

**Western Australia Regional Forest Agreement  
ABORIGINAL CONSULTATION PROJECT**

**Report, Volume 1**

prepared for

**The Regional Forest Agreement Steering Committee**

November 1997

**Centre for Social Research  
Edith Cowan University**

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The two volumes of this report arose from a consultative process undertaken by a team assembled by the Centre for Social Research, Edith Cowan University, Perth, Western Australia. Responsibility for the contents of the report rests with that team, details of which are given in the body of the report. Information on the Aboriginal heritage places documented in this report remains the intellectual property of the Noongar communities that contributed it. The views and opinions expressed by the Noongar communities or by the authors of this report do not necessarily reflect the views of Edith Cowan University, the Commonwealth of Australia or the State of Western Australia. The Western Australian and Commonwealth governments do not accept responsibility for any advice or information in relation to this material.

This project was neither designed, nor intended, to support clearance applications under Section 18 of the *Aboriginal Heritage Act 1972*- (WA).

## EXECUTIVE SUMMARY, VOLUME 1

This is the first of two volumes reporting on a consultative program with Noongar communities within or associated with the South-West Forest Region of Western Australia. In summary, consultative workshops were held at seven locations within, or adjacent to, the region in order to:

- inform Noongar communities about the processes involved in the development of a Regional Forest Agreement (RFA) for the South-West Forest Region;
- identify aspects of the RFA in which Noongar community members wish to participate and to facilitate their involvement in RFA processes;
- identify places of potential national estate Aboriginal heritage value, and identify Noongar community wishes in relation to the possible listing of these places in the Register of the National Estate;
- collect information sufficient for the listing of places of significance to Noongar communities in the Register of the National Estate (where this is endorsed by communities) and develop a means of thresholding those places which have been indicated by the community as suitable for listing;
- document Noongar community views on the management of Aboriginal heritage places and their consideration in the CRA/RFA process, and develop appropriate related recommendations for consideration by the RFA Steering Committee.

Noongar participants in the workshops identified the following as outcomes that they wish to be achieved through the Regional Forest Agreement:

- **Noongar joint-management with CALM in the South-West Forest Region**  
Noongar people consider that their traditional knowledge of the natural environment has much to contribute to appropriate forest management; and that it is their right to do so under either Native Title legislation or the principles of natural justice.
- **Noongar participation in developing and reviewing the RFA**  
Noongar people see it as essential that they be directly involved in drawing up the Regional Forest Agreement and in reviewing its on-going operation. Appropriate mechanisms are needed for this purpose.

- **Unrestricted access by Noongar people to all areas of the forest including national parks and nature reserves for a full range of spiritual, cultural and recreational purposes**

Workshop participants emphasised their ties to *areas* of the forest, indeed to the forest as a whole, rather than simply to discrete 'sites'.

- **Unrestricted Noongar hunting rights in South-West Forest Region**

Noongar people have retained their hunting and gathering traditions and wish to continue these practices and pass them on to their children.

- **Receipt of benefits from forest-based industries**

Because of the traditional Noongar association with the land, many hold the view that industries based on the extraction of forest products or minerals from the area covered by the RFA should be required to allocate to the Noongar community an agreed percentage of the value of these resources. These payments could be used to support programs in such areas as education, health, housing and employment.

- **Employment of more Noongar people by CALM**

- **Initiation of programs of cross-cultural training for all CALM personnel in order to increase their awareness of issues of Noongar identity and culture**

- **Noongar access to places of Aboriginal heritage value as a matter of cultural survival through the maintenance of traditional connections, rights and interests in land**

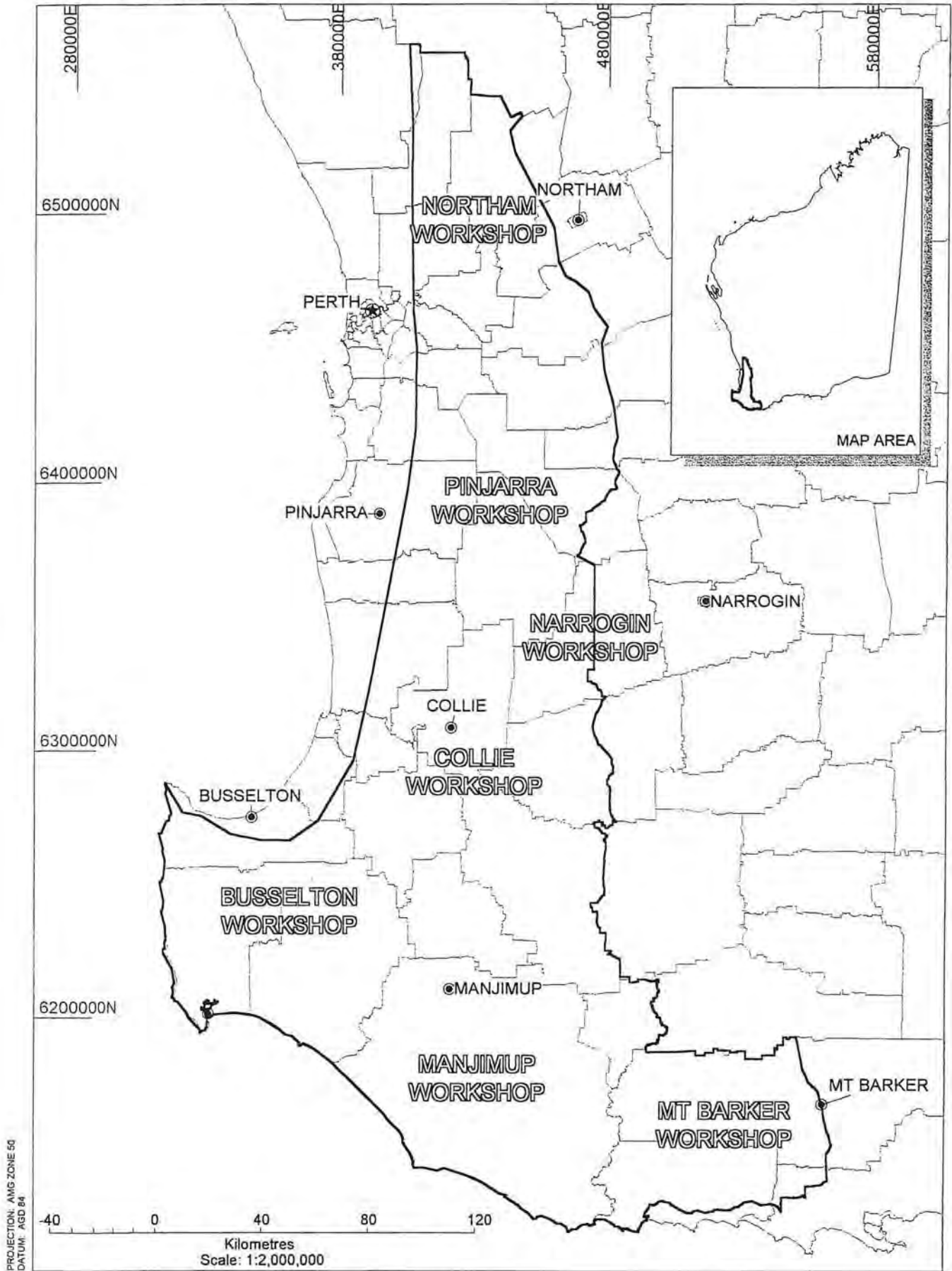
- **Provision for promoting, funding and disseminating Noongar interpretations of places of Aboriginal heritage value**

- **Incorporation in the RFA of a plan for the management of Noongar heritage places**

Noongar communities want the RFA to provide for adequate consultation with them on all issues related to the management, protection, conservation and rehabilitation of Noongar heritage places.

- **Protection of Noongar heritage places from destruction or damage caused by clearing, logging, development, mining and any other activity in the South-West Forest Region**

The detailed results of the national estate component of the project are contained in Volume 2.



STUDY AREA AND WORKSHOP LOCATIONS

## ACKNOWLEDGEMENTS

The Consultancy Team gratefully acknowledges the input made to the consultative process by Noongar community members in or associated with the South West Forest Region of Western Australia. We thank the following Local Community Liaison Officers, who played a vital role in the organisation of the consultative workshops:

Ron Cross and Joseph Northover (Collie)  
Mark Davis (Northam)  
Les Eades (Narrogin)  
Theo Kearing (Pinjarra)  
Mathew Khan and Kelvin Quartermaine (Busselton)  
Rebecca Khan (Mount Barker)  
Marilyn Morgan (Manjimup)

We appreciate the willingness of the Noongar participants in these workshops to give freely of their time, knowledge and experience. We trust that this report presents their views accurately, comprehensively and effectively.

We also gratefully acknowledge the advice and assistance given by the following members of the Environment Forest Taskforce in the course of the project:

Brian Prince	(Director, Western Australian Section)
Philippa Watt	(Assistant Director, Western Australian Section)
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# 1 INTRODUCTION

This is the first of two volumes reporting on a consultative program with Noongar communities within or associated with the South-West Forest Region of Western Australia (see map on page iv). The project was undertaken as part of the Comprehensive Regional Assessment process leading to the development of a Regional Forest Agreement for the Region.

## 1.1 BACKGROUND

Under the National Forest Policy Statement, the Commonwealth, State and Territory Governments agreed to develop Regional Forest Agreements (RFAs) that would provide the framework for the future management of Australia's forests (Commonwealth of Australia 1992).

The main objectives of the RFAs are to ensure:

- the protection of biodiversity, old growth forest, wilderness and other environmental and heritage values through an adequate, comprehensive and representative system of secure and dedicated reserves;
- ecologically sustainable management of forests;
- development of an internationally competitive and ecologically sustainable forest industry.

To collect information necessary to develop RFAs, Comprehensive Regional Assessments (CRAs) are being carried out. These CRAs are wide-ranging surveys designed to examine the economic, social, environmental and heritage values associated with forests.

A Scoping Agreement, signed by the Prime Minister and the Premier of Western Australia, sets out the process for the CRA and RFA for the South-West Forest Region. Under the terms of the Scoping Agreement, governments are required to consult with Indigenous people about the RFA process. Another requirement for the CRA is the identification and assessment of national estate values under the *Australian Heritage Commission Act 1975*, addressing the criteria for the listing of places in the Register of the National Estate. The project reported here is relevant to both these requirements.

Prior to the commencement of this project, some initial consultation had already occurred with the establishment of a Western Australian RFA Aboriginal Reference Group (the Aboriginal Action Group - AAG), the conduct of preliminary workshops in Perth, and liaison between staff of Environment Australia and staff of the Noongar Land Council, the Aboriginal Legal Service of Western Australia and the Aboriginal Affairs Department.

## 1.2 PROJECT OBJECTIVES

The objectives of the Aboriginal Consultation Project were:

- (a) To conduct an effective consultation process with Noongar communities in or associated with the WA South-West Forest RFA region which informs communities about:
  - the CRA/RFA process and expected outcomes;
  - opportunities for Noongar participation and contribution to RFA process and outcomes; and
  - the national estate identification process.
- (b) To facilitate the flow of information from Noongar communities to the AAG and RFA Steering Committee for consideration in the development of a Western Australian Regional Forest Agreement.
- (c) To identify aspects of the RFA in which Noongar community members wish to participate and to facilitate their involvement in RFA processes.
- (d) To identify places of potential national estate Aboriginal heritage value, and to identify community wishes in relation to the possible listing of these places in the Register of the National Estate.
- (e) To collect information sufficient for the listing of places of significance to Noongar communities in the Register of the National Estate (where this is endorsed by communities) and develop a means of thresholding those places which have been indicated by the community as suitable for listing.
- (f) To document Noongar community views on the management of Aboriginal heritage places and their consideration in the CRA/RFA process, and to develop appropriate related recommendations to be submitted for consideration to the RFA Steering Committee.

### 1.3 THE CONSULTANCY TEAM

The project has been undertaken by a team of consultants assembled by the Centre for Social Research at Edith Cowan University. Responsibilities were divided among team members as follows:

Professor Alan Black	Project Co-ordinator
Ms Dawn Wallam	Workshop Facilitator and Aboriginal Liaison Officer
Mr Mike Hill	Aboriginal Liaison Officer
Dr Shirley Gollagher	Research Officer
Mr Simon Choo	Cultural Heritage Professional
Mr Don Gollagher	Administrative Assistant

## 2 METHODOLOGY

This project was designed to be completed within a limited timeframe of nine weeks. Whilst it was acknowledged that within such a frame aspects of the project may not be able to be fully achieved – such as fulsome documentation of identified places through field work and other follow-up techniques – it was considered that meaningful outcomes could be achieved, most especially the collection and documentation of forest related issues of concern to Noongar communities.

