



## Lachlan Shire Aboriginal and Torres Strait Islander Protocol A Guide for Councillors and Council Staff





# **Lachlan Shire Aboriginal and Torres Strait Islander Protocol**

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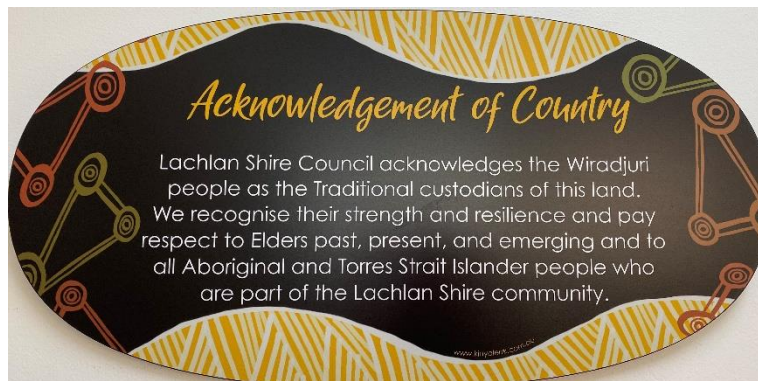
*'Observing cultural protocols of a community demonstrates respect for the cultural traditions, history, diversity and the continued connection to Country of that community'*

### **ACKNOWLEDGEMENT**

Lachlan Shire Council acknowledges the Wiradjuri people who are the traditional custodians of the land and pays respect to Elders both past and present.

Council values the diversity of our local community and supports reconciliation by working in partnership with our local Aboriginal and Torres Strait Islander community. We always ensure that the process is based on respect, trust and a spirit of openness.

The acknowledgment of our Aboriginal community and the associated protocols demonstrates Lachlan Shire Council's commitment to our local Aboriginal people. We acknowledge that working with our Aboriginal community requires sensitivity to history and culture. The community, through the community strategic plan have asked for a greater connection to our Aboriginal communities and it is hoped that this document will assist in achieving this strategic outcome.



### **PURPOSE**

Protocols are an important part of all cultures and are in place to ensure people behave and interact with each other in an appropriate manner. Protocols are customs, values, and codes of behaviour that are important to a particular cultural group. Lachlan Shire Council is committed to working in partnership with local Aboriginal communities within the Lachlan Shire. The purpose of this document is to provide Council staff with an understanding of the important protocols when working with, consulting with and acknowledging local Aboriginal communities.

This document also provides cultural and historical context to assist Council personnel when working with the local community.

Observing cultural protocols of a community demonstrates respect for the cultural traditions, history, diversity and the continued connection to Country of that community. It illustrates a willingness to acknowledge that the processes and procedures of one cultural community are equally valid and worthy of the same respect as one's own cultural protocols. Cross cultural engagement requires patience, understanding and a commitment from all parties.

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## UNDERSTANDING ABORIGINAL IDENTITY

An Aboriginal or Torres Strait Islander person is someone who is:

- Of Aboriginal or Torres Strait Islander descent;
- Identifies as being of Aboriginal or Torres Strait Islander descent; or
- Is accepted by the community in which he or she lives as being of Aboriginal Torres Strait Islander descent.

