

HERITAGE INFORMATION SERIES

ABORIGINAL HISTORY AND HERITAGE: A GUIDE



NSW

Heritage Office

DISCLAIMER

Any representation, statement, opinion or advice, expressed or implied in this publication is made in good faith but on the basis that the State of New South Wales, its agents and employees are not liable (whether by reason of negligence, lack of care or otherwise) to any person for any damage or loss whatsoever which has occurred or may occur in relation to that person taking or not taking (as the case may be) action in respect of any representation, statement or advice referred to above.

NSW Heritage Office
Locked Bag 5020
Parramatta NSW 2124
Ph: (02) 9873 8500
Fax: (02) 9873 8599
www.heritage.nsw.gov.au

© Crown copyright 1998

Printed November 1998

ISBN 18 76415 16 9

HO 98/32

Front cover graphics:

Aboriginal hand stencils, South Coast. *Photograph courtesy of National Parks and Wildlife Service*

Interior of Belltrees shearing shed, built near Scone in NSW in 1879 by architect J. Horbury Hunt.

Artefacts from the site of first Government House Archaeology Collection. *Photograph courtesy of Museum of Sydney on the site of first Government House*

Grose Valley, Blue Mountains, NSW. *Photograph courtesy of NSW National Parks and Wildlife Service*

Back cover graphics:

Australia Square, Sydney

Entrance to the central temple, Sze Yup Temple, Glebe. *Photograph by Karl Zhao*

Lands Department Building, Sydney

The bow of iron steamer, *Merimbula*, wrecked near Currarong in 1928. *Photograph by David Nutley*

Snowy Mountains Scheme. *Photograph courtesy of the Snowy Mountains Hydro-electric Authority*

St Mark's Anglican Church, Darling Point, Sydney. *Photograph by Stuart Humphreys*

Belltrees Shearing Shed, near Scone, NSW.

Detail from the crypt floor of St Mary's Cathedral, Sydney. *Photograph courtesy of St Mary's Cathedral*

CONTENTS

	Page
1. Background	1
2. Legislation	2
3. The Heritage System and Aboriginal Heritage	2
4. Consultants	2
5. Cultural Heritage Guidelines and State Historical Themes	3
6. Sources	3
6.1 NSW National Parks and Wildlife Service	3
- Aboriginal Sites Register	
- District Offices	
- Catalogue of Archaeological Reports	
- Historic Places Register	
6.2 Library of the Australian Institute of Aboriginal and Torres Strait Islander Studies	5
6.3 Australian Heritage Commission	5
6.4 Archives Authority of NSW	6
6.5 Australian Archives	6
6.6 Aboriginal Land Councils	6
6.7 NSW Department of Aboriginal Affairs	7
6.8 Heritage Council of NSW and NSW Heritage Office	7
7. Further information	8

1. BACKGROUND

This guide introduces heritage managers (such as local councils and State Government agencies) and heritage practitioners to the procedures and sources of information for studying Aboriginal history and heritage.

Aboriginal heritage is an integral part of the broad heritage process. It is, however, important to note that it is a specialised field of study involving particular cultural sensitivities. Aboriginal heritage studies should be carried out by appropriate specialised practitioners with a knowledge of the broad principles of heritage conservation and Aboriginal community consultation. Everyone working in this area needs to recognise that:

- Aboriginal people are the cultural owners and managers of information relating to their heritage
- Information relating to Aboriginal history and heritage provided by members of any Aboriginal community is to be treated with respect for the wishes of the informant
- Agreement regarding access and confidentiality is to be honoured.

In the NSW Government Heritage Policy Statement of May 1996, the NSW Minister for Urban Affairs and Planning announced measures to promote Aboriginal heritage within the community:

- Broadening the focus of the NSW Heritage Council to include Aboriginal heritage matters; and
- Altering the constitution of the Heritage Council to enable the Minister to appoint a person with Aboriginal heritage expertise as a member

These changes have since been made. In addition, an Aboriginal Heritage Committee has been formed to advise the Heritage Council and an Aboriginal Liaison Officer has been appointed to the NSW Heritage Office to advise on Aboriginal heritage matters and assist the Committee in its work. The end result of these actions will be to integrate and improve the process for the management of Aboriginal heritage within the NSW heritage system as a whole.

