

Lake Macquarie City Council

**Sustainable Management of Aboriginal
Cultural Heritage in the Lake
Macquarie Local Government Area:
Lake Macquarie Aboriginal Heritage
Management Strategy**

August 2011

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Heritage in the Lake Macquarie Local
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Lake Macquarie Aboriginal Heritage
Management Strategy**

**Prepared by
Umwelt (Australia) Pty Limited
on behalf of
Lake Macquarie City Council**

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Sustainable Management of Aboriginal Cultural Heritage in the Lake Macquarie Local Government Area: Lake Macquarie Aboriginal Heritage Management Strategy

Executive Summary

Lake Macquarie City is part of the traditional country of the Awabakal people. Today, approximately 4250 residents of Lake Macquarie City identify as being of Aboriginal descent, giving the city the second largest Aboriginal population in NSW. The Lake Macquarie Aboriginal community includes people whose traditional country is in many different parts of NSW. They all contribute to the cultural diversity of the City.

In 2002, Lake Macquarie City Council (LMCC) and representatives of Local Aboriginal Land Councils signed a Statement of Commitment that recognised the contribution of Aboriginal culture to the City's landscape and to its social and cultural diversity. This commitment was made to all Aboriginal people in the City – those who are descendents of the Awabakal people, and those who have come here after generations of displacement and cultural disruption.

This Aboriginal Heritage Management Strategy sets out how LMCC and the local Aboriginal community will work as partners to implement the Statement of Commitment.

Council will work with local Aboriginal people and the broader community to help protect and maintain the City's distinct Awabakal cultural heritage for future generations. Council will also support the continuation of the cultural heritage values of the City's diverse Aboriginal population.

The Lake Macquarie Aboriginal Heritage Management Strategy has been prepared over a number of years under the supervision of a working group of Council staff, Councillors, representatives of the City's Aboriginal community and the Office of Environment and Heritage. The Strategy addresses five important aspects of Council's operations that interact with Aboriginal cultural heritage values:

- communication and consultation about Aboriginal cultural heritage;
- strategic planning and conservation;
- streamlined and inclusive development assessment;
- managing public land; and
- respect and support for community cultural initiatives.

The Strategy provides the background information, describes proposed initiatives and explains why Council proposes new actions in relation to these areas of responsibility.

Aboriginal people have a strong and enduring spiritual attachment to country, which is expressed in all aspects of traditional knowledge and culture. Work on the Strategy included extensive consultation with Aboriginal community representatives about culturally significant places as well as stories about Aboriginal history and a review of known archaeological information for the City.

Based on this information, the Strategy introduces the concept of Sensitive Aboriginal Cultural Landscapes. These more sensitive landscapes are defined and mapped from known archaeological evidence; the predicted extent of archaeologically significant areas; places associated with records of traditional Awabakal stories and practices; places that conserve important traditional resources; and places that are important in the shared history of the City since European settlement.

Particular attention to Aboriginal cultural heritage values is required in sensitive landscapes when undertaking strategic planning and development assessment processes.

The Strategy identifies places of high conservation value and reviews the representation of these places in existing conservation reserves. Land parcels managed by both public and private land managers are recommended as priority locations for enhanced conservation management. These places include reserves at Swansea Heads and Mount Sugarloaf, and land in the catchments of Cockle Creek and Dora Creek. The Strategy proposes that LMCC will promote strategic cultural heritage conservation at regional planning forums.

Council is currently preparing a new Local Environmental Plan (LEP), making its local planning system consistent with the state-wide template issued by the Department of Planning and Infrastructure (DP&I). Sensitive Aboriginal Cultural Landscapes across the City will be specifically recognised in an Aboriginal Heritage map layer in the LEP and accompanying Development Control Plan (DCP). The Aboriginal Heritage Map layer in the LEP will appear slightly different from the Strategy's Sensitive Aboriginal Cultural Landscape map. The Aboriginal heritage map layer in the LEP will identify where a development application will be necessary, based on the Aboriginal Cultural Landscapes that are mapped in the Strategy and information about existing development and cultural heritage assessments that have been submitted with previous development applications and where not further assessment is therefore required by Council. The cultural heritage layer in the LEP will be updated regularly.

In the meantime, it is proposed that Council amend current planning documents to incorporate reference to Sensitive Aboriginal Cultural Landscapes. Section 149 certificates for properties across the City will continue to be annotated to inform landowners of the possibility that their property may contain evidence of traditional Awabakal peoples' occupation of the land.

Under the *Environmental Planning and Assessment Act 1979*, LMCC is the consent authority for most development in the City. To ensure that the local Aboriginal community has an opportunity to comment on cultural heritage issues associated with new development, Council proposes a more rigorous referral and notification process than has previously been in place. New guidelines will assist proponents to submit the required information. Council understands the importance of consultation occurring in a timely and efficient manner. To assist a streamlined process, Council proposes to continue the employment of its Aboriginal Community Worker and the Strategy recommends a new position of Aboriginal Heritage Assessment Co-ordinator. The person in this position will work with Council and the local Aboriginal community to simplify and facilitate cultural consultation relating to development applications.

Council itself is an important land manager in the City and is responsible for multiple reserves on both Crown Land and Community Land, which contain Aboriginal sites or have other significance to local Aboriginal people. Council proposes to improve its management of these reserves with new training and planning initiatives for its outdoor staff and for Landcare volunteers working on public land. Council will work with local Aboriginal people who have information about cultural values. Plans of Management will include measures to protect archaeological sites, information about culturally valuable plants that can be used for landscaping, opportunities to design public artwork with Aboriginal themes, and

recommendations for new signs and brochures that tell about the cultural importance of reserves on headlands, foreshores and ridgelines.

Respect for the culture of the City's Aboriginal people will also be shown in a symbolic way. The Aboriginal flag will be flown at Council Chambers and Council will acknowledge the Awabakal people on whose land the City now stands, at its meetings. Council will continue to support local Aboriginal community events that showcase the talents and cultural values of the local Aboriginal community.

Broad community appreciation of the richness of LMCC's Aboriginal cultural heritage is constrained by the limited availability of public information. Council will work with appropriate Aboriginal people to prepare booklets, brochures, signs and news stories that tell about the traditional Awabakal cultural heritage. Council will also support the continuing vibrant Aboriginal culture of the City, strengthening the identity of local Aboriginal people.

In accordance with the NSW Government policy, Two Ways Together, Council will work with other employers in the region to assist local Aboriginal people to increase their participation in the workforce.

TABLE OF CONTENTS

PART 1: WHY PREPARE AN ABORIGINAL CULTURAL HERITAGE STRATEGY FOR LAKE MACQUARIE?

1.0	Introduction	1.1
1.1	Council’s Responsibilities and Obligations	1.2
1.2	Key Legislation and Policy	1.3
1.2.1	Ecologically Sustainable Development and Cultural Heritage	1.4
1.3	Statement of Commitment to Aboriginal People in Lake Macquarie City	1.5
1.4	Scope and Intent of the Aboriginal Heritage Management Strategy	1.7
1.4.1	Five Key Management Themes	1.8

PART 2: THE LAKE MACQUARIE ABORIGINAL COMMUNITY

2.0	The Lake Macquarie Aboriginal Community – Organisation and Consultation Structures	2.1
2.1.1	Organisations Representing the Local Aboriginal Community	2.2
2.2	Guidelines for Consultation and Participation	2.3
2.2.1	DLG and LGSA Resource Kit	2.3
2.3	OEH Guidelines for Aboriginal Consultation in NSW	2.4
2.4	Aboriginal Community Consultation During Strategy Preparation	2.5
2.5	Other Key Players in the Management of Aboriginal Cultural Heritage in Lake Macquarie City	2.8

PART 3: ABORIGINAL CULTURAL HERITAGE VALUES – WHY THEY ARE IMPORTANT

3.0	Aboriginal Community Cultural Heritage Values in Lake Macquarie Local Government Area	3.1
3.1	The Country of the Awabakal People	3.1
3.2	Awabakal Sites and Records of Traditional Culture	3.3
3.2.1	Awabakal Archaeological Sites	3.3
3.2.2	Records of Awabakal Culture	3.3
3.2.3	The Threlkeld Mission Sites	3.4
3.2.4	Land Granted under the NSW Aboriginal Land Rights Act	3.5
3.3	Culturally Sensitive Landscapes in Lake Macquarie Local Government Area	3.5
3.3.1	Terrain Based Mapping of Aboriginal Sites	3.6
3.3.2	Sensitive Aboriginal Cultural Landscapes	3.9

3.4	Threats to the Integrity of Aboriginal Sites and Cultural Landscapes.....	3.12
3.4.1	Natural Destructive Processes	3.12
3.4.2	Climate Change and Sea Level Rise – Potential Threats to Aboriginal Cultural Landscapes.....	3.12
3.4.3	Cultural Landscapes Affected by Specific Development in the Lake Macquarie City Area	3.13
PART 4: COUNCIL’S PROPOSALS FOR SUSTAINING ABORIGINAL CULTURAL HERITAGE VALUES		
4.0	Communication about Aboriginal Cultural Heritage Values.....	4.1
4.1	LMCC Aboriginal Heritage Information Policy.....	4.1
4.2	Council Consultation Procedures.....	4.3
4.2.1	Register of Local Aboriginal Community Groups	4.3
4.2.2	Consultation and Referrals.....	4.3
4.3	Section 149 Certificates	4.4
4.3.1	Accuracy of Site Location and Condition Data	4.4
4.3.2	Using Terrain Units and Sensitive Aboriginal Cultural Landscapes with s 149 Certificates.....	4.5
4.4	Communicating with the Public – Awareness Raising and Information Sharing	4.6
5.0	Strategic Planning.....	5.1
5.1	Regional Conservation Context	5.1
5.1.1	Register of the National Estate.....	5.2
5.1.2	Lands Managed by OEH	5.2
5.1.3	Lands Managed by Department of Trade and Investment, Regional Infrastructure and Services.....	5.3
5.1.4	Areas managed by the Land and Property Management Authority	5.4
5.2	LEP Zoning of Sensitive Aboriginal Cultural Landscapes.....	5.4
5.2.1	Environmental Protection zones.....	5.4
	Natural Resources and Investigation Zones.....	5.5
5.3	Strategic Conservation Gaps and Issues.....	5.5
5.4	Measures to Enhance Strategic Conservation of Aboriginal Cultural Heritage.....	5.6
5.4.1	Zoning to Enhance Conservation Management.....	5.6
5.4.2	Managing Foreshore Lands.....	5.7
5.4.3	Achieving a Consistent Strategic Planning Approach across the Region.....	5.8
5.5	Proposed Aboriginal Place Nominations	5.9
5.5.1	Priorities for Aboriginal Place Nomination	5.12
5.6	Other Opportunities for Conservation.....	5.12
5.6.1	Integrated Ecology and Cultural Heritage Offset Planning.....	5.12
5.7	Summary of Long Term Conservation of Aboriginal Cultural Landscapes.....	5.13