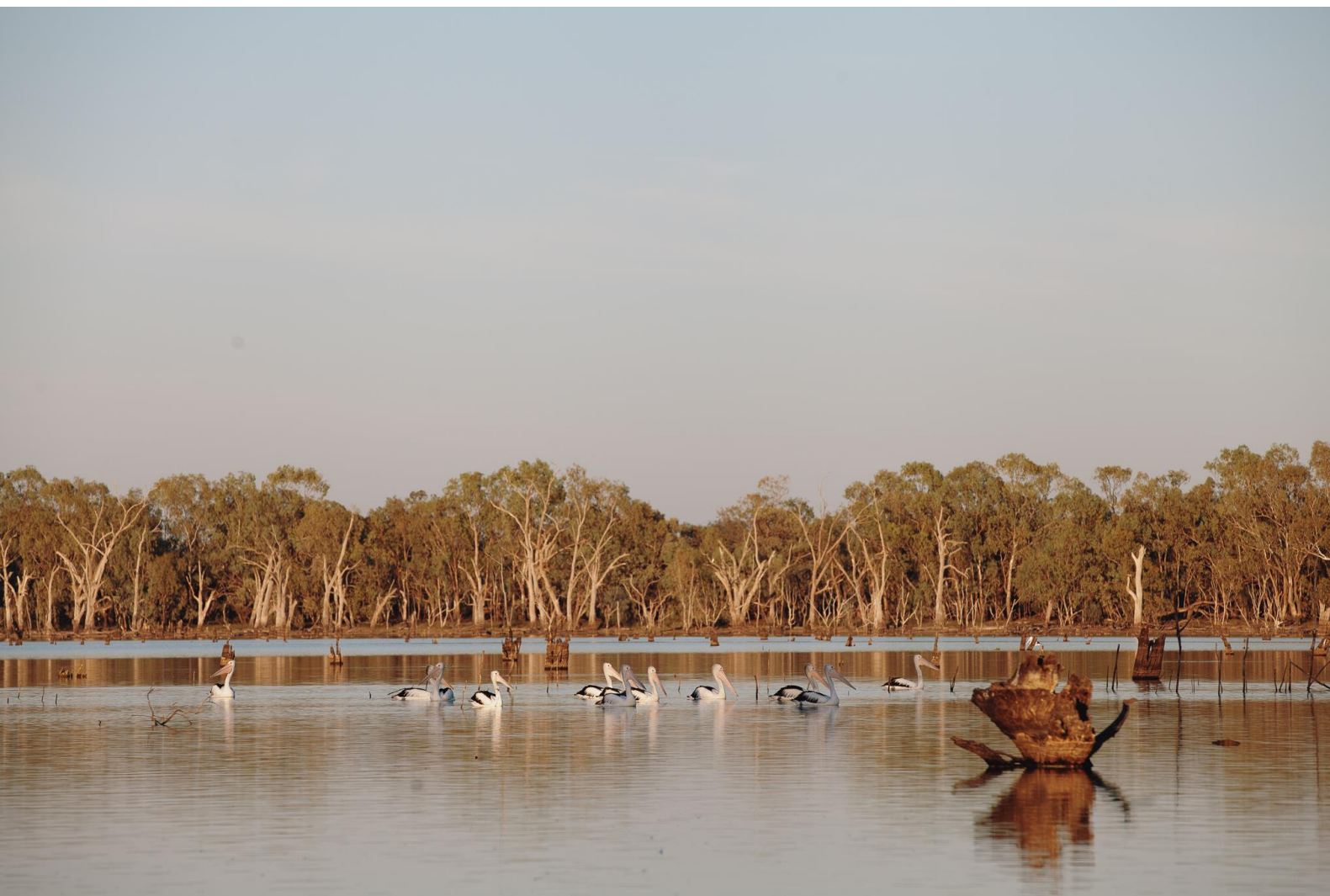
According to the Department of Aboriginal Affairs Guidelines, Aboriginal and Torres Strait Islander Australians is the full, official terminology. It should always be spelt out in full and not shortened to its acronym “ATSI”.

Locally, Aboriginal is the preferred term when referring to Australia’s First People and should always be used when describing people, community etc.

It is considered highly offensive to question how “Aboriginal” a person is who identifies as Aboriginal.

Refer to “Aboriginal people” and “Aboriginal community” not “Aborigines”. Use capitals whenever Aboriginal or Indigenous are written.

The following are protocols which aim to provide an opportunity for the wider community to pay respect to, build relationships with and share in Aboriginal culture. The main protocols which can be easily adopted are the Welcome to Country or Acknowledgement of Country, the appropriate utilisation and representation of the Aboriginal Flag and traditional smoking ceremonies.









