OFFICE OF ENVIRONMENT & HERITAGE

NSW Heritage Grants
Aboriginal Cultural Heritage Grants
2019-2021 Grant Guidelines

www.environment.nsw.gov.au
© 2018 State of NSW and Office of Environment and Heritage

With the exception of photographs, the State of NSW and Office of Environment and Heritage are pleased to allow this material to be reproduced in whole or in part for educational and non-commercial use, provided the meaning is unchanged and its source, publisher and authorship are acknowledged. Specific permission is required for the reproduction of photographs.

The Office of Environment and Heritage (OEH) has compiled this report in good faith, exercising all due care and attention. No representation is made about the accuracy, completeness or suitability of the information in this publication for any particular purpose. OEH shall not be liable for any damage which may occur to any person or organisation taking action or not on the basis of this publication. Readers should seek appropriate advice when applying the information to their specific needs.

All content in this publication is owned by OEH and is protected by Crown Copyright, unless credited otherwise. It is licensed under the Creative Commons Attribution 4.0 International (CC BY 4.0), subject to the exemptions contained in the licence. The legal code for the licence is available at Creative Commons.

OEH asserts the right to be attributed as author of the original material in the following manner: © State of New South Wales and Office of Environment and Heritage 2018.

Front cover: Original artwork and accompanying story Copyright Bundjalung artist Bronwyn Bancroft 2018.

Photo credits: Cultural Walk Trail at The Living Desert and Sculptures attraction in Broken Hill (Destination NSW), Kinchela Boys Home survivor looking at old photograph of Kinchela Boys Home (Shayne Johnson), Friends of Myall Creek Memorial Screen images from the Myall Creek Education & Cultural Centre awareness film (Dr Ann Daly)

This document contains images of people who may be deceased.

Published by:
Office of Environment and Heritage
59 Goulburn Street, Sydney NSW 2000
PO Box A290, Sydney South NSW 1232
Phone: +61 2 9995 5000 (switchboard)
Phone: 1300 361 967 (OEH and national parks enquiries)
TTY users: phone 133 677, then ask for 1300 361 967
Speak and listen users: phone 1300 555 727, then ask for 1300 361 967
Email: info@environment.nsw.gov.au
Website: www.environment.nsw.gov.au

Report pollution and environmental incidents
Environment Line: 131 555 (NSW only) or info@environment.nsw.gov.au
See also www.environment.nsw.gov.au

OEH 2018/0524
November 2018

Find out more about your environment at:
www.environment.nsw.gov.au
In wanting to develop an image around heritage I immediately thought about our country. Travelling, being inventive, water, land, food, implements, creating art in many forms and making objects for daily use, just for a start. I pay homage to the long history of Black Australia and our connection to that. I admire earth custodians because we only have one earth. This is an acknowledgement of my constant amazement of Mother earth.

Bundjalung Artist, Bronwyn Bancroft
Contents

1. How to use the guidelines 1
2. About the grants 1
3. Who can apply? 1
   3.1 Applicant eligibility 1
   3.2 Things to consider 1
   3.3 Who is not eligible? 2
4. What activities are eligible? 2
   4.1 Project eligibility 2
   4.2 What activities are not eligible? 4
5. Funding available 4
   5.1 Funding caps 4
   5.2 Co-contributions 5
   5.3 Things to consider 5
6. Timing 5
   6.1 Things to consider: Permits, Approvals and Exemptions 5
7. How to apply 6
8. Assessment criteria 7
9. Process from application to decision 8
10. What to expect if you are successful 9
11. We are here to help you 9
   11.1 Get to know the Champion Team 10
1. **How to use the guidelines**

The Guidelines will tell you:

- who can apply
- activities that may be funded
- how applications are assessed
- what to expect if you are awarded a grant.

If you need to talk through your project or have questions, a ‘Champion Team’ are available to help. Their details can be found on the last page of the Guidelines.

2. **About the grants**

Applications are invited for projects focussed on:

- improving knowledge and understanding of items of Aboriginal cultural heritage that are nominated for or gazetted as Aboriginal Places or listed on the State Heritage Register (SHR)
- works to conserve and protect items of Aboriginal cultural heritage that are gazetted as Aboriginal Places or listed on the State Heritage Register
- increasing understanding, respect, and celebration of and cultural participation in Aboriginal cultural heritage.