6.0	Streamlined Development Assessment	6.1
6.1	Assessment of Development Applications	6.1
6.1.1	Integrated Development Assessment Processes	6.2
6.1.2	Development which was a Major Project under Part 3A of the EP&A Act 1979	6.3
6.1.3	When is an Aboriginal Heritage Impact Assessment Required in LMCC?	6.3
6.1.4	What is involved in an Aboriginal Heritage Impact Assessment in LMCC?	6.4
6.1.5	Acceptable Information to Include in an Aboriginal Heritage Impact Assessment	6.5
6.1.6	Referral Procedures for Development Applications for Local and Regional Development	6.8
6.2	Managing Referral Workload and Timeframes.....	6.9
6.3	Guidelines for Proponents and Residents	6.10
7.0	Managing Public Land	7.1
8.0	Partnerships and Support	8.1
8.1	Symbolic Recognition of the Traditional Country of Awabakal People.....	8.1
8.2	Employment of Aboriginal People	8.1
8.3	Aboriginal Involvement in Landcare.....	8.2
8.4	Cultural Interpretation: Signage, Landscape Planning, Brochures, Public Art.....	8.3
9.0	Schedule of Proposed Actions	9.1
10.0	References	10.1
11.0	Glossary	11.1

FIGURES

1.1	LMCC Statement of Commitment, Council Boundaries and Local Aboriginal Land Council Boundaries.....	1.6
3.1	Interpretation of Boundaries of Awabakal Tribal Territory according to AIAS, 1974.....	3.1
3.2a	Indicative Archaeological Sensitivity of Landscape Elements	3.7
3.2b	Indicative Archaeological Sensitivity of Landscape Elements	3.7
3.3a	Sensitive Aboriginal Cultural Landscapes, with general topographic information	3.9
3.3b	Sensitive Aboriginal Cultural Landscapes, with cadastre	3.9
5.1	Current conservation management of Sensitive Aboriginal Cultural Landscapes	5.2
5.2	Environmental Protection Zoning of Sensitive Aboriginal Cultural Landscapes.....	5.3
6.1	Flow chart for decisions about Aboriginal Heritage Impact Assessments.....	6.3

PLATES

3.1	Midden deposits on the coast.....	3.3
3.2	Examples of Flaked Stone artefacts from open campsite in Lake Macquarie LGA.....	3.3
3.3	Midden and open campsites are widespread on the lake foreshore.....	3.3
3.4	Examples of grinding groove sites in the Lake Macquarie LGA.....	3.3
3.5	Local Aboriginal community members visiting the Awabakal reburial site at Swansea Heads	3.3
3.6	Mount Sugarloaf, with Awabakal people in the foreground	3.3
3.7	Awabakal people fishing – possibly at Croudace Bay in Lake Macquarie or at Little Redhead.....	3.3
3.8	Joseph Lycett’s ‘Fishing by moonlight on Lake Macquarie’, possibly Crangan Bay.....	3.3

APPENDICES

- 1 Aboriginal Community Participation in the Preparation of the Lake Macquarie Aboriginal Heritage Strategy**
- 2 Department of Local Government Strategic Planning Checklist for Engaging with Aboriginal Communities**
- 3 Aboriginal Community Structure and Contacts for Consultation**
- 4 Prediction of Aboriginal Archaeological Site Types and Probability in Different Landscapes**
- 5 Draft Concept – Community Information Brochure**
- 6 Planning Standards**
- 7 SEPP (Exempt and Complying Development Codes) 2008**
- 8 Sample Response Forms for Planning Referrals**
- 9 Indicative Guidelines for Applicants**

PART 1: WHY PREPARE AN ABORIGINAL CULTURAL HERITAGE STRATEGY FOR LAKE MACQUARIE?

1.0 Introduction

Aboriginal culture is a living culture, valued by Aboriginal people living in communities across NSW. It is strongly linked to the spiritual relationship between people and the land (country) and includes Aboriginal sites, places, cultural knowledge passed between generations through oral traditions, language, stories, traditional customs, values and beliefs. Cultural heritage also includes the history of Aboriginal people, from the time that European settlers arrived in Australia and the history of Aboriginal families through the nineteenth and twentieth centuries. Many cultural values and traditional obligations are active and current despite the separation of many Aboriginal people from their traditional country for many years.

All of Lake Macquarie City Council (referred to in this document as either LMCC or the City) lies within the traditional country of the Awabakal people. Today, more than 4250 people of Aboriginal descent live in the Lake Macquarie Local Government area, many of them far from their traditional country. The landscape of the City has important traditional Awabakal spiritual and cultural meanings and values, which are respected by local Aboriginal people. Across the City's landscape are more than 500 archaeological sites and places which demonstrate the relationship between Awabakal people and their country over thousands of years. At a more general level, these sites and places and the unique Awabakal stories and traditions associated with them also illustrate the resilience of Aboriginal culture and the cultural value of the landscape that is fundamental to all Aboriginal people.

Since 1983, members of three Local Aboriginal Land Councils have worked to protect the evidence of traditional Awabakal culture in the Lake Macquarie landscape. Members of the Aboriginal community, including the two Traditional Owner Corporations, have also worked to maintain and enhance Aboriginal community cultural identity and to encourage respect for the value that diverse Aboriginal cultural practices bring to the City.

LMCC is responsible for a range of decisions and on the ground activities, which have the potential to influence and impact on the sustainability of the City's Aboriginal cultural heritage values. Council has roles and responsibilities in relation to traditional Awabakal cultural heritage and the city's Aboriginal cultural diversity. Council's roles include strategic planning, development assessment, management of public land and support for a vibrant and inclusive economic, social and cultural life in the city.

LMCC has prepared the Lake Macquarie Aboriginal Cultural Heritage Management Strategy (LMACHMS) to guide its activities that influence or affect the City's Aboriginal cultural heritage values. The Strategy has been prepared in consultation with a working group comprising representatives of the local Aboriginal community and Council staff, with input from the Office of Environment and Heritage (formerly Department of Environment, Climate Change and Water (DECCW)).

The strategy establishes a framework for showing respect for the Awabakal cultural heritage values and the diverse Aboriginal culture of the City in all aspects of Council's operations, including communication, planning, development assessment and day to day field based programs. LMACHS includes recommendations for Council policies, guidelines, protocols for communication and information management and referral processes. It also recommends amendments to local statutory planning instruments, as well as a range of awareness raising

activities for Council staff, Councillors and the general community. The LMACHMS is for all of the Lake Macquarie community.

LMACHMS strongly supports a consistent regional approach to the management of Aboriginal cultural heritage values in the traditional lands of the Awabakal people, enhancing clarity of requirements and certainty of outcomes for the Aboriginal community, Councils, land owners and developers.

The LMACHMS is the culmination of six years of studies and consultation about the Aboriginal cultural heritage values of Lake Macquarie City. Progress reports during the project have documented and reviewed the available information about Aboriginal archaeological sites and community knowledge about traditional stories and important places. New field surveys have been conducted with local Aboriginal people to better assess the location and condition of Aboriginal sites in areas with little previous survey coverage. A Discussion Paper, outlining important issues and Council's proposed approach, was distributed to Council, State Agencies and Aboriginal community stakeholders in 2005.

Information about the ways in which the local Aboriginal community groups have been involved throughout the preparation of the Strategy is included in **Appendix 1** and is summarised in **Section 2.4**.

1.1 Council's Responsibilities and Obligations

Recognition of the Aboriginal cultural heritage values of the landscape and traditional spiritual attachment to country are now primary objectives of planning, natural resource and social, economic and cultural management legislation and policy in NSW.

The Department of Local Government (DLG) (2007) has prepared a guideline for all councils about the scope of their responsibilities for engagement with Aboriginal people in their communities, and strategies for positive and effective engagement.

DLG (2007) identifies four key responsibilities for councils in relation to Aboriginal people (residents and ratepayers) in their community. These responsibilities apply across all council functions, including environmental services, development control, tourism, culture, public health and sport:

- consult and negotiate comprehensively with Aboriginal communities about their needs and aspirations;
- ensure that council services are adequate and equitable in meeting the needs of Aboriginal people and their communities;
- ensure that services are developed in a way that is culturally appropriate and develops the potential of Aboriginal people; and
- promote a partnership approach with local Aboriginal communities.

Appendix 4 of the DLG (2007) guideline (reproduced in **Appendix 2** of this report) provides a checklist for councils, to assist in developing a strategic approach to engaging with Aboriginal communities. Although much of the consultation and involvement for the development of LMCC's Aboriginal Heritage Strategy was conducted well before the publication of the DLG guideline and checklist, LMCC has taken the checklist into account in finalising the strategy (see also **Appendix 1**).

1.2 Key Legislation and Policy

Several policies and statutes establish obligations and provide a framework and context for LMCC's approach to the management of cultural heritage values in the city, in carrying out its day to day responsibilities for planning, land and environmental management, community development and communication. These policy and statutory requirements are considered in the LMACHMS.

