



**TIMBERLANDS**  
Pacific

# Cultural Heritage Management Plan Penola Plantations



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Timberlands Pacific acknowledge the Boandik people as the Traditional Owners of land on which we manage. Timberlands Pacific pay respects to their Elders, past, present and emerging and the continuation of their cultural, spiritual and educational practices.

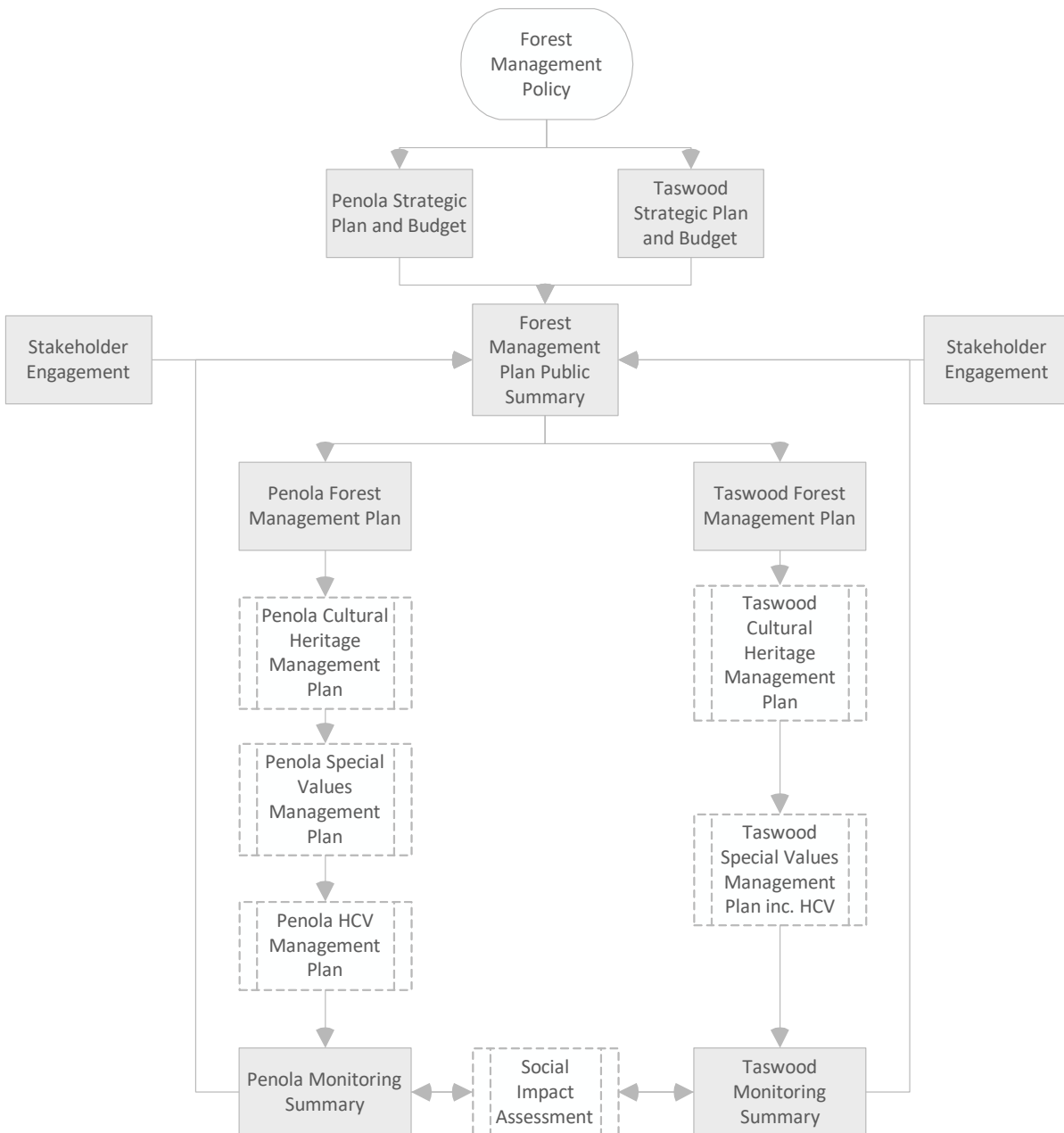
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Cultural Heritage Management Plan Penola Plantations  
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## Purpose

The purpose of this Cultural Heritage Management Plan is to provide an overview of how cultural heritage sites are protected within the Penola Plantations. Protection of cultural heritage is achieved through identification, recording and assessment of sites of cultural significance to all ethnic groups (e.g. Indigenous and other Australians). Assessment of cultural significance and development of management prescriptions includes engagement of appropriate experts.