2. LEGISLATION

In New South Wales, the three main Acts containing provisions for dealing with Aboriginal heritage are:

- *The Heritage Act 1977* (NSW)
- *Environmental Planning and Assessment Act 1979* (NSW)
- *National Parks and Wildlife Act 1974* (NSW)

Under this legislation, various types of orders and instruments are made and administered by local councils and State government agencies. For example, Aboriginal heritage items (including known and potential archaeological sites) are protected under the standard heritage provisions in local environmental plans made under the EP&A Act. Councils can protect listed sites or may take into account the National Parks and Wildlife Service Aboriginal Sites Register (see below under **Sources**) when processing development applications. At present, the National Parks and Wildlife Service has the major role in managing Aboriginal heritage within NSW.

3. THE HERITAGE SYSTEM AND ABORIGINAL HERITAGE

The history and heritage of Australia's original inhabitants extends back over millennia, and continues beyond 1788 to the present day. However, the heritage identification and management process which has developed in Australia in recent decades often overlooks Aboriginal heritage or treats it in a token or cursory way.

An underlying objective of the heritage process is to address the heritage of the Australian community as a whole. Aboriginal heritage is interwoven with the non-Aboriginal heritage of Australia and evidence of that heritage is found even in places commonly regarded as 'European', such as city buildings. It is important to recognise that Aboriginal people responded to European colonisation specifically and discreetly in their efforts to maintain links to their traditional lands and interests. Evidence of this is widespread, and the inclusion of forms of evidence relating to Aboriginal history and heritage is vital to the establishment of the historical context of a region or locality.

4. CONSULTANTS

Most consultants currently tendering for heritage studies and analyses in NSW do not have the appropriate expertise for the Aboriginal heritage component and sub-contract this work to specialists. This should be taken into account at the time of engagement. If, as is usual, it is assumed that the sub-contracted historian and archaeologist are to address this aspect, then it must be established whether those specialists have the appropriate expertise or whether further sub-contracting is necessary. Where possible, expert Aboriginal people should be selected as consultants for heritage studies. Certainly, members of the local Aboriginal community or their chosen representatives should be included in the community liaison process.

5. CULTURAL HERITAGE GUIDELINES AND STATE HISTORICAL THEMES

The broad process of heritage analysis is familiar to professional heritage practitioners and includes an understanding of the Burra Charter, the conservation plan process and the *NSW Heritage Manual*. The original primary purpose of these cultural heritage guidelines is to provide a framework for identifying and managing *non-Aboriginal* heritage. Further work is needed in developing the universality of these guidelines. A broader application of these guidelines will be achieved as increasing experience is acquired in addressing Aboriginal heritage as part of the overall process.

One area in which this experience will provide a test is in identifying historical themes, an initial step in any heritage study. The *NSW Heritage Manual* suggests 36 universal state historical themes. The first theme listed is *Aboriginal contact*, and is intended to highlight the need for an understanding of the Aboriginal reaction to non-Aboriginal settlement and the policies pursued by successive governments in coming to terms with indigenous people. However, this theme is not the only one suitable for Aboriginal heritage as all themes may be relevant and further ones may be identified with experience. Possible themes, for example, include:

State theme 6: Land tenure - *Aboriginal and European*; may include sub-divisions, fences, survey marks.

State theme 9: Environment - natural or modified and shaped; *may include Aboriginal and European features*, clearing, timber getting, soil conservation, national parks, gardens, special plantings, preservation of open space.

State theme 23: Defence - may include *Aboriginal battle sites*, war memorials.

6. SOURCES

6.1 NSW NATIONAL PARKS AND WILDLIFE SERVICE

Under the National Parks and Wildlife Act 1974, the National Parks and Wildlife Service is the statutory authority responsible for the protection of Aboriginal relics and sites in NSW. Aboriginal sites are part of the cultural heritage of NSW and are places with meaning and significance to Aboriginal people.

a) Aboriginal Sites Register

The Service maintains a register of known Aboriginal sites in NSW. The register includes information on a range of different site types together with location, reports and photographic slides. Ceremonial grounds, burial sites, occupation sites, missions, reserves, camp sites, art sites, quarries, water holes, lagoons, mountains and rocks are all included in the register. Dreaming tracks and mythological sites are not recorded.

