

**Department of Climate Change,  
Energy, the Environment and Water**

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# Aboriginal Cultural Heritage Advisory Committee – Cultural Protocols Policy







# Acknowledgement of Country

The Department of Climate Change, Energy, the Environment and Water acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and we show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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# Introduction

As Aboriginal people, Aboriginal Cultural Heritage Advisory Committee (ACHAC) members work to balance individual cultural obligations and accountabilities with their responsibilities as members of a statutory government committee working in the public interest. This balance is necessary to ensure the Cultural Safety of all members and the integrity of ACHAC's function. Awareness of the various competing responsibilities held by members and strategies to manage any real or potential individual conflicts is critical.

This document provides a framework to build awareness of the multiple perspectives and accountabilities of all members.

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## Purpose

This document relates to the requirements of ACHAC in its capacity as an advisory body constituted under the *National Parks and Wildlife Act 1974*.

The cultural protocols apply to all ACHAC members, as established through the ACHAC Terms of Reference. External parties who interact with the Committee (whether they be Aboriginal or non-Aboriginal persons) should be supported to respect and uphold the protocols as appropriate.

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## Strategic context

This document is to be read as part of a suite of ACHAC governance documents including the ACHAC Terms of Reference and ACHAC Code of Conduct.

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## What are cultural protocols?

Cultural protocols are the standards of behaviour that people use to show respect to each other. Every culture has different ways of interacting. Protocols and standards of behaviour help us to understand how people might express, see or value things differently. Protocols provide a framework for working with people from different cultures.

Cultural protocols are necessary for Aboriginal Cultural Safety. Non-Aboriginal people also have a role to play in respecting and adhering to Aboriginal cultural protocols.

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## Why are cultural protocols important for ACHAC?

Cultural protocols are important to ensure the Cultural Safety of all ACHAC members and other parties who interact with the Committee.

**Cultural Safety** is about ensuring the workplace is spiritually, socially, emotionally and physically safe for everyone. It is about creating a workplace where individuals can examine their own cultural identities and attitudes and be open-minded and flexible in their attitudes towards cultures other than their own.

Aboriginal people have responsibilities to family, community and broader networks based on culture and practice. Cultural protocols promote Cultural Safety and help navigate cultural obligations.

In the context of ACHAC's operations, cultural protocols optimise engagement and promote the diversity of Aboriginal voices. Cultural protocols should guide informed discussions and decision making.

# Cultural protocols

ACHAC has adopted the following cultural protocols to support the way it conducts business. The protocols address 9 key issues agreed by the Committee as being the most significant for ACHAC proceedings.

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## Cultural protocols

### Identity

- ACHAC recognises an Aboriginal person as a person of Aboriginal descent through parentage who identifies as being Aboriginal and is accepted in the community.
- ACHAC acknowledges the complexity of Aboriginal cultural identity and connection to Country.
- ACHAC has adopted the term Aboriginal to refer to the Indigenous people of New South Wales. The Committee respects that individuals or groups may prefer alternative terminology such as First Nations or Indigenous.

### Aboriginal Cultural and Intellectual Property

- ACHAC is respectful of Cultural and Intellectual Property, which belongs to Aboriginal people, and the right of Aboriginal people to act as primary guardians and interpreters of their cultures.
- ACHAC upholds the importance of Free, Prior and Informed Consent for the use of Aboriginal Cultural and Intellectual Property.
- ACHAC upholds the importance of maintaining the secrecy of some Aboriginal knowledge and cultural practices, in accordance with traditional custom. Where appropriate, controls such as closed meetings will be held as advised by relevant knowledge holders.

### Connection to Country

- ACHAC recognises the primacy of voices who speak for Country – Traditional Owners.
- ACHAC recognises the value of contributions from other Aboriginal people who express a connection to Country through other connections.

- ACHAC recognises that Aboriginal people may have cultural authority to speak for places/stories/people beyond their traditional Country.
- ACHAC acknowledges that Aboriginal people who have been affected by displacement due to historical government policies, particularly the Stolen Generations, may be disadvantaged in advocating for themselves and their communities.
- ACHAC empowers members to speak on a range of matters beyond their personal links to Country or local community, as supported by the ACHAC Terms of Reference. The wording of resolutions will identify where an individual member has a connection to Country with regard to a specific matter under consideration.