A methodological approach to achieving the project objectives had been presented in the Terms of Reference (see Appendix A). This approach was further developed and refined through consultation with officers of Environment Australia and the members of the Aboriginal Action Group in the early stages of the project.

### 2.1 THE CONSULTATIVE PROCESS

A key element of the project method was the running of a series of consultative workshops with Noongar people associated with the South-West Forest Region. This strategy was adopted because it enabled several objectives to be achieved:

- It provided an opportunity to inform participants about the CRA/RFA processes in general and about the opportunities for Noongar participation in these processes.
- It enabled members of the Noongar community to ask any questions, to identify issues of concern to them and to put forward any proposals or suggestions they might have.
- It allowed participants to discuss these issues, to weigh up various possibilities and, wherever possible, to reach a consensus on what they wished to be done.
- It was the most efficient way within the very limited time available to identify places of potential national estate Aboriginal heritage value and to elicit Noongar community wishes in relation to the possible listing of these places in the Register of the National Estate, as well as to identify Noongar community views on the management of Aboriginal heritage places within the South-West Forest Region.

Several procedures were adopted to maximise the effectiveness of the consultative process:

- Within the Consultancy Team, two Noongars undertook the roles of Workshop Facilitator and Aboriginal Liaison Officer.

- For each workshop, a Local Community Liaison Officer (LCLO) was appointed (see Appendix B for an outline of the duties of the LCLOs).
- The LCLOs were each given a list of Aboriginal associations in the vicinity of their workshop and were asked to publicise the workshop as widely as possible within the Noongar communities.
- To assist in publicising the workshops, the LCLOs were provided with leaflets entitled *Noongar People Have Your Say in the Regional Forest Agreement* (see Appendix C) and with flyers giving brief details of the Aboriginal Consultation Program, together with space for the date, time and place of the consultative workshop, as well as the name and phone number of the LCLO for the particular locality.
- Provision was made to reimburse travel expenses incurred by Noongars coming to the workshops from distant locations.
- The Environment Forest Taskforce Indigenous Liaison Officer was present at each workshop.
- The draft report of each workshop was sent to participants for checking before being finalised.

## 2.2 ARRANGEMENT OF THE WORKSHOPS

The following locations had been selected by the Aboriginal Action Group as the most appropriate and locationally convenient places in which to consult with Noongar community groups:

Busselton  
Collie  
Narrogin  
Northam  
Manjimup  
Mt Barker  
Pinjarra

The LCLOs were selected on the basis of recommendations from community elders or identified through discussions with the main Aboriginal associations in each of the designated workshop locations.

To lay the groundwork for each workshop, the Aboriginal Liaison Officers held discussions with leaders of local Aboriginal associations as follows:

- 18.9.97 Meeting held at Mogumber with executive members of Wheatbelt Aboriginal Corporation, who are representative of organisations in the region.  
Mark Davis was identified as LCLO for the Northam region.
- 21.9.97 Meeting held in Busselton with the Gnuraren Aboriginal Association and members of that association who were considered representative of Aboriginal families in that region.  
Kelvin Quartermaine and Matthew Khan were nominated to share the role of LCLO for the Busselton region.
- 23.9.97 Consultations held with Bunbury TAFE students in Bunbury and Kala Aboriginal Corporation representatives in Collie.  
Subsequently, Ron Cross and Joseph Northover were identified as LCLOs for the Collie region.
- 23.9.97 Meeting with Narrogin Aboriginal Corporation members.  
Les Eades was identified as LCLO for the Narrogin region.
- 24.9.97 Discussions held with Mark Ugle, Chairman of the Mount Barker Aboriginal Corporation.  
Rebecca Khan was identified as the LCLO for the Mount Barker region.
- 25.9.97 Meeting with Murray Districts Aboriginal Corporation members in Pinjarra.  
Theo Kearing was identified as LCLO for the Pinjarra region.
- 25.9.97 Meeting with Manjimup Aboriginal Corporation members in Manjimup.  
Marilyn Morgan was nominated as LCLO for the Manjimup region.

Following the preliminary consultation process, the dates for the consultative workshops were set as follows:

Busselton	6 October
Pinjarra	7 October
Northam	8 October
Narrogin	9 October
Mt Barker	10 October
Collie	11 October
Manjimup	13 October

## 2.2 WORKSHOP FORMAT

An outline of the workshop format is contained in Appendix D. Whilst the same general format was used in each workshop, adaptations were made where necessary to suit local circumstances.

Attending each workshop were:

- Noongar participants (see Appendix E).
- Representatives from the Environment Forest Taskforce, who presented information about the CRA/RFA processes.
- Representatives from the Western Australian Department of Conservation and Land Management (CALM), who were available to answer questions about CALM's policies and practices.
- The Consultants, who served as facilitators and recorders.

The workshop meetings began informally, over morning tea, when participants introduced themselves to one another, conversed and generally established the rapport needed to help everyone feel at ease in the workshop situation.

The formal part of each day's business began with the Workshop Facilitator welcoming the local participants and explaining her family ties to the South-West Forest Region on each parent's side. This was important in establishing her credibility with Noongar participants who may not have known her personally. She then gave a brief overview of the workshop program, after which an outline of the CRA and RFA process was given by a member of the Environment Forest Taskforce using an overhead projector.

Discussion of issues of concern began as a large-group activity. Using butcher's paper fixed to a wall, issues and concerns raised by Noongar participants about the management and use of forests in the RFA region and about the CRA/RFA process, together with people's recommendations for ways in which those issues should be addressed, were recorded. Detailed notes on the discussions were made by two non-Noongar members of the Consultancy Team. Participants in the workshops commented that it was good to see that wedjelas (white people) were listening to, and writing down the things that they were saying. This, they said, gave them some hope that 'something would come out of this.'

For the next part of the workshop, the Register of the National Estate was explained and the role that it plays within the RFA process was described. Workshop participants were told of the wide range of places that could be identified as being of social or cultural value and were given examples of the types of places that could be included in the Register. They were then asked to think about places within the South-West Forest Region that are important to them and of social value to the Noongar community.



In order to identify these places, people moved into a number of small groups based usually on kinship or locality. Using sheets of butcher's paper, each group listed places of social value to their community that they would like included on the Register of the National Estate. These sheets were divided into columns that recorded the name of the place, details of its location, reasons for its significance and the level of significance. Also listed on the sheets were issues, concerns and suggestions that the participants had with regard to the management of these heritage places and how they would like these considered in the CRA/RFA process.

Once these lists were compiled, where possible, the places were plotted on to 1:100,000 scale maps of areas within the South-West Forest Region.

At the Collie workshop there was an extensive discussion of forestry issues and of other issues and concerns regarding the CRA/RFA process. By the time this discussion was finished, there was insufficient time for the heritage component to be completed. To resolve this problem the Heritage Consultant returned the next day to undertake the heritage identification exercise. Because there was a full day to document heritage places, the Heritage Consultant was able to make a field visit to a number of the places identified.

Participants at the Manjimup workshop did not identify places for potential listing on the Register of the National Estate, as they thought it inappropriate to do so. Their reasons are outlined in the Manjimup workshop report.

## **2.4 WORKSHOP REPORTS**

To ensure that the workshop reports accurately reflected the views held by Noongar participants, copies of the draft report for each workshop were sent to the relevant LCLO. The LCLO was asked to distribute these draft reports to workshop participants, who were invited to check the report and to advise of any changes they wished made. Where participants did not live in the same locality as the LCLO, their reports were posted directly to them, together with a reply-paid envelope.

The reports sent to local communities each contained:

- (a) a brief summary of what is involved in the development of the RFA and the place of the Aboriginal Consultation Program in this process;
- (b) the names of persons attending the workshop;
- (c) general issues raised by Noongar participants at the workshop;
- (d) the names of places identified by Noongar participants for possible listing in the National Estate Register;

- (e) issues raised about the management of Aboriginal heritage places.

As information on item (a) has already been given in the present report, and as lists of Noongar participants are given in Appendix E, the workshop reports which come next in this volume deal only with items (c), (d) and (e).

### 3 BUSSELTON WORKSHOP REPORT

#### 3.1 GENERAL ISSUES RAISED AT THE BUSSELTON WORKSHOP

*The issues reported here reflect opinions expressed by members of the Noongar community in the course of the workshop. As far as possible, they are reported in the words used at the time.*

**1. Busselton Noongars claim the right to have input into management policies and practices of the Department of Conservation and Land Management (CALM) that affect the forest in their region.**

*Points made during discussion:*

Under Native Title Legislation, Noongars have rights and are entitled to participate in making decisions about the management of the South-West Forest Region of Western Australia. At present, when CALM makes policy statements within loosely framed legislation, Aboriginal people are not consulted. Noongars have the right to be involved.

Noongars have traditional knowledge of forest management which is not being used. The forest is suffering as a result. For example, large areas of the forest are burned at the wrong time of the year. Species are lost because of this.

There are areas that CALM does not burn. The tuart forest is an important example. Noongars regularly burned in young forests. This should have been done all the time as tuart forests need to be burned. Now this cannot be done, because the old growth would be burnt out. The forest is now a museum piece, as when those old growth trees die, there will not be any young tuart trees to replace them.

In earlier times, Noongars burned only about a hundred acres at a time. They burned back to the river. The new growth fattened the kangaroos. Later, the people would burn another portion. Now CALM burns much larger areas from the boundaries to the centre. This results in animals being trapped in the centre.

We need areas undisturbed. Since British colonisation many species have been lost. We need to increase habitats and promote biodiversity. It's not just about trees; it's about increasing biodiversity and maintaining ecosystems.

**2. Busselton Noongars want unrestricted access to forests in order to camp, to hunt, and to teach their children their traditional culture.**

*Points made during discussion:*

Without land, Noongars have got nothing. CALM has told us that the Blackwood River is out of bounds. It is part of a national park, a big reserve. There are tracks running through it. Noongars have travelled along these tracks in the past,

following routes marked by scar trees. These scars may show travel patterns and relations between groups. CALM know about them. It is necessary to distinguish between scars made by CALM and scars made by Aboriginal people.

We have to teach our children respect for our elders and we need access to land to do this. We should be able to camp in the bush and teach our kids the traditional ways. CALM distinguishes between national parks and forests, but Noongars do not. Park rangers and police give Noongars a fine on the spot for camping in national parks. If you don't pay the fine you lose your driver's licence. One elder cannot even take his dog for a walk in the bush.

There are white people living as squatters in the bush. CALM turns a blind eye to them. There's a law for non-Aboriginal people and another for Noongars.

We want to camp and go marroning out of season for food. We want to hunt for kangaroo for food as well. Noongar people were brought up on kangaroo. Certain parts of the kangaroo are also used for medicine. When we are not allowed to hunt we can't teach our kids their culture. We want to show them how to hunt, how to drive kangaroos into one spot and select one. We tell them that you don't catch a boomer, because it's a breeder.

CALM once asked a couple of Noongars in the area to show their traditional hunting sites. This was supposed to be to give Noongars the right to hunt in these places. Next time they went, CALM was waiting for them.

Even picnic sites in the National Park don't meet Noongar needs and take Noongar values into account. Non-Aboriginal people are interested in privacy and will sit at picnic tables in small units. Noongars camp together – all around one table is the usual pattern. Existing camp/picnic sites are not suitable. Yet it's easy to remedy.

**3. Busselton Noongars want legislation for the protection of places of significance to them.**

*Points made during discussion:*

There are International, National and State agreements for the protection of places of significance, but the legislation for protection of such places is extremely poor. The Commonwealth is devolving heritage protection to the States. At State level the emphasis is on development rather than protection.

For example, Lake Jasper is the largest freshwater lake in Western Australia. It has international registration as one of two archaeological dives in the world. This wetland is supposed to be protected under Ramsar – the International Wetlands Convention. It is supposed to receive the highest protection, but a Japanese company allows one of their subsidiaries to mine there, in spite of the legislation. National and State agreements have been breached.

### **3.2 PLACES IDENTIFIED AT THE BUSSELTON WORKSHOP AS SIGNIFICANT TO THE NOONGAR COMMUNITY**

#### ***3.2.1 Places within the South West Forest region***

Binningup  
Black Point  
Blackwood River  
Burnside  
Canal Rocks  
Chapman Hill  
Cosy Corner  
Cowaramup Bay  
Devil's Lair  
Ellensbrook  
Gracetown  
Hithergreen Farm  
Jalbarragup Rd  
Kilcarnup  
Kudardup Caves  
Margaret River  
Moses Rock  
Nannup Scarred Trees  
Naturalist Leeuwin Ridge  
Pioneer Graves  
Quinninup  
Rainbow Cave/ Ng'lgardup  
Scott River Engravings /Dunnet's Farm  
Siesta Park  
Skippy Rock/Boranup Forest  
Sues Bridge  
Walcliffe cave, cliffs and burials  
Yalingup Siding

#### ***3.2.2 Places outside the South West Forest region***

Bunkers Bay /Rocky Point  
Butter factory  
Campbell's Farm, reburial site  
Capel Massacre site  
Curtis Bay/Castle Rock  
Peppermint Grove  
Strelley St Campsite

Toby's Inlet  
Wally's Well  
Wonnerup Scarred/Shield trees, Massacre, corroboree site

### **3.3 ISSUES RAISED AT THE BUSSELTON WORKSHOP SPECIFIC TO THE MANAGEMENT OF ABORIGINAL HERITAGE PLACES**

#### **3.3.1 *General issues and concerns about the management of Aboriginal heritage places***

##### **1. The protection of all Noongar heritage places.**

Because of the social, cultural, spiritual and historical value placed upon Noongar heritage places by the Busselton Noongar community, the importance of protecting Noongar heritage places was strongly emphasised.

