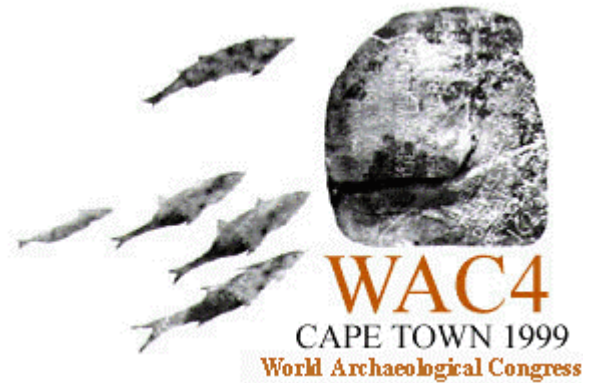


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Indigenous Heritage And Local Communities

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Introduction

In October 1997, the City of Port Adelaide Enfield (Council) - a municipal authority - in partnership with the Kurna Aboriginal Community Heritage Association (KACHA), agreed to commence a process to review Indigenous heritage within the local area. The purpose of the review is to identify places of heritage significance to the local Indigenous community (Kurna & others) with the intent of then developing a policy framework for Council to facilitate the conservation and management of these places.

Council and KACHA have subsequently formed a partnership with staff from the Anthropology, History and Archaeology departments of Adelaide and Flinders Universities who will be responsible for undertaking the project research. The outcome of this partnership is a cross-disciplinary project team that encompasses Community Development, Urban Planning, Indigenous Management, Anthropology, History and Archaeology.

To achieve the aims of the project it was necessary to engage in an extensive process which involved; project planning, the development of relationships and the negotiation of and agreement to a code of ethics.

The project aims are to:

provide Council with a process to enable accountability in the management and protection of places identified as significant to the Indigenous community;

identify places of local heritage significance to the Indigenous community to enable Council to establish a register of local heritage places under the Development Act, 1993.

involve the Kurna Community in the identification and management of their heritage;

involve Adelaide and Flinders Universities and the Kurna community in the development of a culturally appropriate process to identify and manage Indigenous heritage;

provide career and training opportunities by employing Indigenous students ; and establish a project methodology that is respectful of everyone's needs.

Background

The City of Port Adelaide Enfield is a municipal authority located within the Adelaide metropolitan region. Adelaide is the capital of the State of South Australia. The City of Port Adelaide Enfield has a population of approximately 100,000 people and covers an area of 96 square kilometres. As a conservative estimate 2,000 Indigenous people currently reside in the Council area. The local area is also a recognised meeting and social gathering place for Indigenous people for whom the locality has much historical significance. It is understood that:

“The first contact between Aboriginal people and the European colonists occurred in South Australia during the mid 1830's. At this time the Adelaide Plains were inhabited by the Kurna people, whose territory extended from Cape Jervis (in the south) to Port Wakefield (in the north) and inland to the high ridges of the Mount Lofty Ranges (Edmonds, 1995). Evidence suggest that the Kurna people may have originally occupied the Adelaide Plains and Port Adelaide region for in excess of 8,000 years, attracted by the abundant resources of the coastal strip and estuarine wetlands.” (p.1 City of Port Adelaide Enfield Indigenous Heritage Plan Amendment Report – Statement of Intent)

Legislative and Political Context

Indigenous heritage in Australia has historically been the legislative responsibility of State and Commonwealth governments.

During the 1990s Indigenous matters have experienced an increasingly conservative approach from Commonwealth and State government agencies, and a consequent contraction in Indigenous rights.

Over this period there has been an increasing shift by State and Commonwealth Governments to devolve a wider range of responsibilities to municipal authorities. In particular matters such as heritage, public health and environmental management have become the responsibility of local municipality authorities.

In South Australia, Indigenous heritage has traditionally been managed under the South Australian Aboriginal Heritage Act, 1998. One of the aims of this legislation is to ensure that places listed under the Act are appropriately managed. However, the local Indigenous community has expressed a level of disquiet regarding the administration of this legislation and there are moves afoot to undertake a review of it

by the State. Their disquiet relates to the concern that a review of places listed in the State Register of Aboriginal Heritage significance will result in the de-registering of important sites.

In South Australia, municipal authorities are responsible for assessing the impact of development in local areas. The Development Act, 1993 is the legislation under which municipal authorities administer matters relating to development.

When the Development Act came into effect in 1993, it contained a new provision allowing municipal authorities to establish registers of local heritage places in the local plan. Section 23(4) of the Development Act establishes criteria which local heritage must satisfy, and states:

“A Development Plan may designate a place as a place of local heritage value if –

it displays historical, economic or social themes that are of importance in the local area; or

it represents customs or ways of life that are characteristic of the local area; or

it has played an important part in the lives of local residents; or

it displays aesthetic merit, design characteristics or construction techniques of significance to the local area; or

it is associated with a notable local personality or event; or

it is a notable landmark in the area.”