## Elders and cultural seniority

- ACHAC holds that recognition as an Elder is something that is conferred by the community, rather than assumed by the individual, and pays due respect to those Elders.
- ACHAC acknowledges the complex levels of cultural knowledge, leadership and responsibility within Aboriginal cultures, whereby certain individuals will hold seniority on certain issues and not others, irrespective of age.
- ACHAC acknowledges that hierarchical governance and the structure of elected ACHAC leadership positions may not always reflect cultural seniority.

## Gender

- ACHAC recognises the gendered cultural divisions common to many Aboriginal cultures.
- ACHAC respects and upholds the importance of Women's and Men's business under cultural law. The Committee will ensure that, wherever possible, gender balance is generally maintained, and that gendered issues are discussed and considered separately.
- ACHAC acknowledges evidence of historic gender diversity in Aboriginal culture. The Committee upholds the rights of LGBTIQ+ Aboriginal people to participate in ACHAC discussions as fitting with their cultural and gender identities.

## Kinship and familial relationships

- ACHAC acknowledges that kinship and family structures are strong and cohesive forces, binding Aboriginal people through networks of responsibilities and obligations.
- ACHAC understands that on certain matters, kinship and familial relationships and obligations may conflict (or be perceived to conflict) with the role of an ACHAC member per the Terms of Reference. Where this occurs, it will be managed in accordance with the ACHAC Code of Conduct.

## Sorry Business

- ACHAC respects the importance of Sorry Business for Aboriginal people (which can apply to death and other forms of loss and extend beyond the family and kinship structure). This can require observance of mourning periods and performance of responsibilities in accordance with tradition and custom. The Committee understands that this may affect quorum and the conduct of ACHAC business.

## Intergenerational and vicarious trauma

- ACHAC recognises the impacts of colonisation on Aboriginal communities and the intergenerational trauma it has caused. The Committee understands that this may affect members' contributions on particular issues and may affect quorum.
- ACHAC acknowledges that Aboriginal people are more susceptible to vicarious trauma because they are in close contact with people who have experienced trauma. The Committee recognises that this can have a cumulative effect on Aboriginal peoples' physical and psychological wellbeing.
- ACHAC upholds a trauma-informed approach to managing the input of Aboriginal people, which recognises the impacts of trauma, promotes Cultural Safety and supports contribution/participation as is culturally appropriate.

## Lateral violence

- ACHAC acknowledges the existence of lateral violence, also referred to as internalised colonialism, where historic colonial harms are perpetrated internally within Aboriginal groups via behaviours such as shaming, social exclusion or organisational conflict.
- ACHAC upholds the values of the ACHAC Code of Conduct; Mutual Respect, Integrity, Responsibility, Collaboration, Inclusivity. Committee members will actively self-monitor their interpersonal dynamic, identify areas for improvement and offer debriefing and/or conflict resolution to ensure the respectful and productive functioning of the Committee.

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## Implementation

ACHAC will uphold the above cultural protocols wherever possible in all stages of the regular meeting cycle and in out-of-session business. The Presiding member (with support from Heritage NSW) will consider the cultural protocols when setting the agenda in advance of meetings.

In line with the Terms of Reference, all members will be responsible for upholding the cultural protocols and identifying situations where a component of ACHAC's business or proceedings may



not align with the protocols. Where such a situation is identified, this should be reported to the Presiding member and Heritage NSW to ensure appropriate action can be taken. Discussions may include relevant members or the whole Committee, to be determined on a case-by-case basis.

A range of actions may be taken to address the matter, depending on the circumstances. In general, the chosen action will be at the discretion of the Presiding member, but in complex situations may be delegated to another member or decided by Committee consensus. The below diagram demonstrates the process for managing situations that may pose a threat to the Cultural Safety of members, with some potential actions listed.