## **TERMS 'ABORIGINAL', 'TORRES STRAIT ISLANDER', 'INDIGENOUS' AND 'COUNTRY'**

In Australia, there are two identified cultural groups of people who are the Australia's First peoples to the land – Aboriginal people and Torres Strait Islander people.

This document uses the term 'Aboriginal', rather than 'Indigenous' or 'Aboriginal and Torres Strait Islander' in recognition that Aboriginal people are the original Inhabitants of NSW. Aboriginal cultures vary from place to place.

Aboriginal and Torres Strait Islander cultures, while both First Nations of Australia, are very different cultures with their own histories, beliefs and values.

The term Aboriginal people in this document denotes Aboriginal people of the Lachlan Shire. Many Aboriginal people are opposed to the use of the term 'Indigenous' as it is considered a generalisation. Council and Council Officers should be advised against using this term where possible.

When Aboriginal people use the English word 'Country' it is meant in a special way. For Aboriginal people culture, nature and land are all linked. Aboriginal communities have a cultural connection to the land based on each community's distinct culture, traditions and laws.

Country covers everything within the landscape - landforms, waters, air, trees, rocks, plants, animals, foods, medicines, minerals, stories and special places. Community connections include cultural practises, knowledge, songs, stories and art, as well as all people: past, present and future. People have custodial responsibility of their Country which ensures it provides physical sustenance and spiritual nourishment. These custodial relationships can determine who is able to speak for particular Country.

These concepts are central to Aboriginal spirituality and continue to contribute to Aboriginal identity. For Aboriginal communities, the land is a source of traditional foods and medicines, cultural knowledge and social bonds.





## BRIEF LOCAL ABORIGINAL HISTORY

Lachlan Shire boasts an Aboriginal population of around 17 per cent (2016 census) and sits on the land of the traditional Wiradjuri custodians. The Wiradjuri have lived in our region for at least 60,000 years and at the time of European arrival there were an estimated 3000 Wiradjuri living in the region, representing the largest cultural footprint in NSW.

The name Wiradjuri means “People of the Three Rivers” and traditionally these rivers (Lachlan, Murrumbidgee and Macquarie River) were the primary source of food for the Wiradjuri people. The Lachlan River served as a major travelling route for local Aboriginal people and in dry seasons the food from the river was supplemented with meat (kangaroos and emus), vegetables, fruits, nuts, yam daisies, wattle seeds and orchid tubers. It is thought that the Wiradjuri traditionally moved around in small groups, using the river flats, open land and waterways with some regularity through the seasons.

The Wiradjuri identity remains robust to the present day, with a high degree of marriage within the Wiradjuri community contributing to this strength of identity.

Condobolin, the main township of Lachlan Shire, is the home of the Galari people and is considered by other Wiradjuri communities to be the centre of the Wiradjuri nation. The Wiradjuri Condobolin Corporation is based at the renowned Wiradjuri Study Centre (<https://wiradjuricc.com/>) which promotes the study and understanding of Wiradjuri culture.

The Centre offers a local hub for training, development and employment, cultural appreciation, cultural awareness and heritage issues, a keeping place and a space to yarn up. Local Aboriginal art and other items are available for purchase.

The name Condobolin is said to have evolved from the Aboriginal word Cundabullen, meaning shallow crossing. The crossing was located a short distance below the junction of the Lachlan River and the Goobang Creek. Others suggest that the town's name from the Wiradjuri word for “hop bush”, or “hop brush”. The area was encountered by explorer Charlie Bendall in 1817.

At the beginning of last century, two Aboriginal settlements were established in Condobolin. The Murie, which is no longer populated, was home to Aboriginal families from the 1900s to 1960s and Willow Bend, an Aboriginal mission established in 1901, which still has an Aboriginal population and is no longer a mission.

