

ABORIGINAL SITES ON PRIVATE PROPERTY

Site Identification
Mini Poster 11



Aboriginal stone circle, Lake Condah

What are Aboriginal Sites?

Aboriginal people have lived in southern Australia, including what is now Victoria, for many thousands of years. During that time, they left physical evidence of their activities which now survive as cultural

heritage sites or places. Examples include shell middens, scatters of stone artefacts, oven mounds, stone quarries, rock art sites, fish traps, scarred trees, stone arrangements and places of burial.

Where do Aboriginal Sites Occur?

There are Aboriginal cultural heritage sites all over Victoria.

They are most common near rivers, lakes, swamps and the coast. There may be sites on your property.

Are Aboriginal Sites Protected?

All Aboriginal cultural sites and places in Victoria are protected by law. Aboriginal artefacts are also protected.

It is against the law to disturb or destroy an Aboriginal site. Artefacts should not be removed from sites.

Why Protect Aboriginal Sites?

Aboriginal sites are a precious part of the heritage of the whole community. They are of immense cultural, scientific, educational and historic interest.

Aboriginal heritage sites and places provide Aboriginal people today with an important link to their culture and their past.

Aboriginal sites and places are also fragile. When they are destroyed or damaged, information about past cultural and environmental changes may be lost forever. In many cases, information about the past occupation of Australia can only be obtained through the archaeological investigation of these sites.

If There is an Aboriginal Site on my Land, Can it be Subject to a Native Title Claim?

Generally, no. Only vacant Crown land may be subject to a native title claim. Freehold land, which is almost all private property, is not subject to native title claims even if Aboriginal sites are present. In general, having Aboriginal cultural sites on your land will not affect ownership, or stop existing land use from continuing.

What are Threats to Aboriginal Sites?

Erosion and other natural processes threaten some Aboriginal sites. Human activities may also be a threat, particularly major changes to the way land is used, such as development.

Is Agriculture a Threat to Aboriginal Sites?

Sites that have survived many decades of agriculture generally

will not be further disturbed by continuing land use practices.

In many cases, sound land management has helped preserve Aboriginal sites. Major changes to the landscape, such as levelling dunes or clearing native bushland, may damage Aboriginal sites. Some practices such as ripping to destroy rabbit burrows may also be undesirable in areas that contain Aboriginal sites.

Who is Responsible for Aboriginal Sites?

Aboriginal Affairs Victoria is the State Government agency which is responsible for Aboriginal sites. Aboriginal Affairs Victoria has a register of Aboriginal sites, and records and protects sites.

Can Anyone Look for Aboriginal Sites on Private Property?

Only if the land owner gives permission, and if administrative requirements are met. Many sites have only survived because private land owners have not permitted public access. It is illegal to excavate sites without consent from the relevant local Aboriginal community and Aboriginal Affairs Victoria.

Is it Against the Law to Have a Collection of Aboriginal Artefacts?

No. The law does not prevent people from keeping Aboriginal artefacts. However, artefacts (other than those originally made for sale) may not be bought or sold without a permit from Aboriginal Affairs Victoria. Owners of collections of Aboriginal artefacts can ask Aboriginal Affairs Victoria to document their collections. There is no charge for this service.

Is it Against the Law to Possess Aboriginal Skeletal Remains?

Yes. It is illegal to possess or display Aboriginal skeletal remains without a permit.

Anyone who has such remains is advised to contact Aboriginal Affairs



Aboriginal scarred tree

Victoria, so that arrangements can be made for their appropriate treatment.

What can be Done with Unwanted Collections of Aboriginal Artefacts?

Aboriginal Affairs Victoria will receive unwanted collections of Aboriginal artefacts. Such collections will be documented, then transferred to an appropriate keeping place or museum for storage or display.

For more information please contact:

The Heritage Registrar
Aboriginal Affairs Victoria
PO Box 2392
Melbourne VIC 3001

Telephone: 1800 762 003
Website: www.dpcd.vic.gov.au/aav

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