##### **2. The establishment of a management plan in relation to the management of Aboriginal heritage places.**

The point was raised that there was no management plan in place to manage, preserve, look after and protect places of heritage value to Noongar people.

This plan should be regional in outlook, as well as incorporating a process for the management of specific places

##### **3. The inclusion of Noongar people in the management, conservation and protection of Aboriginal heritage places.**

It was repeatedly emphasised in the course of the workshop that it is essential that Noongar people be included in the management, conservation and protection of Aboriginal heritage places.

The RFA process was seen as a way in which Noongar involvement in the management of Aboriginal heritage places could be established and guaranteed.

Involvement in the management of Noongar heritage places was envisaged as including consultation, negotiation, and involvement in the decisions that affect Noongar heritage places, as well involvement in the implementation of any specific management strategies adopted.

**4. Concerns about damage being done to some Aboriginal heritage places.**

Concerns were raised about damage being done to some Aboriginal heritage places; for example, damage by abseilers to the cliffs at 'Walcliffe cave, cliffs and burials'.

The Busselton Noongars would like mechanisms to be put into place to prevent such damage taking place in the future, and in the event of such damage taking place, involvement in the process of having the damage rectified.

**5. Ensuring Aboriginal heritage places are protected from development.**

The Busselton Noongar community would like Aboriginal heritage places protected from development; for example, Nannup scarred trees.

Such protection could take the form of fencing the area off in order to prevent access.

**6. Recognition of some places for the Aboriginal heritage values that they exhibit.**

The Busselton Noongar community would like some places recognised for the Aboriginal heritage value that they exhibit. This recognition could take the form of a plaque (e.g. at the Strelley St Campsite) recognising the Aboriginal values of and associations with the place, or through a Noongar interpretation (eg Wonnerup Scarred/Shield trees, Massacre site, Corroboree ground).

**7. The Noongar interpretation of Aboriginal heritage places.**

A Noongar interpretation of the heritage values of some places (eg Wonnerup Scarred/Shield trees, Massacre site, corroboree ground) is needed.

Such an interpretation would be valuable because of the large degree of divergence frequently encountered between the history of events and places written by pioneers and white historians and Noongar accounts of such events and places passed down through the tradition of oral history. For example, there are very different accounts of the circumstances leading up to the massacre of Wonnerup (see Shann 1978, Jennings 1983, Hallam and Tilbrook 1990, and compare these accounts with those in Busselton Noongar oral history).

**8. The construction of a Noongar heritage trail.**

A Noongar heritage trail could be constructed in order to demonstrate a range of Aboriginal heritage values. A suggested location for this was from Cosy Corner, through the Nannup scarred trees area to Boyup Brook.

## 9. Access to places of Aboriginal heritage value.

The point was repeatedly made that the Noongar community would like to have access to places of Aboriginal heritage value in order to utilise and maintain the values that these places represent; for example, access to traditional ceremonial and hunting areas; also to ensure that the places are being properly protected and looked after.

### 3.3.2 *Management concerns and suggestions about specific Aboriginal heritage places within the South West forest region identified during the workshop*

*Campbell's Farm, reburial site:* Would like to help look after it and ensure that other people do not disturb it.

*Devil's Lair:* Want access in order to check it.

*Hithergreen Farm:* Would like the place sign-posted or to have a plaque erected to acknowledge the Aboriginal associations with, and heritage values of, the place.

*Nannup scarred trees:* Want to ensure that these scarred trees are protected and are not logged. It was also suggested that a heritage trail be mapped out and constructed between the Nannup scarred trees area and Cosy Corner in order to illustrate a range of heritage values and traditional Noongar travel patterns in the region.

*Naturalist Leeuwin Ridge:* Want joint management of the ridge.

*Quinninup:* Needs to be protected from development and disturbance, and Busselton Noongar elders should be consulted about decisions that are likely to adversely affect it. It was also suggested that some form of sign or plaque be erected there. This could be developed in conjunction with local Noongar elders.

*Rainbow Cave -Ng'lgardup:* Want to fence the cave off in order to protect the place from damage.

*Walcliffe house, caves, cliffs and burials:* Want Noongar involvement in the joint management of the property. The caves and cliffs in the vicinity of the house should be protected from disturbance. It was suggested that this protection could be achieved by preventing people from accessing the caves and cliffs, and preventing the continued use of the cliff by abseilers.

*Yalingup Siding:* Would like a fence put around the graves in order to protect them.



## 4 PINJARRA WORKSHOP REPORT

### 4.1 GENERAL ISSUES RAISED BY PINJARRA NOONGARS

*The issues reported here reflect opinions expressed by members of the Noongar community in the course of the workshop. As far as possible, they are reported in the words used at the time.*

- 1 **Pinjarra Noongars wish to claim the site in Pinjarra where Governor Stirling's militia massacred Noongar people on 28 October 1834.**

*Points made during discussion:*

'The Massacre site is the icon of Noongars. It is like our national shrine.'

This site is on private property.

- 2 **Pinjarra Noongars wish to erect a Monument commemorating the people who died in the Massacre. They wish to maintain and control the management of the reserve where they plan to build the Monument.**

*Points made during discussion:*

The Department of Land Administration, WA, (DOLA) was going to give the proposed Monument site to Aboriginal people, but CALM and the local Shire Council intervened to stop the process.

An agreement with the Shire is needed.

Theo Kearing has a drawing of a possible design for a Monument.

American Indians asked architecture students to design a suitable monument at Wounded Knee. A similar monument is needed here.

- 3 **Pinjarra Noongars wish to obtain more funds for the erection of the Monument.**

They are seeking funding from Aboriginal and non-Aboriginal organisations.

- 4 **Pinjarra Noongars want to be joint managers, with CALM, of their local environment.**

*Points made during discussion:*

Noongars have knowledge about the forest and how it should be managed, where native animals can be found and how they can be preserved, and how the river should be managed.

For example, with respect to knowledge of where native animals can be found, local Noongars know that there are bandicoots in places where CALM says there are none.

The river is being fouled by cattle and horses grazing at the river's edge. The floodline needs to be pushed back to where it used to be, and there should be nothing encroaching beyond this.

Last year there was an epidemic of conjunctivitis among local children who had been swimming in the river. There was a time when the water was clear and you could look into it and see the fish swimming; now this is not possible.

Pinjarra Noongars told builders working on a new development in Mandurah about a potential problem with mosquitoes if bird habitats were destroyed. Their warning was ignored. The budget for the development blew out because the mosquito problem had to be put right.

5. **Pinjarra Noongars request CALM, and other organisations like the Peel Inlet Management Authority, to employ local Aboriginal people.**
6. **Pinjarra Noongars want hunting rights on former Native Reserves. There are four of these in Pinjarra.**

*Points made during discussion:*

There is a site of a former Aboriginal reserve in Roe Street.

'There are cattle and sheep there. We are making nothing out of cattle and sheep. We can't go where cattle and sheep are. Are we lower than animals?'

One person present was fined \$68 for hunting kangaroos on land in Coronation Road.

7. **Pinjarra Noongars want the Murray District Shire to consult with them about local issues. An Agreement with the Shire is needed.**

*Points made during discussion:*

As an example to show why this should be, there are no streets in Pinjarra named after Aboriginal people. There was a street called Walley Street, named after an Aboriginal family, but this was changed.

Another example of an issue on which the Shire should have consulted Noongars relates to a walkway which Pinjarra Noongars wish to have built *above the ground*, around the trees on the Monument site.

The Shire has planned a walkway *on* the ground. 'They just went ahead and did it' [without consultation]. The Shire does not include Noongars in decisions about local issues.

## **4.2 PLACES IDENTIFIED AT THE PINJARRA WORKSHOP AS SIGNIFICANT TO THE NOOGAR COMMUNITY**

### **4.2.1 *Places within the South West Forest region***

Scarp Pool

### **4.2.2 *Places outside the South West Forest region***

Black Waters

Danger Swamp

Dawesville

'Freshwater'

Massacre of Pinjarra Camp-site

Murray Districts Aboriginal Association Land

Murray Bend

Old Noongar Reserve

Peel Estuary

Pinjarra Massacre Site

Potential monument for the Massacre of Pinjarra site

'The Lane'

'The Log'

Willies Lake

Wilson's Rock

## **4.3 ISSUES RAISED AT THE PINJARRA WORKSHOP SPECIFIC TO THE MANAGEMENT OF ABORIGINAL HERITAGE PLACES**

### **4.3.1 *General issues and concerns about the management of Aboriginal heritage places***

#### **1. The need for consultations and negotiations with Noongar communities before decisions affecting Aboriginal heritage places are made.**

Concerns were raised about the lack of communication between the various state and local government agencies (eg CALM and Murray Districts Shire) with the Murray Districts Noongar community.

This concern was heightened because decisions made by these bodies have the potential to impact upon, or even destroy, places of Aboriginal heritage value.

The Murray Districts Noongar community would like the RFA to incorporate mechanisms and procedures which guarantee full consultation and negotiation with Noongar communities.

**2. The vital importance of Noongar involvement in the management, conservation and protection of Aboriginal heritage places.**

Pinjarra Noongars have been excluded from the management of places of heritage value to them.

The Murray Districts Noongar people have a great deal of knowledge that they could contribute to the management, conservation and protection of such places. They see themselves as being able to play an important role in the conservation and management of Aboriginal heritage places.

It is essential that the RFA guarantees the protection of Aboriginal heritage places and ensures Noongar involvement in the ongoing management and conservation of these places.

**3. The need for Noongar input into the management of places of natural heritage value.**

The places of heritage value identified during the workshop included a large number of places of natural heritage value as well as of specifically Aboriginal heritage value.

The Murray Districts Noongar people would like to be able to contribute their traditional knowledge of the bush to the management of heritage places in the natural environment.

**4. The need to protect Aboriginal heritage places from development, or from the adverse effects of development.**

A great deal of concern was raised about the impact of development upon places of heritage value to Murray Districts Noongars.

As an illustration of such concern, attention was drawn to the effect of the Dawesville Cut upon a number of places of heritage value.

This development had direct adverse repercussions on a number of Aboriginal heritage places; however, the concerns of the Murray Districts Noongar community were not acted upon.

**5. Adverse effects on Noongar people of failure to manage Aboriginal heritage places properly.**

Given the importance of land and heritage places to Noongar people, damage to such places and to the natural environment in general can have detrimental effects on the health and spiritual wellbeing of Noongar people.

This increases the necessity of having Noongar people involved in the management of heritage places.

**6. Noongar access to places of Aboriginal heritage value.**

Concern was expressed about the lack of access by Noongars to some places of Aboriginal heritage value.

If Noongar people are to have a role in the management of Aboriginal heritage places, they will need access to them.

Furthermore, if the heritage values of the place are to be utilised, for example as a traditional gathering or hunting place, then access to the place is required.

**7. The need for cross-cultural awareness in the management of places of Aboriginal heritage places.**

People with the obligation to manage the forests and the heritage places therein (eg CALM) need to be made aware of cross-cultural issues pertaining to the identification and management of Aboriginal heritage places.

**8. Noongar involvement in caring for places of Aboriginal heritage value.**

Murray Districts Noongars would like to be involved in these processes.

**9. Noongar interpretation of places of Aboriginal heritage value.**

A Noongar interpretation of Aboriginal heritage places would help facilitate wider community understanding of Aboriginal heritage values.

The Murray Districts Noongar community see themselves as being able to play a large role in the development of a Noongar interpretation of places of Noongar value.

Of pressing concern to the community is the need for a Noongar interpretation of the Massacre of Pinjarra site. This need is made even more urgent given the inadequacies and inaccuracies in the written historical accounts, which tend to present a white colonialist perspective. The Murray Districts Aboriginal Association has gone some way itself to the development of a Noongar interpretation of the site.

**4.3.2 Management concerns and suggestions about specific Aboriginal heritage places within the South West forest region identified during the workshop**

*Scarp Pool:* Joint management of the place should be put in place and development of the place should be prevented.