Lake Cargelligo, in the South of Lachlan Shire, was encountered by explorer John Oxley in 1817. The name Lake Cargelligo is derived from the Wiradjuri word “Cudjallagong” meaning “large lake” or “water container”.

The area is rich in Aboriginal history and many artefacts have been found on the lake foreshores. An Aboriginal quarry containing rich yellow and red ochres can still be found at an area on the lake's edge known as Frogs Hollow.

The ochre from the pit was used by the local Aboriginal population to decorate themselves during corroborees, for aboriginal painting, and for decorating didgeridoos which were a valuable trading commodity. Deadman's Point at Lake Cargelligo is the location of several Aboriginal freshwater shell middens. Shell middens were formed by an accumulation of shells left by Aboriginal people who collected, cooked and ate the fresh water mussels contained in them over a long period of time.

A short distance from Lake Cargelligo lies the Murrin Bridge community which was welcomed to Lachlan Shire in September 2019. Murrin Bridge was originally a Mission established by the Aboriginal Welfare Board in 1949 to accommodate people driven from their ancestral lands. Most people in Murrin Bridge can trace their roots back to the Ngiyampaa (pronounced nee-yam-par) and Paakintji (pronounced par-kan-tgee, and also written Barkintji) groups beyond the traditional Galari country.

## **THE STOLEN GENERATIONS**

Many Aboriginal and Torres Strait Islander children were forcibly removed from their families as a result of various Government policies between 1910 and 1970, although there are many stories of forced removals prior to and after these dates. The generations of children removed under these policies became known as the “Stolen Generations”. National sorry day (observed annually on 26 May) remembers and acknowledges the Stolen Generations and the strength of survivors. Lachlan Shire Council is committed to the recognition of Sorry Day and acknowledges the lasting sorrow caused by past policy and laws regarding the forced removal of Aboriginal children.

## **ELDERS**

Traditionally, Elders are members of the Aboriginal community who have been through various levels of initiations and hold the knowledge of their people’s history, kinship systems, and cultural lore and laws which govern their community.

Elders are the custodians of their people’s traditional knowledge and customs and hold the responsibility to provide guidance on important matters as well as making decisions on the ceremonial and cultural obligations of their people. The Lachlan Shire Aboriginal people are covered by four Local Area Land Councils (LALCs). These are Condobolin LALC, Murrin Bridge LALC, West Wyalong LALC and Peak Hill LALC. Aboriginal land councils help Aboriginal people get back and manage their land, and are a point of contact for non-Aboriginal people’s inquiries. They aim to protect the interests and further the aspirations of Aboriginal communities. New South Wales passed the Aboriginal Land Rights Act 1983 (NSW) allows Aboriginal people to claim Crown land that is not needed for any essential purpose. It set up the network of local land councils and a state land council (considered Australia’s richest).

## **TOTEMS**

The “Gugaa” (Goanna) is the overarching totem for the Nation of Wiradjuri. It is the symbol that connects all people, past and present, of Wiradjuri land.



## **WELCOME TO COUNTRY OR ACKNOWLEDGMENT OF COUNTRY**

A Welcome to Country is a ceremony performed by Aboriginal or Torres Strait Islander Elders, or Traditional Owners who have been given permission, to welcome visitors onto their traditional land.

Protocols for welcoming visitors to Country have been part of Aboriginal and Torres Strait Islander cultures for thousands of years. Traditionally, Aboriginal and Torres Strait Islander groups had clear boundaries separating their Country from that of other groups.

Crossing into another group's Country required a request for permission to enter. When permission was granted, the hosting group would welcome the visitors, offering them safe passage and protection of their spiritual being during the journey. While visitors were provided with a safe passage, they also had to respect the protocols and rules of the land owner group while on their Country.

Today, these protocols have been adapted to fit with contemporary life. However, the essential elements of welcoming visitors and offering safe passage remain in place. A Welcome to Country occurs at the beginning of a formal event, and can take many forms, including singing, dancing, smoking ceremonies, or a speech in traditional language and/or English.

