

Department of Lands and Heritage
PO Box 7479
Cloisters Square WA 6850
AHAreview@dlph.wa.gov.au

Dear Sir/Madam,

REVIEW OF THE ABORIGINAL HERITAGE ACT 1972

The Town of Port Hedland is pleased to make a submission on the Department's second phase of consultation on the review of the *Aboriginal Heritage Act 1972* (the Act.)

The following points are made at this second phase of consultation:

- The Town strongly supports the protection and management of important and significant Aboriginal places and objects through a clear legislative framework. There needs to be a clear relationship between the *Planning & Development Act 1995*, *Land Administration Act 1997*, *Mining Act 1978* and the Act so that staff operating within the provisions of the legislation are able to identify and advise when developers need to consider aboriginal heritage, and the process for considering heritage, in the determination of proposals.
- The Town strongly supports a risk-based tiered assessment of land use proposals and recommends that any amended version of the Act include tools such as the Aboriginal Heritage Inquiry System (AHIS) and Aboriginal Heritage Risk Matrix to assess whether development affects Aboriginal heritage. The use of appropriate planning assessment tools to support legislative provisions should be carefully considered and tested by the Department before implementing amendments to the Act.
- The Town feels it is important for newly proposed Local Aboriginal Heritage Services to work to certain timeframes within which they must respond. A clear process should also exist for a third party to assist with resolving any roadblocks that may occur with required consultation groups. There are concerns over fee charging for this service and legislation should be put in place to ensure no unreasonable financial obligations are imposed to undertake consultation.

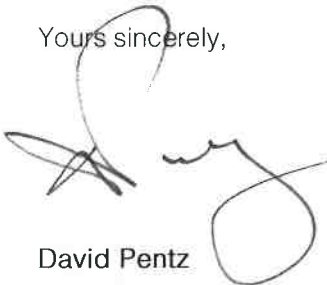
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The Town looks forward to the release of The Green Bill and for future opportunities to be involved in the detailed review of the legislation.

If you have any questions, please contact the Town's Manager Town Planning and Development Chaz Roberts on 9158 9328 or by email croberts@porthedland.wa.gov.au

Yours sincerely,



David Pentz
Chief Executive Officer

8 May 2018