



Department of **Planning,
Lands and Heritage**

*PROPOSALS FOR NEW
ABORIGINAL HERITAGE
LEGISLATION*

*MOORA
COMMUNITY WORKSHOP
30 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

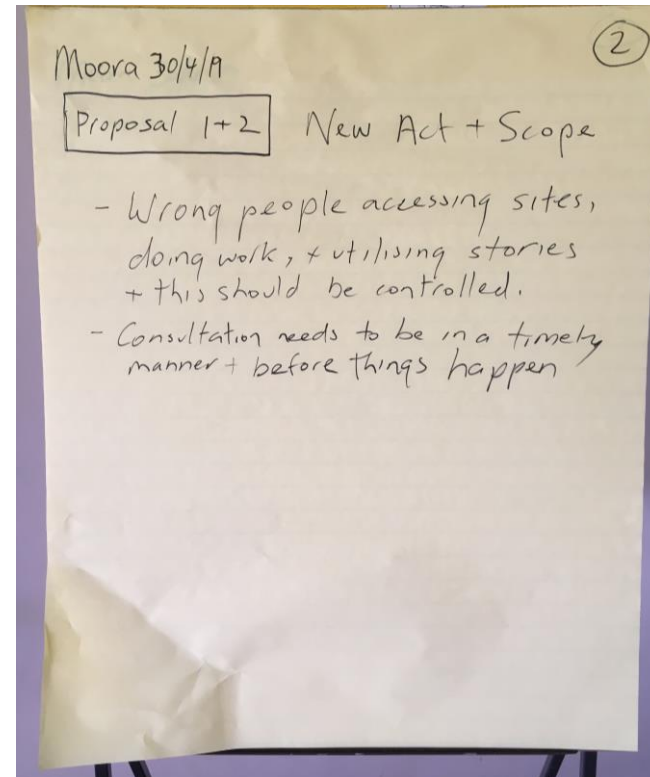
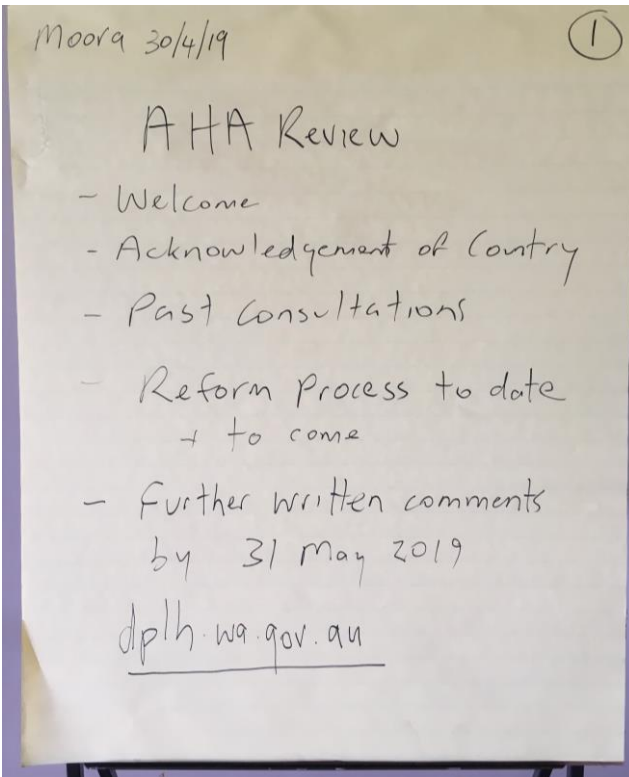
PROPOSAL 8: *A modernised enforcement regime*

9. Protecting places of outstanding importance

PROPOSAL 9: *Protected Areas*



MEETING NOTES – MOORA (30 APRIL 2019)



MEETING NOTES - MOORA (30 APRIL 2019)

Moora 30/4/19 (3)

Proposal 3A Local Aboriginal
Heritage Services (LAHS)

- Membership to LAHS should be restricted to people from that country
- How will disputes within the LAHS be resolved
- Need to ensure that people involved in decision making are not just ancestors of the land but also knowledge holders

Moora 30/4/19 (4)

Proposal 3B Aboriginal Heritage
Council (AHC)

- Should be gender equity
- Should have majority Aboriginal people
- Support No ACMC
- Support AHC as advisory + oversight rather than decision maker

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Moora 30/4/19

Proposal 5 Land Use Assessments

- Generally support proposal however the end decisions should remain with the LAHS not with Minister
- Should be very clear as to how decisions are to be made.
- Survey reports need to come back to LAHS + Gender Balanced

Moora 30/4/19

Proposal 4 The Aboriginal Heritage Register

- Access + control of Register should be through LAHS to authorise
- Should cover contemporary places where Aboriginal people gathered, camped, hunted, fished etc
- Should cover places where there are plants + animals important to Aboriginal people
- LAHS should be supported to upgrade current info on the Register.