## 5 NORTHAM WORKSHOP REPORT

### 5.1 GENERAL ISSUES RAISED AT THE NORTHAM WORKSHOP

*The issues reported here reflect opinions expressed by members of the Noongar community in the course of the workshop. As far as possible, they are reported in the words used at the time.*

1. **The Noongar community claims the right to have joint management, with CALM, of the South-West forest areas that are their country.**

*Points made during discussion:*

When we see the overheads used in the presentation at the workshop, we may not understand all the words but when we break it down we've been doing it (looking after the land properly) all along.

Under Native Title Legislation, Noongars have rights and are entitled to participate in making decisions about the management of their area of the South-West Forest.

Management strategies are needed to allow Noongars to use the forest for cultural purposes, including initiations, teaching their children hunting, and recreation.

The Karijini and Purnululu Joint Land Management Agreements can be used as models for Noongar communities to work out their own agreements with CALM.

2. **The Noongar community wants unrestricted access to forest areas for hunting.**

*Points made during discussion:*

According to Wildlife Conservation Act, you can't hunt in a nature reserve or wildlife sanctuary. Our hunting practices are ecologically sustainable and we would not harm these areas.

3. **The Noongar community wants CALM to employ Noongars. There would be an important role for them as Community Aboriginal Liaison Officers.**

*Points made during discussion:*

One person spoke of the recent shutting down of CEPANCRIM (Contract Employment Programs for Aboriginal People in Natural and Cultural Resource Management). \$3 million was available under CEPANCRIM, administered by the Australian Nature Conservation Agency. There was a great team, sensitive to Aboriginal issues. They had projects going everywhere. They were shut down recently and the money went elsewhere.

4. **The Noongar community is concerned at the very short time available in the RFA process to identify places of heritage or social value to Noongar people.**

'We need to talk to some of the elders. It's not up to us young fellas. The workshop has not included everyone.'

5. **The Noongar community wants a say on the RFA Steering Committee and on any committee that will review the operation of the RFA. They want a man and a woman for each district on the review panel.**

*Points made during discussion:*

We need a Noongar, someone we know, so we can ring them. We want a man and a woman for each district on the review panel to deal with men's and women's business.

There are State and Commonwealth representatives on the Review Committee. They are independent experts, but we should monitor them.

The Review is supposed to be every five years, but a continuing process is necessary.

We want to know who the members of the Aboriginal Action Group are. They could also monitor the review.

## **5.2 PLACES IDENTIFIED AT THE NORTHAM WORKSHOP AS SIGNIFICANT TO THE NOONGAR COMMUNITY**

### *5.2.1 Places within the South West Forest region*

Avon River  
Helena Hill State Forest

### *5.2.2 Places outside the South West Forest region*

Beverly Aboriginal Reserve  
Calingiri  
Cave Hill  
Dyott Range/Mt Bakewell  
Goomarin Rock Area  
Kellerberrin Aboriginal Reserve  
Korrelocking Reserve  
Mt Brown  
Mt Noddy  
Mt Ommanney  
Northam Aboriginal Reserve  
Spencer's Brook  
Wogamine Forest  
York Aboriginal Reserve  
Yorkrakine Rock

### **5.3 ISSUES RAISED AT THE NORTHAM WORKSHOP SPECIFIC TO THE MANAGEMENT OF ABORIGINAL HERITAGE PLACES**

#### **5.3.1 *General issues and concerns about the management of Aboriginal heritage places***

**1. The need for places of Aboriginal heritage value to be adequately protected.**

The participants to the workshop were concerned to ensure that places of Aboriginal heritage value were protected from damage.

**2. The need for consultation with the Noongar community in respect of management decisions concerning places of Aboriginal heritage places.**

The workshop participants stressed that that in the past there has been inadequate consultation with the Noongar community with regard to the decisions made about the management, protection and conservation of Aboriginal heritage places.

The workshop participants felt strongly that they should be consulted in respect of the management of places of Aboriginal heritage value.

**3. Noongar involvement in the management and maintenance of places of Aboriginal heritage value.**

The Noongar community would like to be involved in the management of places of Aboriginal heritage value.

**4. Access to places of heritage value.**

The workshop participants were concerned to ensure continued access to places of Aboriginal heritage value in order to enjoy the places for the value that they represent.

**5. Unwanted development in or near places of Aboriginal heritage value.**

The strength of attachment to places of heritage was made very apparent during the workshop and this was manifested in the deep concern about unwanted development in or near places of Aboriginal heritage value.

#### **5.3.2 *Management concerns and suggestions about specific Aboriginal heritage places within the South West Forest region identified during the workshop***

*Avon River:* Noongar people should be consulted in regard to management decisions which affect the Avon River. The local Noongar community would like to have continued access to the place and for the river to be protected from development and the negative effects of development.



*Helena Hill State Forest:* The local Noongar community would like to see this area protected because of the heritage value of the place. They would also like to be able to have access to the place in order to hunt, camp and gather firewood.

## 6 NARROGIN WORKSHOP REPORT

### 6.1 GENERAL ISSUES RAISED AT THE NARROGIN WORKSHOP

*The issues reported here reflect opinions expressed by members of the Noongar community in the course of the workshop. As far as possible, they are reported in the words used at the time.*

In the course of the meeting, some very powerful statements were made by Noongar people. Two of these were as follows:

'You can never turn back the hand of time and what has been done cannot be undone. They can take all the land from our people but they will never take our people from the land. We all have something to be proud of, each and every one of us, we all represent the world's oldest race of people.'

'I live Noongar way. That lifestyle is still going.  
How tragic it feels not to be able to go into the bush.'

**1. The Noongar community wants feedback from this meeting.**

One elder said:

'We never get any feedback from meetings.  
I've been going to these meetings for 35 years – nothing back.  
Maybe this time.  
We're on the bottom floor.  
Will we ever leave the bottom floor?  
We're getting nowhere fast.'

**2. The Noongar community wants the bosses of CALM to come and talk with them.**

'We had two local officers from CALM. This always happens. We never see the bosses.'

**3. The Noongar community wants joint management of the forest with CALM.**

*Points made during discussion:*

'We have the knowledge to do this, but CALM doesn't recognise it. We had one of the best sciences going.'

A speaker asked the officers from CALM about the qualifications needed to work in CALM and was told that some officers have university degrees.

Then the following conversation took place between that speaker and a local elder:

'Angus, can you read and write?'

'No.'

'Can you look after the forest?'

'Yes. All that I know I got from my father and grandfather.'

'What to do, what's right and what's wrong, Angus knows.'

4. **The Noongar community wants proper representation on Committees that oversee management within the forests.**
5. **The Noongar community wants a reference group to oversee the management process.**

The following names were suggested:

Trevor Penny  
Les Eades  
Angus Wallam  
Charlie Williams  
Don Collard

'There should be a couple of representatives from each district to go on the body making decisions about what should be happening in any particular district.'

6. **The Noongar community wants proper representation on the Committees that review the 20 year Agreement.**
7. **The Noongar community wants CALM to train and employ local Noongars. CALM should use the knowledge of our older Noongars in training Noongar officers and other people.**
8. **The Noongar community wants to go into the forest and get wood for woodcraft and firewood. We should not have to pay for picking up from the forest floor.**

*Points made during discussion:*

'If we don't pick it up the white ants will get it. Are white ants better than us? We used to pay \$9.00 a ton for craftwood. Now it's \$240.00 a ton for burls. We can't even cut wood for a didgeridoo or a boomerang.'

9. **The Noongar community wants hunting rights.**

*Points made during discussion:*

'Noongars need their own diets.'

'If we tell CALM where we go hunting, the next thing we know, there's a Wildlife Reserve sign. Such restrictions should not apply to Noongars.'

'A Noongar takes a kangaroo because he wants it for his family. At the present time, a person feels guilty if he takes a roo in a reserve.'

## **6.2 PLACES IDENTIFIED AT THE NARROGIN WORKSHOP AS SIGNIFICANT TO THE NOONGAR COMMUNITY**

### **6.2.1 *Places within the South West Forest region***

Cobbler Pool  
Measle Bridge  
Towerrinning Lake and Moodiarup  
Yeriminup Hill, camping area, ceremonial ground, burial ground  
Yeriminup/Frankland hunting and camping area

### **6.2.2 *Places outside the South West Forest region***

All the reserves in the area  
Avon Down Farm  
Bendring Reserve  
Carrolup Mission  
Coucher's Farm  
'Dead Man's Swamp'  
Dryandra Forest  
Hippo's Yawn  
Jilikan Rock  
Kalgarin Hills  
King Rocks  
Lake Cronin  
'Martup'/Devils Hill  
Meradalup Flat  
Mulkak Cave  
Shiple Reserve  
Terry Davis Farm/'One Blackboy'  
Twines Reserve  
Wave Rock  
York-Williams Rd

**6.3 ISSUES RAISED AT THE NARROGIN WORKSHOP SPECIFIC TO THE MANAGEMENT OF ABORIGINAL HERITAGE PLACES**

**6.3.1 *General issues and concerns about the management of Aboriginal heritage places***

**1. Joint management of Aboriginal heritage places.**

The workshop participants stressed the need for the Noongar community to be involved in the management, conservation and protection of places of Aboriginal heritage value.

Noongar involvement would enable the contribution of indigenous land management techniques to the current land management practices.

**2. Consultation with Noongar elders when decisions are being made that are likely to affect places of Aboriginal heritage value.**

Extreme concern was expressed that the Noongar community is very rarely consulted about, or even notified of, any changes which might affect places of Aboriginal heritage value.

They want to be told of any proposed changes and to have their opinion heard with regard to these changes.

**3. Access by Noongars to places of heritage value in order to utilise these places for the values that they exhibit.**

For example, Noongars want to be able to hunt and camp at traditional hunting and camping areas.

**4. Better communication between Noongar people and government or private agencies whose activities affect Aboriginal heritage places.**

Better communication would facilitate better understanding between the Noongars and the government agencies which deal with the forests and would facilitate the protection of places of Aboriginal heritage value.

**5. The conservation and rehabilitation of places of Aboriginal heritage value.**

**6. Prevention of mining in places of Aboriginal heritage value.**

**7. Noongar involvement in management, conservation, protection and decision-making in respect of Aboriginal heritage places.**

The workshop participants strongly stressed the need for there to be Noongar involvement in the management, conservation, protection and decision-making in respect of Aboriginal heritage places.

In order to be able to manage Aboriginal heritage places properly, there needs to be a comprehensive survey and documentation of these places. This needs to involve and be directed by the Noongar community, with the cultural heritage information remaining the property of the Noongar community.

**8. Noongar interpretation of Aboriginal heritage values and places.**

Provision should be made for Noongar interpretation of places of Aboriginal heritage significance.

**9. Plaques to be erected at some places to recognise the Aboriginal associations and heritage value of the places.**

There should be appropriately designed plaques at some places should be the Noongar heritage value of various places that Noongar communities wish to have.

**10. The protection of places of Aboriginal heritage value.**

This protection is required so that children, tourists and non-Aboriginal Australians can visit these places and learn about Noongar culture.

This would facilitate the education of Aboriginal heritage values and culture and make an important contribution to the process of reconciliation.

**11. Places whose exact dimensions are indeterminate or whose location must remain secret.**

Mention was made of one place of immense spiritual importance, but the informant stressed that it would be dangerous if the location of this place is made known. Indeed, the same person was reluctant to visit the place himself because of the danger involved.

Nonetheless, such places are of immense spiritual value and need to be protected, as there may be negative consequences to both these places and the relevant Noongar people should these places be impacted upon.

Problems such as this could be resolved through community consultation. Noongar elders or community members could specify broad areas that contain places of significance without specifying the exact location of the places. Alternatively, if the area of a proposed activity is identified, then the elders or Noongar community in general could advise as to whether or not Aboriginal heritage places are located within the area.

**6.3.2 *Management concerns and suggestions about specific Aboriginal heritage places within the South West forest region identified during the workshop***

*Yeriminup Hill area, Towerrining/Moodiarup, Cobbler Pool, Measle Bridge:* Noongar people should be involved in management decisions affecting these places and there should be consultation with Noongar elders if these places are likely to be impacted upon.

## **7 MOUNT BARKER WORKSHOP REPORT**

### **7.1 PLACES IDENTIFIED AT THE MT BARKER WORKSHOP AS SIGNIFICANT TO SOUTH-WEST NOONGARS**

#### **7.1.1 Places within the South West Forest region:**

Frankland River

Tone River

Yeriminup/Frankland hunting and camping area

Yeriminup Hill, camping area, ceremonial ground, burial ground

#### **7.1.2 Places outside the South West Forest region:**

Albany Highway Road Reserves

Gordon River

### **7.2 ISSUES RAISED AT THE MT BARKER WORKSHOP SPECIFIC TO THE MANAGEMENT OF ABORIGINAL HERITAGE PLACES**

#### **1. Consultation with regard to decisions which affect Noongar heritage places.**

Noongar people in and around Mount Barker want to be consulted on all issues that affect Noongar heritage places.