Key elements of the Aboriginal cultural heritage management context within which LMCC operates include:

- *Local Government Act 1993* (LG Act 1993);
- *Aboriginal Land Rights Act 1983* (ALR Act 1983);
- *National Parks and Wildlife Act 1974* (NPW Act 1974);
- *Environmental Planning and Assessment Act 1979* (EP&A Act 1979);
- *NSW Heritage Act 1977*; and
- *Australian Government Native Title Act 1993*.

The Australian Government Aboriginal and Torres Strait Islander Heritage Protection Act 1984 and Environment Protection and Biodiversity Conservation Act 1999 may also be relevant to decision making in LMCC, in very specific circumstances.

- Two Ways Together – NSW Aboriginal Affairs Plan 2003-2012. Culture and heritage is one of the seven key areas covered by Two Ways Together. Goal 5 of the Hunter Region Action Plan for Two Ways Together addresses the values of Aboriginal diversity, identity and culture. The Regional Engagement Group will liaise with local government and Catchment Management Authorities about involvement in the development and implementation of a cultural respect framework.
- NSW Social Justice Statement (2000) – Supporting People and Strengthening Communities.
- Local Government and Shires Association (LGSA) Policy Statements on Aboriginal Affairs. The LGSA provides information to members on topics such as land rates for Aboriginal Land (former reserves and land granted under the ALR Act 1983); processes for consulting Aboriginal communities when considering the zoning of land (previously vacant Crown land) that was granted to an LALC under the ALR Act 1983; formal agreements and liaison arrangements between councils and Local Aboriginal Land Councils (LALCs).
- LMCC is located within the NSW coastal zone. The NSW Coastal Policy refers to the importance of understanding and accommodating Aboriginal cultural heritage values and care for country into coastline (coastal zone) management.
- Outcomes of two projects completed as part of the NSW Comprehensive Coastal Assessment. These relate to cultural heritage landscape mapping and an overview of cultural heritage items and values along the NSW coast.

DECCW (now OEH) sponsored a coastal assessment program, including intensive studies of historical archives referring to early contact period interaction between traditional Aboriginal people and European settlers, as well as consultation with Elders

and Traditional Owners to obtain oral histories. The results of this project provide valuable information to assist in assessing the impact of development on Aboriginal cultural values, particularly as these values are reflected in Aboriginal Cultural Landscapes.

At the same time, DECCW (now OEH) conducted a full audit of information about Aboriginal sites, held on the Aboriginal Heritage Information Management System (AHIMS) and other institutional sources. Some parts of the AHIMS can be searched free of charge on the OEH website.

- The 10 year Catchment Action Plan (CAP) prepared by the Hunter Central Rivers Catchment Management Authority (HCRCMA), whose natural resource management responsibilities include the area of LMCC, identifies a guiding principle '*maintain and improve the culture and heritage values of culturally significant landscapes.*' The CAP provides an extensive suite of guiding principles for respecting, consulting, stewardship, protection, funding, appreciating and involving Aboriginal people and Aboriginal cultural values in natural resource management decisions and actions. The CAP focuses on partnerships to maintain and extend the custodianship that is part of Aboriginal spiritual and cultural responsibility to country.
- The Lower Hunter Regional Strategy (Department of Planning (DoP) 2006) refers to Aboriginal cultural heritage values in its statement of principles and objectives for the future development of the region. The Lower Hunter Regional Strategy includes the following objectives:
 - *ecological and culturally significant landscapes are valued, and protected; and*
 - *protects areas of Aboriginal cultural heritage value (as agreed by DECCW (now OEH)).*

The Lower Hunter Regional Strategy acknowledges that the richness of Aboriginal cultural values and archaeological sites contribute to the cultural diversity and environmental value of the region. There is an ongoing cumulative loss of Aboriginal cultural sites and values, and an increasing demand from Aboriginal groups and from the public for their consideration and protection. The reference to culturally significant landscapes recognises that the protection of Aboriginal heritage values within a landscape context is much more important than the conservation of individual sites in isolation.

Following from the Lower Hunter Regional Strategy and other strategic planning reforms, the standard Local Environmental Plan (LEP) template for new council LEPs contains provisions relating to land identified as being of high Aboriginal cultural significance.

1.2.1 Ecologically Sustainable Development and Cultural Heritage

LMCC has a statutory responsibility (under the LG Act 1993) and is committed to plan and implement actions that put the principles of ecologically sustainable development (ESD) into practice. Council is working towards conservation of natural, social and cultural values, as well as economic values in its decisions. Aboriginal cultural heritage values combine physical objects (archaeology), places and other elements of the landscape that are associated with, or explained by, traditional lifestyles or community stories. Much of this physical Aboriginal cultural heritage is fragile and has already been heavily fragmented or destroyed.

More than 40 per cent of the known Awabakal Aboriginal sites in the city area have been registered with OEH as 'destroyed' and the status of many other sites in, or adjacent to, developed areas is not known. The character and landscape context of places and

resources of value in Aboriginal culture has been seriously impacted and continues to be threatened by ignorance and by decisions that favour other societal values. Once this physical evidence of continuity from the traditional past to the present is lost it cannot be replaced.

Of the principles of ESD, the Precautionary Principle and Principle of Intergenerational Equity are critical to the sustainable management of Aboriginal cultural heritage resources. Action to protect remaining elements of the City's Aboriginal cultural heritage is urgent and cannot be deferred, pending more accurate site location or other information.

Protecting and supporting Aboriginal cultural heritage values can be considered to contribute to each of the main aspects of sustainability:

- **Natural/Scientific Values.** A very small number of archaeological sites in the City now retain the potential to contribute significantly to scientific research into the relationship between traditional people and the landscape in which they once lived. Aboriginal places and customs were associated with the resources and form of the natural landscape and many of these resources still exist, being more resilient than archaeological stratigraphy. Some local elders retain important knowledge of how Aboriginal people used and managed the resources of coastal landscapes.
- **Social and Cultural Values.** Archaeological sites and other places identified in Aboriginal stories are important to members of the local Aboriginal community, because these stories and sites demonstrate a connection to country that has been lost for many people. Aboriginal people see the archaeological sites as evidence supporting their continuing association with and custodianship of the land.

Some places are also important because they are associated with historical events. The value of both archaeological sites and cultural places is enhanced when intact landscape context is present. Aboriginal sites and places also provide opportunities for Elders in the community to teach young people about cultural traditions and values, when they are located in places that are accessible to the Aboriginal community. Good accessibility involves locations on public land, or on Aboriginal land, or access agreements with private landholders, as well as suitable vehicle or pedestrian access for the elderly.

Sustainable management of Aboriginal cultural heritage values requires a mixture of measures to facilitate and celebrate continuity of cultural diversity and measures to protect and conserve examples of features, or objects that cannot be replaced.

- **Economic Values.** Although not their primary value, Aboriginal sites and places can contribute to the economic diversity of the City, as places that can attract and engage visitors. Any cultural tourism programs would need to be developed by, or in consultation with, the local Aboriginal community, following culturally sensitive and appropriate engagement procedures.

1.3 Statement of Commitment to Aboriginal People in Lake Macquarie City

LMCC established a Statement of Commitment with the local Aboriginal community in 2002. The statement was jointly signed by the Mayor and the Chairpersons of Awabakal, Bahtabah and Koombahtoo LALCs (Koombahtoo LALC has now ceased to operate). Copies of the Statement are on display at Council Chambers and at each of the LALCs that represent the Aboriginal community in different parts of the City.

Figure 1.1 shows the Statement of Commitment and the LALC boundaries at the time that it was signed.

Key elements of the LMCC Statement of Commitment, which define Council's intent to work towards cultural reconciliation and sustainable management of Aboriginal cultural resources in the City's landscape include:

- recognise the vital importance of the Indigenous contribution to strengthening and enriching the city and region;
- respect and conserve Aboriginal cultural practices, traditional sites and significant places;
- promote activities which increase cultural sensitivity and awareness of Aboriginal people's values;
- support an agreement between the local Aboriginal community and other community members for the care of the local environment;
- work towards the recovery of Indigenous language, health, cultural practices and lost kinship;
- look towards Aboriginal culture for practical knowledge which could help to secure a sustainable future;
- support reconciliation between Aboriginal and non Aboriginal Australians;
- denounce all forms of racism directed at Aboriginal people; and
- promote the employment of Aboriginal people.

The LMACHMS sets out the mechanisms by which Council will achieve these outcomes, in partnership with the local Aboriginal community.

In accordance with the LMCC Statement of Commitment to Aboriginal People, the LMACHMS draws on the following principles:

- Lake Macquarie and the LMCC LGA are part of the traditional country of the Awabakal people;
- Aboriginal people and the broader community can contribute to the protection and maintenance of Aboriginal cultural heritage values;
- Aboriginal people have a respect for and spiritual attachment to country;
- Aboriginal cultural heritage values are not just sites (artefacts) but places/landscapes, knowledge, values, resources, relationships and stories that tell about the attachment and responsibility of Aboriginal people. The large and diverse Aboriginal population of Lake Macquarie adds significant cultural diversity to the City by bringing the continuing culture of many different Aboriginal groups to the community;
- sustainable management of Aboriginal cultural heritage values implies protection of diverse community cultural values, not just archaeological objects;
- physical elements of Aboriginal cultural heritage are fragile and irreplaceable. Delayed action to protect archaeological sites and the culturally valued landscape context of sites and places should not be justified on the basis of insufficient scientific information;



to Aboriginal people of the City of Lake Macquarie

Acknowledgments

The Council of the City of Lake Macquarie acknowledges that the Aboriginal people in this area, the Awabakal, were the first people of this land, and are the proud survivors of more than two hundred years of continuing dispossession.

Lake Macquarie City Council recognises that European occupation brought massive changes to the land and its people.

