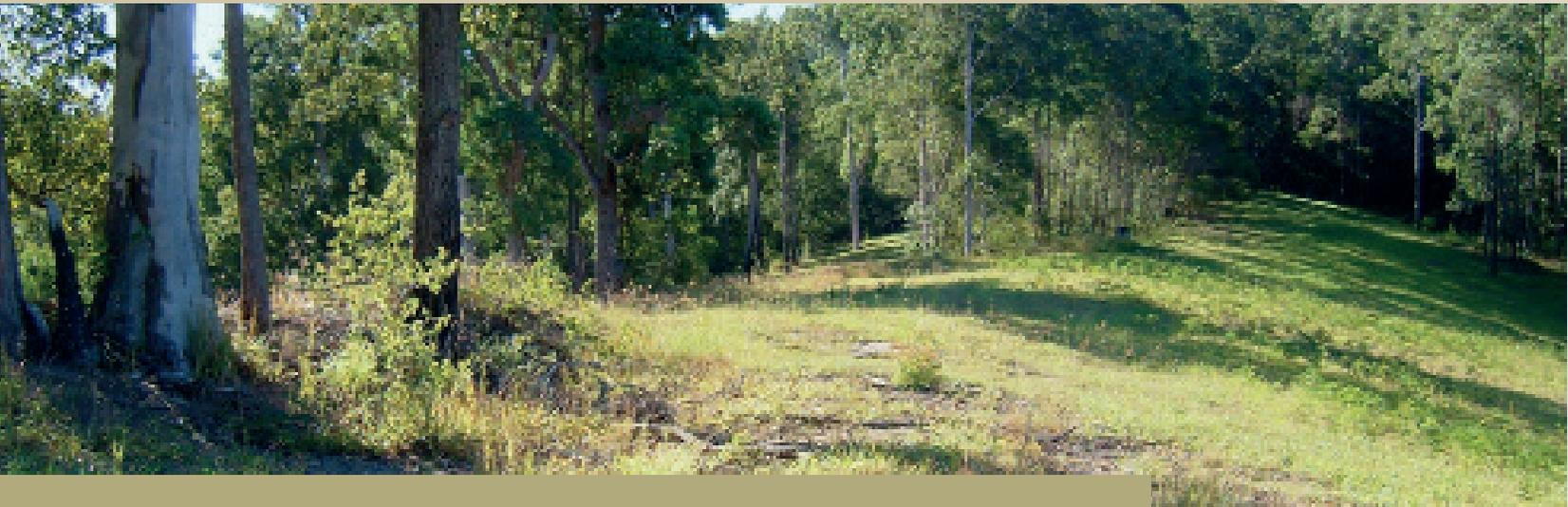


2 What is the draft Aboriginal Cultural Heritage Management Plan?

Aboriginal cultural heritage information series



This fact sheet introduces Aboriginal cultural heritage, and explains why and how the draft Aboriginal Cultural Heritage Management Plan 2017 (draft ACHMP) has been developed.

Photo above: Byrrill Ridge open campsite
Photo by: Ian Fox

What is Aboriginal cultural heritage?

“Aboriginal cultural heritage consists of places and items that are significant to Aboriginal people because of their traditions, observations, lore, customs, beliefs and history. It provides evidence of the lives and existence of Aboriginal people before European settlement through to the present.

Aboriginal cultural heritage is dynamic and may comprise physical (tangible) or non-physical (intangible) elements. It includes things made and used in traditional societies, such as stone tools, art sites and ceremonial or burial grounds. It also includes more contemporary and/or historical elements such as old mission buildings, massacre sites and cemeteries. Tangible heritage is situated in a broad cultural landscape and needs to be considered in that context and in a holistic manner.

Aboriginal cultural heritage also relates to the connections and sense of belonging that people have with the landscape and with each other. For Aboriginal people, cultural heritage and cultural practices are part of both the past and the present and that cultural heritage is kept alive and strong by being part of everyday life.

Cultural heritage is not confined to sites. It also includes peoples’ memories, story-lines, ceremonies, language and ‘ways of doing things’ that continue to enrich local knowledge about the cultural landscape. It involves teaching and educating younger generations. It is also about learning and looking after cultural traditions and places and passing on knowledge. It is enduring but also changing. It is ancient but also new.

Aboriginal cultural heritage provides crucial links between the past and the present and therefore represents an essential part of the identities of Aboriginal people and all Australians.”

Sources: Office of Environment and Heritage (OEH), Aboriginal Cultural Heritage Consultation Requirements for Proponents, 2010.

A key message from the Aboriginal community during the preparation of the ACHMP is that:

Aboriginal culture is a living thing, comprising both the past and the present.