#### **2. Involvement of Noongar people in the management and conservation of places of heritage value.**

Noongar people in this area want to be involved in making and implementing decisions on all aspects of management and conservation of places that are of heritage value to them.

#### **3. Protection of Aboriginal heritage places from development, mining and logging.**

Because of the value of Aboriginal heritage places for Noongar people, it is of fundamental importance that these places are protected from development, mining or logging.



## 8 COLLIE WORKSHOP REPORT

### 8.1 GENERAL ISSUES RAISED BY COLLIE NOONGARS

*The issues reported here reflect opinions expressed by members of the Noongar community in the course of the workshop. As far as possible, they are reported in the words used at the time.*

- 1. We are getting tired of making recommendations and nothing happening. We need backing from the government. How far can we go, getting nowhere? We want results.**

*Points made during discussion:*

It was stated that the proposed Regional Forest Agreement will be in place for twenty years with reviews every five years. We cannot be sure that governments will abide by the Agreement. They may not put appropriate legislation in place. Twenty years is a long time. We have BHP and other miners in the forestry areas. There are three Acts: the Native Title Act, the CALM Act and the Mining Act. Especially if the Native Title Act is amended, none of these sufficiently safeguards rights of Indigenous people.

- 2. Collie Noongars are very concerned about the detrimental impact of mining activities in their region.**

*Points made during discussion:*

'They are turning our land into mines. Mining companies are too close to some of our sacred sites.'

Another speaker:

'Before mining licenses are granted you can register your claim according to the Native Title Act. Then you have the right to negotiate.'

Another speaker:

'Outsiders are talking for Collie Noongars. They are claiming our areas.'

Another speaker:

'People say, "you Aboriginal people are sitting on a gold mine. You can seek compensation for your land." Collie Noongars are not like that. We have good relations with CALM, the Water Authority and the Shire.'

3. **Collie Noongars have knowledge of the forest and want to use this knowledge and to be involved with CALM in the management and conservation of forest regions.**

*Points made during discussion:*

There is a set of cultural checks and balances, in which knowledge and forest management are traditionally related. For example, one person told how he seeks permission to hunt a kangaroo if he's on other Noongar people's territory. This prevents uncontrolled hunting.

Another person spoke about destructive burning practices:

'Spring and summer are the wrong times of the year for fire burning. Possums, kangaroos, robin redbreasts.

Give them time to mature and fly away.

Ah shame! Look at that. No animals.

My heart is crying because there are no animals.'

4. **Collie Noongars care deeply about damage to the forest when it is not managed appropriately.**

*Points made during discussion:*

'It breaks my heart to see what happens in the bush. There's rubbish, old cars... That's karnya (shame). There are holes in the ground where people have dug up boronia. It breaks my heart. It's all been taken.'

'CALM needs Noongar consultants.'

5. **Collie Noongars want access to forest areas for spiritual reasons, for teaching young people, for hunting and for camping.**

*Points made during discussion:*

Noongar speaker:

'We've got no access to our land here. Might as well go to the city, get gaoled, die. If more Noongars were going out to the bush more often, they would be better off. It's to go out and reminisce...to be a Noongar again...But where am I going to camp?'

Another speaker:

'You've got to test it. Go camping.'

First speaker:

'People are frightened that they might get arrested.'

CALM Officer:

'Any person can go for a walk. We have to be careful about fire. There are other things. If you go camping where it's forbidden, people will look at you jealously.'

Various speakers:

'We have become dependent on change -- clothes, cars etc. Our culture is going. We don't want to lose the land.'

'Children need to be taken back to the bush. People should be role models. These kids need our help.'

'We are trying to work for young people [All present agree]  
We need tents. I still take kids out.  
They can't afford skinning knives, bullets.  
We need resources.'

'Get young people out to the bush. When they respect the land, they respect the elders, and they respect themselves.'

'The biggest problem is drinking. Although they're good people, some people drink a lot because they should be in the bush.'

**6. Collie Noongars want hunting rights.**

*Points made during discussion:*

'CALM draws up the rules for Nature Reserves without reference to Noongars.'

'We have to skirt around the Nature Reserves when we're hunting.'

'Two fellas shot a roo in (place name not clear). A Noongar ranger took their names.

They were fined \$1,000.'

**7. Collie Noongars want a big area of bush to be put aside where they can make a camp.**

'We could have bough sheds, stumps to sit on where we can yarn.'

**8. Collie Noongars want employment opportunities in CALM.**

*Points made during discussion:*

There's not one Noongar working for CALM in Collie.

There should be a position of Aboriginal Liaison Officer in CALM.

Education, Health, Law and Police have Aboriginal Liaison Officers. Now it's time for Conservation and Land Management.

There could be a three year traineeship for a Noongar.

Two Aboriginal staff in CALM (Maxine Chi and Noel Nannup) are spread very thinly over a very large area.

Funding will be an issue. Perhaps DEETYA or ATSIC could fund it.

The majority of money for the Aboriginal Liaison Officers in the Police comes from the Commonwealth.

**9. Very few Noongars are employed in Collie industries such as Worsley Refinery, APB power station, and Western Collieries.**

'Who should open those doors? Noongars must define their community. Who can legally represent them?'

**8.2 PLACES IDENTIFIED AT THE COLLIE WORKSHOP AS SIGNIFICANT TO THE NOONGAR COMMUNITY**

**8.2.1 *Places within the South West Forest region***

Allenson Reserve  
Batalling Lizard trap  
Bolton Pools  
Boronia gully burial and camping area  
Bowelling  
Capercup  
Collie burial  
Collie Burials & Scarred Tree  
Collie River and Harris River  
Collie Spring  
Cordering  
Duranillin  
Eight Mile Pool  
Gibraltar Rock  
Harris River Road Camps  
Lily Pool Camp  
Minninup Pool  
Nalyerin Lake burial  
Spring  
Telfer Pool  
Towerrinning Lake and Moodiarup  
Varis Rd Scarred Tree  
'White City'  
Wuridjong Pool

### **8.3 ISSUES AND CONCERNS RAISED ABOUT THE MANAGEMENT OF ABORIGINAL HERITAGE PLACES**

**1. Detrimental effects that mining activities in the Collie region are having on places of Aboriginal heritage value.**

Strong concern was expressed about the extremely detrimental effect that mining was having upon places of Aboriginal heritage value in the Collie region.

The Heritage Consultant was taken on a field visit to view the extent of the devastation. There was obvious distress about the damage being done to the country around Collie and the failure of present forest policy to prevent such destruction from taking place.

**2. Prevention of mining at or near places of Aboriginal heritage value.**

Steps need to be taken to prevent mining at or near places of Aboriginal heritage value.

**3. The need for consultation with the Collie Noongar community.**

The Collie Noongar community was greatly concerned at the lack of consultation with them prior to the commencement and the expansion of mining operations in the region. Little account appeared to have been taken of the likely impact of such operations on places of heritage value.

**4. The need for mechanisms to be put in place in order to identify places of Aboriginal heritage value.**

To prevent a repetition of past mistakes, appropriate procedures need to be put in place to identify places of Aboriginal heritage value. Such procedures require extensive consultation with Noongar people.

**5. The need for better communication between agencies involved in activities in the forest area around Collie and the Collie Noongar community.**

**6. Involvement of Collie Noongars in the management, conservation and rehabilitation of Aboriginal heritage places.**

The Collie Noongar community would like to be involved in the conservation and rehabilitation of places of natural and Aboriginal heritage value.

The possibility of an arrangement between CALM and the Collie Noongar community for traineeships for young Noongars was discussed. Such interaction between CALM and the Noongar community would facilitate the involvement of Noongar people in the conservation, protection and management of places of Aboriginal heritage value.

**7. Great importance of access to places of Aboriginal heritage value.**

Noongars require access to Aboriginal heritage places in order to enjoy that heritage. For example, areas valued as traditional hunting areas cannot be utilised as hunting areas if Noongars do not have access to them. Consequently, the heritage value of these places cannot be enjoyed.

Access is also very important in order to maintain and conserve the places.

## 9 MANJIMUP WORKSHOP REPORT

### 9.1 GENERAL ISSUES RAISED BY MANJIMUP NOONGARS

*The issues reported here reflect opinions expressed by members of the Noongar community in the course of the workshop. As far as possible, they are reported in the words used at the time.*

1. **Manjimup Noongars noted that the wording of the brochure and slide presentations at the workshop was difficult for some people to understand. They particularly mentioned the scientific terms used.**

These terms included:

- biodiversity
- ecosystems
- optimise
- ecologically sustainable forest management

Participants stressed the importance of ensuring that Noongar community members are kept informed in terms that they can understand.

2. **Manjimup Noongars asked non-Aboriginal Commonwealth and State government personnel to leave the meeting a short while after it started.**

'If people from government departments are here, Noongars won't talk. People from government departments cut people off, put them down.'

Philippa Watt, Bernard Huchet and Brian Moss courteously left.

3. **Manjimup Noongars have many interests in the forest and want these interests to be recognised by CALM and in any RFA Agreement.**

*Points made during discussion:*

The first issue is the spiritual aspect, before material and economic issues. The land is important for spiritual healing. Noongar people are part of the bush. They want unrestricted access to the bush for spiritual reasons, camping, recreation, livelihood, hunting, fishing, collecting wood and so on.

4. **Manjimup Noongars consider that they should not need to ask for permission to use forests, national parks or nature reserves in their own traditional ways.**

*Points made during discussion:*

CALM policies are too restrictive. They say 'This is the process that we follow.' This means that CALM does not allow Noongars to use the forest in their own ways.

'We want the right to go into the forest and teach our kids.  
Our future lies with our culture and our kids.'

**5. Manjimup Noongars want to speak to the senior people in CALM.**

*Points made during discussion:*

'Talking to people from CALM at the local level is not effective.

Material gets lost in the system.'

'We want to take top people out into the bush.'

'We want CALM people who can give us a response here and now. We want people from the top of the organisation.'

**6. Manjimup Noongars consider that CALM should have a legal responsibility to consult with the local Noongars.**

*Points made during discussion:*

CALM should not be the only ones to come up with the plans, policies, practices and outcomes. Before an area is logged, local Noongars should be funded to carry out site surveys.

The Karijini National Park in the Pilbara is jointly managed by the local Aboriginal Community and CALM. This could be a model for joint management in Noongar people's country.

**7. Manjimup Noongars want CALM to seek advice from Noongar communities when they carry out Environmental Impact Studies.**

*Points made during discussion:*

Noongar people in Manjimup have not been consulted when CALM made decisions affecting people in this area.

**8. Manjimup Noongars believe that they should receive benefits from any profit-making in the forest and should share in the resources. A percentage of profits should be given to Noongars for health, education, housing and similar purposes.**

*Points made during discussion:*

It has been said that a drug company pays a royalty of 5% to CALM for access to South-West forest vegetation. If this is so, Noongars should share in this royalty payment. This is only one example of the many ways in which Noongars, the traditional occupants of this land, should share in any profits derived from the use of forest products.



9. **Manjimup Noongars want CALM to provide employment opportunities, traineeships and scholarships for Noongar people.**
10. **Manjimup Noongars want every person working with CALM to do a full program of cross-cultural awareness training.**

*Points made during discussion:*

This training should provide specific information about local issues as well as dealing with more general principles.

Understanding Noongar identity should be an important part of such cross-cultural training. 'We are sometimes seen as not being Aboriginal because we are not dark enough.'

11. **Manjimup Noongars want to be involved in forest management and contribute their knowledge to managing the forests better.**

*Points made during discussion:*

CALM practices can be wrong practices.

One example: 'Burning at the hottest time of the year is not conservation. It's destruction.'

Too often, CALM seems to work in an *ad hoc* way.

CALM seems not to respond to Noongar concerns and makes little use of Noongar expertise.

12. **Entrance fees to National Parks should be scrapped for Noongars.**

*Points made during discussion:*

CALM's practice of requiring Noongars to pay entrance fees to National Parks is contrary to Recommendation 315, Section G or H, of the Black Deaths in Custody Report. As individual Noongars we have to pay \$35 a year to visit our countries. We have to pay \$100 for the right to have a license to take tourists in. It then costs \$3.00 per tourist taken in.'

13. **Manjimup Noongars believe that they are not always given a fair go in tendering processes.**

*Points made during discussion:*

One person present has tendered for projects, but has not been successful. He was told that contracts are not necessarily given to the lowest tenderer.. He feels that Noongars are not always given a fair go in tendering processes but that it is difficult to appeal against decisions because government departments and large corporations have access to financial and legal resources far greater than those available to Noongar individuals or Noongar organisations.

