



Threads of Conservation

Social fabric • Fabric and place • Conserving fabric

Australia ICOMOS Conference
5-8 November 2015
Adelaide Australia



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Professor Roger Thomas is the Manager of Aboriginal Heritage in the Department of State Development, Aboriginal Affairs and Reconciliation (DSD-AAR). He is a senior Kokatha man and the first Aboriginal person to obtain a Professorship at the University of Adelaide. He is an outstanding community leader, has a strong background in welfare, higher education and Aboriginal Affairs, at a State and National level.

Virginia Leek is Manager Aboriginal Heritage Coordination in DSD-AAR. She has been active in policy development for reform of the *Aboriginal Heritage Act SA 1988* and is also responsible for administration of the current Act in conjunction with Aboriginal Heritage Branch. She has been a Senior Solicitor with responsibility for native title claim resolution.

Anna Russo is Principal Project Officer (Heritage) in DSD-AAR. She leads a small team that consults with Traditional Owners and Aboriginal people and organisations on the application of the Aboriginal Heritage Act 1988 in relation to research, development, exploration and mining that impacts upon Aboriginal sites, objects and remains.

Justine Hobbs-Stroud is a Senior Archaeologist and teacher working in the DSD-AAR. Justine has worked as an Archaeologist both internationally and interstate (SA, VIC, WA, and TAS), and in both the private and public sector.

It gets pretty hot out in the desert: The challenge of protecting intangible Aboriginal heritage in South Australia

Paper Abstract

This paper discusses the complexity of protecting intangible Aboriginal cultural heritage and Aboriginal cultural landscapes. These areas can be steeped in Aboriginal belief systems that are not well understood by industries and the broader Australian community. This presentation will explore the multitude of challenges that exist for Traditional Owners, heritage professionals, administrators, and legal practitioners in the administration of the South Australian *Aboriginal Heritage Act 1988*.

A shared understanding of how belief systems manifest in physical landscapes and the environment needs to be at the centre of productive negotiations when intangible Aboriginal heritage is threatened. However, industries struggle with concepts of traditional knowledge and try to compel Aboriginal communities to divulge their most sacred knowledge before considering any protection measures. Cultural protocols that protect sacred information means that government also struggles to administer the legal heritage frameworks against drivers for greater transparency in government decision making and administrative law requirements for procedural fairness.

Decisions regarding Aboriginal heritage sites are often made in the momentum of project works, where time pressures and funding constraints can make finding satisfactory outcomes for all parties difficult. This presentation argues that the “interface” that brings Aboriginal people and industry to a conversation about intangible Aboriginal heritage needs to change. It will focus upon the notion of free, informed, and prior consent, and reflect upon its place in the national ambition of shared understandings – commonly described as ‘Reconciliation’. It argues that significant advantages for all stakeholders and progress towards Reconciliation can be achieved if the interface provides greater opportunities to facilitate meaningful discussion, knowledge transmission where appropriate and agreement making in the cool of the shade rather than in the heat of the afternoon sun.