As a vital step towards building a just and common future, Lake Macquarie City Council recognises the sense of loss and the grief held by Aboriginal people for the alienation from their traditional land, the loss of their freedom, their lives, their languages, their health and the disruption of their cultural practices.

Council respects the right of Aboriginal Australians to pursue their own values and culture.

Commitments

Lake Macquarie City Council, in consultation with local Aboriginal people :

- Denounces racism directed at Aboriginal Australians and will take action to combat racism within its capacity.
- Recognises the vital importance of the Aboriginal contribution to strengthening and enriching our city and region.
- Respects and conserves Aboriginal cultural practices, traditional sites and significant places.
- Promotes activities which increase cultural sensitivity and awareness of Aboriginal people.
- Supports an agreement between the local Aboriginal community and other community members for the care of the local environment.
- Work towards the recovery of Aboriginal language, health, cultural practices and lost kinship.
- Looks towards Aboriginal culture for practical knowledge which could help to secure a sustainable future.
- Supports reconciliation between Aboriginal and non Aboriginal Australians.
- Promotes the employment of Aboriginal people.

Lake Macquarie City Council, in co-operation with local Aboriginal people will develop an action plan to redress disadvantages for Aboriginal people of this Community.

The Council recognises the positive contribution made by the Aboriginal people & look forward to a future of mutual respect and harmony.

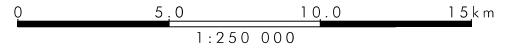
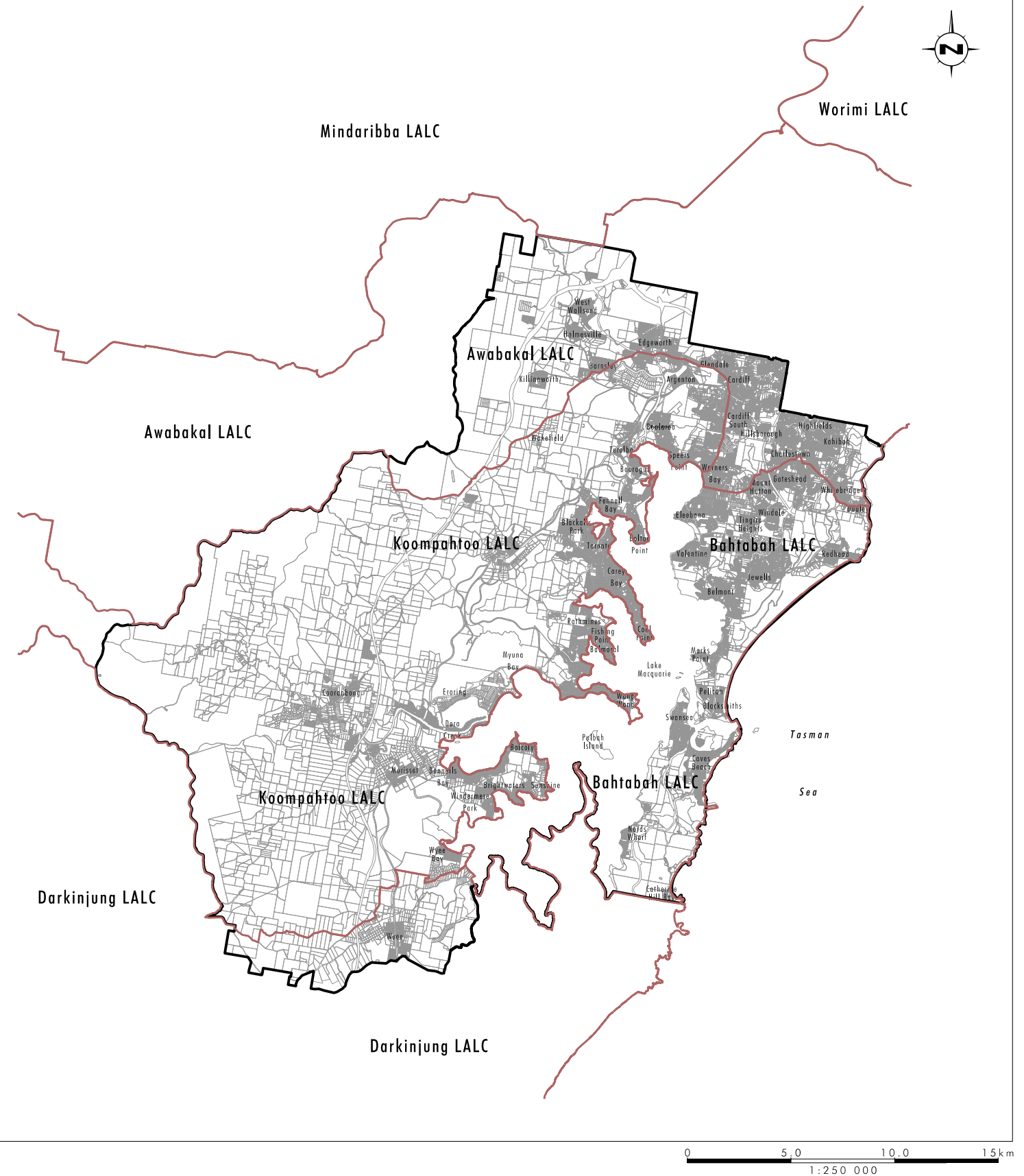
Awabakal Local Aboriginal Land Council

Bahtabah Local Aboriginal Land Council

Councillor Greg Piper Mayor

Koompahtoo Local Aboriginal Land Council

Regardless of change in election to the Councillors of Lake Macquarie City Council and the Aboriginal Consultative Committee, the Commitment stands and will be reviewed at the commencement of the new term of Council or mid-term when requested by the Aboriginal Consultative Committee.



Source: LPI NSW

Note: Koompahtoo LALC no longer operates. Awabakal LALC is looking after cultural heritage issues in this area

Legend

- Local Aboriginal Land Council Boundary
- Lake Macquarie City Council Boundary

FIGURE 1.1
LMCC Statement of Commitment, Council Boundaries
and Local Aboriginal Land Council Boundaries

- Council believes that Aboriginal citizens have a right to continuing knowledge about the city's Awabakal Aboriginal culture. Members of the Aboriginal community have a right to experience their cultural heritage first hand. This right extends also to future generations. It is important that other people in the community learn about the meaning of Awabakal and Aboriginal attachment to country.
- LMCC accepts accountability to the Aboriginal community and the broader community for decisions that it makes in relation to protecting, conserving and enhancing the city's Aboriginal cultural heritage values;
- Council's decision making processes in relation to Aboriginal cultural heritage values will be consistent and transparent; and
- Council will manage the Aboriginal cultural heritage assets and values of the city in partnership with the local Aboriginal community, and will consult Aboriginal citizens about new policies and planning decisions that affect their culture.

1.4 Scope and Intent of the Aboriginal Heritage Management Strategy

The LMACHS aims to achieve the sustainable management of LMCC's Aboriginal cultural heritage values. It uses a cultural landscape approach that links archaeological evidence and ecological attributes of the landscape to Aboriginal cultural and spiritual beliefs and practices. The LMACHMS considers the natural/scientific values of archaeological sites, the Aboriginal cultural values of places, stories, traditional knowledge and resources and the continuing contribution of Aboriginal heritage to the diversity and richness of the city's culture.

The objectives of the Strategy are set out below.

Aboriginal Sites and Objects

- To contribute to sustainable conservation of a sample of Aboriginal sites which have sufficient integrity and landscape context to provide continuing physical evidence of the Aboriginal community's attachment to country.

Aboriginal Places

- To protect culturally significant places on land managed by LMCC from destructive development activities – i.e. some places with important cultural associations are retained as features in the landscape.
- To facilitate access for members of the Aboriginal community to Awabakal cultural places that are on land managed by LMCC.

Aboriginal Culture

- To give effect to the Statement of Commitment to the Aboriginal people of Lake Macquarie, signed by the Mayor of LMCC and the Chairpersons of the Local Aboriginal Land Councils (see **Section 1.3**).
- To improve communication, awareness, understanding and respect for traditional and continuing Aboriginal cultural heritage values across the Lake Macquarie community, as well as celebrating Aboriginal community cultural achievements.

- To facilitate within the LMCC organisation a culture of respect and partnership with Aboriginal people.
- To support events and programs, which restore and maintain Aboriginal cultural identity.
- To encourage the participation of local Aboriginal people in projects which have a stewardship role, caring for the natural resources and cultural values of country.

Policy, Regulation and Process

- To develop and implement culturally appropriate consultation processes (for Aboriginal people) for strategic planning and development assessment within Council.
- To incorporate quality information about Aboriginal cultural heritage values in the development of planning instruments and policy requirements in the City.
- To identify and clearly communicate Aboriginal cultural heritage conservation priorities in the city to all stakeholders.
- To prepare clear, outcome-based development assessment requirements and decision making processes for Aboriginal heritage issues, which also meet the requirements of the EP&A Act 1979, NPW Act 1974, ALR Act 1983, LG Act 1993 and Commonwealth heritage legislation.
- To make LMCC's management of the heritage values of for public/community lands in its control consistent with the requirements of the EP&A Act 1979, NPW Act 1974, *Aboriginal Land Rights Act* and *Native Title Act*, *Crown Lands Act 1989* and LG Act 1993. LMCC's land management practices will also be consistent with the heritage requirements of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act 1999), where relevant. The EPBC Act 1999 protects places identified in the National Heritage Database as having high or exceptional Aboriginal cultural heritage significance, (including places listed on the National Heritage List, Commonwealth Heritage List or Register of the National Estate).
- To improve development application preparation and processing with respect to Aboriginal cultural heritage values in LMCC.
- To foster a consistent approach to Aboriginal cultural heritage management across Lake Macquarie and adjacent LGAs (as a minimum, Newcastle, Wyong and Cessnock LGAs).

1.4.1 Five Key Management Themes

The LMACHS has been developed around five key management themes, representing the main areas in which LMCC has management responsibilities relating to Aboriginal cultural heritage values (see **Section 1.1**). These are noted below and are detailed in **Sections 4.0** to **8.0**.