**14. Manjimup Noongars perceive some problems with Native Title legislation that need to be resolved.**

*Points made during discussion:*

It was pointed out that Manjimup people have the right to negotiate with government if their claim to an area is registered. Other speakers noted that, under Native Title legislation, people must have a continuous association with an area.

Because Noongars were forcibly removed from their land, this is a difficult issue. Where do Noongar people stand if they come from elsewhere, but have been associated with an area for a long time?

Various speakers commented that the question of native title is a big issue that is not resolved yet.

After lunch, the non-Aboriginal Commonwealth and State representatives were invited to return to the meeting, when the following points were made.

**15. Manjimup Noongars want to be involved in drawing up the RFA document.**

*Points made during discussion:*

People from this area need to be involved. If someone from this area is not involved in making decisions affecting our community, it is unlikely that our interests will be protected. It is essential for us to have strong representation on the RFA Steering Committee.

**16. Manjimup Noongars propose that the following people represent them on the RFA Steering Committee.**

Marilyn Morgan  
Wayne Herdigan  
Glen Kelly  
Sue Kelly  
Terry Cornwall

**17. Manjimup Noongars want a Noongar representative on the Five Year Review body.**

**18. Manjimup Noongars want information as to who is on the Australian Heritage Commission.**

**19. Manjimup Noongars want to obtain funds from the Natural Heritage Trust to carry out work on areas in this region.**

**20. Manjimup Noongars do not see it as appropriate at this time to identify discrete places for listing on the Register of the National Estate.**

*Points made during discussion:*

'There are so many factors. You can't just pick out a place here and a place there. All places are interlinked. A lot of places of significance to Noongars have been desecrated.'

In answer to a question as to whether it would be better to identify larger areas in which significant places are located, it was commented that a large sum of money and sufficient time would be needed to do a thorough survey.

A speaker pointed out that the State government can sometimes override or ignore decisions made by the Commonwealth. The National Estate Register is only a recognition by the Commonwealth; it is not something that the State necessarily recognises.

Lake Jasper was mentioned as an example. It is the largest freshwater lake in Western Australia. It is an important archaeological site, and is important for recreational purposes. With the approval of the State government, a mining company has gone to within five metres of the edge. They say, 'This will allow you to get to the lake.' The miners now want to drain the lake.

Mention was also made of problems with regard to intellectual property rights and control of the information relating to the location and significance of Aboriginal heritage places once these places are put on the Register of the National Estate.

**9.2 ISSUES AND CONCERNS ABOUT THE MANAGEMENT OF ABORIGINAL HERITAGE PLACES:**

**1. The need for access by the Noongar community to places of Aboriginal heritage value.**

Workshop participants stressed the need for the Noongar community to be able to access places of Aboriginal heritage value.

Access to such places was seen as a right that should be respected.

The strong spiritual connection of Noongar people to the land requires that the physical connection to country is maintained. If Noongar people cannot maintain this connection, then there are detrimental effects on the wellbeing of the Noongar community.

Access to places of Aboriginal heritage value is not simply a matter of physical connection; it is a matter of cultural survival.

Access to places of Aboriginal heritage value is essential in order to be able to maintain, conserve and manage the places, and to enjoy the heritage values that the places hold.

The imposition of fees in order to access Aboriginal heritage places was criticised as unjust and inappropriate.

**2. The need for adequate protection of Aboriginal heritage places.**

The present legislative schemes were seen as failing to protect places of Aboriginal heritage value.

As an example, Lake Jasper, mentioned above, was discussed. Despite its immense importance, its listing on the National Estate and its registration as an Aboriginal site under the *Aboriginal Heritage Act* (WA), mining operations are under way at the place and these operations will have a direct negative impact upon the lake.

**3. The need for consultation with the Noongar community and the present lack of consultation.**

CALM was criticised as having inadequate heritage assessment.

Inadequacies in the Aboriginal Affairs Register of Aboriginal Sites were raised.

Adequate heritage assessment needs more than 'desktop research'; it requires extensive community consultation at a local level.

**4. Developing a plan for the management, protection and conservation of Aboriginal heritage places.**

A plan for the management, protection and conservation of Aboriginal heritage places needs to be developed in conjunction with the Noongar community. Such a plan should facilitate Noongar involvement at all levels, from the development of policies and procedures, through to the implementation of these policies and procedures on the ground.

**5. The need for Noongar involvement in the decision-making process concerning the management of places of Aboriginal heritage value.**

It was emphasised that only Noongars can truly represent the interests of the Noongar community and therefore the decision-making process with regard to the management of places of Aboriginal heritage value should involve Noongar people themselves.

**6. The need for heritage assessments before any given area is logged or developed.**

Before a decision is made about the possible logging or development of an area, an assessment of the full range of heritage values should be taken into account.

Any assessment of Noongar heritage values needs to be undertaken by the local Noongar community itself, who will then employ independent consultants. Adequate funding for this purpose must come from the proponents of the logging or development.

Noongar involvement in and control over the heritage assessment is the only way to ensure that the intellectual property rights over the information supplied remain with the community.

**7. Difficulties in managing places of Aboriginal heritage value.**

Given the interconnectedness of country and the very nature of places of Aboriginal heritage places value, it is often difficult to clearly delineate discrete places.

This raises problems for the management and protection of these places, because present management practices rely on the clear delineation of boundaries.

Heritage management practices need to take into account these difficulties and find ways in which to protect of heritage value that cannot be clearly defined or delineated.

## 10 OVERVIEW OF ISSUES

Noongar people in the South-West Forest Region of Western Australia expressed the hope that this Aboriginal Consultation Program will deliver results that resolve the issues they have raised at the workshops in the ways that they have advocated. Participants in the workshops spoke of their experiences of discussing their needs over many years with different instrumentalities without receiving any feedback or positive results. They expressed their hope that on this occasion their experience will be different.

This chapter provides an overview of the issues that Noongar communities wish to draw to the attention of the relevant government agencies and to be taken into account in the development and operation of the Regional Forest Agreement.

### 10.1 GENERAL ISSUES FOR CONSIDERATION IN THE RFA

#### 10.1.1 Noongar joint management with CALM in the South-West Forest Region

Noongar elders spoke of the way in which traditional knowledge of appropriate forest practices has been passed down from generation to generation in Noongar communities. Noongar participants consider that their elders still have relevant knowledge to contribute to forest management practice but that the Department of Conservation and Land Management does not recognise this knowledge. As a result, CALM is seen by Aboriginal people to be erring in particular forest management practices. Inappropriate burning practices were cited as one example of this.

Noongar people believe that under Native Title legislation Noongars have rights and are entitled to participate in decisions about the management of the South-West Forest.

Noongar people consider that significantly large areas of the forest should be set aside from harvesting or development. Care for the plant and animal life of their country has been vital to both spiritual and economic aspects of Noongar culture for many thousands of years. The Aboriginal Consultation Program provided evidence that these cultural values remain strong, particularly among people who are recognised as elders and among the generation below them. The practical management strategies that Noongars advocate are based upon these values.

Workshop participants did not specify fully how a joint management process should be achieved. However, the theme of consultation with Noongar communities was common to most workshop discussions. Some participants emphasised that CALM should have a legal responsibility to consult with Noongar people. Participants also strongly expressed the view that talking with CALM at the local level is not sufficient. They want to speak to people at the top of the organisation.

At one workshop it was suggested that the Karijini and Purnululu Joint Land Management Agreements could be used as models for Noongar communities to work out their own agreements with CALM.

Noongar communities consider that the terms under which joint management could be arranged need to be negotiated and that provision should be made for this within the Regional Forest Agreement.

### **10.1.2 Noongar participation in developing and reviewing the RFA**

Workshop participants stressed that it is essential that Noongar people be directly involved in drawing up the Regional Forest Agreement and in reviewing its on-going operation. The South-West Forest Region, from Noongar perspectives, consists of a number of countries, and representatives from each of these areas are needed. At two of the seven workshops (Manjimup and Narrogin) names of potential members from that area were recorded at the request of participants. Participants at the Northam Workshop advocated that there be a man and a woman from each area to represent their different interests on the Steering Committee.

People at the Northam Workshop were also of the opinion that the Aboriginal Action Group should continue its involvement with the Aboriginal Consultation Program, and take on a continuing monitoring role throughout the period covered by the Regional Forest Agreement.

### **10.1.3 Unrestricted access by Noongar people to all areas of the forest**

Unrestricted access by Noongar people to all areas of the forest was considered by most participants to be an essential condition of the proposed Regional Forest Agreement. Workshops participants emphasised that they should have the right to go to all parts of the forest, including national parks and nature reserves, for spiritual reasons, camping, recreation, hunting, fishing and collecting wood. People at one workshop strongly expressed the view that entrance fees to national parks should be abolished for Noongars.

Noongar people pointed out that the South-West Forest Region encompasses the 'countries' of several different Noongar groups. Each group belongs to its own country and recognises the right of other Noongar groups to belong to theirs. Some Noongar people who identify with particular areas are descendants of the Noongars who always lived in those places. Others, possibly a majority, forcibly removed from their homelands have settled in particular areas and have a strong sense of affiliation with those areas. Their perception is that natural justice gives once displaced Aboriginal people, together with their descendants, rights in the areas which, as the result of government policies, became their homelands.

Groups emphasised their spiritual ties to *areas* of the forest, indeed to the forest as a whole, rather than simply to discrete 'sites'. They expressed as a major concern the

necessity to take their children into the forest and teach them their Noongar culture. Workshop participants said that CALM's distinction between national parks, nature reserves and other forest areas and the regulations supporting this distinction prohibit Noongar people's legitimate use of those places for their traditional pursuits.

#### **10.1.4 The right to hunt**

Noongar people's strong desire to maintain their hunting tradition was a theme common to all workshops. Their wish to teach their children to hunt, fish and catch marron in the forest was related to their traditional life as hunting and gathering people. Noongar speakers made it clear that this aspect of Noongar culture is still highly important to them. People are looking to the Regional Forest Agreement to include provision for them to be able to hunt and fish in the forest. At present some Aboriginal people break the (non-Aboriginal) law by hunting in national parks and nature reserves, and incur substantial fines. Most participants in the workshops expressed the view that they should have unrestricted hunting rights. A few identified particular areas, such as former Native Reserves, where they want the right to hunt.

#### **10.1.5 Benefiting from forest-based industries**

Many Noongar participants in the workshops expressed the view that industries based on the extraction of forest products or minerals from the area covered by the RFA should be required to allocate to the Noongar community an agreed percentage of the value of these resources. These payments could be used to support programs in such areas as education, health, housing and employment.

#### **10.1.6 Employment of more Noongar people by CALM**

Workshop participants strongly expressed their view that CALM should develop a policy for employing Aboriginal people. They noted that there are currently very few Aboriginal people employed at CALM. The Noongar communities consider that this circumstance should be changed, not only for the benefit of Aboriginal people, but also for the good of the organisation itself. One community observed that there are Aboriginal Liaison Officers associated with Education, Health, Justice and Police Departments, and that it is now time for the Department of Conservation and Land Management to follow suit.

One recommendation emerging from the workshops is that traineeships and scholarships should be available to Aboriginal people to allow them access to a full range of positions within CALM.

#### **10.1.7 Cross-cultural awareness training for CALM personnel**

Participants to the Manjimup Workshop strongly recommend that every person working with CALM should do a training program in cross-cultural awareness.



## **10.2 ISSUES RELATING TO THE MANAGEMENT OF ABORIGINAL HERITAGE PLACES**

### **10.2.1 Noongar access to places of Aboriginal heritage value**

According to Noongar communities, the Regional Forest Agreement should recognise that the strong spiritual connection of Noongar people to the land requires that their physical connection to country is maintained. Noongar people spoke of physical access to places of Aboriginal heritage value as being important not only in its own right but also for the maintenance of Aboriginal culture and the well-being of Aboriginal communities. They considered that it is essential that they have access to their heritage places to protect, care for, and manage them. For this reason they claimed that it is inappropriate and unjust for them to be charged fees for accessing Aboriginal heritage places.

Noongar people see it as essential that the Regional Forest Agreement should acknowledge that their ties are to *areas*, rather than simply sites. Access to their traditional ceremonial and hunting areas is perceived by them as a high priority for inclusion in the Regional Forest Agreement.

### **10.2.2 Noongar interpretations of places of Aboriginal heritage value**

Participants stated their belief that Noongar interpretations of places of Aboriginal heritage value would facilitate wider community understandings of such places and of the richness of the Aboriginal cultural heritage. They would like the Regional Forest Agreement to make provision for promoting, funding and disseminating Noongar interpretations of places of Aboriginal heritage value in the South-West Forest region.

