



# **ABORIGINAL CULTURAL HERITAGE MANAGEMENT PLAN**

**TEMPLATE DOCUMENT**

**Prepared by the Department of Indigenous Affairs**

**Version 1**

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# Introduction

This guideline has been developed by the Department of Indigenous Affairs with the assistance of the Aboriginal Cultural Material Committee to guide those needing to develop a Cultural Heritage Management Plan. It provides an outline of the sections and information to be included when preparing Cultural Heritage Management Plans.

A Cultural Heritage Management Plan is recognised as the primary guiding document for the conservation and future use of an area containing Aboriginal sites. The main objective of the Cultural Heritage Management Plan is to ensure that all future management decisions about sites and actions taken are carried out with regard to the *Aboriginal Heritage Act, 1972*, and the cultural heritage significance of the Aboriginal sites in the area.

The reasons for completing a Cultural Heritage Management Plan are twofold:

1. To analyse the amount of heritage work completed in any area to determine whether heritage surveys are necessary;
2. To create practical management strategies for sites from significance assessments, Aboriginal Cultural Material Committee determinations and Ministerial conditions.

A Cultural Heritage Management Plan can be devised and implemented at any stage in the history of the development of an area. Ideally this would begin at exploration level or urban planning stages but can be introduced to areas historically already developed and should be updated at each stage of activity.

The Cultural Heritage Management Plan should be presented in a manner which is suitable for reference by the Department of Indigenous Affairs staff, by Aboriginal Heritage Custodians, Traditional Owners, and by people working in the area who may not be familiar with conservation philosophy and practice.

This guide follows the layout of a Cultural Heritage Management Plan providing assistance on how to complete each section of such a plan.

## 1. Cover and title page

The cover and title page should set out:

- the name of the activity, including a general location (ie town, shire);
- the Mining Proposal identifier if applicable;
- the name of the sponsor / company;
- executive person in authority;
- the name of the cultural heritage advisor;
- the name(s) of the author if different or in addition to the cultural heritage advisor; and,
- the date of completion.

The title of the Cultural Heritage Management Plan must commence with the name of the activity and its location and the company name (eg Blue Moon Tantalum / Lithium Mine and Processing Plant, Galaxy Resources Limited: Aboriginal Heritage Management Plan).

## 2. Table of contents

The table of contents needs to list the following items (as appropriate), giving page numbers for each item:

1. Cover and title page
2. Table of contents
3. Executive summary
4. Introduction and Purpose
5. Relevant Legislation
6. Extent of activity area covered by the management plan
7. Statement of significance
8. Activity description
  - 8.1 Description
  - 8.2 Impact assessment
9. Summary of consultation
10. Summary of heritage work conducted.
11. Cultural heritage management commitments
  - 11.1 Site/avoidance area lists and diagrams
  - 11.2 Management strategies
  - 11.3 Funding
12. Protocols
  - 12.1 Ground disturbance assessments and
  - 12.2 Protocols in the event of cultural or skeletal material discovery.
13. Other considerations
14. Maps
15. References
16. Appendices:
  1. Presentation of a Cultural Heritage Management Plan
  2. Cultural Heritage Management Plan Flowchart

### 3. Executive summary

A Cultural Heritage Management Plan needs to commence with an executive summary that briefly describes the nature and extent of the proposed activity, the results of the Aboriginal heritage assessment and includes a summary of management recommendations endorsed by the executive officer.

Importantly the Executive Summary of the Cultural Heritage Management Plan will identify the key users of the document and will outline the form in which it will be available to personnel as well as contractors, agents and visitors.

### 4. Introduction and purpose

The Introduction needs to contain the following information:

- the Purpose of the Cultural Heritage Management Plan ie global commitment to preserving cultural heritage and assisting the cultural heritage aspirations of the indigenous peoples/ or 'in order to protect cultural material in an area of active mining and prevent the prosecution of those engaged in the industry'
- approach to the management of heritage on the land;
- a brief description of the nature of the activity;
- management structure for the project, ie who is implementing the Cultural Heritage Management Plan, the name of the sponsor/company, the name of the executive officer authorising the plan;
- a list of people/groups who will be using the plan to guide their activities in the area;
- a brief description of the location of the activity which includes a location plan showing the regional (broad) context of the place, a location plan showing the local context of the place, and a clearly defined study area/site plan, shown graphically, including land title information and also showing a defined curtilage/boundary for the area which is the subject of this Cultural Heritage Management Plan;
- the name(s) of the owner(s) and occupier(s) of the land where the activity area is located;
- the relevant Aboriginal people (for example the Native Title claim group for the activity area);
- whether any Native Title group has become a Prescribed Body Corporate under the Native Title Act 1993 (Comm); and
- acknowledgments.