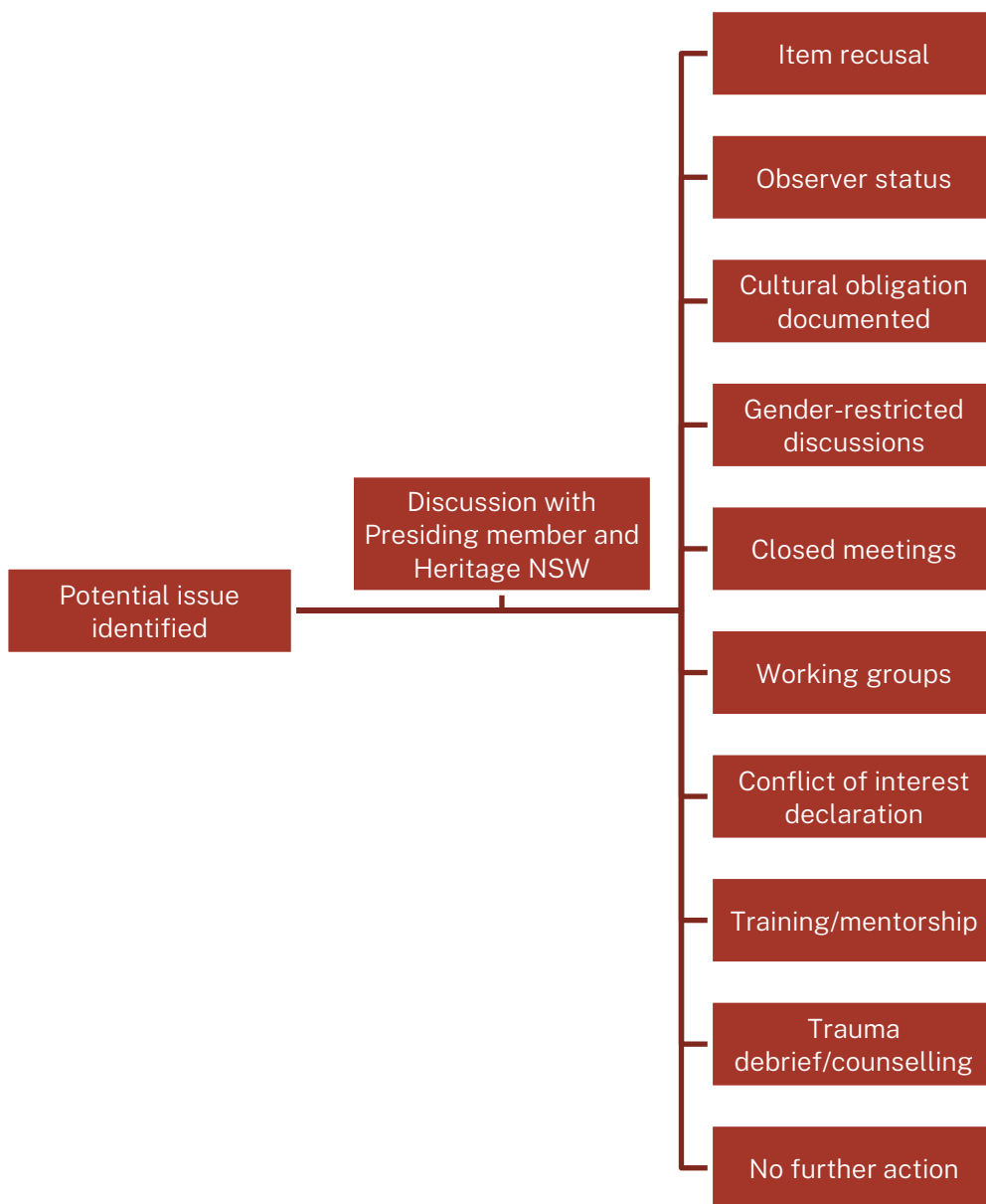


Figure 1 The process for managing situations that may pose a threat.

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## Review

The cultural protocols will be reviewed every 3 years for relevance. This is a live document and may be revised as needed in the interim.

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## Additional support

ACHAC members may require additional support for their social and cultural wellbeing. Dedicated, confidential support services are available to ACHAC members and their families free of charge at: Access EAP 1800 818 728 or Aboriginal and Torres Strait Islander Peoples Dedicated Support Line 1800 861 085