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Moora 30/4/19 (7)

Proposal 3E Directory of Heritage professionals

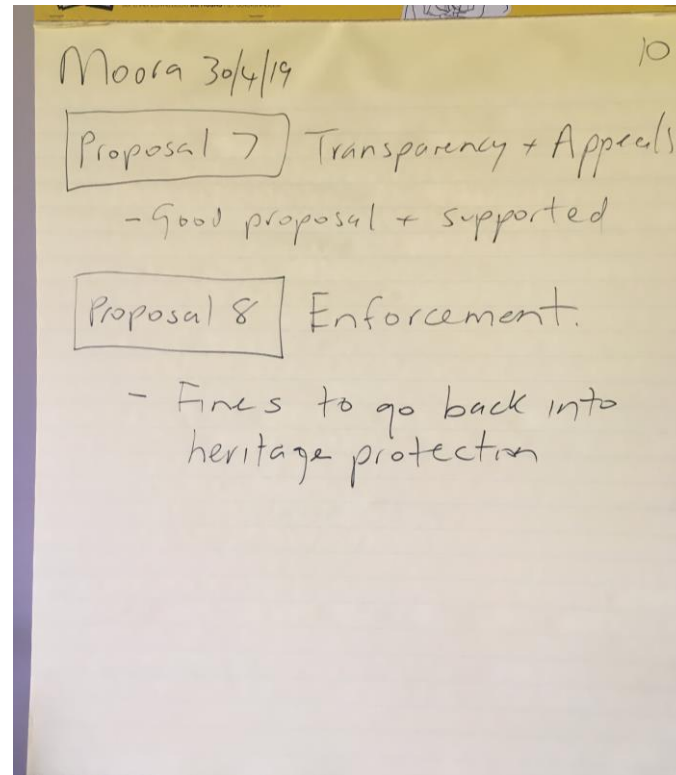
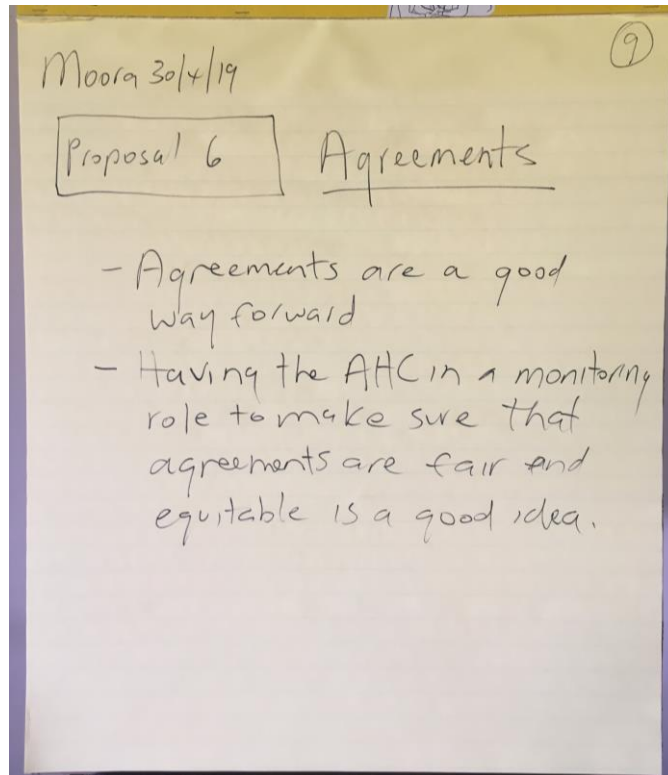
- Supportive of ~~D~~irectory
- Need to ensure Heritage professionals use right people in surveys with the knowledge
- Aboriginal people with expert knowledge should be considered heritage professionals
- Should be categories for different skills such as
 - surveys
 - site recording
 - monitoring
 - repatriation of remains.

Moora 30/4/19 (8)

Proposal 3C Ministers Role

- Generally supported.
- Important that decisions be published.

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MEETING NOTES - MOORA (30 APRIL 2019)

Moora 30/4/19

(11)

Proposal 3D Role of DPLH

- No comments

Moora 30/4/19

(12)

Proposal 9 Protected Areas

- Generally supportive

MEETING NOTES - MOORA (30 APRIL 2019)