## 5. Legislation

- 1) Identify legislation and its applicability to the work covered by this Cultural Heritage Management Plan:  
For example - reference to the *Mining Act 1978*, *Environmental Protection Act 1986*, *Aboriginal Heritage Act 1972* and relevant commonwealth legislation.
  
- 2) Identify approvals processes and its applicability to the work covered by this Cultural Heritage Management Plan:  
Identify the relevant approvals processes for which the Cultural Heritage Management Plan is being developed such as those prescribed by sections of the *Aboriginal Heritage Act 1972* or *Environmental Protection Act 1986*.

## 6. Extent of Activity Area Covered by the Aboriginal Heritage Management Plan

The extent of the activity area to be covered by the Cultural Heritage Management Plan must be described with reference to a map indicating:

- the location of the activity area in the regional context;
- the relevant municipal district in which the area is located;
- the location of Aboriginal sites (registered or newly discovered); and
- the salient prominent natural features, cadastre, structures and works of the activity area

The map must be in a form consistent with the guidelines issued by the Department of Indigenous Affairs in relation to Section 18 applications. In addition, if the Cultural Heritage Management Plan is prepared for part of the activity area, a detailed description of that part must be provided.

## 7. Assessment of significance and the Statement of significance

### 7.1 Assessment of significance

The aim of this section is to discuss the issues arising from the documentary and physical evidence which contribute to the significance of the area and the sites it contains.

The assessment of significance should derive from the evidence presented in survey reports for the purpose of the project and no new information should be introduced. The assessment of significance is set out using Sections 5 and 39 of the *Aboriginal Heritage Act 1972*. It aims to establish the 'nature' and 'degree' of significance in terms of sites in their setting. The assessment of significance should take into account:

- the assessment of the complex as a whole (within both a state and a regional context);
- the assessment of component parts or aspects, ie the sites;
- the identification of elements/aspects of particular significance; and
- the assessment of the authenticity (fabric), integrity (use) and condition of the place and the identification of elements of little significance or those that are considered to be intrusive.

### 7.2 Statement of significance

The aim of the statement of significance is to discuss and assess the known physical and documentary evidence of heritage in the project area, the larger surrounds and the region in order to provide a context for individual site assessments and recommendations for further heritage investigation. This section should be prepared by a qualified heritage practitioner or taken from a document written by a qualified heritage practitioner for the area in question (eg heritage survey reports) and commissioned by the proponent for the relevant project.

The statement should identify the heritage values of the area, why the area is significant and how the significance can be preserved. It should include the following assessments:

- of the place as a whole;
- of the component sites and objects; and
- the interaction of the components.

The basis for the statement, including references to documentary evidence and criteria for heritage significance, should be set out clearly and succinctly. Reference should be made to the terms of the Burra Charter.

Please note that management recommendations for individual sites and areas to be listed later in this document should also be derived from conditions set by the Minister for Indigenous Affairs, the recommendations of Aboriginal heritage custodians and reports prepared by qualified heritage practitioners. Obviously these recommendations will relate to the significance criteria outlined in this statement.

## 8. Activity Description

### 8.1 Description

A Cultural Heritage Management Plan must provide clear and relevant information about the nature, duration and extent of the proposed activity to assess the scope for potential impact on Aboriginal cultural heritage.

This information must include a precise description of the nature of the proposed activity and ancillary works associated with the activity as well as a description of the likely impact on the surface of the land and buried former land surfaces. This should include all related infrastructure, drainage works, landscaping, remedial works and closure plans.

It should also outline environmental impacts, such as redirected water courses/tables, increased fire risk and increased emission levels that may have an indirect bearing on the habitat and landscape containing the Aboriginal heritage sites of the project area.

Provision should be made for emergency activities associated with the project such as access and clearing for fire fighting, and access for rescue operations and evacuations.

If the activity is a subdivision, the activity description must also include a description of how each lot is intended to be used or developed or a description of the use or development of each lot permitted by the relevant planning scheme.

Photographs may be included to give a visual description of the activity area.

### 8.2 Impact assessment

The assessment should address and consider the current integrity of the heritage landscape and the impact of the project on the significance of that landscape. In addition to an assessment of the loss of any of the elements on the significance of the project area and the surrounding region, the assessment should address whether there would be a major impact on any one element type regardless of the perceived value of that element. This should be analysed in the context of the mutability of significance and loss of future research potential.