Since 1993, municipal authorities have undertaken surveys of colonial and post settlement heritage (i.e. post 28 December 1836). Most municipalities in South Australia now have registers of European local heritage places however, none have registers of places of Indigenous local heritage significance.

In addition to the above legislative changes, the issues surrounding Native Title rights in Australia have recently been in the spotlight, and include the High Court decisions on Mabo and Wik. As these decisions had the potential to set precedence for increased Indigenous rights, the Commonwealth Government swung into action, and introduced the 10 Point Plan under the Native Title Act. This legislation was passed in mid 1998, and has, to a degree, diminished Indigenous rights that may have eventuated as a result of the Mabo and Wik decisions.

The above events were coupled with a burgeoning reconciliation movement throughout Australia, including the recognition by the general community of Indigenous issues.

The issues of reconciliation began to be addressed by Council in 1997. In particular, during this year a number of events occurred that lead Council to agree to undertake an Indigenous Review including:

an approach by the Council and MFP Australia (a State government authority) to assist KACHA to host a meeting of Kurna families and a series of strategic planning sessions with the Kurna community, government and community agencies. Its purpose was to determine sites of importance to the Indigenous community. It should

be noted that although this option was not taken up, it did establish a dialogue for the subsequent partnership with KACHA);
 a review of Council's development policies that identified that Council policy on Indigenous Heritage was limited;
 a growing commitment by Council to Indigenous issues, for example Council unanimously endorsed the Australian Citizens Statement of Native Title to petition Australian politicians to uphold the recent Wik decision of the High Court of Australia, active participation in Sorry Day and other reconciliation events.

Once Council's agreement to the project was received a budget was allocated and negotiations commenced with KACHA in late 1997.

The Process

For the purpose of summarising the project, it can be divided into eight distinct phases as detailed below.

- Partnering and Project Development
- Tendering and Review of Consultants' Proposals
- Review of Project Objectives and Assessment of Alternatives
- Invitation to Adelaide University and the Partnership
- Project development
- Project Agreement
- Methodology & Principles
- Registration of Places of Local Indigenous significance

Following is a detailed description of each of the above stages.

Partnering and Project Development

The process adopted by Council and KACHA to undertake the review involved the formation of a Project Steering Committee comprising two representatives each from KACHA and Council. This process commenced in October 1997 and involved regular meetings to establish a relationship between the parties and negotiation of the terms and conditions of the project including process; methodology; responsibilities; and timing. This phase lasted seven months, and concluded in the preparation and endorsement of a Consultants' Project Brief.

Tendering and Review of Consultants' Proposals

An advertisement was placed in the newspaper inviting interested Consultants to respond to the Project Brief. Responses were received from three Consultants, with all involving either Archaeology or Anthropology specialists. Following a shortlisting process by the Project Steering Committee, it was agreed that further discussion should be held with one of the respondent consultant groups.

Following an exhaustive process of negotiations with the preferred Consultants and after consideration of the additional documentation, a decision was reached by the Steering Committee to reject all project proposals because it was:

agreed that most projects exceeded the budget allocation for the project;
 recognised that none of the Consultants had adequately proposed a methodology that
 was considered to be culturally appropriate or sensitive, and;
 agreed that the proposed methodologies were not likely to achieve the project
 objectives.

Review of Project Objectives and Assessment of Alternatives

The cost and methodologies proposed by the respondent Consultants forced the
 Project Steering Committee to reconsider its options in relation to facilitation of the
 project in accordance with the aims and objectives of the project brief. This resulted
 in a reassessment of options and considerable discussion by the Steering Committee
 about alternatives.

Given the culturally sensitive nature of the project, it was agreed that academic staff at
 the local universities should be approached to float the option of a research project.
 The Steering Committee agreed that KACHA should nominate suitably qualified
 academic staff that had established credentials with the Kurna community. A
 number of names were suggested, and Council approached the respective academics
 to ascertain their level of interest in the project.

Invitation to Adelaide University and the Partnership

Following a number of meetings with Anthropology, Linguistic and History academic
 staff from Adelaide University, the Steering Committee agreed that further dialogue
 with the Anthropologists and Historians would be required to develop a research
 project. To establish this dialogue, the Anthropologist who had taken a keen interest
 in the project was invited to meet with the Steering Committee. It was agreed at this
 stage that the project as detailed by the brief would be developed into a research
 project involving students as research assistants and including the input of History and
 Archaeology.