2 What is the draft Aboriginal Cultural Heritage Management Plan? continued

Why has the draft Aboriginal Cultural Heritage Management Plan 2017 (draft ACHMP) been prepared?

Tweed Shire Council has an important role, as a land use manager and a consent authority in identifying, assessing and managing heritage objects and places in the Shire. Council fulfils this role through the preparation of local environmental plans, development controls plans, strategic planning, heritage management plans, development assessment and ongoing education.

The Aboriginal community, through the Aboriginal Advisory Committee (AAC), have been advocating for the protection and management of Aboriginal cultural heritage for many years. The need for an Aboriginal Cultural heritage plan was highlighted as part of the Community Based Heritage Study, adopted by Council in 2012.

It is important to understand the legislative protection of Aboriginal cultural heritage, as supported by this plan, is not new. The National Parks and Wildlife Act (NPW Act), 1974 provides specific protection for Aboriginal objects and places by making it an offense to 'harm' them. Harm includes to *'destroy, deface or damage of an Aboriginal object or Aboriginal Place, and in relation to an object, move the object from the land on which it has been situated'*. This legislation is supported by Guidelines and processes to manage any potential impact or harm.

Protection of Aboriginal cultural heritage is supported by State government policy, the North Coast Regional Plan 2036 and further supported locally in the Tweed Shire Community Strategic plan and the Tweed's Local Environmental Plans.

The ACHMP does not replace the provisions of the NPW Act. Instead the ACHMP has undertaken a Shire-wide assessment to identify where there is known Aboriginal cultural heritage and where there is a high potential for Aboriginal cultural heritage in order to assist land owners, applicants and developers understand their risk of harm, legislative obligations and clarify the level of assessment required with any development application for development or potential disturbance..

How has the draft ACHMP been prepared?

The draft ACHMP was prepared through joint funding from Tweed Shire Council and the Office of Environment and Heritage.

The development of the plan has been guided by a Memorandum of Understanding (MoU) between Council and the Aboriginal community through the Tweed Aboriginal Advisory Committee (AAC) outlining, for example: responsibilities, protocols, protection of sensitive information, restrictions on knowledge, and nomination of Traditional owners or Custodial representatives.

Based on this shared understanding and framework Council, and the project consultants, in consultation with the Aboriginal community developed the Thematic History and the Aboriginal Cultural Heritage Mapping layers.

The draft ACHMP draws this history and mapping information together and outlines the assessment and management requirements for the mapped areas.

The Aboriginal community have freely provided significant cultural knowledge into the mapping and the management plan development. In return Council has an obligation to ensure this information is used in a respectful manner, and as a consideration of all development types, to minimise harm to Aboriginal cultural values.



Ochre Quarry
Photo by: Ian Fox

2 What is the draft Aboriginal Cultural Heritage Management Plan? continued

What is included in the draft ACHMP?

The draft ACHMP includes a **thematic history**.

The Thematic History is broken into two key parts, the first being *Contact with European settlers*, the second being *Continuity of Culture*.

The Thematic History does not seek to produce a holistic single historic reference but rather pulls other references and sources together within these themes.

The Thematic History is included in Attachment 1 to the draft ACHMP.

The draft ACHMP also includes the **mapping layers**.

The mapping in association with this Plan has been prepared using a methodology to assess the known and potential ACH. This methodology is within the context of an understanding of the Aboriginal history, land use and sophisticated resource knowledge, cultural and spiritual practices, patterns of movement and the complex affinity of Aboriginal people with their “country” (cultural lands).

Further information on the mapping can be found in *Part B of the draft ACHMP* and *Fact Sheet - 4 How has the mapping been prepared?*

The **draft management plan** pulls the thematic history and mapping together to provide a picture of Aboriginal cultural heritage in Tweed Shire and assist property owners, applicants and developers understand the potential risk of harm. The management plan outlines the actions and procedures required, consistent with legislative requirements, to avoid harm to Aboriginal cultural heritage.

Further information on these requirements can be found in *Part C - Consultation, Assessment and Approvals of the draft ACHMP* and *Fact Sheet 5 - Land Mapped as Aboriginal Place of Heritage Significance* and *Fact Sheet 6 - Land Mapped as Predictive Aboriginal Cultural Heritage*.

The legislative requirements are outlined in *Part D - Understanding the Current Legislative Context* of the draft ACHMP.



Border Ranges to Springbrook
Photo by: Ian Fox

2 What is the draft Aboriginal Cultural Heritage Management Plan? continued



Coowarragum (the Pinnacle)
Source: Ian Fox



Grinding Groves
Source: Ian Fox