



Department of **Planning,  
Lands and Heritage**

*PROPOSALS FOR NEW  
ABORIGINAL HERITAGE  
LEGISLATION*

*GERALDTON  
COMMUNITY WORKSHOP  
29 April 2019*

MEETING RECORD

Department of **Planning,  
Lands and Heritage**

**REVIEW OF THE  
ABORIGINAL HERITAGE ACT 1972**

PROPOSALS FOR NEW LEGISLATION TO  
RECOGNISE, PROTECT AND CELEBRATE  
WESTERN AUSTRALIA'S ABORIGINAL HERITAGE

DISCUSSION PAPER

MARCH 2019

## DISCUSSION PAPER PROPOSALS

### 1. A New Aboriginal Heritage Act

**PROPOSAL 1:** *Repeal the Aboriginal Heritage Act 1972 and deliver new Aboriginal heritage legislation*

### 2. What new legislation will cover: Aboriginal heritage places, objects, ancestral remains

**PROPOSAL 2:** *Update definitions and scope of new Aboriginal heritage legislation*

### 3. Key roles in Aboriginal heritage: Proposed local and central bodies – Functions and selection

**PROPOSAL 3(a):** *Local Aboriginal Heritage Services*

**PROPOSAL 3(b):** *The Aboriginal Heritage Council*

**PROPOSAL 3(c):** *The Minister's role*

**PROPOSAL 3(d):** *The role of the Department of Planning, Lands and Heritage*

**PROPOSAL 3(e):** *Heritage professionals – aiding selection of those with appropriate qualifications and experience and improving standards*

### 4. How heritage information will be managed: The Aboriginal heritage register

**PROPOSAL 4:** *Retain the current form and function of the register of Aboriginal Places and Objects but rename it the Aboriginal Heritage Register*

## DISCUSSION PAPER PROPOSALS (cont.)

### 4. How heritage information will be managed: The Aboriginal heritage register

**PROPOSAL 4:** Retain the current form and function of the Register of Aboriginal Places and Objects but rename it the Aboriginal Heritage Register

### 5. Managing land use proposals that may impact on Aboriginal heritage

**PROPOSAL 5:** Introduce a referral mechanism to facilitate tiered assessments and approvals of proposed land uses

### 6. Agreements between Aboriginal people and land users

**PROPOSAL 6:** Encourage and recognise agreement making

### 7. Transparency of decision making

**PROPOSAL 7:** Transparency and appeals

### 8. Enforcement: Offences and penalties

**PROPOSAL 8:** A modernised enforcement regime

### 9. Protecting places of outstanding importance

**PROPOSAL 9:** Protected Areas

## MEETING NOTES – GERALDTON (29 APRIL 2019)

Geraldton 29/4/2019

Proposal 3A

LAHs

- What will happen with protection of Aboriginal heritage and consultation between the Act coming into force and the set up of LAHs.
- Funding to support the LAHs.
- Funding for interpreters to make sure senior law men and women fully understand what a proposed land use is and what they think and feel about it.

