

The background features a blue gradient with a graphic of several hands in various shades of blue and white, arranged in a circle to hold a large white gear. The gear has a dotted outline.

3 COMMISSIONING

a regional study

Commissioning an 'outcome-focused' regional study

The main component of this section is a model brief, that serves to summarise what is expected when a regional study is being commissioned, following the main considerations outlined throughout this report.

Land managers have sometimes taken the view that a regional study report is an outcome in itself. Many regional studies have been completed without any clarification of why the assessment was undertaken in the first place—as if simply funding and completing the study is all that is required for satisfying cultural heritage obligations in land management. This has resulted in a number of regional studies being left on the bookshelf. It is important, then, to think carefully at the outset stage about the way such a study will be used in the management context.

This section is about ensuring that all components of a study provide positive outcomes across the full spectrum of land management plans. We begin, in the next section, with a summary of the most common positive outcomes that a regional study can provide to the major stakeholders. The subsequent section is a model brief that overviews the basic requirements for commissioning a regional study, explaining how each component of a regional study is beneficial to management plans.

Expected outcomes of a regional study

The outcome of a regional study is different for different people or organisations. For Aboriginal people and communities, a regional study provides the opportunity to become involved in all facets of conservation management and planning, including more appropriate forms of consultation: something that has been demanded by communities for a long time. For practitioners, a regional study provides structure to the research, data analysis and assessment for any Aboriginal Heritage Impact Assessment or research project. For land managers, a regional study provides a

more effective, perhaps cost-effective, tool for integrating cultural heritage issues into existing instruments. The following addresses the question of what a regional studies can provide for different stakeholders

Benefits for Aboriginal communities

- ✓ Provides communities with the opportunity to become involved in all facets of land management and planning, a common demand of Aboriginal people for many years.
- ✓ Provides for consideration of all elements of cultural heritage places and their associated values, meaning that the management system becomes much more relevant to Aboriginal people.
- ✓ Provides opportunities for communities to engage with 'country', both during and after a regional study.
- ✓ Provides opportunities for communities to 'restore connections' to land and/or places that have been lost due to years of restricted access to traditional lands.
- ✓ Opportunities for involvement in strategic cultural heritage management enhance the community's identity and cultural confidence.

By recognising, in advance, the potential for these positive outcomes, a regional study can be commissioned in a way that maximises this potential. The next main section suggests a model brief for ensuring that an integrated, holistic regional study is commissioned in the first place.

Benefits for park or reserve managers and field staff

- ✓ Provides input to park Plans of Management and guidance to park managers in identifying areas of significance for Aboriginal cultural heritage and the potential implications of park management activities on this heritage.
- ✓ Provides context for the regulation of Aboriginal objects
- ✓ Provides the basis for the identification of Aboriginal places in parks.
- ✓ Provides the basis for consideration of Schedule 14 handback processes (by identifying the Aboriginal cultural heritage values of the nominated reserves).
- ✓ Provides input to Indigenous Land Use Agreements.



- ✓ Provides input for interpreting Aboriginal cultural heritage sites.
- ✓ Provides the foundation for ongoing consultation between local nation park managers and Aboriginal communities and for improving staff awareness of Aboriginal cultural heritage.
- ✓ Facilitates the implementation of DEC's Aboriginal cultural practices policies.
- ✓ Provides the basis for ongoing site monitoring.

[List compiled by Julie Ravillion, DEC]

Benefits for land management authorities

- ✓ Provides input to community-based conservation and management plans.
- ✓ Provides context for identifying areas where natural and cultural heritage values overlap.
- ✓ Helps coordinate a streamlined process of Aboriginal consultation and involvement in land management.
- ✓ Provides a cost-effective form of consultation and integration of cultural heritage into planning and management (by anticipating issues and concerns). Note that it is difficult to mitigate or amend any development plan or proposal when the cultural heritage regional context remains largely unknown or patchy.
- ✓ Assists in development of more strategic management plans. There is a common misconception that knowing the exact location of 'sites' is the best way to adhere to cultural heritage compliance laws. This has led to 'site avoidance' as an effective planning strategy. This is a very short-term solution—it simply postpones and complicates, effective decision-making.

Benefits for cultural heritage practitioners

- ✓ Facilitates the development of research designs
- ✓ Provides a thorough background for any local study relating to EIAs, including the process of Aboriginal consultation, environmental-human relationships, and history of past and present land use.
- ✓ Provides a good context for preparing significance assessments of individual places or areas.

- ✓ Ensures that future work or studies can be fed back into the regional context to refine or substantiate aspects of the regional model, and so overcome the problems of a growing body of 'grey' literature in the field.