It is anticipated that the grants will help to support connection to Country.

3. **Who can apply?**

3.1 **Applicant eligibility**

You are eligible to apply as an applicant for an Aboriginal Cultural Heritage Grant if you:

a. are an Aboriginal organisation or Aboriginal Community Group
b. are an individual, consultant or organisation with the demonstrated support of an Aboriginal organisation or Aboriginal Community Group
c. are a Local Government or group of Local Governments with the demonstrated support of an Aboriginal organisation or Aboriginal Community Group

3.2 **Things to consider**

The term ‘Aboriginal community’ is used as a collective term for the whole community irrespective of family or organisational affiliations and is generally taken to mean all Aboriginal peoples residing or associated with a particular area or location, including: traditional custodians, native titles holders or registered claimants; traditional owners; Aboriginal owners; elders; cultural knowledge holders; other Aboriginal community members and their organisations. There may be two or more Aboriginal communities involved in a project.

Previous Grant project:

Kinchela Boys Home survivor looking at old photograph of Kinchela Boys Home.
Photographer: Shayne Johnson
Projects which build relationships and partnerships, and which encourage collaboration are encouraged.

Applicants must demonstrate that the project has the support of the local Aboriginal community or multiple communities, the custodians and/or owners and manager of the site.

Applicants must show that they are able to complete the project. We may look at past success in delivering projects, how you have planned your project and budget, and the degree of support, collaboration or partnerships you have with others.

You can still apply if you are unincorporated, but you will need an auspice to support you. The auspice must be an incorporated or registered organisation such as a LALC, NGO or local council, and they will have legal and financial responsibilities if a grant is awarded. The relationship between the applicant and auspice should be established prior to submitting an application.

3.3 Who is not eligible?

State and Federal Government agencies are not eligible to apply for an Aboriginal Cultural Heritage Grant.

4. What activities are eligible?

4.1 Project eligibility

You can apply for funding to:

a. Develop a Plan of Management:
   i. for an Aboriginal Place (gazetted as an Aboriginal Place under the National Parks and Wildlife Act 1974)
   ii. for a site where the Aboriginal Cultural Heritage Advisory Committee (ACHAC) has accepted a nomination for declaration as an Aboriginal Place and the owner has given written consent for the nomination.

b. Develop a Conservation Management Plan or Conservation Management Strategy for an item of Aboriginal cultural heritage listed on the State Heritage Register (SHR).

c. Conduct activities and works identified in a finalised heritage management document or tool (such as a Plan of Management or Conservation Management Plan) where they fall within the boundary of the Aboriginal Place or curtilage of the SHR item. This might include:
   i. bollards and fencing to protect a site
   ii. projects to record site values including oral histories
   iii. interpretative signage, seating, track work or other activities to enhance visitor’s experiences
   iv. re-establishment of native plants.

d. Actively engage the community in cultural participation to understand, celebrate and participate in Aboriginal cultural heritage. This might include:
   i. educational and promotional events that showcase Aboriginal cultural heritage
ii. development, dissemination and promotion of engaging material, oral histories and media items such as a website, apps, pamphlets, brochures, posters, postcards and interpretive signage

iii. involving school groups in engaging activities such as script development and filmmaking to understand elements of Aboriginal cultural heritage and historical events

iv. recording or documenting significant Aboriginal community events and distribution of this to the broader community

v. shared history projects, including the study and teaching of language

vi. cultural activities and celebrations that engage and teach people about acknowledging and respecting Aboriginal cultural heritage through facilitated or planned access to sites, publicly accessible sites, building relationships through working together, participating in broader community events or reaching people using media and websites.

Examples of past grant projects are available on the website.

Some guides on how to prepare these documents or best practice guides are shown under section 6.1 and 10 below.

Previous Grant project: Friends of Myall Creek Memorial. Photo: Myall Creek Education and Cultural Centre awareness film.
4.2 What activities are not eligible?

