



Department of **Planning,
Lands and Heritage**

*PROPOSALS FOR NEW
ABORIGINAL HERITAGE
LEGISLATION*

*NARROGIN
COMMUNITY WORKSHOP
7 May 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

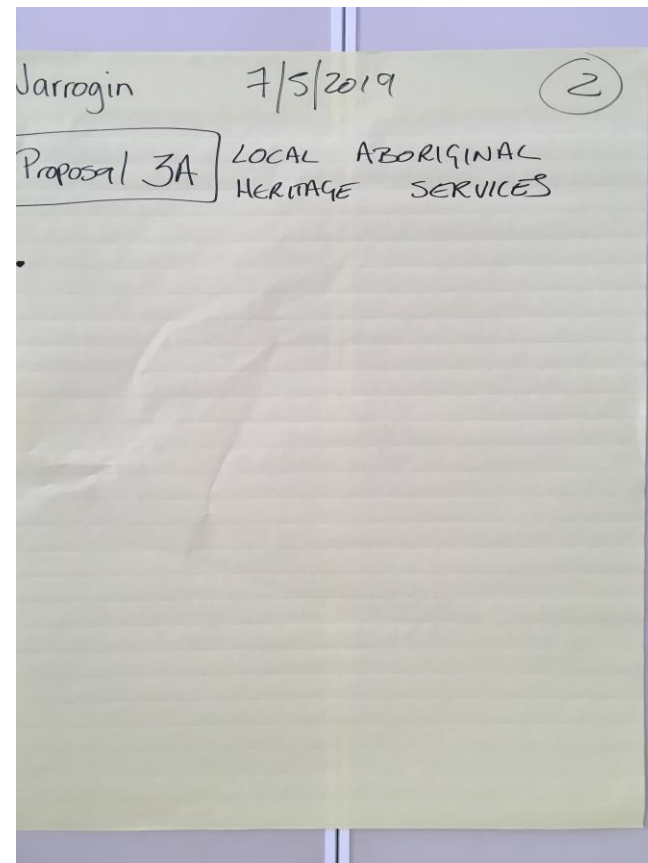
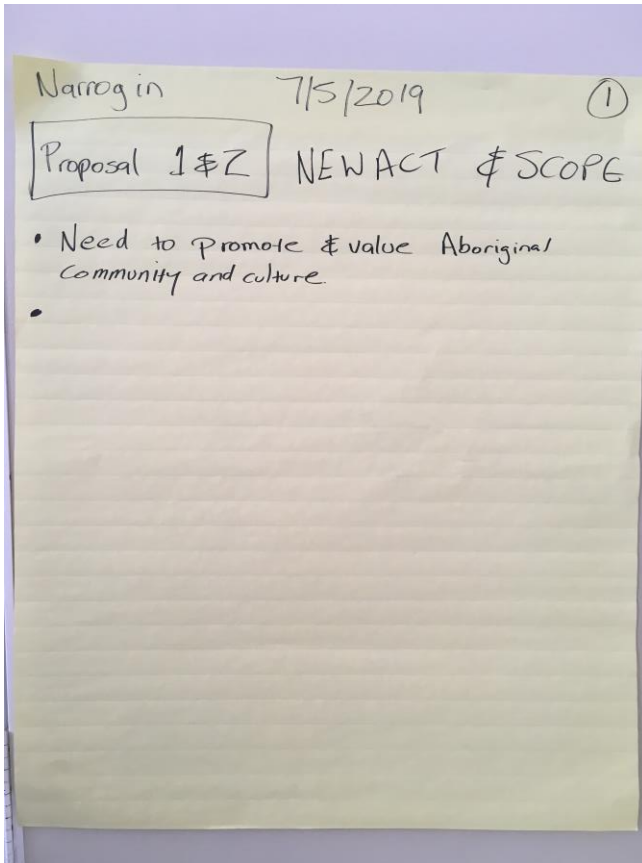
PROPOSAL 8: *A modernised enforcement regime*

9. Protecting places of outstanding importance

PROPOSAL 9: *Protected Areas*



MEETING NOTES – NARROGIN (7 MAY 2019)



MEETING NOTES – NARROGIN (7 MAY 2019)