### **10.2.3 Management of Noongar heritage places**

Noongar communities want the Regional Forest Agreement to provide for adequate consultation with them on all issues related to the management, protection, conservation and rehabilitation of Noongar heritage places. They recommend that the Regional Forest Agreement should incorporate a management plan that, while being regional in scope, includes a process for the management of specific heritage places. Before a decision is made about the possible logging or development of an area, an assessment of the full range of heritage values should be made and taken into account. Noongar people look to the Regional Forest Agreement to provide for them to be involved in consultation, negotiation and decision making with respect to Aboriginal heritage places and then in implementing appropriate management strategies.

The role of Noongar elders in management processes is seen by Noongar communities as an essential element for inclusion in the Regional Forest Agreement.

## **10.2.4 Protecting Noongar heritage places**

### **10.2.4.1 *The effects of development***

Protecting places of Aboriginal heritage value from the adverse effects of development is a very high priority for Noongar people. Participants stated that heritage places are important for their spiritual, emotional and physical well-being.

Some participants pointed out that protected heritage places would allow other Australians, including children, as well as overseas visitors, to learn about and appreciate Noongar culture.

### **10.2.4.2. *The effects of mining***

Noongar people are extremely concerned about the devastating effects of mining in forest areas. Collie people in particular are distressed that their land is being turned into mines, and that sacred sites and places of heritage value are being destroyed. Proper consultation with Noongar people in Collie is seen as an urgent priority if heritage areas are to be saved.

The community expressed deep feeling at the damage being done to the country around Collie and at the failure of present policy to prevent such destruction taking place.

People at the Busselton and Manjimup workshops cited mining activities at Lake Jasper. It was stated that this lake, the largest fresh water lake in Western Australia, is listed on the Register of the National Estate and is also registered under the terms of the Aboriginal Heritage Act (WA). According to a Busselton participant, the lake has international registration as one of two archaeological dives in the world and is supposed to be protected under Ramsar, the International Wetlands Convention. Mining is occurring very close to the lake's edge and it is feared that there is a proposal to drain the lake to allow mining activities in the lake bed itself.

Noongar people look to the Regional Forest Agreement to incorporate measures to prevent mining at or near places of Aboriginal heritage value.

### **10.2.4.3 *The effects of other damage done by individuals and groups***

Participants at the Busselton Workshop referred to damage being done to caves and cliffs near Walcliffe House by abseilers and other visitors. They want the caves and cliffs near the house to be protected by preventing people from accessing them and by forbidding the use of the cliff by abseilers.

Dumping of rubbish and removal of wildflower plants were cited as other kinds of damage that occur in forest areas.

**10.2.4.4**      *Strategies for protecting Aboriginal heritage places*

Workshop participants stated that they want the Regional Forest Agreement to provide for Aboriginal people to be involved in consultation, negotiation and decision making with respect to their heritage places and in implementing appropriate management strategies.

Noongar communities offered both their expertise and their commitment to devise appropriate strategies for the protection of different kinds of heritage places.

In the cases of places whose exact locations are indeterminate, or where the whole location must remain secret, workshop participants recommended that elders or other community members could specify broad areas that contain places of significance without specifying the exact location of the places. Alternatively if the area of a proposed activity is identified then the elders or Noongar community in general could advise as to whether or not Aboriginal heritage places are located within the area.

## 11 CONCLUSION

This volume has reported on the conduct of a consultative program with Noongar communities within, or adjacent to, the South-West Forest Region of Western Australia. How far has the consultative program achieved the aims set for it?

The first aim was to inform Noongar communities about the processes involved in the development of a Regional Forest Agreement. This aim was achieved as far as could reasonably have been expected within the limited timeframe set for the project. In the period prior to the conduct of workshops in each of seven locations, general information about the CRA and RFA processes was disseminated in Noongar communities with the help of Local Community Liaison Officers. This information was designed to encourage participation in the workshops, which were the main venue through which more detailed information was conveyed.

A total of 112 Noongar participants attended these workshops. Whilst this was only a small fraction of the total Noongar population in the region, those who attended had an opportunity both to learn more about the CRA/RFA processes and to convey this information to the various family groups they represented.

A second aim was to identify aspects of the RFA in which Noongar community members wish to participate and to facilitate their involvement in RFA processes. The considerable degree of similarity discovered in the issues raised at the various workshops give reasonable confidence that the consultative process has been successful in identifying the main general concerns of Noongar communities in relation to the development of the Regional Forest Agreement. These issues have been summarised in Chapter 10. Members of the Noongar community wish to ensure that their traditional ties with the land in this region are recognised and their interests are properly safeguarded in the Regional Forest Agreement. These interests include, but are not limited to, places of Aboriginal heritage value.

A third aim was to identify places of potential national estate Aboriginal heritage value and to identify Noongar community wishes in relation to the possible listing of these places in the Register of the National Estate. A total of 123 places were identified, 59 within the RFA region and 64 outside it. It should not be assumed that this list is exhaustive. Despite the efforts made to publicise the workshops, it is likely that some persons with knowledge of Aboriginal heritage places were unable to be present. For reasons outlined in the report, participants in the Manjimup workshop chose not to identify specific places for listing. This should not be taken to imply that they were unconcerned about the protection of Aboriginal heritage places. Like participants in other workshops, they called for on-going consultation and involvement in forest management in general and the protection of Aboriginal heritage places in particular.

A detailed report on the national estate component of the project is contained in Volume 2

## APPENDIX A

### TERMS OF REFERENCE FOR THE PROJECT

#### 1. BACKGROUND

Under the National Forest Policy Statement (NFPS), the Commonwealth and State and Territory Governments agreed to develop Regional Forest Agreements (RFAs) which would provide the framework for the future management of Australia's forest regions. In order to develop RFAs, Governments have agreed to complete Comprehensive Regional Assessments (CRAs) of the economic, social, environmental and heritage values of forest regions. CRAs will provide governments with the information required to make long-term decisions about forest use and management.

A Scoping Agreement, signed by the Prime Minister and the Premier of Western Australia, sets out the process for the CRA and RFA for the South West Forest Region of WA. One of the undertakings of the WA RFA Scoping Agreement is that Governments will consult with Indigenous people about the RFA process. Another important component of the CRA is the identification and assessment of national estate values under the Australian Heritage Commission Act 1975, addressing the criteria for the listing of places in the Register of the National Estate. A number of projects investigating the cultural heritage values of the South West Forest Region will be undertaken during the CRA, focussing on places within forests or places related to forest activity.

The aim of this project is to consult with Noongar communities about the CRA/RFA, to identify Indigenous interests and values in forest regions and work towards developing consultative processes and protective mechanisms for Indigenous values for inclusion in the RFA. Some initial consultation has already occurred through the establishment of a WA RFA Aboriginal Reference Group (the Aboriginal Action Group - AAG), preliminary workshops in Perth and liaison with the Noongar Land Council, the Aboriginal Legal Service of Western Australia and the Aboriginal Affairs Department (AAD). An Aboriginal Heritage Data Audit project has already been completed, which has identified the places of Aboriginal heritage significance recorded in the AAD site register.

## 2. STUDY AREA

The study area comprises land of all tenures within the South-West Forest Region of Western Australia. The primary focus of the study, however is public lands. A map of the RFA region is attached.

## 3. PROJECT OBJECTIVES

- (a) To conduct an effective consultation process with Noongar communities in or associated with the WA South-West Forest RFA region which informs communities about:
  - the CRA/RFA process and expected outcomes;
  - opportunities for Noongar participation and contribution to RFA process and outcomes; and
  - the national estate identification process.
- (b) To facilitate the flow of information from Noongar communities to the AAG and RFA Steering Committee for consideration in the development of a Western Australian Regional Forest Agreement.
- (c) To identify aspects of the RFA in which Noongar community members wish to participate and to facilitate their involvement in RFA processes.
- (d) To identify places of potential national estate Aboriginal heritage value, and to identify community wishes in relation to the possible listing of these places in the Register of the National Estate.
- (e) To collect information sufficient for the listing of places of significance to Noongar communities in the Register of the National Estate (where this is endorsed by communities) and develop a means of thresholding those places which have been indicated by the community as suitable for listing.
- (f) To document Noongar community views on the management of Aboriginal heritage places and their consideration in the CRA/RFA process, and to develop appropriate related recommendations to be submitted for consideration to the RFA Steering Committee.

## 4. PROJECT STRATEGY

The project is to be undertaken in three stages:

**Stage 1:** The development of a project consultation and work plan. This plan should clearly delineate the timing of the project and the methodologies to be employed. It should also identify peak Aboriginal bodies and individuals who

may be interested in participating in the project. This stage is one of planning and preparation for the later consultative stages of the project.

**Stage 2:** Preliminary consultation with Noongar communities through a series of meetings/workshops to inform them about the CRA/RFA process, the options available for their participation, and the national estate identification and listing process.

**Stage 3:** Follow-up consultation with Noongar communities through a series of meetings/workshops to:

- identify Noongar interests and aspirations for the RFA;
- identify places of potential national estate Aboriginal heritage value, and to identify community wishes in relation to the possible listing of these places in the Register of the National Estate;
- collect information sufficient for the listing of places of significance to Noongar communities in the Register of the National Estate (where this is endorsed by communities) and develop of means of thresholding those places which have been indicated by the community as suitable for listing; and
- document Noongar community views on the management of Aboriginal heritage places and consideration of these views in the RFA.

## **5. KNOWLEDGE & SKILLS, TASKS & RESPONSIBILITIES**

In general, consultants should have highly developed communication and liaison skills, experience in consultation with Aboriginal communities, superior organisational skills, knowledge of cultural heritage management practices, and a familiarity with the South-West Forest Region of WA. All consultants will be expected to develop a sound knowledge of the aims and objectives of the RFA process. The Cultural Heritage Professional will be required to have a firm understanding of the criteria used in assessing places for listing in the Register of the National Estate.

Relevant information will be available from the Environment Forest Taskforce, and Environment Forest Taskforce staff will be available to participate in consultation meetings/workshops.

In addition to the Project Coordinator, Aboriginal Liaison Officer and the Cultural Heritage Professional, Local Community Liaison Officers for each consultation region will be appointed to assist in the project.

### **5.1 Project Coordinator/workshop facilitator**

The Project Coordinator is responsible for project implementation and the coordination of the activities of the Aboriginal Liaison Officer, the Local Community Liaison Officers and the Cultural Heritage Professional. These duties will include:

- development of a project strategy and work plan to meet the objectives, strategies and tasks outlined in Sections 3, 4 and 6 of this document

- consultation with peak Aboriginal bodies to ensure endorsement of proposed consultation strategy and work plan
- coordination and management of the activities of the Aboriginal Liaison Officer, Cultural Heritage Professional and any other consultants working on the project
- planning, coordination and facilitation of workshops at regional locations to be determined in consultation with the Environment Forest Taskforce Project Manager
- Documentation of the proceedings and outcomes of the consultative workshops
- preparation of the final project report and the Aboriginal Community reports

### **5.2 Aboriginal Liaison Officer**

The Aboriginal Liaison Officer's (ALO) role is central to the effective and successful conduct of the project. The ALO's responsibilities will include:

- contribution to the development of a project strategy and work plan to meet the objectives, strategies and tasks outlined in Sections 3, 4 and 6 of this document
- consultation with peak Aboriginal bodies to ensure endorsement of proposed consultation strategy and work plan
- assistance with planning, coordination and facilitation of workshops at regional locations to be determined in consultation with the Environment Forest Taskforce Project Manager
- direct liaison with Community Liaison Officers and Noongar communities throughout the region, to facilitate Aboriginal participation in the process
- participation in, and facilitation of the workshops for Noongar communities
- assistance with the preparation of both the project report and the Aboriginal Community reports

### **5.3 Cultural Heritage Professional**

The Cultural Heritage Professional is responsible for the identification, assessment and documentation of places of potential national estate value, where this is the community's wish. Responsibilities will include:

- development of a sound understanding of the CRA/RFA process, and the criteria and processes for the identification of national estate values and places, and the documentation required for listing in the Register of the National Estate;
- reviewing the report of the CRA Aboriginal Heritage Data Audit project and other relevant material to ensure a sound understanding of the known Aboriginal cultural heritage places in the RFA region;
- participation in consultation workshops with Noongar communities to identify, assess and document places of potential national estate Aboriginal heritage value, and to identify community wishes in relation to these places, as outlined in Section 3, parts (d) to (f) above;
- preparation of the report on the national estate component of the project, and contribution of information/text to the Aboriginal Community reports
- completing metadata documentation



## 6. TIMELINES AND REPORTING REQUIREMENTS

Four project reports are to be produced, the responsibility for which is divided between consultants. The requirements for these final reports are described below. (Please note, specific reporting and data specifications apply.)