An Acknowledgement of Country is an opportunity for anyone to show respect for Australia's Traditional Owners, and the continuing connection that Aboriginal and Torres Strait Islander peoples have to the land, sea, sky and waterways. An Acknowledgement of Country can be performed by an Indigenous or non-Indigenous person, and is generally offered at the beginning of a meeting, speech or formal occasion.

There are no set protocols or phrasing for an Acknowledgement of Country.

An example is: "I begin by acknowledging the Traditional Owners of the land on which we meet today, and pay my respects to Elders past and present."

An Acknowledgment of Country should be included at the beginning of Council meetings as a sign of inclusion and respect.

A Welcome to Country is used on official occasions to welcome visitors to local land. The purpose is to welcome people to visit and meet on Aboriginal lands and recognise Aboriginal people as traditional custodians of the land. Lachlan Shire Council officers are encouraged to include an Acknowledgment of Country at the beginning of meetings, trainings and consultations. This can only be provided by a Traditional Custodian of the land or other Aboriginal person granted permission by a Traditional Custodian. A non-Aboriginal person, or an Aboriginal and Torres Strait Islander person from a different community cannot perform a Welcome to Country. Instead, they should do an Acknowledgement of Country and Traditional Custodians.

A Welcome to Country should be performed at all significant Council and community events, including but not limited to Australia Day and festivals, as well as openings, launches or where it is appropriate to welcome people into the local community.

The Local Aboriginal Lands Councils can provide contact details for Traditional Owners and suitable Aboriginal people who can be engaged for performing Welcome to Country.





## RECOMMENDED PRACTICE

Appropriate wording for an Acknowledgement to Country in the Lachlan Shire Council Area:

“I would like to commence by acknowledging on behalf of Lachlan Shire Council the original inhabitants of the lands and waters of the Shire – the people of the Wiradjuri nation and show our respect to elders past, present and emerging”.

An Acknowledgement to Country can be performed by the Mayor, councillors, Council staff or main dignitary at an event. It is recommended that Council staff perform an Acknowledgement to Country when running programs or events on Council's behalf and where there is no Councillor representation.



## **SMOKING CEREMONIES**

Smoking Ceremonies are undertaken in Aboriginal communities in order to cleanse a space, for example when a new building is being opened. The Smoking Ceremony is a purification ritual and must always be undertaken by an Aboriginal person with specialised cultural knowledge.

Aboriginal people may request a Smoking Ceremony in a workplace where a death or other traumatic event has occurred.

This request is of tremendous significance to them and should be respected. Failure to do so may cause significant distress.

It is recommended that appropriate advice be sought from the local Aboriginal community before considering undertaking a smoking ceremony. If you are planning to have a Smoking Ceremony conducted at your event you will need to plan ahead. It is considered disrespectful to ask a local Aboriginal Elder or specialist at short notice. There is a lot of preparation required to conduct a Smoking Ceremony and it should be treated with respect.

The Local Aboriginal Lands Councils can provide contact details for Traditional Owners and suitable Aboriginal people who can be engaged for performing smoking ceremonies.





## FEES FOR SERVICE

Aboriginal people and organisations which provide a cultural service such as a Smoking Ceremony, traditional dance, speech or traditional welcome, provide artwork or participate in a project are entitled to be paid for their time and expertise.

In providing cultural services such as Welcome to Country, artistic performances and ceremonies, Aboriginal people are using their intellectual property. As such, appropriate remuneration should be discussed and arranged prior to their engagement.

The fee for services can vary, so consultation and respectful negotiation must be conducted and agreed upon before the event. It is suggested that a confirmation letter be written which should include the date of the event, the performance time, the venue location and the agreed service fee. Include a program and list of VIP guests and performances, as this will assist the performer in preparing speech notes.