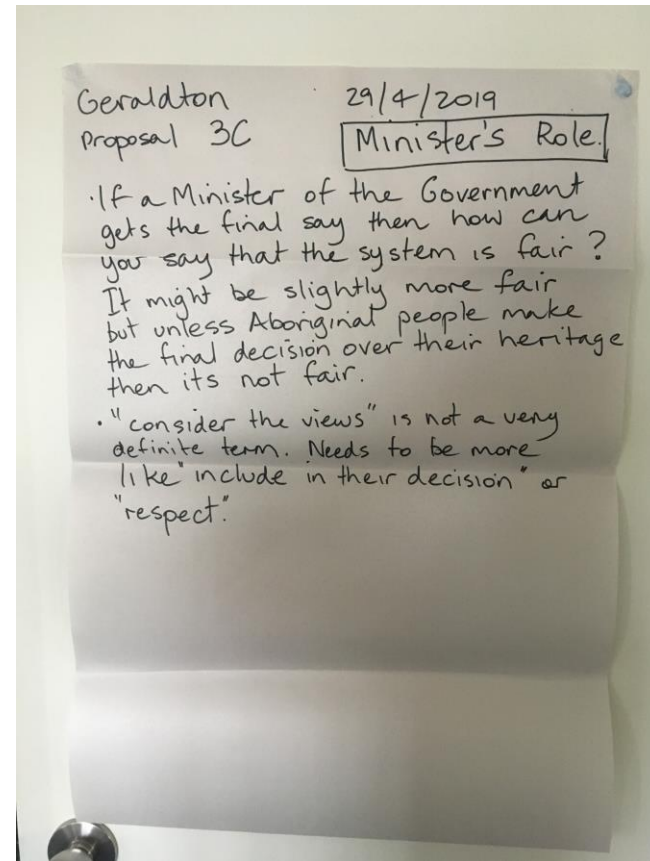
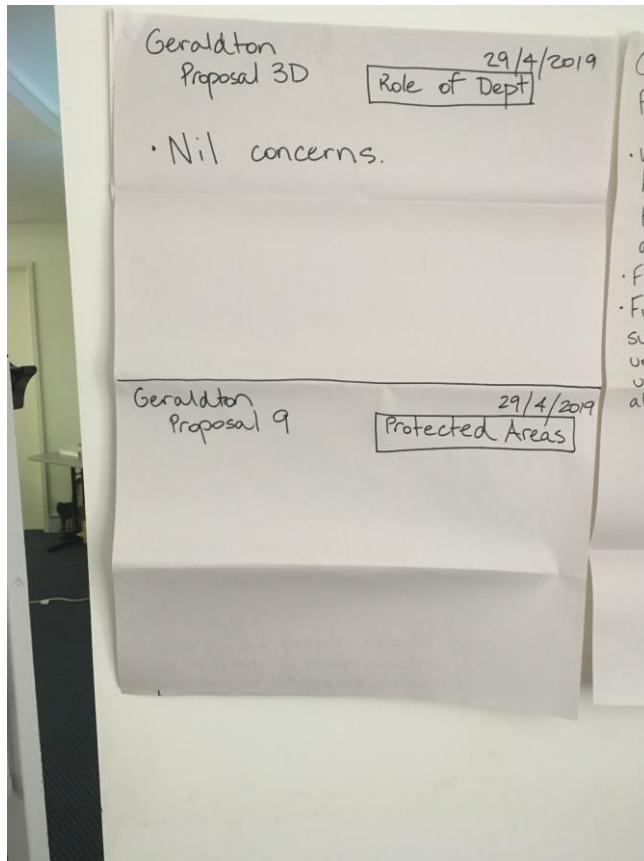
Geraldton 29/4/2019

Proposal 1 + 2

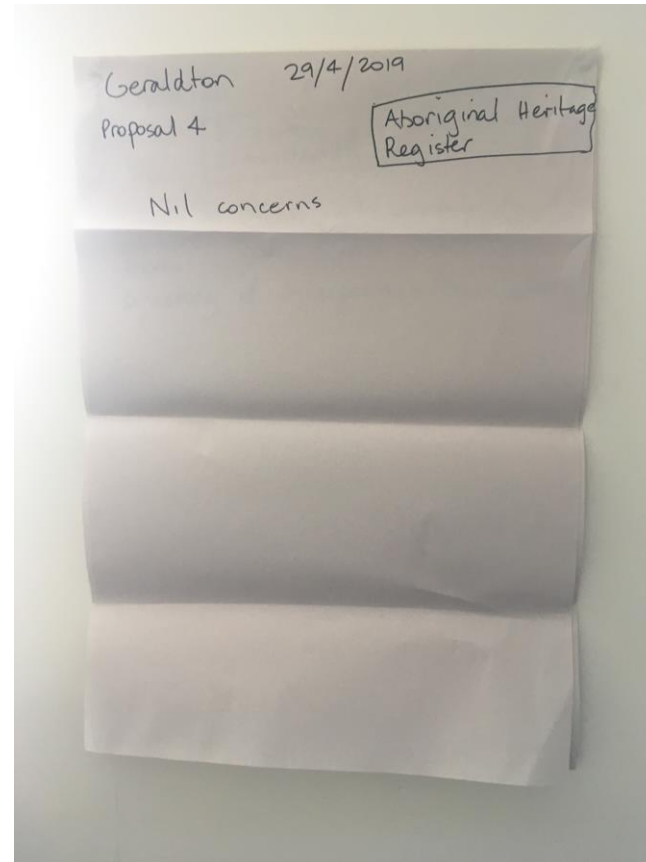
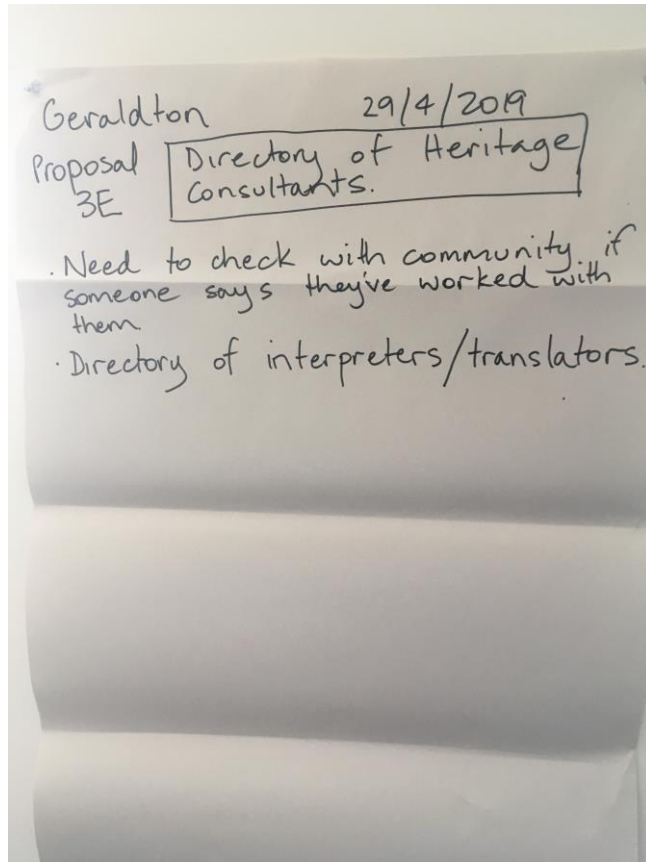
New Act