- **Section 4.0: Communication.** This section sets out LMCC's policy for the management of culturally sensitive information, in terms of access, updating and quality control. It establishes guidelines for consultation with the Aboriginal community about a range of management decisions. Also included in this section are guidelines for the preparation of Aboriginal cultural heritage awareness material for the general public.
- **Section 5.0: Strategic Planning.** This section particularly addresses the application of the precautionary principle and intergenerational equity principle to land use planning in culturally sensitive landscapes in LMCC (with implications also for adjacent LGAs). It

identifies culturally sensitive landscapes that are at risk from ongoing development pressure and from a lack of awareness of the importance of these landscapes to the conservation of Aboriginal cultural heritage values. This section identifies land that is currently managed for conservation, and land that should be recognised and managed for its conservation values at the regional scale. Conservation can be achieved through land use zoning, specific management plans and conservation areas, offset agreements, rehabilitation of vegetation and landscapes having cultural values, acquisition, Aboriginal Place nominations and Voluntary Conservation Agreements.

- **Section 6.0: Streamlined Development Assessment.** This section presents revised clauses to address Aboriginal cultural heritage in the Lake Macquarie LEP (2004) and DCP (2004, amended 2009). It considers options for addressing Aboriginal cultural heritage values in the new Lake Macquarie LEP, expected to be completed in 2011. It provides guidelines for Council officers and proponents to provide a streamlined, fair, efficient and consistent development assessment service, in relation to Aboriginal cultural heritage issues.
- **Section 7.0: Managing Public Land.** Council manages diverse parcels of community land and Crown Land for conservation, recreation and other community infrastructure. Public land in the Lake Macquarie LGA is also managed by OEH, NSW Lands Department and the Regional Land Management Corporation. This section of the Strategy identifies priority land parcels for the preparation of detailed Plans of Management under the *Local Government Act 1993* and *Crown Lands Act 1989*, where protection of Aboriginal cultural heritage values is a significant issue. Consultation with Aboriginal community groups is a key part of these Plans of Management.
- **Section 8.0: Partnerships and Community Support.** This section reinforces the importance of Aboriginal community participation in management decisions that affect Aboriginal cultural heritage values, considering both the negative impacts of poor communication and the benefits of positive support. It considers Council and regional resources to assist local Aboriginal communities with cultural initiatives.
- **Section 9.0:** of this document is an **Implementation Statement.** This section presents a summary of all recommended actions in three priority classes. It also identifies organisations that need to be involved in implementing each action.

PART 2: THE LAKE MACQUARIE ABORIGINAL COMMUNITY

2.0 The Lake Macquarie Aboriginal Community – Organisation and Consultation Structures

LMCC is part of the traditional country of the Awabakal people. Some families who are descendents of the Awabakal people continue to live in the City. However, as is the case for most Australian cities, the majority of the contemporary Aboriginal population of the City are from families whose traditional country is elsewhere in NSW. This diversity of Aboriginal cultural background means that there are different valid perspectives on many issues.

The Aboriginal population of LMCC has grown strongly over the last decade (**Table 2.1**). The City has the second largest Aboriginal population in NSW (DEWR 2007: web site).

LGAs with the largest Indigenous population in NSW

Blacktown	7058
Lake Macquarie	4280
Penrith	4085
Dubbo	3909
Wyong	3798

The Aboriginal population comprises 2.2 per cent of the total population of Lake Macquarie. This is a significant increase in recent years. In 2001, approximately 1.9 per cent of the population of Lake Macquarie identified themselves as Aboriginal people. Aboriginal people also comprise approximately 1.8 per cent of the population of adjoining Newcastle City Council.

Note that Lake Macquarie is also one of the largest local government areas, by population, in NSW. Blacktown, which has the largest Aboriginal population in NSW, also has the largest total population. Lake Macquarie City Council has the fifth largest total population by local government area.

Table 2.1 - Aboriginal population growth in LMCC, 1991 to 2006

Total LMCC Aboriginal Population	Number	Percentage Growth
1991	1720	
1996	2774	+1054, 61%
2001	3409	+685, 25%
2006	4280	+871, 26%

Based on these statistics, the Aboriginal population has grown rapidly over the last 10 years.

The Bureau of Statistics attributes the apparent rapid rates of growth of the Aboriginal population to three factors:

- Better data collection techniques in the census.
- More people identifying their Aboriginal heritage for the first time.
- Natural population increase, with high birth rates and improvements to life expectancy.

2.1.1 Organisations Representing the Local Aboriginal Community

There are multiple organisations that represent the interests of Aboriginal citizens in the Lake Macquarie LGA. A full list of contacts for various groups providing support for Aboriginal health, education, legal affairs, housing and culture is included in **Appendix 3**. OEH also maintains a list of Aboriginal community groups who have interests in the Lake Macquarie area. The list is provided to proponents who approach OEH about the formal consultation processes required by the OEH Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010) (see also **Section 2.3**).

Until recently, three LALCs, established under the *ALR Act 1983* had territory within LMCC (see **Figure 1.1**). These are:

- Awabakal LALC. Part of Awabakal LALC area, including Mount Sugarloaf, is within the northern part of LMCC.
- Koombahtoo LALC. Koombahtoo LALC covered much of the western catchment of Lake Macquarie, including the catchments of Cackle Creek and Dora Creek. This area is now administered by the NSWALC except for cultural issues, which are dealt with by the Awabakal Local Aboriginal Land Council.
- Bahtabah LALC. Bahtabah LALC covers the eastern part of the lake Macquarie catchment, the coastline and the lake itself. Bahtabah LALC also extends into the south west part of the LMCC area.

Darinyinjung LALC is not within LMCC, but has an extensive border with the southern lake shoreline. All four Land Councils have been members of the Lake Macquarie Aboriginal Consultative Committee during the preparation of this strategy, and all four have also contributed to the drafting of regional natural resource management plans (through the Hunter Aboriginal Consultative Committee, and in future through the Hunter Central Rivers Aboriginal Cultural and Environmental Network). Any Aboriginal person who lives within the boundaries of a LALC may become a member of the Land Council. Further information about the roles of LALCs is provided in **Appendix 3**.

Each of the LALCs has an Elders Group, whose members are respected for their knowledge, wisdom and leadership in the community.

Two families are in the process of applying for formal registration as Awabakal Traditional Owners under the Native Title Act, *separate to the right of the Land Councils to make claims under the Aboriginal Land Rights Act*. These families are represented by the Awabakal Traditional Owners Aboriginal Corporation and the Awabakal Descendents Traditional Owners Aboriginal Corporation. Both Corporations have contributed to the development of the Lake Macquarie Aboriginal Heritage Study and Strategy.

There are many other individuals and groups who may have information about Awabakal cultural heritage values that would assist sustainable management decisions and practices. Groups which may have an interest in the sustainable management of Aboriginal culture and heritage in Lake Macquarie LGA include:

- LMCC Aboriginal Community Worker;
- Newcastle City Council Aboriginal Liaison Officer (because of the shared interests in Awabakal community culture across the two LGAs);
- Lake Macquarie Aboriginal Consultative Committee (Currently being restructured and not operational);

- Newcastle University Wollotuka Aboriginal Studies Centre;
- Arwarbukarl Cultural Resource Association Inc.;
- OEH Hunter Region Aboriginal Natural Resource Officer(s) and Aboriginal Community Support Officers;
- Hunter Central Rivers CMA – Catchment Officer, Aboriginal Community Support Officers and the Aboriginal Cultural and Environmental Network;
- Department of Trade and Investment, Regional Infrastructure and Services (NSW Forests section) Aboriginal liaison staff;
- Sydney/Newcastle Regional Land Council;
- NSW Aboriginal Land Council;
- Commonwealth Department of Environment, Heritage, Water and the Arts (in relation to sites or places listed on the National Heritage Database); and
- Multiple other Aboriginal community organisations in the LMCC area that support specific projects (such as public art projects).

Many of these groups have contributed to the preparation of the Lake Macquarie Aboriginal Cultural Heritage Strategy (see **Section 2.4**).

2.2 Guidelines for Consultation and Participation

This section outlines the guidance available to local government and proponents about involving local Aboriginal people in planning and land management decisions that affect Aboriginal cultural heritage values.

2.2.1 DLG and LGSA Resource Kit

A resource kit prepared by the Department of Local Government (DLG) and Local Government and Shires Association (LGSA) (2007) encourages Councils across NSW to engage with Aboriginal members of their communities in many different contexts, including:

- Active participation in council affairs, such as by Aboriginal people becoming elected representatives, employees and members of Council committees.
- Getting permission from Aboriginal people for Council projects that involve or impact on Aboriginal people's culture.
- Consulting and involving Aboriginal people in decisions about the management of community land.
- Consultation about the preparation of land use plans and in development assessment.
- Consultation about the location of community infrastructure that is built and operated by Council.
- Supporting the involvement of Aboriginal people in the economic development of the City.

- Using dual naming (traditional local Aboriginal languages as well as English) for places in the City.
- Display of Aboriginal flags, Welcome to Country, acknowledgement of Traditional Owners, Memoranda of Understanding, staff awareness training.

2.3 OEH Guidelines for Aboriginal Consultation in NSW

OEH has statutory responsibility for protecting Aboriginal sites (objects) in NSW. The NPW Act 1974 requires that OEH make decisions about the protection or disturbance of Aboriginal sites.

Council will ensure that its consultation practices in relation to the management of Aboriginal sites are in accordance with the OEH requirements.

OEH (2010) identifies the objective of consultation as ensuring that Aboriginal people have the opportunity to improve assessment outcomes by:

- 'providing relevant information about the cultural significance and values of the Aboriginal object(s) and/or place(s)
- influencing the design of the method to assess cultural and scientific significance of Aboriginal object(s) and/or place(s)
- actively contributing to the development of cultural heritage management options and recommendations for any Aboriginal object(s) and/or place(s) within the proposed project area
- commenting on draft assessment reports before they are submitted by the proponent to OEH.'

The focus of consultation is providing opportunities for people who hold cultural knowledge relevant to determining the (cultural) significance of objects and places.

OEH (2010) states that:

'Proponents are responsible for ascertaining, from reasonable sources of information, the names of Aboriginal people who may hold cultural knowledge relevant to determining the significance of Aboriginal *objects* and/or *places*. Reasonable sources of information could include (a) to (g) below. Proponents must compile a list of Aboriginal people who may have an interest for the proposed project area and hold knowledge relevant to determining the cultural significance of Aboriginal *objects* and/or *places* by writing to:

- a) the relevant DECCW EPRG regional office
- b) the relevant Local Aboriginal Land Council(s)
- c) the Registrar, *Aboriginal Land Rights Act 1983* for a list of Aboriginal owners
- d) the National Native Title Tribunal for a list of registered native title claimants, native title holders and registered Indigenous Land Use Agreements
- e) Native Title Services Corporation Limited (NTSCORP Limited)
- f) the relevant local council(s) – LMCC in this area
- g) the relevant catchment management authorities for contact details of any established Aboriginal reference group.

The Registrar of Aboriginal Owners maintains a list of those people whose name is entered in the Register of Aboriginal Owners, *NSW Aboriginal Land Rights Act 1983*. The Act requires that the Registrar gives priority to registering people for lands listed in Schedule 14 of the *National Parks and Wildlife Act 1974* (these people are eligible to enter into joint management agreements for National Parks), or subject to a land claim under section 36A of the *Aboriginal Land Rights Act 1983*. Several National Parks in NSW are managed under Joint Management. Two parcels of land (including Stockton Bight) are subject to agreements under Section 36A. No joint management agreements are currently in place for any land in LMCC.

Since 2007, Native Title Services has been known as NTSCORP. Its purpose is to assist Traditional Owners in NSW and the ACT to achieve cultural, social and economic benefits through native title and related processes (NSW Native Title Services Limited Annual Report 2003-2004).

Once the proponent has obtained a list of relevant people and organisations, it must write to them, and also notify others in the Aboriginal community who may have relevant cultural knowledge via a notice published in newspapers.

After the notification is complete, proponents must provide information to all the relevant registered Aboriginal parties so that they can contribute to the design of the assessment process. The consultation continues through field investigations, discussion of results and management options, and review of draft reports.

Proponents should read the full current OEH guidelines, which are available on the OEH website.

2.4 Aboriginal Community Consultation During Strategy Preparation

Council acknowledges and respects that members of the Aboriginal community in Lake Macquarie have worked for decades to protect the physical evidence of past occupation of the Awabakal country, and to maintain traditional cultural practices.

Much of the consultation with local Aboriginal community representatives about the preparation of the LMACHMS took place long before the current guidelines were published. Council followed the best available practice guidance from the then relevant government agencies, including NPWS (DECCW) and Department of Local Government.

The preparation of the LMACHMS has been guided and co-ordinated through a Project Steering Committee, established at the commencement of the project and drawing on the members of the Lake Macquarie Aboriginal Consultative Committee.

The core Project Steering Committee has comprised:

- The Coordinators and Site Officers of each of the three LALCs in the City – Awabakal, Bahtabah and Koopahtoo (see **Figure 1.1** and **Appendix 3**). Darkinjung LALC, which has boundaries around the southern shores of LMCC, has also contributed to the Project Steering Committee;
- Representatives of Elders Groups such as Keepa Keepa Elders (Koopahtoo LALC); and
- LMCC Aboriginal Community Worker.

The Awabakal Descendents Traditional Aboriginal Owners Corporation and Awabakal Traditional Aboriginal Owners Corporation have also participated in many meetings of the Project Steering Committee and have provided advice on Awabakal cultural heritage values across the city.

The valuable contributions of knowledge and advice by all members of the local Aboriginal community are acknowledged.

Members of LMCC's strategic planning staff and LMCC's Heritage Officer have also been members of the Project Steering Committee, as have several Councillors. The Mayor has also attended a number of project steering committee meetings.

This group has met to discuss aspects of the project over five years.

The project consultants and members of the Project Steering Committee jointly presented a paper on the assessment and management of Aboriginal Cultural Landscapes in LMCC to the NSW Coastal Conference, when it was hosted by LMCC in November 2004.

Consultation with Local Aboriginal Land Councils and Awabakal Descendent Families

In addition to the regular Project Steering Committee meetings at key stages of the project, the project team conducted separate meetings and briefings with the members of each of the three LALCs in the City, about specific issues of concern to them.

Separate meetings and briefings were also conducted with members of the families who are applying for registration as Awabakal descendents and Traditional Aboriginal Owners.

Members of each LALC and other Aboriginal community groups in the City were also briefed about the draft strategy for exhibition, and approved the materials to be used to raise awareness of the issues during the exhibition period.

Representatives from all LALCs participated in field studies conducted in Stage 1B of the project to clarify the location and condition of Aboriginal sites in some landscapes within the City.

As part of Stage 1B of the project, each LALC hosted a community field day with representatives of all three LALCs, community Elders and Awabakal descendent families. These field days allowed members of the community to highlight special values associated with places in the Lake Macquarie landscape, to share information about how some sites and places have been managed in the past and to discuss how management could be improved in the future.

Lake Macquarie Aboriginal Community Consultative Committee

Members of the Project Steering Committee have also been members of the Lake Macquarie Aboriginal Consultative Committee. There were four presentations to the Consultative Committee during the final stages of the preparation of the Strategy, to seek broader Aboriginal community feedback about the scope of the management issues, Council's responsibilities and potential responses.

Project consultants and members of the Project Steering Committee also met with HCRCMA and (then) DNR and DECCW (now OEH) Aboriginal project officers and liaison officers, to discuss consistent approaches to important concepts such as Aboriginal Cultural Landscapes.

Discussion Paper

A Discussion Paper, drawing together the cultural heritage information for the area and suggesting potential strategies for Council to better manage its cultural heritage obligations, was prepared in 2005. A series of briefings and discussion sessions for Council staff, Aboriginal community members (separately for each Local Aboriginal Land Council and other Aboriginal community groups, and also at meetings of the Consultative Committee) and State Agency representatives was conducted at that time, to seek feedback on the suggested strategies. Information provided during this consultation has been taken into account in preparing the LMACHMS.

Draft Lake Macquarie Aboriginal Cultural Heritage Management Strategy

Work on the draft Strategy commenced late in 2005, after a round of consultation about the Discussion Paper. Regular meetings were conducted with the Project Steering Committee and representatives of local Aboriginal community groups, over a period of six months. At these meetings, representatives of the various groups discussed with the consultants and with Council's planners, how the objectives of the Strategy could best be achieved. There was detailed discussion of:

- potential sites for nomination as Aboriginal places;
- how best to protect remaining sites in foreshore locations;
- how local Aboriginal community groups could best contribute to or support Landcare activities so that sites and cultural landscapes are protected;
- how the requirements of the LEP and DCP could be amended to achieve greater scrutiny of potential impacts on Aboriginal cultural heritage values during assessment of development applications;
- the logistics of Aboriginal community participation in large numbers of development assessments – how Aboriginal community groups would develop the resources) personnel and office systems) necessary for timely responses; and
- the importance of interpretative information about Aboriginal cultural heritage values and how this information would be prepared and circulated.

Further details about the opportunities for Aboriginal community groups to be involved in the project are noted in **Appendix 1**.

After a working draft of the LMACHMS had been prepared, LMCC provided all local Aboriginal community groups with further opportunities for comment and discussion. This included meetings with individual groups (both at Council and at the office of each group), informal liaison by Council's Aboriginal liaison officer, meetings and briefings to the Aboriginal Community Consultative Forum and formal written invitations to provide comments.

All local Aboriginal community groups were also welcome to provide further written comments on the draft Strategy during the exhibition period.

Comments received from Aboriginal, community groups and from other stakeholders were collated, reviewed and discussed with the project Steering Committee and Council staff, before a final draft Strategy was recommended to Council for adoption.

2.5 Other Key Players in the Management of Aboriginal Cultural Heritage in Lake Macquarie City

Whilst Council has significant responsibilities for the management of Aboriginal heritage in Lake Macquarie City, there are multiple other organisations having separate statutory responsibilities for culturally appropriate and sustainable land management. The LMACHMS outlines Council's particular responsibilities, but also identifies opportunities for partnerships between LMCC and other state and local organisations and the local Aboriginal community, to jointly contribute to effective and sustainable management of the City's Awabakal and Aboriginal cultural heritage.

Key organisations with interests and responsibilities in Aboriginal cultural heritage protection and management in and around the margins of LMCC include:

- Department of Environment and Climate Change (DECCW), now the Office of Environment and Heritage (OEH);
- Hunter Central Rivers Catchment Management Authority (HCRCMA);
- Regional Land Management Corporation (RLMC);
- Department of Trade and Investment, Regional Infrastructure and Services (former responsibilities of NSW Forests, Mineral Resources and NSW Fisheries);
- NSW Land and Property Management Authority. NSW Land and Property Management Authority conducts land assessments and also prepares Plans of Management for land managed under the *Crown Lands Act 1989*. Crown Land assessments and Plans of Management (for Crown Land and also Council Community Land) are prepared in accordance with the Crown Lands Guidelines. The Land and Property Management Authority manages the Belmont Wetlands State Park, approximately 500 hectares of former coastal dune and wetland landscape, now much degraded, between Redhead and Belmont. The Land and Property Management Authority and Council share management of public land at Swansea Heads;
- NSW Department of Aboriginal Affairs (within the Department of Human Services);
- Registrar of Aboriginal Owners; and
- Newcastle City Council, Wyong Shire Council and Cessnock City Council, each of which has an extensive boundary with LMCC. Newcastle Council lies primarily within the traditional lands of Awabakal people. Parts of Cessnock and Wyong Councils are also believed to be traditional Awabakal country, but multiple other traditional and community groups are also involved in these areas.