No impact should be sanctioned without prior consent from the Minister for Indigenous Affairs under Section 18 of the *Aboriginal Heritage Act 1972*. The impact assessment should guide decision making with regards to the planning of all works, preservation of sites and the submission of notices under Section 18 of the *Aboriginal Heritage Act 1972*.

## 9. Summary of Consultation and key stakeholders list

The Cultural Heritage Management Plan should include a list of stakeholders consulted in the process of developing the Cultural Heritage Management Plan, such as key Aboriginal organisations, government agencies, local government and other key stakeholders.

Contact details and provisions for the further consultation with stakeholders in the event of changes to the Cultural Heritage Management Plan and/or events related to the Cultural Heritage Management Plan (such as non-compliances) should be outlined here.

The Cultural Heritage Management Plan should summarise the consultation with relevant Aboriginal people and other stakeholders and should:

- describe the process used to consult with relevant Aboriginal people, for example the formation of a reference group or through a proscribed body corporate;
- provide details of comments by Aboriginal people about the proposal;
- describe the outcome of consultation with relevant Aboriginal people, including any issues or requests raised; and
- how issues of consultation will be addressed.

The Department of Indigenous Affairs recommends that consultation should be conducted with all relevant Aboriginal people including nominees of representative bodies, informants for known sites and others who may have cultural knowledge of the area.

Please note that the consultations summarised in this document should refer to heritage issues only. Matters of community consultation regarding Native Title, environment, Indigenous employment and other issues should be considered in community consultation documents.

## 10. Summary of heritage work conducted

A Cultural Heritage Management Plan must identify whether ethnographic and archaeological surveys have been conducted for all of the area subject to the plan. It should outline an assessment of:

- whether the work includes background research;
- how recently the work was conducted;
- what area of land was covered and at what level of intensity;
- to what level, eg Reconnaissance, Section 18, Work Area Clearance, the surveys were conducted. If work was conducted for an Area Clearance, details of the specific project should be listed;
- whether the ethnographic consultations were for the current and specific project/s;
- whether the archaeological inspections included pedestrian inspections of the relevant areas, site assessments, and recommendations for further research;
- whether all sites, both archaeological and ethnographic, were considered in the

ethnographic consultations; and

- Whether necessary research investigations and mitigation works have been completed prior to approvals submissions and/or clearance works.

There are a number of ways in which heritage research can be conducted:

- Desk top study – this is a necessary preliminary investigation of Aboriginal heritage prior to the conduct of any survey. The study should identify previously recorded sites in a proposed development area and allow the researcher to identify those sites in the field so there are not duplicated recordings of sites. It should also allow researchers to identify which sites require further recording, particularly those where the location details are unreliable. This type of study would only suffice without any further ground inspections where the study, in consultation with the relevant Aboriginal People, identifies that the area in question has been previously surveyed for ethnographic and archaeological sites completely, and the recording of all sites within the area is sufficient for the management of the heritage values of the area.
- Site identification survey - in this type of inspection sites are identified and recorded and recommendations are made for their protection. This level of survey is required for the Aboriginal Cultural Material Committee to make an assessment of the impact to heritage proposed in a Notice under Section 18 of the Aboriginal Heritage Act 1972. Generally this type of survey is required for situations where the proposed works will have an impact on a large area or in an intense form. The consultations and inspections for this type of survey must be such that those consulted are aware of the impact of the project and the inspections must be conducted to such a level that will allow the identification of all:
  - known and visible heritage material and sites, and
  - areas of high potential for sub surface cultural deposits.
- Work area clearance survey - work area clearance surveys are generally recommended where Aboriginal people do not wish to divulge cultural information to the proponents or where on-the-spot clearances for proposals for minor works can be reasonably negotiated without the need for detailed heritage surveys. In this case the sections of the work area that are not in conflict with heritage sites are delineated.
- Site avoidance survey – similarly site avoidance surveys are recommended where Aboriginal people do not wish to divulge cultural information to the proponents or where on-the-spot clearances for proposals for minor works can be reasonably negotiated without the need for detailed heritage surveys. Heritage consultants may work with proponents to identify areas that do not contain sites rather than identifying site areas for avoidance.

- Assessment should be made whether the level of survey conducted is appropriate for the level of disturbance proposed. Preferably this assessment would be made prior to the conduct of the heritage work so that the brief to the Traditional Owners, Aboriginal Heritage Custodians and Heritage Consultants is transparent.