Access to the register is generally available to researchers with permission from the local Aboriginal Land Council or the traditional owners and custodians. Due to the

sensitivity of some material access in a few cases may be restricted. For example, site information provided by Aboriginal people may be classified as confidential, or closed, at the request of the depositor.

The register is organised with information for each site stored in individual files. Written and other information forms and photographs are stored with the standard site recording card. The site files are arranged using a numbering system unique to the Service. The number is composed of three parts, e.g. 38-2-076. In this example, the first number refers to the 1:250,000 map sheet, which in this case is Newcastle. The second number refers to the 1:100,000 map sheet within the Newcastle area, which is sheet 2, Bulahdelah. The final number is the site number on the Bulahdelah sheet.

Searches can be conducted by register staff and summary reports prepared indicating the number and types of sites within a locality. The Service charges search fees and further information regarding these can be directed to the head office of the Service (see address below).

b) District Offices

National Parks Zone and District Offices are located throughout NSW, and hold information about sites in their particular district. Contact with Aboriginal Heritage Officers and Aboriginal Sites Officers can be made at Zone Offices. Aboriginal Officers are aware of local issues and other sensitivities and may arrange contact for you with people from local Aboriginal communities.

c) Catalogue of Archaeological Reports

The Report Catalogue contains over 3,600 archaeological reports. These reports are most frequently submitted to the Service as part of the development approval process under the *Environmental Planning and Assessment Act*. The diverse archaeological reports, surveys, investigations, research and conservation projects within the catalogue include information about the prehistory and post-contact history of a locality or region. The Reports Catalogue provides considerable information about sites of significance to Aboriginal people. Many of the reports in the catalogue contain ethno-historical and ethnographic research to assist consultants in discovering Aboriginal culture in the area of study.

The Cultural Heritage Services Division of the Service conducts searches of the catalogue using a computer database. Searches can be arranged by author, date, 1:250,000 map sheets, or title. The search by title only provides a list of titles in alphabetical order. Alternatively, a title search may be conducted by keyword.

d) Historic Places Register

The Historic Places Register includes information of relevance, particularly if the study area is located close to a National Park. It contains reference material gathered by consultants and Service staff when conducting research on historic places on Service estate. Other forms of material which are part of the register such

as reports, oral history projects and conservation plans may include references to Aboriginal people within a specific locality.

For access to the above resources:

Contact *Cultural Heritage Services Division*
National Parks and Wildlife Service
PO Box 1967, Hurstville 2220.
Street address: 43 Bridge Street, Hurstville
Telephone: 9585 6444 Fax: 9585 6527
Web site: www.npws.nsw.gov.au

6.2 LIBRARY OF THE AUSTRALIAN INSTITUTE OF ABORIGINAL AND TORRES STRAIT ISLANDER STUDIES

The library of the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) was established in 1962. Since that time it has become the major reference collection for Australian Aboriginal studies. The library's holdings are extensive and comprise a book collection of over 10,000 titles, including over 600 rare books, many of which were published prior to 1900. The library also houses over 1,000 journal titles, a slide and print collection with 250,000 recorded items, a comprehensive film archive containing film dating from 1898, an audio tape collection comprising language, music, oral histories and many other aspects of Aboriginal heritage and a manuscript collection consisting of more than 8,000 titles. The manuscript collection includes reports, theses, archives of Aboriginal communities and organisations, biographical material and other research documents.

Contact: *The AIATSIS Library*
Acton House, Acton, Canberra ACT 2601
Telephone: 02 6246 1182
Opening hours: 9am to 5pm Monday to Friday.

6.3 AUSTRALIAN HERITAGE COMMISSION

Established in 1975, the Australian Heritage Commission is a Commonwealth Government agency responsible for the Register of the National Estate. The Register lists sites of natural, historic and indigenous significance throughout Australia. For information about sites located within the research area contact the Indigenous Heritage Section and the Historic Environment Section of the Commission in Canberra. Generally a database printout will be provided, but access to some information is restricted. You may also access the Register through the Commission's Internet site.

Contact: *Indigenous Heritage Section and Historic Environment Section*
The Australian Heritage Commission
GPO Box 1567, Canberra ACT 2601.
Telephone: 02 6217 2111. Fax: 02 6217 2095
Web site: www.environment.gov.au/heritage

6.4 ARCHIVES AUTHORITY OF NSW

The Archives Authority of NSW contains a substantial collection of records which document the history of official policies towards Aboriginal people in NSW. In its publication *A Guide to NSW State Archives relating to Aboriginal People* (1998) the remaining records created by the Aborigines Welfare and the Aborigines Protection Board are identified. It is available at the Archives Office and includes references to records in other series related to Aboriginal people in NSW. It is also worthwhile asking the officer on desk duty at the Archives Office for advice about locating material relevant to your research.