A model brief

The following is a model brief that may serve as a guide for those commissioning regional studies.

The hypothetical project

A land management authority (LMA) is commissioning a regional study to deliver a model for sustainable land-use planning across the region. This will be a scoping study for integrating natural and cultural heritage into the existing land planning framework.

Major outcome

The major outcome is a summary of the integrated cultural heritage landscape from a regional management perspective. The project shall demonstrate how the regional study can guide project-specific assessments (e.g., archaeological surveys of areas of proposed land development). It will also identify broad spatial patterning in the cultural heritage landscape, and isolate areas needing further investigation.

Project objectives

- To identify and engage with Aboriginal communities within the region and establish a cooperative regional cultural heritage assessment consultation framework.
- To characterise, map, and model the spatial distribution of Aboriginal cultural heritage places throughout the region.
- The key deliverable will be a report with accompanying maps and tables that identifies the extent of cultural heritage places and community knowledge that currently exists (or is likely to exist) throughout the region. This report will also identify and describe the data/knowledge gaps that exist within the region.

Deliverables

To meet the project objectives, the consultant is required to complete five stages that may or may not overlap. They are:

1. A comprehensive Aboriginal community consultation process
2. Documentary research and cultural mapping
3. Landform mapping and predictive modelling
4. Recommendations for land planning and management
5. An integrated final report outlining the methods used and results of each stage.

Each stage will be completed as a separate report that delivers outcomes as follows:

Stage 1 Deliverables:

- A list of all the individuals and communities that were consulted about the project
- A report detailing the input of individuals and communities
- A report on how the information gathered will be reported back to the community

Stage 2 Deliverables:

- A list of all the currently identified places existing in the region
- A list of places and pathways likely to exist in the region (but that are presently unrecorded) as determined by a comprehensive review of records such as heritage reports, history books, and archival records
- A list of places and pathways that the Aboriginal communities and individuals want to be considered in the cultural mapping project
- A background description of the environment and history (pre-contact and post-contact) of the study region.

Stage 3 Deliverables:

- A landform map showing the density of places known to exist on the ground throughout the region
- A predictive map showing where places and pathways (presently unrecorded) are likely to exist on the ground throughout the region
- An explanation of how the patterns revealed in these maps and models relate to the environment, prehistory, history, and changing patterns of land use/land tenure in the region

Stage 4 Deliverables:

- A report outlining specific planning and management recommendations at the regional level. This includes a report on how the maps and models generated in Stage 3 might be included in land planning and management.

Stage 5 Deliverables:

- A summary report that integrates the heritage professional's findings and the outcomes of community consultation.

Minimum methodological requirements and procedures

Stage 1 Procedures

Conduct a preliminary round of consultation meetings with LALCs, Elders Groups and other relevant Aboriginal people with an interest in the study area

- Produce letters, fliers, and newsletters that introduce the project team, describe the nature and purpose of the project, and provide regular updates on the progress of the project
- Memorandum of agreement that makes clear how the information collected will be used and presented
- Arrange a second round of consultation meetings approximately at the half-way stage of the project and a final community meeting at the completion of the project (the latter to include the submission of a community report).

Stage 2 Procedures

- A review of the relevant Aboriginal sites registers, environmental impact assessment reports, and research projects to provide a list of all currently identified/recorded archaeological sites in the region, the list to be organised into site types and/or time periods
- Conduct a targeted archaeological field survey to overcome specific data gaps that exist for the region
- Review the documentary historical evidence to identify places with historical associations, wild resource-use places, and other places of social and spiritual significance. This will include



a review of collections of local historical societies, library collections, archival collections including the records of the Aborigines' Protection Board and the Aborigines' Welfare Board, and other government and municipal records and historical maps. It is unlikely that in the time available the consultant will be able to search all repositories of documentary evidence relating to Aboriginal historic period settlements. The consultant will be called upon to use their professional judgement and experience in deciding how best to distribute their time and effort across the range of historical sources available. The guiding rule for this will be a 'top down' approach in which priority is to be given to those sources most easily accessible and/or most likely to contain the information desired. The consultant will also be required to attempt a reasonably even geographic coverage of the study area.

- A cultural mapping exercise in which field excursions are conducted with Aboriginal people to record (on the ground) the places and pathways they would like to have considered in the regional assessment. As an alternative to field excursions, people may be able to pinpoint relevant places on aerial photographs. The methods used in the cultural mapping exercise and a list of people who were involved should be included in the report.
- Listing and description of the major historical and community themes that have come out of the documentary research and cultural mapping. All identified places and pathways should be grouped into at least one of these themes.