PART 3: ABORIGINAL CULTURAL HERITAGE VALUES – WHY THEY ARE IMPORTANT

3.0 Aboriginal Community Cultural Heritage Values in Lake Macquarie Local Government Area

The following sections describe the places, stories of traditional cultural association and historical events that make up a map of the Awabakal cultural features of the Lake Macquarie landscape. The information draws on historical published records and on input from members of local Aboriginal community groups. The features of this Lake Macquarie cultural landscape and the Aboriginal community's values in this landscape are the assets which Council seeks to help to protect and sustain through this cultural heritage strategy. Council also seeks to support the continuation of diverse Aboriginal cultural practices across the City.

3.1 The Country of the Awabakal People

All of LMCC is understood to be part of the traditional country of the Awabakal people. The traditional boundaries of the Awabakal tribe were wider than the current LGA boundary or the boundary of the Awabakal LALC.

Whilst Lake Macquarie was clearly central to Awabakal people (as was the Hunter River estuary), there are several different versions of the detailed boundaries of the country of the Awabakal. The approximate boundaries of the traditional Awabakal tribal country, as interpreted by the Australian Institute of Aboriginal Studies, are shown in **Figure 3.1**. The Awabakal appear to have been people of the coast, estuaries, lakes and wetlands, but also with attachment to the rugged sandstone country through the Sugarloaf and Watagan Ranges. The traditional country of the Awabakal people was bounded to the north by the Worimi, to the west by the Wonnarua, to the south west by the Darkinjung and to the south along the coast by the Kuring-gai people.

Threlkeld (1828) described the boundaries of Awabakal (people of the plain (Lake) surface) country as:

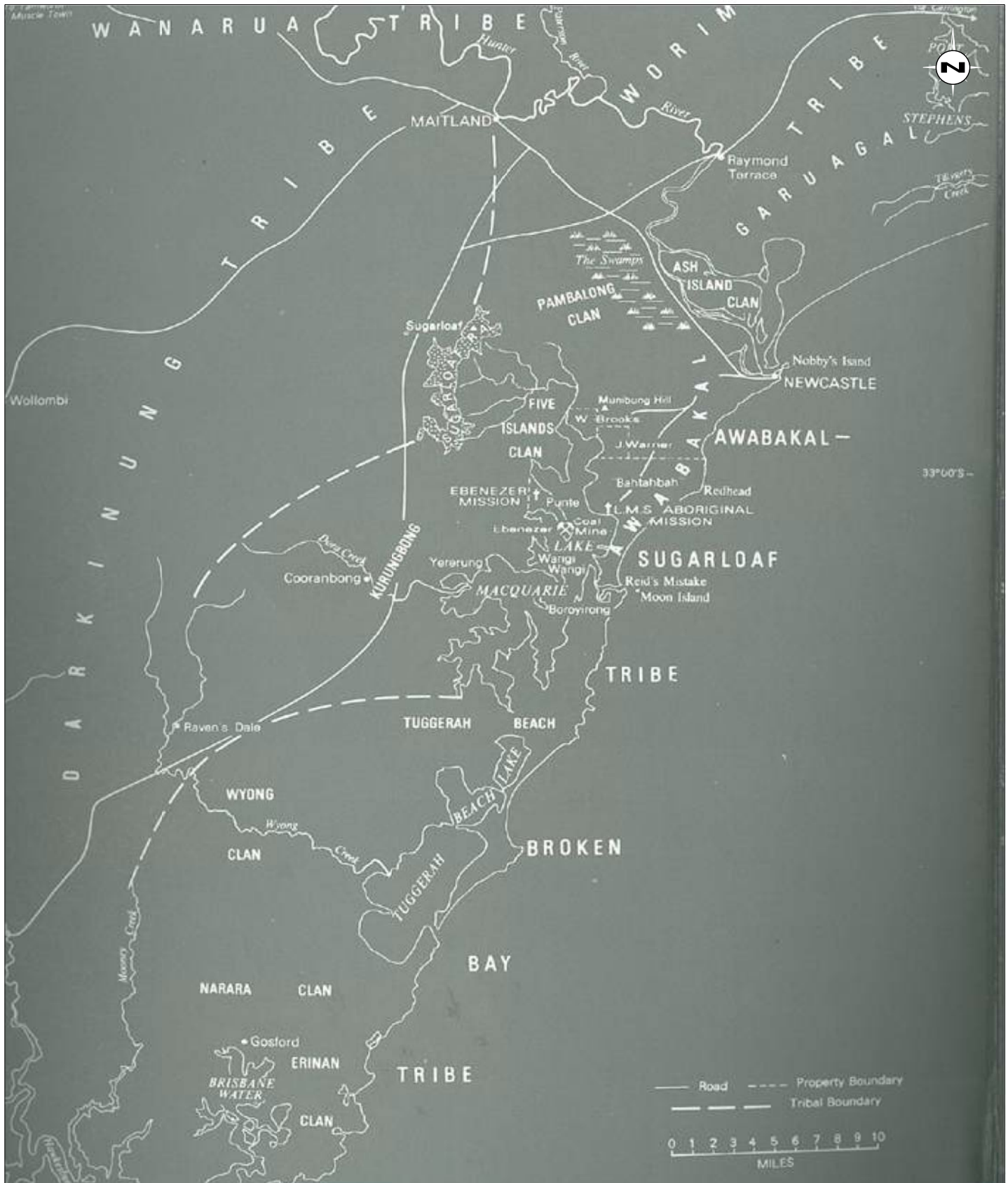
'The land bounded by south Reids Mistake, the entrance to Lake Macquarie and north by Newcastle and Hunters River. West by Five Islands at the head of Lake Macquarie.'

Threlkeld (1825) also stated that:

'the natives here (i.e. the people around Lake Macquarie, where his mission was located) are connected in a kind of circle extending to the Hawkesbury and Port Stephens.'

This would extend the boundary of Awabakal activity and interactions north and south well beyond Lake Macquarie and the Hunter River, although this does not necessarily imply that traditional Awabakal tribal country extended to these areas. The exact western extent of Awabakal country is also difficult to define.

Some early ethnographic reports suggest that the Awabakal people may have been the largest clan of several groups in the coastal part of the lower Hunter region. Related clans were the Pambalong, Ash Island and Cooranbong groups. Awabakal was the largest group in the area and was concentrated on Lake Macquarie.



Source: AIAS, 1974

FIGURE 3.1

Interpretation of Boundaries of
Awabakal Tribal Territory
according to AIAS, 1974

As can be seen from Threlkeld's comments (above) the Awabakal people may also have occupied (or travelled through) much of the Central Coast, with a direct connection to the Darkinjung and Kuring-gai people to the south, as well as to the Wonnarua to the west and the Worimi to the north. Wollotuka School of Aboriginal Studies (University of Newcastle) web site quotes documents from the Rita Smith Collection in the University Archives that report an annual corroboree at Nords Wharf (Kanangra) involving large numbers of Aboriginal people from Awabakal and Darkinjung country. People were reported to travel for days to get to this event. There are also suggestions that the Awabakal occasionally invited people from further afield to share coastal resources with them, for instance, sharing with Wonnarua and Darkinjung people if a whale was stranded on the beach.

Although there appear to be some distinct archaeological boundaries associated with the Sugarloaf Range, there is also historical reference to Awabakal people visiting the Range regularly and to language associations as far west as the Wollombi area. Although Mount Sugarloaf is visible from much of the lower Hunter valley, the Wonnarua people from along the Hunter River do not appear to have the same range of cultural stories associated with Mount Sugarloaf as the Awabakal people. Haslam (University of Newcastle archives and quoted on the Wollotuka School of Aboriginal Studies web site) suggests that the Awabakal people were fierce defenders of their coastal territory and that some sites in the upper Watagans may be evidence of attempted, but unsuccessful incursions by people from the west (for instance, Kamilaroi people, moving down the Hunter Valley through Wonnarua country).

The University of Newcastle (Wollotuka School of Aboriginal Studies) web site also suggests, based on the records of Percy Haslam, that Awabakal descendents 'survived' around Lake Macquarie well into the twentieth century. Haslam refers to a group of Aboriginal people (Awabakal) living in the mountains west of Martinsville until the NSW Forestry Commission began more formal management of the area, perhaps around the 1920s.

Various reports also refer to Margaret and Ned White, who lived at Swansea in the late nineteenth century (probably with other Aboriginal people) as being Awabakal people. In 1863, a very small number of Aboriginal people remained as part of the fishing settlement at Swansea Heads and Swansea Flats, sharing their country with a group of Chinese fishers and farmers and a small group of European sea farers. Ned (after whom Black Ned's Bay is named) and Margaret were part of this fishing community. Margaret, who was born at 'Waiong', lived on a reserve at Black Ned's Bay until late in the nineteenth century. The Swansea and Pelican Flat settlements were developed over the top of former Aboriginal midden deposits and it was reported in 1869 (see Clouten 1967), that lime diggers were excavating the old cockle shell deposits and sending them to Sydney by sea as supplies for the building boom in the city.

After about 1920, there are few references to Awabakal descendents living in the local area and for some time, it was thought that the Awabakal people had disappeared. Although it is possible that most local Aboriginal people may have left Lake Macquarie by the 1920s, it is now understood that some descendents of Awabakal people continued to live in or have interests in the Lake Macquarie area throughout the twentieth century and right up to the present time. Turner (1995) suggests that in the early 1930s, some Aboriginal people began to return to the region, working on the construction of the railway. A large group of Aboriginal people later lived in the 'Platt Estate' at Waratah (Newcastle local government area). How many of these people were descendents of the Awabakal or other specific traditional Aboriginal tribes is not known.

3.2 Awabakal Sites and Records of Traditional Culture

In NSW, the NPW Act 1974 provides statutory protection for Aboriginal objects and for some specifically gazetted Aboriginal Places. In the Lake Macquarie local government area there are more than 500 known Aboriginal sites. Only Pulbah Island is currently gazetted as an Aboriginal Place under the NPW Act 1974.

