

rst Draft

received by the policy division last month

DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT

POLICY STATEMENT NO. 11PROTECTION OF ABORIGINAL SITESMAY 1986

1. BACKGROUND

Aboriginal sites and objects in Western Australia are protected under the Aboriginal Heritage Act 1972-1980, which is administered by the Trustees of the WA Museum. Sites and objects located on land vested in the National Parks and Nature Conservation Authority and the Lands and Forest Commission, and managed by CALM, are subject to that legislation.

An Aboriginal site is any place which has sacred, ritual or ceremonial importance to persons of Aboriginal descent; any place where Aboriginals have left objects associated with traditional Aboriginal cultural life, past or present; any place which is or was associated with Aboriginal people and which is of archaeological significance; any place where objects of sacred, ritual, ceremonial or cultural significance are traditionally stored.

An Aboriginal object is one which is or has been of sacred, ritual or ceremonial significance to persons of Aboriginal descent, or which is connected with the traditional cultural life of Aboriginal people.

Where the Trustees of the WA Museum recommend that an Aboriginal site is of outstanding importance, the Minister may declare it to be a protected area which may then be subject to regulations prohibiting or imposing conditions on entry and activities therein. This applies whether the land is Crown land or private land, and whether or not it is vested by the Crown for other purposes.

The WA Museum Department of Aboriginal Sites keeps a Registry of protected areas, Aboriginal cultural material, and sites and objects to which the Act applies.

Any person who has knowledge of the existence of an Aboriginal site or object must report its existence to the Museum or a police officer, unless he has reason to believe that its existence is already known. Failure to do so is an offence under the Act.

It is also an offence to excavate, destroy, damage, conceal or in any way alter an Aboriginal site or object, unless authorised to do so by the Trustees of the WA Museum. This applies whether or not the site or object is listed on the Register.

2. OPERATIONAL OBJECTIVE

To locate and protect all Aboriginal sites and objects on land entrusted to CALM for management, and to comply with the Aboriginal Heritage Act.

3. POLICY

In respect of land managed by CALM the Department will:

- 3.1 Comply with the Aboriginal Heritage Act.
- 3.2 Seek to identify and locate Aboriginal sites and objects on land it manages, and report them to the Trustees of the WA Museum.
- 3.3 Take account of known Aboriginal sites and objects in Management Plans.
- 3.4 Take all possible steps to care for and protect known Aboriginal sites and objects against damage by man-made and natural causes.
- 3.5 Liaise with the WA Museum and appropriate Aboriginal community groups about access to and use of Aboriginal sites and objects.
- 3.6 Encourage and facilitate research on Aboriginal sites and objects, insofar as may be consistent with approved management and protection programmes and the views of the appropriate Aboriginal community groups.
- 3.7 Encourage and facilitate use of Aboriginal sites and objects as a resource for developing public awareness and understanding of Aboriginal life, history and cultural traditions, but only insofar as this is consistent with approved management and protection programmes and the views of the appropriate Aboriginal community groups, and conducted in a manner which is respectful of Aboriginal cultural values.
- 3.8 Provide training and employment for Aboriginal people in the management and protection of Aboriginal sites and objects.

4. STRATEGIES

With respect to land managed by CALM, staff of the Department will:

- 4.1 Report any discovery of or information about Aboriginal sites or objects to the WA Museum's Registrar of Aboriginal Sites.

- 4.2 Maintain regional lists and maps showing location of known Aboriginal sites and objects. (Full details of the sites and objects will be maintained in the WA Museum's register.)
- 4.3 Ensure that Aboriginal sites and objects are not damaged by management practices.
- 4.4 Endeavour to:
- i) prevent damage by natural causes;
 - ii) prevent misuse or damage by unauthorised persons;
 - iii) control public access and prevent unauthorised access;
- to Aboriginal sites and objects.
- 4.5 During the preparation of Management Plans, seek information from the WA Museum's Registrar of Aboriginal Sites and from appropriate Aboriginal community groups, and if necessary undertake field surveys, in order to establish the location of Aboriginal sites and objects on the reserves in question, and incorporate this information, together with appropriate management prescriptions, in the Management Plan.

However, care must be taken not to include any information of a sensitive or secret nature. If such matters arise, arrangements must be made with the Registrar of Aboriginal Sites for the Management Plan to be keyed to information held in confidence by the Museum. In these cases the maps and Management Plans will indicate only the locations of sites or objects of special significance, and field management staff must seek advice from their Regional Manager with respect to activities in those places.

- 4.6 Incorporate into CALM area Management Plans any regulations prohibiting or imposing conditions of entry to and any activity on protected areas declared by the Minister.
- 4.7 Facilitate the marking or fencing of any protected area by the Museum, and assist with the maintenance of those marks or fences.
- 4.8 Consult with the Museum when necessary about the care of Aboriginal sites and objects.
- 4.9 Liaise with appropriate Aboriginal community groups about the care of, use of, and access to Aboriginal sites and objects.

4.10 In consultation with the Museum, educational authorities, and appropriate Aboriginal community groups:

- i) publish educational and informative material, and
- ii) install and maintain on-site interpretive material,

aimed at increasing public awareness and understanding of Aboriginal life, history and cultural traditions.