Guidelines for the preparation of reports are available at:

<http://www.dia.wa.gov.au/Section-18-Applications/Heritage-management/Aboriginal-heritage-surveys.aspx>

The information access policy for all research and desk top studies is available at:

<http://www.dia.wa.gov.au/Heritage-and-Culture/Resources/Policies-and-procedures/Information-Access-Policy.aspx>

## **11. Aboriginal heritage management commitments**

### **11.1 Sites covered by the plan**

This section should include a summary of Aboriginal heritage sites within the project area(s). A list of all sites and/or no go areas would be included and, depending on the distribution of this plan, may or may not include cultural information pertinent to the sites.

It may be more useful to plan for zones where activity of various types is permitted rather than to delineate individual sites for Cultural Heritage Management Plan users. In such a case the plan must include a description of the different zones of activity and ensure that procedures to direct activity in the vicinity of sites are set out for work within each zone.

There should be some demonstration that the proponent is aware of the heritage values of the area and is in a position to manage heritage effectively. A summary of the sites and/or avoidance areas would demonstrate that the proponent is not relying on one or more heritage reports but has made a meaningful synthesis of the information regarding heritage values within the leases and is prepared to conserve the relevant areas.

### **11.2 Specific management recommendations**

These should be listed within the plan so that they are acknowledged, followed and available for review should auditing reveal that more or less stringent measures are required. Management recommendations are the methodology by which heritage site assessment recommendations and Ministerial conditions are activated.

The specific recommendations for site management must outline:

- whether the activity will be conducted in a way that avoids harm to Aboriginal cultural heritage;
- if it does not appear to be possible to conduct the activity in a way that avoids harm to Aboriginal cultural heritage, whether the activity will be conducted in a way that

minimises harm to Aboriginal cultural heritage;

- how will the sites/avoidance areas be protected from direct and indirect activity;
- which sites will be subject to a notice under Section 18 of the Aboriginal Heritage Act 1972 as a result of this activity. This should include, without limitation:
  - avoidance of as much of the Aboriginal cultural heritage as possible;
  - consents and approvals as necessary;
  - developing an appropriate salvage strategy to recover information about Aboriginal cultural heritage if it is not possible to avoid disturbance;
  - the removal and curation of Aboriginal cultural heritage;
  - any combination of the above measures.
  - requirements relating to the custody and management of Aboriginal cultural heritage material during the course of the activity and as part of closure planning for the project.

This may include tabular formats for example:

Site ID/ Avoidance Area	Location	Hazards	Management Strategy	Section 18	Conditions met	Impact
XXX	map reference	Trespass	Avoid – restrict activity	No	N/A	None
YYY	map reference	Ground clearance	Fence	Yes – Ref #	Fence	None
ZZZ	map reference	Redirected water damage	Fence remainder	Yes – Ref #	Yes	Partial
ABC	map reference	N/A	Consent to use the land	Yes – Ref #	Yes	Total
DEF	Salvaged material	Flyrock	Repatriate	Yes – Ref #	Yes	N/A
GHI	Salvaged material	Closure planning	House in secure facility until repatriation	Yes – Ref #	No	N/A

In reporting, a Cultural Heritage Management Plan should use the Site Identification numbers from the Register of Aboriginal Sites held at the Department of Indigenous Affairs to identify all Aboriginal cultural heritage found, discovered and/or subject to investigation.

If no Aboriginal cultural heritage is found during the assessment, the Cultural Heritage Management Plan may specify that no further cultural heritage management activities are required but must include contingency plans for the possible discovery of Aboriginal cultural heritage during works.

Hazards such as emergency situations should be considered. Fires or other catastrophic events such as cyclones may require the emergency installation of infrastructure such as fire breaks, temporary access tracks or temporary bridges. Planning should take these contingencies into account and solutions alternative to site areas sought prior to emergencies. It is possible that necessary infrastructure will need to be replaced quickly after a catastrophe and it would be prudent for anyone operating in the vicinity of sites to have conducted surveys for road, rail, bridge and other infrastructure areas in the event that they need to be replaced. The plan should also take into account whether increased activity in any area will increase the fire or flood risk to sites in the surrounding area.