The records of Welfare and Protection Boards are important sources and include reserve records, photographs, financial and administrative records. Some of these records are restricted and you must gain written permission from the Department of Aboriginal Affairs to access information.

*Contact: The Archives Authority of NSW
2 Globe Street, The Rocks, Sydney 2000.
Telephone: 9237 0254 Fax: 9237 0142
Website: www.records.nsw.gov.au
(there is also a repository and search room at O'Connell Street, Kingswood.)*

6.5 AUSTRALIAN ARCHIVES

At the National Archives of Australia it is worth consulting both the computer database and finding aids such as *Aboriginal and Torres Strait Islander People in Commonwealth Records: a guide to records in the Australian Archives*, ACT Regional Office, compiled by Ros Fraser. The guide contains a subject index and includes records relevant to Aboriginal people in NSW.

*Contact: The National Archives of Australia
PO Box 7425 Canberra Mail Centre ACT 2610
Telephone: 02 6212 3600 Fax: 02 6212 3699
For Sydney, telephone: 9645 0100 Fax: 9645 0108
Website: www.naa.gov.au*

6.6 ABORIGINAL LAND COUNCILS

When conducting a heritage study or analysis the Aboriginal Land Council responsible for lands within the research area is to be contacted at the preliminary stages. The NSW Aboriginal Land Council can provide information on which Land Council to contact.

*Contact: NSW Aboriginal Land Council
33 Argyle Street, Parramatta NSW 2150
Telephone: 9689 4444 Fax: 9687 1234*

6.7 NSW DEPARTMENT OF ABORIGINAL AFFAIRS

The Department co-ordinates, monitors and evaluates State and Commonwealth agency programs in matters relating to Aboriginal people, life and culture. The Department maintains a special archive linking people with their past and assisting families to re-unite.

*Contact: NSW Department of Aboriginal Affairs
Level 5, 83 Clarence Street, Sydney NSW 2000
Phone: 9290 8700 Fax: 9262 2690*

6.8 HERITAGE COUNCIL OF NEW SOUTH WALES and NSW HERITAGE OFFICE

The Heritage Council provides advice to the Minister for Urban Affairs and Planning who is responsible for heritage matters in New South Wales. It also provides expert advice to frame the future directions of heritage management for the NSW Heritage Office. The Heritage Council does this principally through a system of advisory panels, each of which has an interest in a specific aspect of heritage.

The Aboriginal Heritage Committee provides advice on the appropriate role for the Heritage Council in developing responsibilities towards the protection and management of Aboriginal heritage and provides a link between the Council, the Aboriginal people and the general community in promoting Aboriginal heritage.

For further information about the Aboriginal Heritage Committee:

*Contact: Aboriginal Heritage Liaison Officer
NSW Heritage Office Level 11 Signature Tower
3 Marist Place, Parramatta NSW
Locked Bag 5020, Parramatta NSW 2124
Telephone: 9873 8500 Fax: 9873 8599
Website: www.heritage.nsw.gov.au*

7. FURTHER INFORMATION

Birckhead, Jim et al *Aboriginal Involvement in Parks and Protected Areas (Australian Institute of Aboriginal and Torres Strait Islander Studies Report Series)*. Aboriginal Studies Press, 1993.

Horton, David (ed) *Encyclopaedia of Aboriginal Australia* Canberra, Aboriginal Studies Press, 1994 . Also available on CD ROM.

Jonas, William *Consultation with Aboriginal People about Aboriginal Heritage*. Canberra, Australian Government Publishing Service, 1991.

Pearson, Michael and Sullivan, Sharon *Looking After Heritage Places: the basics of heritage planning for managers, landowners and administrators*. Melbourne, Melbourne University Press, 1995.

Truscott, Marilyn *Heritage Places, Past, Present and Future: draft guidelines for the protection, management and use of Aboriginal and Torres Strait Islander cultural heritage places*. Canberra, Department of Communication and the Arts, 1996.