Narrogin 7/5/2019 (3)

Proposal 3B / Aboriginal Heritage Council

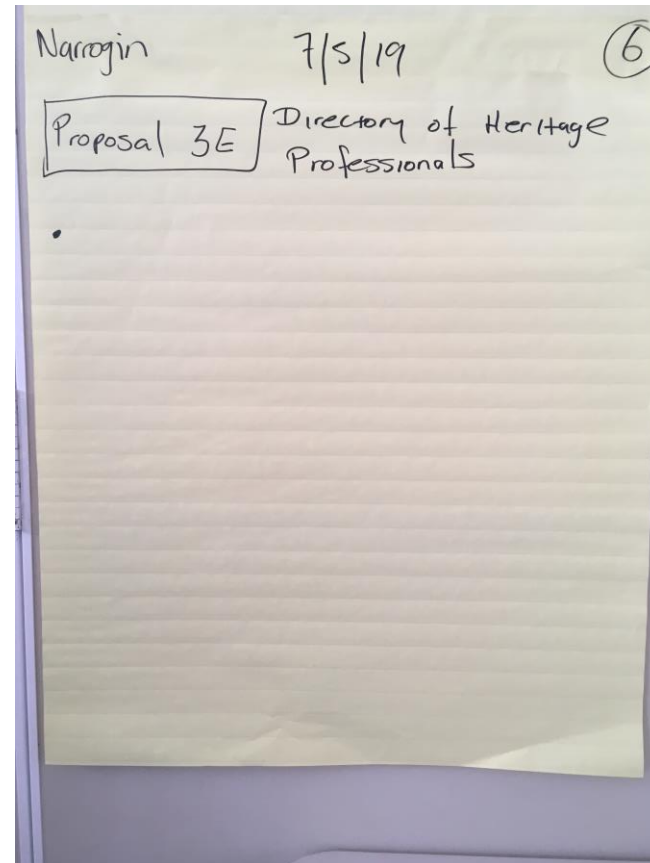
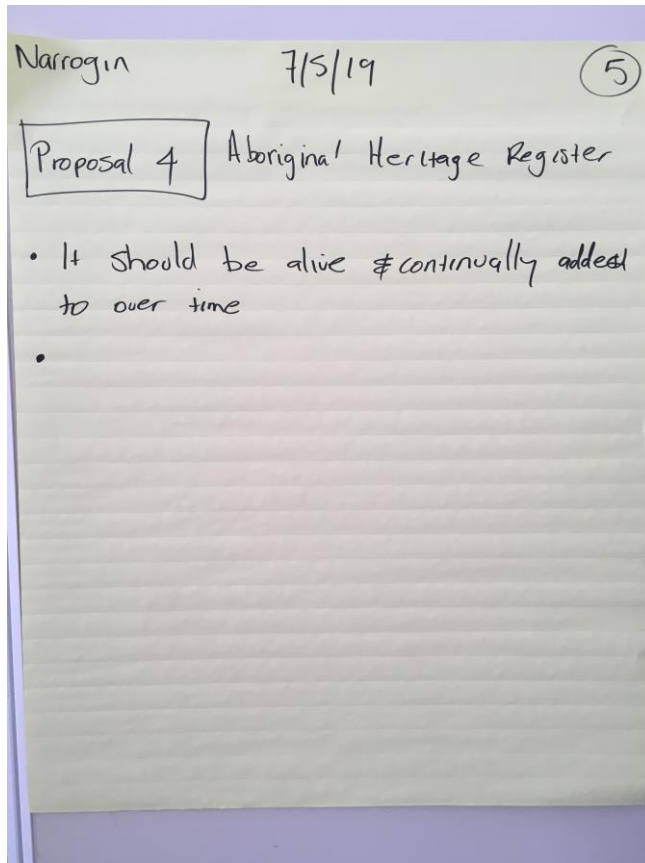
- Support the new approach

Narrogin 7/5/19 (4)