It was also agreed by the Steering Committee that to develop a research project that
 would meet the objectives of the project brief, it would be necessary to work in
 partnership with the academic personnel (the Consultants) to guide development of
 the project methodology. To this end, the Consultants who would be working on the
 project were invited to join the project Steering Committee as members with no
 decision making rights. This process commenced in August 1998 and has involved
 extensive dialogue between the Consultants and the Steering Committee

Project Development

In the earliest meetings of the enlarged Steering Committee it was decided that the
 aim of the consultancy would be:

To carry out a high quality stage 1 Indigenous heritage survey in the council area
 within a nominated budget which aims where appropriate to present recommendations
 to Council of sites and items for listing within its legislative frameworks and for
 further research; and

In partnership with the Steering Committee to produce and pilot a methodology and model capable of being generalised within Australia for high quality Indigenous heritage surveys that have as a fundamental feature of the process the applied training of students, and in particular Indigenous students.

The group worked towards this objective involving a series of meetings which sought to agree on a set of principles for the ethical conduct of such research; the resolution of issues of copyright and intellectual property; and the proper management and storage of material generated. This fundamental phase of the project was undertaken free of charge by KACHA and consultant members. The enlarged Steering Committee has agreed that at the conclusion of the project that it will work to publish an account of this process and the methodology and model in order to make it available for use in other Council areas across Australia.

Project Agreement

The Project Development phase of the process resulted in the development of a set of “Agreed Project Principles”. Among the issues covered in the agreement include:

- Project Methodology
- Student Selection Process
- Management and supervision of the students
- Role and membership of the Steering Committee
- Storage of Information
- Management and Ownership of information
- Confidentiality
- Kaurna Workshops

Methodology & Principles

Based on negotiations between the consultancy team and the Steering Committee the following has been agreed to as the basic project methodology.

Evidentiary Thresholds

Because to our knowledge this pilot survey of Indigenous heritage in a Council area is the first of its kind in South Australia, this survey will adopt an evidentiary threshold of at least two bases as the minimum recommendation for listing. It should be noted, however, that under the Development Act it is only necessary to have an evidentiary threshold of one base.

Where a single evidentiary base can be documented, the consultancy team has agreed that in the ordinary course of events, they will:

- report the identified site;
- note the basis of its identification; and where appropriate
- make recommendation for further research.

2. Cultural Matters

The Steering Committee have agreed that the consultancy will not seek to elicit the content of, or document restricted cultural material (such as mythological information) in the course of this consultancy. It has also been agreed that should such matters arise in the course of the research process that advice will be sought from the KACHA representatives on the Steering Committee

3. Research methodology

The pilot survey has been designed to be an interdisciplinary process which can make the most of modest financial resources. It should be noted however, that the success of this project has been and will continue to be, contingent on unfunded contributions by the representatives of KACHA, the Council and the Consultants.

The research plan has been designed to maximise the potential to review more than one evidentiary base for all assessments of significance under the Development Act, 1993. It also seeks to integrate the disciplinary strengths of the consultancy team in a cumulative process through which sites will be identified and progressively targeted for further research. Whilst particular members of the team have accepted primary responsibility for particular tasks, the methodology is contingent on a more general acceptance of collective responsibility for in-put, advice and co-operation amongst the team throughout the agreed process.

The research plan also entails regular reporting to, and seeking advice and guidance from the Steering Committee. As a compliment to this research plan, the KACHA representatives on the Steering Committee will hold a number of community consultation workshops. Council will provide administrative and logistical support and the consultancy team will participate in the workshops based on invitation from KACHA.

The research plan entails

two main stages of library and archival research;
oral history interviews; and
targeted archeological survey of sites identified in earlier phases.

These phases are introduced below.

Phase A: Baseline library and archival research.

On the basis of an agreement between the Consultants and the Steering Committee, two Indigenous Research Assistants have been appointed and have begun the baseline documentary research.

The purpose of this phase of the research is to:

Maximise the identification, collection and analysis of relevant literature and reports;
Identify and document sites of known significance from the literature; and
Identify six high priority oral history interviewees

This phase will focus on material relating to the period between colonisation and the pre 1930s.

Phase B – Oral History Interviews

In this phase of the research it is proposed to interview six key people about their life and knowledge of the Council area with special reference to sites identified in Phase A.

Through the eliciting, recording and transcription of life histories relevant to the Council area the aims of this phase of the research will be to:

extend documentation of the significance of sites identified in Phase A;
 identify further sites of significance which can be followed up in targeted library and archival research and with archeological survey;
 gather information relevant to the decision making process in the targeting of sites for archaeological survey in Phase F.