*NOTE: Murrin Bridge community has advised that they do not wish to receive fees for Welcome to Country services. They advised they will do it for "honour rather than profit".*







## THE ABORIGINAL FLAG

The Aboriginal flag should be flown in the appropriate manner. Lachlan Shire Council permanently displays the Aboriginal flag. The Aboriginal flag should be flown at all times and at half-mast on Sorry Day. It should be raised on important Aboriginal calendar events such as Survival Day, Sorry Day, Reconciliation Week and NAIDOC Week.

The Aboriginal flag is subject to copyright and as such the use of the flag will require staff to determine whether permission is required to use the flag (e.g. in a publication, etc.).



## DOCUMENTS AND OTHER COMMUNICATIONS

High-level Council documents can include an Acknowledgement. An acceptable example is:

“Lachlan Shire Council acknowledges the Wiradjuri people as the traditional custodians of this land and pays our respect to their Elders both past and present.”

Council email signatures and the Council website should also acknowledge Country.

## GENDER PROTOCOLS (MEN’S AND WOMEN’S BUSINESS)

It is important to be aware that there are many matters where the Aboriginal community view specific knowledge as sacred to either men or women. For example, some sacred sites can only be visited by men or women. Traditional stories may also be gender specific and will only be passed down to those in the appropriate gender.

It is unlikely that officers will be able to distinguish between men’s and women’s business. Council officers need to be aware that such issues exist and seek advice from the Traditional Owners and Aboriginal people about when they are likely to arise and how to manage such issues. **The Local Aboriginal Land Councils should be able to provide advice on these issues as they arise.**

## SORRY BUSINESS

Sorry Business is a term used by Aboriginal and Torres Strait Islanders which refers to the passing of a family or community member. It is extremely important in Aboriginal and Torres Strait Islander cultures that people participate in Sorry Business. Sorry Business includes attending funerals and taking part in mourning activities with the community.

Due to the extended family make up, Sorry Business can sadly be common for Aboriginal and Torres Strait Islander Australians and the workplace should be supportive and respectful of such commitments.

Be aware that it is common practice not to mention the name of a deceased person or show pictures of them for some time after they have passed away.

Attending the funeral of people they know or are related to ensures that the spirit of the person that has passed away is put to rest properly.

If someone does not attend or the funeral is not carried out according to culture, the spirit may cause the person problems.

Funerals are also important for family cohesion. If a person didn’t attend a funeral and spend time with the family, he/she may be seen as not valuing family. Take the time to discuss with the worker the support he/she needs to fulfil his/her obligation. This can take an extended period of time, a week or more, and may also involve travelling long distances.







## NAMING THE DECEASED

Following the death of an Aboriginal person, it is offensive to show photographic images of the deceased or refer to them by name in publications during the mourning period, unless agreed to by the relevant family. The mourning period is not a set timeframe and may change depending on each family.

To avoid causing offence to the families of deceased persons, the following cultural warning may be used in publications, videos, websites and exhibitions: "Aboriginal and Torres Strait Islander people are warned that the following film/website/publication may contain voices/video/images of deceased persons."

## SACRED SITES

Sacred sites are places of cultural significance to Aboriginal people. They may be hills, rocks, trees and springs that are not always spectacular or interesting to the non-Aboriginal eye.

They may be places that are significant because they mark a particular act of a creation or being. They also include burial grounds and places where particular ceremonies have been held.

Aboriginal people have identified a number of significant sites in the Lachlan Shire area. An Aboriginal Cultural Heritage Study has been undertaken by Lachlan Shire Council to identify items or places of Aboriginal cultural significance that may be included in Schedule 5 of the Lachlan Local Environmental Plan (LEP) and to provide a predictive model for Aboriginal cultural heritage sensitivity to assist the Council in its planning decisions.

## CONSULTATION

Before work begins on any Council project that relates to Aboriginal culture and heritage matters or has implications for the Aboriginal community, it is important to engage the local Aboriginal community.