The following are not eligible for funding:

a. Projects on land where the Federal or State Government has responsibility for protecting the Aboriginal cultural heritage. For example, Local Land Services is responsible for Travelling Stock Reserves and the National Parks and Wildlife Service is responsible for projects within National Parks.

b. Projects that have substantially commenced prior to applying for funding (note this does not include project planning but refers to works already underway, management documents already drafted, or events/projects already developed and being promoted).

c. Works included in a cultural heritage management document that has not been finalised or does not meet the required quality standards.

d. Activities and works identified in a Plan of Management that is not for an item of Aboriginal cultural heritage gazetted as an Aboriginal Place under the National Parks and Wildlife Act 1974 or listed on the State Heritage Register or where the activities or works could cause unacceptable levels of impact to the heritage values of the site.

e. Keeping place (a place where artefacts or remains may be temporarily held in a culturally appropriate manner whilst awaiting repatriation).


g. Purchase or relocation of heritage buildings and items.

h. New commemorative monuments, works or headstones.

i. In-house project management by salaried officers as either voluntary or cash contributions.

j. Routine maintenance, such as lawn mowing, gutter cleaning, carpet cleaning, etc.

k. Heritage management documents required for statutory or legal purposes, for example, Aboriginal cultural heritage assessments relating to environmental impact assessments.

l. Heritage services or products that duplicate or repeat existing services or products.

m. Projects completed as part of a university degree or to obtain qualifications at other educational facilities.

n. Projects related exclusively to research or development of a product without an outreach element.

In exceptional circumstances, Office of Environment and Heritage (OEH) reserves the right to recommend funding for projects that may not fully meet the program selection criteria or transfer your application to another funding program if deemed appropriate.

5. Funding available

5.1 Funding caps

Funding for conservation management documents (Plans of Management and Conservation Management Plans or Strategies) is capped at $20,000 (excluding GST).

Funding for activities and works identified in a finalised heritage management document or tool has a minimum of $20,000 and maximum of $70,000 (excluding GST).
Funding for cultural participation projects that engage the wider community to understand, celebrate and participate in Aboriginal cultural heritage has a minimum of $10,000 and maximum of $50,000 (excluding GST).

5.2 Co-contributions
If you are Local Government or group of Local Governments a matching funding contribution is required. No matching funding is required from other applicants.

5.3 Things to consider
Your time, knowledge and skills are valuable. You can include people’s contributions to the project as in-kind contributions if they do not include costs of salaried on-going employee positions.

Successful applicants can ask for up to 50% of the grant upfront. If there is an upfront payment, usually 40% will be split into milestone payments. 10% of the grant is held until after you have finished your project and we have reviewed the quality of the project outputs. The final payment is a reimbursement based on actual project costs. Full conditions for payment will be outlined in the funding agreement and its payment schedule.

GST will be added to grants where the grantee is registered for GST (except for Local Government grantees). If the applicant is not registered for GST they should include any GST amounts required in their budgets.

6. Timing
Projects can be implemented over two financial years (over 2019-20 and 2020-21) or a shorter period depending on the project.

6.1 Things to consider: Permits, Approvals and Exemptions
You should consider whether the works that you are proposing will require approval under Acts such as the National Parks and Wildlife Act 1974 (Aboriginal Heritage) or Heritage Act 1977 (if listed on the SHR). These processes are separate and will require additional time and budget in your planning. If you require approval under these Acts formal consultation will be a necessary part of the process. You may start the permits and approvals process prior to applying for grant funding.

For Aboriginal heritage, OEH encourages all work to avoid impacts to Aboriginal sites. Where avoidance is not feasible, then the scale of impact is to be minimised or mitigated.

Under Section 90 of the National Parks and Wildlife Act 1974, there are requirements for assessment and consultation for anyone seeking to impact on Aboriginal objects. You may need to apply for an Aboriginal Heritage Impact Permit (AHIP). If you need an AHIP then you will need to conduct formal Aboriginal community consultation and prepare an AHIP application in addition to your grant application. OEH has developed guidelines to help you understand your obligations under the National Parks and Wildlife Act 1974 for work on Aboriginal heritage sites. These guidelines include:
6

- Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW. OEH 2011.
- Due diligence code of practice for the protection of Aboriginal objects in New South Wales. DECCW 2010.