- Concern about intellectual property protection.
- How do you separate intellectual property from cultural heritage?
- Bush medicines/plants are part of heritage and so is the knowledge about them.
- Change old language - current Act uses him/his. More gender equality in the language.
- Aboriginal burial places should be covered as heritage places.
- Compulsory disclosure of Aboriginal heritage places on land (Crown, lease, freehold etc) and acknowledgement that Aboriginal people can access that heritage.
- Aboriginal people should be able to be buried in their country. (Also provision of advice/assistance by Dept).

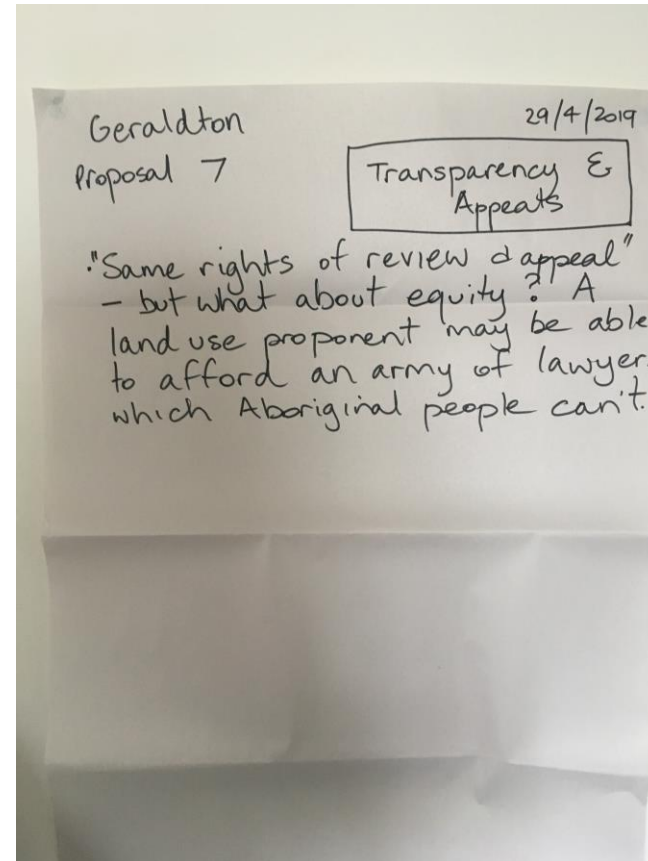
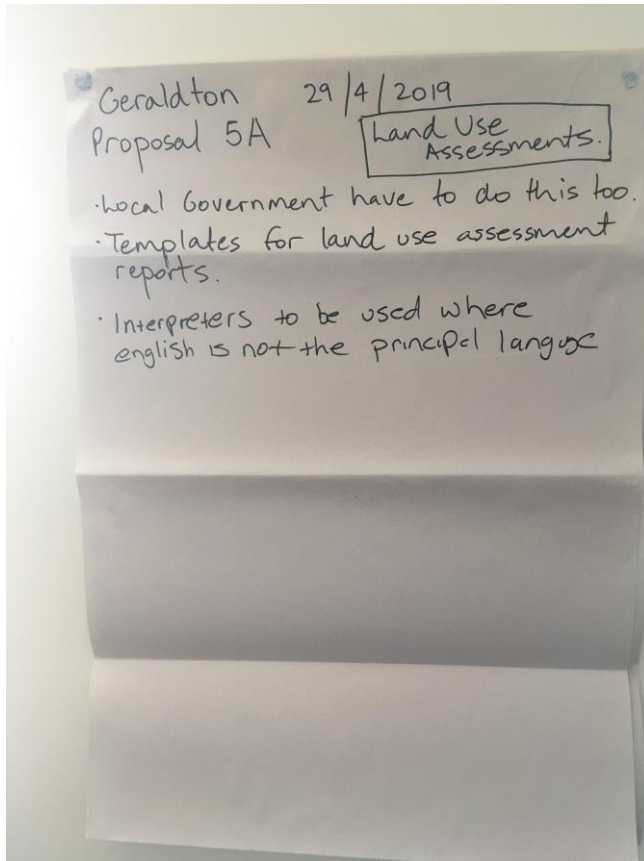
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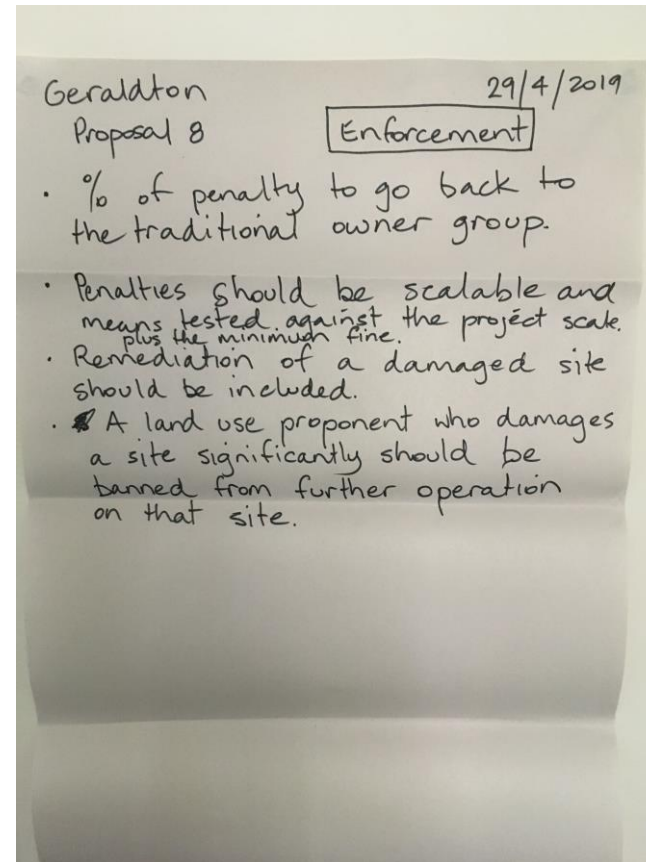
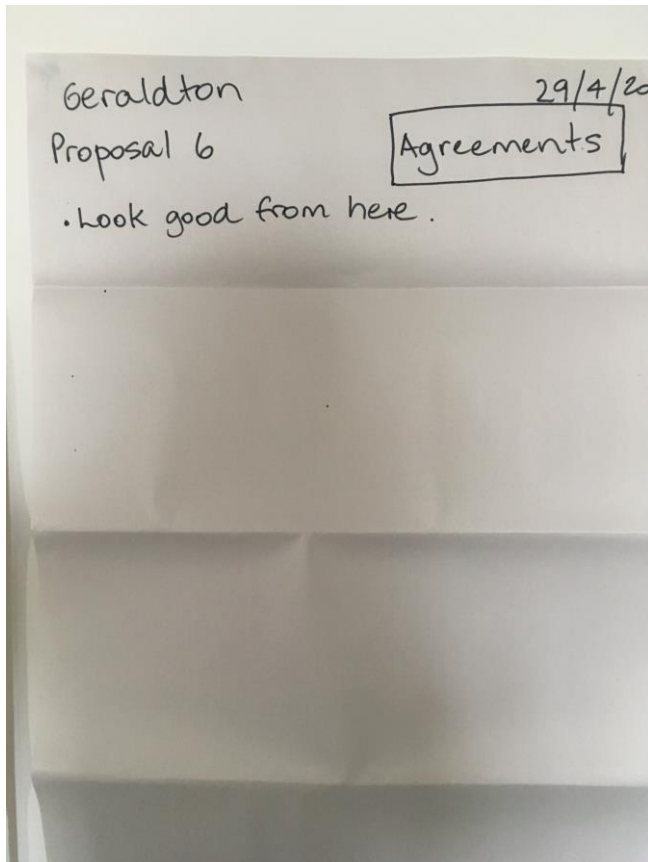
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