Community consultation is a process where the Aboriginal community can openly share information about significant matters that may impact on the Aboriginal community, culture, heritage and traditional lore. The consultation process aids Council in becoming aware of the views, beliefs and sensitivities of the local Aboriginal and Torres Strait Islander community.

Achieving satisfactory outcomes from consultation involves forming strong relationships with the Aboriginal community utilising the fundamental principles of respect and readiness to learn, share and negotiate.



## EVENTS

Council can further acknowledge the local Aboriginal community by observing and celebrating culturally significant dates and events where protocols can be incorporated. These include:

**January 26 – Australia Day/Survival Day.**

**13 February – National Apology Day.**

This is the anniversary of the formal apology made on 13 February 2008 by then Prime Minister Kevin Rudd's Government and Parliament of Australia to Australia's Aboriginal and Torres Strait Islander people, in particular to the Stolen Generations. This commemoration differs from Sorry Day which is held annually on 26 May, to mark the original tabling of the Bringing the Home report, and which aims to raise awareness about forcible removal policies and the impact left on the children who were taken, their families and their communities.

<https://aiatsis.gov.au/explore/articles/apology-australias-indigenous-peoples>

**March – Harmony Day (Elimination of Racial Discrimination Day).** The date is 21 March. This celebrates Australia's cultural diversity.

<https://www.harmony.gov.au/>

**March – National Close the Gap Day.**

The date varies but always around 19 March. This date is very significant in the Aboriginal Community. Closing the Gap is a Government initiative creating equality in all areas of life for Aboriginal people (education, employment, health, financial/economical).

<https://closingthegap.pmc.gov.au/>

**National Reconciliation Week which incorporates National Sorry Day, 1967 Referendum and Mabo Day:**

**26 May – National Sorry Day.** To acknowledge and recognise members of the Stolen Generations.

<https://www.reconciliation.org.au/national-sorry-day-an-important-part-of-healing/>

**27 May – 1967 Referendum.** On 27 May 1967, the Australian Government held a referendum to alter the Australian

Constitution. More than 90 per cent of Australian voters chose "Yes" to count Aboriginal and Torres Strait Islander peoples in the census and give the Australian Government the power to make laws for Aboriginal and Torres Strait Islander peoples.

<https://www.reconciliation.org.au/wp-content/uploads/2018/04/27-may-referendum.pdf>

**June – National Reconciliation Week.**

This is held from May 27 to June 3 annually. This date is significant in the Aboriginal Community, providing a statement of acknowledgement.

<https://www.reconciliation.org.au/national-reconciliation-week/>

**3 June – Mabo Day.** This commemorates Mer Island man Eddie Koiki Mabo and his successful efforts to overturn the legal fiction of terra nullius, or 'land belonging to no-one'.

<https://www.reconciliation.org.au/commemorating-mabo-day/>

**July – National NAIDOC Week.** NAIDOC Week celebrations are usually held across Australia in the first week of July (it is different in 2020 due to COVID-19) to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander peoples. NAIDOC originally stood for "National Aborigines and Islanders Day Observance Committee". This committee was once responsible for organising national activities during NAIDOC Week and its acronym has since become the name of the week itself.

<https://www.naidoc.org.au/>

**4 August – National Aboriginal and Torres Strait Islander Children's Day.**

This day celebrates the strengths and culture of Aboriginal and Torres Strait Islander children.

<https://aboriginalchildrensday.com.au/>

**9 August – International Day of the World's Indigenous People.** A worldwide event to celebrate Indigenous people around the World.

