

Response ID ANON-8EBD-41MU-A

Submitted to **Review of the Aboriginal Heritage Act 1972**

Submitted on **2018-04-24 19:06:02**

About You

Are you submitting a response as an individual, or on behalf of your organisation?

Individual

Individual details

Are you of Aboriginal or Torres Strait Islander descent?

Yes

What is your name?

Optional:

Michael Day

Do you give permission for your name to be published with your feedback?

Yes

Purpose of the Act

Question 1

Yes

If not, what changes should be made?:

Roles under the Act

Question 2

2 - who should be consulted?:

Local Aboriginal custodians must be consulted on any development taking place on land where natural sites are to be disturbed. Those that are culturally significant must be preserved indefinitely and not be developed even at the future expressed authority of the local custodians.

Question 3

Ineffective

How can the provision to appoint honorary wardens be improved?:

People that are not culturally and directly part of the local aboriginal custodians should not be regarded as suitable to carry out this task. To do so further discredits the Governments actions towards the community.

Question 4

Yes

Role and functions - Minister:

Yes

Role and functions - Registrar:

Yes

Role and functions - Committee:

Yes

Role and functions - DPLH:

What is Protected?

Question 5

Yes

5. How can section 5 be improved?:

Question 6

Yes

6. How can section 6 / Part VI be improved?:

Question 7

No

Additional comments:

"Aboriginal sites of outstanding importance must be declared Protected areas under Section 19

Question 8

Yes

8. what needs to be considered?:

Not to be disturbed or relocated unless at the express permission of local aboriginal custodians or direct relatives.

Protection and Enforcement

Question 9

9. Activities that should require consent or authorisation:

All of them, it is only fair and respectful to be open about all activities that may affect an Aboriginal Site.

Question 10

10. Criteria to evaluate activities that may affect a site:

Will this activity disturb, relocate the site?

Does this activity have the propensity to offend local people directly relevant to the site?

Does this activity interrupt access to this and/or other sites nearby?

Has there been enough consultation in the effective forums on the development of the site and agreements made.

Question 11

11. What is an impact in relation to sacred sites?:

Only through consultation with the elders (male and female) of the community can the issue be properly assessed.

Question 12

12. consent / authorisation for proposals that will affect sites:

Minister for indigenous affairs.

Question 13

Effective

13. How s18 can be improved?:

Question 14

No opinion

14. provisions for long-term protection of sites:

Question 15

No

15. How can enforcement provisions be improved?:

Harsher penalties across the board to apply.

Question 16

No

16. How can penalties be improved?:

Body corporate increased to \$100,000 and up to \$500,000

Site Assessment and Registration

Question 17

Yes

17. Why shouldn't a defence be provided?:

Question 18

Yes

18. What should the criteria be?:

Question 19

No opinion

19. Steps to report place or object:

No opinion

19. Steps to nominate a place or object:

No opinion

19. Steps to assess a place or object:

No opinion

19. Steps to enter a place or object on the Register:

No opinion

19. Steps to amend a place or object on Register:

No opinion

19. Steps to remove place or object from Register:

Other Parts of the Act

Question 20

No opinion

20. What's missing from the Act?:

Question 21

No opinion

21. Sections to be removed from Act?:

Any other comments

Any other comments: