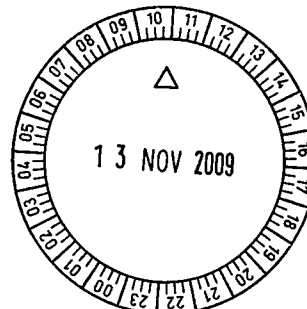




**Deputy Premier of Western Australia  
Minister for Health; Indigenous Affairs**

**PUBLIC**

Our Ref: 25-08924  
Your Ref: WRI



Hon Max Trenorden MLC  
Chairman  
Standing Committee on Public Administration  
Parliament House  
PERTH WA 6000

  
Dear Mr Trenorden

**RECREATION ACTIVITIES WITHIN PUBLIC DRINKING WATER SOURCE AREAS**

I refer to your letter dated 20 October 2009 inviting a submission to the Standing Committee on Public Administration in response to the Inquiry into Recreation Activities within Public Drinking Water Source Areas. I provide the following comments for your consideration.

In 2008, the Department of Water commissioned the South West Aboriginal Land and Sea Council (SWALSC) to facilitate "in country" workshops with South West Nyungar people to identify and discuss values, concerns and issues associated with water planning and water management. The resultant report, *South West regional water plan: Workshops held with the Nyungar community, April 2008 (Attached)*, summarises many of the social and cultural issues that Aboriginal people would like Government to consider when developing water management plans.

I also make the following points in relation to recreation activities within public drinking water source areas.

- Many Aboriginal people have a sacred belief in the 'sanctity of water'. As such, land use planners need to be aware and respectful of the spiritual significance of water ways and water source areas.
- Places of importance such as sacred sites, birth sites, burial places and ceremonial areas are often associated with, and located next to, water source areas. Many of these places are registered Aboriginal sites and are therefore protected under the provisions of the *Aboriginal Heritage Act 1972 (AHA)*.
- Recreational infrastructure such as toilets, parking areas, BBQ facilities and pathways all have the potential to physically impact on Aboriginal sites. Appropriate archaeological and anthropological assessments need to be conducted before

construction in order to identify the potential impact of recreational infrastructure on an Aboriginal site.

- Disturbance of an Aboriginal site for the purposes of building recreational infrastructure requires my approval under Section 18 of the AHA.
- Consultation with local Aboriginal people and Traditional Owners is an important part of land use planning, and is often a legislative requirement under the *Native Title Act 1993*.
- Joint management of recreational areas can be an effective way of ensuring Aboriginal participation in land management decision making.
- It should be noted that *State Planning Policy 2.9, Water Resources*, recommends the identification of Aboriginal sites and consultation with stakeholders when determining buffering for waterways.

In summary, land use planning, particularly around water ways and water source areas, should always seek to incorporate the cultural needs and aspirations of local Aboriginal people and Traditional Owners.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kim Hames', with a long horizontal flourish extending to the right.

**Dr Kim Hames MLA  
DEPUTY PREMIER  
MINISTER FOR INDIGENOUS AFFAIRS**

Enc.

**12 NOV 2009**