### 11.3 Funding estimates and costing

#### Sources of Income

Year	Sponsor/s	Amount
1		
2		
3		
10		
20		
50		
	<b>Total</b>	

## Expenditure year 1

Month	Activity	Estimate
January	1 2 3 ...	
February		
March		
	<b>Total</b>	

## Budget year 1

Category	Item	Amount
1	Wages	
2	Materials	
3	Services	
4	Contingencies	
	<b>Total</b>	

## 12. Permits/ protocols

1. This should include a description of permit systems or work instructions in use by the company, or in agreement between the company and their agents and contractors, to trigger reviews of all ground disturbance activities prior to commencement.
2. A Cultural Heritage Management Plan must also include specific contingency plans for:
  - the resolution of any disputes between the sponsor / company and relevant Aboriginal people in relation to the implementation of the conduct of the activity;
  - the discovery of Aboriginal skeletal remains:  
<http://www.dia.wa.gov.au/Section-18-Applications/Heritage-management/Aboriginal-SkeletalAncestral-Remains.aspx>;
  - the notification, in accordance with the *Aboriginal Heritage Act 1972*, of the discovery of Aboriginal cultural heritage during the carrying out of the activity  
<http://www.dia.wa.gov.au/Section-18-Applications/Heritage-management/Reporting-a-Site.aspx/>;
  - the management of Aboriginal cultural heritage found during the activity;
  - the reporting of any disturbance to Aboriginal heritage sites to the Department of Indigenous Affairs  
<http://www.dia.wa.gov.au/Section-18-Applications/Heritage-management/Site-disturbance.aspx>; and
  - reviewing compliance with the Cultural Heritage Management Plan and mechanisms for remedying non-compliance.

### 13. Key considerations

A Cultural Heritage Management Plan should also provide for:

- provision for Aboriginal people to continue to visit heritage places within the activity area during and after the activity has been completed;
- protocols for handling sensitive information;
- communication between the sponsor / company and relevant Aboriginal people including timeframes for response;
- continuing involvement of the relevant Aboriginal people in future stages of the activity;
- procedure where one party fails to abide by the terms of the Cultural Heritage Management Plan;
- cultural awareness training for employees or contractors;
- ongoing liaison between the sponsor and the relevant Aboriginal people;
- any environmental information that is provided must be relevant to the retention and conservation of Aboriginal heritage sites. Other environmental information can be provided to Traditional Custodians as community stakeholders in other forums/formats;
- provisions for a review of the Cultural Heritage Management Plan annually;
- provisions for audit with measurable performance indicators; and
- provisions for reporting site conditions to the Department of Indigenous Affairs.

### 14. Maps

A Cultural Heritage Management Plan should include maps of sufficient quality to clearly identify the activity area and the Aboriginal cultural heritage of the area. This would necessarily include an overview map depicting the activity area within the region and an activity area map/s of at least 1:5000 scale. The maps must provide a minimum of:

- at least three readily identifiable features, eg road intersections, river crossings, prominent features, within the vicinity;
- a prominent North arrow;
- a scale bar using standard cartographic formats;
- the area covered by the Management Plan clearly shown;
- survey areas (and excavation or subsurface testing areas if appropriate) clearly shown;
- the relevant municipal district in which the area is located;
- topography, cadastre and a metric grid in datum GDA 94/WGS 84; and
- any other salient prominent natural features, structures and works.

The boundary of the activity area and ground survey areas should be provided to the Department of Indigenous Affairs in an approved digital format, ie. A Shape file.

## 15. Reference list

This should include ethnographic and archaeological reports relevant to the project area and reports and documents cited in the text.

## 16. Appendices

The following documents must be appended to the Cultural Heritage Management Plan:

- documentation relating to previously submitted approvals processes;
- relevant figures, tables, photographs not required in the body of the Cultural Heritage Management Plan;
- correspondence between the sponsor/company and the relevant Aboriginal people (where appropriate);
- correspondence between the sponsor/company and the Department of Indigenous Affairs; and
- consents under Section 18, Section 16 and regulation 10 of the *Aboriginal Heritage Act 1972* and relevant to the Cultural Heritage Management Plan area.

# Appendix one

## Presentation of a Cultural Heritage Management Plan

### Format

A Cultural Heritage Management Plan is a written report with a standard format. It is important to make sure that:

- pages must be typed and numbered;
- the plan is dated and numbered according to version;
- the plan has an author/ responsible officer in an executive position;
- references are given to any reports, articles, or books used; and
- a standard set of contents should be used.

### Table of contents

The table of contents must list the following items (as appropriate), giving page numbers for each item:

- a. Headings
- b. Sub-headings
- c. Tables
- d. Maps
- e. Photographs
- f. Figures
- g. Appendices
- h. References

### References

The references section of the management plan must list all reports, articles, or books referred to in the management plan and must be set out to comply with the conventions of the *Australian Style Manual*.

# Appendix two

## Cultural Heritage Management Plan flowchart