3.2.1 Awabakal Archaeological Sites

The Awabakal archaeological sites include middens, artefact scatters, rock shelters with art, scarred trees, ceremonial stone arrangements, grinding grooves and burials (see **Plates 3.1 to 3.5** for examples). The number of grinding groove sites in the city (more than 60 sites are registered in the OEH AHIMS database, in creek beds across the entire city) is considered to be a large assemblage of this distinctive site type and is archaeologically significant. Grinding groove sites are also culturally valuable; they imply an intimate understanding of the landscape and have a strong sense of social groups working together on country.

Aboriginal archaeological sites are known from all the major terrain units of the City – from the coastal dunes and headlands, the lake shore, hillslopes, ridges, creek valleys and the escarpment of the Sugarloaf and Watagan Ranges. The patterns of archaeological sites reflect the distribution of resources valued by traditional Awabakal people, the routes they used to move around their country and to meet up with people from other tribal groups and places used for campsites or chosen or valued for special ceremonies or spiritual associations.

3.2.2 Records of Awabakal Culture

In Lake Macquarie, much of what is now known about the non-archaeological culture of Aboriginal people has been passed down through the records of Reverend Threlkeld, a missionary to the Awabakal Aboriginal community from about 1820 to 1840. Records of other people (such as early government officials and settlers) who moved around the region in the early nineteenth century also provide valuable written insights. In his letters and diaries, Threlkeld described many events and activities that he was privileged to observe. From this same period, there are drawings and paintings by Joseph Lycett and others, which show traditional Aboriginal fishing activities and equipment and a perspective of the landscape in which people lived, (e.g. see **Plates 3.6, 3.7 and 3.8**).

With the help of The Awabakal man Biraban, Threlkeld recorded and translated the Awabakal language (see Fraser 1892), primarily through the Gospel of St Luke and other religious texts. The Awabakal Cultural Resource Association Inc., based in Newcastle, has been working since 2002 to revitalise the Awabakal language and increase the number of people who can understand and speak the language as part of their culture.

The eagle hawk was of great ceremonial importance to the Awabakal people, who referred to it as 'Koun'. Threlkeld (reported in Gunson 1974) refers to stone structures on the hills around Lake Macquarie, up to 1 metre high and nearly 2 metres in diameter, which Biraban told him were brought there by the eagle hawk.

Some examples of Awabakal place names and stories recorded by Threlkeld in the first decades of the nineteenth century are provided below. The Awabakal descendent corporations and each of the LALCs in the Lake Macquarie area have records of many stories and place names from traditional language, as well as places that were valued by many generations of Aboriginal people in the community.



PLATE 3.1
Midden deposits on the Lake Macquarie coast



PLATE 3.2
Examples of flaked stone artefacts from
open campsites in Lake Macquarie LGA



PLATE 3.3
Midden and Open Campsites are widespread on the lake foreshore



PLATE 3.4
Examples of grinding groove sites
in the Lake Macquarie LGA



PLATE 3.5
Local Aboriginal community members visiting the
Awabakal reburial site at Swansea Heads



PLATE 3.6
Mount Sugarloaf, with Awabakal people in the foreground

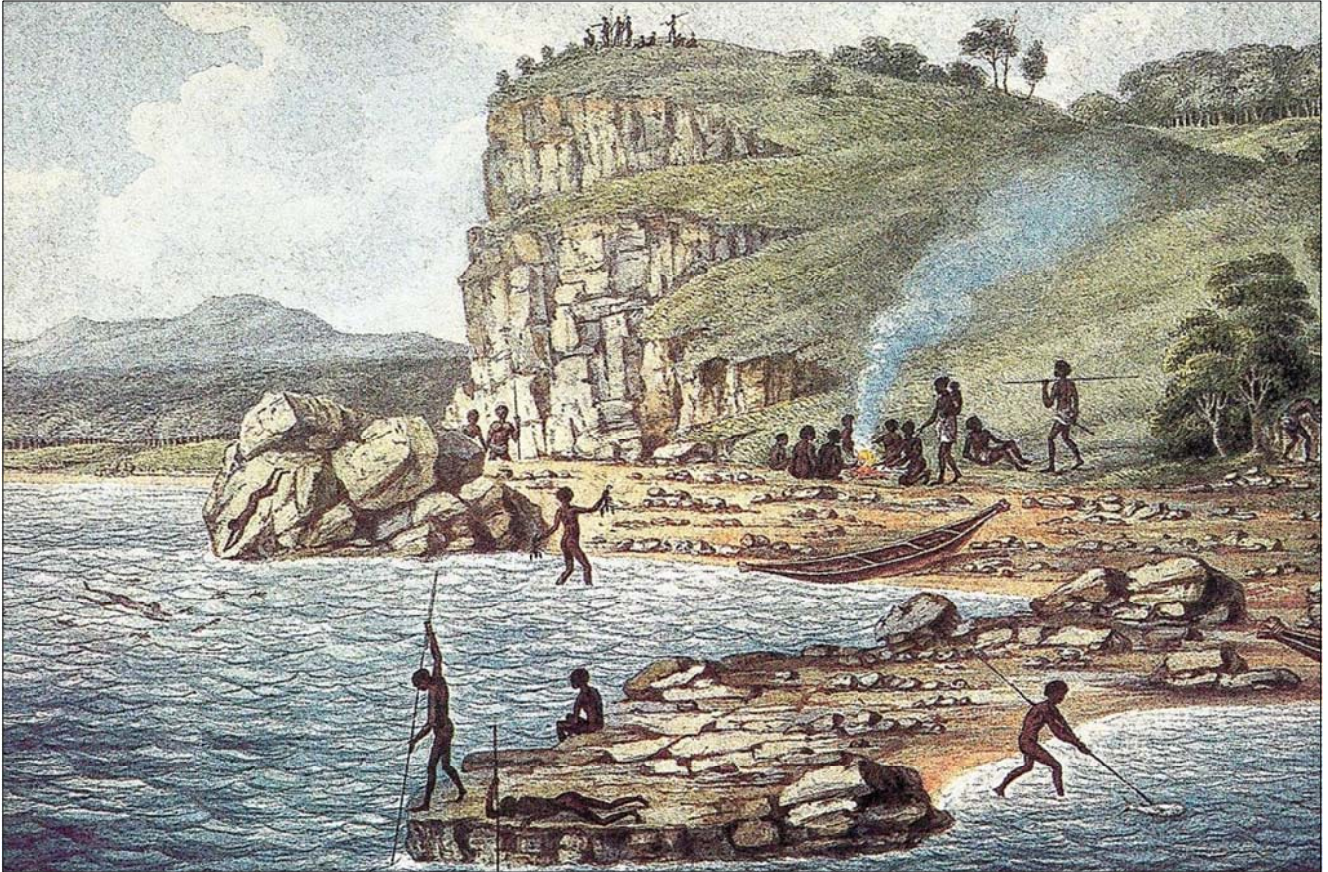


PLATE 3.7
Awabakal people fishing - possibly at Croudace Bay
in Lake Macquarie or at Little Redhead



PLATE 3.8
Joseph Lycett's 'Fishing by moonlight on Lake Macquarie',
possibly Crangan Bay

Mul-lung-bu-la:	Two large near vertical rocks at Swansea Heads, believed to be two women who were transformed into rocks in consequence of their being beaten to death.
Nir-rit-ti-ba	Moon Island – a place where mutton birds abounded.
Yirri-ta-ba	Swansea Heads – an important spiritual place. Several Aboriginal burials were found there in the 1970s and the remains have now been buried within the reserve at Swansea Heads (see Plate 3.5).
Ky-yee-bah	Pelican Flat – a place for games, canoe races and corroborees.
Wa-ra-wol-lung	A flat topped peak on the crest of the Watagan Ranges, behind Watagan Creek. The peak was partly cleared at the order of Surveyor General Mitchell in the late 1820s and was visible from a great distance.
Ko-na-ko-ina-ba	Munibung Hill, a place where a special stone was found, making a yellow substance for paint.
Bo-ro-yi-rong	The place inhabited by the water monster who guarded the deep water to the east of Pulbah Island. The monster was said to swallow canoes and their crew whole. The monster could also come up anywhere else where there was water.
Kur-rur-kur-ran	A petrified forest at Fennell Bay made from a single large rock that fell from the sky where people had previously been speared to death by a 'long reed from heaven' (according to Threlkeld's version of the story).

Mount Sugarloaf is the home of the supernatural demon Puttikan. **Plate 3.6** is an early nineteenth century illustration of Mount Sugarloaf and shows Aboriginal people in the foreground. Mount Sugarloaf is a landmark that is visible from many parts of traditional Awabakal territory.

Plate 3.7 reproduces a Lycett drawing of Awabakal people fishing (using spears) and collecting lobsters. An Awabakal canoe is pulled up on the shore. The site of this drawing is not known definitely. It has some similarities with the Croudace Bay area, with Munibung Hill in the background. An alternative is the Little Redhead/Dudley Tops area on the coast.

3.2.3 The Threlkeld Mission Sites

Threlkeld is believed to have first cleared a small area near the northern shore of the lake before establishing his mission station near Victoria Street in Belmont (Bahtabah) in 1826. Threlkeld subsequently took up a grant of 1280 acres at 'Derahbambah' (Coal Point) and 'Punte' (Toronto), extending as far as LT (Lancelot Threlkeld) Creek at Fassifern, in about 1830. The Toronto Hotel, built in the 1890s, is on the site of the Threlkeld Mission at Toronto.

As early as 1837, Threlkeld reported a dramatic decline in the local Aboriginal population, partly due to disease and disruption of traditional Aboriginal society by ill treatment and partly by the migration of remaining Aboriginal people to camps around the more established settlements (in this case Newcastle, still within the traditional Awabakal lands). Threlkeld commented on the poor conditions in which people lived in these camps.