More information on Aboriginal heritage legislation is available at the OEH website or contact one of the Champion Team.

OEH also regulates the conservation and protection of items listed on the SHR. Examples of permits, approvals or exemptions under the Heritage Act that you should consider if the items/place is listed on the State Heritage Register includes:

- Section 57: Application under the Standard Exemption Clause of the Heritage Act, or site-specific exceptions. Generally minor works you are required to advise OEH.
- Section 60: Application for works not covered under Section 57. Requires a full assessment via OEH.
- Section 139: Excavations where impact to non-Aboriginal archaeology is not expected or would be very minor in nature following a full assessment.
- Section 140: A permit to excavate and impact non-Aboriginal archaeology.

More information is available at the OEH website or contact one of the Champion Team.

7. How to apply

Applications can be submitted at any time during the program opening period through the OEH website. From the website, you will be directed to the SmartyGrants online grants management system to start your application. You will need to register online if you have not used SmartyGrants before. Registration is free and easy.

The Cultural Walk Trail at The Living Desert and Sculptures attraction in Broken Hill. Visitors can understand the regions Aboriginal heritage as well as preserving the flora and fauna of this environment for future generations. Photo: Destination NSW.
8. Assessment criteria

As funding is competitive, applicants will be assessed against the following criteria and ranked. If the funding round is oversubscribed, those rankings will be used to decide which applications will be funded. If oversubscribed, not all eligible applications will be funded.

Table 1 Assessment Criteria

<table>
<thead>
<tr>
<th>Criterion</th>
<th>What we will assess</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Demonstrated long-term cultural heritage benefits (priority given to projects assessed as having longer-term and more significant benefit)</td>
</tr>
<tr>
<td>2</td>
<td>Level of risk to the heritage significance of the item or cultural knowledge (priority will be given to items with more urgent need)</td>
</tr>
<tr>
<td>3</td>
<td>The extent of involvement by Aboriginal organisations and communities or extent of partnership arrangements to build capacity for Aboriginal organisations (with preference to those with greater Aboriginal organisation involvement and greater collaboration)</td>
</tr>
<tr>
<td>4</td>
<td>The extent of benefit to communities (with preference to those with greater benefit)</td>
</tr>
<tr>
<td>5 (specifically for cultural participation projects)</td>
<td>Extent of active engagement in understanding, celebrating and participating in Aboriginal cultural heritage (with preference given to those engaging more participants in a more active way)</td>
</tr>
<tr>
<td>6 (specifically for cultural participation projects)</td>
<td>The extent that the project links to an item of Aboriginal cultural heritage significance that is gazetted as an Aboriginal Place or listed on the State Heritage Register (with preference to those with linkages)</td>
</tr>
<tr>
<td>7</td>
<td>Demonstrated value for money (priority given to cost-effective projects)</td>
</tr>
<tr>
<td>8</td>
<td>Demonstrated capacity and commitment to deliver the project (may consider how any previous grants were delivered, project planning, project collaborators or, where applicable, partnerships established)</td>
</tr>
<tr>
<td>9</td>
<td>Demonstrated quality of project (demonstrated quality considerations such as project planning, risk assessment, use of quality assurance standards)</td>
</tr>
</tbody>
</table>

OEH reserves the right to consider any other relevant information that emerges following receipt of applications, including non-compliance with the *Heritage Act 1977* and the *National Parks and Wildlife Act 1974*. 
9. Process from application to decision

Step 1 - Plan
- Plan your project
- Read these Guidelines
- Contact the Champion Team if you have any questions about eligibility or need advice on the project and any approvals, exemptions or permits needed

Step 2 - Prepare
Prepare your application including quotes or estimates for the work, any relevant photos or plans, evidence of support and permits or approvals you may need.

Step 3 - Apply
Complete the application form in SmartyGrants. You will receive an email acknowledging receipt of your application once submitted.

Step 4 - Eligibility Check
The Heritage Grants Team will review the application against general eligibility criteria. OEH will assess the applicant's capacity and commitment to undertake and complete the works and will consider outcomes from any previous funding.