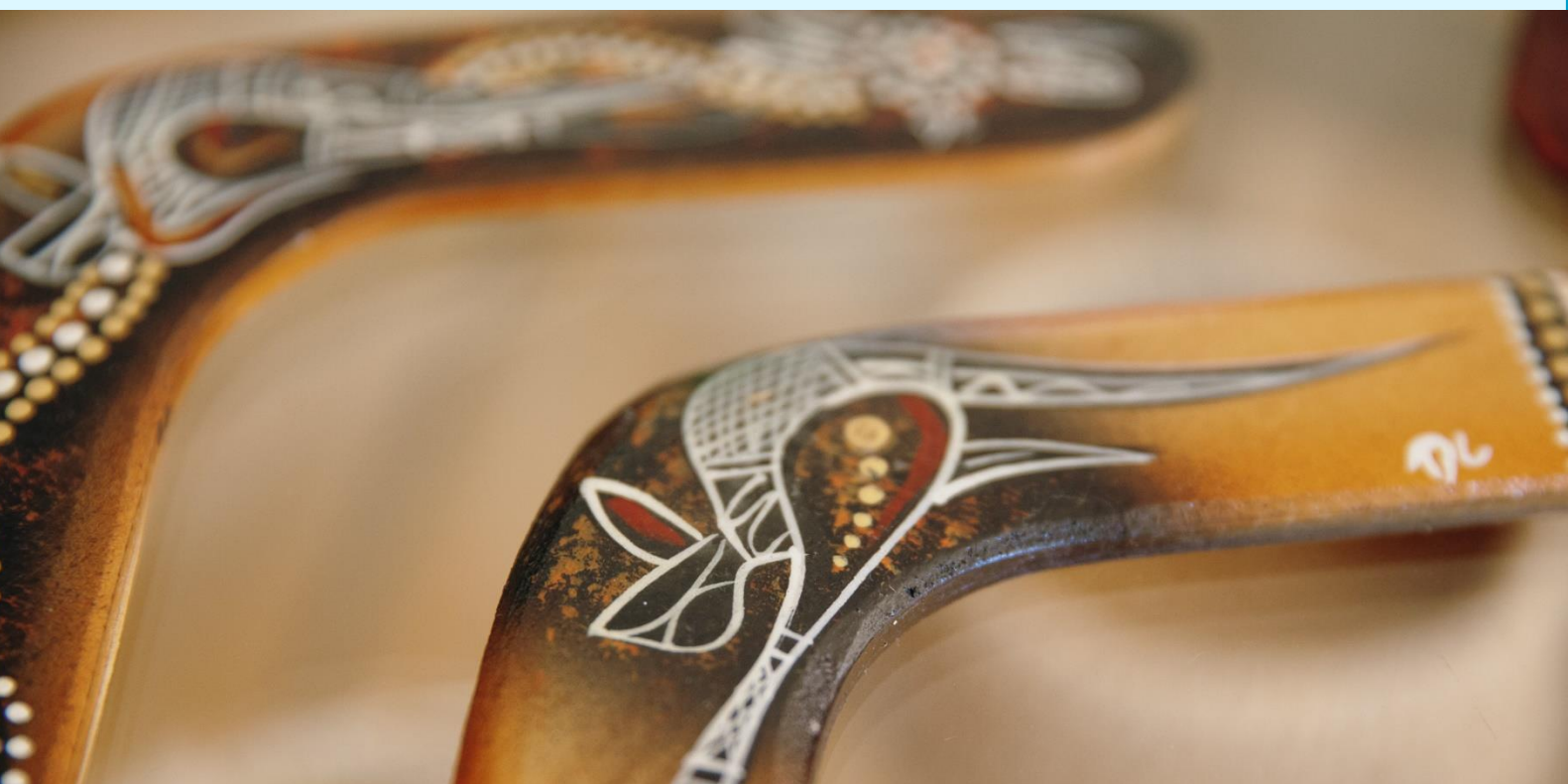
<https://www.un.org/en/events/indigenousday/>



## **LINKS TO SIGNIFICANT DATES FOR ABORIGINAL PEOPLE**

<https://education.nsw.gov.au/teaching-and-learning/aec/aboriginal-education-in-nsw-public-schools/aboriginal-significant-dates-calendar>

<https://www.seslhd.health.nsw.gov.au/aboriginal-health-unit-significant-dates>





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