This Plan forms part of the Penola Plantations Forest Management Plan. The complete FMP is a collection of documents as identified in the below chart.



## Aboriginal Cultural Heritage

Timberlands Pacific Pty Ltd (TPPL) recognises, understands and appreciates the value of Aboriginal cultural heritage. This includes how TPPL operations may impact upon an area, as well as the steps necessary to preserve and protect sites for future generations.

Aboriginal cultural heritage consists of objects, places, artefacts, ideas and beliefs. Examples of cultural heritage that may impact on TPPL operations include but are not limited to: rock art, stone artefacts, stone arrangements, middens, burial sites, and places of spiritual and social significance.

TPPL acknowledges and respects Aboriginal communities as the traditional owners and continuing custodians of the land the Penola Plantations is located on.

### Local Indigenous Communities and Corporations

Lower South East, South Australia and Western Victoria:

- Burrendies Aboriginal Corporation: [www.burrendies.org](http://www.burrendies.org)
- Winda-mara Aboriginal Corporation: [www.wmac.org.au](http://www.wmac.org.au)
- Gunditj Mirring Traditional Owners Aboriginal Corporation: [www.gunditjmirring.com](http://www.gunditjmirring.com)



Figure 1: Scar tree, South Australia

## Post Colonial Cultural Heritage

The need to understand, preserve and protect Historic (colonial and post colonial) Heritage is also important. There was significant clearing of native vegetation during the Gold rush of the mid nineteenth century and it is likely that further areas within the TPPL managed estate will require protection.

## Legislation

The following acts of parliament have been enacted to ensure the preservation and protection of cultural heritage. Those that dictate TPPL's legal and other obligations are:

### Commonwealth legislation

- Aboriginal and Torres Strait Islander Heritage Protection Act 1984

### South Australian legislation

- Aboriginal Heritage Act 1988
- Heritage Places Act 1993

### Victorian legislation

- Aboriginal Heritage Act 2006
- Aboriginal Heritage Amendment Act 2016
- Heritage Act 1995
- Heritage Rivers Act 1992

These acts set out provisions relating to Aboriginal and Historic cultural heritage and detail specific offences for damaging or interfering with cultural heritage sites. Both individuals and corporations are required to abide by these acts.

Heritage planning is part of the Department of Planning and Community Development. For more information on areas such as the Heritage Council of Victoria, the Victorian Heritage Database and Aboriginal Cultural Heritage see <http://www.heritage.vic.gov.au/>

European Cultural Heritage is part of the Department of Environment Water and Natural Resources. For information on SA cultural heritage sites and places refer to <http://www.environment.sa.gov.au/heritage>.

Aboriginal Cultural Heritage is part of the Department of the Premier and Cabinet. Refer to <http://www.dpc.sa.gov.au/aboriginal-affairs-and-reconciliation-division> for planning information.

It should be further noted that the principles of the **Burra Charter (2013 version)** are followed with respect to the management of places of cultural significance (cultural heritage places).

## Burra Charter

Another important source of information and guidance for the management of places of cultural significance is the [Burra Charter \(2013 version\)](#). The Burra Charter (2013) was updated by the Australia International Council on Monuments and Sites in 2013, to “reflect developing understanding of the theory and practice of cultural heritage management”.

The Burra Charter is a series of definitions and processes (with explanatory notes) that outline how to conserve places of significance.

TPPL does not directly reference the Burra Charter in its day to day management of Cultural Heritage Values. However, it is one of the principle documents influencing the management of Cultural Heritage in wood production forests. The philosophies, principles and processes outlined in the Burra Charter guide TPPL management decisions when dealing with culturally significant places and. The Burra Charter acts as a benchmark to ensure it fulfils its social and legal responsibilities.

## TPPL Policy

TPPL acknowledges that the land and traditional sites are of significance to local Aboriginal people.

TPPL will facilitate access (other than for health and safety reasons) to areas of the Penola Plantations if the Indigenous community requests access for traditional use. These activities may include ceremonies, gathering, hunting, access to important sites or as part of teaching law and customs to future generations and other socially important events.