Stage 3 Procedures

- Production of a map of the study area that divides it into the major landforms identified via a landform mapping exercise and/or the use of existing landform data from land management agencies.
- Overlaying of the landform map with the list of known cultural heritage places and pathways. This list is to be categorised into: archaeological places and pathways, historical places and pathways, wild resource-use places and pathways, and social and spiritual places and pathways.

- Describe and discuss how the patterns observed (from the above point) relate to:
 - the natural environment
 - biases arising from data/knowledge gaps
 - the prehistoric/historical record
 - land tenure
 - changing access to land.
- Develop and present an archaeological predictive model by matching the environmental data against the distribution of known/recorded archaeological sites. Interpret this model and identify its limitations.
- Use a thematic model to describe the spatial character and distribution of historical places, wild resource use places and social/spiritual places throughout the region. Provide a list of predictive statements regarding the likely spatial character of different areas within the region.
- Map the spatial character of each identified theme and map the predicted spatial character (or 'footprint') of each theme within different areas within the region.

Stage 4 Procedures

- Group all the identified places and pathways by land tenure, calculate the percentage that exist within existing conservation areas and estimate the total number of places likely to exist across the entire region.
- Describe how each place type and/or theme is over- or under-represented in certain areas.
- Use a filtering model to estimate what proportion of the total (estimated) number of each site type and theme has been lost by land clearing and other developments.
- Describe how each place type and theme is manifest in the region, how well represented it is, the potential realms of its significance, and specific planning and management recommendations appropriate to it. At the broadest scale, these should be organised as archaeological places, historical places, wild resource-use places, and social/spiritual places.
- Prepare a map that suggests possible land planning solutions that would maximise

the conservation of the variety of places and pathways in the region.

Stage 5 Procedures

- Ensure all cultural heritage information that has been recorded in the course of the project has been properly registered with relevant heritage organisations and/or delivered to the community in agreed format.
- Submit an integrated professional report that links each stage of the project, describes the methods and results and addresses any limitations or problems relating to specific components of the assessment. Any sensitive information should be excluded.
- Submit a community report that is written in plain English and clearly explains the project's outcomes.

Consultant's submission

The following is a list of information that should be submitted by the consultant as part of their tender for the project:

- Name and contact details for key personnel
- Description of the consultant's expertise in the required area, including a list of similar consultancies undertaken in the last 5 years together with client contact information
- A list of personnel (including any sub-contracted personnel) to be used in the consultancy together with their curricula vitae and proposed contribution to the consultancy
- A brief outline of the consultant's understanding of the task, addressing the selection criteria
- An outline of the methods and processes to be used, based on the tasks identified in the Brief
- The consultant's fee estimate, including both an hourly rate and a quantum of hours per person
- Proof of appropriate insurance for public liability, personal illness and injury insurance and professional Indemnity Insurance

Tenders should be concise and relevant to the aims and requirements of the consultancy, as specified in the project brief. However, prospective consultants should not be discouraged from making alternative suggestions in their proposals,

either in terms of the technical content of the work, or in terms of arrangements for consultancy. Any such variations from the brief must be clearly identified as such.

Schedule

Stage 1 should take approximately 10 per cent of the total budgeted time with at least 5 per cent at the beginning and 5 per cent throughout the course of the project (e.g., 1 month of 10 months)

Stage 2 should take about 30 per cent of the total budgeted time (eg. 2.5 months of 10 months)

Stage 3 should take about 30 per cent of the total budgeted time (e.g., 2.5 months of 10 months)

Stage 4 should take about 10 per cent of the total budgeted time (e.g., 1 month of 10 months)

Stage 5 should take about 20 per cent of the total budgeted time (e.g., 2 months of 10 months)

Payment schedule

The following is a suggested as a possible breakdown of the fee:

- 5 per cent at the completion of the first round of Stage 1
- 5 per cent at the completion of the second round of Stage 1
- 25 per cent at the completion of Stage 2
- 25 per cent at the completion of Stage 3
- 5 per cent at the completion of Stage 4
- 35 per cent upon the submission of the final professional and community reports.

Criteria for selection of consultant

The following considerations are relevant in choosing a consultant to carry out a regional study:

- Appropriate professional qualifications. Minimum qualifications would normally be an undergraduate degree with honours in archaeology (for a consultant dealing with the archaeological components) or history (for a consultant dealing with the historical component). It may be possible to engage a consultant with qualifications in both fields.



- Experience in similar work at a regional scale
- Experience with working collaboratively with Aboriginal communities (including organising and facilitating community workshops)
- Sufficient experience in GIS to be able to do the mapping needed for the project or interpret and use GIS mapping done by a subconsultant with expertise in this field
- Experience in cultural heritage planning (requiring familiarity with relevant legislation and government planning processes).
- References to previous reports and publications.