KACHA representatives in negotiation with the Consultants will determine people to be interviewed. The process of obtaining informed consents from interviewees for the use of their material in the project; the ownership of the oral material; the storage and management of access to oral material have been agreed to by the Steering Committee in the Agreed Project Principles. Further, it has been agreed that the provider of the oral information is the principle owner of that information, and will be cited appropriately in the associated documentation with a copyright provision on their information included in the report.

Phase C – library and archival follow up

The purpose of this phase of follow up library and archival research is to:

Extend the documentation of identified sites and provide further evidentiary bases for assessment of significance under the Development Act, 1993;
 Identify certificate of title details of sites; and
 Identify sites for further research.

This phase of the research is expected to focus on material relating to the twentieth century and in particular the period from the 1930s to 1998.

Phase D – preliminary report to Steering Committee on documentary and oral history research

Due to timing constraints the archaeological survey will be undertaken after March 1999. Consequently, a preliminary report will be prepared at this point in the survey. It will be presented to the Steering Committee in the format to be adopted in the final report. Its purpose will be to:

inform the Steering Committee of the results of the research process to this point;

identify in broad terms any cultural issues which require attention and direction from KACHA before the archeological fieldwork is commenced and the final report is produced;
 provide information relevant to assist KACHA develop a short list of sites to be further investigated in the archaeological survey; and
 undertake a dry run of the final report on the basis of the results so far.

Phase E – Archeological fieldwork

The purpose of the archeological fieldwork is to further document targeted sites for their assessment of significance under the Development Act, 1993:

recording artefactual material;
 mapping site plans;
 assessing the archaeological significance of sites and places; and
 recommending site management policy.

Suitably qualified Indigenous students, selected by the Consultants in conjunction with the Steering Committee, will work as field assistants in this phase of the research. It has also been agreed by the Steering Committee that KACHA will also nominate two Kaurna field monitors to facilitate the archaeological fieldwork.

Phase F – Final Report

The team of Consultants will jointly author the final report of the survey. Its purpose will be:

Where there are two or more pieces of substantiated evidence for the assessment of significance to recommend to Council sites for listing as places of local heritage significance;
 Where there is only one piece of substantiated evidence for the assessment of significance under the legislation, to recommend to Council actions for further research;
 To provide specific advice for recommended sites; and
 To provide a context and rationale for those recommendations.

The draft final report will integrate the archaeological findings into the interim report from Phase D. The integrated draft will be presented to the Steering Committee for comment and advice. It will seek to identify in broad terms any cultural issues which require advice from representatives of KACHA on the Steering Committee before the report is finalised for production.

Phase G – Project Evaluation

The Consultancy team has in consultation with the Steering Committee agreed to review and assess the practical experience of the pilot of the model and methodology, after the completion of the final report. It has also been agreed in principle that the Steering Committee and the Consultancy team will seek to publish jointly an evaluative account of the process, model and methodology. Publication may take the

form of conference presentations and/or published papers. It may be possible to undertake the production of a multi-media publication of the work.

The purpose of the project evaluation is to produce documentation of the methodology and model with the aim producing a generic framework for adoption throughout Australia.

Registration of places of local Indigenous significance

Following receipt of the final documentation, Council will seek to implement the findings of the survey through the development of appropriate policy and the listing of recommended places into Council's Development Plan. This will involve a process of preparing a Plan Amendment Report that will require to be endorsed by the community, other stakeholders in the Council area and the State government. Significant to this process is the requirement by the State for Council to gain the endorsement of the land-holder upon which a local heritage place is located to agree to the local heritage listing.

Conclusion

In conclusion it is important to recognise that a project of this nature takes time and commitment on a political and personal level (e.g. council, staff and Consultants and Indigenous community to work out a process that will work). It is worth pointing out that this is a process that is more common approach in the community development arena.

Generally, the normal process for undertaking projects is to allocate a budget amount and to buy the skills necessary to undertake the work. This project has demonstrated that this method will not necessarily deliver the desired outcomes. This is particularly as issues of cultural sensitivity and a partnership arrangement may require project delivery to be approached in a completely different manner. Whilst the results of the project are yet to be seen, it is hoped that this approach provides a model that may assist in future projects of this nature.

Whilst the initial decision to select suitably qualified Consultants to undertake the project failed, the Steering Committee considered it inappropriate to just select the best consultant. Rather it chose to reevaluate the proposals received against the project objectives. This process enabled the Steering Committee to objectively review the project purpose to ensure that it be undertaken in a manner that would meet the needs of the Project, KACHA and Council.

The process adopted to undertake the project has highlighted the need to include a range of views to represent the project objectives, and to recognise that facilitation is a fundamental requirement to bring different people together to air their views and perspectives.

Finally the commitment by all to achieve the project objectives coupled with their sensitivity and diplomacy to consider alternate views has been a valuable element to the process.

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