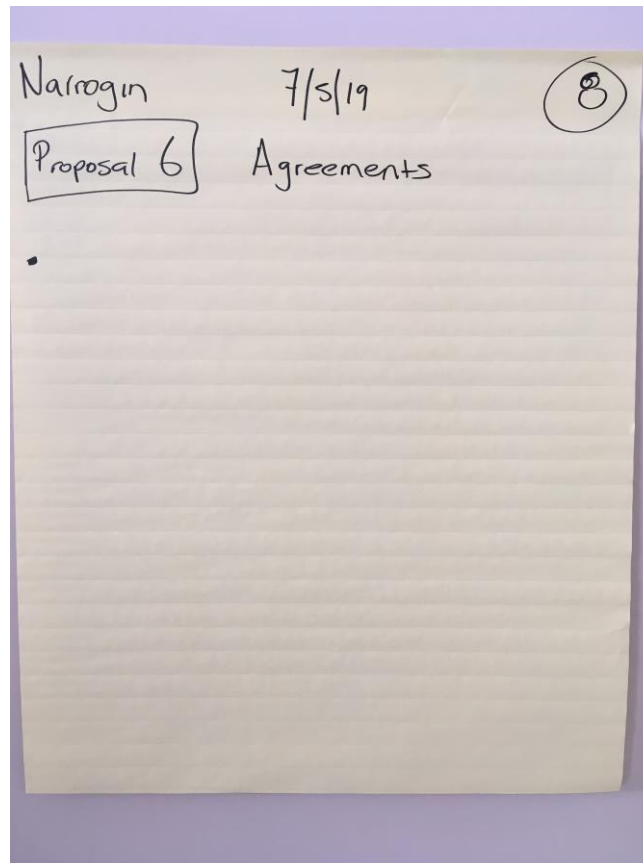
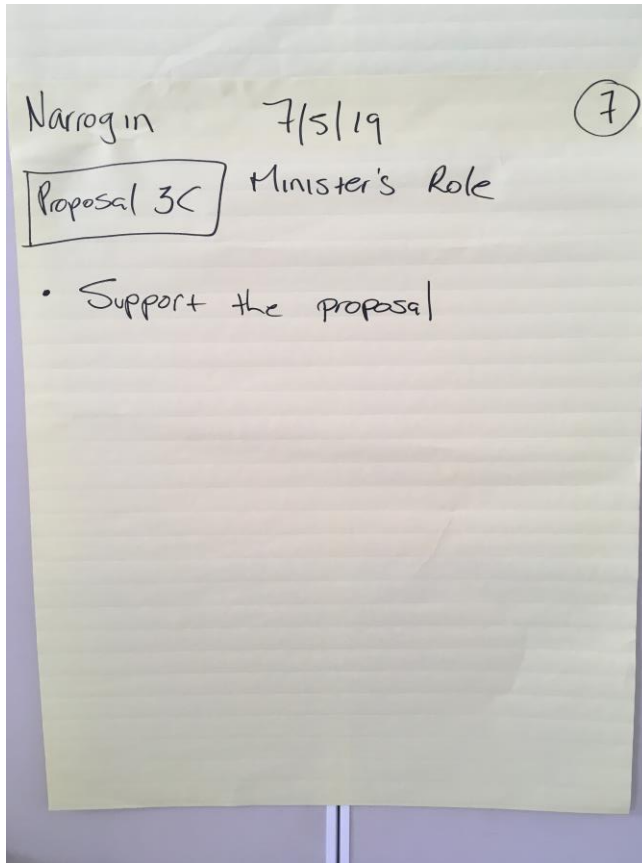
Proposal 5 / Land Use Assessments

- Support the new process of early engagement
- Important to ensure no pressure put on community in making agreements
- Important that land use assessment is done with community

MEETING NOTES – NARROGIN (7 MAY 2019)



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(9)

Proposal 7 Transparency & Appeals

- Aboriginal Representative on S.A.T.
- Important to see the equity in the appeal process

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(10)

Proposal 8 Enforcement

- The term "duty of care" is too weak.
- Ideal is protection rather than prosecution after the event.
- Should be more resources put into protection of Aboriginal Heritage
- S(A), S(a) & 6 seen as positive new initiatives.

MEETING NOTES – NARROGIN (7 MAY 2019)

Narrogin 7/5/19 (11)

Proposal 3D Department's Role

- Support the direction

Narrogin 7/5/19 (12)

Proposal 9 Protected Area's

- Supported.