Step 5 - Technical Assessment
Advice from OEH staff such as technical and conservation experts, and advice from other third party heritage experts on the appropriateness of works to achieve quality heritage outcomes is sought. The Grants Committee will assess all applications against the assessment criteria and will take into consideration any advice provided.

Step 6 - Prioritisation and Distribution of Funding
The merits of all applications will then be assessed to determine the priority applications which will be recommended for funding. The Grants Committee advice will be provided to the Heritage Council.

Step 7 - Recommendation
The Heritage Council will review all applications and assessments and make recommendations to the Chief Executive OEH.

Step 8 - Decision
The Chief Executive OEH as the Minister's delegate will review the applications, expert advice and recommendations to make a decision.

Step 9 - Notification
You will be notified of the decision. There will be no appeals process. The decision on applications is final.

Step 10 - Feedback
Successful projects should aim to start after 1 July 2019.

Feedback on applications will be provided.
10. What to expect if you are successful

If your application is successful:

- Your name, details of your project and amount of funding provided will be made public.
- You will be required to sign a funding agreement which specifies the terms and conditions for grant payments including procurement requirements.
- You will need to report on Key Performance Indicators which are currently being upgraded (these will be available on the OEH website soon).
- You may be required to have the project overseen by Heritage Division staff or engage a heritage specialist to supervise and provide advice on any physical works projects.
- You must ensure that Conservation/Management documents are undertaken by a suitably qualified Heritage Specialist.
- You must obtain the appropriate Aboriginal heritage impact permits under the National Parks and Wildlife Act 1974 before you start works.
- You must obtain the appropriate approvals or exemptions under the Heritage Act 1977 before you start works where the item is on the State Heritage Register. This is a separate application process. You may start the approvals process prior to applying for grant funding.
- You must comply with any Local Council planning and building requirements and other legislation.
- You should use Guidelines on the OEH website for quality heritage outcomes such as:
  - the guidelines for Developing Management Plans on the OEH website
  - the guidelines for making oral histories on the OEH website
  - the guidelines for developing a Conservation Management Plan on the OEH website
  - minimum standards of maintenance and repair as set out in the Heritage Regulations 2012 for items on the State Heritage Register
  - the Australia ICOMOS (International Council on Monuments and Sites) Charter for Places of Cultural Significance, known as The Burra Charter 2013, and the associated series of Practice Notes provide a quality standard for managing cultural heritage places in Australia.
- You must acknowledge NSW government funding as per NSW Government Funding Acknowledgment Guidelines.
- Your funded conservation management document will be made public.

11. We are here to help you

Our role is to support you through the grant application process, and if you are awarded a grant, we will help you to deliver your project.

Don’t be afraid to ask questions or seek advice. We have worked across many programs and have a lot of hints and tips that we are more than happy to share. We also want to get to know you, including what is important to your community, as your feedback will be used to help make the grants program better for the next round.
11.1 Get to know the Champion Team

We live in a big state and can’t travel around to meet everyone individually. We will be having a webinar for those who have internet access, but we'd like to introduce you to our Champion Team: a range of men and women from around the state who you may already know, and who can also give you advice:

