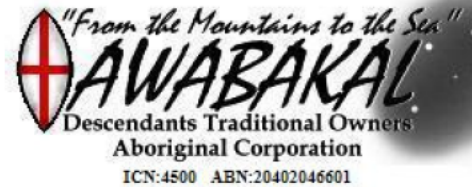


**Submission
No 151**

**INQUIRY INTO PLANNING PROCESS IN NEWCASTLE
AND THE BROADER HUNTER REGION**

Organisation: Awabakal Traditional Owners Aboriginal Corporation
Date received: 23/10/2014



22 October 2014

The Director
Hunter Select Committee on the Planning Process in Newcastle and the Broader Hunter
Region
Attn: Teresa McMichael
Parliament House
Macquarie Street
Sydney NSW 2000

Dear Teresa,

**Re: Concerns Regarding the Planning Process within Newcastle City Council and
the Broader Hunter Region**

The Awabakal People, who are also Registered Native Title Claimants within the Newcastle Region, are greatly concerned and anxious regarding the obvious disregard for the Aboriginal Cultural Heritage aspects within the Newcastle City Council and the Planning Process.

Our concerns are based on that the majority of building constructions within the Newcastle City Council Region are being approved without any consideration to the Aboriginal Cultural Heritage that still remains within the Newcastle Regional footprint.

We believe that the Newcastle City Council ought to imitate the process that the Lake Macquarie City Council has implemented regarding an Aboriginal Heritage Management Strategy for the Sustainable Management of Aboriginal Cultural Heritage within their Local Government Area. We also believe that all Councils within the wider Newcastle Region should adopt this process.

The process of an Aboriginal Heritage Management Strategy would naturally coincide with the Newcastle City Councils 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).

As mentioned in the Lake Macquarie City Council Aboriginal Heritage Management Strategy document, *"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".

Unfortunately to date, the Aboriginal Cultural Heritage aspects within the Newcastle City Council Region have never seemed to have been addressed and/or have been taken into consideration, as there is a high percentage of known Awabakal Aboriginal sites within the Newcastle Council area which have been 'destroyed' and the status of many other sites within and/or adjacent to developed areas are not even adhering to the OEH Consultation Requirements for Proponents 2010, and Part 6 National Parks and Wildlife Act 1974.

Considering what has previously happened regarding the Cultural Heritage perspectives within KFC Site at the corner of Steel and Hunter Street Newcastle West, we believe that an Aboriginal Heritage Management Strategy would be a positive step towards not only an understanding of the Aboriginal History within the Newcastle Region, but also the Historical perspectives of the broader Newcastle Region.

Also of great concern for our Cultural Heritage is the OEH Aboriginal Heritage Impact Permit (AHIP) process which is always recommended by Archaeologists to developers, they are a '*consent to destroy*'. Essentially it has been our experience that AHIP's are being handed out like vouchers for lollies, and our Cultural Heritage which is thousands of years old are being destroyed at an alarming rate to say the least. However, on the other hand, a historical building that is only one hundred years old is always protected by the Heritage Act, so we are therefore deemed to believe that our Cultural Heritage which is thousands of years old is being ignored.

The district surrounding the Newcastle Region is culturally significant to the Awabakal People who utilised and physically cared for the environment, and with the evidence already retrieved and documented from the region is a reasonable indication that this area was highly utilised by the Awabakal people.

This area has not just a physical presence within the Cultural Heritage of the Awabakal People, but it is part of our oral history and a place of spiritual significance. The landforms and resources of this locale fulfilled not just the basic needs that underpinned our Peoples subsistence but also satisfied the many other aspects that made up what can be described here as being part of the Cultural foundations of our People.

The principle vision and aims of the Awabakal People is to protect the Cultural Heritage of our Ancestors. Therefore, any artifacts and/or residual evidence of our people are held in high regard and are considered a cultural reminder that unites us with our land and sea country, our past and spirituality and provides us with a visual generational legacy.

In the spirit of a greater understanding of Aboriginal Culture and Heritage,

Yours sincerely,

Kerrie Brauer
Director
ATOAC

Yours sincerely,

Peter Leven
Managing Director
ADTOAC



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