TPPL recognise the importance of First Nations land practices in the historical context of the estate and significance to the First Nations community. Opportunities to express these land practices will be sought by TPPL and accommodated when approached following the defined Operational Planning and Management procedure (page 8).

## Native Title

In Victoria, the Traditional Owner Settlement Act 2010 allows the government and traditional owner groups to make agreements that recognise traditional owners’ relationship to land and provide them with certain rights on Crown Land <https://www.justice.vic.gov.au/your-rights/native-title>. TPPL does not manage any area in Victoria on Crown Land.

In South Australia, native title also may exist over areas of Crown Land or Waters and describes the rights and interests of Aboriginal and Torres Strait Islander people in land and waters, according to traditional laws and customs <https://www.environment.sa.gov.au/topics/crown-land/south-australias-crown-land/native-title>. TPPL does not manage any area in South Australia on Crown Land.

## Operational Planning and Management

### Cultural Heritage Assessments

During the preparation of a Timber Harvest Plan (THP) or Forest Operation Plan (FOP), an Aboriginal and Cultural Heritage assessment **must** be conducted to establish if any cultural heritage item is known to exist on the land within the operational boundary.

Any known sites are recorded as a selectable layer in the Geographic Information System (GIS) database. Ongoing communication with local original owners of the land will be necessary to determine the existence or extent of any further sites in ensure protection and preservation.

#### Heritage Values Identified

If the Cultural Heritage search identifies specific cultural heritage, the following shall apply:

1. An inspection of the site will be undertaken and a draft management prescription developed.
2. A Cultural Heritage specialist from the Department of Environment, Water and Natural Resources in South Australia or the Department of Community and Planning in Victoria, will be advised and asked to endorse the suggested management prescription, or provide further advice.
3. A management plan for the specific cultural heritage shall be developed.
4. The management plan shall be implemented to ensure full protection to the Cultural Heritage site.
5. Final prescriptions or management plans will be written into the relevant THP or FOP.
6. Monitoring of the site will be maintained during the course of the operation.
7. Post operation inspection of the site will be completed and recorded.

#### No Heritage Values Identified.

If the Cultural Heritage search **does not** identify specific cultural heritage values it is still possible that cultural heritage may be present on the project site and unearthed during operations. To ensure full protection of any possible cultural heritage not yet identified the following shall apply:

1. If previously unknown Aboriginal cultural heritage is identified during operations, all works must cease immediately, as per TPPL's ERP Cultural, Historical and Archaeological site: Accidental Discovery Policy.
2. TPPL staff member to be notified as soon as possible.
3. It is a legislative requirement that cultural heritage sites located must be reported to the appropriate authority. A TPPL staff member shall ensure that this report is made.
4. Advice shall be sought from the relevant authority.
5. A suitably qualified archaeologist shall be employed to carry out an assessment of the cultural heritage.
6. A management plan for the specific cultural heritage will be developed and included as part of, or as an attachment to the THP or FOP.
7. The management plan and all steps above will be implemented to ensure full protection to the Cultural Heritage site.

**NOTE: The location of any artefacts or historic sites will not be publicly disclosed. Operational Supervisors and Managers will ensure contractors are aware of this.**

## **First Nations Land Management practices**

Through engagement with First Nations and representative Aboriginal Corporations, TPPL may be approached to incorporate traditional land management practices at reserve sites, or may reach out to those representatives to collaborate on multi-faceted reserve projects.

This may include traditional land practices such as, but not limited to, cool/cultural burning, canoe and Coolamon creation, fish trapping and seed collection and sowing.

Requests approaches should be managed following the below criteria:

1. Consider appropriate engagement has been made with all of the relevant stakeholders, and are there opportunities for further engagement
2. Does the practice align with the management of that reserve – HCV status, Special Values present
3. Are permissions needed by relevant authorities or the Client
4. Consider the need for a Cultural Heritage Assessment prior to the practice
5. What involvement can TPPL have, and is it appropriate
6. The practice will be covered by an operational plan and operational map or site induction (dependent on impact), so to convey the aims and expectations of the practice and any associated safety and environmental risks to both the persons on site and the site itself
7. A debrief with the relevant stakeholders should be held so to assess if expectations were met, learnings from the practice and any further directions the involved parties would like to take