1. A report on the preliminary planning of the project following the completion of stage one detailing:
  - project strategy and methodology
  - project timetable/schedule
  - lists of groups contacted in preliminary consultations and invited to participate in consultative workshops
  - any emergent issues or difficulties
2. A project report detailing the following:
  - the methodology employed throughout the project
  - details of the consultation process including the organisations, communities and individuals involved and all records of meetings
  - the outcomes of the consultation process including reporting of general and RFA-specific issues raised by community members
  - Noongar community views on the management of Aboriginal heritage places and their consideration in the RFA.
3. A report on the national estate component of the project detailing the following:
  - community feedback on the national estate identification and assessment component of the project, including issues of confidentiality and mapping
  - where communities have endorsed the identification of potential national estate Aboriginal heritage places, information sufficient for the listing of places in the Register of the National Estate and methodologies used
4. Aboriginal Community reports which detail the project and its outcomes for return to community groups. One report for each consultation area will be required. The structure and form of these reports is yet to be determined, however the material required should be able to be extracted readily from reports 2 and 3 described above.

The consultant must maintain regular contact with the Environment Forest Taskforce project manager throughout the course of the project at intervals to be agreed upon following signing of the contract.

The project is to be completed by 14 November 1997. Full draft reports detailing the results of all tasks are required by 31 October 1997. These drafts and any additional materials will be reviewed by the EFT within one week of receipt. Final reports must be submitted by 14 November 1997 in both hard copy and on two 3.5" disks in Microsoft Word.

Four copies in A4 format are required of all draft and final reports. Three copies of the final reports are to be submitted in a bound form.

## APPENDIX B

### DUTIES OF LOCAL COMMUNITY LIAISON OFFICERS

1. Ensure that all arrangements are made for the main consultative workshop, including:
  - Venue
  - Refreshments
  - Travel arrangements for people from other places.
  - Childcare arrangements, if necessary
  - Any other matters
2. Ensure that information about the main consultation workshop is widely distributed among all Noongar people in the local and relevant nearby communities, and encourage them to attend.
3. Provide estimates of attendance numbers to those organising refreshments.
4. Ensure that travel arrangements are appropriately co-ordinated.
5. Ensure that organisational arrangements run smoothly at the main consultative workshop.
6. Receive and check travel claims from drivers of vehicles coming from distant locations.
7. Meet with the workshop facilitators at the conclusion of the workshop in order to document the outcomes.
8. Assist in distributing to participants the draft report of the workshop.
9. Assist with any other aspects of local liaison needed to ensure the success of the consultative program.

## ABORIGINAL ACTION GROUP

The Aboriginal Action Group has been formed so opinions of Noongar people are heard by State and Commonwealth Governments

Already the Aboriginal Action Group has made its voice heard in presenting to the RFA Steering Committee seven recommendations. They are that:

- consultation must take place to allow Noongar communities to participate effectively in the RFA process
- Noongar communities need to be involved in land management now and in the future
- Noongar communities to be involved in the management and interpretation of places in the forest important to them
- funding be provided to allow Noongar people to be involved in the management and interpretation of those places
- ways of sharing profits from forests with Noongar communities be developed
- the broader community should be educated about the importance of the South-West forests to Noongar people
- governments ensure that Native Title rights be protected in the Regional Forest Agreement

## TO FIND OUT MORE

For more information on the Regional Forest Agreement process, about workshops being held in your region or if your community would like to be represented on the Aboriginal Action Group call:

(06) 274 1111 or free call 1800 803772

Monday - Friday 9am to 4pm

Eastern Standard Time

*or write to:*

Environment Forest Taskforce

Environment Australia

GPO Box 787

Canberra ACT 2601



A REGIONAL FOREST  
AGREEMENT FOR  
WESTERN AUSTRALIA



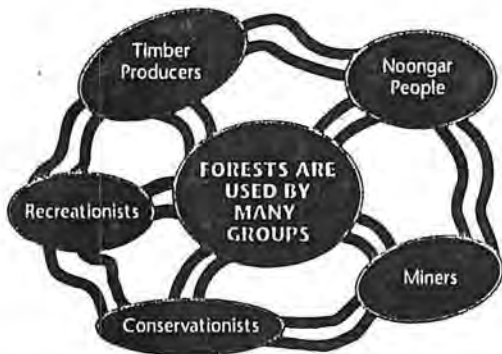
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# Noongar People Have Your Say in the Regional Forest Agreement

How to properly care for our forests  
is a big issue, and one which concerns  
all Noongar people.

## THE REGIONAL FOREST AGREEMENT

The Regional Forest Agreement (RFA) is about how the South-West forests will be used and managed for the next 20 years. Currently information is being collected on the environmental and heritage values of the forests and on the social and economic values.



## COMPREHENSIVE REGIONAL ASSESSMENT PROJECT THEMES INCLUDE:

### *Environment and Heritage*

- Indigenous heritage
- Wilderness
- Endangered Species
- Ecologically Sustainable Forest Management
- National Estate
- Old growth
- World Heritage
- Biodiversity

### *Social and Economic*

- Social
- Industry development
- Economic
- Other Resources
- Mineral Resources
- Forest Resources

## HAVE YOUR SAY

As the traditional custodians/owners of the land, members of Noongar communities have a wealth of knowledge which is too often overlooked. It is important to have your say.

## WORKSHOPS & MEETINGS

Workshops and meetings are being held throughout the South-West forest region over the next few months. They will be held to discuss the heritage values of the forests, the social and economic values of forests and Ecologically Sustainable Forest Management. Participating in these meetings is the best way to be heard.

## HERITAGE WORKSHOPS

The heritage workshops are designed as a forum where Noongar people can discuss forest and heritage issues. They also provide an opportunity for Noongars to identify places of importance to them for possible listing in the Register of the National Estate. Most importantly, these workshops provide an opportunity for Noongar people to have an input into the Regional Forest Agreement process.

### *Workshops will be held at*

- Northam
- Pinjarra
- Busselton
- Collie
- Manjimup
- Narrogin
- Mt Barker



## IDENTIFYING PLACES

Some communities may want to identify places important to them for consideration for listing in the Register of the National Estate. The listing of these places can be made public or can remain confidential. Advantages in identifying include:

- formal recognition of Noongar communities' close and deep ties with forest areas
- opportunity to use the process to teach younger generations and the broader community about the importance and values of traditional places
- ensuring that places are properly managed and cared for into the future and not disturbed through ignorance
- ensuring that access to places for recreational or traditional activities is maintained
- ensuring that community members have meaningful input into forest management decisions which may affect places of significance

## APPENDIX D

## WORKSHOP STRUCTURE

- 9.30am**      Welcome      Introductions/Registration/Tea/Coffee
- 10.00am**
1.    **OVERVIEW OF THE WORKSHOP**      Dawn Wallam  
 (How the workshop will offer Noongar people the chance to  
 have their say in the Regional Forest Agreement for the South-  
 West Region of WA)      Mike Hill  
  
 Comment/Clarify/Issues
  2.    **REGIONAL FOREST AGREEMENT PROCESS**      Gail Barry  
**COMPREHENSIVE REGIONAL ASSESSMENTS**  
  
 Comment/Clarify/Issues
  3.    **FOREST MANAGEMENT PRACTICES**      CALM Rep  
  
 Comment/Clarify/Issues
  4.    **NATIONAL ESTATE REGISTER**      Philippa Watt  
  
 Comment/Clarify/Issues
  5.    **NATIONAL ESTATE IDENTIFICATION PROCESS**      Simon Choo  
  
 Comment/Clarify/Issues
  6.    **POTENTIAL OUTCOMES/RECOMMENDATIONS**      Mike Hill  
    Dawn Wallam
  7.    **CONCLUSION**  
  
 Options Report  
 Future Consultations – Social and Economic Issues  
 Dates of Non-Indigenous Heritage Workshops  
 Feedback Processes

## APPENDIX E

## NOONGAR PARTICIPANTS IN THE WORKSHOPS

## BUSSELTON, 6 OCTOBER 1997

Mark Blurton	Busselton
Noeline Counciller	Busselton
Frances Gillespie	Busselton
Delano Harris	Busselton
Norman Harris	Busselton
Ellen Hill	Busselton
Judy Johnston	Busselton
Mathew Khan	Busselton
Laurie Krakouer	Siesta Park
Kelvin Quartermaine	Busselton
Barbara Stamner	Karawara
Vilma Webb	Busselton

## PINJARRA, 7 OCTOBER 1997

Robert M. Burney	Mandurah
Rebecca Collard	Pinjarra
Verna Eyre	Pinjarra
Graham Hart	Pinjarra
Eric Herbert	Pinjarra
Tania Herbert	Greenfield
Gloria Kearing	Pinjarra
Karrie Kearing	Pinjarra
Ranford Kearing	Pinjarra
Sharree Kearing	Pinjarra
Theo Kearing	Pinjarra
Baron Kelly	Pinjarra
Phyllis Kelly	Pinjarra
Ronald Kelly	Pinjarra
Joanne Khan	Pinjarra
John-Paul Morrison	Pinjarra
Lesley Morrison	Pinjarra
Paul Morrison	Pinjarra
Franklin Nannup	Pinjarra

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Darryl Pickett	Pinjarra
Lesley Pickett	Pinjarra
Faye Roberts	Gosnells
Brian Ugle	Pinjarra
Colleen Ugle	Pinjarra
Elsie P. Ugle	Pinjarra
Graham Ugle	Pinjarra
Ricky Ugle	Pinjarra

#### NORTHAM, 8 OCTOBER 1997

Paul Bateman	York
Stephen Batty	Merredin
Delphine Davis	Northam
Doreen Davis	Wyalkatchem
Jermaine Davis	Northam
Jodi Davis	Wyalkatchem
Marcia Davis	Northam
Mark Davis	Northam
Marlene Davis	Innaloo
Rose Davis	Wyalkatchem
Tanya Harvey	Northam
Bevan Hayden	Northam
Claude Hayden	Merredin
Peter Hayden	York
Janet Kickett	Northam
Robert Kickett	Northam
Ronald Kickett	Northam
Stanley Kickett	Merredin
Nansy Macale	Northam
Ricky Nelson	Merredin
Valarie Pickett	Northam
Pat Ryder	Northam
Margaret Slater	Northam
Elaine Stack	Northam



**NARROGIN, 9 OCTOBER 1997**

F. Bolton	Narrogin
K. Bolton	Narrogin
Vernon Bolton	Narrogin
Don Collard	Kondinin
Silvia Collard	Kondinin
Les Eades	Narrogin
A. Kickett	Narrogin
Keith Kickett	Narrogin
Rex Kickett	Narrogin
Trevor Penny	Narrogin
Murray Riley	Narrogin
Wayne Turvey	Narrogin
C. Ugle	Narrogin
R. Ugle	Narrogin
Angus Wallam	Wagin
Charles Williams	Wagin

**MT BARKER, 10 OCTOBER 1997**

Julie Daley	Kojonup
Rebecca Khan	Mt Barker
Eric Krakouer	Mt Barker
Trista Taylor	Kojonup
Ruby Williams	Mt Barker

There were difficulties that had prevented more people from attending the workshop at Mt Barker. The attendance of the people who managed to come was appreciated. At approximately 11.15am, the Noongar participants decided that there were too few people present to conduct a full-scale workshop. A suggestion was made that it might be possible for people from this region to travel to the workshop at Manjimup on 13 October. However, this did not eventuate.

It is well known in the South-West that the Noongar community in the Mt Barker and Albany region is a very complex one, containing views and interests that sometimes diverge from one another. Despite initial indications that previous differences were in the process of being overcome, it was found that circumstances were such that it was not possible to bring people together for the common purpose of the workshop.

**COLLIE, 11 OCTOBER 1997**

Linda Cross	Collie
Ron Cross	Collie
Michael Hart	Collie
Rosalind Hart	Collie
Gloria (Sima) Khan	Collie
Joe Northover	Collie

**MANJIMUP, 13 OCTOBER 1997**

Charmaine Blee	Dean Mill
Darren Cornwall	Manjimup
Jerome Cornwall	Manjimup
Michelle Cornwall	Manjimup
Simone Cornwall	Manjimup
Terry Cornwall	Manjimup
Larry Cornwell	Manjimup
Desiree Herdigan	Manjimup
Wayne Herrigan	Manjimup
Alan Kelly	Manjimup
Glen Kelly	Manjimup
Sue Kelly	Manjimup
Marian Kemp	Manjimup
Patsy Khan	Manjimup
Susan Khan-Cornwall	Manjimup
Kareena Leigh	Manjimup
Patrick McCreanor	Manjimup
Robyn McCreanor	Manjimup
Irene McNamara	Manjimup
Pat Miles	Manjimup
Israel Mippy	Manjimup
Marilyn Morgan	Pemberton

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