Table 2  The Champion Team

<table>
<thead>
<tr>
<th>Who and Where</th>
<th>Knowledge and Skills</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name:</strong> Nicole</td>
<td>With over 10 years of grants management, I can assist you with eligibility questions and how to complete an application.</td>
</tr>
<tr>
<td><strong>Role:</strong> Senior Grants Officer, Heritage Grants Team</td>
<td></td>
</tr>
<tr>
<td><strong>Location:</strong> Western Sydney</td>
<td></td>
</tr>
<tr>
<td><strong>Phone:</strong> 02 9873 8577</td>
<td></td>
</tr>
<tr>
<td><strong>Website:</strong> <a href="http://www.environment.nsw.gov.au/topics/heritage/grants-and-funding">www.environment.nsw.gov.au/topics/heritage/grants-and-funding</a></td>
<td></td>
</tr>
<tr>
<td><strong>Name:</strong> Merv</td>
<td>Aboriginal site recording, Repatriation of ancestral remains and cultural collections, cataloguing of cultural collections, burial conservation and rock art conservation.</td>
</tr>
<tr>
<td><strong>Country:</strong> Gamilaroi</td>
<td></td>
</tr>
<tr>
<td><strong>Role:</strong> Senior Team Leader, Heritage Operations, NW Region</td>
<td></td>
</tr>
<tr>
<td><strong>Location:</strong> Baradine, North West NSW</td>
<td></td>
</tr>
<tr>
<td><strong>Phone:</strong> 02 6843 4007</td>
<td></td>
</tr>
<tr>
<td><strong>Name:</strong> Maggie</td>
<td>Facilitates the NSW Environmental Trust’s Protecting Our Places grant program. Has worked for NSWALC (New South Wales Aboriginal Land Council) and various agencies. Indigenous recruitment, program delivery and facilitating community and employee workshops as well as information and training sessions.</td>
</tr>
<tr>
<td><strong>Country:</strong> Ngunnawal descent, raised on Wiradjuri country</td>
<td></td>
</tr>
<tr>
<td><strong>Role:</strong> Aboriginal Programs Officer, Contestable Grants</td>
<td></td>
</tr>
<tr>
<td><strong>Location:</strong> Parramatta</td>
<td></td>
</tr>
<tr>
<td><strong>Phone:</strong> 02 8837 6387</td>
<td></td>
</tr>
<tr>
<td><strong>Website:</strong> <a href="http://www.environment.nsw.gov.au/grants/pop">www.environment.nsw.gov.au/grants/pop</a></td>
<td></td>
</tr>
<tr>
<td><strong>Name:</strong> Paul</td>
<td>Aboriginal Cultural Heritage Repatriation, Conservation, Aboriginal Places.</td>
</tr>
<tr>
<td><strong>Country:</strong> Ngambri-Ngurali (Walgalu), Wallabulowa-Boorowa (Ngunnawal), Pajong (Gundungurra) Erambah (Wiradjuri)</td>
<td></td>
</tr>
<tr>
<td><strong>Role:</strong> Senior Team Leader, Aboriginal Cultural Heritage Strategy</td>
<td></td>
</tr>
<tr>
<td><strong>Location:</strong> Queanbeyan, South East NSW</td>
<td></td>
</tr>
<tr>
<td><strong>Phone:</strong> 02 6229 7068</td>
<td></td>
</tr>
<tr>
<td><strong>Name:</strong> Kelly</td>
<td>Aboriginal contact officer that will assist you to find the information you need.</td>
</tr>
<tr>
<td><strong>Country:</strong> Eora descendant, Darug</td>
<td></td>
</tr>
<tr>
<td><strong>Role:</strong> Principal Project Officer, Aboriginal Cultural Heritage Reform</td>
<td></td>
</tr>
<tr>
<td><strong>Location:</strong> Parramatta and Sydney</td>
<td></td>
</tr>
<tr>
<td><strong>Phone:</strong> 02 8275 1525</td>
<td></td>
</tr>
<tr>
<td><strong>Name:</strong> Matt</td>
<td>State Heritage Register, Aboriginal Places, Aboriginal Heritage Impact Permits (AHIP), grant applications, significance assessments, management plans, consulting.</td>
</tr>
<tr>
<td><strong>Role:</strong> Aboriginal Cultural Heritage Mapping Programs</td>
<td></td>
</tr>
<tr>
<td><strong>Location:</strong> Wollongong</td>
<td></td>
</tr>
<tr>
<td><strong>Phone:</strong> 02 4276 7417</td>
<td></td>
</tr>
<tr>
<td><strong>Name:</strong> Rose</td>
<td>Aboriginal Heritage Impact Permit (AHIP) applications.</td>
</tr>
<tr>
<td><strong>Role:</strong> Archaeologist</td>
<td></td>
</tr>
<tr>
<td><strong>Location:</strong> Wollongong</td>
<td></td>
</tr>
<tr>
<td><strong>Phone:</strong> 02 4224 4177</td>
<td></td>
</tr>
<tr>
<td><strong>Website:</strong> <a href="http://www.environment.nsw.gov.au/licences/achregulation">www.environment.nsw.gov.au/licences/achregulation</a></td>
<td></td>
</tr>
</tbody>
</table>